

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES
EASEMENT PROCEDURES

Any easements that will not be dedicated to the County by a recorded final plat must be granted to Gwinnett County by easement document. Off-site easements will be granted from off-site parcel owners to developer. Developer shall assign such easements to Gwinnett County Water and Sewerage Authority utilizing a standard Gwinnett County Assignment form.

Off-site easements are to be negotiated by the developer with the owner(s) of the property the sewer will cross. If unable to acquire through reasonable negotiation, the developer may request that the County acquire the easement through condemnation. This requires approval by the Gwinnett County Board of Commissioners. The final decisions whether or not to condemn rests with the Board of Commissioners. All costs associated with condemnation will be at the developer's expense. Ask for additional instructions and requirements if a request for condemnation appears inevitable.

1. **Use Gwinnett County Water Resources easement forms:** Agreements between the property owner and the developer should be separate from the County dedicated easement and not made an attachment thereto. Gwinnett County sanitary sewer standards state "no conditional easements or easements with special stipulations may be granted to the County". Therefore, assignment of other easement forms is not acceptable.

2. Complete information for date, parties, land lot, district, parcel number and plat information.

3. **Sign documents as follows:**

A **Corporation** requires the signature and title of either the president or vice president and a corporate seal **OR** the signature and title of either the president or vice president and an attest signature and title of either the secretary or treasurer.

A **Limited Liability Corporation or LLC** requires the signature and title of a member.

A **Limited Partnership or LP** requires the signature and title of the managing general partner.

A **Trust** requires the signature of the trustee or trustees.

An **Individual** requires a signature by every individual holding title, exactly as he or she took title.

4. Print name and title (if applicable) under the signature(s).

5. Must be signed by both (1) an unofficial witness and (2) a Notary Public. The Notary's seal must be affixed.

6. Sanitary sewer easements require the attachment of an 8 ½" x 11" or 8 ½" x 14" plat showing the easement area with a metes and bounds description of the easement area. The north arrow must be shown. Label as attachment "A". Reference to the plans only will not be accepted.

WATER METERING DEVICES DO NOT REQUIRE ATTACHMENTS.

7. **DO NOT RECORD THE EASEMENT**

Submit original signed, notarized documents and completed submittal form to the Stormwater/Water/Sewer Plan Review Section of Gwinnett County Planning and Development. Documents will be recorded by the county after the easement document(s) are approved.

Sanitary Sewer design plans will not be approved until all easement documents have been received. Utility Construction Permits will not be issued until all easement documents have been approved.

For additional information concerning easement requirements refer to the current edition of Gwinnett County Sanitary Sewer Standards for Developers. Or contact Tom Davidson, 770-822-7069, tom.davidson@gwinnettcountry.com.

**EXPLANATION OF GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
STANDARD FORMS:**

EASEMENT FORMS:

- 1. EASEMENT:** This **EASEMENT FORM** can be used to dedicate an easement from a Property Owner to a Developer, giving the Developer access during the construction of the line, or it can dedicate an easement from a Property Owner to Gwinnett County Water and Sewerage Authority.

- 2. ASSIGNMENT EASEMENT:** The **ASSIGNMENT EASEMENT** is used by the Developer to assign an *existing easement (previously dedicated to the Developer)* to Gwinnett County Water and Sewerage Authority after installation of the line.

- 3. WATER METERING DEVICE EASEMENT:** The **WATER METERING DEVICE EASEMENT** is used to dedicate the easement for water metering devices or equipment to Gwinnett County Water and Sewerage Authority.

**FOR INFORMATION CONCERNING EASEMENT FORMS
PLEASE CONTACT**

**Tom Davidson, Real Estate Specialist 770-822-7069
e-mail Tom.Davidson@gwinnettcountry.com**

OWNER/DEVELOPER AGREEMENTS:

- 1. SANITARY SEWER OWNER/DEVELOPER AGREEMENT:** This form is required if an 8-inch or larger sewer main is to be installed and dedicated to Gwinnett County Water and Sewerage Authority.

- 2. WATER MAIN OWNER/DEVELOPER AGREEMENT:** This form is required if an 8-inch or larger water main is to be installed and dedicated to Gwinnett County Water and Sewerage Authority.

- 3. WATER METERING DEVICE OWNER/DEVELOPER AGREEMENT:** This form is required if a private fire line with DDC or meters 3-inch or larger are being installed.

**FOR INFORMATION CONCERNING OWNER/DEVELOPER
AGREEMENT FORMS PLEASE CALL GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
WATER/SEWER PLAN REVIEW 678-518-6000**

THE DEVELOPMENT REVIEW PROCESS REQUIRES THE FOLLOWING INFORMATION IN ORDER TO APPROVE AND RECORD EASEMENTS:

PROJECT NAME: _____

DISTRICT/LANDLOT/PARCEL _____ - _____ - _____

DEVELOPER NAME: _____

ADDRESS: _____ (City) _____ (Zip) _____

CONTACT NAME: _____ **PHONE#:** _____ **EXT. #** _____

EMAIL: _____

ENGINEERING FIRM: _____

ADDRESS _____ (City) _____ (Zip) _____

CONTACT NAME: _____ **PHONE NO:** _____ **EXT. #** _____

EMAIL: _____

INCLUDE THE FOLLOWING ITEMS IN YOUR SUBMITTAL PACKAGE:

- **THIS FORM FOR GWINNETT COUNTY WATER RESOURCES DEPARTMENT**
- **PLAT NO LARGER THAN 8 ½ X 14**, SHOWING LOCATION, WIDTH OF EASEMENT, METES AND BOUNDS & NORTH ARROW
- **WARRANTY DEED(S)- FOR ONSITE AND OFFSITE PROPERTIES THAT HAVE CHANGED OWNERSHIP WITHIN THE PAST 12 MONTHS.**
- **COMPLETE DETAILS OF THE DISTRICT, LAND LOT, PARCEL NUMBERS & TERM OF TEMPORARY CONSTRUCTION**

SIGNATURE LINES FOR EASEMENTS MUST COMPLY WITH GEORGIA LAW:

_____ **INDIVIDUAL**- SIGNED EXACTLY AS YOU TOOK TITLE
(GRANTOR OF EASEMENT SHALL BE SAME AS GRANTEE ON WARRANTY DEED)

_____ **TRUST**- SIGNATURE OF TRUSTEE (S)
(IF TRUSTEES HAVE CHANGED, AN ENCUMBANCY LETTER IS REQUIRED)

_____ **GENERAL PARTNERSHIP**- SIGNATURE OF ALL PARTNERS

_____ **LIMITED PARTNERSHIP**- SIGNATURE AND TITLE OF MANAGING GENERAL PARTNER (WE REQUIRE NAME AND TITLE PRINTED BELOW SIGNATURE)

_____ **LIMITED LIABILITY COMPANY**- SIGNATURE AND TITLE OF A MEMBER

_____ **CORPORATION**-SIGNATURE OF THE PRESIDENT OR VICE PRESIDENT OF THE CORPORATION AND BE ATTESTED BY THE SECRETARY OR TREASURER OF THE CORPORATION AND TITLE AND NAME CLEARLY PRINTED (2 Signatures)

-OR-

SIGNATURE OF THE PRESIDENT OR VICE PRESIDENT ALONG WITH THE CORPORATE SEAL AND TITLE AND NAME CLEARLY PRINTED (1 Signature *plus* Corporate Seal)

SIGNED: _____ DATE: _____

Received By:	
____ Maja Radovic	678-548-6168
____ Eric Pierson	678-518-6177
____ Charli Young	678-518-6153
____ Bob Wheelchel	678-518-6185

Contact For Missing Information/Questions: Gwinnett County Department of Support Services
Tom Davidson Phone: 770.822.7069 Tom.Davidson@gwinnettcounty.com

RETURN TO: DoSS/REAL ESTATE

ATTN: _____

PROJECT NAME: _____

EASEMENT

GEORGIA, GWINNETT COUNTY

THIS INDENTURE, made this ___ day of _____, 201___, between _____, hereinafter referred to as party of the first part, and _____, hereinafter referred to as the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, an easement for the purpose of locating, constructing, maintaining, repairing, replacing and relocating within same, sanitary sewer and/or water lines and their appurtenances within said easement being described as to width in Attachment "A". Said Attachment shall be considered the legally controlling description of this conveyance. The party of the second part shall have access to said easement for the purposes previously stated.

The said easement being more particularly defined as a portion of that property in Land Lot ___ of the ___ Land District, being described by the tax parcel _____ of Gwinnett County, Georgia, for sanitary sewer and water lines as shown on the attached plat labeled as Attachment "A" prepared by _____ and dated _____.

In addition hereto, party of the first part grants and conveys to party of the second part, a temporary construction easement being described as to dimensions in Attachment "A" and provided further that all rights in and to said temporary construction easement shall immediately cease and terminate ___ months from the date of execution of this document.

The party of the first part does hereby covenant with party of the second part that it is the owner of record and is lawfully seized and possessed of the property above described, and has a good and lawful right to convey said property, or any part thereof, and is free from all encumbrances, and will forever warrant and defend title thereto against the lawful claims of all persons whomsoever.

The party of the first part further covenants that no buildings or permanent structures will be constructed upon, over or across the easement described herein.

The party of the first part does hereby further covenant that the grade or amount of dirt upon, over and across the easement will not be altered without the prior permission of the party of the second part.

The party of the first part also covenants that no changes will be made to the surface within or adjoining the permanent easement that would create a condition whereby standing water would accumulate upon, over or across the easement area without the prior permission of the party of the second part.

TO HAVE AND TO HOLD, the said easement unto the party of the second part, its successors and/or assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and affixed his seal, the day and year first above written.

Signed, sealed, and delivered this
____ day of _____, 201___
in the presence of:

Unofficial Witness

Notary Public

By: _____ (seal)
(Signature)

(Print Name) Title

Attest: _____ (seal)
(Signature)

(Print Name) Title

RETURN TO: DoSS/REAL ESTATE
ATTN: _____

PROJECT NAME: _____

ASSIGNMENT EASEMENT

GEORGIA, GWINNETT COUNTY

THIS INDENTURE, made this _____ day of _____ 201__, between _____, hereinafter referred to as party of the first part, and **GWINNETT COUNTY WATER AND SEWERAGE AUTHORITY**, a political subdivision of the State of Georgia, hereinafter referred to as the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE (\$1.00) DOLLAR** and other valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, their successors and/or their assigns an easement for the purpose of locating, constructing, maintaining, repairing and relocating within same, sanitary sewer and/or water lines and their appurtenances within said easement being described as to width in Attachment A.

The said easement being more particularly defined as a portion of that property in Land Lot ____ of the ____ Land District, being described by the tax parcel _____ of Gwinnett County, Georgia, for an easement as shown on the attached plat prepared _____ and labeled as Attachment "A".

This is an assignment of all rights and interests in and to the existing easement previously recorded in Deed Book _____ page(s) _____, Gwinnett County, Georgia records.

The party of the first part does hereby covenant with party of the second part that it has a good and lawful right to assign said easement.

TO HAVE AND TO HOLD, the said easement unto the party of the second part, its successors and/or assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hands and affixed its seals, the day and year first above written.

Signed, sealed, and delivered this _____ day of _____, 201__
in the presence of:

Unofficial Witness

Notary Public

By: _____ (seal)
(Signature)

(Print Name) Title

Attest: _____ (seal)
(Signature)

(Print Name) Title

WATER METERING DEVICE AND ACCESS EASEMENT

GEORGIA, GWINNETT COUNTY

THIS INDENTURE, made this _____ day of _____, 201____, by and between _____, party of the first part and **GWINNETT COUNTY WATER AND SEWERAGE AUTHORITY**, a political subdivision of the State of Georgia, hereinafter referred to as the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE (\$1.00) DOLLAR** and other valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, their successors and/or their assigns, an easement for the purpose of accessing, inspecting and maintaining water metering devices located within the said easement.

The maintenance of piping, backflow preventers, vaults and all other appurtenances located within the above described easement, with the exception of the metering devices shall be the sole responsibility of the party of the first part.

The said easement being more particularly defined as a portion of that property in Land Lot _____ of the _____ Land District, being described by the tax parcel # _____ of Gwinnett County, Georgia, as shown on the plans and record drawings of _____ on file with the Gwinnett County Department of Water Resources which by reference is incorporated herein.

The party of the first part does hereby covenant with party of the second part that it is the owner of record and is lawfully seized and possessed of the property above described, and it has a good and lawful right to convey said property, or any part thereof, and it is free from all encumbrances, and that it will forever warrant and defend title thereto against the lawful claims of the persons whomsoever.

TO HAVE AND TO HOLD, the said easement unto the party of the second part, its successors and/or assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hands and affixed its seals, the day and year first above written.

Signed, sealed, and delivered this _____ day of _____, 201____
in the presence of:

Unofficial Witness

Notary Public

By: _____(seal)
(Signature)

(Print Name) Title

Attest: _____(seal)
(Signature)

(Print Name) Title