



Nancy Harris, Mayor
Jamin Harkness, Post 1
Marline Thomas, Post 2

Lamar Doss, Post 3
Manfred Graeder, Post 4
Greg Whitlock, Post 5

**AGENDA
SPECIAL CALLED MEETING
MAYOR AND COUNCIL
CITY OF DULUTH, GA
3167 Main Street
Duluth, GA 30096**

AUGUST 28, 2023

CITY HALL – COUNCIL CHAMBERS

5:30 PM

5:30 PM – AGENDA REVIEW SESSION (Main St. Conference Room)

CALL TO ORDER Mayor Harris or Mayor Pro tem Thomas

I. EXECUTIVE SESSION

It will be necessary to hold an executive session on Real Estate, Pending/Potential Litigation, Personnel.

II. PUBLIC HEARINGS (6:00PM)

1. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN–GIBBS/GRISSOM
3627 NORTH ST – TEMP CONSTRUCTION EASEMENTS - PARCEL 7203 034

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3627 North St, Duluth, GA for water and sewer infrastructure improvements.

2. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – GIBBS/GRISSOM
3633 NORTH ST – TEMP CONSTRUCTION EASEMENTS - PARCEL 7203-034A

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3633 North St., Duluth GA for water and sewer infrastructure improvements.

PLEASE NOTE: This and other City meetings may be audio and/or videotaped for broadcast, transcription and/or archival purposes. As set forth in the Americans with Disabilities act (ADA) of 1990, the City of Duluth government does not discriminate on the basis of disability in the admission or access to or treatment of employment in its programs or activities, and complies with the requirements contained in section 35.107 of the Department of Justice regulations. All agenda packets may be converted to WCAG 2.0 compatibility format by emailing agenda@duluthga.net. In addition, any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Duluth government should be made seven days prior to the event. Direct inquiries to the ADA Coordinator in the City Clerk office, located at 3167 Main Street, Duluth, GA. 30096, or by telephone at 770.476.3434.

3. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN –GIBBS/GRISSOM
3643 NORTH ST – TEMP CONSTRUCTION EASEMENTS - PARCEL 7203 035

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3643 North St., Duluth GA, for water and sewer infrastructure improvements.

4. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – BENITEZ
3609 SOUTH ST – TEMP CONSTRUCTION EASEMENTS - PARCEL 7203 093

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3609 South St., Duluth GA for water and sewer infrastructure improvements.

5. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – TRUONG
3645 SOUTH ST – TEMP CONSTRUCTION EASEMENTS - PARCEL 7203 029

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3645 South St., Duluth GA for water and sewer infrastructure improvements.

6. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – RODRIGUEZ
2835 PINE ST- PERMANENT SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 332

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer easement and temporary construction easements at 2835 Pine St., Duluth GA for water and sewer infrastructure improvements.

7. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – HOLMES
2805 PINE ST - PERMANENT SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 329

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer easement and temporary construction easements at 2805 Pine St. for water and sewer infrastructure improvements.

8. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – SEPHERARA
2785 PINE ST – PERMANENT SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 327

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer easement and temporary construction easements at 2785 Pine St., Duluth GA for water and sewer infrastructure improvements.

9. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – MOORE/WARREN
3772 OAK ST – PERMANENT SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 081

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer easement and temporary construction easements at 3772 Oak St, Duluth GA, for water and sewer infrastructure improvements.

10. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – MOORE/WARREN
3612 OAK ST – PERMANENT SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 082

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire and permanent sewer and temporary construction easements at 3612 Oak St., Duluth GA for water and sewer infrastructure improvements.

11. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – MOORE/WARREN
3612 OAK ST – PERMANENT SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 025

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire and permanent sewer easement and temporary construction easements at 3612 Oak St, Duluth GA for water and sewer infrastructure improvements.

12. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – MASON
UNDEVELOPED PROPERTY – PERM SEWER & TEMP CONSTRUCTION
EASEMENTS TAX PARCEL 7203 047

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire and permanent sewer easements and temporary construction easements at undeveloped property on North St., Duluth GA in tax parcel 7203 047 for water and sewer infrastructure improvements.

13. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – TERRY
3588 ROGERS COVE – PERM SEWER & TEMP CONSTRUCTION EASEMENTS
TAX PARCEL 7203 224

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire and permanent sewer and temporary construction easements at 3588 Rogers Cove, Duluth GA for water and sewer infrastructure improvements.

III. MATTERS FROM DEPT HEADS/CITY ATTORNEY

IV. MATTERS FROM COUNCIL

V. MATTERS FROM CITY MANAGER

VI. ADJOURNMENT

*The next scheduled meeting of the Mayor and Council is
September 11, 2023 at 6:00 p.m.*

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
TEMPORARY CONSTRUCTION EASEMENT AT 3627
NORTH STREET, DULUTH, GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owner; and

WHEREAS, the negotiations with the owner(s) of the Property, BRUCE F. GIBBS, GERALDINE GIBBS, CONNIE GIBBS and WANDA GRISSOM have been unsuccessful; and

WHEREAS, the Property has been appraised and the owner of the Property has been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m. at City Hall which is located at 3167 Main Street, Duluth, Georgia 30096; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a temporary construction easement in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easement and to take all other actions necessary and appropriate to obtain such easement to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

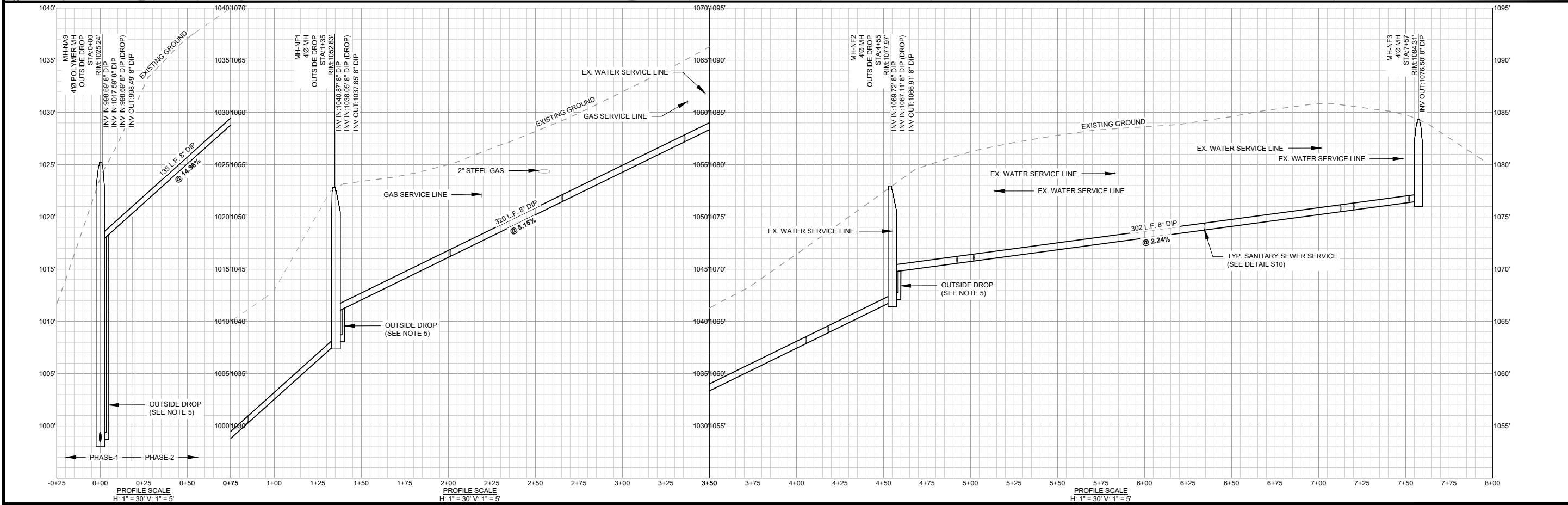
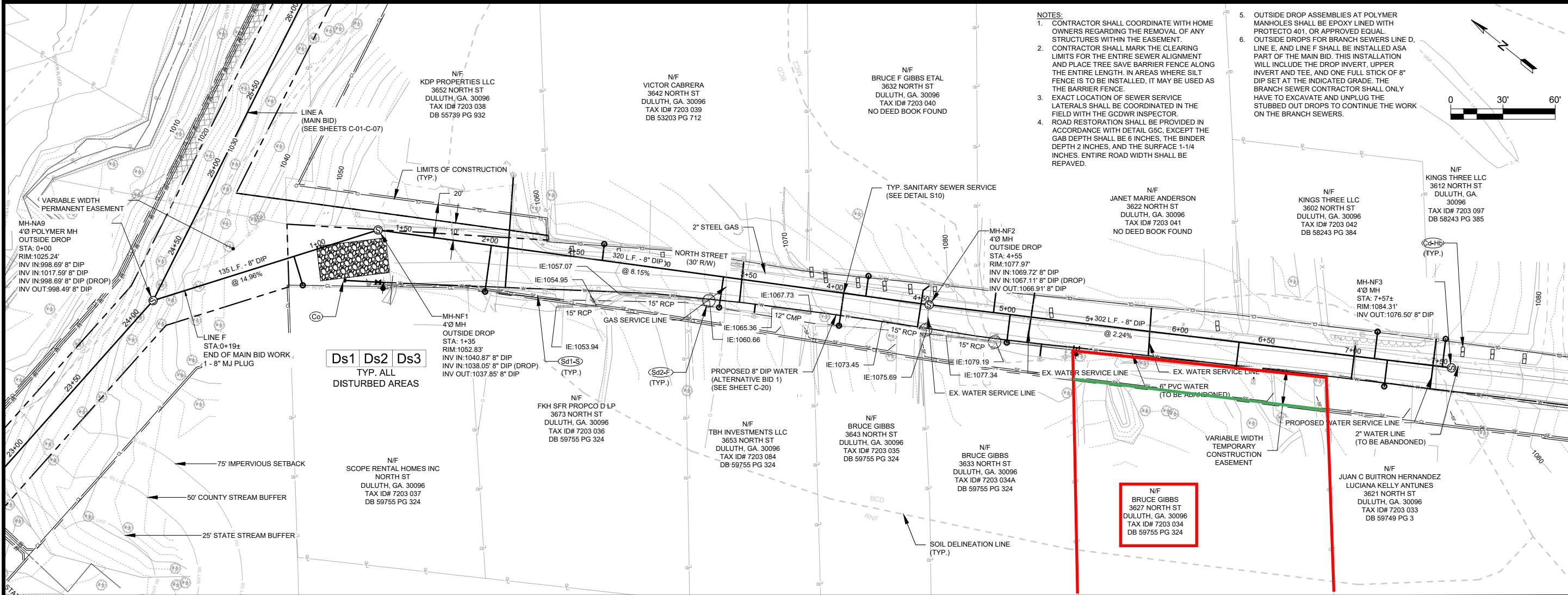
EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BRUCE F GIBBS PARCEL BEING TAX ID #7203 034

COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF LEE STREET [50' R/W] AND THE WESTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY JUAN C BUITRON HERNANDEZ & LUCIANA KELLY ANTUNES THENCE FROM SAID POINT OF COMMENCEMENT; NORTH 31 DEGREES 09 MINUTES 02 SECONDS WEST A DISTANCE OF 30.66 FEET TO A POINT; THENCE NORTH 31 DEGREES 08 MINUTES 41 SECONDS WEST A DISTANCE OF 1.14 FEET TO A POINT; THENCE NORTH 31 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 86.82 FEET TO A POINT; THENCE NORTH 30 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 82.37 FEET TO A POINT; SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W OF NORTH STREET THENCE SOUTH 49 DEGREES 18 MINUTES 54 SECONDS WEST A DISTANCE OF 22.02 FEET TO A POINT; THENCE NORTH 31 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 147.40 FEET TO A POINT; THENCE NORTH 49 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 17.57 FEET TO A POINT; THENCE ALONG THE R/W OF NORTH STREET SOUTH 33 DEGREES 28 MINUTES 26 SECONDS EAST A DISTANCE OF 146.62 FEET TO A POINT; WHICH IS **THE TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.0662 ACRES OR 2882 SQUARE FEET.



PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

DESIGNED BY: BDL

DRAWN BY: BDL

REVIEWED BY: JRF

BAR BELOW IS 1" LONG FOR SCALES SHOWN ON THIS SHEET. IF ANY SCALE ON THIS SHEET ADJUST SCALES ACCORDINGLY.

1"

DULUTH PINECREST AREA SEWER SYSTEM

NORTH STREET LINE F STA 0+00 - END

C-15

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
TEMPORARY CONSTRUCTION EASEMENT AT 3633 NORTH STREET, DULUTH,
GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owner; and

WHEREAS, the negotiations with the owner of the Property, BRUCE F. GIBBS, GERALDINE GIBBS, CONNIE GIBBS and WANDA GRISSOM have been unsuccessful; and

WHEREAS, the Property has been appraised and the owner of the Property has been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m. at City Hall which is located at 3167 Main Street, Duluth, Georgia 30096; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on July 29, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a temporary construction easement in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easement and to take all other actions necessary and appropriate to obtain such easement to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

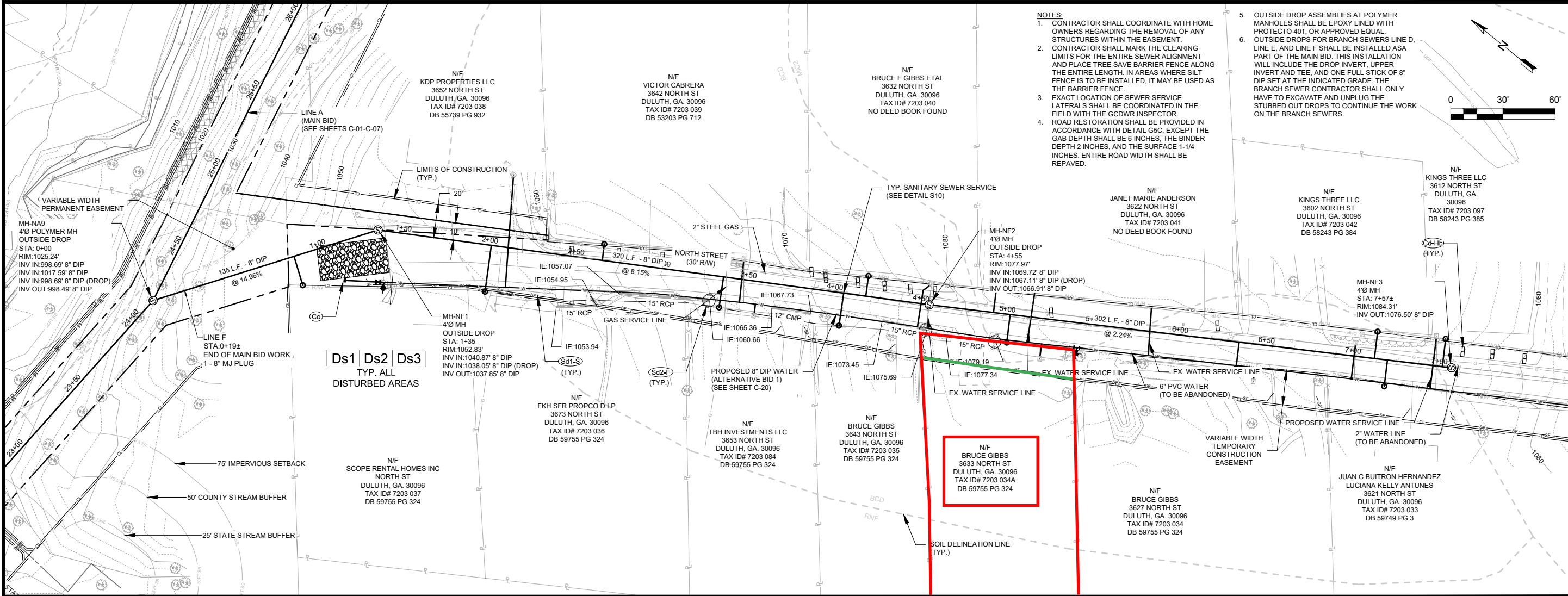
EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B
LEGAL DESCRIPTION

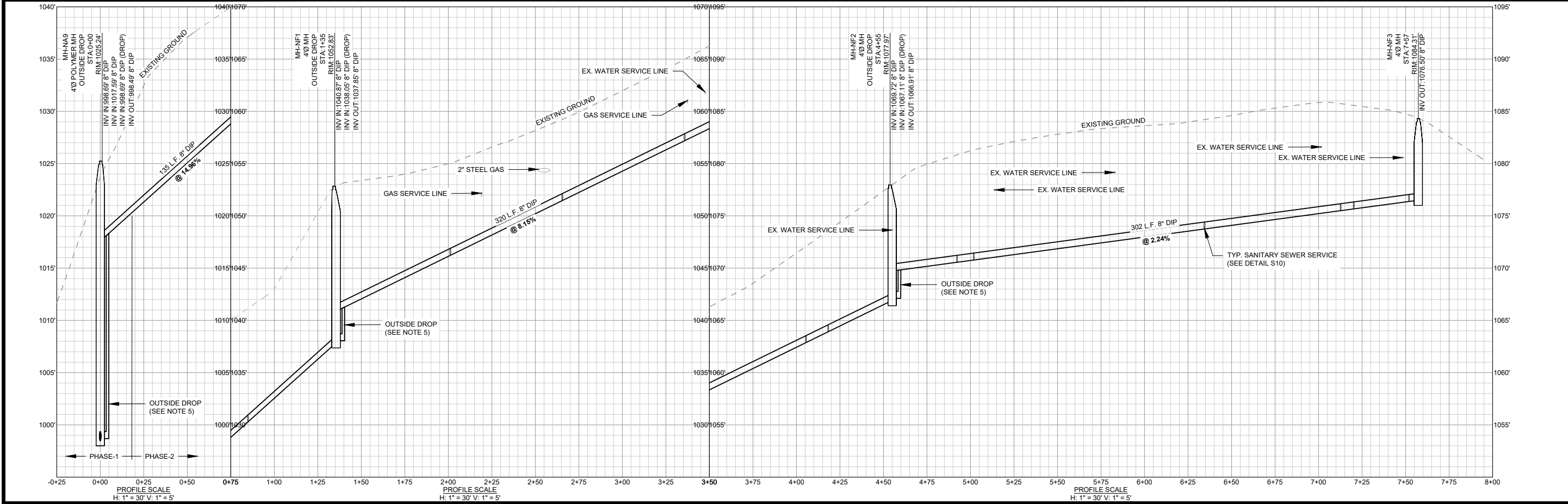
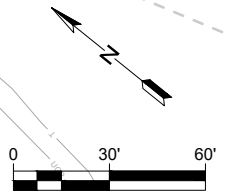
TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BRUCE F GIBBS BEING PARCEL TAX ID #7203 034A

COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF LEE STREET [50' R/W] AND THE WESTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY JUAN C BUITRON HERNANDEZ & LUCIANA KELLY ANTUNES THENCE FROM SAID **POINT OF COMMENCEMENT**; NORTH 31 DEGREES 09 MINUTES 02 SECONDS WEST A DISTANCE OF 30.66 FEET TO A POINT; THENCE NORTH 31 DEGREES 08 MINUTES 41 SECONDS WEST A DISTANCE OF 1.14 FEET TO A POINT; THENCE NORTH 31 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 86.82 FEET TO A POINT; THENCE NORTH 30 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 82.37 FEET TO A POINT; THENCE NORTH 33 DEGREES 28 MINUTES 26 SECONDS WEST A DISTANCE OF 146.62 FEET TO A 1"OPEN TOP PIPE; SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 49 DEGREES 50 MINUTES 00 SECONDS WEST A DISTANCE OF 17.57 FEET TO A POINT; THENCE NORTH 31 DEGREES 42 MINUTES 39 SECONDS WEST A DISTANCE OF 53.51 FEET TO A POINT; THENCE NORTH 30 DEGREES 01 MINUTES 54 SECONDS WEST A DISTANCE OF 34.16 FEET TO A POINT; THENCE NORTH 45 DEGREES 42 MINUTES 51 SECONDS EAST A DISTANCE OF 15.48 FEET TO A POINT; THENCE ALONG THE R/W OF NORTH STREET SOUTH 32 DEGREES 32 MINUTES 05 SECONDS EAST A DISTANCE OF 88.45 FEET TO A POINT; WHICH IS **THE TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.0335 ACRES OR 1457 SQUARE FEET.



- NOTES:
1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY STRUCTURES WITHIN THE EASEMENT.
 2. CONTRACTOR SHALL MARK THE CLEARING LIMITS FOR THE ENTIRE SEWER ALIGNMENT AND PLACE TREE SAVE BARRIER FENCE ALONG THE ENTIRE LENGTH. IN AREAS WHERE SILT FENCE IS TO BE INSTALLED, IT MAY BE USED AS THE BARRIER FENCE.
 3. EXACT LOCATION OF SEWER SERVICE LATERALS SHALL BE COORDINATED IN THE FIELD WITH THE GODWR INSPECTOR.
 4. ROAD RESTORATION SHALL BE PROVIDED IN ACCORDANCE WITH DETAIL G5C, EXCEPT THE GAB DEPTH SHALL BE 6 INCHES, THE BINDER DEPTH 2 INCHES, AND THE SURFACE 1-1/4 INCHES. ENTIRE ROAD WIDTH SHALL BE REPAVED.
 5. OUTSIDE DROP ASSEMBLIES AT POLYMER MANHOLES SHALL BE EPOXY LINED WITH PROTECTO 401, OR APPROVED EQUAL.
 6. OUTSIDE DROPS FOR BRANCH SEWERS LINE D, LINE E, AND LINE F SHALL BE INSTALLED AS PART OF THE MAIN BID. THIS INSTALLATION WILL INCLUDE THE DROP INVERT, UPPER INVERT AND TEE, AND ONE FULL STICK OF 8" DIP SET AT THE INDICATED GRADE. THE BRANCH SEWER CONTRACTOR SHALL ONLY HAVE TO EXCAVATE AND UNPLUG THE STUBBED OUT DROPS TO CONTINUE THE WORK ON THE BRANCH SEWERS.



ESI

ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

REVISION	DATE

DESIGNED BY: BDL

DRAWN BY: BDL

REVIEWED BY: JRF

BAR BELOW IS 1" LONG FOR SCALES SHOWN ON THIS SHEET. IF ANY SCALE ON THIS SHEET ADJUST SCALES ACCORDINGLY.

1"

DULUTH PINECREST AREA SEWER SYSTEM

NORTH STREET LINE F STA 0+00 - END

C-15

L:\GDPDuluth Pinecrest Sewer\Drawings\Sheet\LINE B P&P.dwg - 4/6/2023 4:48 PM BY: BLASEVA

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
TEMPORARY CONSTRUCTION EASEMENT AT 3643 NORTH STREET, DULUTH,
GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owner; and

WHEREAS, the negotiations with the owner of the Property, BRUCE F. GIBBS, GERALDINE GIBBS, CONNIE GIBBS AND WANDA GRISSOM have been unsuccessful; and

WHEREAS, the Property has been appraised and the owner of the Property has been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m. at City Hall which is located at 3167 Main Street, Duluth, Georgia 30096; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on on August 28, 2023 at 6:00 p.m more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a temporary construction easement in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easement and to take all other actions necessary and appropriate to obtain such easement to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

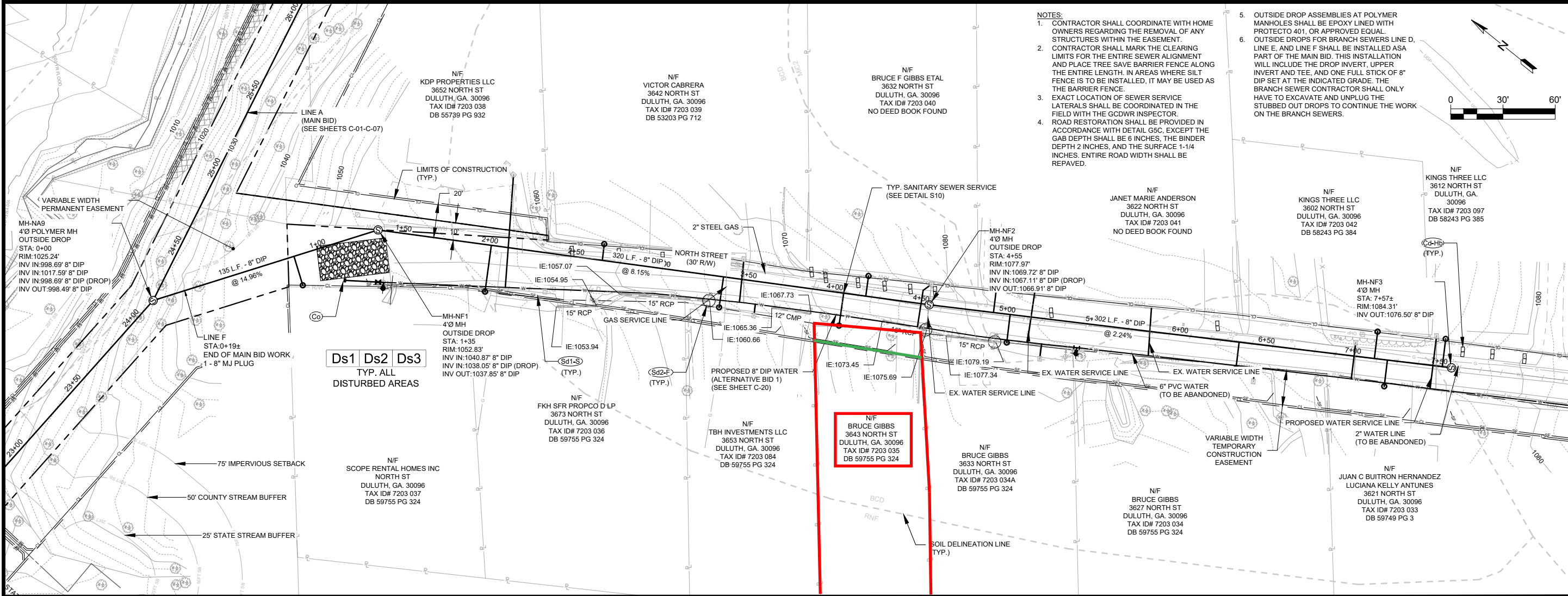
EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

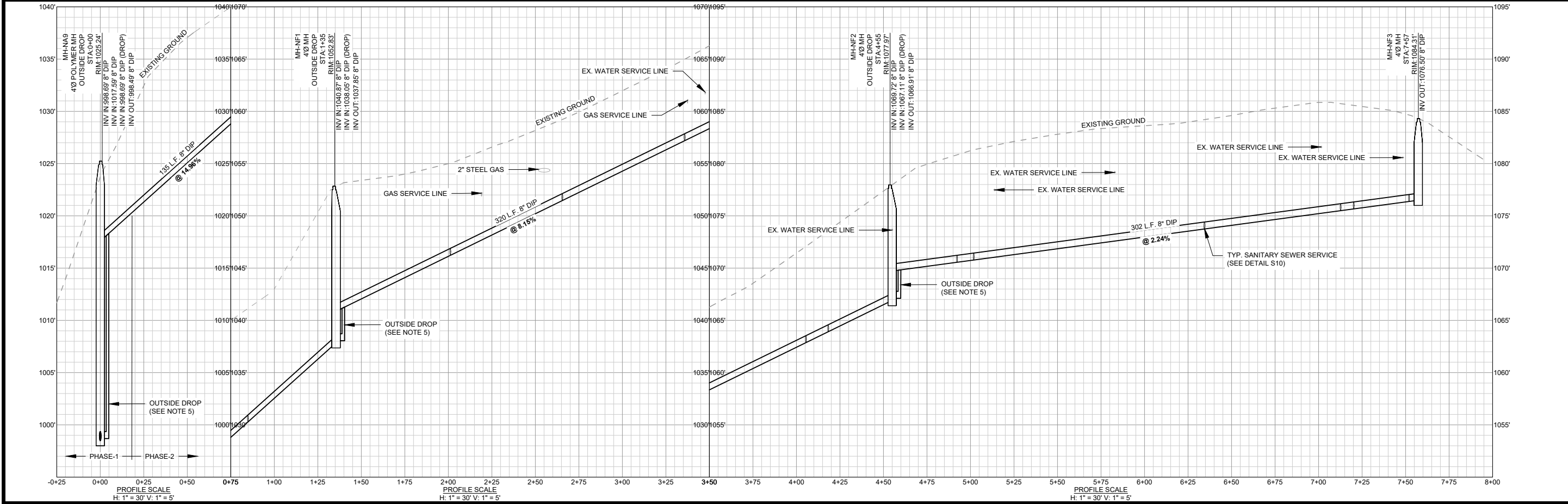
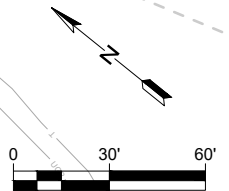
TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BRUCE F GIBBS BEING PARCEL TAX ID #7203 035

COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF LEE STREET [50' R/W] AND THE WESTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY JUAN C BUITRON HERNANDEZ & LUCIANA KELLY ANTUNES THENCE FROM SAID **POINT OF COMMENCEMENT**; NORTH 31 DEGREES 09 MINUTES 02 SECONDS WEST A DISTANCE OF 30.66 FEET TO A POINT; THENCE NORTH 31 DEGREES 08 MINUTES 41 SECONDS WEST A DISTANCE OF 1.14 FEET TO A POINT; THENCE NORTH 31 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 86.82 FEET TO A POINT; THENCE NORTH 30 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 82.37 FEET TO A POINT; THENCE NORTH 33 DEGREES 28 MINUTES 26 SECONDS WEST A DISTANCE OF 146.62 FEET TO A 1" OPEN TOP PIPE; THENCE NORTH 32 DEGREES 32 MINUTES 05 SECONDS WEST A DISTANCE OF 88.45 FEET TO A #4 REBAR DISTURBED; SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 45 DEGREES 42 MINUTES 51 SECONDS WEST A DISTANCE OF 15.48 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 51 SECONDS WEST A DISTANCE OF 63.37 FEET TO A POINT; THENCE NORTH 49 DEGREES 31 MINUTES 00 SECONDS EAST A DISTANCE OF 10.79 FEET TO A POINT; THENCE ALONG THE R/W OF NORTH STREET SOUTH 33 DEGREES 44 MINUTES 20 SECONDS EAST A DISTANCE OF 61.65 FEET TO A POINT; WHICH IS **THE TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.0185 ACRES OR 805 SQUARE FEET.



- NOTES:
1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY STRUCTURES WITHIN THE EASEMENT.
 2. CONTRACTOR SHALL MARK THE CLEARING LIMITS FOR THE ENTIRE SEWER ALIGNMENT AND PLACE TREE SAVE BARRIER FENCE ALONG THE ENTIRE LENGTH. IN AREAS WHERE SILT FENCE IS TO BE INSTALLED, IT MAY BE USED AS THE BARRIER FENCE.
 3. EXACT LOCATION OF SEWER SERVICE LATERALS SHALL BE COORDINATED IN THE FIELD WITH THE GODWR INSPECTOR.
 4. ROAD RESTORATION SHALL BE PROVIDED IN ACCORDANCE WITH DETAIL G5C, EXCEPT THE GAB DEPTH SHALL BE 6 INCHES, THE BINDER DEPTH 2 INCHES, AND THE SURFACE 1-1/4 INCHES. ENTIRE ROAD WIDTH SHALL BE REPAVED.
 5. OUTSIDE DROP ASSEMBLIES AT POLYMER MANHOLES SHALL BE EPOXY LINED WITH PROTECTO 401, OR APPROVED EQUAL.
 6. OUTSIDE DROPS FOR BRANCH SEWERS LINE D, LINE E, AND LINE F SHALL BE INSTALLED AS PART OF THE MAIN BID. THIS INSTALLATION WILL INCLUDE THE DROP INVERT, UPPER INVERT AND TEE, AND ONE FULL STICK OF 8" DIP SET AT THE INDICATED GRADE. THE BRANCH SEWER CONTRACTOR SHALL ONLY HAVE TO EXCAVATE AND UNPLUG THE STUBBED OUT DROPS TO CONTINUE THE WORK ON THE BRANCH SEWERS.



ESI

ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

REVISION	DATE

DESIGNED BY: BDL

DRAWN BY: BDL

REVIEWED BY: JRF

DULUTH PINECREST AREA SEWER SYSTEM

NORTH STREET LINE F STA 0+00 - END

C-15

BAR BELOW IS 1" LONG FOR SCALES SHOWN ON THIS SHEET. IF ANY SCALE ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

1"

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE A
TEMPORARY CONSTRUCTION EASEMENT AT 3609
SOUTH STREET, DULUTH, GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owner; and

WHEREAS, the negotiations with the owner of the Property, JOSE M. BENITEZ, JOSLYN BENITEZ and PENNYMAC LOAN SERVICE, LLC have been unsuccessful; and

WHEREAS, the Property has been appraised and the owner of the Property has been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a temporary construction easement in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easement and to take all other actions necessary and appropriate to obtain such easement to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

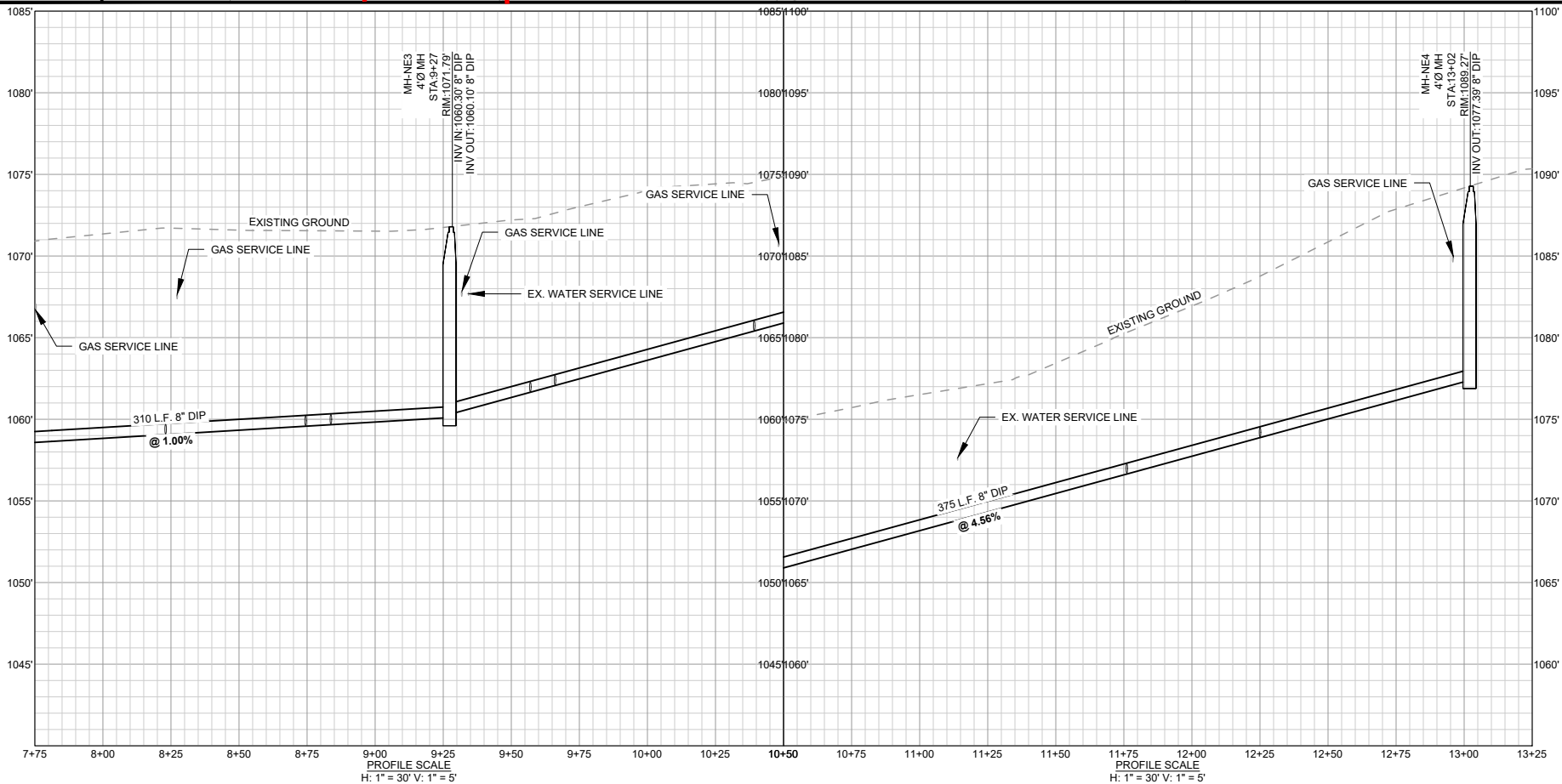
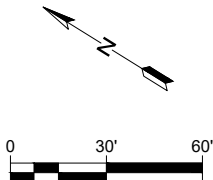
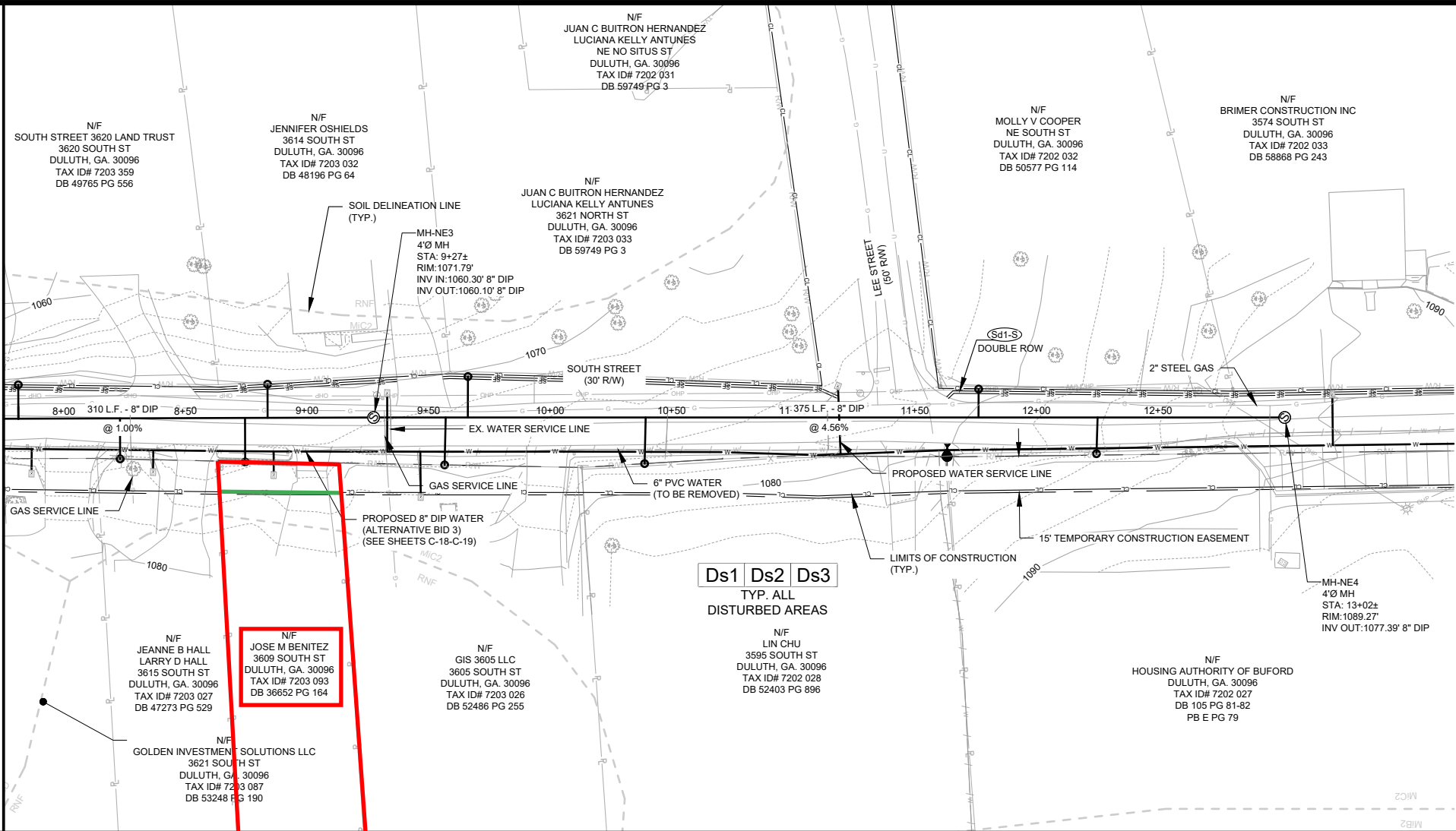
TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOSE M BENITEZ BEING PARCEL TAX ID #7203 093

COMMENCE AT A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD [200' R/W] AND THE WESTERLY RIGHT-OF-WAY OF SOUTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY HOUSING AUTHORITY OF BUFORD AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD THENCE FROM SAID POINT OF COMMENCEMENT; NORTH 32 DEGREES 32 MINUTES 41 SECONDS WEST ALONG THE WESTERLY R/W OF SOUTH STREET A DISTANCE OF 510.33 FEET TO A 1" OPEN TOP PIPE; THENCE NORTH 31 DEGREES 20 MINUTES 51 SECONDS WEST A DISTANCE OF 60.27 FEET TO A POINT; THENCE NORTH 34 DEGREES 13 MINUTES 14 SECONDS WEST A DISTANCE OF 32.06 FEET TO A POINT; THENCE NORTH 35 DEGREES 21 MINUTES 22 SECONDS WEST A DISTANCE OF 58.11 FEET TO A 1" AXLE; THENCE NORTH 30 DEGREES 46 MINUTES 14 SECONDS WEST A DISTANCE OF 99.83 FEET TO A POINT; SAID POINT BEING **THE TRUE POINT OF BEGINNING**; FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 54 DEGREES 19 MINUTES 49 SECONDS WEST A DISTANCE OF 13.17 FEET TO A POINT; THENCE NORTH 31 DEGREES 33 MINUTES 09 SECONDS WEST A DISTANCE OF 49.79 FEET TO A POINT; THENCE NORTH 55 DEGREES 14 MINUTES 35 SECONDS EAST A DISTANCE OF 13.65 FEET TO A POINT; THENCE SOUTH 30 DEGREES 59 MINUTES 10 SECONDS EAST A DISTANCE OF 49.61 FEET TO A POINT; WHICH IS **THE TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.0153 ACRES OR 665 SQUARE FEET.

- NOTES:
1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY STRUCTURES WITHIN THE EASEMENT.
 2. CONTRACTOR SHALL MARK THE CLEARING LIMITS FOR THE ENTIRE SEWER ALIGNMENT AND PLACE TREE SAVE BARRIER FENCE ALONG THE ENTIRE LENGTH. IN AREAS WHERE SILT FENCE IS TO BE INSTALLED, IT MAY BE USED AS THE BARRIER FENCE.
 3. EXACT LOCATION OF SEWER SERVICE LATERALS SHALL BE COORDINATED IN THE FIELD WITH THE GCDWR INSPECTOR.
 4. ROAD RESTORATION SHALL BE PROVIDED IN ACCORDANCE WITH DETAIL G5C, EXCEPT THE GAS DEPTH SHALL BE 6 INCHES, THE BINDER DEPTH 2 INCHES, AND THE SURFACE 1-1/4 INCHES. ENTIRE ROAD WIDTH SHALL BE REPAVED.
 5. OUTSIDE DROP ASSEMBLIES AT POLYMER MANHOLES SHALL BE EPOXY LINED WITH PROTECTO 401, OR APPROVED EQUAL.

MATCH LINE STA: 7+75



PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

REVISION	DATE

DESIGNED BY: BDL

DRAWN BY: BDL

REVIEWED BY: JRF

BAR BELOW IS 1" LONG FOR
SCALES SHOWN WITHIN SHEET.
IF NOT SHOWN ON THIS SHEET,
ADJUST SCALES ACCORDINGLY.

DULUTH PINECREST AREA SEWER

SYSTEM

SOUTH STREET LINE E STA 7+75 - END

C-14

ESI
ENGINEERING STRATEGIES, INC.

L:\GDP\DU\Duluth Pinecrest Sewer\Drawings\Sheet\LINE B P&P.dwg - 4/6/2023 4:48 PM BY: BLASEVA

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
TEMPORARY CONSTRUCTION EASEMENT
AT 3645 SOUTH STREET, DULUTH, GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owner; and

WHEREAS, the negotiations with the owner of the Property, SCOTT TRUONG, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owner of the Property has been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a temporary construction easement in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easement and to take all other actions necessary and appropriate to obtain such easement to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

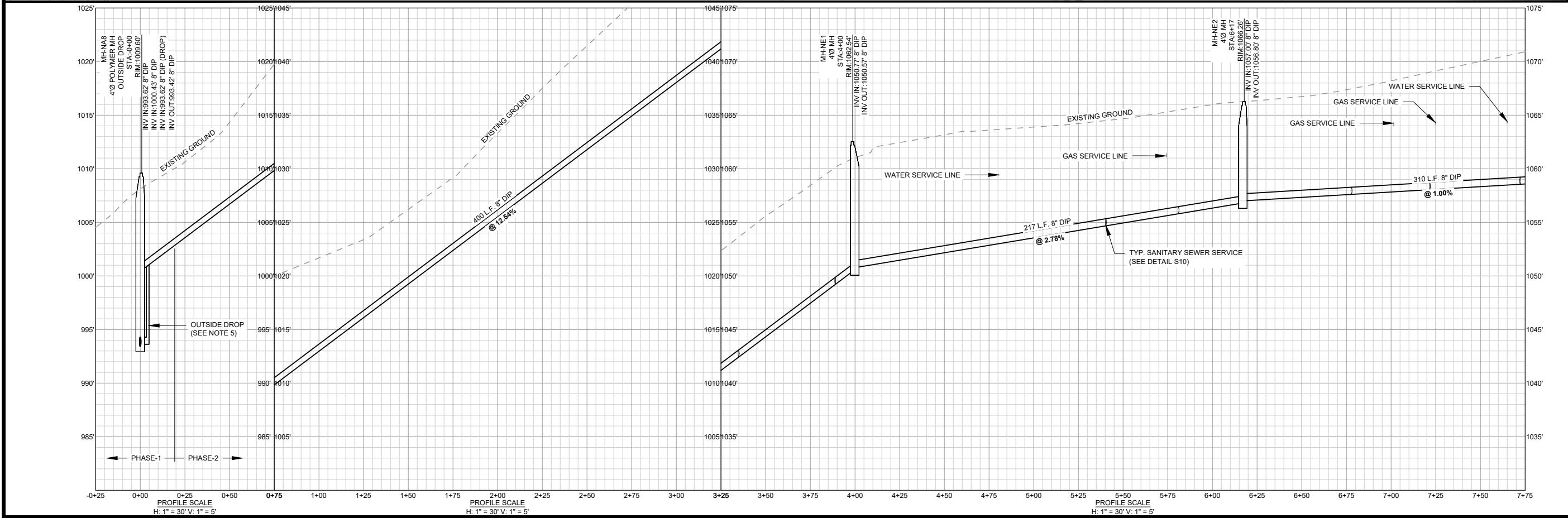
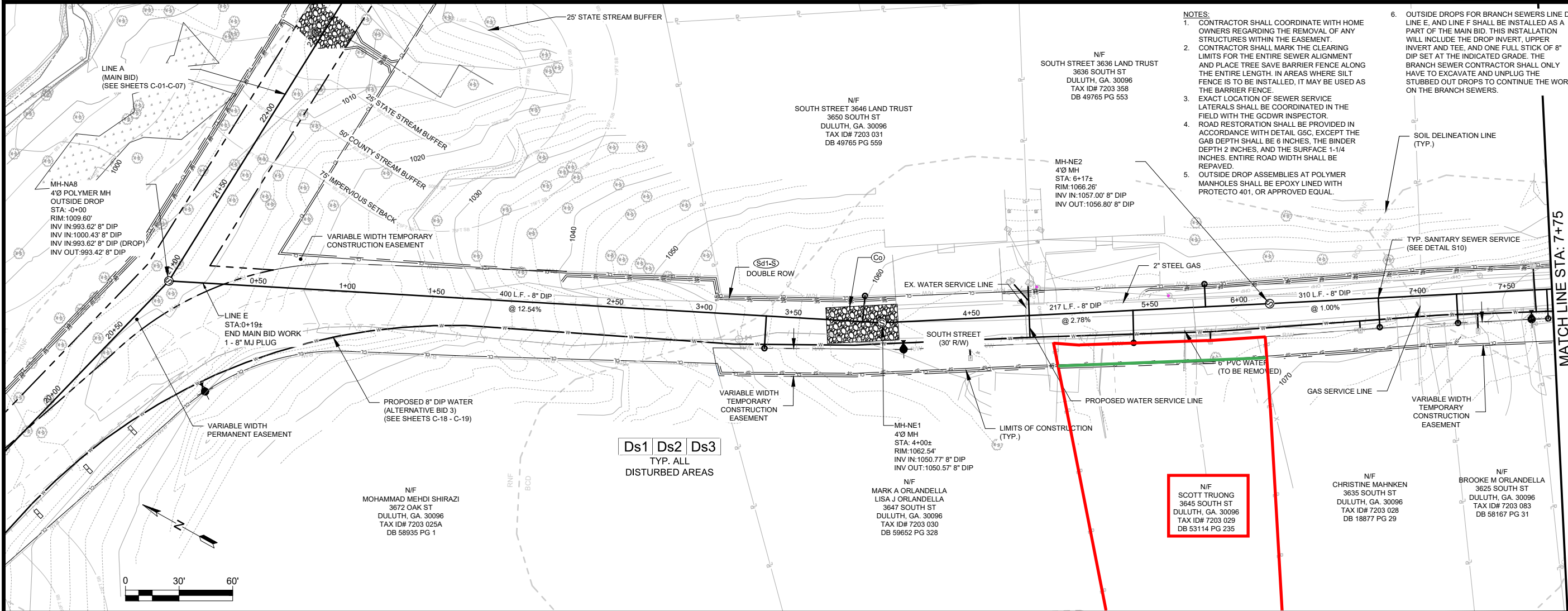
EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SCOTT TRUONG BEING PARCEL TAX ID #7203 029

COMMENCE AT A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD [200' R/W] AND THE WESTERLY RIGHT-OF-WAY OF SOUTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY HOUSING AUTHORITY OF BUFORD AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD THENCE FROM SAID **POINT OF COMMENCEMENT**; NORTH 32 DEGREES 32 MINUTES 41 SECONDS WEST ALONG THE WESTERLY R/W OF SOUTH STREET A DISTANCE OF 510.33 FEET TO A 1" OPEN TOP PIPE; THENCE NORTH 31 DEGREES 20 MINUTES 51 SECONDS WEST A DISTANCE OF 60.27 FEET TO A POINT; THENCE NORTH 34 DEGREES 13 MINUTES 14 SECONDS WEST A DISTANCE OF 32.06 FEET TO A POINT; THENCE NORTH 35 DEGREES 21 MINUTES 22 SECONDS WEST A DISTANCE OF 58.11 FEET TO A 1" AXLE; THENCE NORTH 30 DEGREES 46 MINUTES 14 SECONDS WEST A DISTANCE OF 99.83 FEET TO A POINT; THENCE NORTH 30 DEGREES 59 MINUTES 10 SECONDS WEST A DISTANCE OF 49.61 FEET TO A 1" OPEN TOP PIPE DISTURBED; THENCE NORTH 30 DEGREES 34 MINUTES 16 SECONDS WEST A DISTANCE OF 49.85 FEET TO A #4 REBAR; THENCE NORTH 31 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 49.44 FEET TO A #4 REBAR; THENCE NORTH 31 DEGREES 54 MINUTES 47 SECONDS WEST A DISTANCE OF 50.08 FEET TO A #4 REBAR; THENCE NORTH 32 DEGREES 08 MINUTES 39 SECONDS WEST A DISTANCE OF 5.17 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 95.13 FEET TO A POINT; SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 57 DEGREES 18 MINUTES 03 SECONDS WEST A DISTANCE OF 12.91 FEET TO A POINT; THENCE NORTH 33 DEGREES 03 MINUTES 11 SECONDS WEST A DISTANCE OF 30.05 FEET TO A POINT; THENCE NORTH 30 DEGREES 52 MINUTES 12 SECONDS WEST A DISTANCE OF 86.66 FEET TO A POINT; THENCE NORTH 49 DEGREES 44 MINUTES 25 SECONDS EAST A DISTANCE OF 14.49 FEET TO A POINT; THENCE SOUTH 29 DEGREES 55 MINUTES 51 SECONDS EAST A DISTANCE OF 87.50 FEET TO A POINT; THENCE SOUTH 33 DEGREES 03 MINUTES 10 SECONDS EAST A DISTANCE OF 31.17 FEET TO A POINT; WHICH IS **THE TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.0362 ACRES OR 1576 SQUARE FEET.



PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

DESIGNED BY: BDL

DRAWN BY: BDL

REVIEWED BY: JRF

BAR BELOW IS 1" LONG FOR SCALES SHOWN ON THIS SHEET. IF NO SCALE IS SHOWN, ADJUST SCALES ACCORDINGLY.

1"

DULUTH PINECREST AREA SEWER SYSTEM

SOUTH STREET LINE E STA 0+00 - 7+75

C-13

ESI

ENGINEERING STRATEGIES, INC.

L:\GCDPU\Duluth Pinecrest Sewer\Draws\Sheets\LINE B P&P.dwg - 4/6/2023 4:48 PM BY: BLASEVA

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO
ACQUIRE PERMANENT SEWER EASEMENTS AND TEMPORARY
CONSTRUCTION EASEMENTS AT 2835 PINE STREET, DULUTH,
GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, WILLIAM D. RODRIGUEZ and the BANK OF NEW YORK MELLON, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WILLIAM D. RODRIGUEZ BEING PARCEL TAX ID #7203 332

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 573.76 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 116.02 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 5.08 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 20.00 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 14.85 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 66.50 FEET TO A POINT; THENCE SOUTH 21 DEGREES 22 MINUTES 05 SECONDS WEST A DISTANCE OF 25.30 FEET TO A POINT; THENCE NORTH 56 DEGREES 21 MINUTES 05 SECONDS WEST A DISTANCE OF 69.55 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING**.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0311 ACRES OR 1353 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WILLIAM D. RODRIGUEZ BEING PARCEL TAX ID #7203 332

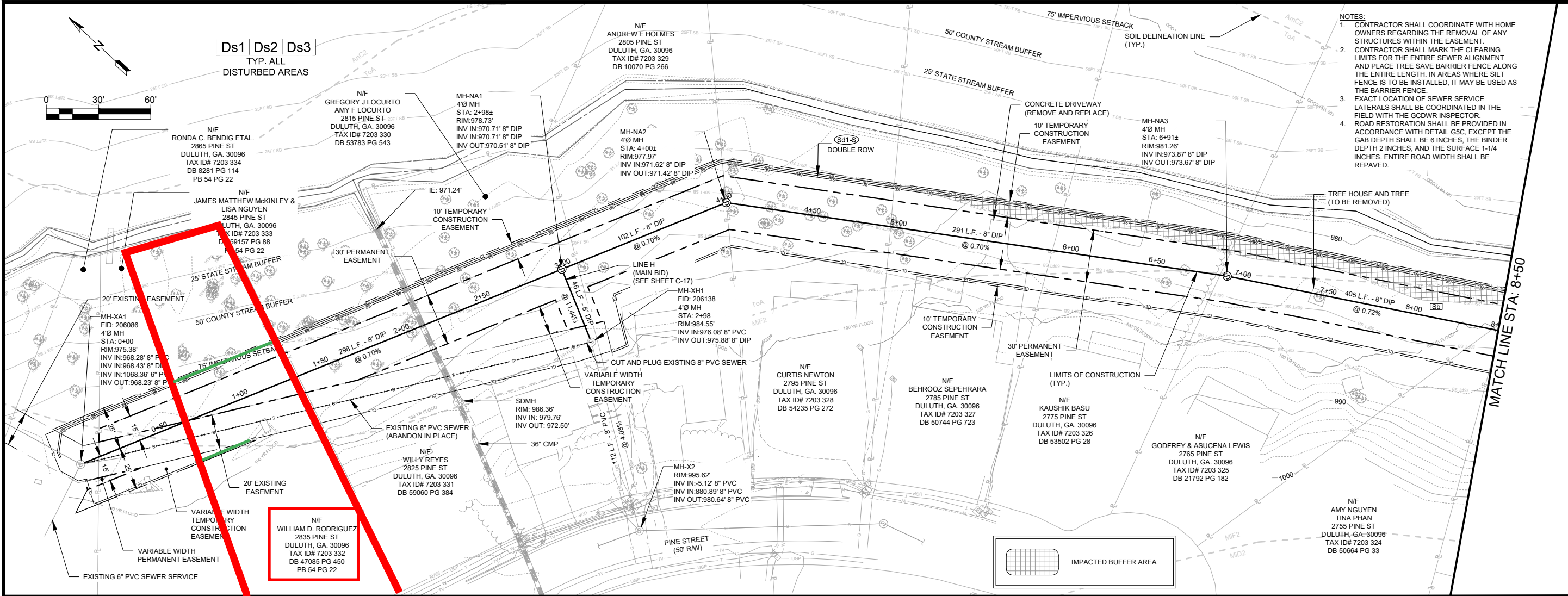
COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 573.76 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 116.02 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 5.08 FEET TO A POINT; THENCE SOUTH 56 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 33.87 FEET TO A POINT; THENCE NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 33.71 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0020 ACRES OR 86 SQUARE FEET.

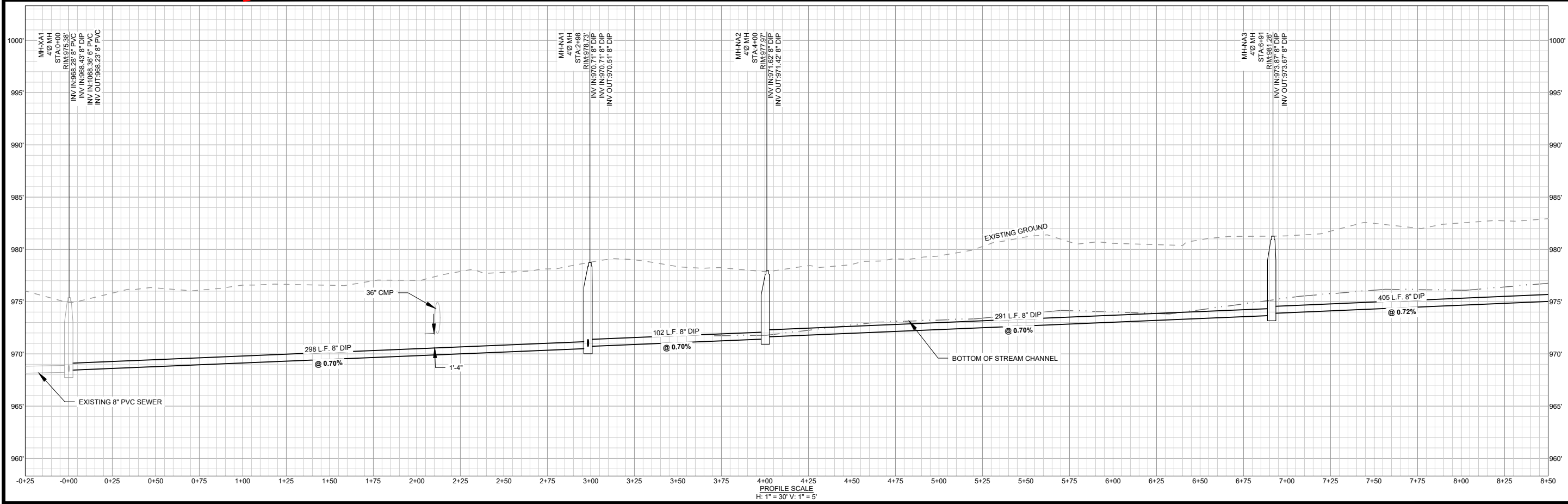
TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WILLIAM D. RODRIGUEZ BEING PARCEL TAX ID #7203 332

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 573.76 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 116.02 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 5.08 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 14.85 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 65.42 FEET TO A POINT; THENCE SOUTH 21 DEGREES 22 MINUTES 05 SECONDS WEST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 66.50 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0151 ACRES OR 660 SQUARE FEET.



- NOTES:
1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY STRUCTURES WITHIN THE EASEMENT.
 2. CONTRACTOR SHALL MARK THE CLEARING LIMITS FOR THE ENTIRE SEWER ALIGNMENT AND PLACE TREE SAVE BARRIER FENCE ALONG THE ENTIRE LENGTH. IN AREAS WHERE SILT FENCE IS TO BE INSTALLED, IT MAY BE USED AS THE BARRIER FENCE.
 3. EXACT LOCATION OF SEWER SERVICE LATERALS SHALL BE COORDINATED IN THE FIELD WITH THE GCDWR INSPECTOR.
 4. ROAD RESTORATION SHALL BE PROVIDED IN ACCORDANCE WITH DETAIL G5C, EXCEPT THE GAB DEPTH SHALL BE 6 INCHES, THE BINDER DEPTH 2 INCHES, AND THE SURFACE 1-1/4 INCHES. ENTIRE ROAD WIDTH SHALL BE REPAVED.



PROJECT NUMBER: F-1387-38
PROJECT DATE: APRIL 2023

DESIGNED BY:
DRAWN BY:
REVIEWED BY:

DATE:
REVISION:
SCALE: 1" = 30' V, 1" = 5' H

ESI
ENGINEERING STRATEGIES, INC.

DULUTH PINECREST AREA SEWER
SYSTEM
OUTFALL SEWER LINE A STA 0+00 - 8+50

C-01

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENTS AND TEMPORARY CONSTRUCTION
EASEMENTS AT 2805 PINE STREET, DULUTH,
GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, ANDREW E. HOLMES and RHONDA M. HOLMES, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY ANDREW E. HOLMES BEING PARCEL TAX ID #7203 329

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 868.22 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 133.16 FEET TO A POINT; THENCE NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 10.44 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 87.42 FEET TO A POINT; THENCE SOUTH 25 DEGREES 02 MINUTES 00 SECONDS WEST A DISTANCE OF 21.60 FEET TO A POINT; THENCE NORTH 56 DEGREES 21 MINUTES 05 SECONDS WEST A DISTANCE OF 5.31 FEET TO A POINT; THENCE NORTH 32 DEGREES 31 MINUTES 39 SECONDS EAST A DISTANCE OF 51.25 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 94.54 FEET TO A POINT; NORTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 0.40 FEET TO A POINT; NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 31.10 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING**.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0656 ACRES OR 2856 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY ANDREW HOLMES BEING PARCEL TAX ID #7203 329

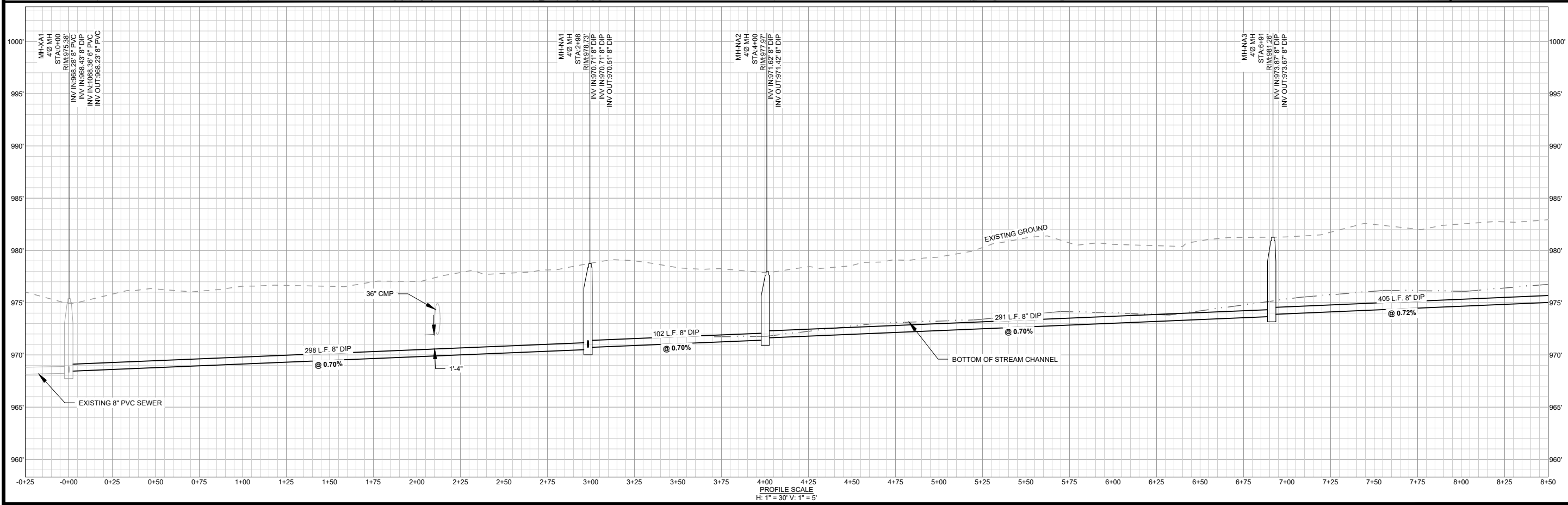
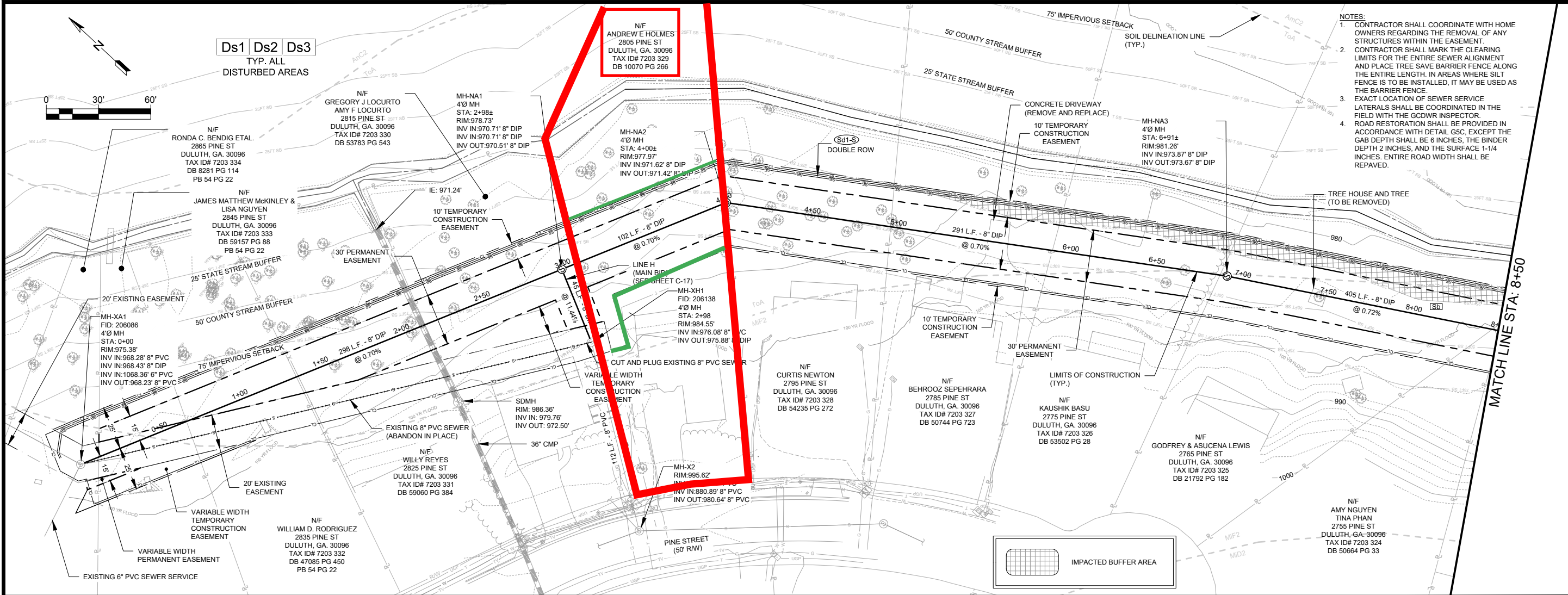
COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 868.22 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 133.16 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 71.46 FEET TO A POINT; THENCE SOUTH 32 DEGREES 52 MINUTES 24 SECONDS WEST A DISTANCE OF 30.49 FEET TO A POINT; THENCE NORTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 10.09 FEET TO A POINT; THENCE NORTH 32 DEGREES 52 MINUTES 24 SECONDS EAST A DISTANCE OF 18.58 FEET TO A POINT; THENCE NORTH 56 DEGREES 21 MINUTES 05 SECONDS WEST A DISTANCE OF 1.27 FEET TO A POINT; THENCE NORTH 25 DEGREES 02 MINUTES 00 SECONDS EAST A DISTANCE OF 21.60 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 87.42 FEET TO A POINT; THENCE SOUTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 10.44 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0273 ACRES OR 1188 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY ANDREW HOLMES BEING PARCEL TAX ID #7203 329

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 868.22 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 133.16 FEET TO A POINT; THENCE NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 41.54 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 0.40 FEET TO A POINT; NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 94.54 FEET TO A POINT; THENCE NORTH 32 DEGREES 31 MINUTES 39 SECONDS EAST A DISTANCE OF 10.09 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 95.95 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 0.67 FEET TO A POINT; THENCE SOUTH 41 DEGREES 40 MINUTES 29 SECONDS WEST A DISTANCE OF 10.30 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0220 ACRES OR 958 SQUARE FEET.



ESI
ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38
PROJECT DATE: APRIL 2023

DESIGNED BY:
DRAWN BY:
REVIEWED BY:

DATE:
REVISION:
DATE:

BAR BELOW IS 1" LONG FOR
SCALES SHOWN ON THIS SHEET.
IF NO SCALE IS SHOWN ON THIS SHEET,
ADJUST SCALES ACCORDINGLY.

DULUTH PINECREST AREA SEWER
SYSTEM
OUTFALL SEWER LINE A STA 0+00 - 8+50

C-01

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENTS AND TEMPORARY CONSTRUCTION
EASEMENTS AT 2785 PINE STREET, DULUTH, GEORGIA
30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, BEHROOZ SEPEHRARA and EVERETT FINANCIAL, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B

LEGAL DESCRIPTION

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BEHROOZ SEPEHRARA BEING PARCEL TAX ID #7203 327

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 1005.82 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 124.18 FEET TO A POINT; THENCE NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 10.07 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 91.31 FEET TO A POINT; THENCE NORTH 52 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 30.05 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 96.59 FEET TO A POINT; THENCE SOUTH 62 DEGREES 13 MINUTES 18 SECONDS WEST A DISTANCE OF 30.21 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING**.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0647 ACRES OR 2819 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BEHROOZ SEPEHRARA BEING PARCEL TAX ID #7203 327

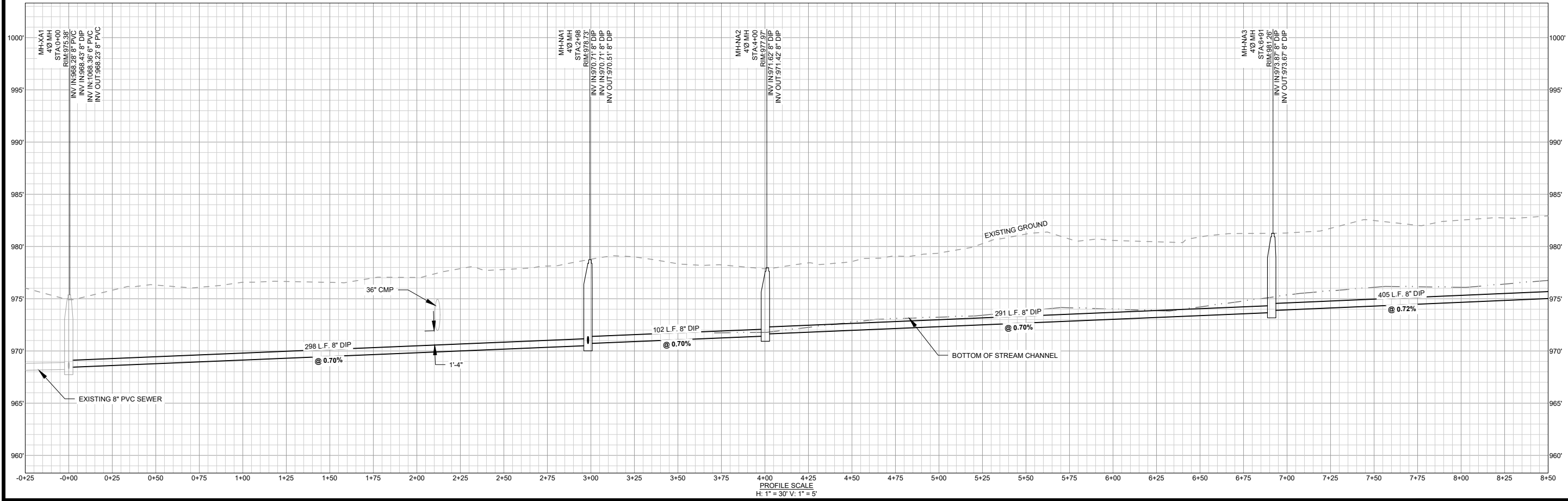
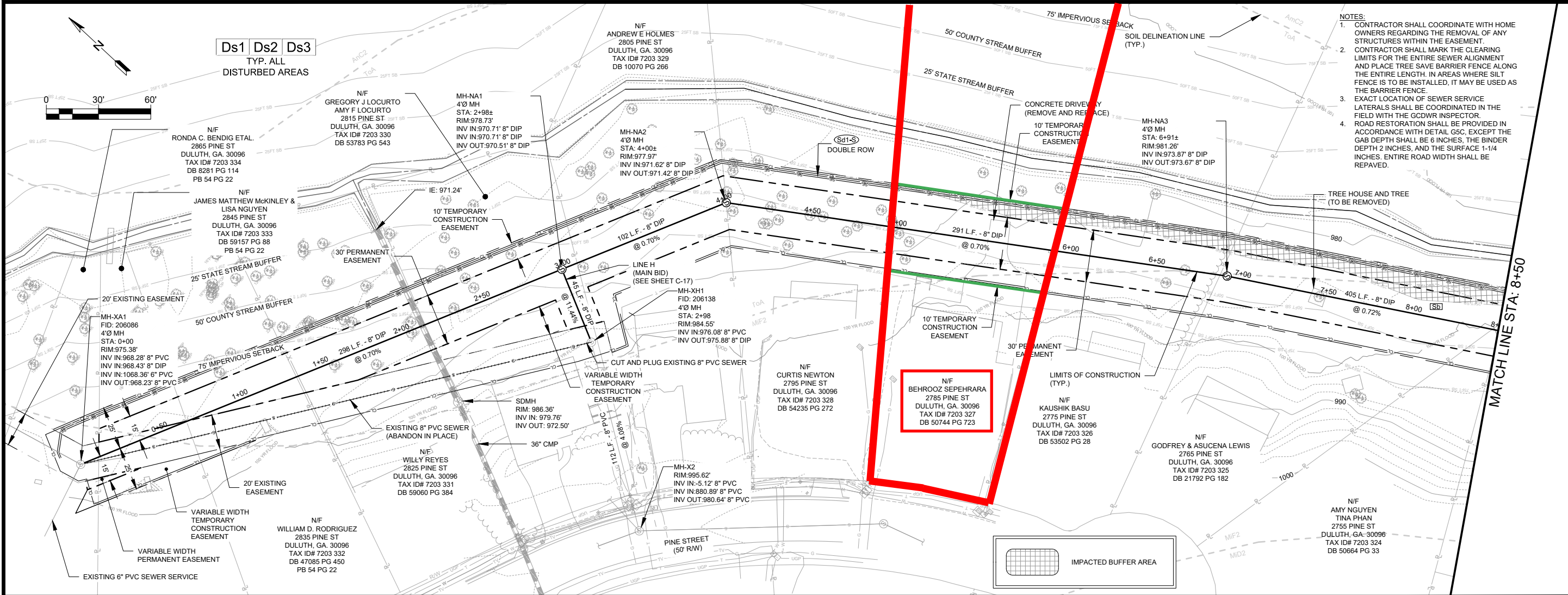
COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 1005.82 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 124.18 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 89.55 FEET TO A POINT; THENCE NORTH 52 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 91.31 FEET TO A POINT; THENCE SOUTH 62 DEGREES 13 MINUTES 18 SECONDS WEST A DISTANCE OF 10.07 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0208 ACRES OR 904 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BEHROOZ SEPEHRARA BEING PARCEL TAX ID #7203 327

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 1005.82 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 124.18 FEET TO A POINT; THENCE NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 10.07 FEET TO A POINT; THENCE NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 30.21 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 96.59 FEET TO A POINT; THENCE NORTH 52 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 98.35 FEET TO A POINT; THENCE SOUTH 62 DEGREES 13 MINUTES 18 SECONDS WEST A DISTANCE OF 10.07 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0224 ACRES OR 975 SQUARE FEET.



ESI
ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38
PROJECT DATE: APRIL 2023

DESIGNED BY: []
DRAWN BY: []
REVIEWED BY: []

DATE: []
REVISION: []

BAR BELOW IS 1" LONG FOR
SCALES SHOWN ON THIS SHEET.
IF NO SCALE IS SHOWN ON THIS SHEET,
ADJUST SCALES ACCORDINGLY.

DULUTH PINECREST AREA SEWER
SYSTEM
OUTFALL SEWER LINE A STA 0+00 - 8+50

C-01

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENTS AND TEMPORARY CONSTRUCTION
EASEMENTS AT 3772 OAK STREET, DULUTH,
GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, ELIZABETH WARREN, JOEL C. MOORE and WILLIE B. MOORE, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 081

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 10 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 149.21 FEET TO A POINT; NORTH 9 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 25.06 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 30 DEGREES 45 MINUTES 07 SECONDS WEST A DISTANCE OF 16.83 FEET TO A POINT; THENCE NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 92.87 FEET TO A POINT; THENCE NORTH 61 DEGREES 02 MINUTES 33 SECONDS EAST A DISTANCE OF 30.03 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 74.10 FEET TO A POINT; THENCE SOUTH 09 DEGREES 53 MINUTES 19 SECONDS WEST A DISTANCE OF 45.69 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0632 ACRES OR 2755 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 081

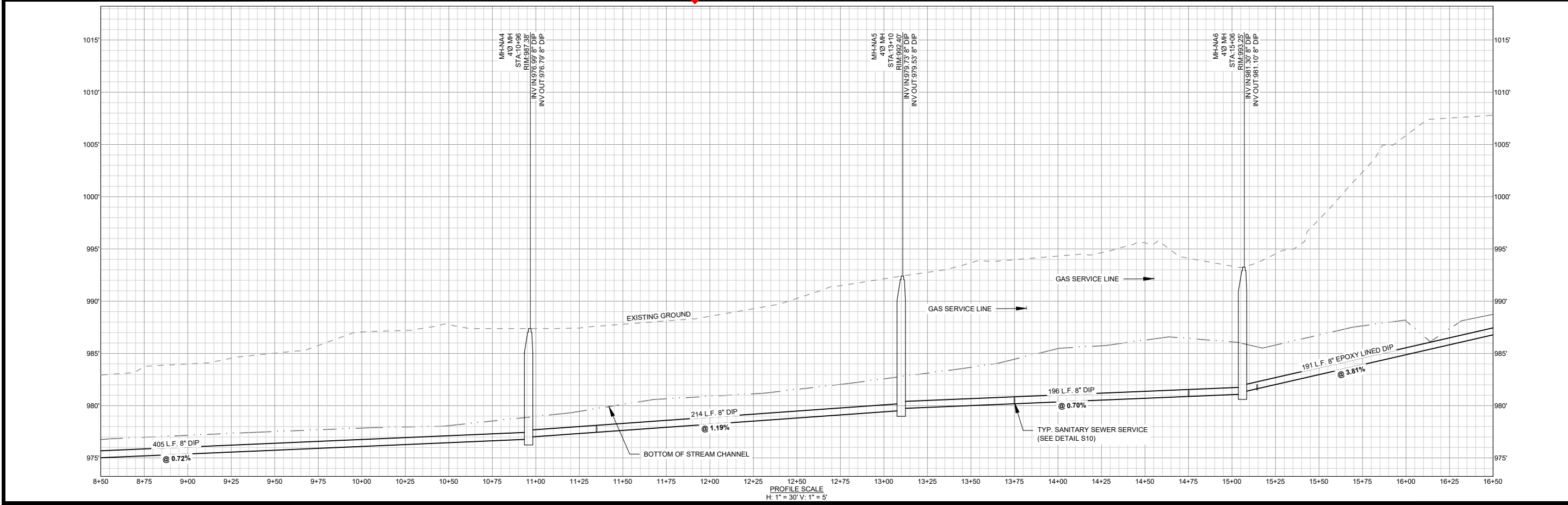
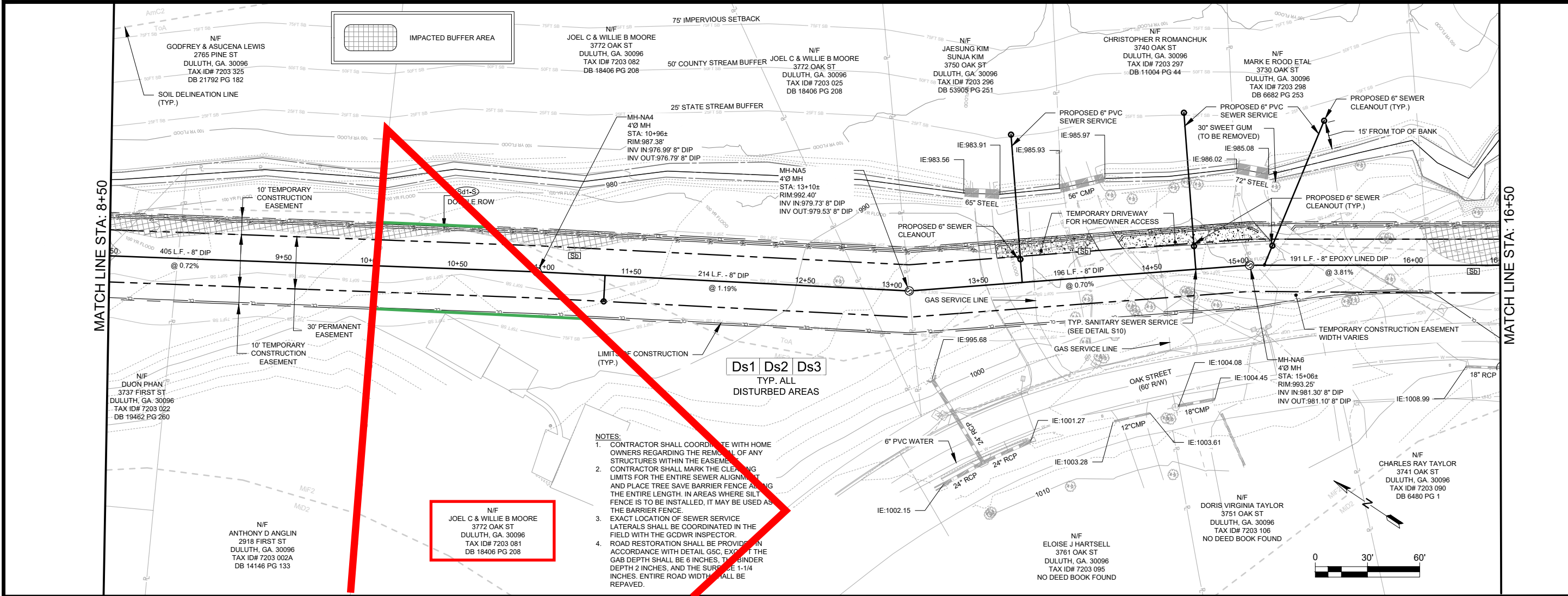
COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 10 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 149.21 FEET TO A POINT; NORTH 9 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 9.71 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 30 DEGREES 45 MINUTES 02 SECONDS WEST A DISTANCE OF 28.06 FEET TO A POINT; THENCE NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 93.61 FEET TO A POINT; THENCE NORTH 61 DEGREES 02 MINUTES 33 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 92.87 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 07 SECONDS EAST A DISTANCE OF 16.83 FEET TO A POINT; THENCE SOUTH 09 DEGREES 53 MINUTES 19 SECONDS WEST A DISTANCE OF 15.35 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0266 ACRES OR 1157 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 081

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 10 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 149.21 FEET TO A POINT; NORTH 9 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 70.74 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 74.10 FEET TO A POINT; THENCE NORTH 61 DEGREES 02 MINUTES 33 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 62.32 FEET TO A POINT; THENCE SOUTH 09 DEGREES 53 MINUTES 19 SECONDS WEST A DISTANCE OF 15.11 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0157 ACRES OR 682 SQUARE FEET.



ESI

ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

DESIGNED BY:

DRAWN BY:

REVIEWED BY:

DATE

REVISION

DULUTH PINECREST AREA SEWER SYSTEM

OUTFALL SEWER LINE A STA 8+50 - 16+50

C-02

L:\GDDP\Duluth Pinecrest Sewer\Drawings\Sheet\LINE A P&P.dwg - 4/6/2023 4:47 PM BY: BLASEVA

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENTS AND TEMPORARY CONSTRUCTION
EASEMENTS AT 3612 OAK STREET, DULUTH, GEORGIA 30096
FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, ELIZABETH WARREN JOEL C. MOORE and WILLIE B. MOORE, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 082

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 63.98 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 30 DEGREES 45 MINUTES 07 SECONDS WEST A DISTANCE OF 177.58 FEET TO A POINT; THENCE NORTH 09 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 45.69 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 16.57 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 21 SECONDS EAST A DISTANCE OF 180.02 FEET TO A POINT; THENCE SOUTH 31 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 33.84 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.1289 ACRES OR 5613 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 082

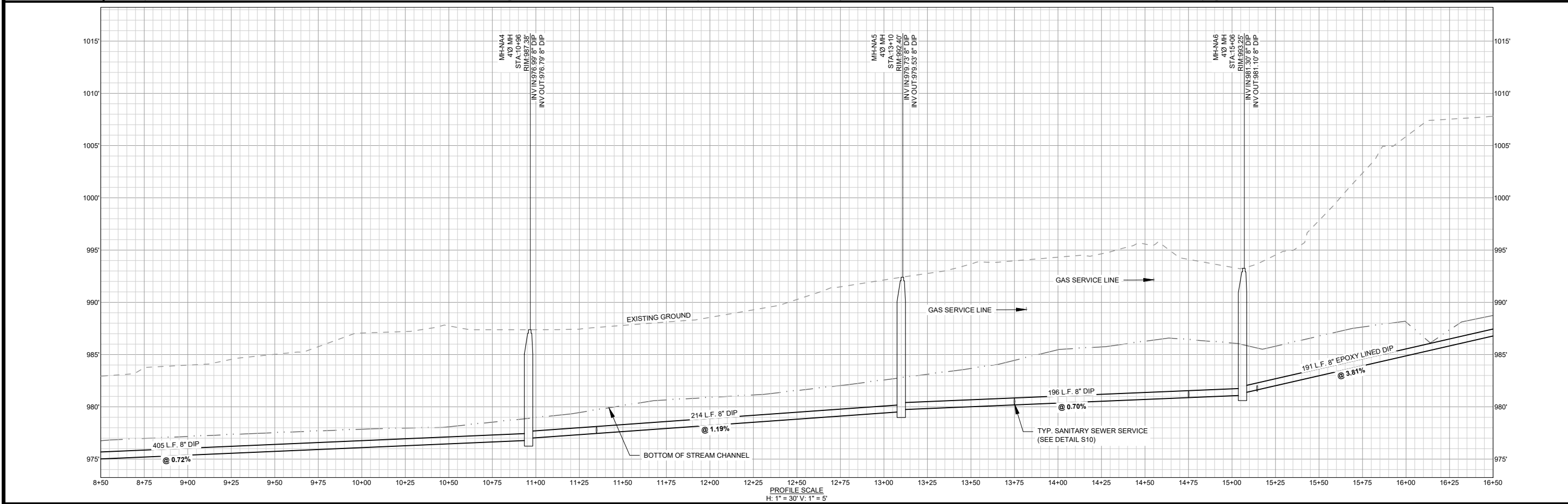
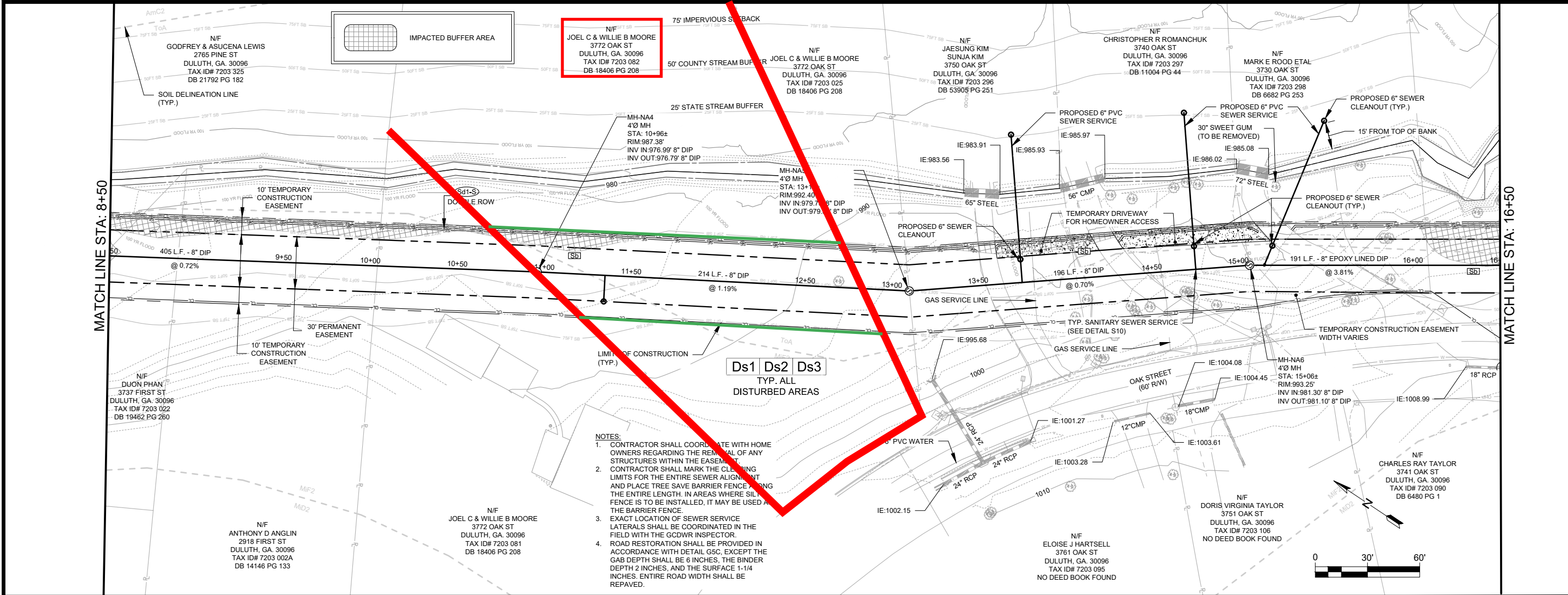
COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 52.70 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" THENCE NORTH 30 DEGREES 45 MINUTES 02 SECONDS WEST A DISTANCE OF 171.15 FEET TO A POINT; THENCE NORTH 09 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 15.35 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 07 SECONDS EAST A DISTANCE OF 177.58 FEET TO A POINT; THENCE SOUTH 31 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 11.28 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0400 ACRES OR 1743 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 082

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 97.82 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" THENCE NORTH 30 DEGREES 45 MINUTES 21 SECONDS WEST A DISTANCE OF 180.02 FEET TO A POINT; THENCE NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 16.57 FEET TO A POINT; THENCE NORTH 09 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 15.11 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 27.61 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 26 SECONDS EAST A DISTANCE OF 175.22 FEET TO A POINT; THENCE SOUTH 31 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 11.28 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0458 ACRES OR 1997 SQUARE FEET.



ESI

ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

DESIGNED BY:

DRAWN BY:

REVIEWED BY:

DATE

REVISION

DULUTH PINECREST AREA SEWER SYSTEM

OUTFALL SEWER LINE A STA 8+50 - 16+50

C-02

L:\GCDPU\Duluth Pinecrest Sewer\Drawings\Sheet\LINE A P&P.dwg - 4/6/2023 4:47 PM BY: BLASEVA

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENT AND TEMPORARY CONSTRUCTION
EASEMENTS AT 3612 OAK STREET, DULUTH, GEORGIA 30096 FOR A PUBLIC
PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, ELIZABETH WARREN, JOEL C. MOORE and WILLIE B. MOORE, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owners of the Property have been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on July 24, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 7, 2023, more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

PERMANENT **SANITARY SEWER EASEMENT** FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING **PARCEL TAX ID #7203 025**

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 50 DEGREES 53 MINUTES 05 SECONDS EAST A DISTANCE OF 57.49 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 38 DEGREES 01 MINUTES 07 SECONDS WEST A DISTANCE OF 1.24 FEET TO A POINT; THENCE NORTH 30 DEGREES 45 MINUTES 07 SECONDS WEST A DISTANCE OF 20.02 FEET TO A POINT; THENCE NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 33.84 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 21 SECONDS EAST A DISTANCE OF 32.53 FEET TO A POINT; THENCE SOUTH 50 DEGREES 53 MINUTES 05 SECONDS WEST A DISTANCE OF 30.16 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0185 ACRES OR 807 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 025

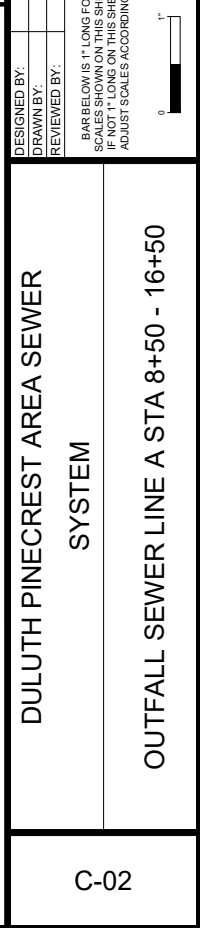
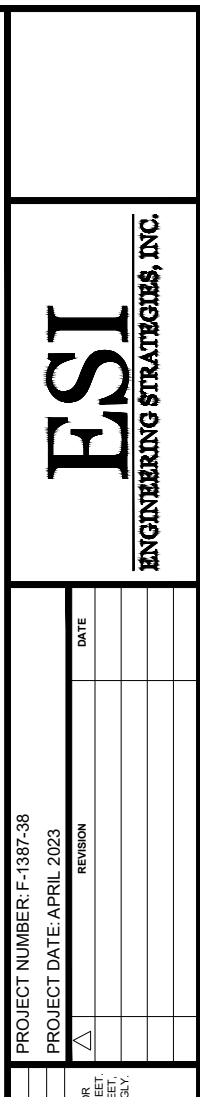
COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 50 DEGREES 53 MINUTES 05 SECONDS EAST A DISTANCE OF 47.49 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 38 DEGREES 01 MINUTES 07 SECONDS WEST A DISTANCE OF 2.07 FEET TO A POINT; THENCE NORTH 30 DEGREES 45 MINUTES 02 SECONDS WEST A DISTANCE OF 15.44 FEET TO A POINT; THENCE NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 11.28 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 07 SECONDS EAST A DISTANCE OF 20.02 FEET TO A POINT; THENCE SOUTH 38 DEGREES 01 MINUTES 07 SECONDS EAST A DISTANCE OF 1.24 FEET TO A POINT; THENCE SOUTH 50 DEGREES 53 MINUTES 05 SECONDS WEST A DISTANCE OF 10.00 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0044 ACRES OR 194 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 025

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 50 DEGREES 53 MINUTES 05 SECONDS EAST A DISTANCE OF 87.65 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 30 DEGREES 45 MINUTES 21 SECONDS WEST A DISTANCE OF 32.53 FEET TO A POINT; THENCE NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 11.28 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 26 SECONDS EAST A DISTANCE OF 36.28 FEET TO A POINT; THENCE SOUTH 50 DEGREES 53 MINUTES 05 SECONDS WEST A DISTANCE OF 10.11 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0079 ACRES OR 344 SQUARE FEET.



**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENT AND TEMPORARY CONTRUCTION
EASEMENTS AT UNDEVELOPED PROPERTY ON NORTH STREET, DULUTH,
GEORGIA 30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, M.H. MASON c/o DULUTH PROPERTIES, INC., have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a permanent sewer easement and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B
LEGAL DESCRIPTION

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY DULUTH PROPERTIES, INC BEING PARCEL TAX ID #7203 047

COMMENCING AT A POINT FROM THE EASTERLY R/W OF NORTH STREET (30' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF NORFOLK SOUTHERN RAILROAD (200' R/W) SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A DISTANCE OF 127.41 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST A DISTANCE OF 83.66 FEET TO A POINT; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST A DISTANCE OF 110.70 FEET TO A POINT; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 52.47 FEET TO A POINT; THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 13 SECONDS WEST A DISTANCE OF 99.78 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 57 SECONDS WEST A DISTANCE OF 85.62 FEET TO A POINT; THENCE NORTH 31 DEGREES 46 MINUTES 17 SECONDS WEST A DISTANCE OF 109.98 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 143.79 FEET TO A POINT; THENCE NORTH 31 DEGREES 05 MINUTES 16 SECONDS WEST A DISTANCE OF 6.84 FEET TO A POINT; THENCE NORTH 32 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 98.34 FEET TO A POINT; THENCE NORTH 29 DEGREES 44 MINUTES 41 SECONDS WEST A DISTANCE OF 72.16 FEET TO A POINT; THENCE NORTH 34 DEGREES 48 MINUTES 27 SECONDS WEST A DISTANCE OF 77.95 FEET TO A POINT; THENCE NORTH 30 DEGREES 22 MINUTES 34 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37 DEGREES 20 MINUTES 28 SECONDS WEST A DISTANCE OF 108.40 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE NORTH 28 DEGREES 01 MINUTES 10 SECONDS WEST A DISTANCE OF 66.56 FEET TO A POINT; THENCE NORTH 77 DEGREES 45 MINUTES 20 SECONDS EAST A DISTANCE OF 168.69 FEET TO A POINT; THENCE SOUTH 48 DEGREES 41 MINUTES 09 SECONDS WEST A DISTANCE OF 35.09 FEET TO A POINT; THENCE SOUTH 49 DEGREES 19 MINUTES 05 SECONDS WEST A DISTANCE OF 27.20 FEET TO A POINT; THENCE SOUTH 77 DEGREES 45 MINUTES 20 SECONDS WEST A DISTANCE OF 93.17 FEET TO A POINT; THENCE SOUTH 31 DEGREES 08 MINUTES 49 SECONDS EAST A DISTANCE OF 28.99 FEET TO A POINT; THENCE SOUTH 49 DEGREES 20 MINUTES 14 SECONDS WEST A DISTANCE OF 13.91 FEET TO A POINT; SAID POINT BEING LABELED AS THE POINT OF BEGINNING.

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.1040 ACRES OR 4531 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY DULUTH PROPERTIES, INC BEING PARCEL TAX ID #7203 047

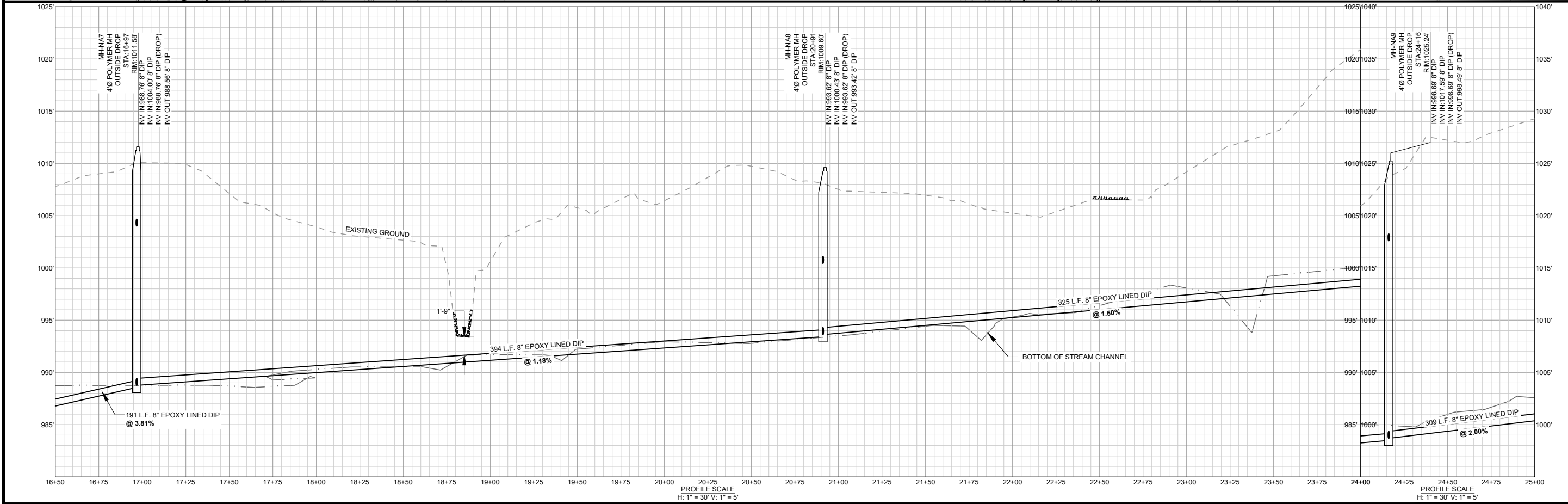
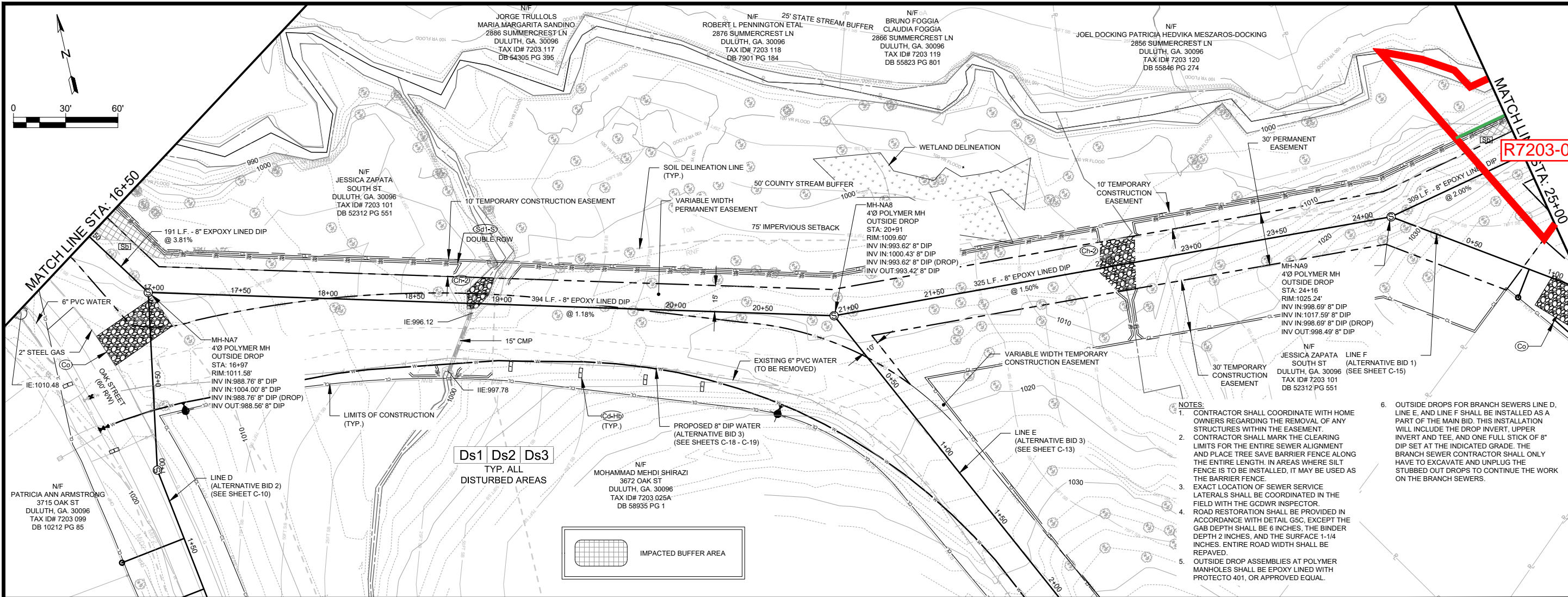
COMMENCING AT A POINT FROM THE EASTERLY R/W OF NORTH STREET (30' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF NORFOLK SOUTHERN RAILROAD (200' R/W) SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A DISTANCE OF 127.41 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST A DISTANCE OF 83.66 FEET TO A POINT; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST A DISTANCE OF 110.70 FEET TO A POINT; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 52.47 FEET TO A POINT; THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 13 SECONDS WEST A DISTANCE OF 99.78 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 57 SECONDS WEST A DISTANCE OF 85.62 FEET TO A POINT; THENCE NORTH 31 DEGREES 46 MINUTES 17 SECONDS WEST A DISTANCE OF 109.98 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 143.79 FEET TO A POINT; THENCE NORTH 31 DEGREES 05 MINUTES 16 SECONDS WEST A DISTANCE OF 6.84 FEET TO A POINT; THENCE NORTH 32 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 98.34 FEET TO A POINT; THENCE NORTH 29 DEGREES 44 MINUTES 41 SECONDS WEST A DISTANCE OF 72.16 FEET TO A POINT; THENCE NORTH 34 DEGREES 48 MINUTES 27 SECONDS WEST A DISTANCE OF 77.95 FEET TO A POINT; THENCE NORTH 30 DEGREES 22 MINUTES 34 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37 DEGREES 20 MINUTES 28 SECONDS WEST A DISTANCE OF 108.40 FEET TO A POINT; THENCE NORTH 49 DEGREES 20 MINUTES 14 SECONDS EAST A DISTANCE OF 13.91 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE WITH THE POINT OF BEGINNING "A" NORTH 31 DEGREES 08 MINUTES 49 SECONDS WEST A DISTANCE OF 28.99 FEET TO A POINT; THENCE NORTH 77 DEGREES 45 MINUTES 20 SECONDS EAST A DISTANCE OF 93.17 FEET TO A POINT; THENCE SOUTH 49 DEGREES 19 MINUTES 05 SECONDS WEST A DISTANCE OF 20.93 FEET TO A POINT; THENCE SOUTH 49 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE SOUTH 77 DEGREES 45 MINUTES 20 SECONDS WEST A DISTANCE OF 13.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 49 MINUTES 15 SECONDS WEST A DISTANCE OF 9.15 FEET TO A POINT; THENCE SOUTH 49 DEGREES 20 MINUTES 14 SECONDS WEST A DISTANCE OF 12.92 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0398 ACRES OR 1732 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY DULUTH PROPERTIES, INC BEING PARCEL TAX ID #7203 047

COMMENCING AT A POINT FROM THE EASTERLY R/W OF NORTH STREET (30' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF NORFOLK SOUTHERN RAILROAD (200' R/W) SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A DISTANCE OF 127.41 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST A DISTANCE OF 83.66 FEET TO A POINT; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST A DISTANCE OF 110.70 FEET TO A POINT; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 52.47 FEET TO A POINT; THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 13 SECONDS WEST A DISTANCE OF 99.78 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 57 SECONDS WEST A DISTANCE OF 85.62 FEET TO A POINT; THENCE NORTH 31 DEGREES 46 MINUTES 17 SECONDS WEST A DISTANCE OF 109.98 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 143.79 FEET TO A POINT; THENCE NORTH 31 DEGREES 05 MINUTES 16 SECONDS WEST A DISTANCE OF 6.84 FEET TO A POINT; THENCE NORTH 32 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 98.34 FEET TO A POINT; THENCE NORTH 29 DEGREES 44 MINUTES 41 SECONDS WEST A DISTANCE OF 72.16 FEET TO A POINT; THENCE NORTH 34 DEGREES 48 MINUTES 27 SECONDS WEST A DISTANCE OF 77.95 FEET TO A POINT; THENCE NORTH 30 DEGREES 22 MINUTES 34 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37 DEGREES 20 MINUTES 28 SECONDS WEST A DISTANCE OF 108.40 FEET TO A POINT; THENCE NORTH 28 DEGREES 01 MINUTES 10 SECONDS WEST A DISTANCE OF 66.56 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 28 DEGREES 01 MINUTES 10 SECONDS WEST A DISTANCE OF 10.39 FEET TO A POINT; THENCE NORTH 77 DEGREES 45 MINUTES 20 SECONDS EAST A DISTANCE OF 189.51 FEET TO A POINT; THENCE SOUTH 48 DEGREES 41 MINUTES 09 SECONDS WEST A DISTANCE OF 20.58 FEET TO A POINT; THENCE SOUTH 77 DEGREES 45 MINUTES 20 SECONDS WEST A DISTANCE OF 168.69 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0411 ACRES OR 1791 SQUARE FEET.



PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

DESIGNED BY:

DRAWN BY:

REVIEWED BY:

DATE

REVISION

DULUTH PINECREST AREA SEWER SYSTEM

OUTFALL SEWER LINE A STA 16+50 - 25+00

C-03

ESI

ENGINEERING STRATEGIES, INC.

L:\GCDPU\Duluth Pinecrest Sewer\Drawings\Sheet\Line A P&P.dwg - 4/6/2023 4:47 PM BY: BLASEVA

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
PERMANENT SEWER EASEMENTS AND TEMPORARY CONSTRUCTION
EASEMENTS AT 3588 ROGERS COVE, DULUTH, GEORGIA
30096 FOR A PUBLIC PURPOSE**

WHEREAS, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

WHEREAS, these ARPA funds are required to be used for water and sewer infrastructure projects; and

WHEREAS, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

WHEREAS, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

WHEREAS, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

WHEREAS, the negotiations with the owners of the Property, SHERILYN TERRY, have been unsuccessful; and

WHEREAS, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

WHEREAS, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on August 28, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, a notice was published in the Gwinnett Daily Post on July 29, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023, fifteen (15) or more days prior to said public meeting; and

WHEREAS, on August 3, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on August 28, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

NOW THEREFORE, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire two (2) permanent sewer easements and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

IT IS SO RESOLVED AND ORDAINED this ____ day of _____, 2023.

CITY OF DULUTH, GEORGIA

By: _____
Nancy Harris, Mayor

(SEAL)

Attest:

By: _____
Teresa Lynn, City Clerk

EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B
LEGAL DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224

COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 20.05 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 41.39 FEET TO A POINT; THENCE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 187.62 FEET TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY STRAWDER B COOPER AND MELVA S COOPER; THENCE ALONG THE PROPERTY LINE NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 11.02 FEET TO A POINT; THENCE LEAVING THE COMMON PROPERTY LINE WITH COOPER SOUTH 76 DEGREES 19 MINUTES 00 SECONDS EAST A DISTANCE OF 187.61 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 46.72 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0539 ACRES OR 2348 SQUARE FEET.

PERMANENT SANITARY SEWER EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224

COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 20.05 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "A"; THENCE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; THENCE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 35.44 FEET TO A POINT; THENCE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 84.03 FEET TO A POINT; THENCE NORTH 70 DEGREES 01 MINUTES 46 SECONDS WEST A DISTANCE OF 96.09 FEET TO A POINT; THENCE NORTH 77 DEGREES 41 MINUTES 46 SECONDS WEST A DISTANCE OF 3.30 FEET TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY STRAWDER B COOPER AND MELVA S COOPER; THENCE ALONG THE PROPERTY LINE NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 11.01 FEET TO A POINT; THENCE NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 10.40 FEET TO A POINT; THENCE LEAVING THE COMMON PROPERTY LINE WITH COOPER SOUTH 76 DEGREES 19 MINUTES 00 SECONDS EAST A DISTANCE OF 187.62 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 41.39 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "B"**.

PERMANENT SANITARY SEWER EASEMENT "B" TRACT OF LAND CONTAINS 0.1451 ACRES OR 6320 SQUARE FEET.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT "C" FOR GWINNETT COUNTY
 DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY
 SHERILYN TERRY BEING PARCEL TAX ID #7203 224

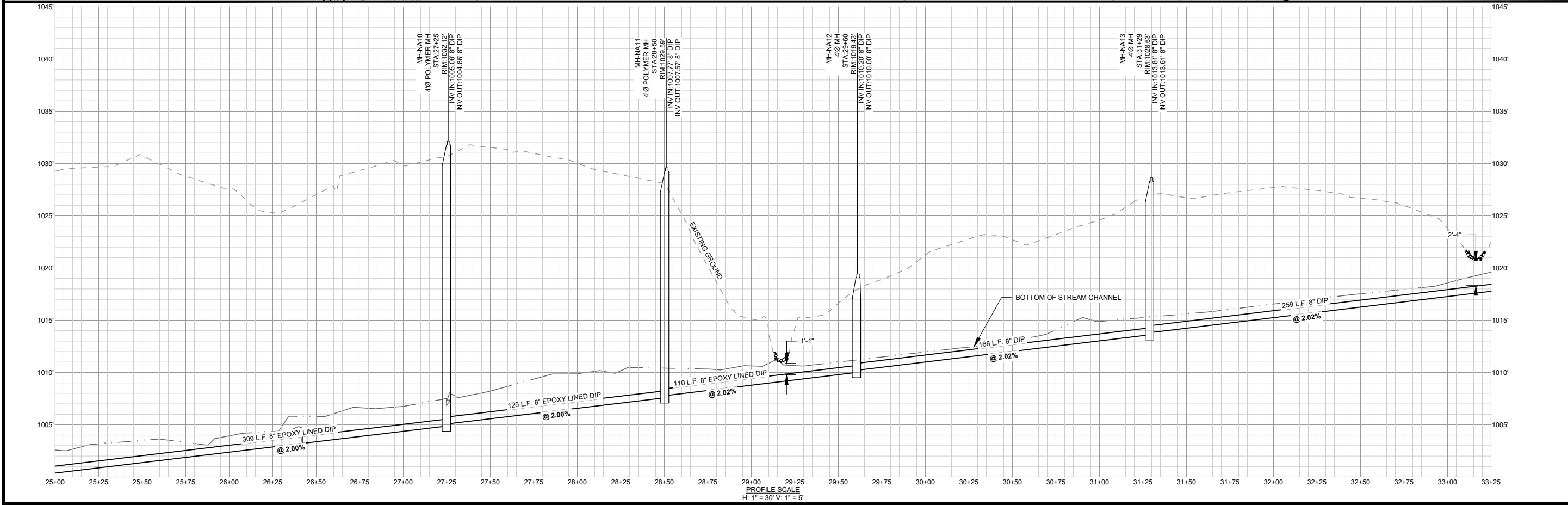
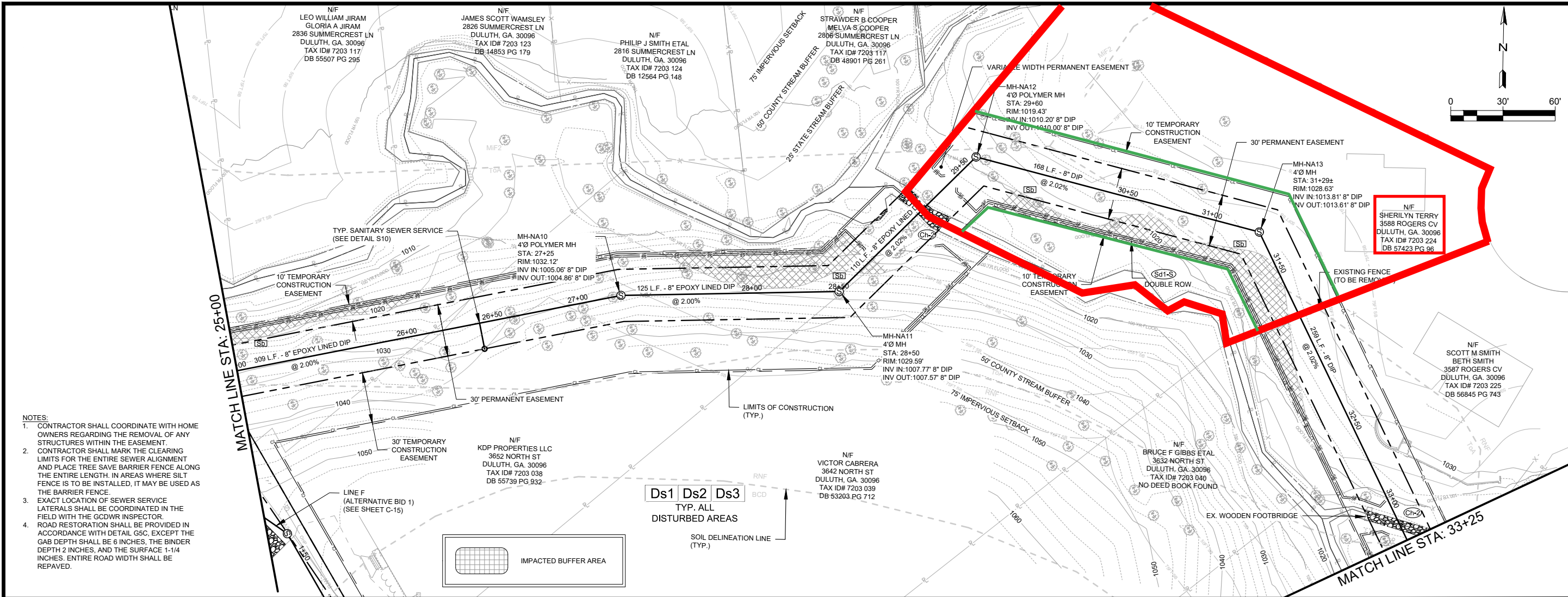
COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 40.14 FEET TO A POINT; THENCE WITH A TIE LINE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 142.58 FEET TO A POINT; THENCE WITH A TIE LINE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 14.43 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "C"**; THENCE FROM THE POINT OF BEGINNING "C" SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 7.46 FEET TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY WITH VICTOR CABRERA; THENCE WITH THE PROPERTY LINE NORTH 65 DEGREES 53 MINUTES 27 SECONDS WEST A DISTANCE OF 10.66 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE NORTH 44 DEGREES 21 MINUTES 24 SECONDS EAST A DISTANCE OF 6.61 FEET TO A POINT; THENCE SOUTH 70 DEGREES 01 MINUTES 46 SECONDS EAST A DISTANCE OF 10.98 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "C"**.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT "C" TRACT OF LAND CONTAINS
 0.0016 ACRES OR 70 SQUARE FEET.

PERMANENT SANITARY SEWER EASEMENT "D" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224

COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 40.14 FEET TO A POINT; THENCE WITH A TIE LINE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 142.58 FEET TO A POINT; THENCE WITH A TIE LINE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 14.43 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "C"; THENCE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 11.27 FEET (L15) TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY WITH VICTOR CABRERA; THENCE WITH THE PROPERTY LINE NORTH 65 DEGREES 53 MINUTES 27 SECONDS WEST A DISTANCE OF 10.66 FEET (L16) TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "D"**; THENCE FROM THE POINT OF BEGINNING "D" NORTH 65 DEGREES 53 MINUTES 27 SECONDS WEST A DISTANCE OF 6.20 FEET TO A POINT; THENCE NORTH 51 DEGREES 58 MINUTES 07 SECONDS WEST A DISTANCE OF 22.39 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE OF VICTOR CABRERA AT THE CORNER OF THE LAND OF NOW OR FORMERLY STRAWDER B. & MELVA S. COOPER NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 7.44 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE SOUTH 77 DEGREES 41 MINUTES 46 SECONDS EAST A DISTANCE OF 11.81 FEET TO A POINT; THENCE SOUTH 70 DEGREES 01 MINUTES 46 SECONDS EAST A DISTANCE OF 20.66 FEET TO A POINT; THENCE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 10.98 FEET TO A POINT; THENCE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 6.61 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "D"**.

PERMANENT SANITARY SEWER EASEMENT "D" TRACT OF LAND CONTAINS 0.0090 ACRES OR 392 SQUARE FEET.



ESI

ENGINEERING STRATEGIES, INC.

PROJECT NUMBER: F-1387-38

PROJECT DATE: APRIL 2023

DESIGNED BY:	BDL
DRAWN BY: <td>BDL</td>	BDL
REVIEWED BY: <td>JRF</td>	JRF

BAR BELOW IS 1" LONG FOR
SCALES SHOWN IN THIS SHEET.
IF ANY SCALE ON THIS SHEET
ADJUST SCALES ACCORDINGLY

DULUTH PINECREST AREA SEWER

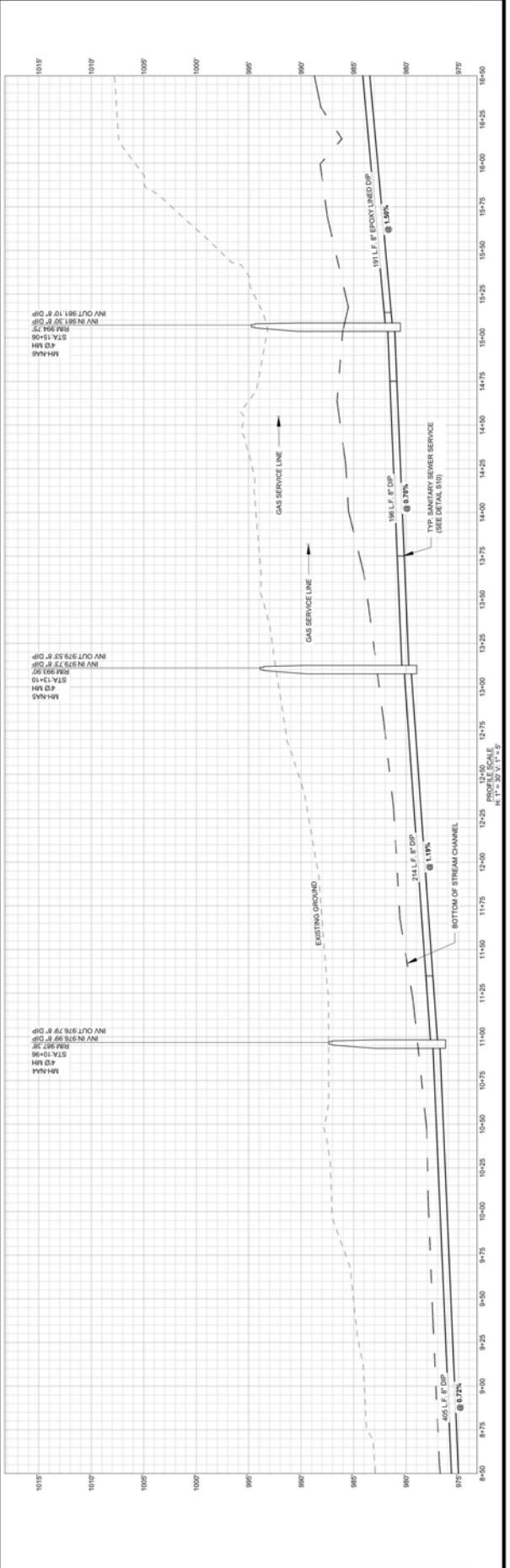
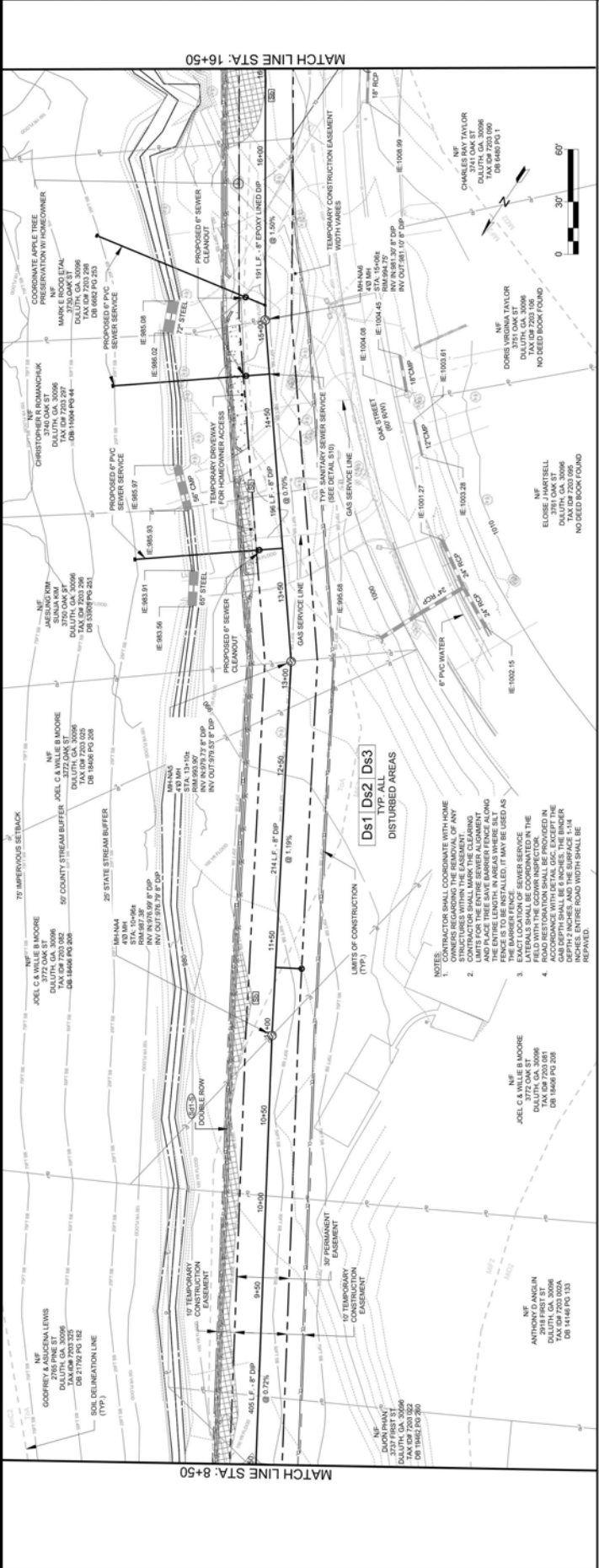
SYSTEM

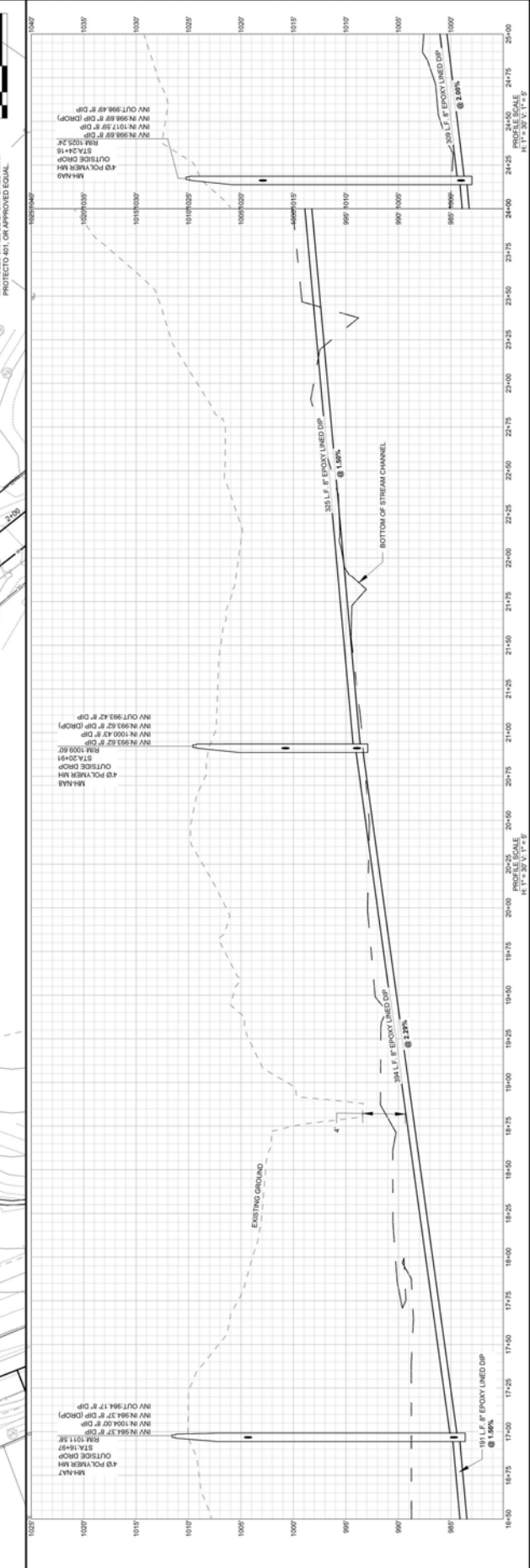
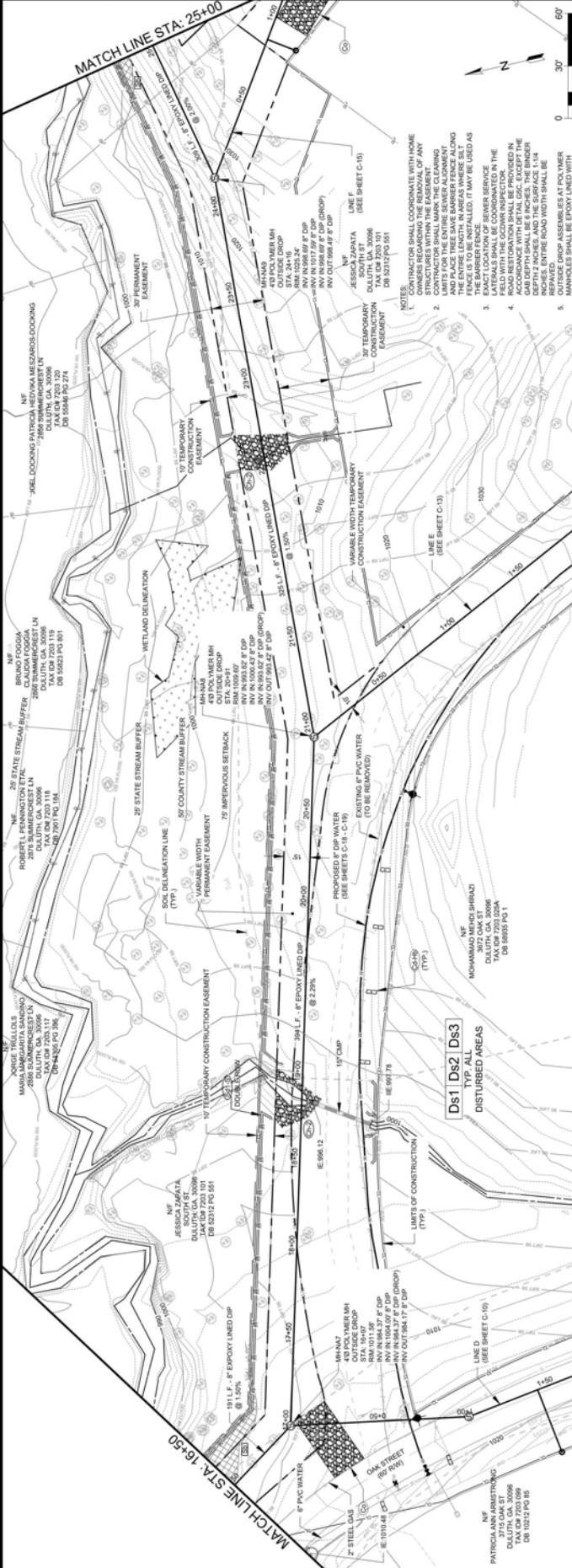
OUTFALL SEWER LINE A STA 25+00 - 33+25

C-04

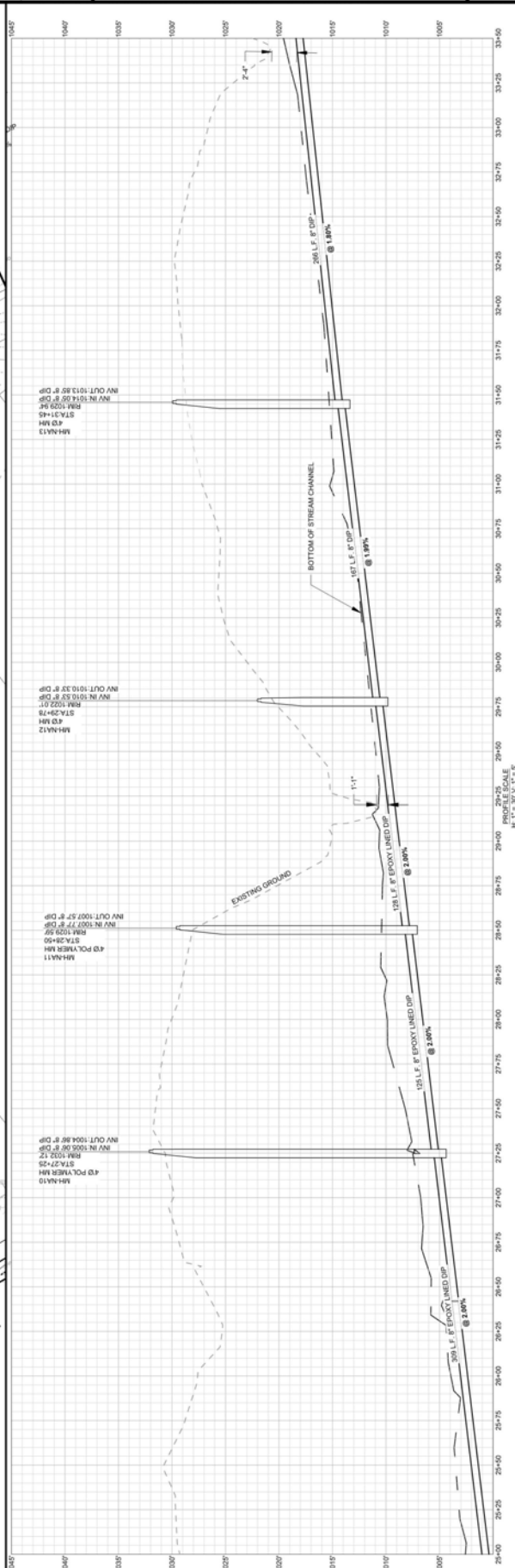
L:\GDP\Duluth Pinecrest Sewer\Drawings\Sheet\LINE A P&P.dwg - 4/6/2023 4:47 PM BY: BLASEVA

90% SUBMITTAL





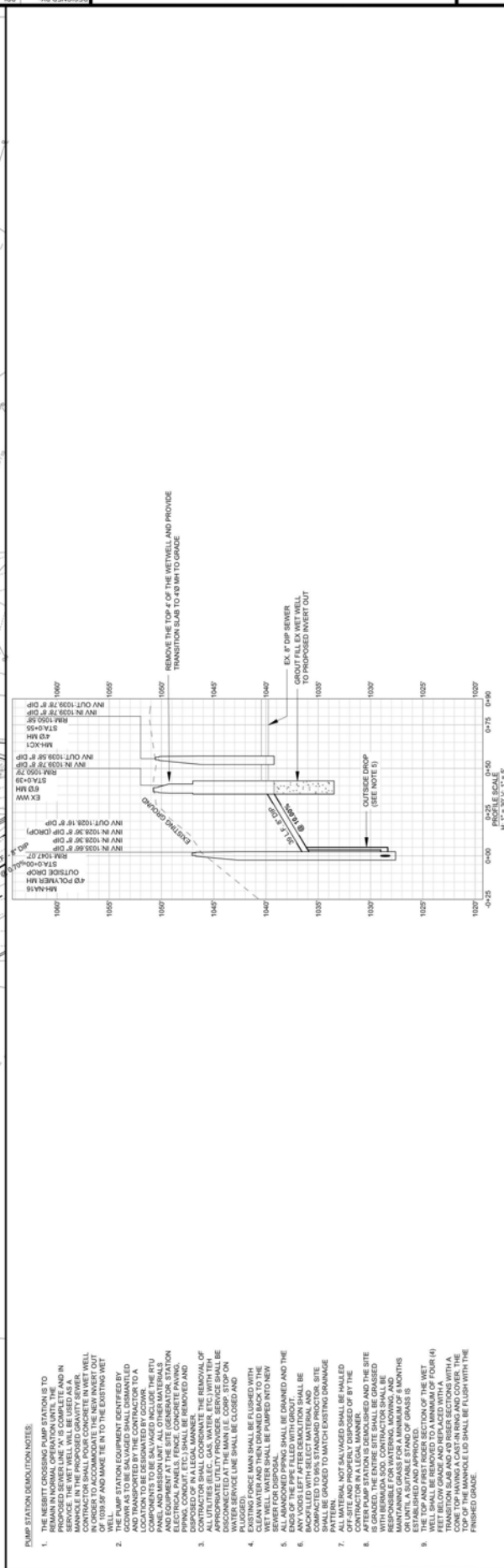
2. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY STRUCTURES WITHIN THE EASEMENT.
3. CONTRACTOR SHALL MARK THE CLEARING LIMITS FOR THE ENTIRE SEWER ALIGNMENT. THE SEWER SHALL BE INSTALLED FOLLOWING THE ENTIRE LENGTH, IN AREAS WHERE SALT FENCE IS TO BE INSTALLED, IT MAY BE USED AS THE BARRIER FENCE.
4. EXACT LOCATION OF SEWER SERVICE CONNECTION SHALL BE PROVIDED IN THE FIELD WITH THE GROUND INSPECTOR.
5. ROAD RESTORATION SHALL BE PROVIDED IN ACCORDANCE WITH DETAIL SSC, EXCEPT THE GRAB DEPTH SHALL BE 6 INCHES. THE BINDER DEPTH SHALL BE 4 INCHES AND THE SURFACE 1-14 INCHES. THE ROAD WIDTH SHALL BE 14 FEET.



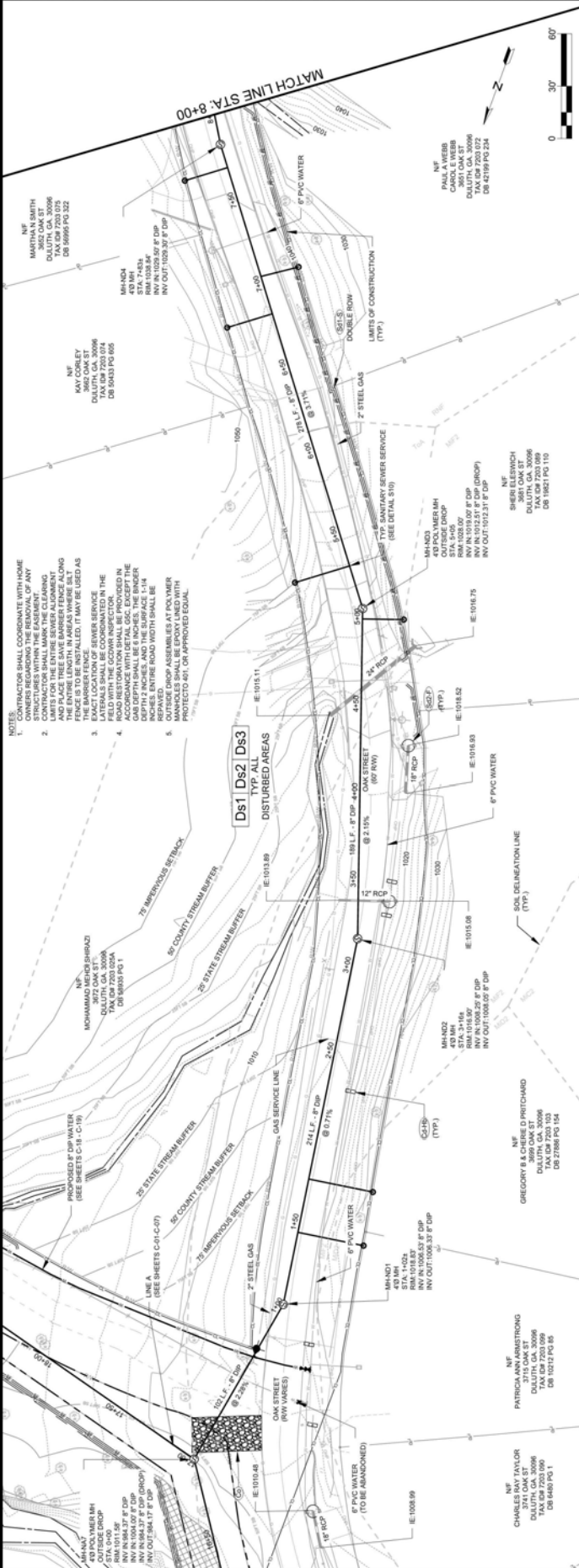
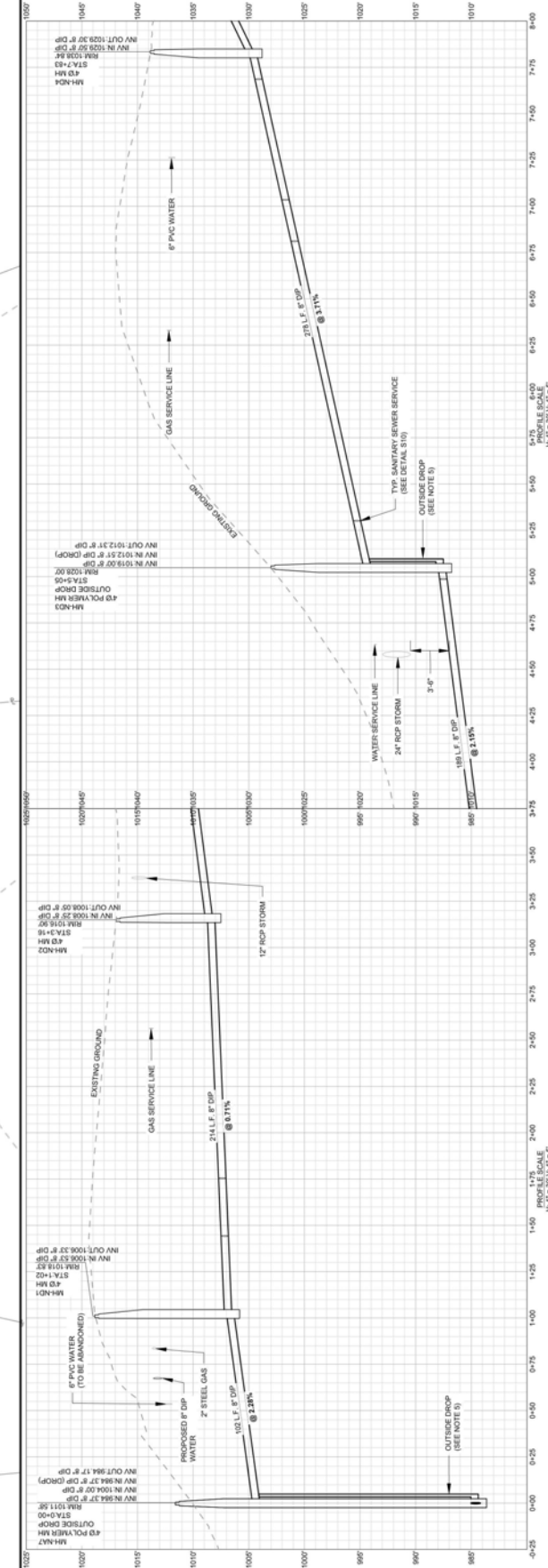
DULUTH PINECREST AREA SEWER
SYSTEM

C-04

PROFILE SCALE
1-4° = 30' 1/2" 1° = 6"

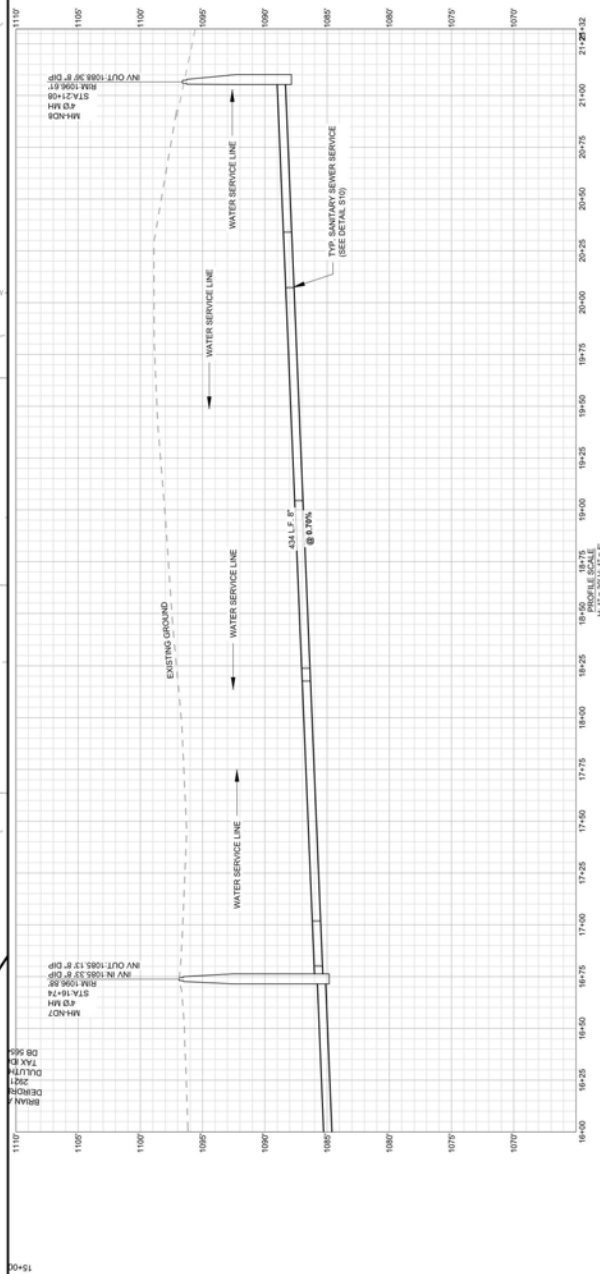
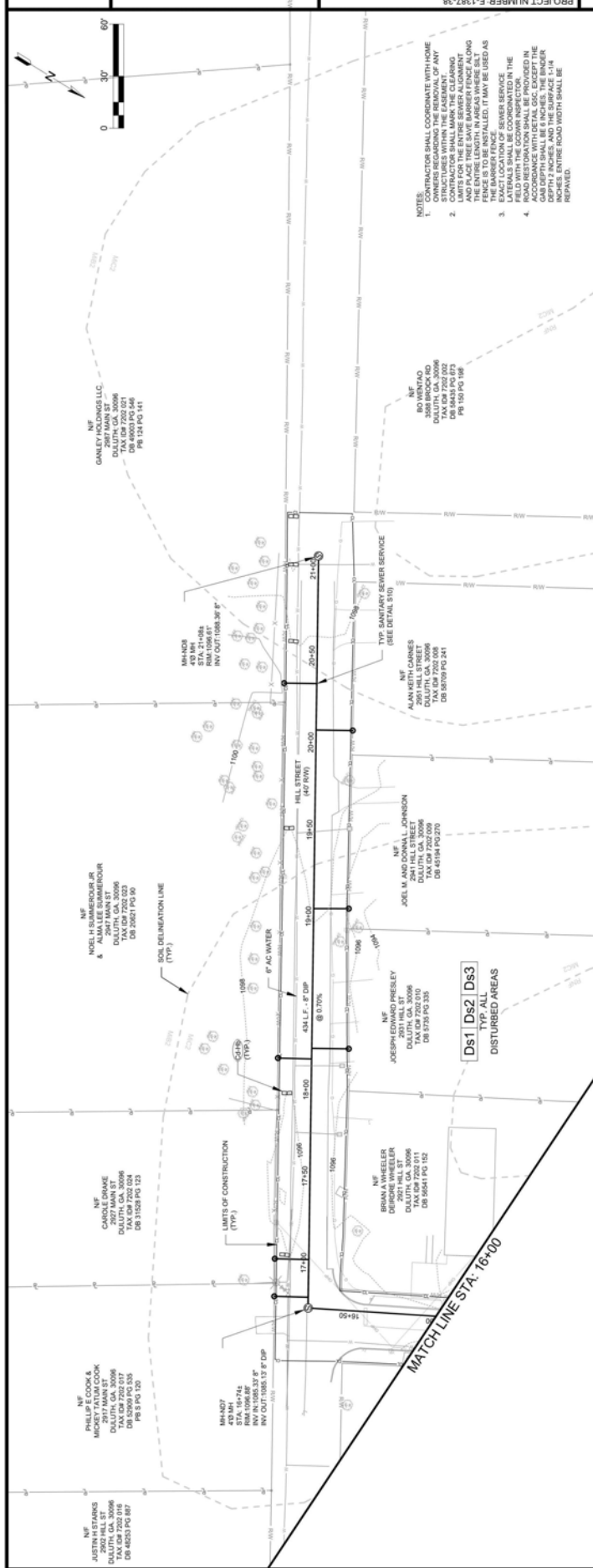
[illegible]

DULUTH PINECREST AREA SEWER
SYSTEM
OAK STREET LINE D STA 0+00 - 8+00

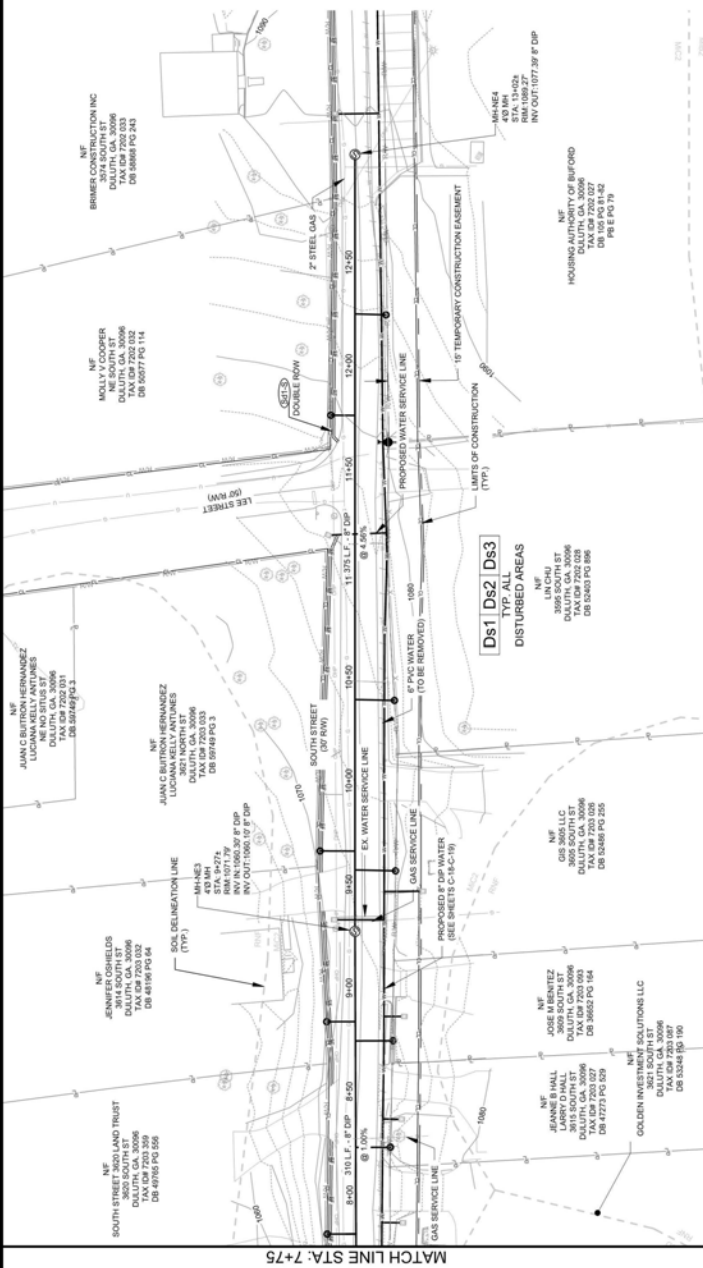


PROJECT NUMBER: P-1387-38
PROJECT DATE: OCTOBER 2022
DESIGNED BY: JMR
CHECKED BY: JMR
APPROVED BY: JMR
ENGINEERING STRATEGIES, INC.
ES1
WATER

NOTES:
1. CONTRACTOR SHALL COORDINATE WITH HOMEOWNERS AND ADJACENT PROPERTY OWNERS TO DETERMINE THE LOCATION OF ANY EXISTING UTILITY LINES AND STRUCTURES WITHIN THE EASEMENT.
2. CONTRACTOR SHALL MARK THE EXISTING UTILITY LINES AND STRUCTURES WITHIN THE EASEMENT AND PLACE TREE SAVING BARRIERS ALONG THE ENTIRE LENGTH OF THE EASEMENT. THE BARRIERS SHALL BE COORDINATED IN THE FIELD WITH THE LOCAL INSPECTOR.
3. THE BARRIERS SHALL BE COORDINATED IN THE FIELD WITH THE LOCAL INSPECTOR.
4. THE BARRIERS SHALL BE COORDINATED IN THE FIELD WITH THE LOCAL INSPECTOR.
5. THE BARRIERS SHALL BE COORDINATED IN THE FIELD WITH THE LOCAL INSPECTOR.

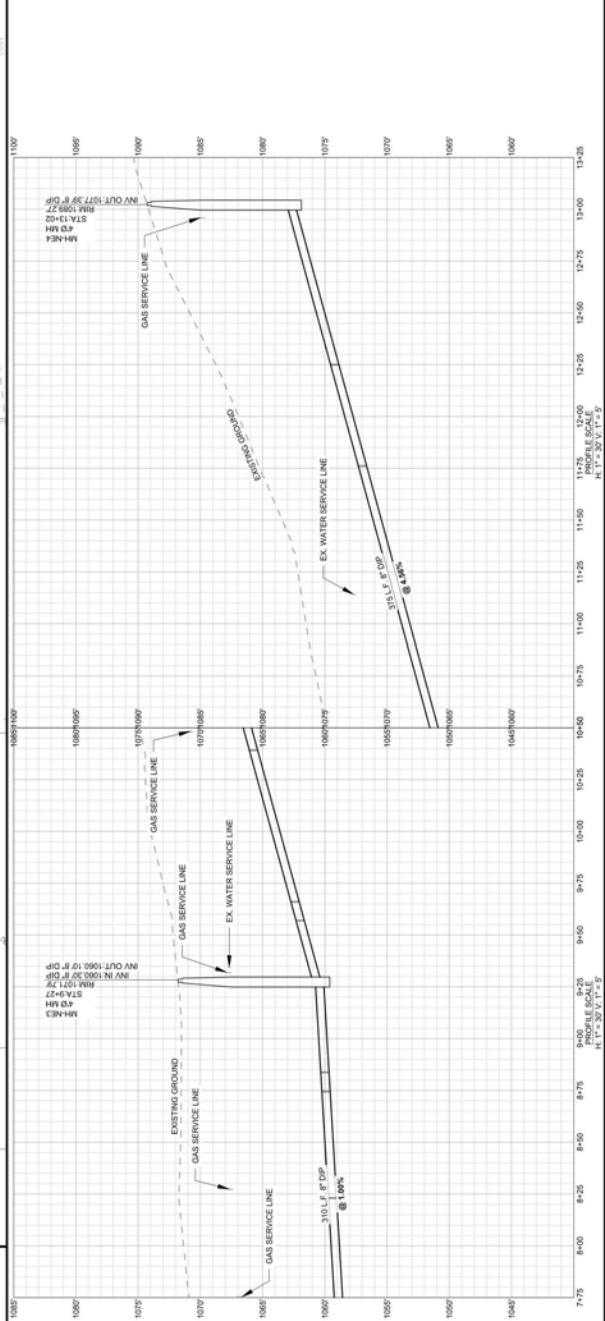


- NOTES:
1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY EXISTING CURBS, DRIVEWAYS, SIDEWALKS, ETC. CONTRACTOR SHALL MARK THE CLEARING LIMITS FOR THE ENTIRE SEWER ALIGNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ENTIRE LENGTH IN AREAS WHERE SETBACKS ARE REQUIRED. (IT MAY BE USED AS THE BARRIER FENCE.)
 2. EXACT LOCATION OF SEWER SERVICE LINES SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ENTIRE LENGTH IN AREAS WHERE SETBACKS ARE REQUIRED. (IT MAY BE USED AS THE BARRIER FENCE.)
 3. EXACT LOCATION OF SEWER SERVICE LINES SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ENTIRE LENGTH IN AREAS WHERE SETBACKS ARE REQUIRED. (IT MAY BE USED AS THE BARRIER FENCE.)
 4. EXACT LOCATION OF SEWER SERVICE LINES SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ENTIRE LENGTH IN AREAS WHERE SETBACKS ARE REQUIRED. (IT MAY BE USED AS THE BARRIER FENCE.)
 5. EXACT LOCATION OF SEWER SERVICE LINES SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ENTIRE LENGTH IN AREAS WHERE SETBACKS ARE REQUIRED. (IT MAY BE USED AS THE BARRIER FENCE.)



PROJECT NUMBER: F-1387-38
PROJECT DATE: OCTOBER 2022
DESIGNED BY: JMR
CHECKED BY: JMR
APPROVED BY: JMR
SCALE: AS SHOWN ON THIS SHEET
SOUTH STREET LINE E STA 7+75 - END

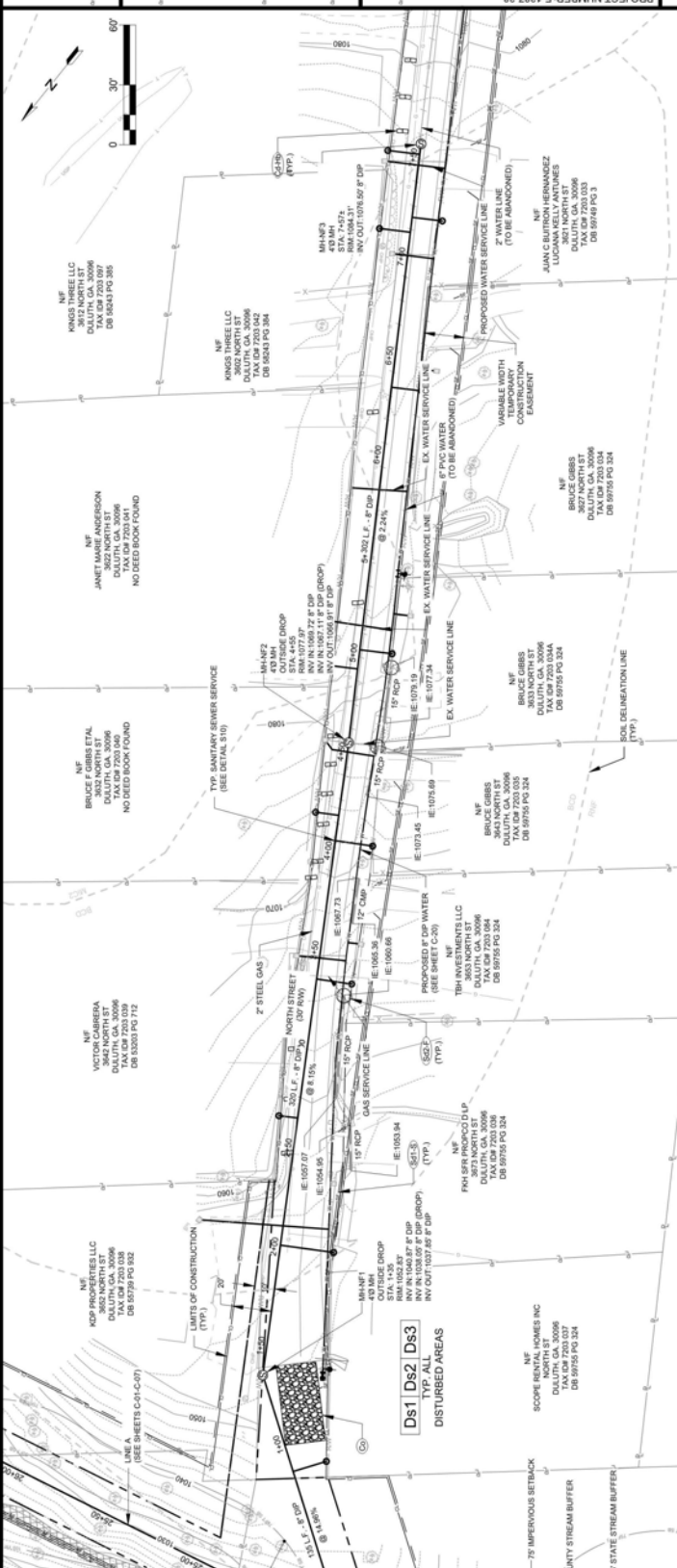
ENGINEERING STRATEGIES, INC.
ESI



PROJECT NUMBER: F-1387-38
PROJECT DATE: OCTOBER 2022
DESIGNED BY: JMR
CHECKED BY: JMR
APPROVED BY: JMR
SCALE: AS SHOWN ON THIS SHEET
SOUTH STREET LINE E STA 7+75 - END

ENGINEERING STRATEGIES, INC.
ESI

1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY EXISTING UTILITY MARKERS AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
2. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
3. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
4. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
5. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
6. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
7. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
8. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
9. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.
10. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS. CONTRACTOR SHALL MARK THE CLEARING AND/OR EXISTING UTILITY MARKERS.



PROJECT NUMBER: F-1387-38

PROJECT DATE: OCTOBER 2022

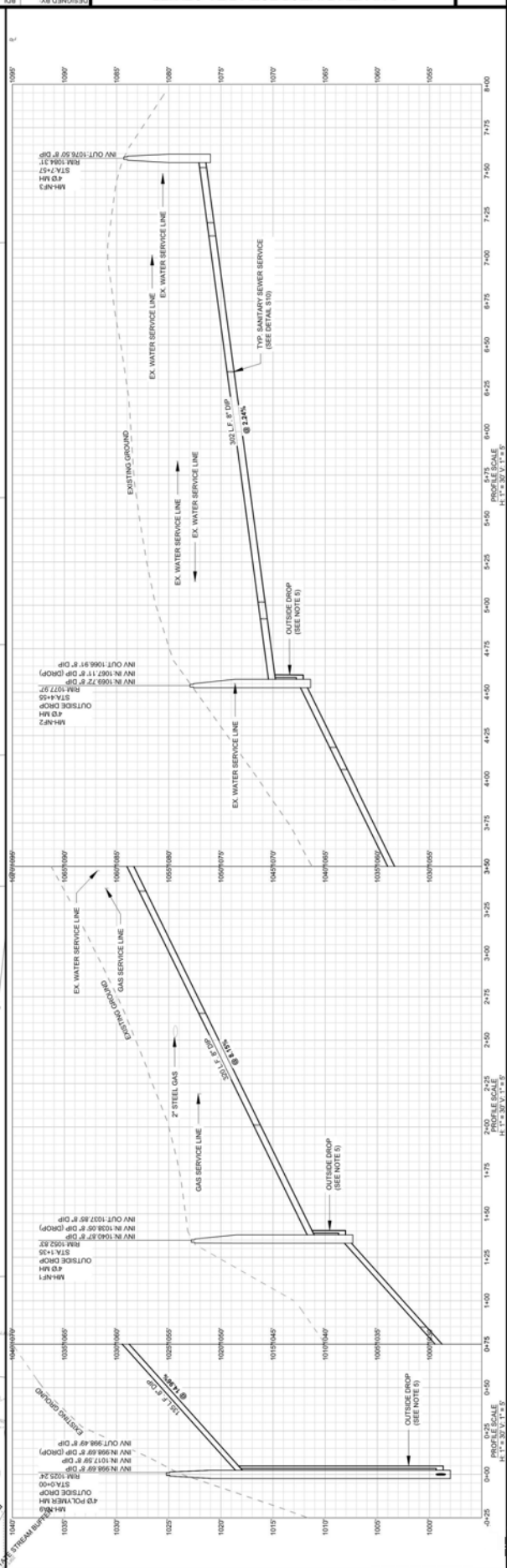
DESIGNED BY: [Name]

CHECKED BY: [Name]

APPROVED BY: [Name]

ENGINEERING STRATEGIES, INC.

ESI



PROJECT NUMBER: F-1387-38

PROJECT DATE: OCTOBER 2022

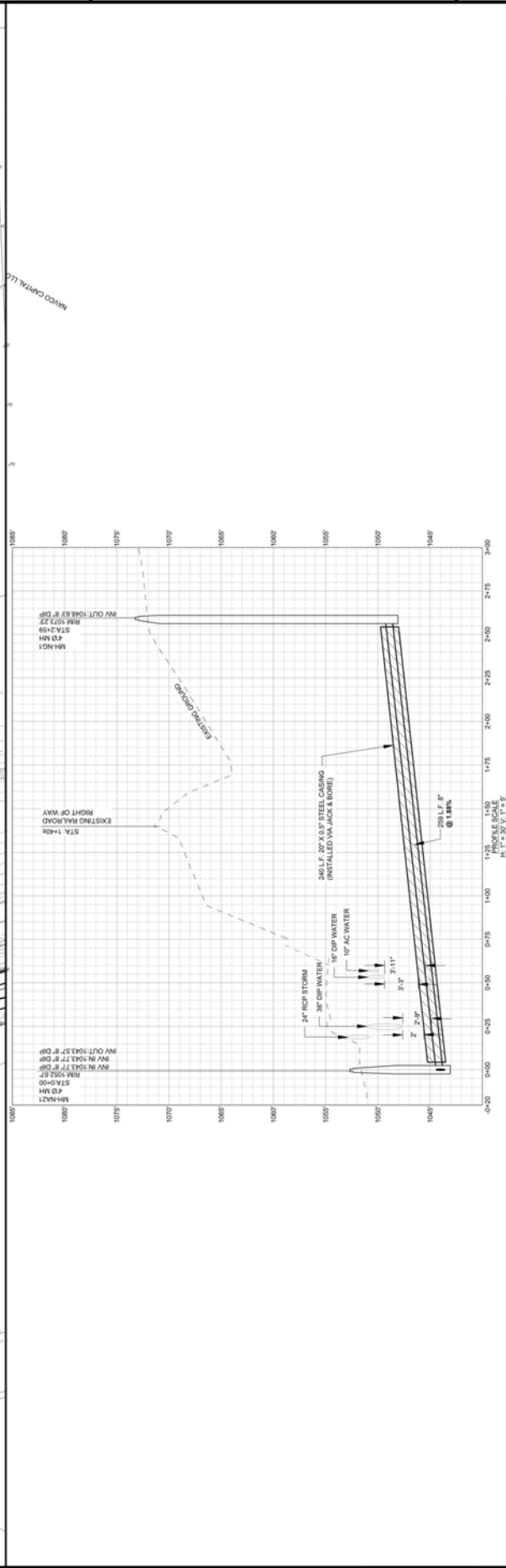
DESIGNED BY: [Name]

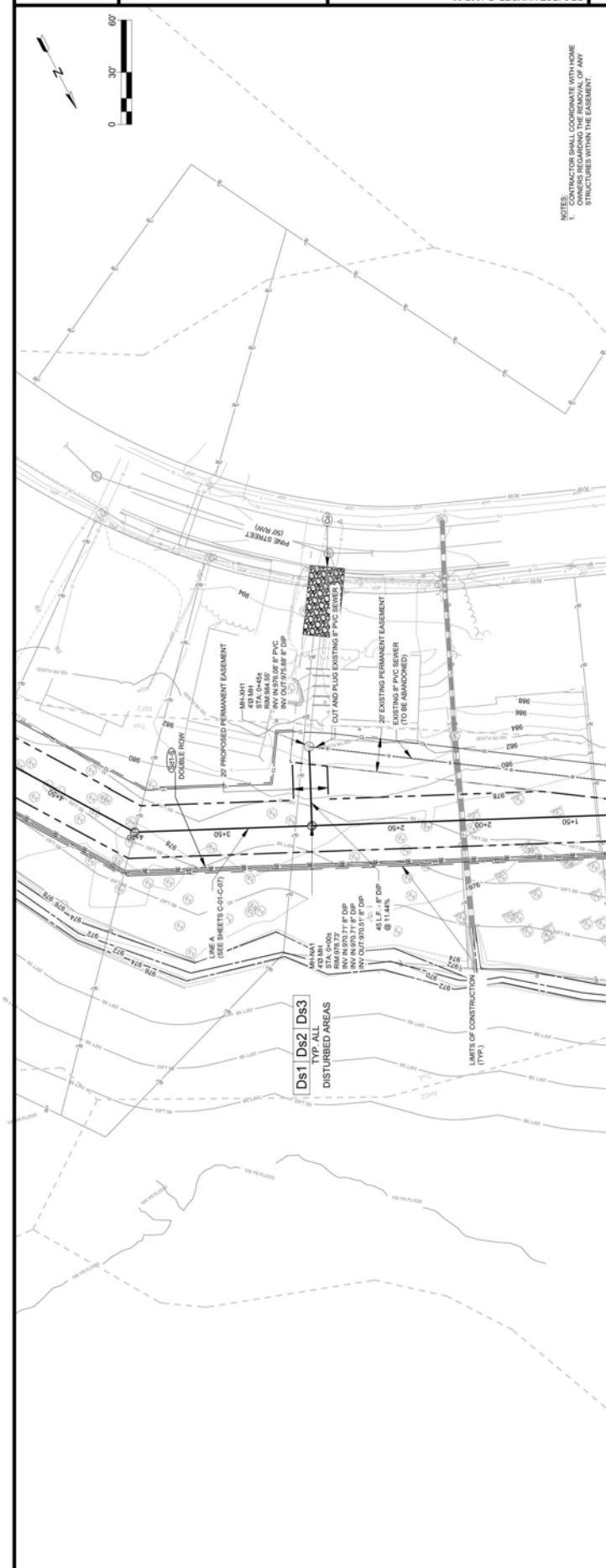
CHECKED BY: [Name]

APPROVED BY: [Name]

ENGINEERING STRATEGIES, INC.

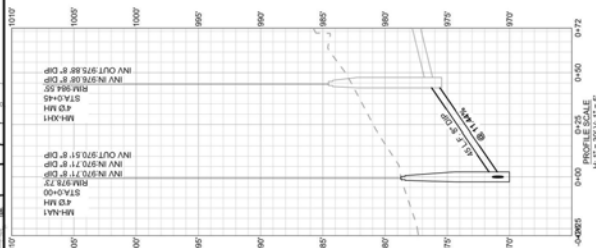
ESI





NOTES:

1. CONTRACTOR SHALL COORDINATE WITH HOME OWNERS REGARDING THE REMOVAL OF ANY STRUCTURES WITHIN THE EASEMENT.



ENGINEERING STRATEGIES, INC.

ESI

1001-14

PROJECT NUMBER: F-13873

DESIGNED BY: [blank]

CHECKED BY: [blank]

APPROVED BY: [blank]

PROJECT DATE: OCTOBER 2022

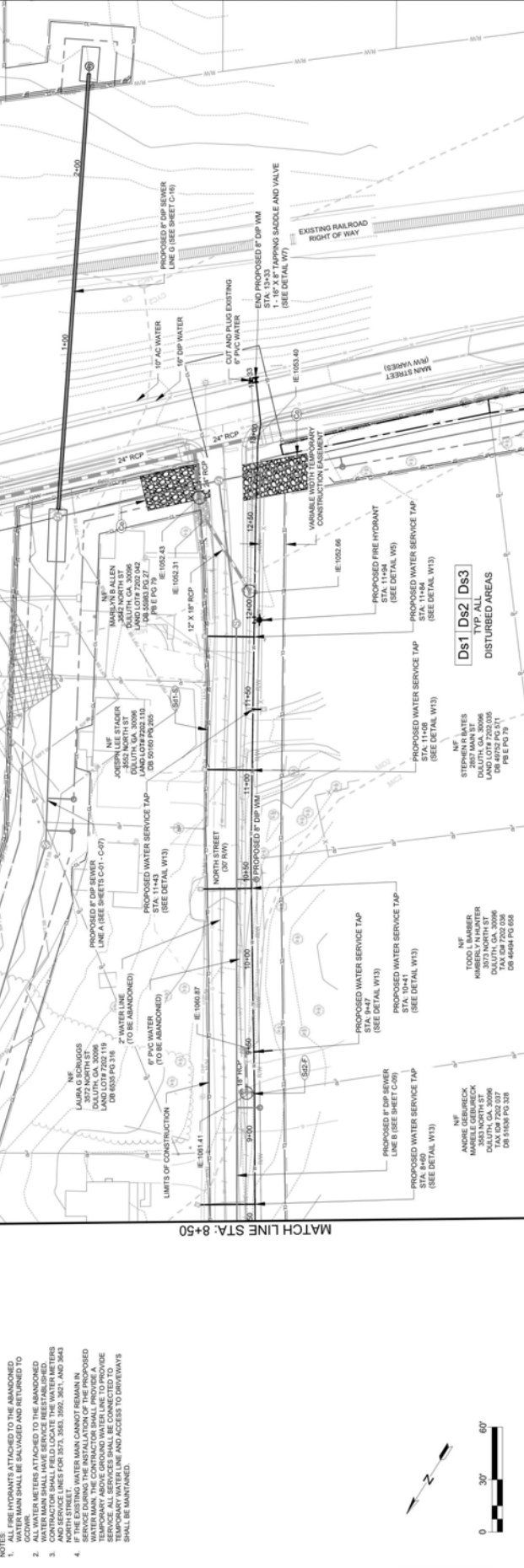
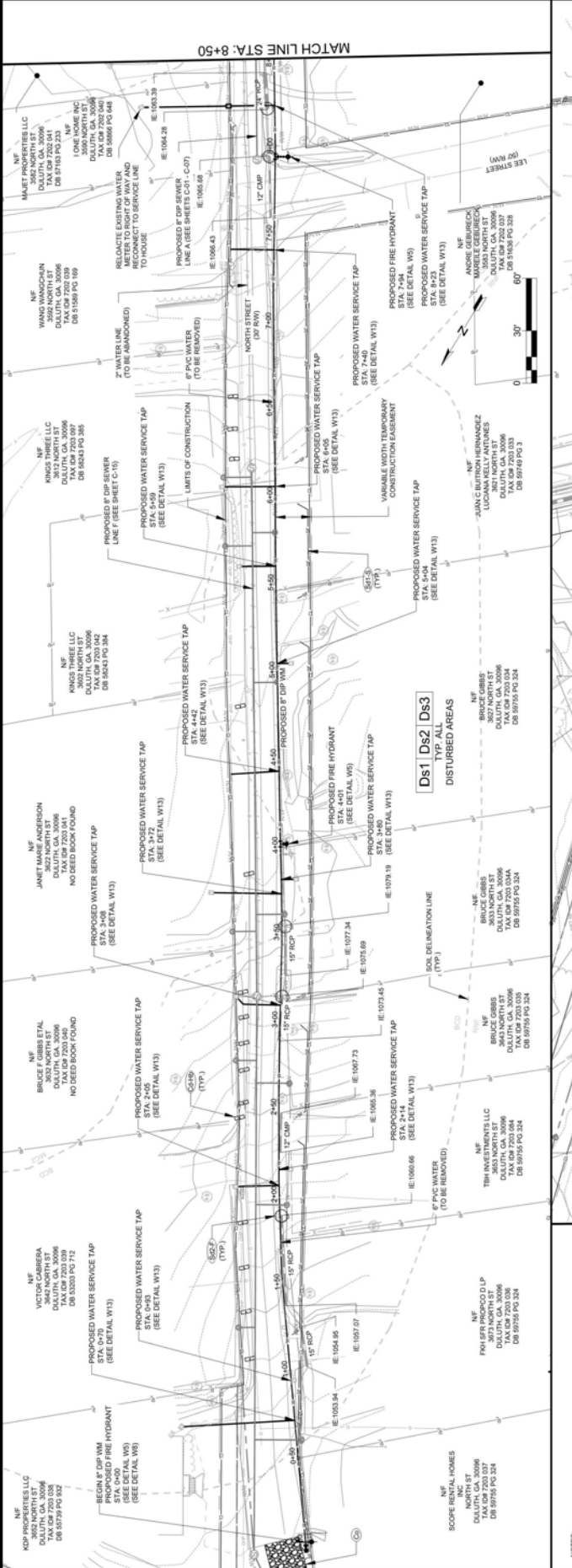
REVISION: [blank]

DATE: [blank]

DULUTH PINECREST AREA SEWER SYSTEM

NORTH STREET WM 0+00 - END

C-20



NOTES:

1. ALL FIRE HYDRANTS ATTACHED TO THE ABANDONED

2. COVERS. WATER MAINS ATTACHED TO THE ABANDONED

3. CONTRACTOR SHALL FIELD LOCATE THE WATER MAINS

4. SERVICE DURING THE INSTALLATION OF THE PROPOSED

5. WATER MAIN. THE CONTRACTOR SHALL PROVIDE A

6. TEMPORARY WATER LINE AND ACCESS TO DRIVEWAYS

7. SHALL BE MAINTAINED.

8. [blank]

9. [blank]

10. [blank]

11. [blank]

12. [blank]

13. [blank]

14. [blank]

15. [blank]

16. [blank]

17. [blank]

18. [blank]

19. [blank]

20. [blank]

21. [blank]

22. [blank]

23. [blank]

24. [blank]

25. [blank]

26. [blank]

27. [blank]

28. [blank]

29. [blank]

30. [blank]

31. [blank]

32. [blank]

33. [blank]

34. [blank]

35. [blank]

36. [blank]

37. [blank]

38. [blank]

39. [blank]

40. [blank]

41. [blank]

42. [blank]

43. [blank]

44. [blank]

45. [blank]

46. [blank]

47. [blank]

48. [blank]

49. [blank]

50. [blank]

51. [blank]

52. [blank]

53. [blank]

54. [blank]

55. [blank]

56. [blank]

57. [blank]

58. [blank]

59. [blank]

60. [blank]

61. [blank]

62. [blank]

63. [blank]

64. [blank]

65. [blank]

66. [blank]

67. [blank]

68. [blank]

69. [blank]

70. [blank]

71. [blank]

72. [blank]

73. [blank]

74. [blank]

75. [blank]

76. [blank]

77. [blank]

78. [blank]

79. [blank]

80. [blank]

81. [blank]

82. [blank]

83. [blank]

84. [blank]

85. [blank]

86. [blank]

87. [blank]

88. [blank]

89. [blank]

90. [blank]

91. [blank]

92. [blank]

93. [blank]

94. [blank]

95. [blank]

96. [blank]

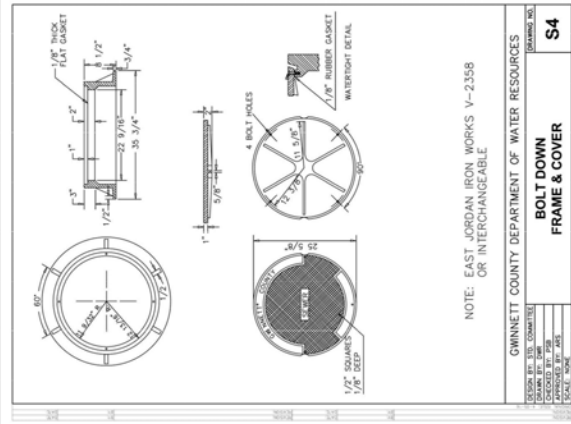
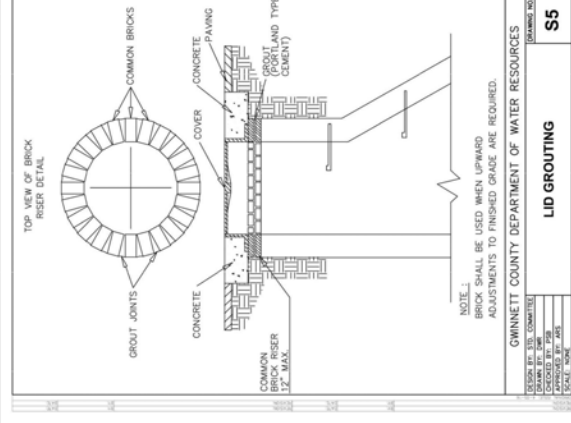
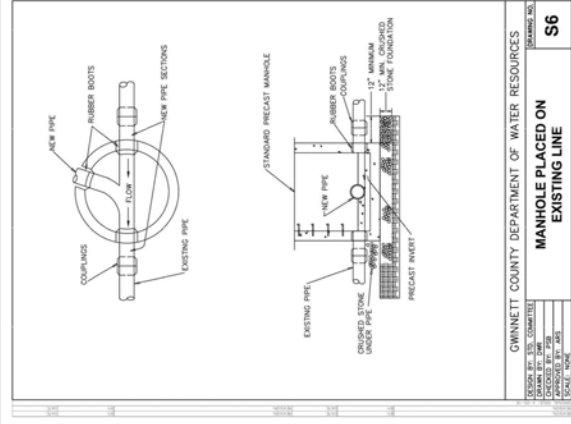
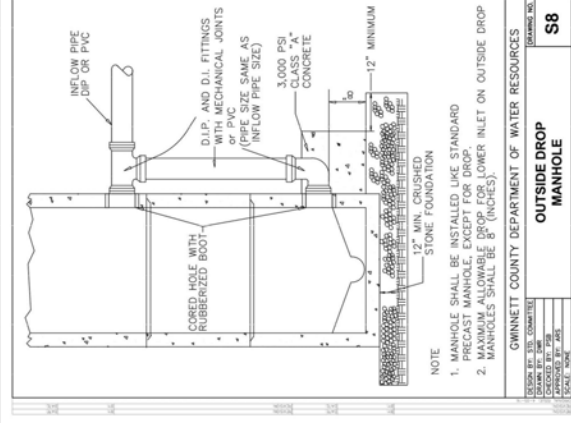
97. [blank]

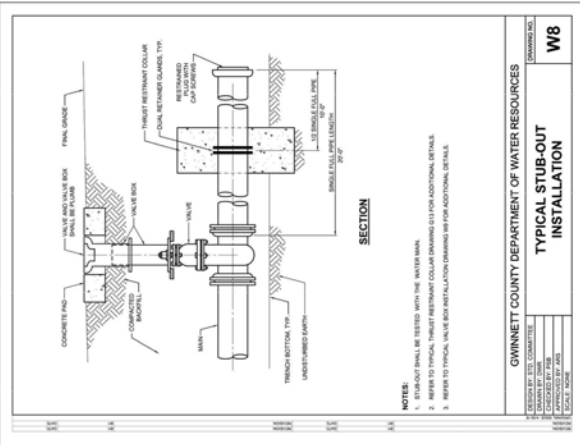
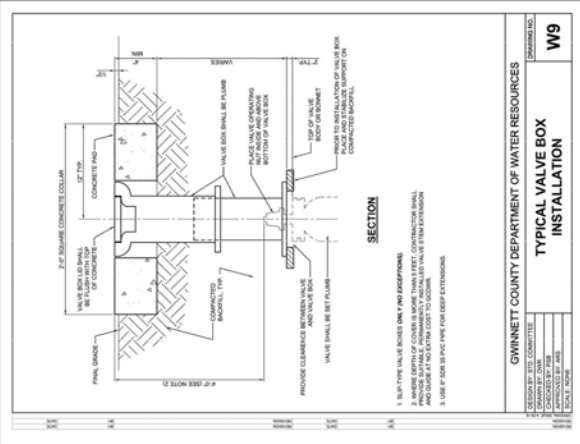
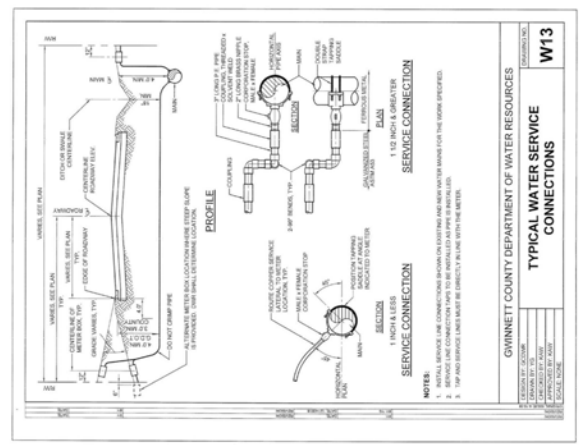
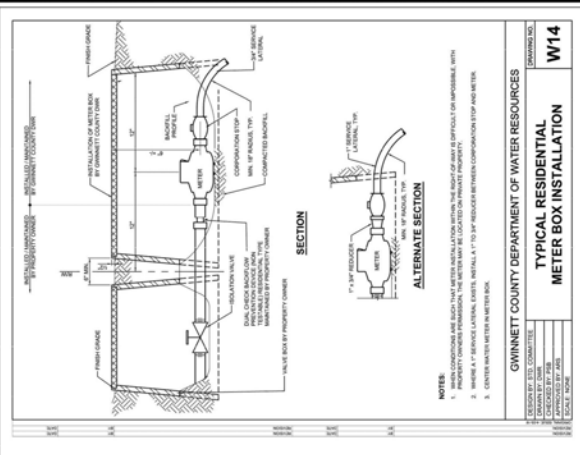
98. [blank]

99. [blank]

100. [blank]







NOTES:

1. USE TREE DRIP LINE
2. SPACE 5' DRIP LINE ON CENTER
3. MAINTAIN REMOVE
4. DO NOT AREA.
5. FENCE 5'

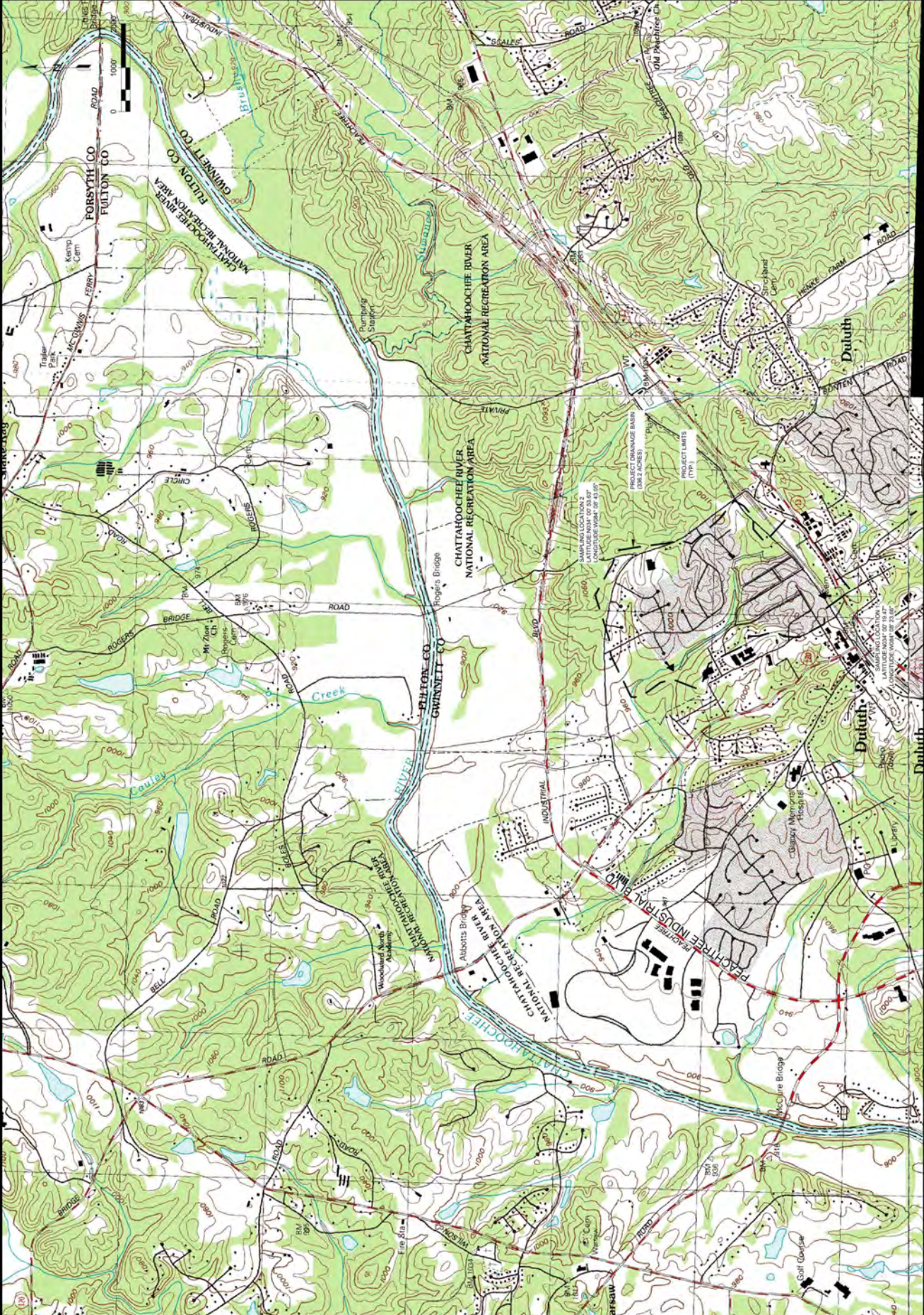


5

DULUTH PINECREST AREA SEWER
SYSTEM
NPDES MAP

DESIGNED BY: BCL	PROJECT NUMBER: P-1387-38
DRAWN BY: JRP	PROJECT DATE: OCTOBER 2022
CHECKED BY: JRP	REVISION
DATE	

ENGINEERING STRATEGIES, INC.
ESI



Project Name:

DAVID L. PINCREST AREA SEWER

City:

DAVID L. PINCREST AREA SEWER

Address:

10000 PINCREST AVE

City:

DAVID L. PINCREST AREA SEWER

State:

GA

Zip:

30022

Name & email of person filling out checklist:

DAVID L. PINCREST AREA SEWER

Page #

1/1

1. The applicant (owner, subcontractor and/or consultant) has been notified by the Commission as of January 1, 2022, that the proposed project is subject to the Erosion Control Act (OCA) and the Erosion Control Regulations (ECR).

2. Level of construction shall be in accordance with the ECR. The applicant shall provide a copy of the ECR to the Commission.

3. The name and phone number of the design professional shall be provided to the Commission. The design professional shall be a Georgia Professional Engineer (PE) or a Georgia Professional Surveyor (PS).

4. Provide the name, address, email address, and phone number of the design professional.

5. Provide the name, address, email address, and phone number of the design professional.

6. Provide the name, address, email address, and phone number of the design professional.

7. Provide the name, address, email address, and phone number of the design professional.

8. Provide the name, address, email address, and phone number of the design professional.

9. Provide the name, address, email address, and phone number of the design professional.

10. Provide the name, address, email address, and phone number of the design professional.

11. Provide the name, address, email address, and phone number of the design professional.

12. Provide the name, address, email address, and phone number of the design professional.

13. Provide the name, address, email address, and phone number of the design professional.

14. Provide the name, address, email address, and phone number of the design professional.

15. Provide the name, address, email address, and phone number of the design professional.

16. Provide the name, address, email address, and phone number of the design professional.

17. Provide the name, address, email address, and phone number of the design professional.

18. Provide the name, address, email address, and phone number of the design professional.

19. Provide the name, address, email address, and phone number of the design professional.

20. Provide the name, address, email address, and phone number of the design professional.

21. Provide the name, address, email address, and phone number of the design professional.

22. Provide the name, address, email address, and phone number of the design professional.

23. Provide the name, address, email address, and phone number of the design professional.

24. Provide the name, address, email address, and phone number of the design professional.

25. Provide the name, address, email address, and phone number of the design professional.

26. Provide the name, address, email address, and phone number of the design professional.

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

CERTIFIED EROSION CONTROL DESIGN
PROFESSIONAL NUMBER 0000000103

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

DESIGNED BY:

DAVID L. PINCREST AREA SEWER

DRAWN BY:

DAVID L. PINCREST AREA SEWER

CHECKED BY:

DAVID L. PINCREST AREA SEWER

PROJECT NUMBER:

1387-38

PROJECT DATE:

OCTOBER 2022

REVISION:

DATE:

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356736**

Name and File No.: **142 M.H. MASON**

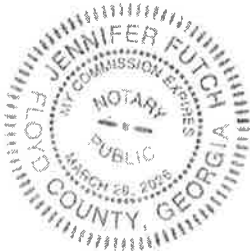
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: BEHROOZ SEPEHRARA, EVERETT FINANCIAL INC. AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0647 acres of permanent sanitary sewer easement, 0.0208 acres of temporary construction easement (Area A) and 0.0224 acres of temporary construction easement (Area B) on the property commonly known as **2785 Pine Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 327) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BEHROOZ SEPEHRARA BEING PARCEL TAX ID #7203 327 **COMMENCING** AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 1005.82 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 124.18 FEET TO A POINT; THENCE NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 10.07 FEET TO A POINT; SAID POINT BEING LABELED AS THE **TRUE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 91.31 FEET TO A POINT; THENCE NORTH 52 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 30.05 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 96.59 FEET TO A POINT; THENCE SOUTH 62 DEGREES 13 MINUTES 18 SECONDS WEST A DISTANCE OF 30.21 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING**. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0647 ACRES OR 2819 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BEHROOZ SEPEHRARA BEING PARCEL TAX ID #7203 327 **COMMENCING** AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 1005.82 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 124.18 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 89.55 FEET TO A POINT; THENCE NORTH 52 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 91.31 FEET TO A POINT; THENCE SOUTH 62 DEGREES 13 MINUTES 18 SECONDS WEST A DISTANCE OF 10.07 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**. TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0208 ACRES OR 904 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BEHROOZ SEPEHRARA BEING PARCEL TAX ID #7203 327 **COMMENCING** AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 1005.82 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 124.18 FEET TO A POINT; THENCE NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 10.07 FEET TO A POINT; THENCE NORTH 62 DEGREES 13 MINUTES 18 SECONDS EAST A DISTANCE OF 30.21 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 96.59 FEET TO A POINT; THENCE NORTH 52 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 98.35 FEET TO A POINT; THENCE SOUTH 62 DEGREES 13 MINUTES 18 SECONDS WEST A DISTANCE OF 10.07 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**. TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0224 ACRES OR 975 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356735**

Name and File No.: **145 SHERILYN TERRY**

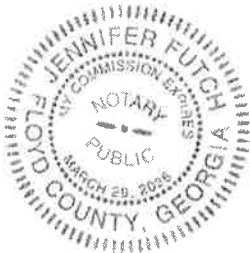
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public
My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: JOEL C. MOORE, WILLIE B. MOORE, ELIZABETH WARREN AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the **Pinecrest and Hill communities**. The property to be acquired consists of 0.0632 acres of permanent sanitary sewer easement, 0.0266 acres of temporary construction easement (Area A) and 0.0157 acres of temporary construction easement (Area B) on the property commonly known as 3772 Oak Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel #7203 081) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 081 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING **THE POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.82 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 10 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 149.21 FEET TO A POINT; NORTH 9 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 25.06 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 30 DEGREES 45 MINUTES 07 SECONDS WEST A DISTANCE OF 16.83 FEET TO A POINT; THENCE NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 92.87 FEET TO A POINT; THENCE NORTH 61 DEGREES 02 MINUTES 33 SECONDS EAST A DISTANCE OF 30.03 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 74.10 FEET TO A POINT; THENCE SOUTH 09 DEGREES 53 MINUTES 19 SECONDS WEST A DISTANCE OF 45.69 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0632 ACRES OR 2755 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 081 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING **THE POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.82 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 10 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 149.21 FEET TO A POINT; NORTH 9 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 9.71 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 30 DEGREES 45 MINUTES 02 SECONDS WEST A DISTANCE OF 28.06 FEET TO A POINT; THENCE NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 93.61 FEET TO A POINT; THENCE NORTH 61 DEGREES 02 MINUTES 33 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 92.87 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 07 SECONDS EAST A DISTANCE OF 16.83 FEET TO A POINT; THENCE SOUTH 09 DEGREES 53 MINUTES 19 SECONDS WEST A DISTANCE OF 15.35 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**. TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0266 ACRES OR 1157 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 081 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING **THE POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.82 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 10 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 149.21 FEET TO A POINT; NORTH 9 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 70.74 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 74.10 FEET TO A POINT; THENCE NORTH 61 DEGREES 02 MINUTES 33 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 62.32 FEET TO A POINT; THENCE SOUTH 09 DEGREES 53 MINUTES 19 SECONDS WEST A DISTANCE OF 15.11 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**. TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0157 ACRES OR 682 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

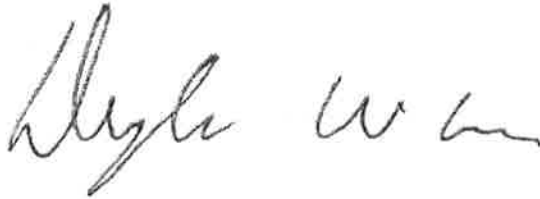
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356734**

Name and File No.: **137 JOEL MOORE**

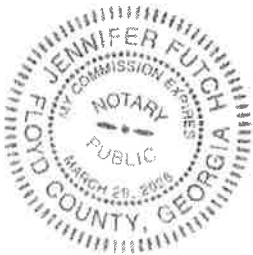
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public
My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: JOEL C. MOORE, WILLIE B. MOORE, ELIZABETH WARREN AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.1289 acres of permanent sanitary sewer easement, 0.0400 acres of temporary construction easement and 0.0458 acres of temporary construction easement on the property commonly known as **3612 Oak Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 082) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 082 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 63.98 FEET TO A POINT; SAID POINT BEING LABELED **AS THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 30 DEGREES 45 MINUTES 07 SECONDS WEST A DISTANCE OF 177.58 FEET TO A POINT; THENCE NORTH 09 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 45.69 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 16.57 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 21 SECONDS EAST A DISTANCE OF 180.02 FEET TO A POINT; THENCE SOUTH 31 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 33.84 FEET TO A POINT; SAID POINT BEING LABELED **AS THE TRUE POINT OF BEGINNING**. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.1289 ACRES OR 5613 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 082

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 52.70 FEET TO A POINT; SAID POINT BEING LABELED **AS THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" THENCE NORTH 30 DEGREES 45 MINUTES 02 SECONDS WEST A DISTANCE OF 171.15 FEET TO A POINT; THENCE NORTH 09 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 15.35 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 07 SECONDS EAST A DISTANCE OF 177.58 FEET TO A POINT; THENCE SOUTH 31 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 11.28 FEET TO A POINT; SAID POINT BEING LABELED **AS THE POINT OF BEGINNING "A"**. TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0400 ACRES OR 1743 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 082 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 97.82 FEET TO A POINT; SAID POINT BEING LABELED **AS THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" THENCE NORTH 30 DEGREES 45 MINUTES 21 SECONDS WEST A DISTANCE OF 180.02 FEET TO A POINT; THENCE NORTH 31 DEGREES 32 MINUTES 51 SECONDS WEST A DISTANCE OF 16.57 FEET TO A POINT; THENCE NORTH 09 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 15.11 FEET TO A POINT; THENCE SOUTH 31 DEGREES 32 MINUTES 51 SECONDS EAST A DISTANCE OF 27.61 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 26 SECONDS EAST A DISTANCE OF 175.22 FEET TO A POINT; THENCE SOUTH 31 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 11.28 FEET TO A POINT; SAID POINT BEING LABELED **AS THE POINT OF BEGINNING "B"**. TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0458 ACRES OR 1997 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356733**

Name and File No.: **136 JOEL MOORE**

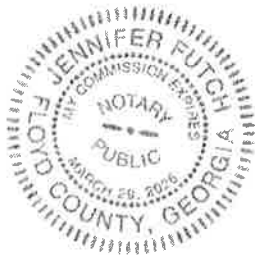
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public
My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: JOEL C. MOORE, WILLIE B. MOORE, ELIZABETH WARREN AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0185 acres of permanent sanitary sewer easement, 0.0044 acres of temporary construction easement (Area A) and 0.0079 acres of temporary construction easement (Area B) on the property commonly known as **3812 Oak Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 025) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 025 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 50 DEGREES 53 MINUTES 05 SECONDS EAST A DISTANCE OF 57.49 FEET TO A POINT; SAID POINT BEING LABELED AS THE **TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 38 DEGREES 01 MINUTES 07 SECONDS WEST A DISTANCE OF 1.24 FEET TO A POINT; THENCE NORTH 30 DEGREES 45 MINUTES 07 SECONDS WEST A DISTANCE OF 20.02 FEET TO A POINT; THENCE NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 33.84 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 21 SECONDS EAST A DISTANCE OF 32.53 FEET TO A POINT; THENCE SOUTH 50 DEGREES 53 MINUTES 05 SECONDS WEST A DISTANCE OF 30.16 FEET TO A POINT; SAID POINT BEING LABELED AS THE **TRUE POINT OF BEGINNING**. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0185 ACRES OR 807 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 025

COMMENCING AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 50 DEGREES 53 MINUTES 05 SECONDS EAST A DISTANCE OF 47.49 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 38 DEGREES 01 MINUTES 07 SECONDS WEST A DISTANCE OF 2.07 FEET TO A POINT; THENCE NORTH 30 DEGREES 45 MINUTES 02 SECONDS WEST A DISTANCE OF 15.44 FEET TO A POINT; THENCE NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 11.28 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 07 SECONDS EAST A DISTANCE OF 20.02 FEET TO A POINT; THENCE SOUTH 38 DEGREES 01 MINUTES 07 SECONDS EAST A DISTANCE OF 1.24 FEET TO A POINT; THENCE SOUTH 50 DEGREES 53 MINUTES 05 SECONDS WEST A DISTANCE OF 10.00 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "A"**. TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0044 ACRES OR 194 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOEL C. & WILLIE B. MOORE BEING PARCEL TAX ID #7203 025 **COMMENCING** AT A POINT FROM THE WESTERLY R/W OF OAK STREET (60' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF SOUTH STREET (50' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 28 DEGREES 11 MINUTES 06 SECONDS WEST A DISTANCE OF 49.18 FEET TO A POINT; THENCE NORTH 31 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 16.17 FEET TO A POINT; THENCE NORTH 34 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 26.67 FEET TO A POINT; THENCE NORTH 33 DEGREES 30 MINUTES 35 SECONDS WEST A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 37 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 20.95 FEET TO A POINT; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 02 SECONDS WEST A DISTANCE OF 21.07 FEET TO A POINT; THENCE NORTH 43 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 14.85 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 04 SECONDS WEST A DISTANCE OF 25.59 FEET TO A POINT; THENCE NORTH 44 DEGREES 16 MINUTES 09 SECONDS WEST A DISTANCE OF 20.77 FEET TO A POINT; THENCE NORTH 46 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 29.62 FEET TO A POINT; THENCE NORTH 50 DEGREES 34 MINUTES 57 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; THENCE NORTH 51 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 12.73 FEET TO A POINT; THENCE NORTH 52 DEGREES 57 MINUTES 30 SECONDS WEST A DISTANCE OF 17.22 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 40 SECONDS WEST A DISTANCE OF 16.78 FEET TO A POINT; THENCE NORTH 57 DEGREES 59 MINUTES 43 SECONDS WEST A DISTANCE OF 16.51 FEET TO A POINT; THENCE NORTH 59 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 21.95 FEET TO A POINT; THENCE NORTH 62 DEGREES 07 MINUTES 16 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT; THENCE LEAVING THE R/W OF OAK STREET NORTH 50 DEGREES 53 MINUTES 05 SECONDS EAST A DISTANCE OF 87.65 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 30 DEGREES 45 MINUTES 21 SECONDS WEST A DISTANCE OF 32.53 FEET TO A POINT; THENCE NORTH 31 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 11.28 FEET TO A POINT; THENCE SOUTH 30 DEGREES 45 MINUTES 26 SECONDS EAST A DISTANCE OF 36.28 FEET TO A POINT; THENCE SOUTH 50 DEGREES 53 MINUTES 05 SECONDS WEST A DISTANCE OF 10.11 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "B"**. TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0079 ACRES OR 344 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356723**

Name and File No.: **135 JOEL MOORE**

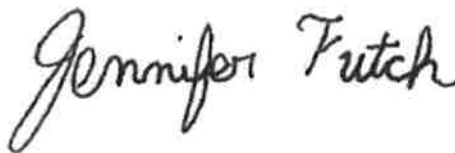
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: SHERILYN TERRY AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.1451 acres of permanent sanitary sewer easement (Area B), 0.0090 acres of permanent sanitary sewer easement (Area D), 0.0539 acres of temporary construction easement (Area A) and 0.0016 acres of temporary construction easement (Area C) on the property commonly known as 3588 Rogers Cove, Duluth, Georgia 30098 (Gwinnett County Tax Parcel R7203 224) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224 COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 20.05 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "A"; THENCE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "B"; THENCE FROM THE POINT OF BEGINNING "B" SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; THENCE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 35.44 FEET TO A POINT; THENCE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 84.03 FEET TO A POINT; THENCE NORTH 70 DEGREES 01 MINUTES 46 SECONDS WEST A DISTANCE OF 86.09 FEET TO A POINT; THENCE NORTH 77 DEGREES 41 MINUTES 46 SECONDS WEST A DISTANCE OF 3.30 FEET TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY STRAWDER B COOPER AND MELVA S COOPER; THENCE ALONG THE PROPERTY LINE NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 11.01 FEET TO A POINT; THENCE NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 10.40 FEET TO A POINT; THENCE LEAVING THE COMMON PROPERTY LINE WITH COOPER SOUTH 76 DEGREES 19 MINUTES 00 SECONDS EAST A DISTANCE OF 187.82 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 41.39 FEET TO A POINT; SAID POINT BEING LABELED AS THE POINT OF BEGINNING "B". PERMANENT SANITARY SEWER EASEMENT "B" TRACT OF LAND CONTAINS 0.1451 ACRES OR 6320 SQUARE FEET.

PERMANENT SANITARY SEWER EASEMENT "D" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224 COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 40.14 FEET TO A POINT; THENCE WITH A TIE LINE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 142.58 FEET TO A POINT; THENCE WITH A TIE LINE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 14.43 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "C"; THENCE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 11.27 FEET (L15) TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY WITH VICTOR CABRERA; THENCE WITH THE PROPERTY LINE NORTH 65 DEGREES 53 MINUTES 27 SECONDS WEST A DISTANCE OF 10.66 FEET (L16) TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "D"; THENCE FROM THE POINT OF BEGINNING "D" NORTH 65 DEGREES 53 MINUTES 27 SECONDS WEST A DISTANCE OF 6.20 FEET TO A POINT; THENCE NORTH 61 DEGREES 58 MINUTES 07 SECONDS WEST A DISTANCE OF 22.39 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE OF VICTOR CABRERA AT THE CORNER OF THE LAND OF NOW OR FORMERLY STRAWDER B. & MELVA S. COOPER NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 7.44 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE SOUTH 77 DEGREES 41 MINUTES 46 SECONDS EAST A DISTANCE OF 11.81 FEET TO A POINT; THENCE SOUTH 70 DEGREES 01 MINUTES 46 SECONDS EAST A DISTANCE OF 20.66 FEET TO A POINT; THENCE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 10.98 FEET TO A POINT; THENCE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 6.61 FEET TO A POINT; SAID POINT BEING LABELED AS THE POINT OF BEGINNING "D". PERMANENT SANITARY SEWER EASEMENT "D" TRACT OF LAND CONTAINS 0.0090 ACRES OR 392 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224 COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 20.05 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "A"; THENCE FROM THE POINT OF BEGINNING "A" SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 41.39 FEET TO A POINT; THENCE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 187.62 FEET TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY STRAWDER B COOPER AND MELVA S COOPER; THENCE ALONG THE PROPERTY LINE NORTH 38 DEGREES 31 MINUTES 10 SECONDS EAST A DISTANCE OF 11.02 FEET TO A POINT; THENCE LEAVING THE COMMON PROPERTY LINE WITH COOPER SOUTH 76 DEGREES 19 MINUTES 00 SECONDS EAST A DISTANCE OF 187.61 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 46.72 FEET TO A POINT; SAID POINT BEING LABELED AS THE POINT OF BEGINNING "A". PROPOSED TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0539 ACRES OR 2348 SQUARE FEET.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT "C" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SHERILYN TERRY BEING PARCEL TAX ID #7203 224 COMMENCE AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE WITH A TIE LINE AND CONTINUING WITH THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 40.14 FEET TO A POINT; THENCE WITH A TIE LINE NORTH 76 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 142.58 FEET TO A POINT; THENCE WITH A TIE LINE SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 14.43 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "C"; THENCE FROM THE POINT OF BEGINNING "C" SOUTH 44 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 7.46 FEET TO A POINT ON THE PROPERTY LINE WITH NOW OR FORMERLY WITH VICTOR CABRERA; THENCE WITH THE PROPERTY LINE NORTH 65 DEGREES 53 MINUTES 27 SECONDS WEST A DISTANCE OF 10.66 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE NORTH 44 DEGREES 21 MINUTES 24 SECONDS EAST A DISTANCE OF 6.61 FEET TO A POINT; THENCE SOUTH 70 DEGREES 01 MINUTES 46 SECONDS EAST A DISTANCE OF 10.98 FEET TO A POINT; SAID POINT BEING LABELED AS THE POINT OF BEGINNING "C". PROPOSED TEMPORARY CONSTRUCTION EASEMENT "C" TRACT OF LAND CONTAINS 0.0016 ACRES OR 70 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356722**

Name and File No.: **128 BEHROOZ**

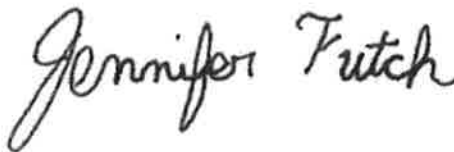
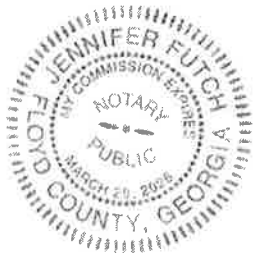
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: M.H. MASON, DULUTH PROPERTIES, GWINNETT COUNTY TAX COMMISSIONER AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.1040 acres of permanent sanitary sewer easement and 0.0398 acres of temporary construction easement (Area A) and 0.0411 acres of temporary construction easement (Area B) on the property commonly known as **Undeveloped Property on North Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 047) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY DULUTH PROPERTIES, INC BEING PARCEL TAX ID #7203 047 COMMENCING AT A POINT FROM THE EASTERLY R/W OF NORTH STREET (30' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF NORFOLK SOUTHERN RAILROAD (200' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A DISTANCE OF 127.41 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST A DISTANCE OF 83.66 FEET TO A POINT; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST A DISTANCE OF 110.70 FEET TO A POINT; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 52.47 FEET TO A POINT; THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 13 SECONDS WEST A DISTANCE OF 99.78 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 57 SECONDS WEST A DISTANCE OF 85.62 FEET TO A POINT; THENCE NORTH 31 DEGREES 46 MINUTES 17 SECONDS WEST A DISTANCE OF 109.98 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 143.79 FEET TO A POINT; THENCE NORTH 31 DEGREES 05 MINUTES 16 SECONDS WEST A DISTANCE OF 6.84 FEET TO A POINT; THENCE NORTH 32 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 98.34 FEET TO A POINT; THENCE NORTH 29 DEGREES 44 MINUTES 41 SECONDS WEST A DISTANCE OF 72.16 FEET TO A POINT; THENCE NORTH 34 DEGREES 48 MINUTES 27 SECONDS WEST A DISTANCE OF 77.95 FEET TO A POINT; THENCE NORTH 30 DEGREES 22 MINUTES 34 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37 DEGREES 20 MINUTES 28 SECONDS WEST A DISTANCE OF 108.40 FEET TO A POINT; SAID POINT BEING LABELED AS THE **TRUE POINT OF BEGINNING**; THENCE NORTH 28 DEGREES 01 MINUTES 10 SECONDS WEST A DISTANCE OF 66.56 FEET TO A POINT; THENCE NORTH 77 DEGREES 45 MINUTES 20 SECONDS EAST A DISTANCE OF 168.69 FEET TO A POINT; THENCE SOUTH 48 DEGREES 41 MINUTES 09 SECONDS WEST A DISTANCE OF 35.09 FEET TO A POINT; THENCE SOUTH 49 DEGREES 19 MINUTES 05 SECONDS WEST A DISTANCE OF 27.20 FEET TO A POINT; THENCE SOUTH 77 DEGREES 45 MINUTES 20 SECONDS WEST A DISTANCE OF 93.17 FEET TO A POINT; THENCE SOUTH 31 DEGREES 08 MINUTES 49 SECONDS EAST A DISTANCE OF 28.99 FEET TO A POINT; THENCE SOUTH 49 DEGREES 20 MINUTES 14 SECONDS WEST A DISTANCE OF 13.91 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING**. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.1040 ACRES OR 4531 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY DULUTH PROPERTIES, INC BEING PARCEL TAX ID #7203 047 COMMENCING AT A POINT FROM THE EASTERLY R/W OF NORTH STREET (30' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF NORFOLK SOUTHERN RAILROAD (200' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A DISTANCE OF 127.41 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST A DISTANCE OF 83.66 FEET TO A POINT; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST A DISTANCE OF 110.70 FEET TO A POINT; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 52.47 FEET TO A POINT; THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 13 SECONDS WEST A DISTANCE OF 99.78 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 57 SECONDS WEST A DISTANCE OF 85.62 FEET TO A POINT; THENCE NORTH 31 DEGREES 46 MINUTES 17 SECONDS WEST A DISTANCE OF 109.98 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 143.79 FEET TO A POINT; THENCE NORTH 31 DEGREES 05 MINUTES 16 SECONDS WEST A DISTANCE OF 6.84 FEET TO A POINT; THENCE NORTH 32 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 98.34 FEET TO A POINT; THENCE NORTH 29 DEGREES 44 MINUTES 41 SECONDS WEST A DISTANCE OF 72.16 FEET TO A POINT; THENCE NORTH 34 DEGREES 48 MINUTES 27 SECONDS WEST A DISTANCE OF 77.95 FEET TO A POINT; THENCE NORTH 30 DEGREES 22 MINUTES 34 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37 DEGREES 20 MINUTES 28 SECONDS WEST A DISTANCE OF 108.40 FEET TO A POINT; THENCE NORTH 49 DEGREES 20 MINUTES 14 SECONDS EAST A DISTANCE OF 13.91 FEET TO A POINT; SAID POINT BEING THE **POINT OF BEGINNING "A"**; THENCE WITH THE POINT OF BEGINNING "A" NORTH 31 DEGREES 08 MINUTES 49 SECONDS WEST A DISTANCE OF 28.99 FEET TO A POINT; THENCE NORTH 77 DEGREES 45 MINUTES 20 SECONDS EAST A DISTANCE OF 93.17 FEET TO A POINT; THENCE SOUTH 49 DEGREES 19 MINUTES 05 SECONDS WEST A DISTANCE OF 20.93 FEET TO A POINT; THENCE SOUTH 49 DEGREES 32 MINUTES 15 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE SOUTH 77 DEGREES 45 MINUTES 20 SECONDS WEST A DISTANCE OF 13.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 49 MINUTES 15 SECONDS WEST A DISTANCE OF 9.15 FEET TO A POINT; THENCE SOUTH 49 DEGREES 20 MINUTES 14 SECONDS WEST A DISTANCE OF 12.92 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "A"**. TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0398 ACRES OR 1732 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY DULUTH PROPERTIES, INC BEING PARCEL TAX ID #7203 047 COMMENCING AT A POINT FROM THE EASTERLY R/W OF NORTH STREET (30' R/W) AT ITS INTERSECTION WITH ITS NORTHERLY R/W OF NORFOLK SOUTHERN RAILROAD (200' R/W) SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A DISTANCE OF 127.41 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST A DISTANCE OF 83.66 FEET TO A POINT; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST A DISTANCE OF 110.70 FEET TO A POINT; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 52.47 FEET TO A POINT; THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 13 SECONDS WEST A DISTANCE OF 99.78 FEET TO A POINT; THENCE NORTH 31 DEGREES 23 MINUTES 57 SECONDS WEST A DISTANCE OF 85.62 FEET TO A POINT; THENCE NORTH 31 DEGREES 46 MINUTES 17 SECONDS WEST A DISTANCE OF 109.98 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 143.79 FEET TO A POINT; THENCE NORTH 31 DEGREES 05 MINUTES 16 SECONDS WEST A DISTANCE OF 6.84 FEET TO A POINT; THENCE NORTH 32 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 98.34 FEET TO A POINT; THENCE NORTH 29 DEGREES 44 MINUTES 41 SECONDS WEST A DISTANCE OF 72.16 FEET TO A POINT; THENCE NORTH 34 DEGREES 48 MINUTES 27 SECONDS WEST A DISTANCE OF 77.95 FEET TO A POINT; THENCE NORTH 30 DEGREES 22 MINUTES 34 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37 DEGREES 20 MINUTES 28 SECONDS WEST A DISTANCE OF 108.40 FEET TO A POINT; THENCE NORTH 28 DEGREES 01 MINUTES 10 SECONDS WEST A DISTANCE OF 66.56 FEET TO A POINT; SAID POINT BEING THE **POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 28 DEGREES 01 MINUTES 10 SECONDS WEST A DISTANCE OF 10.39 FEET TO A POINT; THENCE NORTH 77 DEGREES 45 MINUTES 20 SECONDS EAST A DISTANCE OF 189.51 FEET TO A POINT; THENCE SOUTH 48 DEGREES 41 MINUTES 09 SECONDS WEST A DISTANCE OF 20.58 FEET TO A POINT; THENCE SOUTH 77 DEGREES 45 MINUTES 20 SECONDS WEST A DISTANCE OF 168.69 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "B"**. TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0411 ACRES OR 1791 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023** at 6:00 p.m. in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356720**

Name and File No.: **126 ANDREW HOLMES**

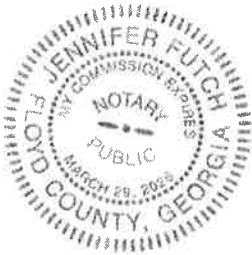
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: BRUCE F. GIBBS, WANDA GRISSOM, CONNIE GIBBS AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0662 acres of temporary construction easement on the property commonly known as **3627 North Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 034) and is more particularly described as:

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BRUCE F GIBBS PARCEL BEING TAX ID #7203 034

COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF LEE STREET [50' R/W] AND THE WESTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY JUAN C BUITRON HERNANDEZ & LUCIANA KELLY ANTUNES THENCE FROM SAID **POINT OF COMMENCEMENT**; NORTH 31 DEGREES 09 MINUTES 02 SECONDS WEST A DISTANCE OF 30.66 FEET TO A POINT; THENCE NORTH 31 DEGREES 08 MINUTES 41 SECONDS WEST A DISTANCE OF 1.14 FEET TO A POINT; THENCE NORTH 31 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 86.82 FEET TO A POINT; THENCE NORTH 30 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 82.37 FEET TO A POINT; SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W OF NORTH STREET THENCE SOUTH 49 DEGREES 18 MINUTES 54 SECONDS WEST A DISTANCE OF 22.02 FEET TO A POINT; THENCE NORTH 31 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 147.40 FEET TO A POINT; THENCE NORTH 49 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 17.57 FEET TO A POINT; THENCE ALONG THE R/W OF NORTH STREET SOUTH 33 DEGREES 28 MINUTES 26 SECONDS EAST A DISTANCE OF 146.62 FEET TO A POINT; WHICH IS THE **TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.0662 ACRES OR 2882 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

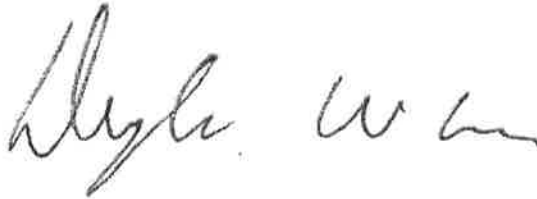
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356719**

Name and File No.: **123 WILLIAM RODRIGUEZ**

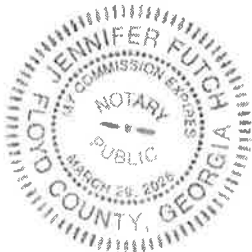
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: BRUCE F. GIBBS, WANDA GRISSOM, CONNIE GIBBS and ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0335 acres of temporary construction easement on the property commonly known as 3633 North Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel R7203 034A) and is more particularly described as:

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BRUCE F GIBBS BEING PARCEL TAX ID #7203 034A
COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF LEE STREET [50' R/W] AND THE WESTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY JUAN C BUITRON HERNANDEZ & LUCIANA KELLY ANTUNES THENCE FROM SAID POINT OF COMMENCEMENT;
NORTH 31 DEGREES 09 MINUTES 02 SECONDS WEST A DISTANCE OF 30.66 FEET TO A POINT; THENCE NORTH 31 DEGREES 08 MINUTES 41 SECONDS WEST A DISTANCE OF 1.14 FEET TO A POINT; THENCE NORTH 31 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 86.82 FEET TO A POINT; THENCE NORTH 30 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 82.37 FEET TO A POINT; THENCE NORTH 33 DEGREES 28 MINUTES 26 SECONDS WEST A DISTANCE OF 146.62 FEET TO A 1"OPEN TOP PIPE; SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 49 DEGREES 50 MINUTES 00 SECONDS WEST A DISTANCE OF 17.57 FEET TO A POINT; THENCE NORTH 31 DEGREES 42 MINUTES 39 SECONDS WEST A DISTANCE OF 53.51 FEET TO A POINT; THENCE NORTH 30 DEGREES 01 MINUTES 54 SECONDS WEST A DISTANCE OF 34.16 FEET TO A POINT; THENCE NORTH 45 DEGREES 42 MINUTES 51 SECONDS EAST A DISTANCE OF 15.48 FEET TO A POINT; THENCE ALONG THE R/W OF NORTH STREET SOUTH 32 DEGREES 32 MINUTES 05 SECONDS EAST A DISTANCE OF 88.45 FEET TO A POINT; WHICH IS THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINS 0.0335 ACRES OR 1457 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on August 28, 2023 at 6:00 p.m. in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356674**

Name and File No.: **118 TRUONG**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: BRUCE F. GIBBS, WANDA GRISSOM, CONNIE GIBBS and ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0185 acres of temporary construction easement on the property commonly known as 3643 North Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel R7203 035) and is more particularly described as:

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY BRUCE F GIBBS BEING PARCEL TAX ID #7203 035 COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF LEE STREET [50' R/W] AND THE WESTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY JUAN C BUITRON HERNANDEZ & LUCIANA KELLY ANTUNES THENCE FROM SAID POINT OF COMMENCEMENT; NORTH 31 DEGREES 09 MINUTES 02 SECONDS WEST A DISTANCE OF 30.66 FEET TO A POINT; THENCE NORTH 31 DEGREES 08 MINUTES 41 SECONDS WEST A DISTANCE OF 1.14 FEET TO A POINT; THENCE NORTH 31 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 86.82 FEET TO A POINT; THENCE NORTH 30 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 82.37 FEET TO A POINT; THENCE NORTH 33 DEGREES 28 MINUTES 26 SECONDS WEST A DISTANCE OF 146.62 FEET TO A 1" OPEN TOP PIPE; THENCE NORTH 32 DEGREES 32 MINUTES 05 SECONDS WEST A DISTANCE OF 88.45 FEET TO A #4 REBAR DISTURBED; SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 45 DEGREES 42 MINUTES 51 SECONDS WEST A DISTANCE OF 15.48 FEET TO A POINT; THENCE NORTH 29 DEGREES 39 MINUTES 51 SECONDS WEST A DISTANCE OF 63.37 FEET TO A POINT; THENCE NORTH 49 DEGREES 31 MINUTES 00 SECONDS EAST A DISTANCE OF 10.79 FEET TO A POINT; THENCE ALONG THE R/W OF NORTH STREET SOUTH 33 DEGREES 44 MINUTES 20 SECONDS EAST A DISTANCE OF 61.65 FEET TO A POINT; WHICH IS THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINS 0.0185 ACRES OR 805 SQUARE FEET

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on August 28, 2023 at 6:00 p.m. in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356673**

Name and File No.: **113 JOSE BENITEZZ**


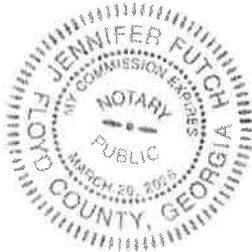
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: JOSE M. BENITEZ, JOSLYN BENITEZ, PENNYMAC LOAN SERVICING LLC AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0153 acres of temporary construction easement on the property commonly known as 3609 South Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel R7203 093) and is more particularly described as:

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY JOSE M BENITEZ BEING PARCEL TAX ID #7203 093
COMMENCE AT A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD [200' R/W] AND THE WESTERLY RIGHT-OF-WAY OF SOUTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY HOUSING AUTHORITY OF BUFORD AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD THENCE FROM SAID POINT OF COMMENCEMENT; NORTH 32 DEGREES 32 MINUTES 41 SECONDS WEST ALONG THE WESTERLY R/W OF SOUTH STREET A DISTANCE OF 510.33 FEET TO A 1" OPEN TOP PIPE; THENCE NORTH 31 DEGREES 20 MINUTES 51 SECONDS WEST A DISTANCE OF 60.27 FEET TO A POINT; THENCE NORTH 34 DEGREES 13 MINUTES 14 SECONDS WEST A DISTANCE OF 32.06 FEET TO A POINT; THENCE NORTH 35 DEGREES 21 MINUTES 22 SECONDS WEST A DISTANCE OF 58.11 FEET TO A 1" AXLE; THENCE NORTH 30 DEGREES 46 MINUTES 14 SECONDS WEST A DISTANCE OF 99.83 FEET TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 54 DEGREES 19 MINUTES 49 SECONDS WEST A DISTANCE OF 13.17 FEET TO A POINT; THENCE NORTH 31 DEGREES 33 MINUTES 09 SECONDS WEST A DISTANCE OF 49.79 FEET TO A POINT; THENCE NORTH 55 DEGREES 14 MINUTES 35 SECONDS EAST A DISTANCE OF 13.65 FEET TO A POINT; THENCE SOUTH 30 DEGREES 59 MINUTES 10 SECONDS EAST A DISTANCE OF 49.61 FEET TO A POINT; WHICH IS THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINS 0.0153 ACRES OR 665 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on August 28, 2023 at 6:00 p.m. in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356655**

Name and File No.: **107 BRUCE GIBBS**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: SCOTT TRUONG AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0362 acres of temporary construction easement on the property commonly known as 3645 South Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel R7203 029) and is more particularly described as:

TEMPORARY CONSTRUCTION EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SCOTT TRUONG BEING PARCEL TAX ID #7203 029
COMMENCE AT A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD [200' R/W] AND THE WESTERLY RIGHT-OF-WAY OF SOUTH STREET [30' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY HOUSING AUTHORITY OF BUFORD AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD THENCE FROM SAID POINT OF COMMENCEMENT; NORTH 32 DEGREES 32 MINUTES 41 SECONDS WEST ALONG THE WESTERLY R/W OF SOUTH STREET A DISTANCE OF 510.33 FEET TO A 1" OPEN TOP PIPE; THENCE NORTH 31 DEGREES 20 MINUTES 51 SECONDS WEST A DISTANCE OF 60.27 FEET TO A POINT; THENCE NORTH 34 DEGREES 13 MINUTES 14 SECONDS WEST A DISTANCE OF 32.06 FEET TO A POINT; THENCE NORTH 5 DEGREES 21 MINUTES 22 SECONDS WEST A DISTANCE OF 58.11 FEET TO A 1" AXLE; THENCE NORTH 30 DEGREES 46 MINUTES 14 SECONDS WEST A DISTANCE OF 99.83 FEET TO A POINT; THENCE NORTH 30 DEGREES 59 MINUTES 10 SECONDS WEST A DISTANCE OF 49.61 FEET TO A 1" OPEN TOP PIPE DISTURBED; THENCE NORTH 30 DEGREES 34 MINUTES 16 SECONDS WEST A DISTANCE OF 49.85 FEET TO A #4 REBAR; THENCE NORTH 31 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 49.44 FEET TO A #4 REBAR; THENCE NORTH 31 DEGREES 54 MINUTES 47 SECONDS WEST A DISTANCE OF 50.08 FEET TO A #4 REBAR; THENCE NORTH 32 DEGREES 08 MINUTES 39 SECONDS WEST A DISTANCE OF 5.17 FEET TO A POINT; THENCE NORTH 33 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 95.13 FEET TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING LEAVING THE R/W SOUTH 57 DEGREES 18 MINUTES 03 SECONDS WEST A DISTANCE OF 12.91 FEET TO A POINT; THENCE NORTH 33 DEGREES 03 MINUTES 11 SECONDS WEST A DISTANCE OF 30.05 FEET TO A POINT; THENCE NORTH 30 DEGREES 52 MINUTES 12 SECONDS WEST A DISTANCE OF 86.66 FEET TO A POINT; THENCE NORTH 49 DEGREES 44 MINUTES 25 SECONDS EAST A DISTANCE OF 14.49 FEET TO A POINT; THENCE SOUTH 29 DEGREES 55 MINUTES 51 SECONDS EAST A DISTANCE OF 87.50 FEET TO A POINT; THENCE SOUTH 33 DEGREES 03 MINUTES 10 SECONDS EAST A DISTANCE OF 31.17 FEET TO A POINT; WHICH IS THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINS 0.0362 ACRES OR 1576 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on August 28, 2023 at 6:00 p.m. in the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT


Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356651**

Name and File No.: **105 BRUCE GIBBS**

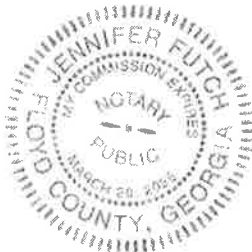
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: WILLIAM D. RODRIGUEZ, THE BANK OF NEW YORK MELLON, THE GEORGIA DEPARTMENT OF REVENUE, SUCCESS ACCOUNTING AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0311 acres of permanent sanitary sewer easement, 0.0020 acres of temporary construction easement (area A) and 0.0151 of temporary construction easement (area B) on the property commonly known as **2835 Pine Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 332) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WILLIAM D. RODRIGUEZ BEING PARCEL TAX ID #7203 332

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 573.76 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE

POINT OF COMMENCEMENT; THENCE LEAVING THE RIGHT-OF-WAY NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 116.02 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 5.08 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 20.00 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 14.85 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 66.50 FEET TO A POINT; THENCE SOUTH 21 DEGREES 22 MINUTES 05 SECONDS WEST A DISTANCE OF 25.30 FEET TO A POINT; THENCE NORTH 56 DEGREES 21 MINUTES 05 SECONDS WEST A DISTANCE OF 69.55 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT**

OF BEGINNING. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0311 ACRES OR 1353 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF

WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WILLIAM D. RODRIGUEZ BEING PARCEL TAX ID #7203 332

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 573.76 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE

POINT OF COMMENCEMENT; THENCE LEAVING THE RIGHT-OF-WAY NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 116.02 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 5.08 FEET TO A POINT; THENCE SOUTH 56 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 33.87 FEET TO A POINT; THENCE NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 33.71 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**. TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0020 ACRES OR 86 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF

WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WILLIAM D. RODRIGUEZ BEING PARCEL TAX ID #7203 332

COMMENCING AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 573.76 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE

POINT OF COMMENCEMENT; THENCE LEAVING THE RIGHT-OF-WAY NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 116.02 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 5.08 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 14.85 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 27 DEGREES 32 MINUTES 39 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 65.42 FEET TO A POINT; THENCE SOUTH 21 DEGREES 22 MINUTES 05 SECONDS WEST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 66.50 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0151 ACRES OR 660 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on **August 28, 2023 at 6:00 p.m.** In the Council Chambers of Duluth City Hall located at 3167 Main Street, Duluth, Georgia 30096. All interested parties and the general public are invited and encouraged to attend.

Gwinnett Daily Post

"Local News For Local People"

P.O.Box 603
Lawrenceville, Georgia 30046

Phone (770) 963-9205
Fax (770) 339-8082

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **356653**

Name and File No.: **106 BRUCE GIBBS**

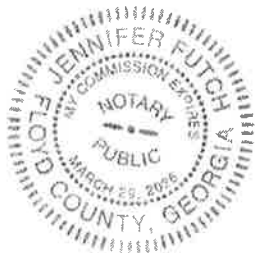
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/30/2023 08/06/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/09/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: ANDREW E. HOLMES, RHONDA M. HOLMES
AND ALL PERSONS CONCERNED:

The City of Duluth, Georgia seeks to acquire certain property necessary to install a new water and sewer line project. Said project will bring sanitary sewer to the Pinecrest and Hill communities. The property to be acquired consists of 0.0656 acres of permanent sanitary sewer easement, 0.0273 acres of temporary construction easement (Area A) and 0.0220 acres of temporary construction easement (Area B) on the property commonly known as **2805 Pine Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel R7203 329) and is more particularly described as:

PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY ANDREW E. HOLMES BEING PARCEL TAX ID #7203 329 **COMMENCING** AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 868.22 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 133.16 FEET TO A POINT; THENCE NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 10.44 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 87.42 FEET TO A POINT; THENCE SOUTH 25 DEGREES 02 MINUTES 00 SECONDS WEST A DISTANCE OF 21.60 FEET TO A POINT; THENCE NORTH 56 DEGREES 21 MINUTES 05 SECONDS WEST A DISTANCE OF 5.31 FEET TO A POINT; THENCE NORTH 32 DEGREES 31 MINUTES 39 SECONDS EAST A DISTANCE OF 51.25 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 94.54 FEET TO A POINT; NORTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 0.40 FEET TO A POINT; NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 31.10 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING**. PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.0656 ACRES OR 2856 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY ANDREW HOLMES BEING PARCEL TAX ID #7203 329 **COMMENCING** AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 868.22 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 133.16 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 71.46 FEET TO A POINT; THENCE SOUTH 32 DEGREES 52 MINUTES 24 SECONDS WEST A DISTANCE OF 30.49 FEET TO A POINT; THENCE NORTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 10.09 FEET TO A POINT; THENCE NORTH 32 DEGREES 52 MINUTES 24 SECONDS EAST A DISTANCE OF 18.58 FEET TO A POINT; THENCE NORTH 56 DEGREES 21 MINUTES 05 SECONDS WEST A DISTANCE OF 1.27 FEET TO A POINT; THENCE NORTH 25 DEGREES 02 MINUTES 00 SECONDS EAST A DISTANCE OF 21.60 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 87.42 FEET TO A POINT; THENCE SOUTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 10.44 FEET TO A POINT; SAID POINT BEING LABELED AS THE POINT OF BEGINNING "A". TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.0273 ACRES OR 1188 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY ANDREW HOLMES BEING PARCEL TAX ID #7203 329 **COMMENCING** AT A POINT ALONG THE EASTERLY R/W OF PINE STREET 868.22 FEET FROM THE MITERED SOUTHERLY R/W OF BRIDLEWOOD DRIVE, SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE LEAVING THE RIGHT-OF-WAY NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 133.16 FEET TO A POINT; THENCE NORTH 41 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 41.54 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING "B" NORTH 34 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 0.40 FEET TO A POINT; NORTH 64 DEGREES 58 MINUTES 00 SECONDS WEST A DISTANCE OF 94.54 FEET TO A POINT; THENCE NORTH 32 DEGREES 31 MINUTES 39 SECONDS EAST A DISTANCE OF 10.09 FEET TO A POINT; THENCE SOUTH 64 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 95.95 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 13 SECONDS EAST A DISTANCE OF 0.67 FEET TO A POINT; THENCE SOUTH 41 DEGREES 40 MINUTES 29 SECONDS WEST A DISTANCE OF 10.30 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**. TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0220 ACRES OR 958 SQUARE FEET.

The City Council of the City of Duluth, Georgia will consider a resolution to authorize the acquisition of the above referenced property by the use of the power of Eminent Domain at a meeting on August 28, 2023 at 6:00 p.m. in the Council Chambers of Duluth City Hall located at **3167 Main Street, Duluth, Georgia 30096**. All interested parties and the general public are invited and encouraged to attend.



**MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
APRIL 10, 2023**

PRESENT: Mayor Harris, Council members Harkness, Thomas, Doss, Graeder, and Whitlock, City Manager, Department Directors, City Attorney

A work session was held prior to the regular scheduled meeting to allow the elected officials to discuss this evening's agenda items. No other items were discussed, and no action was taken.

Mayor Harris called the meeting to order at 5:35 p.m. and called for a motion to enter into an Executive session.

I. EXECUTIVE SESSION

It was necessary to hold an executive session on Real Estate, Pending/Potential Litigation, or Personnel, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

A motion was made by Councilmember Whitlock, seconded by Councilmember Thomas, to adjourn to executive session at 5:40 p.m.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

After the discussion, a motion was made by Councilmember Whitlock, seconded by Councilmember Doss, to return to regular session at 5:50 p.m.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

II. ANNOUNCEMENTS

1. AGENDA CHANGES (none)

2. UPCOMING EVENTS – www.duluthga.net/events

Duluth Farmers & Artisan Market, Sunday April 23, 2-5pm. Town Green.

GWB Presents “Little Beer” festival, Saturday April 15, 1-5pm. Town Green

STEAM Thursday April 27 from 5-7pm. Town Green

Duluth Spring Arts Festival, April 29 from 10am-5pm, April 30 from 11am-5pm.

III. MATTERS FROM CITIZENS

No matters brought forward.

IV. CONSENT AGENDA

1. APPROVAL OF MARCH 13/27TH MINUTES

2. ORDINANCE TO APPOINT PARKS BOARD MEMBER {A}

Approval of this item approves ordinance O2023-14 appointing Judy Putnam to the Parks and Recreation Board to fill the term vacated by Jim Hall, expiring March 31, 2025.

A motion was made by Councilmember Whitlock, seconded by Councilmember Doss, to approve the Consent Agenda as presented.

***Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.***

V. PUBLIC HEARINGS

1. RESOLUTION/TEXT AMENDMENT – CASE TA2023-001 {B}

Mayor Harris opened the public hearing. Planning Director Forrest Huffman came forward to present.

Mr. Huffman explained that the purpose of this resolution is to make a minor text amendment to the River Green Employment Character Area of the 2040 FORWARD Duluth Comprehensive Plan as it pertains to institutional and public uses within the district.

Current language within the River Green Employment District conflicts with the existing uses in River Green Industrial Park. Additionally, the use prohibitive language for this character area does not allow staff the opportunity to guide development within this area in a manner where impacts to neighboring

properties can be minimized. The amendment of this section, in conjunction with the major Comprehensive Plan update scheduled for February of 2024, will help to better evaluate the needs and opportunities of this character area. River Green is the City's major employment district and is essentially built out. Potential future redevelopment is constrained by environmental regulations.

Mr. Huffman noted that redevelopment of several pieces of property into one larger property with a single user would be beneficial to the city. Future consideration for added entrances and signalizations into the business park would relieve congestion.

Staff and Planning Commission recommended approval of the text amendment by removal of the language *"These uses are not compatible with the character of this district and should be prohibited."* As units turnover, staff will promote office and light industrial uses.

Mayor Harris called for discussion from Council.

Councilmember Graeder felt that the change makes sense to allow for City discretion to address changing needs of the community; as it currently reads, the freedom to make decisions based on individual conditions is restricted.

The Mayor called for questions/comments from the public.

Mr. Christian Olteanu, business owner at 3475 Corporate Way, Ste A, Duluth, came forward requesting the Council consider postponing this matter to allow time for further review. He was concerned that a minor revision such as this may have large implications and would allow for different uses than when the park was originally envisioned. He felt that institutional uses come with significant traffic generation, and would like more time for a study.

Councilmember Thomas asked for clarification that the Character Area is still to maintain predominantly light industrial or office uses, and Mr. Huffman confirmed.

Councilmember Harkness asked how a school would be treated now.

Mr. Huffman said that the Comp Plan is more of a guiding document, but the Unified Development Code defines use by zoning. Some uses are allowed by right and others require "Special Use" permitting, which is then when the Comp Plan is consulted further. Having this language in the Comp Plan puts staff in a limited capacity to address special uses with conditions that might otherwise be compatible.

Councilmember Whitlock agreed with Councilmember Graeder.

There being no further comments or questions, Mayor Harris closed the public hearing and called for a motion.

A motion was made by Councilmember Whitlock, seconded by Councilmember Graeder, to approve resolution R2023-07 as presented.

Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.

2. ORDINANCE OF SPECIAL USE – CASE SU2023-001

{C}

Mayor Harris opened the public hearing.

Planning Director Forrest Huffman came forward to present the Special Use request (SU2023-001) to allow for the operation of a public charter/language school in the M-1 (Light Industrial) zoning district to M-1 with Special Use.

The subject property address is 4450 River Green Parkway, totaling +/- 4.379 acres zoned M-1 and is within the +/- 290 acres River Green Industrial Park. The Yhale Academy is currently operating in River Green, but in a different location.

Mr. Huffman said that staff and the Planning Commission agree that charter schools cause increased population for traffic, as they generally do not have bus service. He discussed the current pattern and outlined the recommended pattern with right-in right-out movements only. There are other conditions as outlined in the staff report, such as no stacking of cars on River Green Parkway.

Mayor Harries called for discussion from Council.

Councilmember Whitlock asked about the new location and the buildings around it. He noted that the tenant next door is Possible Now, an IT firm, and asked if the City had heard from them. Mr. Huffman said no.

Councilmember Whitlock also wanted to know what staff would have to receive for something to be enforceable by the City.

Mr. Huffman said staff would need directional arrows on a traffic plan and agreement with the conditions as stated to enforce the conditions. The Special Use approval could be brought back and rescinded if conditions are violated. He also said he would defer to the police regarding enforcement of traffic provisions or hazards.

Councilmember Thomas was concerned about double-stacked lanes, parking, and the future growth projection of up to 900 students.

Mr. Huffman said instruction was entirely within one building and noted that the applicant can answer specific questions regarding student population, but classroom size would only allow up to about 600 maximum. Since it is elementary/middle school, there would be faculty and staff parking only as opposed to high school instruction where some students drive themselves.

Councilmember Harkness was concerned about emergency vehicle access. Although the car stacking is only during drop and pick up, it also affects the major roads. He was concerned how it would affect traffic on Peachtree Industrial with the Encore and Riviere and neighborhoods opening.

Mr. Huffman said that would be part of the Comp Plan study. The school is currently operating next door to the new site now, so the increase in current traffic is likely minimal in his opinion.

Councilmember Harkness asked about the relation of the first public hearing to this request, and if the Fire Marshal must sign off on anything.

Mr. Huffman replied that the amendment is related to assisting staff in understanding uses of this nature in this area and offering flexibility. This is a state charter school which would require fire and life safety plan approval from the state.

Mayor Harris was concerned with double stacking car lanes for safety reasons.

It was confirmed that the current intake process is not staggered but there is a degree of coordination with other schools on their hours of operation.

Councilmember Thomas asked about the identification system for student carpool.

Mr. Huffman said the applicant could answer better, but he believed that parents have blue tags on their rear view mirrors.

Councilmember Graeder commented that he visits office space across the road from this location and said it is a mess. He felt the proposed traffic concept is much better if it can be achieved. He mentioned staggering school intake times and said the signal on PIB is not long enough for parents exiting. He also noted that he did not see a playground on the plans, and wanted to make sure that would come back to Planning for permits.

Mayor called the applicant forward.

Ms. Melody Glouton with Andersen, Tate & Carr of 1960 Satellite Blvd, Duluth, came forward on behalf of the applicant. She noted that the school does not own the property where they will locate. It is a Korean/Mandarin dual language immersion public school, subject to stringent rules of the GA Department of Education. Over the next three years, they predict growing perhaps 100 students per year for a maximum of 600-700 students.

The hours of operation are from 8:30-3:30pm and the start time is staggered with other schools on River Green Parkway. Approximately 40% of the kids take part in after school or enrichment.

Ms. Glouton said they are moving from a 20,000 sf facility to 50,000 sf. Their plans are to renovate the interior. The traffic circulation plan is still under review, but they will work with the city on modifications. There are currently 42 employees, who are the only ones parking there during the weekday. As they continue to grow, there will be a better opportunity for a van or bus that students could be driven to a remote location as a transportation service to ease congestion.

The current parking requirement is 2.5 spaces per classroom. At 30 classrooms that would equate to 75 spaces needed, and only 42 employees that would be parking on property which gives space for safe lanes of carpool traffic.

Councilmember Thomas suggested carpool options also. Ms. Glouton replied that some families already do that, and there are siblings that attend as well.

Councilmember Graeder asked about a future playground.

Ms. Glouton showed the area for consideration and said they would work with city staff. The plan is not to close off any ingress or egress, but they may need to take up some of the parking places. There is no plan to expand footprint of building.

Councilmember Whitlock commented that with traffic flow issues, it is common to stripe the parking lots for directional aid. He would like to see options that prevent the ability to deviate from the intended route.

Councilmember Harkness wants good strong schools here, but he was still concerned about emergency services. He was also concerned with afternoon traffic that would add volume to Peachtree Industrial, and does not feel like it is the right area for a school. He asked if they have School Resource Officers to help manage.

Ms. Glouton replied that there are employees that help. At this time it is a proposed plan; if it does not work well, they will continue to work with the City.

Councilmember Thomas commented that she had attended a dual language school and feels it's a great value to the City, but the traffic needs management and parents should be encouraged to look at other options. She feels that what is already there today is worse.

Councilmember Harkness said it is not the best use but an acceptable use.

Councilmember Whitlock said the key would be to be a good neighbor to the surrounding businesses.

Ms. Glouton also reported that there is a numbering system for pickup of the children, but they are willing to schedule more staggering if needed.

Mayor Harris called for questions/comments from the public.

Mariam Mirzoyan of 3311 Grovewood Lane came forward. She had a concern with parents parking nearby and avoiding the lanes. With an increase in school shootings, she asked what kind of access the police would have. She felt it would negatively affect other businesses and was concerned that the playground would not be protected.

Liza Park, governing board chair of the school, came forward to further discuss their willingness to stagger the flow of traffic for Yhale. She is a personal injury attorney and heavily focused on vehicular safety. They also have before-school programs that start at 7:15am, which also alleviates some of the traffic, and a large offering of afterschool programs that are vibrant enrichment options such as chess, martial arts, etc. with professional instructors.

Ms. Park said the school wants to be good neighbors and add value to the community. This is their third year in existence, moved here in 2021. She explained that students have performed very well on the College & Career Readiness Performance Index (CCRPI); the overall score from last year was 93.9%. The state score is 63%, Gwinnett County score 73.3% other charter school is 57.4%. They offer a challenging curriculum.

Mr. Christian Olteanu, business owner at 3475 Corporate Way, Ste A, Duluth, came forward and requested the Mayor & Council consider a traffic impact study. Another school in the area is also expecting to expand soon as well. He said in the larger picture, experts should review this prior to approving.

Councilmember Harkness asked if there would be a benefit to study traffic impacts now and postpone this approval.

Mr. Huffman said it would be addressed with River Green Parkway comp plan update. He does feel that staff has included enough in the conditions of approval for this particular case.

City Manager James Riker said that for future use moving the new site, there is time to work it out. But he noted that there are challenges that exist today, that must be remedied now, stacking of traffic is not allowed at all. He asked Police Chief Carruth to make note of the situation.

Councilmember Harkness was concerned about relying on enforcement.

Councilmember Graeder concluded by saying that another company could locate in the empty building next week with 200 employees. It would create a similar problem, but they could locate there now with no special approvals. A traffic study doesn't really help in this situation. There are mostly relatively unoccupied buildings, River Green needs a study at some point in general.

Councilmember Whitlock said this gives an opportunity to plan it out, discuss incremental improvements.

There being no further comments or questions, Mayor Harris closed the public hearing and called for a motion.

A motion was made by Councilmember Whitlock, seconded by Councilmember Doss, to approve ordinance O2023-15 as presented.

Voted For: Council members Thomas, Doss, Graeder, and Whitlock
Voted Against: Councilmember Harkness
Motion carried.

VI. NEW BUSINESS

1. SELECTION OF PROPOSER – SOLID WASTE SERVICES

{D}

City Manager James Riker presented. He explained that during the March 27th work session of the Mayor and Council, staff presented the three proposals received in response to the Solid Waste Request For Proposal (RFP) which were ranked with certain criteria.). Following presentation, staff was directed to place this item on the April 10th agenda for consideration of a contract with the overall most responsive proposer, Republic Services, and to further authorize the Mayor and or City Manager to execute contract once reviewed and approved by the City Attorney.

Mr. Riker clarified that the "Purple Bag" system is no longer going to be supported by trash haulers due to automated services. The City would pay the provider directly, city facilities retain the same service. Since the City has grown significantly, pickup was offered from 3 – 5 days at the discretion of the hauler. The contract would start May 1, 2024. The RFP estimated 8,000 residential households, but this number will be trued up prior to the start of service.

Councilmember Thomas said she had heard complaints about the size of the trash cans and asked if there were options. Mr. Riker said citizens could request 65 gallons vs. 95 gallons.

Mayor Harris called for discussion from Council.

Councilmember Harkness asked about the contract, and if it specifies who is paying for the services.

Mr. Riker responded that the RFP was clear that commercial/industrial bills go to those businesses, but the City will pay directly for the residential service.

Councilmember Harkness wanted to note for the record that people value the services when they pay for it. He would like to better understand why the City would pay for it for residents and not do anything for businesses. He appreciates the excellent fiscal responsibility that affords a revenue surplus, but doesn't think

the residents would appreciate or realize the value unless it is itemized on their tax bills. He feels that if the expense for trash service goes up and we can't pay for it later, what happens then? He asked how the City would take that away later on and said it would be much harder to take it away once you give it. He was not challenging awarding the contract, but simply the method of paying for it.

Mr. Riker responded that as the burden of taxation goes, that characterization was inaccurate. He discussed the equity of services needed to the tax dollars paid among commercial, apartment and residential properties. The numbers show that single-family taxpayers represent the largest segment of revenue collected and therefore should receive the benefit.

Mayor Harris called for questions/comments from the public.

A motion was made by Councilmember Thomas, seconded by Councilmember Whitlock to approve Republic Services as the City's solid waste service provider as recommended and authorize the Mayor or City Manager to execute a city attorney approved contract.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

2. APPROVAL - ARPA SANITARY SEWER PLAN

{E,F}

City Engineer Margie Pozin presented. The American Rescue Plan Act (ARPA) allotted money to the City of Duluth, which the City is using for the installation of sanitary sewer in the Hill Community and in the Pinecrest Community. Both projects are in partnership with Gwinnett County Department of Water Resources.

As part of the process, Council was asked to approve the construction plans so that staff can continue forward with acquiring easements, which will later allow the County to move forward with construction.

Ms. Pozin explained the current configuration and the necessary modifications. As such, Council was asked to approve the plans as presented.

Mayor Harris called for discussion from Council.

Councilmember Harkness expressed appreciation for all the work that has gone into these projects.

Councilmember Graeder noted for the public that there have been several work sessions where Council reviewed all the details during past presentations.

A motion was made by Councilmember Harkness, seconded by Councilmember Graeder to approve the construction plans for new sanitary sewer and related facilities in the Hill Community and in the Pinecrest Community.

Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.

VII. MATTERS FROM COUNCIL

Councilmember Harkness commended events staff and Public Works for activities on Easter Sunday, which was very well attended.

Councilmember Thomas noted Duluth's runner-up finish in the Suburban contest.

VIII. MATTERS FROM CITY MANAGER

Mr. Riker noted that the bricks have been repaired on the town green and sod installation is still ongoing.

IX. ADJOURNMENT

A motion was made by Councilmember Graeder, seconded by Councilmember Thomas, to adjourn at 8:00 pm.

Voting for: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.

Approved this 8th day of May, 2023.



Mayor Nancy Harris

ATTEST:



Asst. City Mgr./City Clerk, Teresa Lynn