



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

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

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

SEPTEMBER 11, 2023

CITY HALL COUNCIL CHAMBERS

6:00 pm

***The leaders and staff of the City of Duluth are dedicated to ensuring that Duluth is:
an Attractive Destination, a Quality Community, a World Class Government,
and promotes a Sustainable Economic Environment.***

5:30 P.M. – AGENDA REVIEW

Main St. Conference Room

6:00 P.M. - CALL TO ORDER

Mayor Harris or Mayor Pro tem Thomas

INVOCATION OR MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. ANNOUNCEMENTS

1. AGENDA CHANGES (IF NECESSARY)
2. UPCOMING EVENTS – www.duluthga.net/events

Duluth Live every Thursday, Friday 5-8pm and Sunday 2-5pm.

Enjoy live music and various street performers in Parsons Alley and the Activity Lawn.

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.

Duluth Farmers & Artisan Market every 2nd and 4th Sunday through November. 2pm-5pm. Town Green. Featuring local produce, baked goods and other locally made food products such as jams, jellies, pickles, salsa, canned vegetables, honey, cut flowers, herbs, spices, candles, soaps, lotions, pottery, baskets etc. Live music, themed photo-ops, and free kids' activities in Parsons Alley.

Duluth Fall Festival Concert featuring *Platinum Band Atlanta*- Sept. 23, 8pm. Duluth Town Green and Amphitheater. Known as the BEST PARTY BAND because Platinum members are hand-picked to put on the BEST LIVE SHOW, keep the crowd engaged, and wow your guests from the very first song to the last song of the night! For more information go to duluthfallfestival.org.

Duluth Fall Festival - September 30 and October 1. Downtown Duluth 9am-7pm Saturday. 9am-5pm Sunday. One of the best festivals in the Southeast. Join us for arts & crafts vendors, food, and entertainment. Fun for the whole family. For more information go to duluthfallfestival.org.

II. MATTERS FROM CITIZENS

Maximum of five (5) minutes per person. Sign-up sheet available.

III. CONSENT AGENDA

1. APPROVAL OF AUGUST 14 & 28 MINUTES
2. APPROVAL OF MODEL FINDINGS ORDINANCE-MWGWPD

As Council discussed at their August 14, 2023 meeting, the Metro North GA Water Planning District (MNGWPD) is requiring all municipalities and counties within the MNGWPD Region to update their plumbing codes to meeting higher efficiencies to save water and money. The MNGWPD developed a model ordinance which was edited for Duluth and requires Council approval prior to approval by the Department of Community Affairs (DCA). The final ordinance must be in place prior to January 1, 2024. Approval of this item approves the model ordinance as presented.

3. ORDINANCE TO AMEND BUDGET - \$57,250 – HALL CIRCLE SEWER

City staff is working with a contractor, Site Engineering, to complete the installation of a sewer extension in the Hall Circle area. The contract is near completion and is being funded with 2009 SPLOST Water and Sewer Improvement funds. This is the final capital project to be funded with 2009 SPLOST. The 2009 SPLOST fund continues to earn interest monthly and staff is requesting approval of a budget amendment to add \$57,250 in interest to the project. Additional funding needed to complete the project will come from the 2021 American Rescue Plan Act. Approval of this item approves ordinance BA-FY24-11 to amend the FY24 budget as presented.

IV. PUBLIC HEARINGS

1. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – ROGERS
3068 WASHINGTON ST - TAX PARCEL 7161 002

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire the entire property at 3068 Washington Street for water and sewer infrastructure improvements.

2. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN - ROGERS
MURPHY CIRCLE –TEMPORARY CONSTRUCTION & PERMANENT SEWER
EASEMENTS - TAX PARCEL 7161 004

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction and permanent sewer easements at Murphy Circle property for water and sewer infrastructure improvements.

3. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN - BROGDON
3331 WASHINGTON ST – TEMPORARY CONSTRUCTION EASEMENTS
TAX PARCEL 7202 077

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3331 Washington Street for temporary construction easements for water and sewer infrastructure improvements.

4. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN–WATERS/HARRIS
3326 WASHINGTON ST – TEMPORARY CONSTRUCTION EASEMENTS
TAX PARCEL 7202 076

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3326 Washington Street for temporary construction easements for water and sewer infrastructure improvements.

5. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN–WATERS/HARRIS
3328 WASHINGTON ST – TEMPORARY CONSTRUCTION EASEMENTS
TAX PARCEL 7202 076A

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire temporary construction easements at 3328 Washington Street for temporary construction easements for water and sewer infrastructure improvements.

V. MATTERS FROM DEPT HEADS/CITY ATTORNEY

VI. MATTERS FROM COUNCIL

VII. MATTERS FROM CITY MANAGER

VIII. EXECUTIVE SESSION

It may be 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).

IX. ADJOURNMENT

*The next scheduled meeting of the Mayor and Council is a work session for
September 25, 2023 at 5:30 p.m.*



**DRAFT MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
AUGUST 14, 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 5:45 p.m.

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 Doss, to adjourn to executive session at 5:45 pm.

**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 Harkness, to return to regular session at 6:03pm.

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

II. ANNOUNCEMENTS

1. AGENDA CHANGES (IF NECESSARY)
2. UPCOMING EVENTS – www.duluthga.net/events

Duluth Live every Thursday, Friday 5-8pm and Sunday 2-5pm.

Duluth Farmers & Artisan Market every 2nd and 4th Sunday through November. 2pm-5pm. Town Green.

Duluth Art Month: Various locations and times. The month of August is dedicated to unleashing your creative spirit. Prepare to be captivated by a diverse range of interactive art experiences, including a new Chalk Art Festival, a month-long Seek Duluth adventure, an eclectic array of musical experiences, Creativity Workshops.

III. MATTERS FROM CITIZENS

Public comment card received from Clayton Nugent of 3902 Gate House Lane, Duluth. He did not wish to come forward and speak, but his traffic concerns were presented to the Chief and City Manager.

IV. CONSENT AGENDA

1. APPROVAL OF JULY 10TH AND 24TH MINUTES
2. ORDINANCE TO AMEND BUDGET - \$300,000 – TRANSPORTATION MGMT {A}

At the July 24 council work session, staff discussed the need for additional funds for the Public Works Transportation Infrastructure Capital Project Fund for outside professional oversight for projects, smaller projects not requiring an RFP performed by staff or contractors, and incidental project costs such as cutting trees and preparing and advertising RFPs. An additional \$300,000 is requested from unallocated 2017 SPLOST Transportation funds. Approval of this item approves BA-FY24-03 to amend the FY24 budget as presented.

3. ORDINANCE TO AMEND BUDGET - \$100,000 – HVAC {B}

At the July 24 council work session, staff requested consideration for funds to replace the HVAC system at the Public Safety building. Staff requests approval of a budget amendment to add \$100,000 in 2023 SPLOST unallocated Administrative Facilities funds to the Police Capital Projects/Building line item including associated transfers. These funds will be used to hire a consultant to develop a Request for Proposal (RPF) and oversee the project during installation. Approval of this item authorizes ordinance BA-FY24-04 to amend the FY24 budget as presented.

4. ORDINANCE TO AMEND BUDGET - \$1,500,000 – STORMWATER UTILITY {C}

At the July 24 work session, staff updated council on recent stormwater projects and pipe inspections. Recent storms and the overall age of the City's stormwater infrastructure have caused several additional critical projects to be added to the priority list of known projects. Since most of the available stormwater funding has already been earmarked for current projects, additional funding is required to address the additional projects. Therefore, a transfer of prior year reserves of \$1,500,000 from the General Fund is requested. Approval of this item authorizes ordinance BA-FY24-05 to amend the FY24 budget as presented.

5. ORDINANCE TO AMEND BUDGET - \$457,900 – STORMWATER {D}

Based on the directive from the July 24 council work session, staff is presenting a budget amendment for the Stormwater Utility Fund to allocate funds to the current year's budget in excess of the 25% required fund balance reserve. On June 30, 2023, the Fund had an unrestricted fund balance of \$890,084. Since most the fund's revenue comes from a single billing, and the potential need for funding of emergency repairs, policy requires a minimum unrestricted fund balance be maintained equal to 25% of the annual billing or \$432,106 on June 30, 2023. Allowing for this requirement, \$457,900 is available for allocation to the current year's budget. Approval of this item approves ordinance BA-FY24-06 to add \$457,900 to the Stormwater Utility in the FY24 budget as presented.

6. ORDINANCE TO AMEND BUDGET - \$200,000 – POLICE CAMERA ROOM {E}

Staff has developed a proposal to upgrade the police camera room to a real time crime center which will allow the police department to be more proactive in apprehending suspects and investigating incidents. The overall cost for the upgrade is approximately \$380,000, part of which would be paid with previously approved 2017 SPLOST funds of \$180,000 earmarked for cameras and camera room upgrades. Staff is requesting \$200,000 in unallocated 2017 SPLOST funds be added to Police Capital Projects, including associated transfers. As discussed at the July 24 work session, approval of this item approves ordinance BA-FY24-07 approving an additional \$200,000 to complete the upgrade.

7. ORDINANCE TO AMEND BUDGET - \$3,000 – ROGERS BRIDGE ART {F}

Approval of this item approves ordinance BA-FY23-33 to add \$3,000 to the Duluth Public Art Fund for the design, fabrication, and installation of the signage plaque (also made from the old bridge material) by Nucleus Sculpture Studio for the public art at Rogers Bridge Park. This request will add prior year reserves of \$3,000 to the Public Art/Site Improvements line item.

8. ORDINANCE TO APPOINT ASST. CITY SOLICITOR

{G}

Pursuant to the Duluth City Code, Section 2-208, the Mayor and Council are authorized to appoint an Assistant Solicitor of the Municipal court of the city. Chief Carruth recommends the appointment of Robert Giannini as an Assistant Solicitor of the Duluth Municipal Court. The compensation of the Assistant Solicitor shall be on an hourly basis and the rate shall fixed by the Mayor and Council on an annual basis during the regular budget process. Before entering on the duties of office, the Assistant Solicitor shall take an oath before an officer duly authorized to administer oaths that he or she will truly, honestly, and faithfully discharge the duties of his or her office. Approval of ordinance O2023-22 appoints Robert Giannini as an Assistant Solicitor of the Duluth Municipal Court.

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

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

V. PUBLIC HEARINGS

1. ORDINANCE SETTING THE 2023 TAX MILLAGE RATE

{H}

Mayor Harris opened the third and final public hearing to consider the 2023 millage rate. Asst City Mgr/Finance Director Ken Sakmar came forward to present.

Each year, the Gwinnett County Tax Assessor reviews the assessed value of taxable property in the County. When the total digest of taxable property is prepared, Georgia Law requires calculation of a "rollback" millage rate (RMR) that produces the same total revenue on the current year's new digest that last year's millage rate would have produced, had no reassessments occurred. The City of Duluth is considering maintaining the same millage rate as last year, which is 6.551 mills. For the 2023 digest, the current millage rate exceeded the rollback millage rate by 0.509 mills, or stated another way, as a percentage of the rollback millage rate, the current millage rate represents an 8.42% "increase." The reassessment revenue added is approximately \$1,220,489. Georgia law requires that the City publish a "Notice of Property Tax Increase" in the legal organ when the tentative adopted millage rate exceeds the rollback millage rate. In addition, three public hearings must be scheduled to allow the public an opportunity to express their opinion on the proposed tax millage. No comments were received at either of the first two public hearings; this is the third and final public hearing prior to adoption of the ordinance setting the 2023 tax millage rate.

Mayor Harris called for discussion from Council. Being none, the Mayor called for questions/comments from the public. Receiving no comments, Mayor Harris closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Doss, to approve ordinance O2023-21 setting the 2023 tax millage rate at 6.551 mills as presented.

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

Mayor Harris thanked the public for trusting staff and the elected officials to prepare a budget that meets the growing needs of the community.

Councilmember Graeder pointed out rising inflation and the need for increased staff compensation, and also noted that the solid waste collection was going to be included for all residential households as part of their tax dollars starting in 2024.

VI. NEW BUSINESS

1. AWARD OF CONTRACTS – ON CALL MATERIALS TESTING SERVICES

{I,J}

Community Dev/Engineering Director Margie Pozin came forward to report. The Mayor and Council are asked to consider awarding contracts for materials testing services.

In 2018, the City awarded three on-call contracts for materials testing and other related services which started on October 1, 2018 and will expire on September 30, 2023. To continue the convenience of having on-call service providers, the City released a request for qualifications (GA Procurement Registry, city website, and legal organ) on May 12 and received six qualification packages on June 14. The packages were reviewed independently by three evaluators and the scores were added together to arrive at the following ranks:

| | |
|-----------------------|--------|
| Terracon - | 281.25 |
| United Consulting - | 263.5 |
| Willmer Engineering - | 257.5 |
| Nova - | 255.8 |
| ECS, Inc - | 248.0 |
| MC Squared, Inc - | 213.8 |

Due to current workload, staff recommends awarding two contracts, one to Terracon and one to United Consulting. Each contract would be for one year, starting on October 1, and expiring (if not renewed) on September 30 of the following year. The contract duration would be up to five years. Each firm was required to submit a schedule of unit rate costs that will be opened after selections were made and are binding throughout the duration of the contracts.

A motion was made by Councilmember Harkness, seconded by Councilmember Graeder, to approve awarding the contracts to Terracon and United Consulting for on-call materials testing and related services, and authorize the City Manager to execute the City-Attorney approved agreements. Contract duration shall be for one year and renewable to a maximum duration of five years.

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

2. TAD DEVELOPMENT AGREEMENT ADDENDUM - (REDEVELOPMENT AGENCY) {K}

City Manager James Riker explained that the Mayor and Council are asked to consider authorizing an addendum to the Greystar/ Everleigh TAD agreement.

In 2019, the City Council, acting as the Redevelopment Agency, executed a development agreement with Greystar GP II, LLC (Greystar) relating to reimbursement of TAD funds associated with the Everleigh Duluth project, located at 3221 Hill Street. Greystar desires to end the City's obligation to make annual TAD payments to Greystar in exchange for payment of a discounted lump sum. Such a change requires an amendment to the Development Agreement. The discounted lump sum payment is beneficial to the City and URA.

Approval of this item authorizes the Mayor to execute an amendment to the development agreement with a lump sum payment of \$437,000.

A motion was made by Councilmember Graeder, seconded by Councilmember Harkness, to approve the addendum to the TAD agreement with Greystar as recommended and authorize the Mayor to execute all necessary documents.

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

3. TAD DEVELOPMENT AGREEMENT ASSIGNMENT (REDEVELOPMENT AGENCY) {L}

City Manager James Riker explained that, in 2019, the City Council (acting as the Redevelopment Agency) executed a development agreement with The Residential Group (TRG) relating to reimbursement of TAD funds associated with the SODO Duluth project. TRG is intending to sell the project and is requesting the agreement be assigned to the new owner. The development agreement requires the assignment of the contract should the property be sold.

Approval of this item authorizes the Mayor to execute the assignment consistent with the development agreement.

A motion was made by Councilmember Graeder, seconded by Councilmember Harkness, to approve the assignment of the Development Agreement as presented.

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

VII. MATTERS FROM DEPT HEADS/CITY ATTORNEY

1. ORDINANCE TO AMEND BUDGET - \$125,000 – RED CLAY SOUND SYSTEM {M}

Asst. City Mgr./Finance Director Ken Sakmar came forward to explain that the City previously upgraded the lighting at the Red Clay Theatre. Based on conversations with Eddie Owen, staff feels it is time to upgrade the sound/speaker system to create a better overall listening experience. Recently a Request for Proposal was issued with bids due back later this month. Staff is requesting \$125,000 in unallocated 2023 SPLOST Cultural Facility funds .

Councilmember Graeder felt it was a very good investment. Councilmember Thomas asked if soundproofing or evaluating the acoustics would be included. Mr. Riker said that a study had been completed some time ago, but it wasn't conclusive.

Councilmember Whitlock noted that this project was earmarked for 2023 SPLOST funding; it was not an unexpected expense.

Councilmember Harkness commented that seating, carpet and HVAC were also planned for update. Mr. Riker said if budget were to be favorable, perhaps new electronic signage on the building as well.

A motion was made by Councilmember Thomas, seconded by Councilmember Whitlock, to approve ordinance BA-FY24-08 to amend the FY24 budget as presented.

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

2. ORDINANCE TO AMEND BUDGET - \$72,196 – VEHICLES {N}

Mayor and Council considered approval of a budget amendment to carry-forward \$72,196 in FY23 budgeted funds to the FY24 fiscal year for a Marketing/PIO vehicle purchase (\$31,993), Police vehicle equipment (\$23,525) and Public Works vehicle work zone lighting package (\$16,678). Approval of this item approves ordinance (BA-FY24-09) to add \$72,196 in prior year General Fund reserves to the following

line items: 1) Public Information/Marketing Vehicles \$31,993, 2) Police Vehicle Repairs/Maintenance \$23,525, 3) Public Works Vehicles \$16,678.

A motion was made by Councilmember Whitlock, seconded by Councilmember Doss, to approve ordinance BA-FY24-09 to amend the FY24 budget as presented.

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

3. ORDINANCE TO AMEND BUDGET - \$82,636.05 – SCOTT HUDGENS PARK {O}

Staff requested a budget amendment ordinance, BA-FY24-10 to fund the replacement of a stormwater pipe inside of Scott Hudgens Park. The stormwater pipe was undersized and not able to handle stormwater flow during heavy rains. In addition, the pipe was failing and starting to undermine the road above. An on-call contractor was able to remove the existing pipe and replace it with three 30" reinforced concrete pipes, at a cost of \$99,419.06. Staff is requesting approval of a budget amendment to add \$82,636.05 in unallocated 2017 SPLOST Parks and Recreation funds to Scott Hudgens Park Site Improvements. The additional \$16,783.01 will come from funds remaining in the Rogers Bridge Park Restroom Facility project.

A motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to approve ordinance BA-FY24-10 to amend the FY24 budget as presented.

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

4. PLUMBING CODE UPDATES

Community Dev/Engineering Director Margie Pozin explained that the City's plumbing code currently meets State regulations; however, the Metro North Ga Water Planning District is requiring all 15 metro counties within its jurisdiction to implement codes that are more stringent than state standards in an effort to promote efficiency and save significant amounts of water for the region. The standards for faucets, irrigation, shower heads, commodes, washing machines and cooling towers will all become more restrictive starting January 1, 2024, affecting all new construction as well as renovations within the City.

Mayor and Council will be asked to adopt a model findings resolution at the September 11 Council meeting, which will then be sent to DCA for a 60-day review period and be ready for final council adoption on December 11.

VIII. MATTERS FROM COUNCIL

1. THRIVE BUILDING/TRAIN PLATFORM

Council asked about the status. Mr. Riker said that the building is almost completed. The Urban Redevelopment Agency (URA) is working on an RFP for design/build for Train viewing platform. URA is going to purchase the Thrive parking lot in the near future.

2. STAFF APPRECIATION

Council thanked events staff for another wonderful weekend of events, and Police and Public Works staff for keeping everything safe and all the cleanup following recent storms.

IX. MATTERS FROM CITY MANAGER

1. UPDATE ON SPECIAL USE CASE – SU2023-005 - SHORT TERM RENTAL

City Manager James Riker reported on the status for SU2023-005, which was postponed from the July 10 meeting. The applicant has since withdrawn the request.

X. ADJOURNMENT

A motion was made by Councilmember Whitlock, seconded by Councilmember Thomas, to adjourn at 6:40 pm.

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

The next scheduled meeting of the Mayor and Council is a special called meeting and work session for August 28, 2023 at 5:30 p.m.



**DRAFT MINUTES OF THE
SPECIAL CALLED MEETING
MAYOR AND COUNCIL
CITY OF DULUTH, GA
AUGUST 28, 2023**

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

ABSENT: Council members Doss and Whitlock

Mayor Harris called the meeting to order at 5:30 p.m., and called for a motion to enter an Executive Session for the purpose to discuss Pending/Potential litigation, Real Estate and or Personnel matters.

I. EXECUTIVE SESSION

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

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder, to adjourn to executive session at 5:30 p.m.

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

After the discussion, a motion was made by Councilmember Thomas, seconded by Councilmember Graeder, to return to Special Called Meeting at 5:59 p.m.

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

Mayor Harris called for a moment of silence, followed by Pledge of Allegiance.

II. PUBLIC HEARINGS (6:00PM)

Community Development Director Margie Pozin came forward and introduced the procedures for tonight's public hearings.

She explained that the Mayor opens a public hearing and then:

- *Staff will explain the resolution under consideration.*
- *Mayor will call for discussion from Council.*
- *Mayor will call for questions and comments from the public.*
 1. *Speakers will be asked to come to the podium, state their name and address for the record, and then state their comments.*
 2. *Those commenting in opposition to the resolution under consideration will have a total of 10 minutes to speak (all speakers combined).*
 3. *Those commenting in favor of the resolution under consideration will have a total of 10 minutes to speak (all speakers combined).*
- *Mayor will close the public hearing and call for a motion.*

Ms. Pozin displayed the map and described the properties therein.

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. Council requested the definition of temporary easement.

Ms. Pozin explained that a temporary easement is property “borrowed” for a certain period of time to construct a project. Once the construction is completed, the property is then restored to same or better condition. Ownership never changes during this process.

Mayor Harris called for questions/comments from the public.

Connie Gibbs came forward on behalf of the property owner to state her concerns with the removal of the trees on her mother’s property, and felt that additional compensation should be considered for these trees.

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

A motion was made by Councilmember Harkness, seconded by Councilmember Graeder to approve resolution R2023-14 authorizing the use of eminent domain to acquire necessary easements at 3627 North Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forth.

The Mayor called for questions/comments from the public. No comments were made.

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

A motion was made by Councilmember Graeder, seconded by Councilmember Thomas to approve resolution R2023-15 authorizing the use of eminent domain to acquire necessary easements at 3633 North Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forth.

The Mayor called for questions/comments from the public.

Connie Gibbs of 3643 N. Street, Duluth asked for the definition of “domain.”

David Heymann 3653 N. Street, spoke on the narrowness of the road and vehicle traffic on the road. Discussed access to the properties during construction and asked how long it would be restricted.

Ms. Pozin said that the contractor would be responsible for determining that and there may be a temporary road constructed to grant access. There will always be access during the project; it just might not be the most direct route of travel.

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

A motion was made by Councilmember Thomas, seconded by Councilmember Harkness to approve resolution R2023-16 authorizing the use of eminent domain to acquire necessary easements at 3643 North Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments were brought forth.

The Mayor called for questions/comments from the public. No comments were made.

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

A motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to approve necessary resolution R2023-17 authorizing the use of eminent domain to acquire easements at 3609 South Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments were made.

The Mayor called for questions/comments from the public. No questions or comments brought forth.

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

A motion was made by Councilmember Graeder, seconded by Councilmember Harkness, to approve resolution R2023-18 authorizing the use of eminent domain to acquire necessary easements at 3645 South St. for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council.

Councilmember Graeder requested that staff explain permanent vs. temporary easement.

Ms. Pozin responded that with temporary easements, the property is repaired and given back to the owner. A permanent easement allows utilities accessibility to pipes; owners cannot build or plant trees on a permanent easement.

The Mayor called for questions/comments from the public. No comments were brought forth.

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

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder to approve resolution R2023-19 authorizing the use of eminent domain to acquire necessary easements at 2835 Pine St. for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forth.

The Mayor called for questions/comments from the public.

Andrew and Rhonda Holmes came forward asking if the City had received their counter proposal and if approved, he had no issues.

Staff stated the counter proposal was received and approved.

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

A motion was made by Councilmember Thomas, seconded by Councilmember Harkness to approve, resolution R2023-20 authorizing the use of eminent domain to acquire necessary easements at 2805 Pine St. for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments were made.

The Mayor called for questions/comments from the public. No comments brought forth.

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

A motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to approve resolution R2023-21 authorizing the use of eminent domain to acquire necessary easements at 2785 Pine St. for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forth.

The Mayor called for questions/comments from the public.

Elizabeth Warren, 3772 Oak Street came forward. The property was willed to her from her mother, and they are currently under discussion on price of property. She does not agree with the price offered.

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

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder to approve resolution R2023-22 authorizing the use of eminent domain to acquire necessary easements at 3772 Oak Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forth.

The Mayor called for questions/comments from the public. No comments were made.

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

A motion was made by Councilmember Graeder, seconded by Councilmember Harkness to (approve resolution R2023-23 authorizing the use of eminent domain to acquire necessary easements at 3612 Oak Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments were made.

The Mayor called for questions/comments from the public. No comments brought forward.

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

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder to approve resolution R2023-24 authorizing the use of eminent domain to acquire necessary easements at 3612 Oak Street for public purposes as presented.

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

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

Mayor Harris opened the public hearing 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. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forth.

The Mayor called for questions/comments from the public. No comments made.

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

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder to approve, resolution R2023-25 authorizing the use of eminent domain to acquire necessary easements on North St. property for public purposes as presented.

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

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

Mayor Harris opened the public hearing to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer and temporary construction easements at 3588 Rogers Cove, Duluth GA for water and sewer infrastructure improvements. Ms. Pozin displayed the map and referenced the subject property.

The Mayor called for discussion from Council. No comments brought forward.

The Mayor called for questions/comments from the public. No comments were made.

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

A motion was made by Councilmember Graeder, seconded by Councilmember Harkness to approve resolution R2023-26 authorizing the use of eminent domain to acquire necessary easements at 3588 Rogers Cove for public purposes as presented.

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

III. ADJOURNMENT

A motion was made by Councilmember Graeder, seconded by Councilmember Thomas, to adjourn at 7:00 pm.

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

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

Steps for Local Amendment Adoption

1. Code amendment goes before local council or commission. Council or commission must show that they intend to pass the ordinance with no modifications.
2. Send notice to DCA that your council or commission intends to pass the ordinance with no modifications. Send them the redlined ordinance prepared by the District
 - Must include justification for the proposed amendment for which the District included a “Model Findings Resolution” for local adoption (p.6 of Word document).
 - Mailed by mail to DCA’s address
3. DCA has 60 days to review and comment on the proposed amendment, but cannot prevent you from passing the local amendment
4. Amendment goes before your local council or commission again for final adoption.
5. A final “Model Adoption Resolution” (p.8 of Word document) must be filed to DCA once adopted to become effective.

Model Findings Resolution

RESOLUTION NO. [] OF CITY OF DULUTH, GEORGIA FINDINGS ON PROPOSED LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY SUBMISSION OF PROPOSED AMENDMENT TO DCA

WHEREAS, the current minimum water efficiency requirements for buildings in the City of Duluth's jurisdiction is the Georgia State Minimum Standard Plumbing Code ("Georgia Plumbing Code") as approved and adopted by the Georgia Department of Community Affairs ("DCA") from time to time;

WHEREAS, the City of Duluth, like all local governments in the State of Georgia, is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements when needed that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors;

WHEREAS, the long-term availability, reliability, and resiliency of water supplies is a critical need of the City of Duluth and water efficiency is essential to meeting this need;

WHEREAS, the "Local Amendments to Plumbing Code" shown in the redline in Attachment A are more stringent than the Georgia Plumbing Code on water efficacy because the amendments require even more efficient uses of water and provide clarifications on existing allowable practices;

WHEREAS, based on its local climatic, geologic, topographic factors included in the regional water resources plan prepared by the Metropolitan North Georgia Water Planning District ("Metro Water District"), of which the City of Duluth is a part, water conservation is especially important to the City of Duluth and the Metro Water District;

WHEREAS, the City of Duluth has become aware that more water efficient technologies have become widely available at comparable prices and performance to the water efficient technologies currently required as the minimum in the Georgia Plumbing Code;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The governing body of the City of Duluth finds that, based on local climatic, geographic, topographic, and public safety factors included in the Metro Water District's plans, it is justified in adopting local water efficiency requirements more stringent than the Georgia Plumbing Code;

2. The City of Duluth is considering codifying these water efficiency requirements in local code as an amendment to Georgia Plumbing Code in the form of the Local Amendments to Plumbing Code shown in the redline in Attachment A; and

3. The City of Duluth is directing its staff to submit this resolution and the Local Amendments to Plumbing Code to DCA for review and comment within 60 days as required by O.C.G.A. § 8-2-25(c)(1).

Attachment A
LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY

Metro Water District – Water Efficiency Code Requirements
Local Amendment to Plumbing Code

[NOTE: The redlines in this local amendment show the changes included in the Metro Water District – Water Efficiency Code Requirements compared to the current Georgia State Minimum Standard Plumbing Code. To adopt this local ordinance, the tracked changes should all be accepted.]

Amendment to local code of ordinances [Chapter X, Article Y, Section Z-Z]. Effective January 1, 2024, the Georgia State Minimum Standard Plumbing Code has been amended by the ***[local government]*** as follows:

Chapter 2, Section 202 General Definitions. Add in alphabetical order and revise, as applicable, the following definitions:

KITCHEN FAUCET OR KITCHEN FAUCET REPLACEMENT AERATOR. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 1.82-0 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.

LAVATORY FAUCET OR LAVATORY FAUCET REPLACEMENT AERATOR. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.25 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

LANDSCAPE IRRIGATION.

Flow sensor. An inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

Lawn or Landscape Irrigation system. An assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

Master shut-off valve. An automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.

Pressure regulating device. A device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

Rain sensor shut-off. An electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

WaterSense irrigation controller. Is a weather-based or soil moisture-based irrigation controllers labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

WaterSense spray sprinkler bodies. A sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

SHOWER HEAD. A shower head that allows a flow of no more than the average of 2.05 gallons of water per minute at 860 pounds per square inch of pressure, ~~and is listed in the WaterSense Specification for Showerheads,~~ and meets the US Department of Energy definition of showerhead.

Chapter 6, Section 604.4 Maximum Flow and Water Consumption. Revise Section 604.4 to read as follows:

Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in Section 604.4 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

Exceptions:

1. Blowout design water closets having a water consumption not greater than 3½ gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4½ gallons (17 L) per flushing cycle.
4. Laundry tray sinks and ~~service~~ sinks.
5. Emergency showers and eye wash stations.

TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

| PLUMBING FIXTURE OR FIXTURE FITTING | MAXIMUM FLOW RATE OR QUANTITY ^b |
|---|--|
| Lavatory <u>faucet and replacement aerators</u> , private | <u>WaterSense Labeled &</u> 1.25 gpm at 60 psi ^f |
| Lavatory faucet, public (metering) | 0.25 gallon per metering cycle |

| | |
|---|--|
| Lavatory, public (other than metering) | 0.5 gpm at 60 psi |
| Showerhead ^a | <u>WaterSense Labeled & 2.5</u> 2.0 gpm at 80 <u>60</u> psi ^f |
| <u>Kitchen Sink faucet and replacement aerators</u> | 2.0 <u>1.8</u> gpm at 60 psi ^{f, g} |
| Urinal | 0.5 gallon per flushing cycle ^f |
| Water closet | 1.28 gallons per flushing cycle ^{c, d, e, f} |

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa.

a. A hand-held shower spray is a shower head. As point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each shower head individually meets the maximum flow rate, the WaterSense requirements, and the US Department of Energy definition of showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

b. Consumption tolerances shall be determined from referenced standards.

c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.

d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.

e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.

f. See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.

g. Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.

604.4.1 Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.

604.4.2 Cooling Tower Water Efficiency.

604.4.2.1 Once-Through Cooling. Once-through cooling using potable water is prohibited.

604.4.2.2 Cooling Towers and Evaporative Coolers. Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.

604.4.2.3 Cooling Tower Makeup Water. Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO₃ exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

604.4.3 Landscape Irrigation System Efficiency Requirements. The requirements in Section 604.4.3 apply to all new landscape irrigation systems connected to the public water system except those (a) used for agricultural operations as defined in the Official Code of Georgia Section 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source. Nothing in this Code or this Section 604.4.3 is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section 604.4.3 apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

604.4.3.1 Avoiding Water Waste Through Design. All new landscape irrigation systems shall adhere to the following design standards:

1. Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.
2. Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.
3. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.
4. Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

604.4.3.2 Landscape Irrigation System Required Components. All new landscape irrigation systems shall include the following components:

1. A rain sensor shut-off installed in an area that is unobstructed by trees, roof overhangs, or anything else that might block rain from triggering the rain sensor shutoff.
2. A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.
3. Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.

4. Except for landscape irrigation systems serving a single-family home, all other systems must also include:

(a) a WaterSense irrigation controller; and

(b) at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.

Chapter 13 NONPOTABLE WATER SYSTEMS, Section 1304 Reclaimed Water Systems. Revise Section 1304.3.2 to read as follows:

1304.3.2 Connections to water supply. Reclaimed water provided from a reclaimed wastewater treatment ~~system~~~~facility~~ permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

Appendix E, Section E101.1.2. Revise Section E.101.1.2 to read as follows:

Because of the variable conditions encountered in hydraulic design, it is impractical to specify definite and detailed rules for sizing of the water piping system. Accordingly, other sizing or design methods conforming to good engineering practice standards are acceptable alternatives to those presented herein. Without limiting the foregoing, such acceptable design methods may include for multi-family buildings the Peak Water Demand Calculator from the IAPMO/ANSI 2020 Water Efficiency and Sanitation Standard for the Built Environment, which accounts for the demands of water-conserving plumbing fixtures, fixture fittings, and appliances. If future versions of the Peak Water Demand Calculator including other building types, such as commercial, such updated version shall be an acceptable design method.

**ORDINANCE
TO AMEND THE CITY OF DULUTH
2024 FISCAL YEAR BUDGET**

AN ORDINANCE TO AMEND THE 2024 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2024 fiscal year as follows:

| | |
|-----------------------------------|-------------------|
| Total Revenues: | <u>81,608,634</u> |
| Operations Expenditures: | <u>39,329,173</u> |
| Capital Improvement Expenditures: | <u>42,279,461</u> |
| Total Expenditures: | <u>81,608,634</u> |

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth staff is working with Site Engineering to complete the installation of a sewer extension in the Hall Circle area; and

WHEREAS this is the final project to receive 2009 SPLOST funding and therefore staff is requesting 2009 SPLOST interest of \$57,250 be added the capital project to close out the 2009 SPLOST; and

WHEREAS it is requested \$57,250 in 2009 2017 SPLOST interest be added to Water/Sewer Improvements – Sanitary Sewer – Infrastructure line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2024 Fiscal Year Budget is amended as follows:

| | |
|------------------------------------|-------------------|
| Total Revenues & Prior Yr Reserves | <u>81,665,884</u> |
| Operations Expenditures: | <u>39,329,173</u> |
| Capital Improvement Expenditures: | <u>42,336,711</u> |
| Total Expenditures: | <u>81,665,884</u> |

IT IS SO ORDAINED this _____ day of _____, **2023**.

Mayor Nancy Harris

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Greg Whitlock, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

Gwinnett Daily Post

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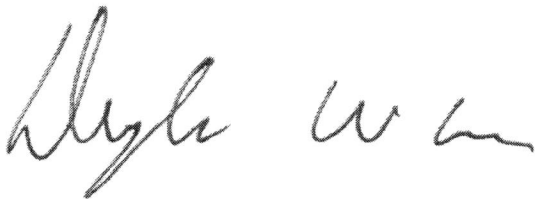
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ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

Ad No.: **360050**

Name and File No.: **BRENDA BROGDON**

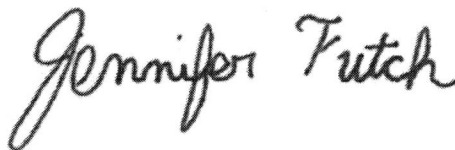
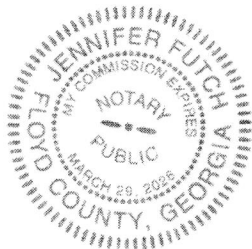
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/20/2023



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

Sworn and subscribed to me 08/18/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: GEORGE ROGERS, JR., BRENDA ROGERS 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 includes one tract in fee simple, two permanent easements and two temporary easements on property commonly known as Murphy Circle, Duluth, Georgia 30096 (Gwinnett County Tax Parcel # R7161 004) and is more particularly described as:

Fee Simple Boundary Tract 2 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at a 5/8" iron pin found on the southerly right-of-way of Washington St., having a 40' right-of-way, THENCE along the southerly right-of-way of Washington St North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75 feet subtended by a chord of North 26°37'04" East, for a distance of 32.91 feet to 1/2" iron pin set, leaving said right-of-way; THENCE South 24°01'59" East, 200.02 feet to 1/2" iron pin found, said pin being the point of beginning; THENCE North 51°41'32" East, 185.20 feet to 1/2" iron pin found; THENCE North 51°14'42" East, 26.52 feet to a point, said point being in the center line of creek; THENCE following said creek the following courses and distances South 17°35'11" East, 41.65 feet to a point; THENCE South 40°00'07" East, 50.57 feet to a point; THENCE South 23°12'05" East, 50.21 feet to a point; THENCE South 45°56'05" East, 33.19 feet to a point; THENCE South 59°19'24" East, 28.87 feet to a point; THENCE South 59°00'00" East, 16.97 feet to a point; THENCE South 07°14'24" East, 31.09 feet to a point; THENCE South 41°44'14" East, 18.00 feet to a point; THENCE South 23°08'19" East, 17.48 feet to a point; THENCE South 38°28'09" East, 30.87 feet to a point; THENCE South 25°16'32" East, 23.00 feet to a point; THENCE South 51°32'45" East, 6.78 feet to a point; THENCE South 43°05'01" East, 9.13 feet to a point; THENCE South 33°21'58" East, 26.93 feet to a point; THENCE South 21°51'22" East, 7.59 feet to a point, said point being at the intersection of 2 creeks; THENCE follows said creek in the south westerly direction the following courses and distances South 86°31'18" West, 11.54 feet to a point; THENCE South 86°31'18" West, 31.95 feet to a point; THENCE North 68°40'43" West, 14.30 feet to a point; THENCE South 83°59'08" West, 12.72 feet to a point; THENCE North 70°13'34" West, 19.50 feet to a point; THENCE North 74°40'19" West, 20.42 feet to a point; THENCE North 76°28'38" West, 18.19 feet to a point; THENCE South 68°53'07" West, 49.41 feet to a point; THENCE South 54°49'33" West, 27.69 feet to a point; THENCE South 49°06'57" West, 16.21 feet to a point; THENCE North 81°44'42" West, 11.74 feet to a point; THENCE South 72°00'52" West, 16.37 feet to a point; THENCE South 41°22'01" West, 19.19 feet to a point; THENCE South 23°02'41" West, 23.62 feet to a point; THENCE North 30°15'19" West, 25.00 feet to a 1/2" offset pin set; THENCE North 30°15'19" West, 142.86 feet to a 1/2" pin found; THENCE North 59°44'41" East, 32.71 feet to a 1/2" pin found; THENCE North 30°04'08" West, 114.36 feet to a 1/2" pin found, said pin being the point of beginning. Said tract having 1.6140 acres or 70,308 SQ. FT.

PERMANENT EASEMENT 1 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, for a distance of 27.49 feet to a point; THENCE along a curve to the left with a radius of 74.96 feet along a chord of North 26°14'46" East, for a distance of 26.14 feet to a point; said point being the Point of Beginning. From said Point of Beginning, THENCE along a curve to the left with a radius of 72.55 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE South 24°02'09" East, 27.49 feet to a point; THENCE North 40°44'13" West, 15.58 feet to a point; said point being the Point of Beginning. Said tract having 0.001 acres or 45 S.F.

PERMANENT EASEMENT 2 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 29°15'39" East, for a distance of 26.15 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE leaving said right of way, South 24°02'09" East, for a distance of 20.15 feet to a point; THENCE South 24°02'09" East, for a distance of 179.86 feet to a point; THENCE South 30°04'08" East, for a distance of 114.36 feet to a point; THENCE South 59°44'41" West, for a distance of 32.71 feet to a point; THENCE South 30°15'19" East, for a distance of 18.77 feet to a point; THENCE South 30°15'19" East, for a distance of 10.96 feet to a point; said point being the Point of Beginning. From said Point of Beginning, THENCE South 30°15'19" East, 32.89 feet to a point; THENCE South 35°33'12" West, 99.04 feet to a point; THENCE South 69°48'12" West, 216.99 feet to a point; THENCE North 89°04'40" West, 217.83 feet to a point; THENCE North 43°09'37" East, 196.54 feet to a point; THENCE South 43°09'37" East, 181.31 feet to a point; THENCE South 89°04'40" East, 199.53 feet to a point; THENCE North 69°48'12" East, 202.16 feet to a point; THENCE North 35°33'12" West, 103.28 feet to a point; said point being the Point of Beginning. Said tract having 0.488 acres or 21,250 S.F.

TEMPORARY EASEMENT 1 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 29°15'39" East, for a distance of 26.15 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE leaving said right of way, South 24°02'09" East, for a distance of 20.15 feet to a point; THENCE South 24°02'09" East, for a distance of 179.86 feet to a point; THENCE South 30°04'08" East, for a distance of 114.36 feet to a point; THENCE South 59°44'41" West, for a distance of 32.71 feet to a point; THENCE South 30°15'19" East, for a distance of 18.77 feet to a point;

THENCE South 30°15'19" East, 10.96 feet to a point; THENCE South 35°33'12" West, 103.28 feet to a point; THENCE South 69°48'12" West, 202.16 feet to a point; THENCE North 89°04'40" West, 199.53 feet to a point; THENCE North 43°09'37" West, 181.31 feet to a point; THENCE North 51°38'10" East, 10.04 feet to a point; THENCE South 43°09'37" East, 176.24 feet to a point; THENCE South 89°04'40" East, 193.43 feet to a point; THENCE South 89°04'40" East, 197.21 feet to a point; THENCE North 35°15'19" West, 92.64 feet to a point; said point being the Point of Beginning. Said tract having 0.156 acres or 6,789 S.F.

TEMPORARY EASEMENT 2 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 29°15'39" East, for a distance of 26.15 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE leaving said right of way, South 24°02'09" East, for a distance of 20.15 feet to a point; THENCE South 24°02'09" East, for a distance of 179.86 feet to a point; THENCE South 30°04'08" East, for a distance of 114.36 feet to a point; THENCE South 59°44'41" West, for a distance of 32.71 feet to a point; THENCE South 30°15'19" East, for a distance of 18.77 feet to a point; THENCE South 30°15'19" East, for a distance of 10.96 feet to a point; THENCE South 30°15'19" East, for a distance of 32.89 feet to a point; said point being the Point of Beginning. From said Point of Beginning,

THENCE South 30°15'19" East, 10.96 feet to a point; THENCE South 35°33'12" West, 97.63 feet to a point; THENCE South 69°48'12" West, 221.94 feet to a point; THENCE North 89°04'40" West, 223.93 feet to a point; THENCE North 43°09'37" West, 201.62 feet to a point; THENCE North 51°38'10" East, 10.04 feet to a point; THENCE South 43°09'37" East, 196.54 feet to a point; THENCE South 89°04'40" East, 217.83 feet to a point; THENCE North 69°48'12" East, 216.99 feet to a point; THENCE North 35°33'12" West, 99.04 feet to a point; said point being the Point of Beginning. Said tract having 0.169 acres or 7,378 S.F.

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 September 11, 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"

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Lawrenceville, Georgia 30046

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PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

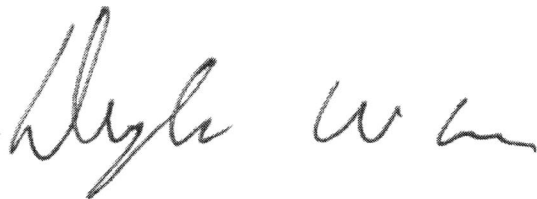
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ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

Ad No.: **360045**

Name and File No.: **BRENDA ROGERS**

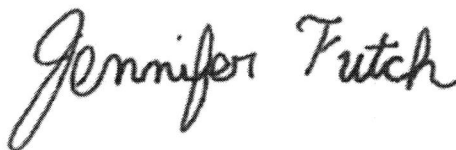
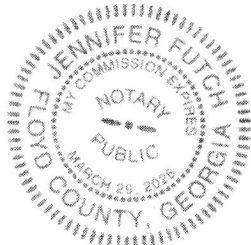
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/20/2023



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

Sworn and subscribed to me 08/18/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: BRENDA ROGERS, GRADY ROGERS, GEORGE ROGERS 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 is property commonly known as 3068 Washington Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel # R7161 002 and is more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 161ST LAND LOT AND THE 7TH DISTRICT OF GWINNETT COUNTY GEORGIA. COMMENCING AT AN 5/8" IRON PIN FOUND ON THE SOUTHERLY RIGHT-OF-WAY OF IRON PIN FOUND ON THE SOUTHERLY RIGHT-OF-WAY OF WASHINGTON ST., THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF WASHINGTON ST. NORTH 39°17'15" EAST, 27.48 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.0 FEET ALONG A CHORD OF NORTH 26°37'04" EAST, FOR A DISTANCE OF 33.18 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.0 FEET ALONG A CHORD OF NORTH 08°31'21" EAST, FOR A DISTANCE OF 14.17 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 51°42'53" EAST, 202.30 FEET TO A "IRON 12" IRON PIN FOUND IN THE APPROXIMATE CENTERLINE OF A DITCH CHANNEL; THENCE THE FOLLOWING COURSES ALONG SAID CENTERLINE OF A DITCH CHANNEL THENCE SOUTH 29°02'56" EAST, 13.75 FEET TO A POINT; THENCE SOUTH 46°18'29" EAST, 47.58 FEET TO A POINT; THENCE SOUTH 14°07'32" EAST, 45.87 FEET TO A POINT; THENCE SOUTH 25°10'17" EAST, 49.08 FEET TO A POINT; THENCE SOUTH 12°36'00" EAST, 50.28 FEET TO A POINT; THENCE SOUTH 17°35'11" EAST, 8.13 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE OF A DITCH CHANNEL, SOUTH 51°14'42" WEST, 26.52 FEET TO A "IRON PIN FOUND; 12" IRON PIN FOUND; THENCE SOUTH 51°41'32" WEST, 185.20 FEET TO A POINT; THENCE NORTH 24°02'09" WEST, 200.00 FEET TO A POINT ON THE RIGHT-OF-WAY OF WASHINGTON STREET; SAID TRACT HAVING 1.03 ACRES OR 44,834 S.F.

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 September 11, 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

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STATE OF GEORGIA
COUNTY OF GWINNETT

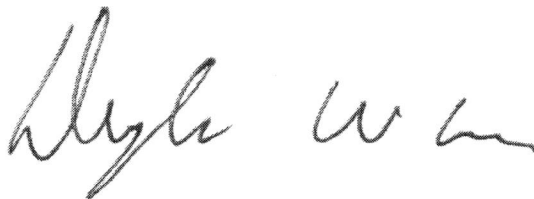
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ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

Ad No.: **360046**

Name and File No.: **ALFONZO WATERS**

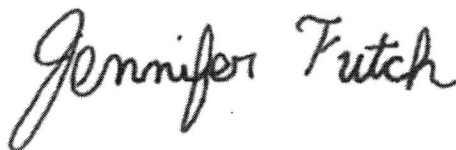
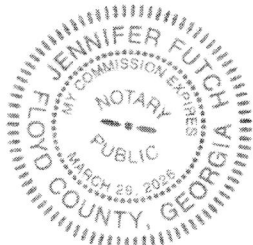
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/20/2023



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

Sworn and subscribed to me 08/18/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: ALFONZO WATERS, RODNEY S. HARRIS 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 is a temporary easement over property commonly known as **3326 Washington Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel # R7202 076) and is more particularly described as:

TEMPORARY EASEMENT - PID 7202 076

All that tract or parcel of land lying and being in the 202ND Land Lot and the 7th District of Gwinnett County Georgia. Commencing at an 5/8" iron pin found on the northeasterly right-of-way of Washington St., said point being the Point of Beginning. From said Point of Beginning,

THENCE leaving said right-of-way, North 43°42'15" East, 10.53 feet to a point;

THENCE South 28°04'22" East, 41.06 feet to a point;

THENCE South 35°30'45" East, 27.34 feet to a point;

THENCE South 43°02'34" East, 43.91 feet to a point;

THENCE South 63°30'00" West, 10.43 feet to a point on the existing right-of-way of Washington Street;

THENCE along said right-of-way, North 43°02'34" West, 41.60 feet to a point;

THENCE North 35°30'45" West, 28.65 feet to a point;

THENCE North 28°04'22" West, 38.42 feet to a point; said point being the Point of Beginning. Said tract having 0.025 acres or 1,105 S.F.

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 **September 11, 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.

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STATE OF GEORGIA
COUNTY OF GWINNETT

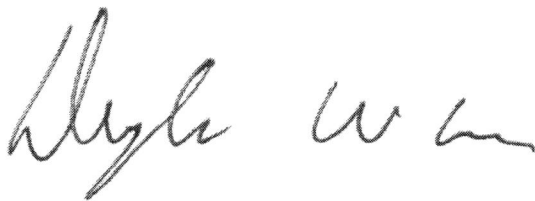
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinnett, State of Georgia, and being the official organ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

Ad No.: **360056**

Name and File No.: **ALFONZO WATERS**

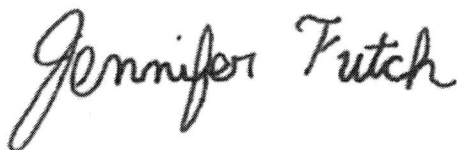
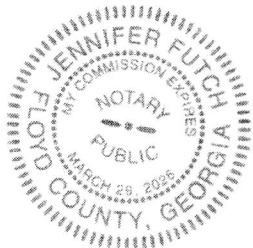
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/20/2023



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

Sworn and subscribed to me 08/18/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: ALFONZO WATERS, RODNEY S. HARRIS 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 is a temporary easement over property commonly known as **3328 Washington Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel # R7202 076A) and is more particularly described as:

TEMPORARY EASEMENT - PID 7202 076A

All that tract or parcel of land lying and being in the 202ND Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at point (N 1,455,088.2, E 2,306,048.2) on the Northly right-of-way of Washington St., said point being the Point of Beginning. From said Point of Beginning,

THENCE North 63°30'00" East, 10.43 feet to a point;

THENCE South 43°02'34" East, 13.24 feet a point;

THENCE South 37°44'34" East, 86.63 feet to a point;

THENCE South 62°44'52" West, 10.17 feet to a point;

THENCE North 37°44'34" West, 84.31 feet a point;

THENCE North 43°02'34" West, 15.74 feet to a point; said point being the Point of Beginning. Said tract having 0.023 acres or 994 S.F.

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 **September 11, 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.

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PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

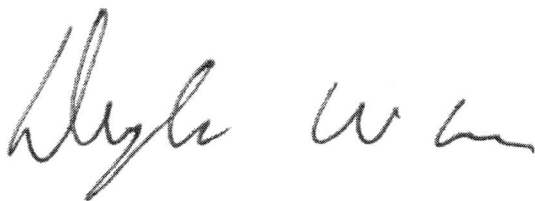
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Gwinnett Daily Post, published at Lawrenceville, County of Gwinett, State of Georgia, and being the official organ for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

Ad No.: **360049**

Name and File No.: **BRENDA BROGDON**

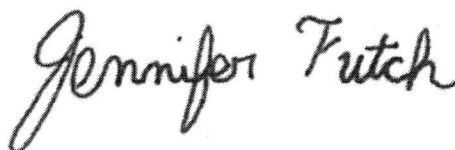
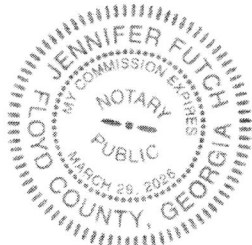
a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/20/2023



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

Sworn and subscribed to me 08/18/2023



Notary Public

My commission expires 03/29/2026

NOTICE OF CONDEMNATION

TO: BERNICE BROGDON, CAROL DAILEY, CATHY JACKSON, THE
HEIRS OF BERNICE BROGDON 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 is a temporary easement over property commonly known as 3331 Washington Street, Duluth, Georgia 30096 (Gwinnett County Tax Parcel # R7202 077) and is more particularly described as:

TEMPORARY EASEMENT - PID 7202 077

All that tract or parcel of land lying and being in the 202ND Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at point (N 1,455,178.3 , E 2,305,948.2) on the SOUTHERLY right-of-way of Washington St., said point being the Point of Beginning. From said Point of Beginning,

THENCE South 22°35'36" East, 60.66 feet to a point;

THENCE South 35°30'45" East, 33.50 feet to a point;

THENCE South 43°02'34" East, 58.34 feet to a point;

THENCE South 38°34'43" East, 55.85 feet to a point;

THENCE South 38°11'12" East, 14.57 feet to a point;

THENCE South 56°05'03" West, 14.75 feet to a point;

THENCE South 53°25'21" West, 10.01 feet to a point;

THENCE North 34°22'47" West, for a distance of 10.01 feet to a point;

THENCE North 54°13'09" East, 14.06 feet to a point;

THENCE North 38°11'12" West, 3.76 feet to a point;

THENCE North 38°34'43" West, 55.43 feet to a point;

THENCE North 43°02'34" West, 58.61 feet to a point;

THENCE North 35°30'45" West, 35.29 feet to a point;

THENCE North 22°35'36" West, 56.13 feet to a point;

THENCE North 37°53'34" East, 11.49 feet to a point; said point being the Point of Beginning. Said tract having 0.054 acres or 2,354 S.F.

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 **September 11, 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.

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
3068 WASHINGTON 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 to complete the sewer system improvement project; and

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

WHEREAS, the negotiations with the owner of the Property, GRADY ROGERS, 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 September 11, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, on August 20, 2023, fifteen (15) or more days prior to said public meeting, 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; and

WHEREAS, on August 16, 2023, more than fifteen (15) days prior to said public meeting, 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.

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 the use of Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire the total 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 Property and to take all other actions necessary and appropriate to obtain such 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

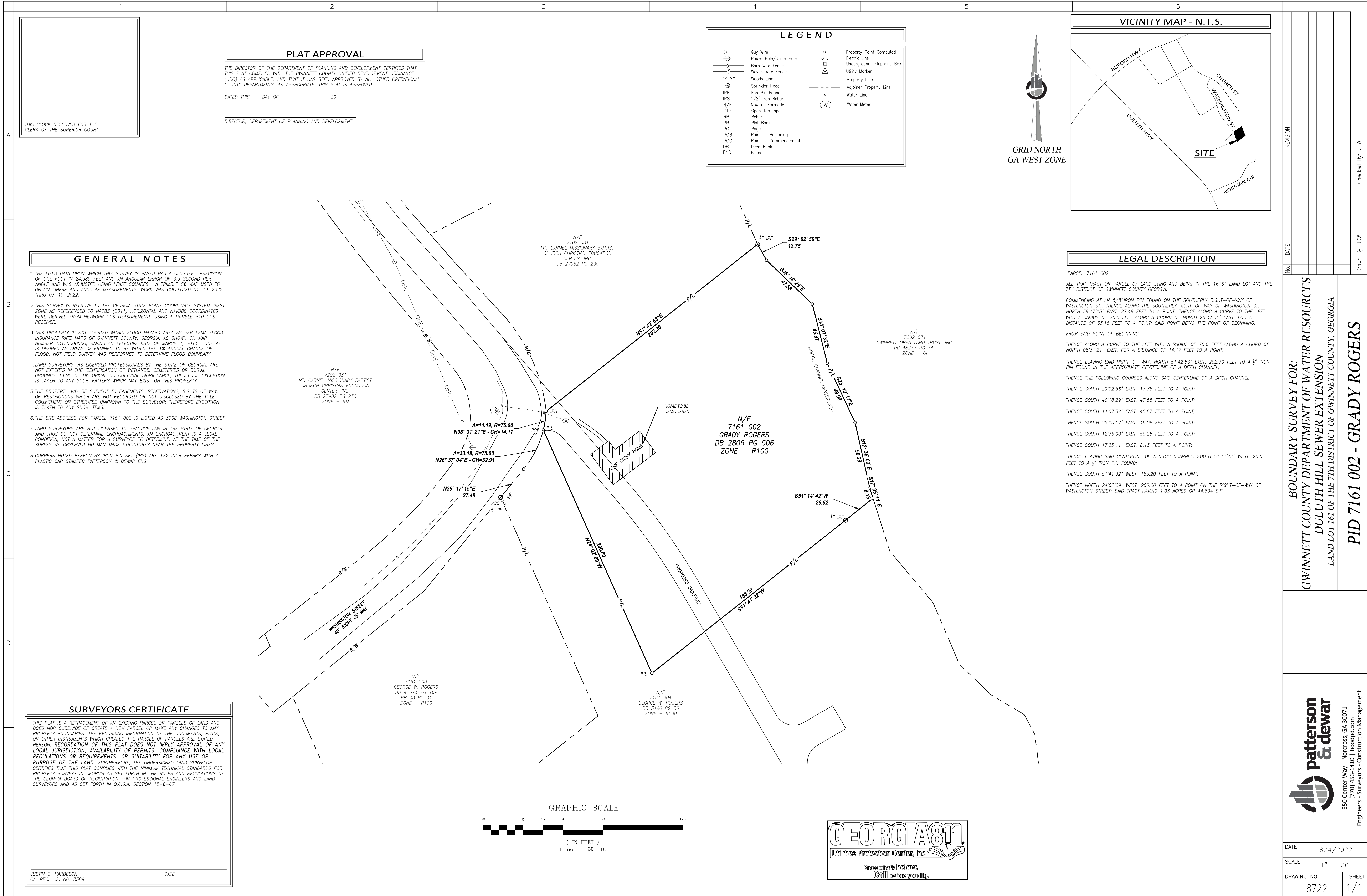
EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION**

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 is property commonly known as **3068 Washington Street, Duluth, Georgia 30096** (Gwinnett County Tax Parcel # R7161 002 and is more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 161ST LAND LOT AND THE 7TH DISTRICT OF GWINNETT COUNTY GEORGIA. COMMENCING AT AN 5/8" IRON PIN FOUND ON THE SOUTHERLY RIGHT-OF-WAY OF IRON PIN FOUND ON THE SOUTHERLY RIGHT-OF-WAY OF WASHINGTON ST., THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF WASHINGTON ST. NORTH 39°17'15" EAST, 27.48 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.0 FEET ALONG A CHORD OF NORTH 26°37'04" EAST, FOR A DISTANCE OF 33.18 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.0 FEET ALONG A CHORD OF NORTH 08°31'21" EAST, FOR A DISTANCE OF 14.17 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 51°42'53" EAST, 202.30 FEET TO A " IRON 12" IRON PIN FOUND IN THE APPROXIMATE CENTERLINE OF A DITCH CHANNEL; THENCE THE FOLLOWING COURSES ALONG SAID CENTERLINE OF A DITCH CHANNEL THENCE SOUTH 29°02'56" EAST, 13.75 FEET TO A POINT; THENCE SOUTH 46°18'29" EAST, 47.58 FEET TO A POINT; THENCE SOUTH 14°07'32" EAST, 45.87 FEET TO A POINT; THENCE SOUTH 25°10'17" EAST, 49.08 FEET TO A POINT; THENCE SOUTH 12°36'00" EAST, 50.28 FEET TO A POINT; THENCE SOUTH 17°35'11" EAST, 8.13 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE OF A DITCH CHANNEL, SOUTH 51°14'42" WEST, 26.52 FEET TO A " IRON PIN FOUND; 12" IRON PIN FOUND; THENCE SOUTH 51°41'32" WEST, 185.20 FEET TO A POINT; THENCE NORTH 24°02'09" WEST, 200.00 FEET TO A POINT ON THE RIGHT-OF-WAY OF WASHINGTON STREET; SAID TRACT HAVING 1.03 ACRES OR 44,834 S.F.

Drawing File: S:\8722 SV E5 DULUTH HILL SEWER EXTENSION\DWG\EASEMENTS\PID 7161 002 FEE SIMPLE BOUNDARY.DWG
Plotted by: JASONW0005
Date: Thu, 4 Aug 2022
Time: 09:27:16 am
Images:



**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
MURPHY CIRCLE, 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 to complete the sewer system improvement project; and

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

WHEREAS, the negotiations with the owner of the Property, GEORGE W. ROGERS, JR., 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 September 11, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, on August 20, 2023, fifteen (15) or more days prior to said public meeting, 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; and

WHEREAS, on August 16, 2023, more than fifteen (15) days prior to said public meeting, 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.

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 the use of Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire a portion of the Property as well as permanent construction easements and 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 interest in the Property and to take all other actions necessary and appropriate to obtain such interest in the 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**

Fee Simple Boundary Tract 1- PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Beginning at a 5/8" iron pin found on the southerly right-of-way of Washington St., having a 40' right-of-way, THENCE along the southerly right-of-way of Washington St North 39°17'15" East, 27.48 feet to a point;

THENCE along a curve to the left with a radius of 75 feet subtended by a chord of North 26°37'04" East, for a distance of 32.91 feet to 1/2" iron pin set, leaving said right-of-way;

THENCE South 24°01'59" East, 200.02 feet to 1/2" iron pin found;

THENCE South 30°04'08" East, 114.36 feet to 1/2" iron pin found;

THENCE South 59°44'41" West, 32.71 feet to 1/2" iron pin found;

THENCE South 30°15'19" East, 142.86 feet to 1/2" offset iron pin set;

THENCE South 30°15'19" East, 25.00 feet to a point, said point being the center line of creek;

THENCE following said creek the said courses and distances South 25°02'41" West, 1.72 feet to a point;

THENCE North 75°27'12" West, 24.17 feet to a point;

THENCE North 61°13'23" West, 10.13 feet to a point;

THENCE South 27°05'06" West, 27.79 feet to a point;

THENCE South 16°08'21" West, 28.10 feet to a point;

THENCE South 51°23'27" West, 11.85 feet to a point;

THENCE North 60°11'40" West, 20.30 feet to a point;

THENCE North 50°12'50" West, 10.19 feet to a point;

THENCE South 68°43'35" West, 8.08 feet to a point;

THENCE South 68°41'05" West, 34.69 feet to a point;

THENCE South 61°31'38" West, 16.32 feet to a point;

THENCE South 75°06'16" West, 7.62 feet to a point;

THENCE South 15°07'30" West, 15.70 feet to a point;

THENCE South 25°22'03" West, 7.32 feet to a point;

THENCE North 83°51'59" West, 21.46 feet to a point;

THENCE South 62°02'44" West, 6.29 feet to a point;

THENCE South 40°57'30" West, 4.74 feet to a point;

THENCE North 44°44'34" West, 16.07 feet to a point;
THENCE North 22°17'08" West, 23.91 feet to a point;
THENCE North 30°55'38" West, 20.37 feet to a point;
THENCE South 78°08'12" West, 28.29 feet to a point;
THENCE North 74°55'48" West, 12.18 feet to a point;
THENCE North 27°39'42" West, 41.55 feet to a point;
THENCE North 28°25'56" West, 37.47 feet to a point;
THENCE North 62°51'43" West, 4.34 feet to a point;
THENCE South 60°58'28" West, 14.40 feet to a point;
THENCE North 11°21'30" West, 43.16 feet to a point;
THENCE North 21°35'53" West, 23.08 feet to a point;
THENCE leaving said creek North 51°38'10" East, 25.00 feet to 1/2" iron pin set;
THENCE North 51°38'10" East, 155.40 feet to 1/2" iron pin found;
THENCE South 24°01'59" East, 75.00 feet to 1/2" iron pin found;
THENCE North 51°38'10" East, 75.00 feet to 1/2" iron pin found;
THENCE South 24°01'59" East, 53.00 feet to 1/2" iron pin found;
THENCE North 51°38'10" East, 128.00 feet to 1/2" iron pin found;
THENCE South 24°01'59" East, 82.00 feet to 1/2" iron pin found;
THENCE North 51°38'10" East, 210.00 feet to 1/2" iron pin found;
THENCE North 24°01'59" West, 179.59 feet to 5/8" iron pin found; said pin being the Point of Beginning.

Said tract having 3.903 acres or 17,013 SQ. FT. more or less.

Fee Simple Boundary Tract 2 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at a 5/8" iron pin found on the southerly right-of-way of Washington St., having a 40' right-of-way, THENCE along the southerly right-of-way of Washington St North 39°17'15" East, 27.48 feet to a point;

THENCE along a curve to the left with a radius of 75 feet subtended by a chord of North 26°37'04" East, for a distance of 32.91 feet to 1/2" iron pin set, leaving said right-of-way;

THENCE South 24°01'59" East, 200.02 feet to 1/2" iron pin found, said pin being the point of beginning;

THENCE North 51°41'32" East, 185.20 feet to 1/2" iron pin found;

THENCE North 51°14'42" East, 26.52 feet to a point, said point being in the center line of creek;

THENCE following said creek the following courses and distances South 17°35'11" East, 41.65 feet to a point;

THENCE South 40°00'07" East, 50.57 feet to a point;

THENCE South 23°12'05" East, 50.21 feet to a point;

THENCE South 45°56'05" East, 33.19 feet to a point;

THENCE South 59°19'24" East, 28.87 feet to a point;

THENCE South 28°00'00" East, 16.97 feet to a point;

THENCE South 07°14'28" East, 31.09 feet to a point;

THENCE South 41°44'14" East, 18.00 feet to a point;

THENCE South 23°08'19" East, 17.48 feet to a point;

THENCE South 38°28'09" East, 30.87 feet to a point;

THENCE South 25°16'32" East, 23.00 feet to a point;

THENCE South 51°32'45" East, 6.78 feet to a point;

THENCE South 43°05'01" East, 9.13 feet to a point;

THENCE South 33°21'58" East, 26.93 feet to a point;

THENCE South 21°51'22" East, 7.59 feet to a point, said point being at the intersection of 2 creeks;

THENCE follows said creek in the south westerly direction the following courses and distances South 86°31'18" West, 11.54 feet to a point;

THENCE South 86°31'18" West, 31.95 feet to a point;

THENCE North 68°40'43" West, 14.30 feet to a point;

THENCE South 83°59'08" West, 12.72 feet to a point;
THENCE North 70°13'34" West, 19.50 feet to a point;
THENCE North 74°40'19" West, 20.42 feet to a point;
THENCE North 76°28'38" West, 18.19 feet to a point;
THENCE South 68°53'07" West, 49.41 feet to a point;
THENCE South 54°49'33" West, 27.69 feet to a point;
THENCE South 49°06'57" West, 16.21 feet to a point;
THENCE North 81°44'42" West, 11.74 feet to a point;
THENCE South 72°00'52" West, 16.37 feet to a point;
THENCE South 41°22'01" West, 19.19 feet to a point;
THENCE South 25°02'41" West, 23.62 feet to a point;
THENCE North 30°15'19" West, 25.00 feet to a 1/2" offset pin set;
THENCE North 30°15'19" West, 142.86 feet to a 1/2" pin found;
THENCE North 59°44'41" East, 32.71 feet to a 1/2" pin found;
THENCE North 30°04'08" West, 114.36 feet to a 1/2" pin found, said pin being the point of beginning.
Said tract having 1.6140 acres or 70,308 SQ. FT.

PERMANENT EASEMENT 1 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, for a distance of 27.49 feet to a point; THENCE along a curve to the left with a radius of 74.96 feet along a chord of North 29°14'46" East, for a distance of 26.14 feet to a point; said point being the Point of Beginning. From said Point of Beginning,

THENCE along a curve to the left with a radius of 72.55 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point;

THENCE South 24°02'09" East, 27.49 feet to a point;

THENCE North 40°44'13" West, 15.58 feet to a point; said point being the Point of Beginning.

Said tract having 0.001 acres or 45 S.F.

PERMANENT EASEMENT 2 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 29°15'39" East, for a distance of 26.15 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE leaving said right of way, South 24°02'09" East, for a distance of 20.15 feet to a point; Thence South 24°02'09" East, for a distance of 179.86 feet to a point; Thence South 30°04'08" East, for a distance of 114.36 feet to a point; Thence South 59°44'41" West, for a distance of 32.71 feet to a point; Thence South 30°15'19" East, for a distance of 18.77 feet to a point; Thence South 30°15'19" East, for a distance of 10.96 feet to a point; said point being the Point of Beginning. From said Point of Beginning,

THENCE South 30°15'19" East, 32.89 feet to a point;

THENCE South 35°33'12" West, 99.04 feet to a point;

THENCE South 69°48'12" West, 216.99 feet to a point;

THENCE North 89°04'40" West, 217.83 feet to a point;

THENCE North 43°09'37" East, 196.54 feet to a point;

THENCE South 43°09'37" East, 181.31 feet to a point;

THENCE South 89°04'40" East, 199.53 feet to a point;

THENCE North 69°48'12" East, 202.16 feet to a point;

THENCE North 35°33'12" West, 103.28 feet to a point; said point being the Point of Beginning.

Said tract having 0.488 acres or 21,250 S.F.

TEMPORARY EASEMENT 1 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 29°15'39" East, for a distance of 26.15 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE leaving said right of way, South 24°02'09" East, for a distance of 20.15 feet to a point; Thence South 24°02'09" East, for a distance of 179.86 feet to a point; Thence South 30°04'08" East, for a distance of 114.36 feet to a point; Thence South 59°44'41" West, for a distance of 32.71 feet to a point; Thence South 30°15'19" East, for a distance of 18.77 feet to a point;

THENCE South 30°15'19" East, 10.96 feet to a point;

THENCE South 35°33'12" West, 103.28 feet to a point;

THENCE South 69°48'12" West, 202.16 feet to a point;

THENCE North 89°04'40" West, 199.53 feet to a point;

THENCE North 43°09'37" West, 181.31 feet to a point;

THENCE North 51°38'10" East, 10.04 feet to a point;

THENCE South 43°09'37" East, 176.24 feet to a point;

THENCE South 89°04'40" East, 193.43 feet to a point;

THENCE South 89°04'40" East, 197.21 feet to a point;

THENCE North 35°15'19" West, 92.64 feet to a point; said point being the Point of Beginning.

Said tract having 0.156 acres or 6,789 S.F.

TEMPORARY EASEMENT 2 - PID 7161 004

All that tract or parcel of land lying and being in the 161st Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at an 5/8" iron pin found on the southerly right-of-way of Washington St., THENCE along the southerly right-of-way of Washington St. North 39°17'15" East, 27.48 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 29°15'39" East, for a distance of 26.15 feet to a point; THENCE along a curve to the left with a radius of 75.0 feet along a chord of North 16°32'14" East, for a distance of 6.88 feet to a point; THENCE leaving said right of way, South 24°02'09" East, for a distance of 20.15 feet to a point; Thence South 24°02'09" East, for a distance of 179.86 feet to a point; Thence South 30°04'08" East, for a distance of 114.36 feet to a point; Thence South 59°44'41" West, for a distance of 32.71 feet to a point; Thence South 30°15'19" East, for a distance of 18.77 feet to a point; Thence South 30°15'19" East, for a distance of 10.96 feet to a point; Thence South 30°15'19" East, for a distance of 32.89 feet to a point; said point being the Point of Beginning. From said Point of Beginning,

THENCE South 30°15'19" East, 10.96 feet to a point;

THENCE South 35°33'12" West, 97.63 feet to a point;

THENCE South 69°48'12" West, 221.94 feet to a point;

THENCE North 89°04'40" West, 223.93 feet to a point;

THENCE North 43°09'37" West, 201.62 feet to a point;

THENCE North 51°38'10" East, 10.04 feet to a point;

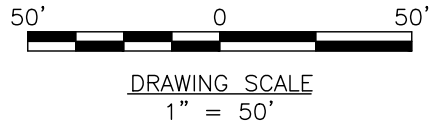
THENCE South 43°09'37" East, 196.54 feet to a point;

THENCE South 89°04'40" East, 217.83 feet to a point;

THENCE North 69°48'12" East, 216.99 feet to a point;

THENCE North 35°33'12" East, 99.04 feet to a point; said point being the Point of Beginning.

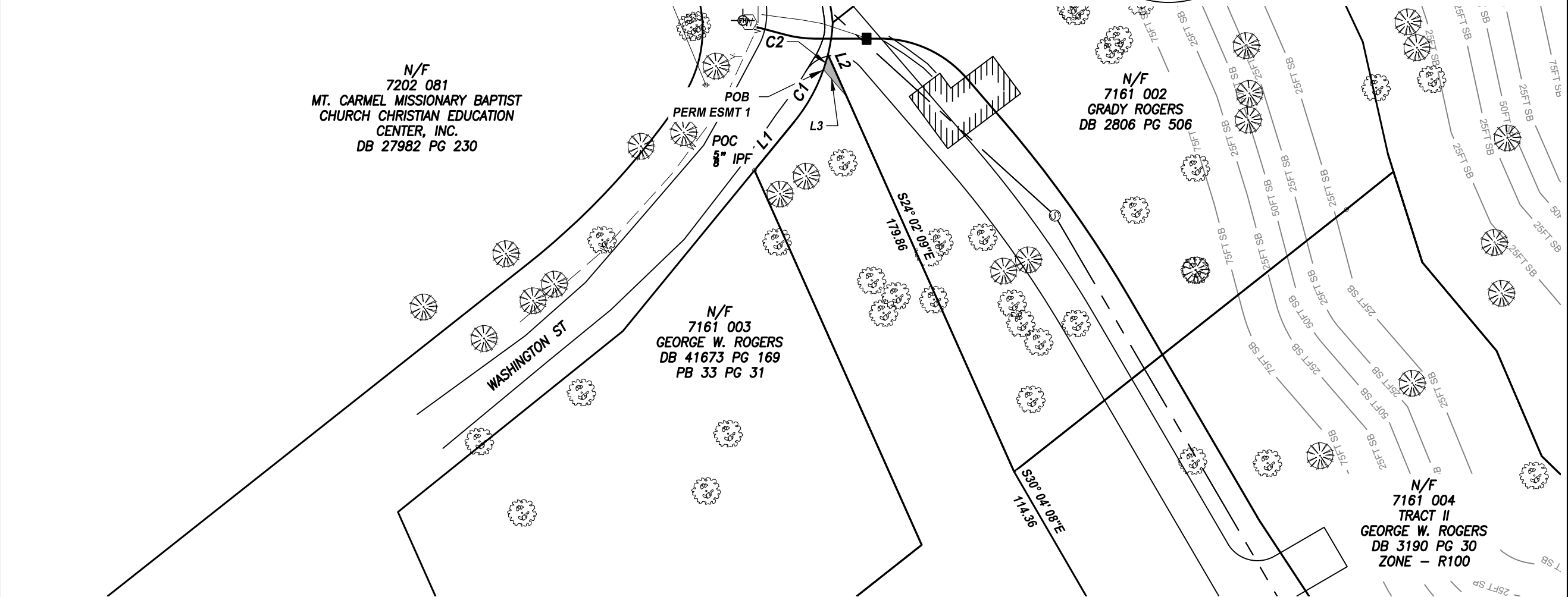
Said tract having 0.169 acres or 7,378 S.F.



| EASEMENT TABLE | |
|----------------|--|
| | TEMPORARY EASEMENT 1 - 6,789 SQ. FT. TEMPORARY EASEMENT 2 - 7,378 SQ. FT. |
| | PERMANENT EASEMENT 1 - 45 SQ. FT. PERMANENT EASEMENT 2 - 21,250 SQ. FT. |



GRID NORTH
GA WEST ZONE



| | |
|-------------|----------|
| DATE | 7/19/22 |
| SCALE | 1" = 50' |
| DRAWING NO. | 8722 |
| SHEET | 1/5 |



**patterson
& dewar**
ENGINEERS

850 Center Way | Norcross, GA 30071
(770) 453-1410 | pdengineers.com
Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT

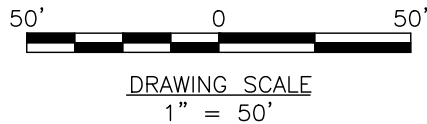
GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 161 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

PARCEL ID - 7161 004

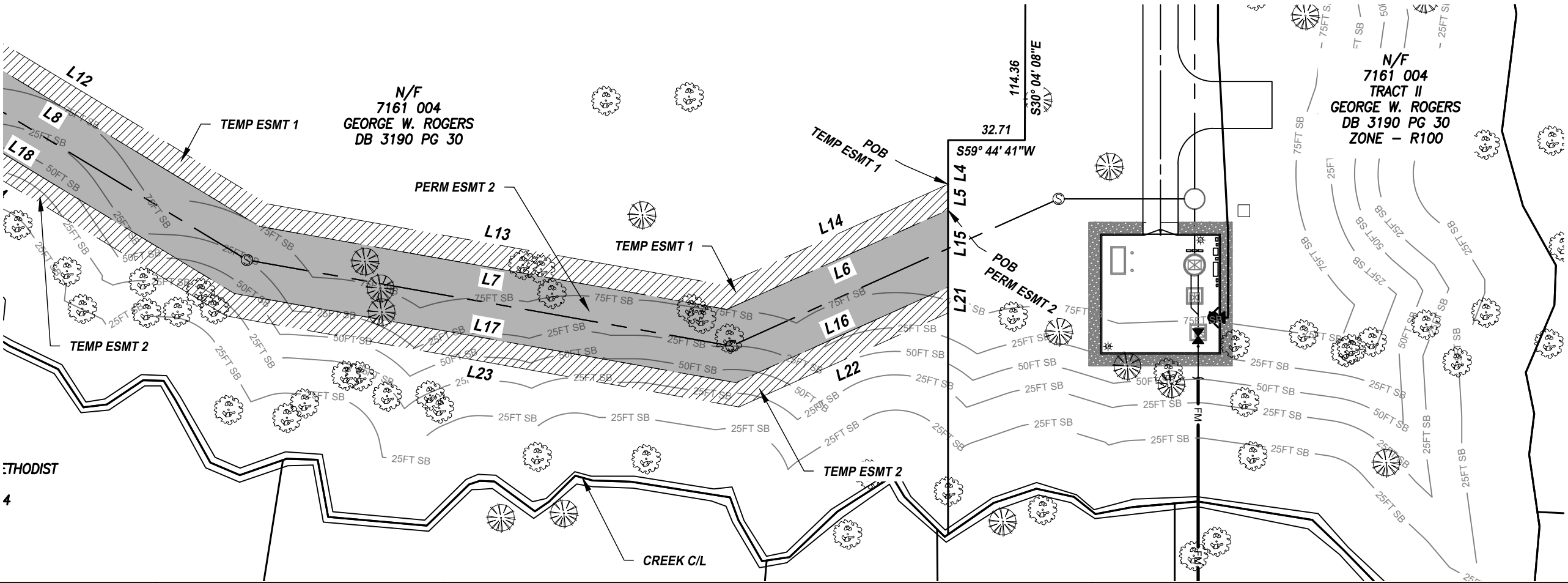
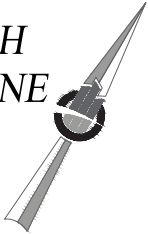
| No. | DATE | REVISION |
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| Drawn By: JDW | | Checked By: JDH |



| EASEMENT TABLE | |
|----------------|--|
| | TEMPORARY EASEMENT 1 - 6,789 SQ. FT. TEMPORARY EASEMENT 2 - 7,378 SQ. FT. |
| | PERMANENT EASEMENT 1 - 45 SQ. FT. PERMANENT EASEMENT 2 - 21,250 SQ. FT. |



GRID NORTH
GA WEST ZONE



| | |
|-------------|----------|
| DATE | 7/19/22 |
| SCALE | 1" = 50' |
| DRAWING NO. | 8722 |
| SHEET | 2/5 |



**patterson
& dewar**
ENGINEERS

850 Center Way | Norcross, GA 30071
(770) 453-1410 | pdengineers.com
Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT



GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 161 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

PARCEL ID - 7161 004

| No. | DATE | REVISION |
|---------------|------|-----------------|
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| Drawn By: JDW | | Checked By: JDH |

| EASEMENT TABLE | |
|---|--|
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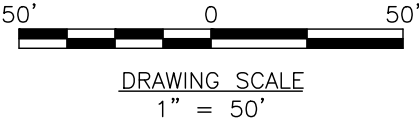
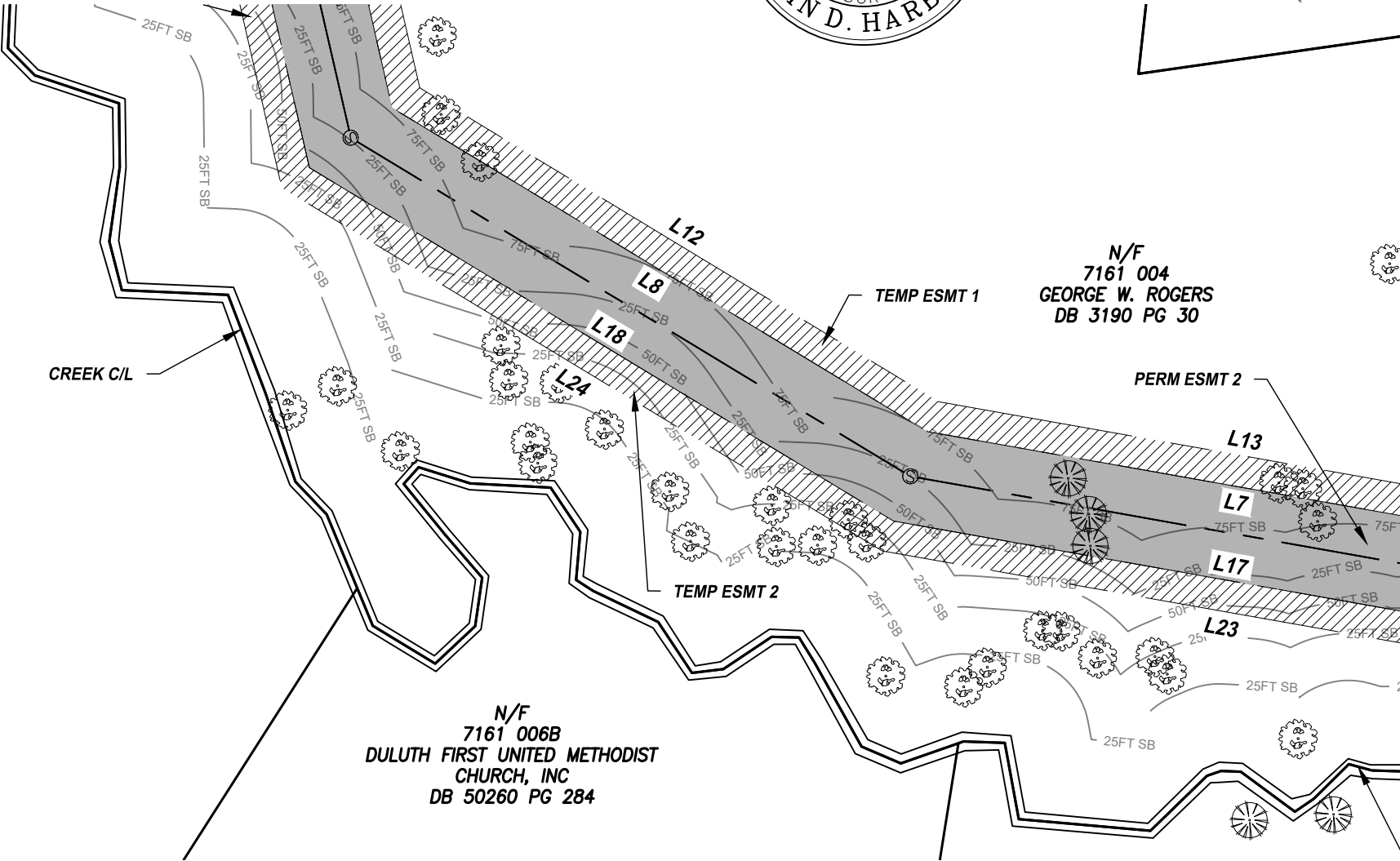
GRID NORTH
GA WEST ZONE



N/F
7161 006
ZION KOREAN UNITED METHODIST
CHURCH
DB 40391 PG 198

N/F
7161 004
GEORGE W. ROGERS
DB 3190 PG 30

N/F
7161 006B
DULUTH FIRST UNITED METHODIST
CHURCH, INC
DB 50260 PG 284



| | |
|-------------|----------|
| DATE | 7/19/22 |
| SCALE | 1" = 50' |
| DRAWING NO. | 8722 |
| SHEET | 3/5 |



**patterson
& dewar**

ENGINEERS

850 Center Way | Norcross, GA 30071
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EASEMENT EXHIBIT

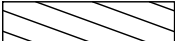

GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 161 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

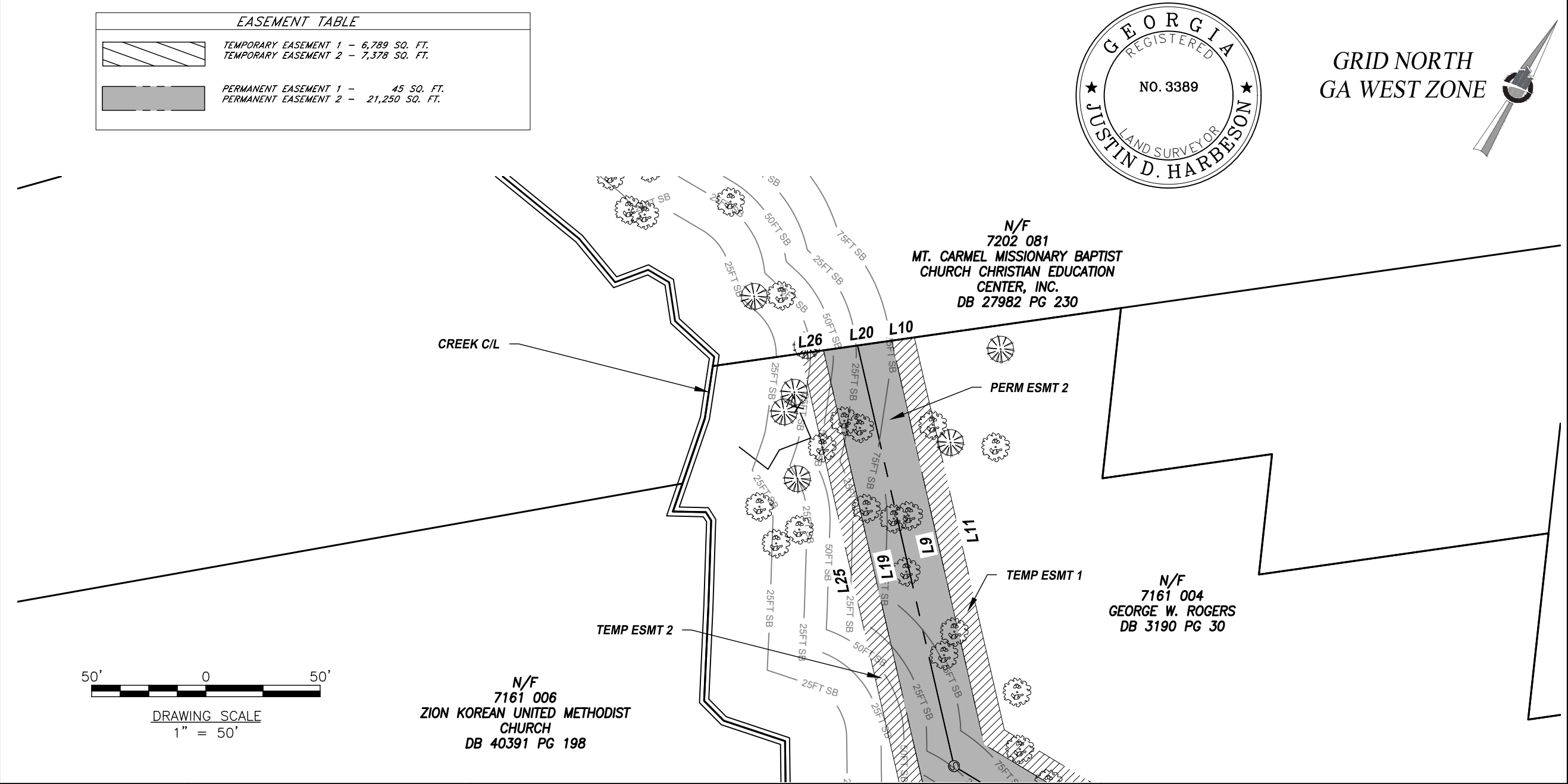
PARCEL ID - 7161 004

| No. | DATE | REVISION |
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| Drawn By: JDW | | Checked By: JDH |

| EASEMENT TABLE | |
|---|--|
|  | TEMPORARY EASEMENT 1 - 6,789 SQ. FT. TEMPORARY EASEMENT 2 - 7,378 SQ. FT. |
|  | PERMANENT EASEMENT 1 - 45 SQ. FT. PERMANENT EASEMENT 2 - 21,250 SQ. FT. |



GRID NORTH
GA WEST ZONE



| | |
|-------------|----------|
| DATE | 7/19/22 |
| SCALE | 1" = 50' |
| DRAWING NO. | 8722 |
| SHEET | 4/5 |



**patterson
& dewar**
ENGINEERS

850 Center Way | Norcross, GA 30071
(770) 453-1410 | pdengineers.com
Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT

GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 161 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

PARCEL ID - 7161 004

| No. | DATE | REVISION |
|---------------|------|-----------------|
| | | |
| | | |
| | | |
| | | |
| Drawn By: JDW | | Checked By: JDH |

| EASEMENT TABLE | | | | |
|----------------|--------|---------------|--------|------------|
| Line #/Curve # | LENGTH | BEARING | RADIUS | ARC LENGTH |
| C1 | 26.14 | N29° 14' 46"E | 74.96 | 26.27 |
| C2 | 6.88 | N16° 32' 14"E | 72.55 | 6.88 |
| L1 | 27.49 | N39° 17' 15"E | | |
| L2 | 20.15 | S24° 02' 09"E | | |
| L3 | 15.58 | N40° 44' 13"W | | |
| L4 | 18.77 | S30° 15' 19"E | | |
| L5 | 10.96 | S30° 15' 19"E | | |
| L6 | 103.28 | S35° 33' 12"W | | |
| L7 | 202.16 | S69° 48' 12"W | | |
| L8 | 199.53 | N89° 04' 40"W | | |
| L9 | 181.31 | N43° 09' 37"W | | |
| L10 | 10.04 | N51° 38' 10"E | | |
| L11 | 176.24 | S43° 09' 37"E | | |
| L12 | 193.43 | S89° 04' 40"E | | |
| L13 | 197.21 | N69° 48' 12"E | | |
| L14 | 104.69 | N35° 33' 12"E | | |
| L15 | 32.89 | S30° 15' 19"E | | |
| L16 | 99.04 | N35° 33' 12"E | | |
| L17 | 216.99 | N69° 48' 12"E | | |
| L18 | 217.83 | S89° 04' 40"E | | |

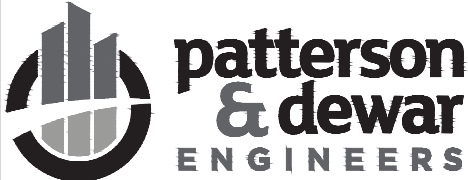
| EASEMENT TABLE | | | | |
|----------------|--------|---------------|--------|------------|
| Line #/Curve # | LENGTH | BEARING | RADIUS | ARC LENGTH |
| L19 | 196.54 | S43° 09' 37"E | | |
| L20 | 30.11 | N51° 38' 10"E | | |
| L21 | 10.96 | S30° 15' 19"E | | |
| L22 | 97.63 | S35° 33' 12"W | | |
| L23 | 221.94 | S69° 48' 12"W | | |
| L24 | 223.93 | N89° 04' 40"W | | |
| L25 | 201.62 | N43° 09' 37"W | | |
| L26 | 10.04 | N51° 38' 10"E | | |

DATE7/19/22

SCALE1" = 50'

DRAWING NO.8722

SHEET5/5



850 Center Way | Norcross, GA 30071

(770) 453-1410 | pdengineers.com

Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT

GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 161 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

PARCEL ID - 7161 004

| | | |
|-----|------|----------|
| No. | DATE | REVISION |
| | | |
| | | |
| | | |
| | | |

Drawn By: JDW

Checked By: JDH

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
3331 WASHINGTON 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 to complete the sewer system improvement project; and

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

WHEREAS, the negotiations with the owner of the Property, BERNICE D. BROGDON, 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 September 11, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, on August 20, 2023, fifteen (15) or more days prior to said public meeting, 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; and

WHEREAS, on August 16, 2023, more than fifteen (15) days prior to said public meeting, 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.

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 the use of 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

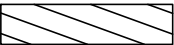
EXHIBIT A
SEWER MAP AND MINUTES OF APPROVAL THEREOF

EXHIBIT B**LEGAL DESCRIPTION****TEMPORARY EASEMENT - PID 7202 077**

All that tract or parcel of land lying and being in the 202ND Land Lot and the 7th District of Gwinnett County Georgia. Commencing at point (N 1,455,178.3 , E 2,305,948.2) on the SOUTHERLY right-of-way of Washington St., said point being the Point of Beginning. From said Point of Beginning,

THENCE South 22°35'36" East, 60.66 feet to a point;
THENCE South 35°30'45" East, 33.50 feet to a point;
THENCE South 43°02'34" East, 58.34 feet to a point;
THENCE South 38°34'43" East, 55.85 feet to a point;
THENCE South 38°11'12" East, 14.57 feet to a point;
THENCE South 56°05'03" West, 14.75 feet to a point;
THENCE South 53°25'21" West, 10.01 feet to a point;
THENCE North 34°22'47" West, for a distance of 10.01 feet to a point;
THENCE North 54°13'09" East, 14.06 feet to a point;
THENCE North 38°11'12" West, 3.76 feet to a point;
THENCE North 38°34'43" West, 55.43 feet to a point;
THENCE North 43°02'34" West, 58.61 feet to a point;
THENCE North 35°30'45" West, 35.29 feet to a point;
THENCE North 22°35'36" West, 56.13 feet to a point;
THENCE North 37°53'34" East, 11.49 feet to a point; said point being the Point of Beginning. Said tract having 0.054 acres or 2,354 S.F.

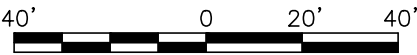
EASEMENT TABLE



PROPOSED TEMP CONSTRUCTION EASEMENT – 2,354 SQ. FT.

EASEMENT TABLE

| Line #/Curve # | LENGTH | BEARING |
|----------------|--------|---------------|
| L1 | 60.66 | S22° 35' 36"E |
| L2 | 33.50 | S35° 30' 45"E |
| L3 | 58.34 | S43° 02' 34"E |
| L4 | 55.85 | S38° 34' 43"E |
| L5 | 14.57 | S38° 11' 12"E |
| L6 | 14.75 | S56° 05' 03"W |
| L7 | 10.01 | S53° 25' 21"W |
| L8 | 10.01 | N34° 22' 47"W |
| L9 | 14.06 | N54° 13' 09"E |
| L10 | 3.76 | N38° 11' 12"W |
| L11 | 55.43 | N38° 34' 43"W |
| L12 | 58.61 | N43° 02' 34"W |
| L13 | 35.29 | N35° 30' 45"W |
| L14 | 56.13 | N22° 35' 36"W |
| L15 | 11.49 | N37° 53' 34"E |

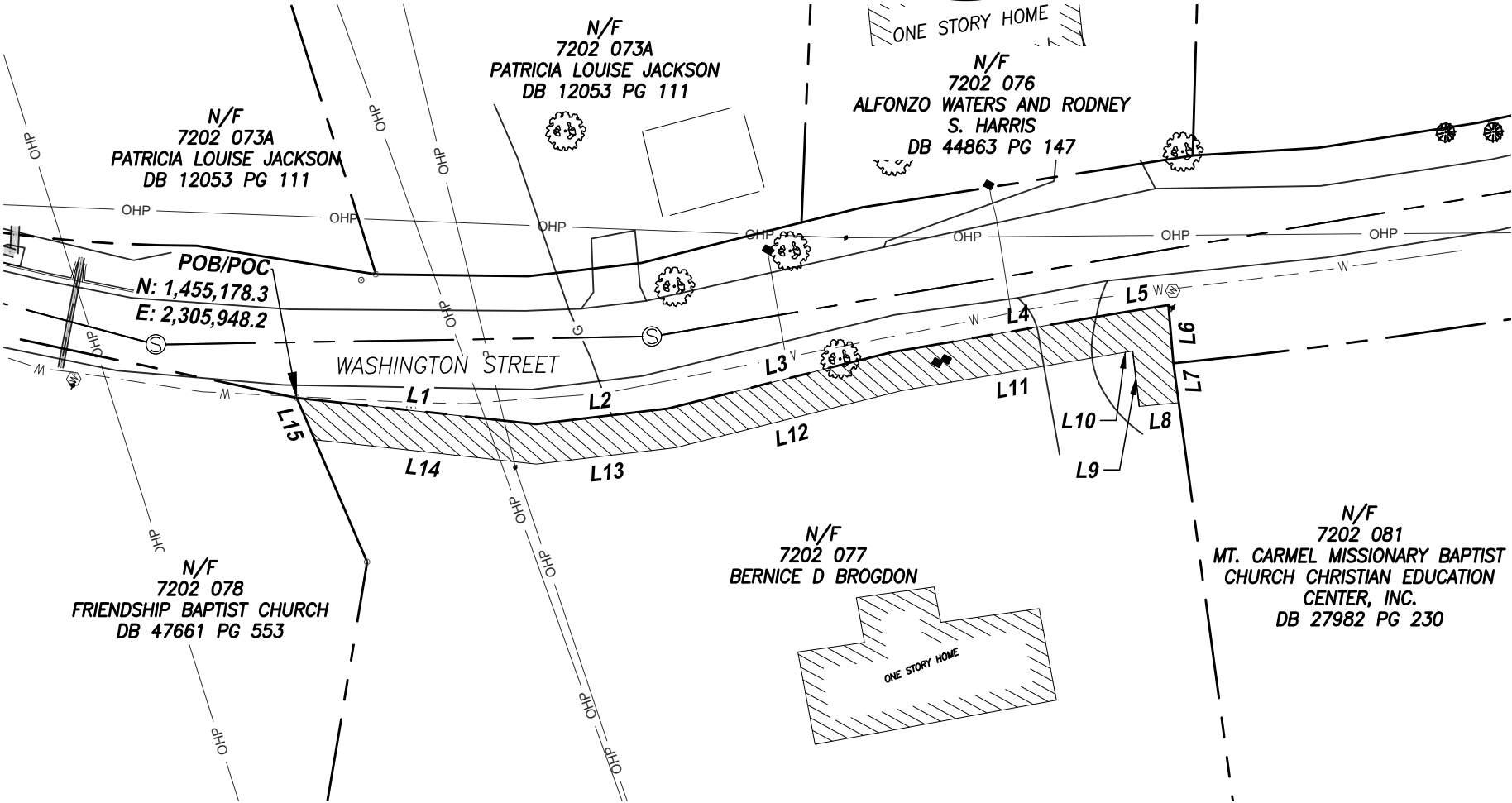
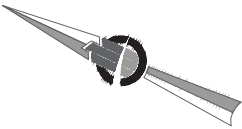


DRAWING SCALE

1" = 40'



GRID NORTH
GA WEST ZONE



DATE 7/14/2022

SCALE 1" = 40'

DRAWING NO. 8722
SHEET 1



**patterson
& dewar**
ENGINEERS

850 Center Way | Norcross, GA 30071
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Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT
GCDWR
DULUTH HILL SEWER EXTENSION
LAND LOT 202 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA
PARCEL ID - 7202 077

| No. | DATE | REVISION |
|---------------|------|-----------------|
| | | |
| | | |
| | | |
| | | |
| Drawn By: MDW | | Checked By: JDH |

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
3326 WASHINGTON 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 to complete the sewer system improvements; and

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

WHEREAS, the negotiations with the owners of the Property, RODNEY S. HARRIS and ALFONZO WATERS, 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 September 11, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, on August 20, 2023, fifteen (15) or more days prior to said public meeting, 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; and

WHEREAS, on August 16, 2023, more than fifteen (15) days prior to said public meeting, 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.

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 the use of 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 EASEMENT - PID 7202 076

All that tract or parcel of land lying and being in the 202ND Land Lot and the 7th District of Gwinnett County Georgia. Commencing at an 5/8" iron pin found on the northeasterly right-of-way of Washington St., said point being the Point of Beginning. From said Point of Beginning,

THENCE leaving said right-of-way, North 43°42'15" East, 10.53 feet to a point; THENCE South 28°04'22" East, 41.06 feet to a point;


THENCE South 35°30'45" East, 27.34 feet to a point; THENCE South 43°02'34" East, 43.91 feet to a point;

THENCE South 63°30'00" West, 10.43 feet to a point on the existing right-of-way of Washington Street;

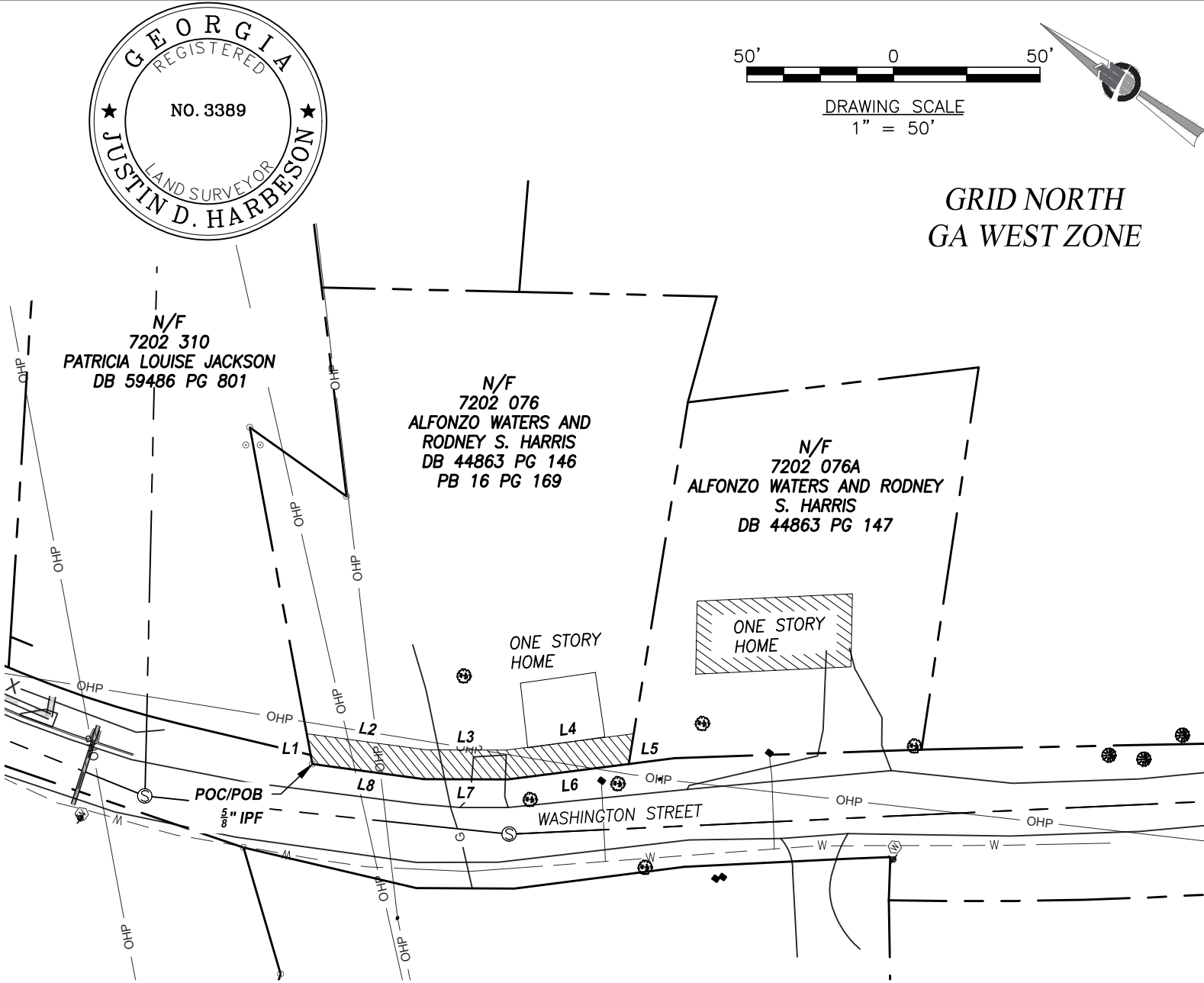
THENCE along said right-of-way, North 43°02'34" West, 41.60 feet to a point;

THENCE North 35°30'45" West, 28.65 feet to a point;

THENCE North 28°04'22" West, 38.42 feet to a point; said point being the Point of Beginning. Said tract having 0.025 acres or 1,105 S.F.

| EASEMENT TABLE | |
|---|--|
|  | PROPOSED TEMP CONSTRUCTION EASEMENT - 1,105 SQ.FT. |

| EASEMENT TABLE | | |
|----------------|--------|---------------|
| Line # | Length | Direction |
| L1 | 10.53 | N43° 42' 15"E |
| L2 | 41.06 | S28° 04' 22"E |
| L3 | 27.34 | S35° 30' 45"E |
| L4 | 43.91 | S43° 02' 34"E |
| L5 | 10.43 | S63° 30' 00"W |
| L6 | 41.60 | N43° 02' 34"W |
| L7 | 28.65 | N35° 30' 45"W |
| L8 | 38.42 | N28° 04' 22"W |



| | |
|-------------|-----------|
| DATE | 7/13/2022 |
| SCALE | 1" = 50' |
| DRAWING NO. | 8722 |
| SHEET | 1 |



**patterson
& dewar**
ENGINEERS

850 Center Way | Norcross, GA 30071
(770) 453-1410 | pdengineers.com
Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT

GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 202 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

PARCEL ID - 7202 076

| No. | DATE | REVISION |
|---------------|---------|-------------------------------------|
| 1 | 7/28/22 | REVISED PARCEL 7202 076 ID LOCATION |
| | | |
| | | |
| | | |
| Drawn By: JDW | | Checked By: JDH |

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE
3328 WASHINGTON 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 to complete the sewer system improvement project; and

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

WHEREAS, the negotiations with the owners of the Property, RODNEY S. HARRIS and ALFONZO WATERS, 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 September 11, 2023, at a meeting to be convened at 6:00 p.m.; and

WHEREAS, on August 20, 2023, fifteen (15) or more days prior to said public meeting, 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; and

WHEREAS, on August 16, 2023, more than fifteen (15) days prior to said public meeting, 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.

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 the use of 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 EASEMENT - PID 7202 076A

All that tract or parcel of land lying and being in the 202ND Land Lot and the 7th District of Gwinnett County Georgia.

Commencing at point (N 1,455,088.2, E 2,306,048.2) on the Northly right-of-way of Washington St., said point being the Point of Beginning. From said Point of Beginning,

THENCE North 63°30'00" East, 10.43 feet to a point;


THENCE South 43°02'34" East, 13.24 feet a point;

THENCE South 37°44'34" East, 86.63 feet to a point;

THENCE South 62°44'52" West, 10.17 feet to a point;

THENCE North 37°44'34" West, 84.31 feet a point;

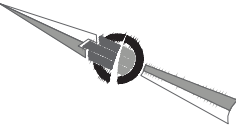
THENCE North 43°02'34" West, 15.74 feet to a point; said point being the Point of Beginning. Said tract having 0.023 acres or 994 S.F.

| EASEMENT TABLE | |
|--|---|
|  | PROPOSED TEMP CONSTRUCTION EASEMENT - 994 SQ. FT. |

| EASEMENT TABLE | | |
|----------------|--------|---------------|
| Line # | Length | Direction |
| L1 | 10.43 | N63° 30' 00"E |
| L2 | 13.24 | S43° 02' 34"E |
| L3 | 86.63 | S37° 44' 34"E |
| L4 | 10.17 | S62° 44' 52"W |
| L5 | 84.31 | N37° 44' 34"W |
| L6 | 15.74 | N43° 02' 34"W |



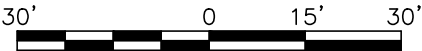
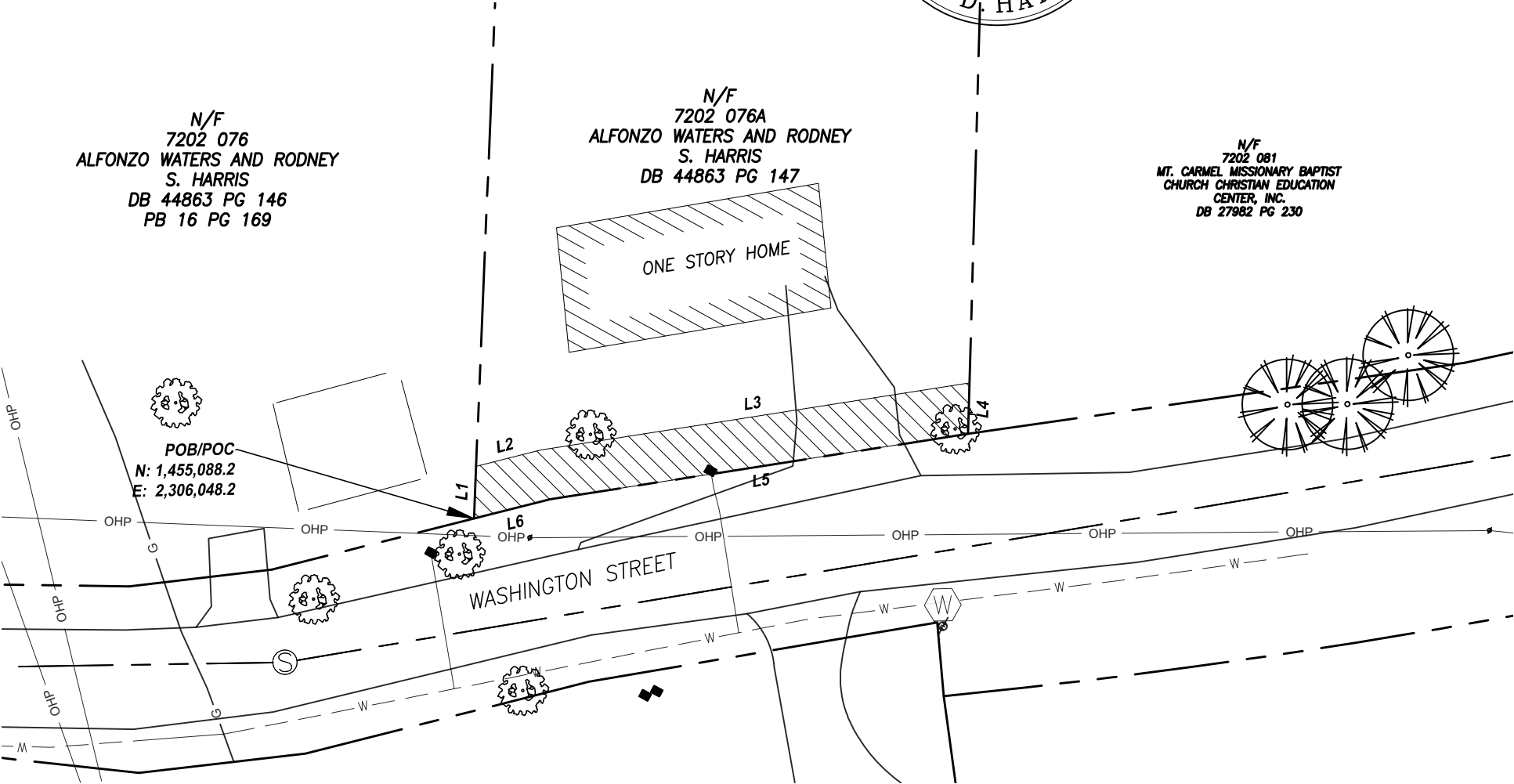
GRID NORTH
GA WEST ZONE



N/F
7202 076
ALFONZO WATERS AND RODNEY
S. HARRIS
DB 44863 PG 146
PB 16 PG 169

N/F
7202 076A
ALFONZO WATERS AND RODNEY
S. HARRIS
DB 44863 PG 147

N/F
7202 081
MT. CARMEL MISSIONARY BAPTIST
CHURCH CHRISTIAN EDUCATION
CENTER, INC.
DB 27982 PG 230



DRAWING SCALE
1" = 30'

| | |
|-------------|-----------|
| DATE | 7/13/2022 |
| SCALE | 1" = 30' |
| DRAWING NO. | 8722 |
| SHEET | 1 |



**patterson
& dewar**
ENGINEERS

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(770) 453-1410 | pdengineers.com
Engineers - Surveyors - Construction Management

EASEMENT EXHIBIT

GCDWR

DULUTH HILL SEWER EXTENSION

LAND LOT 202 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA

PARCEL ID - 7202 076A

| No. | DATE | REVISION |
|---------------|---------|-------------------|
| 1 | 7/28/22 | REVISED PARCEL ID |
| | | |
| | | |
| | | |
| Drawn By: MDW | | Checked By: JDH |