

LUMPKIN COUNTY RESOLUTION NO. 2010-26

A RESOLUTION TO ADOPT THE ROAD
WITHIN
FARM VIEW SUBDIVISION, PHASE II
AND ADDITIONAL RIGHT OF WAY ON FORTNER DRIVE

Whereas, the Lumpkin County Planning Director has recommended to the governing authority of Lumpkin County that the road within Farm View Subdivision, Phase II, has been developed in accordance with the plans approved by the planning office, that the condition of the road has been found acceptable to the public works department and the certificate of title has been found acceptable to the county attorney; and,

Whereas, the governing authority of Lumpkin County now desires to adopt that certain road in Farm View Subdivision, Phase II, as a county road;

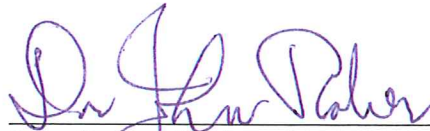
Now therefore, it is hereby resolved that the following road is adopted as a Lumpkin County road:

<u>Road Name:</u>	<u>Right of Way Width:</u>	<u>Length of Road:</u>
Farm View Lane	60'	661 ft (0.125 mi)

This road is more particularly set out on that Final Plat of Farm View Subdivision, Phase II, as recorded in Plat Cabinet 1, Slide 132, Plats 21A-23, Lumpkin County Records.


It is further resolved that the strip of real property, being 15 feet in width, lying between the existing right of way of Fortner Drive and Farm View Subdivision, Phase II, as is set out on the above referenced plat of survey, is accepted as additional right of way of Fortner Drive.

Resolved, adopted and effective this 20th day of May, 2010.



John Raber, Chairman
Lumpkin County Board of Commissioners

Attest:



Ruth A. Bohac
Clerk, Lumpkin County

After recording return to:
Horne & Horne, P.C.
P.O. Box 37
Dahlonega, Georgia 30533

Re: Farm View Lane

RIGHT OF WAY DEED

STATE OF GEORGIA,
LUMPKIN COUNTY.

THIS INDENTURE, made this 29th day of April, 2010, between Tracy L. Grizzle, individually and as Executor of the Last Will and Testament of Brenda A. Grizzle, deceased, the undersigned Grantor, and LUMPKIN COUNTY, a political subdivision of the State of Georgia, as Grantee.

WITNESSETH that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid, the Grantor does grant and convey unto the Grantee, its successors and assigns, the following described property:

ALL THAT TRACT OF LAND lying and being in Land Lot 1172 of the 12th District, 1st Section, and Land Lots 428 and 429 of the 15th District, 1st Section of Lumpkin County, Georgia, and being that land lying within the following roadway:

Name of Road:	Right of Way Width:
Farm View Lane	60'

as shown on that certain Final Class III Subdivision Plat for Farm View Subdivision (Phase II) prepared by Douglas R. Sherrill, Georgia Registered Land Surveyor, which plat is recorded in Plat Cabinet 1, Slide 132, Plats 21A-23, Lumpkin County Records. Said plat of survey is incorporated herein by reference for a full and complete description of the rights-of-way conveyed herein.

For the same consideration, Grantor herein releases Lumpkin County from any claim of damage arising on account of the maintenance of said roadways, or the slopes, fills, embankments, ditches, culverts or bridges, or an account of back waters or changing courses of any streams, or in any other manner.

Page Two
Right of Way Deed

To have and to hold the bargained premises unto Grantee, its successors and assigns forever, in Fee Simple.


Party of the first part will forever warrant and defend the title to the bargained premises unto party of the second part, its successors and assigns against the claims of all persons whomsoever.

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

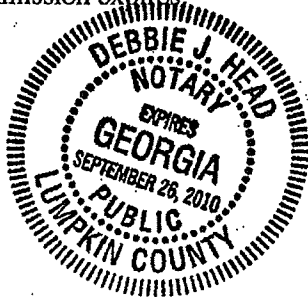
Signed, sealed and delivered
in our presence this 29th day
of April, 2010.




Unofficial Witness



Notary Public
Commission expires:





(SEAL)
Tracy L. Grizzle, individually and as Executor
of the Last Will and Testament of Brenda A. Grizzle

After recording return to:
Horné & Horne, P.C.
P.O. Box 37
Dahlonega, Georgia 30533

Re: Fortner Drive

RIGHT OF WAY DEED

STATE OF GEORGIA,
LUMPKIN COUNTY.

THIS INDENTURE, made this 29th day of April, 2010, between Tracy L. Grizzle, individually and as Executor of the Last Will and Testament of Brenda A. Grizzle, deceased, the undersigned Grantor, and LUMPKIN COUNTY, a political subdivision of the State of Georgia, as Grantee.

WITNESSETH that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid, the Grantor does grant and convey unto the Grantee, its successors and assigns, the following described property:

ALL THAT TRACT OF LAND lying and being in Land Lot 428 of the 15th District, 1st Section of Lumpkin County, Georgia, and being that tract of land being 15 feet in width lying adjacent to the existing right of way of Fortner Drive as shown in the Road Dedication Detail on that certain Final Class III Subdivision Plat for Farm View Subdivision (Phase II) prepared by Douglas R. Sherrill, Georgia Registered Land Surveyor, which plat is recorded in Plat Cabinet 1, Slide 132, Plats 21A-23, Lumpkin County Records. Said plat of survey is incorporated herein by reference for a full and complete description of the rights-of-way conveyed herein.

For the same consideration, Grantor herein releases Lumpkin County from any claim of damage arising on account of the maintenance of said roadways, or the slopes, fills, embankments, ditches, culverts or bridges, or an account of back waters or changing courses of any streams, or in any other manner.

To have and to hold the bargained premises unto Grantee, its successors and assigns forever, in Fee Simple.

Party of the first part will forever warrant and defend the title to the bargained premises unto party of the second part, its successors and assigns against the claims of all persons whomsoever.

Page Two
Right of Way Deed

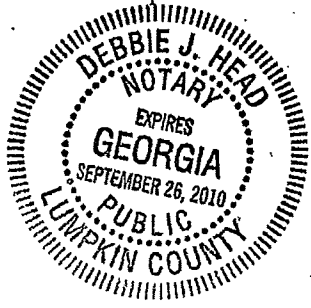
IN WITNESS WHEREOF party of the first part has hereunto set his hand and seal the day and year above written.

Signed, sealed and delivered
in our presence this 29th day
of April, 2010.

[Signature]
Unofficial Witness

[Signature]
Notary Public

Commission expires:



[Signature] (SEAL)
Tracy L. Grizzle, individually and as Executor
of the Last Will and Testament of Brenda A. Grizzle

LAW OFFICES
HORNE & HORNE, P.C.
POST OFFICE BOX 37
215 MORRISON MOORE PARKWAY EAST
DAHLONEGA, GEORGIA 30533
708-864-7303 FAX 708-864-8059

KELSO C. HORNE, JR.
JOY L. EDELBERG

JUNE EDGENS HORNE
(1883-1982)

May 8, 2006

Lumpkin County
99 Courthouse Hill, Ste A
Dahlonega, Georgia 30533

Re: Farm View Lane

CERTIFICATE OF TITLE

This is to certify that I have made or caused to be made an examination of the necessary records of title to the real property described in the Schedule "A" which is attached to this Certificate, and according to the general indexes on file in Lumpkin County, Georgia, find good merchantable fee simple title to be in:

Tracy L. Grizzle and Brenda A. Grizzle

This examination of title does not include any transactions completed or recorded after 8:00 a.m. on the 30th day of April, 2006.

SEARCH PERIOD:

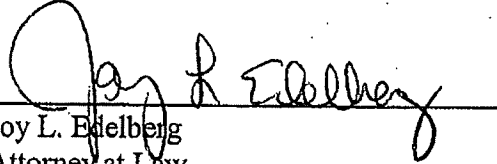
This Certificate is based upon an examination of the Lumpkin County records extending back from the date of this Certificate for a period of 50 years.

SPECIAL LIENS, EXCEPTIONS AND OBJECTIONS:

1. Right of Way Easement to Amicalola EMC recorded in Deed Book T-37, Page 665, Lumpkin County Records.

I further certify that I am an attorney at law licensed to practice law in the State of Georgia and that I have no possessory interest in the subject property.

This 4th day of May, 2006.


Joy L. Edelberg
Attorney at Law

Schedule "A"

Property covered by this certificate is accurately described as follows:

ALL THAT TRACT OF LAND lying and being in Land Lot 1172 of the 12th District, 1st Section, and Land Lots 428 and 429 of the 15th District, 1st Section of Lumpkin County, Georgia, and being that land lying within the following roadway:

Name of Road:

Right of Way Width:

Farm View Lane

60'

as shown on that certain Final Class III Subdivision Plat for Farm View Subdivision (Phase II) prepared by Douglas R. Sherrill, Georgia Registered Land Surveyor, which plat is recorded in Plat Cabinet 1, Slide 132, Plats 21A-23, Lumpkin County Records. Said plat of survey is incorporated herein by reference for a full and complete description of the rights-of-way conveyed herein.

GEORGIA LUMPKIN COUNTY
CLERKS OFFICE SUPERIOR COURT

Filed 3/21/06 M 5/23/06
Recorded in Cabinet 1 Side 132 PA 215

EDWARD E. FRISVOLD
Clerk of Superior Court

3. In general, the subdivision is comprised of eleven lots numbered #1 through #11, ranging from 1.01 acres to 1.15 acres in size with gently to moderately sloping terrain and various topographical features that could affect the use/operation of On-Site Sewage Management Systems. A level-three soil analysis was completed by Kevin W. Herndon of Horizon Environmental, Inc., Braselton, Georgia, on December 16, 2005, (revised May 4, 2006 and modified by fax dated May 19, 2006) and is on file in this office. That soil analysis is overlaid on the layout and would be useful in preparing the site plans for the lots. For septic purposes, the most usable soils identified by the soil classifier are Pacolet, Kion, Udortheat Cut, Cecil, Hiwassee, Gwinnett, and to a lesser degree, due to their relatively slow percolation rate, Mecklenberg, Lloyd, and Davidson.
4. The subdivision is approved for individual wells; and the proposed locations for individual wells for each lot, with the 100-foot septic setback from each well, are shown on the Enal plat.
5. To insure that the On-Site Sewage Management Systems will not be affected by storm water or surface water, precautions must be taken to avoid surface runoff or ponding in the areas where the drain field is to be installed.
6. Approval of the subdivision as a whole does not mean that each lot in the subdivision will be suitable for an On-Site Sewage Management System for your specific desires in terms of size and location of house, driveway, etc. Each lot must be applied for and permitted on an individual basis depending on the particulars of that lot. Number of bedrooms; size and location of the house; driveway; the amount, type, and topography of septic drain field area and septic replacement area must be considered on an individual basis when a septic system permit is applied for. Soil type; topography; grading; trash pits (if any); and location of a well, stream, or spring on the lot or on adjoining lots can negatively affect a lot for septic drain field suitability.

Sincerely,



David Wright
Environmental Health Specialist IV

