
Sec. 15-75. Additional specifications for final plats involving private streets.

No final plat involving a private street shall be approved by the community development director for recording unless and until it shall contain the following on the face of the plat:

- (a) The private street shall be located within an exclusive and irrevocable access and utility easement granted to the city. The access and utility easement shall be no less wide than that required for right-of-way for a similar public street. All lot area requirements, setbacks and other requirements of the applicable zoning district shall be measured outside of or from such access and utility easement. As an alternative, the private street may be located within a separate parcel of land, no less wide than that required for right-of-way for a similar public street, owned by a homeowner's association for the development and granting an exclusive and irrevocable access and utility easement to the city.
- (b) Covenants, or reference to the deed book and page of the recorded covenants.
- (c) "The City of Powder Springs has no responsibility to build, improve, maintain, or otherwise service the private streets, drainage improvements, and other appurtenances contained within the general public purpose access and utility easement or easements for private streets shown on this plat."
- (d) "Grant of Easement. The general purpose access and utility easement(s) shown on this plat for private street(s) is (are) hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to the City of Powder Springs, and to public or private utility providers serving the subdivision, for the installation and maintenance of utilities, including, but not limited to, electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, together with the right to trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance, and replacement of such lines.

Signature of Property Owner"

- (e) A note shall be included as follows: "The City of Powder Springs is not responsible for the maintenance of landscaping installed per the development code. It shall be unlawful to remove landscaping required by the development code without permission from the city's department of community development.