

Agenda Request Form

Cherokee County School District

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| Meeting Date |
| March 16, 2017 |

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| Agenda Item Number |
| H-1 |

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| Title |
| Boundary Line Agreement at the Buffington Educational Service Center |
| Requested Action |
| School Board Consideration for Approval of Boundary Line Agreement at the Buffington Educational Service Center |
| Summary Explanation and Background |
| <p>As one of School District's longest held properties, the Buffington Educational Service Center's legal description of its boundary lines was created prior to advent of modern surveying technology. As such, the School District was recently made aware that a map-related property line conflict exists between updated surveys completed by CCSD and at least one neighboring property owner.</p> <p>In that regard, the School Board Attorney and that property owner have negotiated a Boundary Line Agreement, pending School Board approval, establishing that the School District's most recent survey of the property as the accepted document for the legal description of the western boundary line between the Buffington Educational Service Center and the adjoining property.</p> |
| Major System Priority |
| Increasing Accountability |
| Financial Impact |
| None |
| Exhibits: (List) |
| Boundary Line Agreement |

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| Board Action |
| <i>(For Official School Board Records Only)</i> |

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| Source of Additional Information |
| Tom Roach 770-479-1406 |

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

Approved in Open Board Meeting on: _____ (Date)

By: _____ (School Board Chairman)

Please return to:
Roach, Caudill & Gunn
111 West Main Street
Canton, Georgia 30114

STATE OF GEORGIA
CHEROKEE COUNTY

BOUNDARY LINE AGREEMENT

THIS AGREEMENT by and between the CHEROKEE COUNTY SCHOOL DISTRICT, (hereinafter referred to as "First Party"), and BENJAMIN LEE KEY, (hereinafter jointly referred to as "Second Party").

WITNESSETH:

WHEREAS, the First Party is the owner of that certain property located in Cherokee County, Georgia, being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference; and;

WHEREAS, the Second Party is the owner of property adjoining the West line of the above described property, and;

WHEREAS, the property line between the parties was previously surveyed by Johnston Surveying, LLC on February 20, 2011 by the First Party, a copy of said survey is attached hereto as Exhibit "A", and the First Party and the Second Party desire to establish the common boundary line as a matter of mutual convenience and the parties now desire to enter into this Agreement for the purpose of establishing the boundary line between their respective properties, to cure any encroachment or title matters as shown by any other surveys.

NOW, THEREFORE, for and in consideration of One and No/100 Dollars (\$1.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the First Party and the Second Party do hereby covenant and agree as follows:

1.

The common boundary line between the property of the First Party and property of the Second Party as defined herein shall be that line described on Exhibit "A," which shall be established as the correct boundary line between the properties, and each party hereby specifically QUITCLAIMS to the other such areas respectively adjoining said line as are required to establish the same as a boundary.

2.

This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective grantees, transferees, successors-in-title, heirs, and assigns.

3.

This Agreement is to be governed, construed, and enforced in accordance with the laws of the State of Georgia.

IN WITNESS WHEREOF, the undersigned have caused this Boundary Line Agreement to be executed, sealed, and effective against the undersigned as of the date of execution set forth below.

Signed, sealed and delivered
in the presence of:

CHEROKEE COUNTY SCHOOL SYSTEM

Witness

BY: _____

Notary Public

ATTEST: _____

(SEAL)

Signed, sealed and delivered
in the presence of:

Kelley Corney
Witness

Benjamin Lee Key (SEAL)

Meghan Wiggins
Notary Public



