



## Planning Commission Meeting

### AGENDA

Tuesday, August 16, 2022

5:30 PM

215 N. Broad St

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I. **CALL TO ORDER**

II. **ROLL CALL**

III. **APPROVAL OF AGENDA**

IV. **MINUTES OF PREVIOUS MEETING**

[1.](#) Previous Minutes 7/19/2022

V. **REPORT FROM CODE ENFORCEMENT OFFICER**

VI. **OLD BUSINESS**

VII. **NEW BUSINESS**

[1.](#) Request for Rezone (US Hwy 78 & Aycock Ave) PCD to PCD with Modifications

[2.](#) Request for Variance - Driveway reduction - SW corner US Hwy 78 & Aycock Ave

[3.](#) Request for Variance - 204 Felker St - Front Facing Garage

VIII. **ADJOURNMENT**

**MONROE PLANNING COMMISSION  
MEETING MINUTES—July 19, 2022—Draft**

**Present:** Rosalind Parks, Randy Camp, Sara Shropshire

**Absent:** Mike Eckles, Nate Treadaway

**Staff:** Brad Callender – City Planner  
Laura Wilson - Code Assistant

**Visitors:** Jay Barringer, David Moon, John Argo, Ryan Fritz, Rick Maxian, Jennifer Wolfe, Johanna Hensley

Call to Order by Acting Chairman Camp at 5:30 pm.

Motion to Approve the Agenda as presented:

Motion Shropshire. Second Parks  
Motion carried

Acting Chairman Camp asked for any changes, corrections or additions to the June 21, 2022 minutes.

Motion to approve

Motion Parks. Second Shropshire.  
Motion carried

Acting Chairman Camp asked for the Code Officer’s Report: None

Old Business:

**The First Item of Old Business:** is Rezone Case #1086, a request to consider rezoning ±95.42 acres located at the east side of Charlotte Rowell Blvd, the north side of US Hwy 78, and the west side of N. Broad St. The property is currently zoned Planned Commercial District with a request to change it to Planned Commercial District with modifications. The applicant is Columbia Engineering on behalf of the owner, MAB Monroe LLC. The four changes the applicant is requesting are to change the building height maximum to 5 stories, allow for zero-lot line subdivision of the main shopping center building, increase minimum parking allowed with a variance option for future parking increases, and modify elevations to allow compliance with tenant branding. Staff recommends approval with two conditions.

John Argo, from MAB spoke in favor of the project:

- Two of the lots at the Pavilion are designed for hotels and the hotels that want to come to Monroe are in the 4-5 story range.
- A color change to Shops A (presented by Rick Maxian) Verizon would like to use their corporate colors; the standing seam awning will be converted to fabric, and color gray Verizon requested is already used on other locations in the Pavilion

- For the zero-lot line—the condition addressing it to the shopping center building is fine; we have an anchor tenant that wants to have its own tax parcel and we are trying to accommodate that user request. The property line would fall on the common wall between the two buildings
- Parking Changes—This pattern book was adopted in 2019, pre pandemic and the restaurant world has changed since then. The parking request is to accommodate four users (Panda Express, McAlisters, Huey Magoos, and Whataburger)
  - Jay Barringer presented on behalf of McAlisters—extra parking will be needed for customers, curbside service, delivery service, electronic car parking spaces, catering services, and employees. With the current limit of 40 parking spaces will not be able to manage the business to the level needed to stay open. We need to be self-contained on the out parcel and not have employees walking to work. We do not want to lose customers because they drive by and see the parking lot full.
  - David Moon (also with McAlisters): I was with Zaxby's for 19 years as Vice President of Operations and Training. With the focus on curbside and call-in orders you have more and more cars coming in and our concern is being able to serve our customers efficiently
  - Ryan Fritz with Columbia Engineering: We looked at a low, middle, and high parking calculation which you can see in the table included in the packet. The first red column is 1 space/3 seats plus 1/350 sq ft with a 135% max. The middle column is 1 space/3 seats plus 1/350 sq ft with a 150% max. The staff recommendation on the far right is 1 space/4 seats plus 1/400 sq ft with a 150% max. Ideally, we would like the middle to the high column. In the current Plan Book McAlisters is allowed 39 parking spaces and they are hoping for 55/60 spaces. We are trying to accommodate most of the future tenants without each one needing to come back for a variance.
  - Discussion continues about parking—Barringer and Moon agree that 55/56 spaces would be great for McAlisters
- Callender: I have worked with Ryan over the past couple months to come to a compromise of what would work best for the development and the City. The 1 for 4 seats plus the 1/400 sq ft closely aligned with their tenant requirement and as you just heard from a future tenant, they (McAlisters) would be happy with the 56 spaces provided under the 1 for 4 seats plus the 1/400 sq ft plan. It might not work for each one but if the tenant is not happy with their allotment, they can request a variance from City Council.
- Argo: While we have McAlisters here tonight, I have shown the same three tables to Panda, Huey, and Whataburger and they would prefer the 1 space/3 seats plus 1/350 sq ft with a 135% max. That column seems to be satisfactory to all four tenants and avoids a flood of variance requests. I've already lost a food and coffee over this issue. We've done code research in Loganville, Brasleton, Snellville, Walton County, and Madison. The problem is the Monroe maximum in the pattern book is less than their required minimums. We are so far behind what the rest of the area is requiring. While 4 or 5 spaces doesn't seem like a lot, it can be death to these businesses. You guys have been code flexible before to help us establish this pattern book and you could be again.
- Parks: How many employees do you expect to have on at peak times? Barringer: 25/30 people plus shift change

- Callender: There is no shared parking plan for this overall development; having to park all of your customers and employees is problematic for the overall development. Several sites in the city have transitioned to EV parking. There was no extra parking added; they simply just switched from a traditional parking space to EV.
- Parks: How many EV parking spaces are we looking at? Barringer: 2 with the possibility of more.
- Callender: The staff recommendation is a compromise between the current city regulations which are in the plan book and the what the applicant is requesting. The 1 for 3 is almost double what the current regulations are. The 1 for 4 is a middle ground number and it closely relates to what the tenants are asking for.

Acting Chairman Camp: Is that agreeable?

Argo: No that is not our recommendation. It falls short for at least 3 of the other users. We did not propose the furthest column. We were asked to include it for discussion purposes and we did. We would be fine with either of the other two columns.

Acting Chairman Camp: Anyone here to speak in opposition? None

Motion to approve with conditions

Motion Parks. Second Shropshire.  
Motion carried

**The First Item of New Business:** is COA Case #1182, a request for approval of a Certificate of Appropriateness to allow for the replacement of existing signage at 2020 W. Spring St.; the W. Spring St. branch of Bank of America. The request includes replacement of all signage on the site including wall signs, ground signs, and other directional and incidental signs. There are a total of 15 ground signs to be replaced. The focus of our ordinance applies to 5 of the signs—4 walls signs and 1 ground sign. They will be replacing the wall signs 1 for 1 and changing out the internal illumination for halo lighting. The free-standing pylon will be removed and lowered to the ground. The ground sign will also have halo illumination. Staff recommendations approval with two conditions. Jennifer Wolfe and Johanna Hensley spoke in favor of the project. Bank of American agreed to a full base monument sign in replace of the pylon sign.

Acting Chairman Camp: Anyone here to speak in opposition? None

Motion to approved with conditions

Motion Shropshire. Second Parks.  
Motion Carried

Acting Chairman Camp entertained a motion to adjourn.

Motion to adjourn

Motion Parks. Second Shropshire.  
Meeting adjourned; 6:15pm



**Planning**  
**City of Monroe, Georgia**  
**REZONE STAFF REPORT**

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**APPLICATION SUMMARY**

**REZONE CASE #:** 1183

**DATE:** August 8, 2022

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Jacks Creek Landing LLC

**PROPERTY OWNER:** Jacks Creek Landing LLC

**LOCATION:** Southwest corner of US Hwy 78 & Aycok Avenue

**ACREAGE:** ±26.644

**EXISTING ZONING:** PCD (Planned Commercial District)

**EXISTING LAND USE:** Undeveloped

**ACTION REQUESTED:** Rezone PCD to PCD with Modifications

**REQUEST SUMMARY:** The owners are petitioning for a modification to the pattern book of the previously approved rezone of this property to modify the development from a mixed commercial/light industrial project to a mixed use multi-family and commercial project.

**STAFF RECOMMENDATION:** Staff recommends approval of this rezone modification subject to conditions.

**DATES OF SCHEDULED MEETINGS**

**PLANNING COMMISSION:** August 16, 2022

**CITY COUNCIL:** September 13, 2022

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**REQUEST SUMMARY**

**REZONE REQUEST SUMMARY:**

The applicant is requesting approval of modifications to the PCD pattern book approved under Rezone #000016 (M-1 to PCD) by the City Council on August 3, 2021. The applicant proposes to change the development from a mixed commercial/light industrial project to a mixed use multi-family and commercial project. The applicant has provided an updated pattern book which includes the required elements describing details of the project. A majority of the site will now be slated for a multi-family development with a maximum potential of 282 units. The remainder of the site will become a ±1.85 acre commercial out lot at the northeast corner of the site and will allow uses permitted in the B-3 zoning district. The site will have two entrances, one from US Hwy 78 and one from Aycok Avenue. The Development Regulations require 3 entrances into a development with over 200 residential units. The applicant has submitted a concurrent variance request to reduce the number of required entrances from 3 to 2.

## PROPOSED PROJECT AMENDMENT SUMMARY:

- Total Site – ±26.644 Acres
- Multi-Family Residential
  - Development Area – ±24.53 Acres
  - Total Units – 282
  - Parking Spaces – 423 (1.5 per unit)
  - Maximum Building Height – 3 Stories
  - Unit Sizes
    - 1 Bedroom-800 Sf
    - 2 Bedroom-1,000 Sf
    - 3-Bedroom-1,200 Sf
  - Proposed Architecture
    - Option A includes typical garden-style apartment architecture with gabled roofs and varying color schemes; exterior facades include combinations of stone, stucco and wood
    - Option B includes classical revival style architecture with parapet roofs and varying color schemes; exterior facades include combinations of brick, stucco, and architectural metal
  - Maximum Lot Coverage – 60%
- Commercial Out Lot
  - Lot Area - ±1.85 Acres
  - Maximum Building Floor Area – 5,000 Sf
  - Proposed Uses – Limited to those in the B-3 Zoning District (Highway Commercial District)
  - Parking Spaces – Per Zoning Ordinance requirements
  - Maximum Building Height – 25 Feet
  - Landscape Buffers – 20 Foot adjacent to multi-family tract

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## **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR ZONING MAP AMENDMENT APPLICATION DECISIONS” AS SET FORTH IN SECTION 1421.8 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) The location, present use, and zoning classification of the subject property, and its suitability and economic viability for use as currently zoned:** The property was annexed into the City in October of 1999. The property was rezoned to M-1 (Industrial District) at the time of annexation. The property was never developed under the M-1 classification. On August 3, 2021, the City Council approved a rezone to PCD (Planned Commercial District) to allow for a mixed commercial/light industrial project. The property has solid economic viability as currently zoned. The same applicant approved for the PCD rezone in 2021 wishes to modify the PCD zoning to allow for mixed use development with multi-family residential and a commercial out lot. In order to allow the multi-family component in the development, the applicant must undergo a rezone modification to amend the pattern book for the PCD zoning.

- (2) The proposed use and zoning classification of the subject property:** The applicant is requesting to modify the existing PCD (Planned Commercial District) zoning on the subject property to allow a multi-family residential component in the development. The residential component will specifically be for multi-family residential and the commercial out lot would have uses allowed in the B-3 (Highway Commercial Zoning District).
- (3) The existing land uses and zoning classification of nearby property, whether the zoning proposal seeks a use consistent with the use and development of adjacent and nearby property, and to what extent the zoning proposal will adversely affect adjacent or nearby property:** Properties located west of the site are zoned M-1 (Industrial) and R-1 (Large Lot Residential District) along US Hwy 78 and are undeveloped. Properties north of the site are located in unincorporated Walton County and are undeveloped. Properties south and east of the site are zoned M-1 (Industrial) and are developed with restaurants, a convenience store with fuel pumps, and a warehouse and distribution center. The proposed mixed use development does introduce a multi-family development into a portion of the City that is primarily for industrial use. As long as the development is constructed in the same manner proposed in the pattern book with adequate landscaping and architectural details, the development should not adversely affect adjacent properties.
- (4) Whether the zoning proposal will result in a use which could adversely affect existing infrastructure including without limitation streets, transportation facilities, utilities, schools, police and fire protection, and municipal personnel:** The submitted development plan illustrates two proposed access points into the development with one entrance off US Hwy 78 and one entrance off Aycock Avenue. The applicant has already been granted a permit from GDOT to construct the entrance off US Hwy 78. The applicant proposes to construct improvements to accommodate the development at the Aycock Avenue/US Hwy 78 intersection as part of a traffic signal which has also been approved by GDOT. The Development Regulations require residential developments with more than 200 units to have a total of 3 access points. The applicant has submitted a concurrent variance request to reduce the number of access points from 3 to 2. The City has adequate water supply to serve the development. Sanitary sewer capacity has been identified as being available to also serve the project. Each residential unit will generate approximately 250 gallons of wastewater each day. Additional City services and utilities should be adequate to serve the proposed development.
- (5) Whether the zoning proposal is consistent with the Comprehensive Plan:** The subject property is located in the Northeast Sub-Area as identified in the Comprehensive Plan. The existing character of the Northeast Sub-Area is primarily for industrial uses. To meet the live-work-play objective of the Comprehensive Plan, zoning should adjust to allow higher density residential, commercial, and recreational uses. The future character of the Northeast Sub-Area is to remain primarily industrial with the possibility of there being some residential workforce development. The proposed development appears to meet the intent of the goals of the Comprehensive Plan.
- (6) Whether there are other factors or existing or changing conditions regarding the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:** Under the current PCD zoning, the intent was to develop the site with a

mix of commercial and light industrial land uses. The applicant states the purpose for requesting the modification is to provide work force housing in Monroe.

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### **STAFF RECOMMENDATION**

Based upon the City Council's policies, decision making criteria and standards outlined in the Zoning Ordinance of the City of Monroe, staff recommends approval of the requested rezone modification to change the planned district into a mixed use multi-family residential and commercial project with the following modified conditions:

1. The multi-family residential component shall be constructed as represented in the architectural details provided under Architectural Option B on page 3.1 of the rezoning pattern book. Façade materials shall be primarily comprised of brick, stone, or architectural metal with limited wood and stucco.
2. The proposed sanitary sewer relocation shall be done in accordance with requirements from the City of Monroe Utility Department at the developer's expense.





# City of Monroe

215 N. Broad Street  
Monroe, GA 30655  
(770) 207-4674

## PLANNING COMMISSION MTG PERMIT

PERMIT #:	1183	DESCRIPTION:	Rezone PCD to PCD with modifications
JOB ADDRESS:	Hwy 78	LOT #:	
PARCEL ID:	M0230011B11	BLK #:	
SUBDIVISION:		ZONING:	M1
ISSUED TO:	Jack's Creek Landing LLC	CONTRACTOR:	Jack's Creek Landing LLC
ADDRESS:	2971B North Columbia St	PHONE:	
CITY, STATE ZIP:	Milledgeville GA 31061	OWNER:	
PHONE:	706-207-8111	PHONE:	
PROP. USE:	PCD	DATE ISSUED:	6/29/2022
VALUATION:	\$ 0.00	EXPIRATION:	12/26/2022
SQ FT:	0.00		
OCCP TYPE:			
CNST TYPE:			
INSPECTION REQUESTS:	770-207-4674 lwilson@monroega.gov		

FEE CODE	DESCRIPTION	AMOUNT
PZ-08	REZONE TO PLANNED DISTRICT	\$ 600.00
<b>FEE TOTAL</b>		\$ 600.00
<b>PAYMENTS</b>		\$ -600.00
<b>BALANCE</b>		\$ 0.00

**NOTES:**

Please be advised your request for a rezone from PCD to PCD with modifications at the Southwest corner of US Hwy 78 and Aycock Avenue will be heard by the Planning Commission on July 19, 2022 at 5:30pm and Monroe City Council on August 9, 2022 at 6pm. Both meetings will be in the Council Chambers at City Hall, 215 N Broad St.

**NOTICE**

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

  
\_\_\_\_\_  
(APPROVED BY)

  
\_\_\_\_\_  
DATE



RECEIVED  
# 1183

# CITY OF MONROE

## REZONE APPLICATION

### REZONE LOCATION & DESCRIPTION

Address (or physical location): Southwest corner of US Highway 78 & Aycock Avenue

Parcel #(s): M0230011B00

Acreage/Square Feet: 26.644 ac (Surveyed) Council Districts: District 4 / \_\_\_\_\_

Existing Zoning: PCD Proposed Zoning: PCD with Modifications

Existing Use: Vacant

Proposed Use: Mixed use development with multifamily tract and commercial tract

### PROPERTY OWNER & APPLICANT INFORMATION

Property Owner: Jack's Creek Landing, LLC Phone #: (706)207-8111

Address: 2971B North Columbia Street City: Milledgeville State: GA Zip: 31061

Applicant (If different than owner): \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### REZONE INFORMATION

**Describe the current zoning of the subject property and abutting properties. Describe all existing uses on abutting properties (1421.4(2)(c)):** The current zoning of the site is PCD (Planned Commercial District). The abutting property to the south is the Walmart distribution center, zoned M-1 (Light Industrial) . Adjacent properties along the western boundary are undeveloped and zoned M-1 (Light industrial) and R-1 (Large lot Residential) The site is bound on the north by US Highway 78 public right of way and to the east by Aycock Avenue (County) public right of way.

**Provide a statement explaining the intent of the requested zoning change, the proposed use, and any special or unusual parts of the rezoning request (1412.4(2)(d)):** The intent of the requested zoning change is to permit the development of the highest and best use for the property and the City of Monroe. The proposed uses are multifamily dwellings and commercial development to serve as quality workforce housing near the growing industrial corridor and to provide motorists and residents with goods and or services along US Highway 78. Where it abuts the multifamily development, the commercial tract shall be responsible for installing a 6 foot height opaque privacy fence and a double row of evergreen trees at 6 ft. height, minimum for enhanced screening.

Additionally, it is requested that the commercial component of the proposed development be permitted to be constructed at a later date than the proposed residential component.

**REZONE INFORMATION CONT.**

**Describe the suitability for development under the existing zoning vs. the proposed zoning. Describe all existing uses and structures (1421.4(2)(e)):** The current PCD zoning does not permit the multifamily component of the proposed

development. As the proposed development is primarily residential in nature with a smaller commercial component, the applicant respectfully requests rezoning to PCD with Modifications, which is more suitable for the proposed development. There are current no existing structures on the land nor uses. The lot is vacant.

**Describe the duration of vacancy or non-use if the property is vacant and unused at the time the application is submitted (1421.4(2)(f)):** The site was apparently cleared for farm and pasture use in the mid 20th century and has

never been developed. There is not a clear history of uses, but the lot appears to have been unused for at least 30 years.

**Select all existing utilities available and/or describe proposed utilities (1425.1(1)(k)):**

- City Water
- Private Well
- City Sewer
- Septic Tank
- Electrical
- Gas
- Telecom

**REQUIRED SUBMITTAL ITEMS (1421.4(2))**

*SELECT THE APPLICABLE ITEMS FOR THE REQUEST*

- Completed Application
- Fee (see Fee Schedule)
- Typed Legal Description
- Typed Detailed Description of the Request
- Survey Plat
- Deed
- Proof of all property taxes paid in full
- Site Plan

Drawn to scale, showing the following:

- Proposed Uses/Buildings
- Proposed Improvement Information
- Parking
- Traffic Circulation
- Landscaping/Buffers
- Stormwater/Detention Structures
- Amenities

Commercial & Industrial Rezoning Site Plans shall also include the following in addition to the items listed for Site Plans:

- Maximum Gross Square Footage of Structures
- Minimum Square Footage of Landscaped Area
- Maximum Structure Height
- Minimum Square Footage of Parking & Drives
- Proposed Number of Parking Spaces
- Required Buffers

Residential Rezoning Sites Plans shall also include the following in addition to the items listed for Site Plans:

- Maximum # of Dwelling Units/Lots
- Maximum Structure Height
- Minimum Square Footage of Dwellings
- Minimum Lot Size
- Maximum Lot Coverage
- Maximum Structure Height
- Location of Amenities
- Required Buffers

For Planned Districts, the applicant must submit a pattern book for review before submitting any rezoning application. Any submittal of a rezoning application for a Planned District which has not undergone a preliminary review by staff will be considered incomplete. The pattern book and rezoning site plan shall include all of the applicable items listed above as well as any identified by staff during the preliminary review process:

- Pattern Book Review Completed
- Other Items as identified as required by the Code Enforcement Officer

I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES THE CODE DEPARTMENT PERSONNEL TO ENTER UPON AND INSPECT THE PROPERTY FOR ALL PURPOSES ALLOWED AND REQUIRED BY THE ZONING ORDINANCE AND THE DEVELOPMENT REGULATIONS.

SIGNATURE: Chris D. Park DATE: 06.16.2022

A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPARTMENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.

PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT

SIGNATURE: Chris D. Park DATE: 06.16.2022

NOTARY PUBLIC: Harold Culbreath, Jr.

SWORN TO AND SUBSCRIBED BEFORE THIS 16<sup>th</sup> DAY OF June, 20 22

NOTARY SIGNATURE: Harold Culbreath, Jr.

DATE: 6.16.22

SEAL:



It is the responsibility of the applicant and not the staff to ensure that a complete application with all required materials are submitted. Applications and submittals found to be incomplete and incorrect will be rejected. Each applicant is responsible for compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.

AS-SURVEYED  
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 108 OF THE 3rd DISTRICT, WALTON COUNTY, CITY OF MONROE, GEORGIA (GMD 419) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR FOUND (DISTURBED) AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF US HIGHWAY NO.78 (STATE ROUTE NO.10) (155 FEET FROM SURVEY CENTERLINE AT THIS POINT) AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF AYCOCK AVENUE (74 FEET RIGHT OF WAY WIDTH AT THIS POINT); THENCE FROM SAID POINT OF BEGINNING AND WITH THE SOUTHWESTERLY AND SOUTHERLY RIGHT OF WAY LINE OF AYCOCK AVENUE SOUTH 34 DEGREES 30 MINUTES 19 SECONDS EAST A DISTANCE OF 126.39 FEET TO A POINT; THENCE WITH SAID RIGHT OF WAY LINE A CURVE TO THE LEFT HAVING A RADIUS DISTANCE OF 330.00 FEET AND AN ARC LENGTH OF 545.01 FEET BEING SUBTENDE BY A CHORD HAVING A BEARING OF SOUTH 81 DEGREES 49 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 485.15 FEET TO A POINT ON SAID RIGHT OF WAY LINE (60 FEET RIGHT OF WAY WIDTH AT THIS POINT); THENCE WITH SAID RIGHT OF WAY LINE NORTH 50 DEGREES 52 MINUTES 07 SECONDS EAST A DISTANCE OF 10.35 FEET TO A 1/2 INCH REBAR WITH CAP SET AT THE CENTERLINE OF A BRANCH; THENCE LEAVING SAID RIGHT OF WAY LINE AND WITH THE CENTERLINE OF THE BRANCH IN A SOUTHWESTERLY DIRECTION FOR 1195 FEET MORE OR LESS, SAID BRANCH BEING A PROPERTY LINE COMMON TO NOW OR FORMERLY WAL-MART STORES EAST, LP AND BEING TRAVERSED BY THE FOLLOWING COURSES AND DISTANCES:  
SOUTH 02 DEGREES 50 MINUTES 51 SECONDS WEST A DISTANCE OF 53.97 FEET TO A POINT;  
THENCE SOUTH 02 DEGREES 35 MINUTES 18 SECONDS EAST A DISTANCE OF 21.12 FEET TO A POINT;  
THENCE SOUTH 41 DEGREES 26 MINUTES 25 SECONDS EAST A DISTANCE OF 9.51 FEET TO A POINT;  
THENCE SOUTH 04 DEGREES 37 MINUTES 37 SECONDS EAST A DISTANCE OF 11.11 FEET TO A POINT;  
THENCE SOUTH 29 DEGREES 35 MINUTES 26 SECONDS WEST A DISTANCE OF 15.21 FEET TO A POINT;  
THENCE SOUTH 28 DEGREES 15 MINUTES 34 SECONDS WEST A DISTANCE OF 20.25 FEET TO A POINT;  
THENCE SOUTH 19 DEGREES 00 MINUTES 41 SECONDS EAST A DISTANCE OF 23.29 FEET TO A POINT;  
THENCE SOUTH 10 DEGREES 25 MINUTES 21 SECONDS WEST A DISTANCE OF 13.41 FEET TO A POINT;  
THENCE SOUTH 36 DEGREES 53 MINUTES 34 SECONDS WEST A DISTANCE OF 7.96 FEET TO A POINT;  
THENCE SOUTH 04 DEGREES 25 MINUTES 25 SECONDS WEST A DISTANCE OF 24.65 FEET TO A POINT;  
THENCE SOUTH 24 DEGREES 09 MINUTES 27 SECONDS WEST A DISTANCE OF 9.45 FEET TO A POINT;  
THENCE SOUTH 51 DEGREES 31 MINUTES 38 SECONDS WEST A DISTANCE OF 16.93 FEET TO A POINT;  
THENCE SOUTH 33 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 15.70 FEET TO A POINT;  
THENCE SOUTH 03 DEGREES 10 MINUTES 16 SECONDS EAST A DISTANCE OF 13.84 FEET TO A POINT;  
THENCE SOUTH 27 DEGREES 10 MINUTES 30 SECONDS EAST A DISTANCE OF 20.92 FEET TO A POINT;  
THENCE SOUTH 23 DEGREES 54 MINUTES 02 SECONDS EAST A DISTANCE OF 28.76 FEET TO A POINT;  
THENCE SOUTH 45 DEGREES 10 MINUTES 16 SECONDS EAST A DISTANCE OF 13.72 FEET TO A POINT;  
THENCE NORTH 84 DEGREES 08 MINUTES 38 SECONDS EAST A DISTANCE OF 23.96 FEET TO A POINT;  
THENCE SOUTH 38 DEGREES 03 MINUTES 58 SECONDS EAST A DISTANCE OF 14.42 FEET TO A POINT;  
THENCE SOUTH 11 DEGREES 31 MINUTES 38 SECONDS WEST A DISTANCE OF 9.99 FEET TO A POINT;  
THENCE SOUTH 46 DEGREES 22 MINUTES 32 SECONDS WEST A DISTANCE OF 16.94 FEET TO A POINT;

THENCE SOUTH 20 DEGREES 55 MINUTES 20 SECONDS WEST A DISTANCE OF 13.64 FEET TO A POINT;  
THENCE SOUTH 24 DEGREES 39 MINUTES 59 SECONDS WEST A DISTANCE OF 13.83 FEET TO A POINT;  
THENCE SOUTH 43 DEGREES 22 MINUTES 00 SECONDS WEST A DISTANCE OF 22.37 FEET TO A POINT;  
THENCE SOUTH 65 DEGREES 05 MINUTES 58 SECONDS EAST A DISTANCE OF 1.15 FEET TO A POINT;  
THENCE SOUTH 86 DEGREES 12 MINUTES 04 SECONDS WEST A DISTANCE OF 14.42 FEET TO A POINT;  
THENCE SOUTH 59 DEGREES 40 MINUTES 32 SECONDS WEST A DISTANCE OF 5.73 FEET TO A POINT;  
THENCE SOUTH 47 DEGREES 23 MINUTES 18 SECONDS WEST A DISTANCE OF 12.29 FEET TO A POINT;  
THENCE SOUTH 78 DEGREES 11 MINUTES 13 SECONDS WEST A DISTANCE OF 19.66 FEET TO A POINT;  
THENCE SOUTH 46 DEGREES 11 MINUTES 30 SECONDS WEST A DISTANCE OF 44.72 FEET TO A POINT;  
THENCE SOUTH 00 DEGREES 22 MINUTES 01 SECONDS EAST A DISTANCE OF 24.14 FEET TO A POINT;  
THENCE SOUTH 40 DEGREES 27 MINUTES 03 SECONDS EAST A DISTANCE OF 9.21 FEET TO A POINT;  
THENCE NORTH 75 DEGREES 37 MINUTES 25 SECONDS EAST A DISTANCE OF 19.96 FEET TO A POINT;  
THENCE NORTH 79 DEGREES 34 MINUTES 01 SECONDS EAST A DISTANCE OF 9.92 FEET TO A POINT;  
THENCE SOUTH 02 DEGREES 19 MINUTES 28 SECONDS EAST A DISTANCE OF 17.03 FEET TO A POINT;  
THENCE SOUTH 43 DEGREES 54 MINUTES 31 SECONDS WEST A DISTANCE OF 19.35 FEET TO A POINT;  
THENCE SOUTH 71 DEGREES 17 MINUTES 22 SECONDS WEST A DISTANCE OF 18.16 FEET TO A POINT;  
THENCE NORTH 77 DEGREES 05 MINUTES 54 SECONDS WEST A DISTANCE OF 16.10 FEET TO A POINT;  
THENCE SOUTH 79 DEGREES 26 MINUTES 55 SECONDS WEST A DISTANCE OF 4.97 FEET TO A POINT;  
THENCE SOUTH 48 DEGREES 54 MINUTES 59 SECONDS WEST A DISTANCE OF 9.01 FEET TO A POINT;  
THENCE SOUTH 29 DEGREES 15 MINUTES 41 SECONDS WEST A DISTANCE OF 9.90 FEET TO A POINT;  
THENCE SOUTH 02 DEGREES 34 MINUTES 12 SECONDS WEST A DISTANCE OF 13.57 FEET TO A POINT;  
THENCE SOUTH 13 DEGREES 03 MINUTES 25 SECONDS WEST A DISTANCE OF 6.06 FEET TO A POINT;  
THENCE SOUTH 27 DEGREES 19 MINUTES 11 SECONDS WEST A DISTANCE OF 7.79 FEET TO A POINT;  
THENCE SOUTH 51 DEGREES 59 MINUTES 03 SECONDS WEST A DISTANCE OF 17.67 FEET TO A POINT;  
THENCE NORTH 72 DEGREES 06 MINUTES 09 SECONDS WEST A DISTANCE OF 10.39 FEET TO A POINT;  
THENCE SOUTH 85 DEGREES 31 MINUTES 46 SECONDS WEST A DISTANCE OF 6.97 FEET TO A POINT;  
THENCE SOUTH 37 DEGREES 44 MINUTES 32 SECONDS WEST A DISTANCE OF 14.97 FEET TO A POINT;  
THENCE SOUTH 32 DEGREES 51 MINUTES 12 SECONDS WEST A DISTANCE OF 14.22 FEET TO A POINT;  
THENCE SOUTH 40 DEGREES 50 MINUTES 29 SECONDS WEST A DISTANCE OF 16.61 FEET TO A POINT;  
THENCE SOUTH 21 DEGREES 51 MINUTES 18 SECONDS WEST A DISTANCE OF 13.53 FEET TO A POINT;  
THENCE SOUTH 10 DEGREES 31 MINUTES 21 SECONDS WEST A DISTANCE OF 8.75 FEET TO A POINT;  
THENCE SOUTH 22 DEGREES 45 MINUTES 45 SECONDS WEST A DISTANCE OF 26.16 FEET TO A POINT;  
THENCE SOUTH 02 DEGREES 27 MINUTES 31 SECONDS WEST A DISTANCE OF 21.43 FEET TO A POINT;  
THENCE SOUTH 12 DEGREES 50 MINUTES 31 SECONDS WEST A DISTANCE OF 23.17 FEET TO A POINT;  
THENCE SOUTH 31 DEGREES 36 MINUTES 44 SECONDS WEST A DISTANCE OF 10.71 FEET TO A POINT;  
THENCE SOUTH 15 DEGREES 34 MINUTES 37 SECONDS WEST A DISTANCE OF 19.51 FEET TO A POINT;  
THENCE SOUTH 40 DEGREES 03 MINUTES 52 SECONDS WEST A DISTANCE OF 7.25 FEET TO A POINT;  
THENCE SOUTH 59 DEGREES 29 MINUTES 19 SECONDS WEST A DISTANCE OF 12.60 FEET TO A POINT;  
THENCE SOUTH 45 DEGREES 49 MINUTES 46 SECONDS WEST A DISTANCE OF 7.88 FEET TO A POINT;  
THENCE SOUTH 31 DEGREES 07 MINUTES 02 SECONDS WEST A DISTANCE OF 12.79 FEET TO A POINT;  
THENCE SOUTH 48 DEGREES 54 MINUTES 34 SECONDS WEST A DISTANCE OF 13.88 FEET TO A POINT;  
THENCE SOUTH 32 DEGREES 37 MINUTES 47 SECONDS WEST A DISTANCE OF 15.07 FEET TO A POINT;  
THENCE SOUTH 02 DEGREES 45 MINUTES 50 SECONDS EAST A DISTANCE OF 16.81 FEET TO A POINT;  
THENCE SOUTH 27 DEGREES 58 MINUTES 35 SECONDS EAST A DISTANCE OF 6.53 FEET TO A POINT;

THENCE SOUTH 04 DEGREES 03 MINUTES 35 SECONDS WEST A DISTANCE OF 7.59 FEET TO A POINT;  
THENCE SOUTH 31 DEGREES 58 MINUTES 47 SECONDS WEST A DISTANCE OF 20.65 FEET TO A POINT;  
THENCE SOUTH 18 DEGREES 01 MINUTES 05 SECONDS WEST A DISTANCE OF 19.25 FEET TO A POINT;  
THENCE SOUTH 38 DEGREES 54 MINUTES 30 SECONDS WEST A DISTANCE OF 39.51 FEET TO A POINT;  
THENCE SOUTH 42 DEGREES 05 MINUTES 36 SECONDS WEST A DISTANCE OF 10.08 FEET TO A POINT;  
THENCE NORTH 85 DEGREES 10 MINUTES 17 SECONDS WEST A DISTANCE OF 8.57 FEET TO A POINT;  
THENCE SOUTH 52 DEGREES 14 MINUTES 06 SECONDS WEST A DISTANCE OF 16.41 FEET TO A POINT;  
THENCE SOUTH 51 DEGREES 10 MINUTES 29 SECONDS WEST A DISTANCE OF 30.13 FEET TO A POINT;  
THENCE SOUTH 78 DEGREES 51 MINUTES 39 SECONDS WEST A DISTANCE OF 16.71 FEET TO A POINT;  
THENCE SOUTH 78 DEGREES 54 MINUTES 33 SECONDS WEST A DISTANCE OF 11.43 FEET TO A POINT;  
SAID POINT BEING NORTH 55 DEGREES 57 MINUTES 52 SECONDS EAST A DISTANCE OF 39.12 FEET  
FROM A 3/4 INCH OPEN TOP PIPE FOUND; THENCE LEAVING THE CENTERLINE OF THE BRANCH AND  
CONTINUING WITH SAID COMMON PROPERTY LINE SOUTH 55 DEGREES 57 MINUTES 52 SECONDS WEST  
A DISTANCE OF 670.23 FEET TO A POINT AT THE CENTERLINE OF JACK'S CREEK, SAID POINT BEING  
SOUTH 55 DEGREES 57 MINUTES 52 SECONDS WEST A DISTANCE OF 30.47 FEET FROM A 3/4 INCH OPEN  
TOP PIPE FOUND; THENCE WITH THE CENTERLINE OF JACK'S CREEK IN A NORTHWESTERLY DIRECTION  
FOR 947 FEET MORE OR LESS, SAID CREEK BEING THE PROPERTY LINE COMMON TO NOW OR FORMERLY  
EAST VILLAGE RESERVE, LLC AND NOW OR FORMERLY JAMES R. COLE AND BEING TRAVERSED BY THE  
FOLLOWING COURSES AND DISTANCES:

NORTH 28 DEGREES 45 MINUTES 23 SECONDS WEST A DISTANCE OF 18.68 FEET TO A POINT;  
THENCE NORTH 31 DEGREES 31 MINUTES 05 SECONDS WEST A DISTANCE OF 30.74 FEET TO A POINT;  
THENCE NORTH 54 DEGREES 45 MINUTES 52 SECONDS WEST A DISTANCE OF 58.10 FEET TO A POINT;  
THENCE NORTH 39 DEGREES 24 MINUTES 10 SECONDS WEST A DISTANCE OF 25.98 FEET TO A POINT;  
THENCE NORTH 42 DEGREES 05 MINUTES 22 SECONDS WEST A DISTANCE OF 27.86 FEET TO A POINT;  
THENCE NORTH 73 DEGREES 43 MINUTES 37 SECONDS WEST A DISTANCE OF 27.69 FEET TO A POINT;  
THENCE NORTH 71 DEGREES 57 MINUTES 41 SECONDS WEST A DISTANCE OF 27.65 FEET TO A POINT;  
THENCE NORTH 49 DEGREES 32 MINUTES 12 SECONDS WEST A DISTANCE OF 55.21 FEET TO A POINT;  
THENCE NORTH 31 DEGREES 50 MINUTES 43 SECONDS WEST A DISTANCE OF 25.83 FEET TO A POINT;  
THENCE NORTH 31 DEGREES 02 MINUTES 39 SECONDS WEST A DISTANCE OF 45.40 FEET TO A POINT;  
THENCE NORTH 27 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 62.89 FEET TO A POINT;  
THENCE NORTH 32 DEGREES 12 MINUTES 34 SECONDS WEST A DISTANCE OF 35.35 FEET TO A POINT;  
THENCE NORTH 36 DEGREES 22 MINUTES 15 SECONDS WEST A DISTANCE OF 37.84 FEET TO A POINT;  
THENCE NORTH 27 DEGREES 26 MINUTES 33 SECONDS WEST A DISTANCE OF 31.04 FEET TO A POINT;  
THENCE NORTH 32 DEGREES 25 MINUTES 54 SECONDS WEST A DISTANCE OF 40.55 FEET TO A POINT;  
THENCE NORTH 25 DEGREES 54 MINUTES 48 SECONDS WEST A DISTANCE OF 34.42 FEET TO A POINT;  
THENCE NORTH 37 DEGREES 25 MINUTES 32 SECONDS WEST A DISTANCE OF 60.32 FEET TO A POINT;  
THENCE NORTH 37 DEGREES 47 MINUTES 44 SECONDS WEST A DISTANCE OF 46.47 FEET TO A POINT;  
THENCE NORTH 34 DEGREES 43 MINUTES 23 SECONDS WEST A DISTANCE OF 40.23 FEET TO A POINT;  
THENCE NORTH 29 DEGREES 27 MINUTES 38 SECONDS WEST A DISTANCE OF 36.79 FEET TO A POINT;  
THENCE NORTH 21 DEGREES 36 MINUTES 01 SECONDS WEST A DISTANCE OF 38.04 FEET TO A POINT;  
THENCE NORTH 33 DEGREES 00 MINUTES 36 SECONDS WEST A DISTANCE OF 43.93 FEET TO A POINT;  
THENCE NORTH 46 DEGREES 30 MINUTES 09 SECONDS WEST A DISTANCE OF 28.35 FEET TO A POINT;  
THENCE NORTH 62 DEGREES 45 MINUTES 34 SECONDS WEST A DISTANCE OF 28.67 FEET TO A POINT;  
THENCE NORTH 56 DEGREES 39 MINUTES 28 SECONDS WEST A DISTANCE OF 22.16 FEET TO A POINT;

THENCE NORTH 21 DEGREES 30 MINUTES 59 SECONDS WEST A DISTANCE OF 16.75 FEET TO A POINT AT THE SOUTHEASTERLY RIGHT OF WAY LINE OF US HIGHWAY NO.78 (STATE ROUTE NO.10) (185 FEET FROM SURVEY CENTERLINE AT THIS POINT); THENCE WITH SAID RIGHT OF WAY LINE NORTH 56 DEGREES 02 MINUTES 28 SECONDS EAST A DISTANCE OF 153.89 FEET TO A RIGHT OF WAY MARKER FOUND (DAMAGED); THENCE WITH SAID RIGHT OF WAY LINE NORTH 39 DEGREES 16 MINUTES 20 SECONDS EAST A DISTANCE OF 104.69 FEET TO A 3/4 INCH OPEN TOP PIPE FOUND (155 FEET FROM SURVEY CENTERLINE AT THIS POINT); THENCE WITH SAID RIGHT OF WAY LINE NORTH 55 DEGREES 56 MINUTES 26 SECONDS EAST A DISTANCE OF 917.38 FEET TO A 1/2 INCH REBAR FOUND (DISTURBED) BEING THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND AS DESCRIBED CONTAINS 26.644 ACRES (1,160,647 SQ FT).



BK: 4853 PG: 16-21  
Filed and Recorded  
Apr-28-2021 04:27:33PM  
DOC#: D2021-007777  
Real Estate Transfer Tax \$0.00  
1472021001927

6 -1  
MP  
REF

Karen P. David  
CLERK OF SUPERIOR COURT Walton County GA.

Tax Parcel # M0230-00000-111-B00

(Above Reserved for Recording)

After recording, please return to:

**RETURN RECORDED DOCUMENT TO:**  
Preston & Malcom, P.C.  
110 Court Street  
Post Office Box 984  
Monroe, Georgia 30655  
File No: 21-25688

STATE OF GEORGIA  
COUNTY OF WALTON

**LIMITED WARRANTY DEED**

THIS INDENTURE is made effective on the 23<sup>rd</sup> day of April, 2021, by **DEVELOPMENT AUTHORITY OF WALTON COUNTY, GEORGIA**, a public body corporate and politic of the State of Georgia ("Grantor"), and **JACK'S CREEK LANDING, LLC**, a Georgia limited liability company ("Grantee").

**WITNESSETH:**

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby transfer and convey unto Grantee, that certain real property lying in Walton County, Georgia being more fully described in Exhibit "A" attached hereto and made a part hereof, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the "Property");

TO HAVE AND TO HOLD the Property unto Grantee forever in fee simple subject only to (i) those matters set forth on Exhibit "B" attached hereto and made a part hereof (hereinafter the "Permitted Encumbrances"), (ii) the covenants restricting the development and use of the Property set forth in Exhibit "C" attached hereto and made a part hereof (hereinafter the "Covenants, Conditions and Restrictions"), and Grantor shall warrant and forever defend the right, title and interest to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor but against none other. "Grantor" and "Grantee" shall include their respective heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has executed this deed as of the day and year first set forth above.

Signed, sealed and delivered in the presence of:

**GRANTOR:**

**DEVELOPMENT AUTHORITY OF WALTON COUNTY**, a public body corporate and politic of the State of Georgia

*[Handwritten Signature]*

Unofficial Witness

*[Handwritten Signature]*

Notary Public

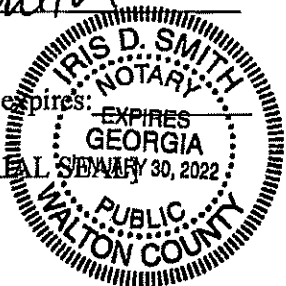
By: *[Handwritten Signature]*

Name: *W. Moses Jordan*

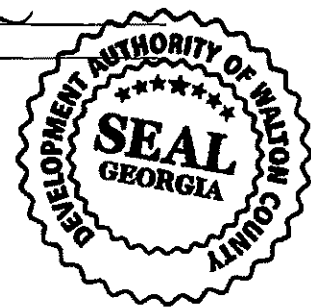
Title: *Chairman*

My commission expires:

[NOTARY SEAL]



[SEAL]



**Exhibit "A"**

**Legal Description of the Property**

ALL THAT TRACT or parcel of land lying and being in Land Lot 108, 3<sup>rd</sup> Land District, Walton County, Georgia, containing 26.6+/- acres as shown on that certain plat of survey prepared for Development Authority of Walton County by Dills-Jones & Associates, Inc., certified by Gerald T. Batchelor, Ga. R.L.S. No. 2238, dated May 12, 2006, which plat is recorded at **Plat Book 99, Page 112**, Walton County, Georgia records, and which plat is incorporated herein by reference for a more complete description of the Property.

A handwritten signature or mark, possibly initials, located on the right side of the page.

**Exhibit "B"**

**Permitted Encumbrances**

1. All taxes for the year 2021 and subsequent years which are a lien but not yet due and payable.
2. Covenants, Conditions and Restrictions set forth herein.
3. All matters of record.



## Exhibit "C"

### Covenants, Conditions and Restrictions

Grantor and Grantee covenant and agree that the conveyance of the Property by Grantor to Grantee pursuant to this Deed is made subject to the Covenants, Conditions and Restrictions set forth herein.

**A. Definitions.** The terms used herein shall generally be given their natural, commonly accepted definitions except as otherwise specified. Capitalized terms shall be defined as set forth below.

1. "Environmental Laws": All federal and state laws, regulations, statutes, ordinances, rules, regulations, orders, determinations, or court decisions relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport, handling, discharge, emission, migration, or release of hazardous substances or solid wastes including, without limitation, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, the Resource Conservation and Recovery Act of 1976, as amended by the Used Oil Recycling Act of 1980, the Solid Waste Disposal Act Amendments of 1980, and the Hazardous and Solid Waste Amendments of 1984.

2. "Hazardous Substances": any hazardous or toxic substance or waste as those terms are defined by any applicable Federal, state, or local law or regulation and asbestos, petroleum products and oil, and any other materials regulated by Environmental Laws.

3. "Official Records": The Clerk of the Superior Court of Walton County, Georgia, or such other place which is designated as the official location for recording of deeds and similar documents affecting title to real estate.

4. "Person": A natural person, a corporation, a partnership, a trustee, or any other legal entity.

**B. Use Restrictions and Rules.** The following terms and provisions shall apply to the Property:

1. Restricted Activities. The following activities are prohibited on the Property:

(a) any activity which emits foul or obnoxious odors, fumes, dust, smoke, or pollution outside the Property or which creates noise, unreasonable risk of fire or explosion, or other conditions which tend to disturb the peace or threaten the safety of the occupants and invitees of nearby properties; provided, nothing herein shall preclude normal and customary operation of any restaurant or hospital facility;

(b) any activity which violates local, state, or Federal laws or regulations;

(c) outside burning of trash, leaves, debris, or other materials.

2. Prohibited Conditions. The following shall be prohibited on the Property:

(a) plants, animals, devices, or other things of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the Property;

(b) any sign, fence, wall, hedge, or shrub which does or tends to create a traffic or sight problem;

3. Prohibited Uses. In addition to uses which are restricted by other recorded covenants, conditions, restrictions, or easements, the following uses are prohibited on the Property:

(a) any use which is not otherwise allowable by the laws of the United States or of Georgia or of any political subdivision thereof, including, but not limited to, applicable zoning ordinances of City of Monroe, Georgia and Walton County, Georgia;

(b) any dangerous or unsafe use, such as, for illustration purposes only, the use or storage of explosives;

(c) any use which involves the generation, treatment, storage, or disposal of Hazardous Substances in violation of applicable Environmental Laws, or which poses a substantial risk of release of any Hazardous Substances into the ground, air, surface water, ground water, or any other medium. Notwithstanding anything to the contrary contained in this Exhibit, a prohibited use shall include any use or activity on any unit which would cause the Property to become subject to regulation as a hazardous waste disposal facility under current Environmental Laws;

(d) Armories;

(d) any adult book store, adult video store, adult movie theater, adult entertainment facility, or other establishment selling, renting or exhibiting pornographic materials or drug-related paraphernalia (except that this provision shall not prohibit the operation of a bookstore, grocery store/supermarket, cinema or video store, or service station which carries a broad inventory of books, magazines, videos and/or other materials directed towards the interest of the general public [as opposed to a specific segment thereof]);

(e) Radio and television transmission towers over 35 feet high (unless specifically approved by Grantor);

(f) Airports and landing areas;

(g) Heliports (unless specifically approved by Grantor);

(h) Asphalt and concrete batching plants, central mixing plants for cement, mortar, plaster or housing materials;

(i) Salvage and junk yards; and

(j) Landfills.

BK: 4853 PG: 22  
Filed and Recorded  
Apr-28-2021 04:27:33PM  
DOC#: D2021-007778  
Real Estate Transfer Tax \$0.00  
1472021001928

Return Recorded Document to:  
PRESTON & MALCOM, P.C.  
Attorneys at Law  
Post Office Box 984  
118 Court Street  
Monroe, Georgia 30655  
File # 21-25633

1-1  
MP  
(KLT)

Karen P. David  
CLERK OF SUPERIOR COURT Walton County GA.

Tax Parcel # M0230-00000-111-800

**QUITCLAIM DEED IN AID OF TITLE**

**STATE OF GEORGIA  
COUNTY OF WALTON**

**THIS INDENTURE**, made the 23rd day of April, 2021, between **DEVELOPMENT AUTHORITY OF WALTON COUNTY, GEORGIA**, a public body corporate and politic of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **JACK'S CREEK LANDING, LLC**, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever **QUITCLAIM** unto the said Grantee,

All right, title, interest and equity in and to the following described property, to wit:

All that tract or parcel of land, together with all improvements thereon, situate, lying and being in the State of Georgia, County of Walton, City of Monroe, located in Land Lot 108 of the 3rd District, G.M.D. 419, and being designated as 26.644 acres, more or less, according to a survey entitled, "ALTA/NSPS Land Title Survey for: Jack's Creek Landing, LLC & Chicago Title Insurance Company," dated April 7, 2021, prepared by Columbia Engineering, certified by Brandon T. Miller, Georgia Registered Land Surveyor No. 2945, recorded in Plat Book 120, pages 80-81, Clerk's Office, Walton County Superior Court. Reference to said survey is hereby made and the same is incorporated herein for a more complete description of the property conveyed.

This Deed is given in conjunction with a Limited Warranty Deed of even date herewith between the parties in aid of title to avoid any gaps or overlaps in the conveyance herein.

**TO HAVE AND TO HOLD** the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered  
in the presence of:

**GRANTOR:**

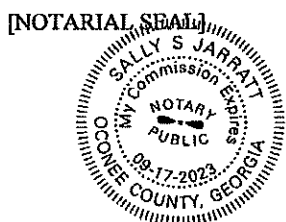
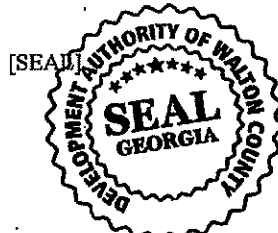
*[Signature]*  
Unofficial Witness

**DEVELOPMENT AUTHORITY OF WALTON COUNTY**, a public body corporate and politic of the State of Georgia

*[Signature]*  
Notary Public

By: *[Signature]*  
W. Morris Jordan, Chairman

My commission expires: \_\_\_\_\_



Realkey	Perskey	Taxtype	Tt_Desc	Asmtpct	CovExempt	HSExempt	Millage	EstTax	Acckey
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(There are no records to view)

**Gross Asmt :** 331,360

**Total Est Tax :** 0.00



Tables

Close

Recheck	Total Asmt	331,360							
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**TITLE COMMITMENT**

REFERENCE CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT No. 21-25633 HAVING AN EFFECTIVE DATE OF FEBRUARY 1, 2021.

**SCHEDULE B - PART II EXCEPTIONS**

- (NOTE: THE STATEMENTS BELOW AS TO WHETHER A DOCUMENT DOES OR DOES NOT AFFECT THE SUBJECT PROPERTY ARE BASED SOLELY UPON THE LOCATION DESCRIPTION CONTAINED IN THE RECORD DOCUMENT.)
- ALL MATTERS AS SHOWN ON A PLAT OF SURVEY RECORDED IN PLAT BOOK 99, PAGE 112, AND PLAT BOOK 80, PAGE 20, WALTON COUNTY, GEORGIA RECORDS.
  - EASEMENT FOR RIGHT OF WAY FROM AYCOCK BROS. IN FAVOR OF GEORGIA RAILWAY & POWER COMPANY, DATED OCTOBER 30, 1925, RECORDED IN DEED BOOK 13, PAGE 334, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. EASEMENT IS LOCATED SOUTHWEST OF JACKS CREEK.
  - RIGHT OF WAY EASEMENT FROM J. H. BACCUS IN FAVOR OF WALTON ELECTRIC MEMBERSHIP CORPORATION, DATED MAY 26, 1938, RECORDED IN DEED BOOK 23, PAGE 250, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. BASED UPON RECORD DOCUMENT AND THE HIGHWAY MAP OF WALTON COUNTY PUBLISHED BY STATE HIGHWAY DEPARTMENT OF GEORGIA DATED 1950 RIGHT OF WAY EASEMENT IS LOCATED WITHIN GMD 454 (MOUNTAIN) AND NOT WITHIN GMD 419 (TOWNS).
  - RIGHT OF WAY DEED FROM R. E. AYCOCK IN FAVOR OF STATE HIGHWAY DEPARTMENT OF GEORGIA, DATED MAY 24, 1957, RECORDED IN DEED BOOK 40, PAGE 432, AFORESAID RECORDS. UNABLE TO DETERMINE EXACT LOCATION FROM RECORD DOCUMENT.
  - RIGHT OF WAY AGREEMENT BY AND BETWEEN R. E. AYCOCK AND TRANSCONTINENTAL GAS PIPE LINE CORPORATION, DATED SEPTEMBER 2, 1961, RECORDED IN DEED BOOK 53, PAGE 209, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY BASED UPON LEGAL DESCRIPTION IN RECORD DOCUMENT. AFFECTED PROPERTY IS WEST OF SUBJECT PROPERTY BASED UPON PROXIMITY TO ALCOVY RIVER AS REFERENCED IN DEED.
  - RIGHT OF WAY AS SHOWN IN THAT CERTAIN DECLARATION OF TAKING FROM R. E. AYCOCK, JR. IN FAVOR OF DEPARTMENT OF TRANSPORTATION, WALTON COUNTY SUPERIOR COUNTY DOCKET NO. 9422 AND AS RECORDED IN MINUTE BOOK 27, PAGE 715, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. PORTION OF RIGHT OF WAY OF US HIGHWAY NO. 78.
  - RIGHT OF WAY DEED FROM R. E. AYCOCK, JR. IN FAVOR OF THE DEPARTMENT OF TRANSPORTATION, DATED MAY 7, 1985M RECORDED IN DEED BOOK 209, PAGE 698, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. RIGHT OF WAY IS ALONG STATE ROUTE NO. 83.
  - RIGHT OF WAY DEED FROM R. E. AYCOCK, JR. IN FAVOR OF WALTON COUNTY, GEORGIA, DATED APRIL 11, 1985, RECORDED IN DEED BOOK 209, PAGE 698, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. RIGHT OF WAY IS ALONG OLD ATHENS HIGHWAY.
  - RIGHT OF WAY DEED FROM DEVELOPMENT AUTHORITY OF WALTON COUNTY IN FAVOR OF CITY OF MONROE, DATED JANUARY 5, 2006, RECORDED IN DEED BOOK 2386, PAGE 47, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. RIGHT OF WAY AYCOCK AVENUE. LOCATION IS SHOWN.
  - CONSENT TO THE GRANTING OF RIGHT OF WAY BY AND BETWEEN WAL-MART STORES EAST, LP, AS SUCCESSOR TO WALMART STORES EAST, INC., WAL-MART STORES, INC. AND DEVELOPMENT AUTHORITY OF WALTON COUNTY, DATED JANUARY 5, 2006, RECORDED IN DEED BOOK 2386, PAGE 49, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. RIGHT OF WAY AYCOCK AVENUE. LOCATION IS SHOWN.

**GEORGIA SURVEYOR CERTIFICATION**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

BRANDON T. MILLER, RLS No. 2945



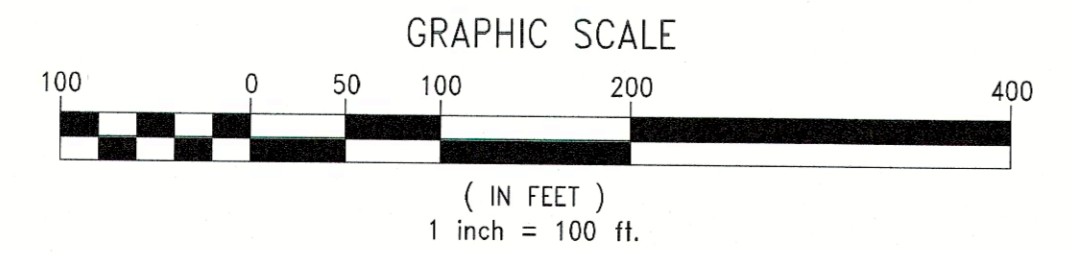
**GENERAL NOTES:**

- BY GRAPHIC PLOTTING ONLY, A PORTION OF THE PROPERTY SHOWN HEREON IS IN SPECIAL FLOOD HAZARD AREA ZONE A, ACCORDING TO THE CITY OF MONROE, WALTON COUNTY FEMA FLOOD INSURANCE RATE MAP NO. 13297C0137E, EFFECTIVE DATE DECEMBER 8, 2016.
- THE BEARING BASE FOR THIS SURVEY IS NORTH AMERICAN DATUM OF 1983 (NAD 83), GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
- THE VERTICAL DATUM FOR THIS SURVEY IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), GEOID 12B.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 261,477 FEET.
- THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 13,808 FEET AND AN ANGULAR ERROR OF 3.8 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.
- THE FIELD DATA COLLECTED TO SUPPORT THIS PLAT WAS COMPLETED ON MARCH 11, 2021.
- EQUIPMENT USED FOR MEASUREMENTS IS AS FOLLOWS: TRIMBLE S7 TOTAL STATION AND A TRIMBLE R6 GPS RECEIVER WITH THE eGPS NETWORK.
- LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EXPERTS IN THE IDENTIFICATION OF WETLANDS, CEMETERIES OR BURIAL GROUNDS, ITEMS OF HISTORICAL OR CULTURAL SIGNIFICANCE; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH MATTERS WHICH MAY EXIST WITHIN THE LIMITS OF THIS SURVEY.
- PROPERTIES WITHIN THE LIMITS OF THIS SURVEY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR ARE OTHERWISE UNKNOWN TO THE SURVEYOR THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
- PLAT BOOK 99 PAGE 112 DEPICTS THE SUBJECT SURVEYED PROPERTY AND SHOWS THE LOCATION OF THREE (3) GRAVES CENTRALLY LOCATED ON THE SUBJECT PARCEL. THE PHASE I ENVIRONMENTAL ASSESSMENT REPORT PREPARED BY DICKINSON PROPERTY SCIENCES, INC. FOR THE DEVELOPMENT AUTHORITY OF WALTON COUNTY DATED MARCH 13, 2020 INCLUDES DOCUMENTATION THAT STATES THESE GRAVES WERE RELOCATED TO REST HAVEN CEMETERY IN DOWNTOWN MONROE, GEORGIA. COLUMBIA ENGINEERING & SERVICES, INC. DID NOT FIND ANY VISIBLE SURFACE EVIDENCE OF GRAVES LOCATED ON THIS PROPERTY. COLUMBIA ENGINEERING & SERVICES, INC. DID NOT COMPLETE ANY SUBSURFACE EXPLORATION ON THE SUBJECT PROPERTY TO VERIFY THE COMPLETE REMOVAL OF PAST GRAVE SITES.
- THE SUBJECT SURVEYED PROPERTY IS PARTIALLY BOUNDED BY JACKS CREEK ON THE SOUTHWEST AND AN UNKNOWN BRANCH ON THE EAST. THE WATER BOUNDARIES WERE SURVEYED BETWEEN MARCH 11 - 11, 2021 AND THESE WATER COURSES ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES.
- NO BUILDINGS WERE OBSERVED ON THE SUBJECT SURVEYED PROPERTY.

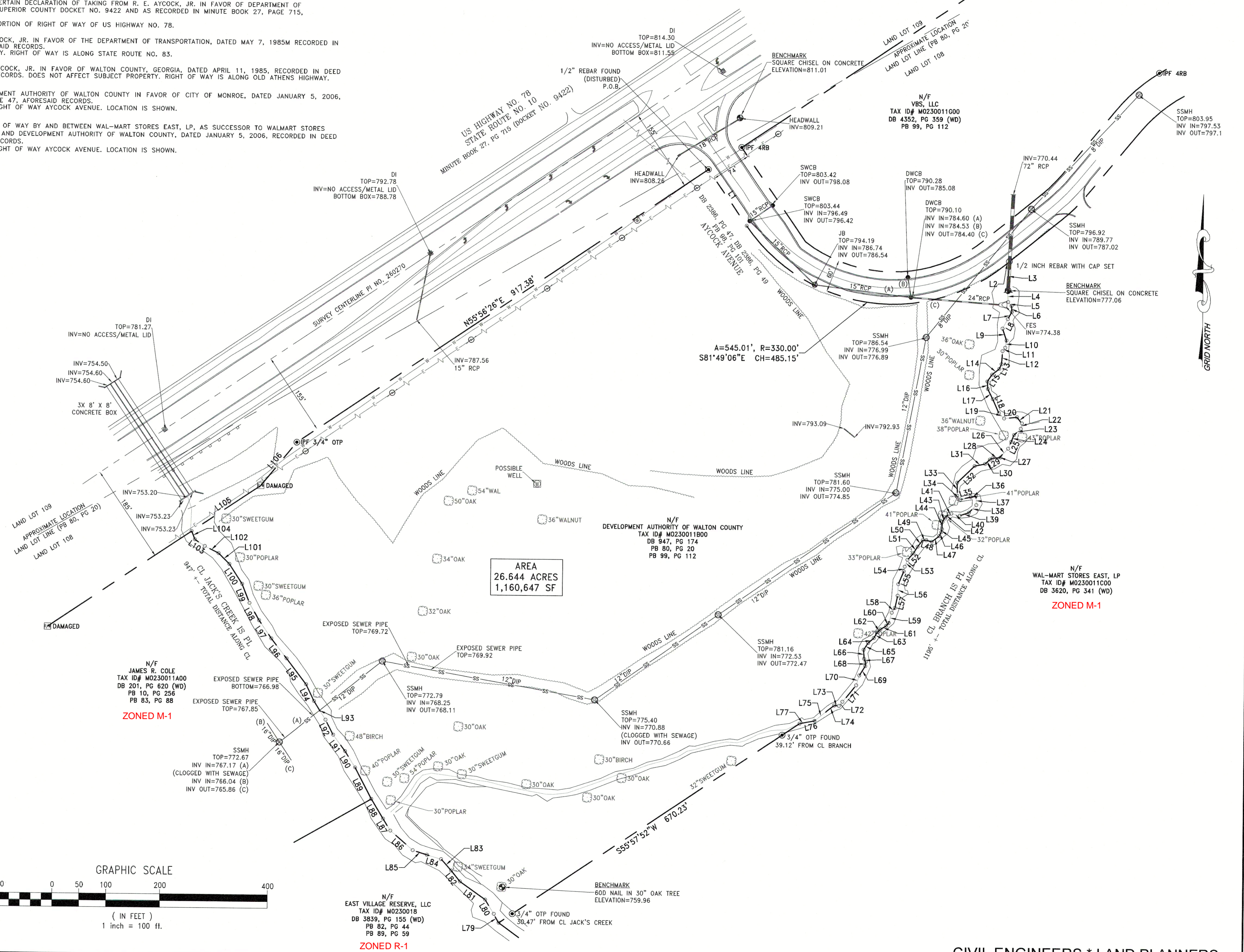
**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY TO: JACK'S CREEK LANDING, LLC & CHICAGO TITLE INSURANCE COMPANY  
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 11(b), 15, 16, AND 17 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 03/11/21.

DATE OF PLAT OR MAP: 04/07/21  
 BY: BRANDON T. MILLER, RLS No. 2945



LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	S34°30'19"E	126.39'	L21	S38°03'58"E	14.42'	L41	S79°26'55"W	4.97'	L61	S59°29'19"W	12.60'	L81	N54°45'52"W	58.10'	L101	N46°30'09"W	28.35'
L2	N50°52'07"E	10.35'	L22	S11°31'38"W	9.99'	L42	S48°54'59"W	8.01'	L62	S45°48'48"W	7.88'	L82	N39°24'10"W	25.98'	L102	N62°45'34"W	28.67'
L3	S02°50'51"W	53.97'	L23	S46°22'32"W	16.94'	L43	S29°15'41"W	9.50'	L63	S31°07'02"W	12.79'	L83	N42°05'22"W	27.86'	L103	N56°39'28"W	22.16'
L4	S02°55'18"E	21.12'	L24	S20°55'20"W	13.64'	L44	S02°34'12"W	13.57'	L64	S48°54'54"W	13.88'	L84	N73°43'37"W	27.69'	L104	N21°30'59"W	16.75'
L5	S41°26'25"E	9.51'	L25	S24°39'59"W	13.83'	L45	S13°03'25"W	6.06'	L65	S32°37'47"W	15.07'	L85	N71°57'41"W	27.65'	L105	N56°02'28"E	153.89'
L6	S04°37'37"E	11.11'	L26	S43°22'00"W	22.37'	L46	S27°19'11"W	7.79'	L66	S02°45'50"E	16.81'	L86	N49°32'12"W	55.21'	L106	N39°16'20"E	104.69'
L7	S29°35'26"W	15.21'	L27	S65°05'58"E	1.15'	L47	S51°59'03"W	17.67'	L67	S27°58'35"E	6.53'	L87	N31°50'43"W	25.83'			
L8	S28°15'34"W	20.25'	L28	S86°12'04"W	14.42'	L48	N72°06'09"W	10.39'	L68	S04°03'55"W	7.59'	L88	N31°02'39"W	45.40'			
L9	S19°00'41"E	23.29'	L29	S59°40'32"W	5.73'	L49	S85°31'46"W	6.97'	L69	S31°58'47"W	20.65'	L89	N27°45'56"W	62.89'			
L10	S10°25'21"W	13.41'	L30	S47°23'18"W	12.29'	L50	S37°44'32"W	14.97'	L70	S18°01'05"W	19.25'	L90	N32°12'34"W	35.35'			
L11	S36°53'54"W	7.96'	L31	S78°11'13"W	19.66'	L51	S32°51'12"W	14.22'	L71	S38°54'50"W	39.51'	L91	N36°22'15"W	37.84'			
L12	S04°25'25"W	24.65'	L32	S46°11'39"W	44.72'	L52	S40°50'29"W	16.61'	L72	S42°05'36"W	10.08'	L92	N27°56'33"W	31.04'			
L13	S24°09'27"W	9.45'	L33	S00°22'01"E	24.14'	L53	S21°51'18"W	13.53'	L73	N88°10'17"W	8.57'	L93	N32°25'54"W	40.55'			
L14	S51°31'38"W	16.93'	L34	S40°27'03"E	9.21'	L54	S10°31'21"W	8.75'	L74	S52°14'06"W	16.41'	L94	N25°54'48"W	34.42'			
L15	S33°11'55"W	15.70'	L35	N75°37'25"E	19.86'	L55	S22°45'45"W	26.16'	L75	S51°10'29"W	30.13'	L95	N37°25'32"W	60.32'			
L16	S03°10'16"E	13.84'	L36	N79°34'01"E	9.92'	L56	S02°27'31"W	21.43'	L76	S78°51'59"W	16.71'	L96	N37°47'44"W	46.47'			
L17	S27°10'30"E	20.92'	L37	S02°19'28"E	17.03'	L57	S12°50'31"W	23.17'	L77	S78°54'33"W	11.43'	L97	N34°43'23"W	40.23'			
L18	S23°54'02"E	28.76'	L38	S43°54'31"W	19.35'	L58	S31°36'44"W	10.71'	L78	N28°45'23"W	18.68'	L98	N29°27'38"W	36.79'			
L19	S45°10'16"E	13.72'	L39	S71°17'22"W	18.16'	L59	S15°34'37"W	19.51'	L79	N31°31'05"W	30.74'	L99	N31°30'01"W	38.04'			
L20	N84°08'38"E	23.96'	L40	N77°05'54"W	16.10'	L60	S40°03'52"W	7.25'	L80	N31°31'05"W	30.74'	L100	N33°00'36"W	43.93'			



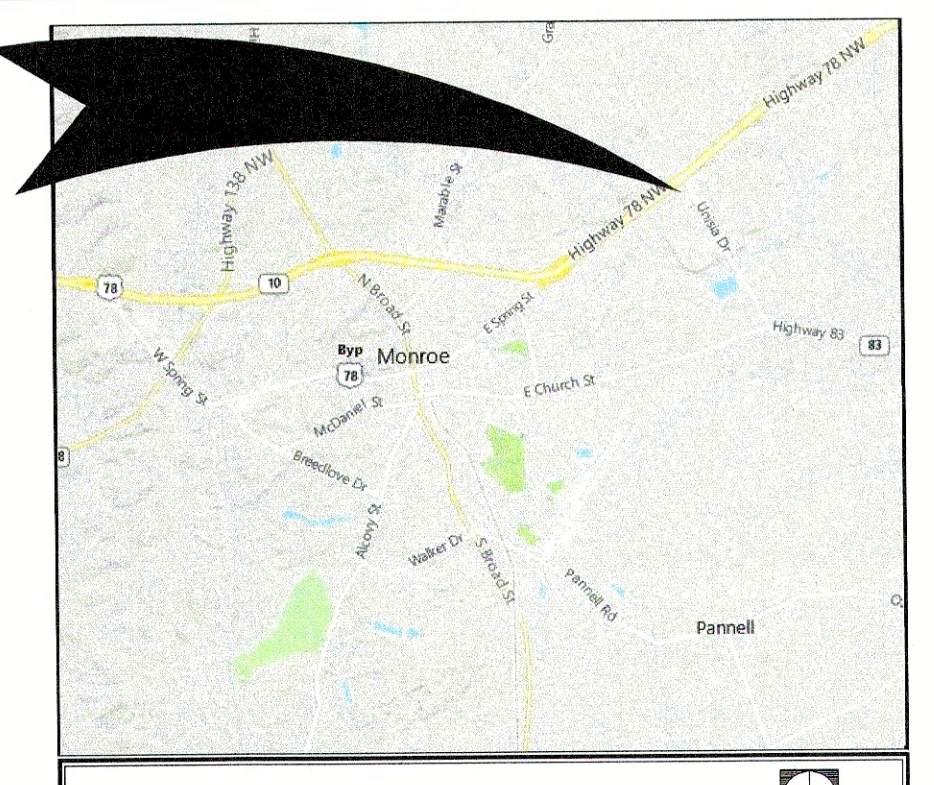
ALTA/NSPS LAND TITLE SURVEY FOR:  
**JACK'S CREEK LANDING, LLC & CHICAGO TITLE INSURANCE COMPANY**  
 LAND LOT 108 OF THE 3RD DISTRICT  
 G.M.D. 419  
 CITY OF MONROE  
 WALTON COUNTY, GEORGIA

REVISIONS	DATE

DRAWING TITLE  
**ALTA/NSPS LAND TITLE SURVEY**

FILE NAME: 5458_00_SV	DRAWING NO.
DRAWN BY: JR	1 OF 2
PROJECT NO: 5458.00	
FIELD DATE: 03/11/21	
PLAT DATE: 04/07/21	
SCALE: 1"=100'	

# SITE



## LOCATION MAP

### AS-SURVEYED LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 108 OF THE 3rd DISTRICT, WALTON COUNTY, CITY OF MONROE, GEORGIA (GMD 419) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" INCH REBAR FOUND (DISTURBED) AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF US HIGHWAY NO.78 (STATE ROUTE NO.10) (155 FEET FROM SURVEY CENTERLINE AT THIS POINT) AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF AYCOCK AVENUE (74 FEET RIGHT OF WAY WIDTH AT THIS POINT); THENCE FROM SAID POINT OF BEGINNING AND WITH THE SOUTHWESTERLY AND SOUTHERLY RIGHT OF WAY LINE OF AYCOCK AVENUE SOUTH 34 DEGREES 30 MINUTES 19 SECONDS EAST A DISTANCE OF 126.39 FEET TO A POINT; THENCE WITH SAID RIGHT OF WAY LINE OF AYCOCK AVENUE SOUTH 81 DEGREES 49 MINUTES 06 SECONDS EAST FOR A CHORD HAVING A BEARING OF SOUTH 81 DEGREES 49 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 485.15 FEET TO A POINT ON SAID RIGHT OF WAY LINE (60 FEET RIGHT OF WAY WIDTH AT THIS POINT); THENCE WITH SAID RIGHT OF WAY LINE NORTH 50 DEGREES 52 MINUTES 07 SECONDS EAST A DISTANCE OF 10.35 FEET TO A 1/2" INCH REBAR WITH CAP SET AT THE CENTERLINE OF A BRANCH IN A SOUTHWESTERLY DIRECTION FOR 1195 FEET MORE OR LESS, SAID BRANCH BEING A PROPERTY LINE COMMON TO NOW OR FORMERLY WAL-MART STORES' EAST, LP AND BEING TRaversed BY THE FOLLOWING COURSES AND DISTANCES:

SOUTH 02 DEGREES 50 MINUTES 51 SECONDS WEST A DISTANCE OF 53.97 FEET TO A POINT;  
 THENCE SOUTH 02 DEGREES 35 MINUTES 18 SECONDS EAST A DISTANCE OF 21.12 FEET TO A POINT;  
 THENCE SOUTH 41 DEGREES 25 MINUTES 26 SECONDS EAST A DISTANCE OF 8.91 FEET TO A POINT;  
 THENCE SOUTH 04 DEGREES 37 MINUTES 37 SECONDS EAST A DISTANCE OF 11.11 FEET TO A POINT;  
 THENCE SOUTH 28 DEGREES 35 MINUTES 26 SECONDS WEST A DISTANCE OF 20.25 FEET TO A POINT;  
 THENCE SOUTH 36 DEGREES 03 MINUTES 54 SECONDS WEST A DISTANCE OF 13.41 FEET TO A POINT;  
 THENCE SOUTH 19 DEGREES 00 MINUTES 41 SECONDS EAST A DISTANCE OF 23.29 FEET TO A POINT;  
 THENCE SOUTH 10 DEGREES 25 MINUTES 21 SECONDS WEST A DISTANCE OF 15.41 FEET TO A POINT;  
 THENCE SOUTH 04 DEGREES 25 MINUTES 25 SECONDS WEST A DISTANCE OF 24.65 FEET TO A POINT;  
 THENCE SOUTH 24 DEGREES 38 MINUTES 54 SECONDS WEST A DISTANCE OF 15.70 FEET TO A POINT;  
 THENCE SOUTH 51 DEGREES 51 MINUTES 38 SECONDS WEST A DISTANCE OF 16.93 FEET TO A POINT;  
 THENCE SOUTH 33 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 15.70 FEET TO A POINT;  
 THENCE SOUTH 03 DEGREES 19 MINUTES 58 SECONDS WEST A DISTANCE OF 15.70 FEET TO A POINT;  
 THENCE SOUTH 27 DEGREES 10 MINUTES 30 SECONDS EAST A DISTANCE OF 20.92 FEET TO A POINT;  
 THENCE SOUTH 23 DEGREES 54 MINUTES 02 SECONDS EAST A DISTANCE OF 28.78 FEET TO A POINT;  
 THENCE SOUTH 45 DEGREES 14 MINUTES 48 SECONDS EAST A DISTANCE OF 13.72 FEET TO A POINT;  
 THENCE NORTH 84 DEGREES 08 MINUTES 38 SECONDS EAST A DISTANCE OF 23.96 FEET TO A POINT;  
 THENCE SOUTH 38 DEGREES 08 MINUTES 51 SECONDS WEST A DISTANCE OF 14.42 FEET TO A POINT;  
 THENCE SOUTH 51 DEGREES 38 SECONDS WEST A DISTANCE OF 9.99 FEET TO A POINT;  
 THENCE SOUTH 46 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 16.94 FEET TO A POINT;  
 THENCE SOUTH 20 DEGREES 57 MINUTES 26 SECONDS WEST A DISTANCE OF 9.75 FEET TO A POINT;  
 THENCE SOUTH 24 DEGREES 39 MINUTES 59 SECONDS WEST A DISTANCE OF 13.83 FEET TO A POINT;  
 THENCE SOUTH 03 DEGREES 22 MINUTES 00 SECONDS WEST A DISTANCE OF 22.37 FEET TO A POINT;  
 THENCE SOUTH 15 DEGREES 19 MINUTES 58 SECONDS WEST A DISTANCE OF 14.42 FEET TO A POINT;  
 THENCE SOUTH 86 DEGREES 12 MINUTES 04 SECONDS WEST A DISTANCE OF 14.42 FEET TO A POINT;  
 THENCE SOUTH 59 DEGREES 40 MINUTES 52 SECONDS WEST A DISTANCE OF 16.94 FEET TO A POINT;  
 THENCE SOUTH 43 DEGREES 22 MINUTES 00 SECONDS WEST A DISTANCE OF 19.35 FEET TO A POINT;  
 THENCE SOUTH 75 DEGREES 19 MINUTES 58 SECONDS WEST A DISTANCE OF 17.03 FEET TO A POINT;  
 THENCE SOUTH 02 DEGREES 27 MINUTES 31 SECONDS WEST A DISTANCE OF 19.35 FEET TO A POINT;  
 THENCE NORTH 79 DEGREES 34 MINUTES 01 SECONDS EAST A DISTANCE OF 9.92 FEET TO A POINT;  
 THENCE SOUTH 02 DEGREES 19 MINUTES 28 SECONDS EAST A DISTANCE OF 17.03 FEET TO A POINT;  
 THENCE SOUTH 44 DEGREES 51 MINUTES 31 SECONDS WEST A DISTANCE OF 15.10 FEET TO A POINT;  
 THENCE SOUTH 07 DEGREES 17 MINUTES 22 SECONDS WEST A DISTANCE OF 18.16 FEET TO A POINT;  
 THENCE SOUTH 37 DEGREES 44 MINUTES 32 SECONDS WEST A DISTANCE OF 14.97 FEET TO A POINT;  
 THENCE SOUTH 32 DEGREES 51 MINUTES 18 SECONDS WEST A DISTANCE OF 14.22 FEET TO A POINT;  
 THENCE SOUTH 21 DEGREES 45 MINUTES 18 SECONDS WEST A DISTANCE OF 13.53 FEET TO A POINT;  
 THENCE SOUTH 02 DEGREES 51 MINUTES 18 SECONDS WEST A DISTANCE OF 21.43 FEET TO A POINT;  
 THENCE SOUTH 22 DEGREES 45 MINUTES 44 SECONDS WEST A DISTANCE OF 10.71 FEET TO A POINT;  
 THENCE SOUTH 15 DEGREES 34 MINUTES 37 SECONDS WEST A DISTANCE OF 7.25 FEET TO A POINT;  
 THENCE SOUTH 40 DEGREES 29 MINUTES 19 SECONDS WEST A DISTANCE OF 12.60 FEET TO A POINT;  
 THENCE SOUTH 33 DEGREES 09 MINUTES 49 SECONDS WEST A DISTANCE OF 7.88 FEET TO A POINT;  
 THENCE SOUTH 48 DEGREES 49 MINUTES 02 SECONDS WEST A DISTANCE OF 12.79 FEET TO A POINT;  
 THENCE SOUTH 45 DEGREES 54 MINUTES 34 SECONDS WEST A DISTANCE OF 13.88 FEET TO A POINT;  
 THENCE SOUTH 52 DEGREES 14 MINUTES 17 SECONDS WEST A DISTANCE OF 15.07 FEET TO A POINT;  
 THENCE SOUTH 02 DEGREES 45 MINUTES 50 SECONDS EAST A DISTANCE OF 16.81 FEET TO A POINT;  
 THENCE SOUTH 27 DEGREES 58 MINUTES 35 SECONDS EAST A DISTANCE OF 6.53 FEET TO A POINT;  
 THENCE SOUTH 04 DEGREES 50 MINUTES 47 SECONDS WEST A DISTANCE OF 20.65 FEET TO A POINT;  
 THENCE SOUTH 18 DEGREES 01 MINUTES 05 SECONDS WEST A DISTANCE OF 39.51 FEET TO A POINT;  
 THENCE SOUTH 34 DEGREES 05 MINUTES 36 SECONDS WEST A DISTANCE OF 10.08 FEET TO A POINT;  
 THENCE NORTH 85 DEGREES 10 MINUTES 17 SECONDS WEST A DISTANCE OF 9.57 FEET TO A POINT;  
 THENCE NORTH 42 DEGREES 14 MINUTES 06 SECONDS WEST A DISTANCE OF 16.41 FEET TO A POINT;  
 THENCE SOUTH 51 DEGREES 10 MINUTES 29 SECONDS WEST A DISTANCE OF 30.13 FEET TO A POINT;  
 THENCE SOUTH 78 DEGREES 51 MINUTES 39 SECONDS WEST A DISTANCE OF 16.71 FEET TO A POINT;  
 THENCE SOUTH 78 DEGREES 54 MINUTES 33 SECONDS WEST A DISTANCE OF 11.43 FEET TO A POINT;  
 SAID POINT BEING NORTH 55 DEGREES 57 MINUTES 52 SECONDS EAST A DISTANCE OF 33.2 FEET FROM A 3/4" INCH OPEN TOP PIPE FOUND; THENCE LEAVING THE CENTERLINE OF THE BRANCH AND CONTINUING WITH SAID COMMON PROPERTY LINE SOUTH 55 DEGREES 57 MINUTES 52 SECONDS WEST A DISTANCE OF 670.23 FEET TO A POINT AT THE CENTERLINE OF JACK'S CREEK, SAID POINT BEING SOUTH 55 DEGREES 57 MINUTES 52 SECONDS WEST A DISTANCE OF 30.7 FEET FROM A 3/4" INCH OPEN TOP PIPE FOUND; THENCE WITH THE CENTERLINE OF JACK'S CREEK IN A NORTHWESTERLY DIRECTION FOR 947 FEET MORE OR LESS, SAID CREEK BEING THE PROPERTY LINE COMMON TO NOW OR FORMERLY EAST VILLAGE RESERVE, LLC AND NOW OR FORMERLY JAMES R. COLE AND BEING TRaversed BY THE FOLLOWING COURSES AND DISTANCES:

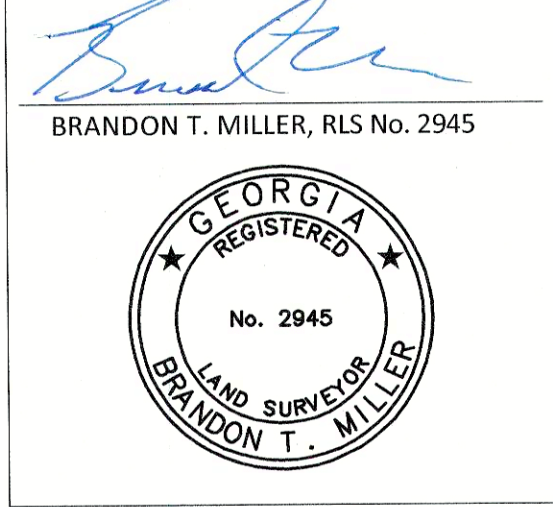
NORTH 28 DEGREES 45 MINUTES 23 SECONDS WEST A DISTANCE OF 18.68 FEET TO A POINT;  
 THENCE NORTH 31 DEGREES 51 MINUTES 05 SECONDS WEST A DISTANCE OF 30.74 FEET TO A POINT;  
 THENCE NORTH 54 DEGREES 45 MINUTES 52 SECONDS WEST A DISTANCE OF 58.10 FEET TO A POINT;  
 THENCE NORTH 39 DEGREES 24 MINUTES 10 SECONDS WEST A DISTANCE OF 25.98 FEET TO A POINT;  
 THENCE NORTH 42 DEGREES 05 MINUTES 22 SECONDS WEST A DISTANCE OF 27.86 FEET TO A POINT;  
 THENCE NORTH 73 DEGREES 43 MINUTES 37 SECONDS WEST A DISTANCE OF 27.69 FEET TO A POINT;  
 THENCE NORTH 51 DEGREES 47 MINUTES 41 SECONDS WEST A DISTANCE OF 27.65 FEET TO A POINT;  
 THENCE NORTH 49 DEGREES 32 MINUTES 12 SECONDS WEST A DISTANCE OF 55.21 FEET TO A POINT;  
 THENCE NORTH 31 DEGREES 50 MINUTES 43 SECONDS WEST A DISTANCE OF 25.83 FEET TO A POINT;  
 THENCE NORTH 51 DEGREES 02 MINUTES 39 SECONDS WEST A DISTANCE OF 45.40 FEET TO A POINT;  
 THENCE NORTH 27 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 62.89 FEET TO A POINT;  
 THENCE NORTH 52 DEGREES 12 MINUTES 34 SECONDS WEST A DISTANCE OF 35.35 FEET TO A POINT;  
 THENCE NORTH 46 DEGREES 22 MINUTES 15 SECONDS WEST A DISTANCE OF 37.84 FEET TO A POINT;  
 THENCE NORTH 27 DEGREES 26 MINUTES 33 SECONDS WEST A DISTANCE OF 31.04 FEET TO A POINT;  
 THENCE NORTH 52 DEGREES 25 MINUTES 54 SECONDS WEST A DISTANCE OF 40.55 FEET TO A POINT;  
 THENCE NORTH 25 DEGREES 54 MINUTES 54 SECONDS WEST A DISTANCE OF 34.42 FEET TO A POINT;  
 THENCE NORTH 37 DEGREES 25 MINUTES 32 SECONDS WEST A DISTANCE OF 60.32 FEET TO A POINT;  
 THENCE NORTH 57 DEGREES 47 MINUTES 44 SECONDS WEST A DISTANCE OF 45.47 FEET TO A POINT;  
 THENCE NORTH 54 DEGREES 43 MINUTES 23 SECONDS WEST A DISTANCE OF 42.35 FEET TO A POINT;  
 THENCE NORTH 29 DEGREES 00 MINUTES 36 SECONDS WEST A DISTANCE OF 36.79 FEET TO A POINT;  
 THENCE NORTH 61 DEGREES 36 MINUTES 01 SECONDS WEST A DISTANCE OF 39.04 FEET TO A POINT;  
 THENCE NORTH 53 DEGREES 07 MINUTES 36 SECONDS WEST A DISTANCE OF 43.93 FEET TO A POINT;  
 THENCE NORTH 46 DEGREES 30 MINUTES 09 SECONDS WEST A DISTANCE OF 28.35 FEET TO A POINT;  
 THENCE NORTH 52 DEGREES 45 MINUTES 34 SECONDS WEST A DISTANCE OF 28.61 FEET TO A POINT;  
 THENCE NORTH 66 DEGREES 39 MINUTES 28 SECONDS WEST A DISTANCE OF 22.16 FEET TO A POINT;  
 THENCE NORTH 21 DEGREES 30 MINUTES 58 SECONDS WEST A DISTANCE OF 16.75 FEET TO A POINT AT THE SOUTHEASTERLY RIGHT OF WAY LINE OF US HIGHWAY NO.78 (STATE ROUTE NO.10) (185 FEET FROM SURVEY CENTERLINE AT THIS POINT); THENCE WITH SAID RIGHT OF WAY LINE NORTH 56 DEGREES 02 MINUTES 28 SECONDS EAST A DISTANCE OF 153.89 FEET TO A POINT; THENCE WITH SAID RIGHT OF WAY LINE NORTH 38 DEGREES 16 MINUTES 20 SECONDS EAST A DISTANCE OF 104.69 FEET TO A 3/4" INCH OPEN TOP PIPE FOUND (155 FEET FROM SURVEY CENTERLINE AT THIS POINT); THENCE WITH SAID RIGHT OF WAY LINE NORTH 55 DEGREES 56 MINUTES 26 SECONDS EAST A DISTANCE OF 917.38 FEET TO A 1/2" INCH REBAR FOUND (DISTURBED) BEING THE POINT OF BEGINNING.

### AS-RECORDED LEGAL DESCRIPTION

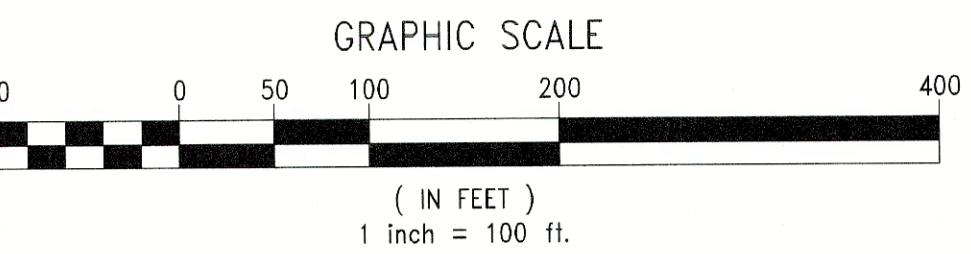
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 107, 108, 109, 131, 132, AND 133, 3RD DISTRICT, TOWN G.M.D. 419, WALTON COUNTY, GEORGIA, BEING TRACT NO. 1, CONTAINING 272.180 ACRES, AS SHOWN ON A PLAT OF SURVEY PREPARED FOR THE R. E. AYCOCK ESTATE BY JOHN F. BREWER AND ASSOCIATES, CERTIFIED BY JOHN F. BREWER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2115, DATED JULY 26, 1994, REVISED SEPTEMBER 2, 1998, RECORDED IN PLAT BOOK 80, PAGE 20, CLERK'S OFFICE, WALTON SUPERIOR COURT. REFERENCE IS HEREBY MADE TO SAID PLAT OF SURVEY, AND THE SAME IS INCORPORATED HEREIN FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY CONVEYED.

ACCORDING TO SUCH PLAT OF SURVEY, THE TRACT HEREIN IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN ALUMINUM PIN LOCATED AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY OF STATE ROUTE NO. 83, A/R/A PIPE LINE ROAD AND UNISIA DRIVE (SHOWN AS BEING 80 FEET IN WIDTH) WITH THE SOUTHEASTERLY RIGHT OF WAY OF U. S. HIGHWAY 78 (SHOWN AS HAVING A VARIABLE RIGHT OF WAY), RUNNING THENCE ALONG SAID RIGHT OF WAY OF STATE ROUTE NO. 83 SOUTH 28°05'49" EAST 303.32 FEET TO A POINT; CONTINUING THENCE SOUTH 27°53'53" EAST 476.28 FEET TO A POINT; CONTINUING THENCE SOUTH 27°46'55" EAST 179.57 FEET TO A POINT; CONTINUING THENCE SOUTH 27°59'47" EAST 156.58 FEET TO A POINT; CONTINUING THENCE SOUTH 27°53'44" EAST 146.58 FEET TO A POINT; CONTINUING THENCE SOUTH 28°09'25" EAST 136.57 FEET TO A POINT; CONTINUING THENCE SOUTH 28°52'28" EAST 258.58 FEET TO A POINT; CONTINUING THENCE SOUTH 29°00'47" EAST 306.36 FEET TO A POINT; CONTINUING THENCE SOUTH 29°06'21" EAST 315.02 FEET TO A POINT; CONTINUING THENCE SOUTH 29°07'58" EAST 451.87 FEET TO A POINT; CONTINUING THENCE SOUTH 29°12'40" EAST 287.80 FEET TO A POINT; CONTINUING THENCE SOUTH 29°28'45" EAST 170.41 FEET TO A POINT; CONTINUING THENCE SOUTH 29°24'43" EAST 215.29 FEET TO A POINT; CONTINUING THENCE SOUTH 28°40'55" EAST 145.38 FEET TO A POINT; CONTINUING THENCE SOUTH 28°53'59" EAST 174.06 FEET TO AN ALUMINUM PIN; CONTINUING THENCE SOUTH 61°06'01" WEST 15.0 FEET TO AN ALUMINUM PIN; CONTINUING THENCE SOUTH 28°53'59" EAST 55.37 FEET TO AN ALUMINUM PIN LOCATED AT THE INTERSECTION OF SUCH RIGHT OF WAY BY THE CENTERLINE OF JACK'S CREEK, WHICH FORMS THE BOUNDARY OF THE SUBJECT PROPERTY AT THIS POINT; RUNNING THENCE ALONG THE CENTERLINE OF JACK'S CREEK SOUTH 61°08'15" WEST 11.51 FEET TO A POINT; CONTINUING THENCE SOUTH 70°43'27" WEST 11.51 FEET TO A POINT; CONTINUING THENCE SOUTH 62°15'04" WEST 98.56 FEET TO A POINT; CONTINUING THENCE SOUTH 67°09'49" WEST 69.06 FEET TO A POINT; CONTINUING THENCE SOUTH 68°22'29" WEST 165.93 FEET TO A POINT; CONTINUING THENCE SOUTH 65°23'21" WEST 590.32 FEET TO A POINT; CONTINUING THENCE SOUTH 65°20'40" WEST 130.77 FEET TO A POINT; CONTINUING THENCE NORTH 79°50'10" WEST 138.38 FEET TO A POINT; CONTINUING THENCE NORTH 73°48'30" WEST 33.74 FEET TO A POINT; CONTINUING THENCE NORTH 83°38'34" WEST 363.81 FEET TO A POINT; CONTINUING THENCE NORTH 85°29'24" WEST 224.18 FEET TO A POINT; CONTINUING THENCE NORTH 80°47'40" WEST 116.11 FEET TO A POINT; CONTINUING THENCE SOUTH 81°28'17" WEST 113.81 FEET TO A POINT; CONTINUING THENCE NORTH 44°03'41" WEST 121.31 FEET TO A POINT; CONTINUING THENCE NORTH 59°31'41" WEST 54.97 FEET TO A POINT; CONTINUING THENCE NORTH 46°56'21" WEST 86.31 FEET TO A POINT; CONTINUING THENCE NORTH 45°53'51" WEST 118.56 FEET TO A POINT; CONTINUING THENCE NORTH 75°40'13" WEST 18.78 FEET TO A POINT; CONTINUING THENCE NORTH 48°56'21" WEST 195.97 FEET TO A POINT; CONTINUING THENCE NORTH 44°38'18" WEST 178.35 FEET TO A POINT; CONTINUING THENCE NORTH 49°47'56" WEST 223.01 FEET TO A POINT; CONTINUING THENCE NORTH 46°28'06" WEST 310.54 FEET TO A POINT; CONTINUING THENCE NORTH 48°17'18" WEST 128.86 FEET TO A POINT; CONTINUING THENCE NORTH 46°46'34" WEST 196.23 FEET TO A POINT; CONTINUING THENCE NORTH 53°36'54" WEST 113.48 FEET TO A POINT; CONTINUING THENCE NORTH 37°26'01" WEST 88.40 FEET TO A POINT; CONTINUING THENCE NORTH 47°52'25" WEST 356.54 FEET TO A POINT; CONTINUING THENCE NORTH 53°25'31" WEST 122.86 FEET TO A POINT; CONTINUING THENCE NORTH 31°00'27" WEST 291.55 FEET TO A POINT; CONTINUING THENCE NORTH 33°47'11" WEST 214.60 FEET TO A POINT; CONTINUING THENCE NORTH 30°13'45" WEST 110.59 FEET TO A POINT; CONTINUING THENCE NORTH 71°54'46" WEST 49.39 FEET TO AN ALUMINUM PIN AT THE POINT OF INTERSECTION OF JACK'S CREEK WITH THE SOUTHEASTERLY RIGHT OF WAY OF U. S. HIGHWAY 78; RUNNING THENCE ALONG SAID RIGHT OF WAY NORTH 56°17'36" EAST 162.75 FEET TO AN ALUMINUM PIN; CONTINUING THENCE NORTH 39°35'59" EAST 104.40 FEET TO AN ALUMINUM PIN; CONTINUING THENCE NORTH 56°17'36" EAST 1624.59 FEET TO AN ALUMINUM PIN; CONTINUING THENCE SOUTH 33°42'24" EAST 5.0 FEET TO A RIGHT OF WAY MONUMENT; CONTINUING THENCE WITH SAID RIGHT OF WAY LINE NORTH 53°19'28" EAST 821.89 FEET; CONTINUING THENCE NORTH 51°48'59" EAST 213.88 FEET TO THE POINT OF BEGINNING. THIS IS A PORTION OF THAT PROPERTY CONVEYED BY WARRANTY DEED FROM BEULAH P. AYCOCK, JR., DATED JANUARY 1, 1988, RECORDED IN DEED BOOK 76, PAGES 224--227, WALTON COUNTY RECORDS.

**GEORGIA SURVEYOR CERTIFICATION**  
 This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



SURVEY LEGEND	
	SINGLE WING CATCH BASIN
	DOUBLE WING CATCH BASIN
	STORM MANHOLE
	DROP INLET
	CURB INLET
	LIGHT POLE
	ELECTRIC MANHOLE
	COMMUNICATION MANHOLE
	UTILITY MANHOLE
	SANITARY SEWER MANHOLE
	MALIBOX
	TRAFFIC HAZARD HOLE
	GAS MARKER
	IRRIGATION CONTROL VALVE
	POWER POLE
	AC UNIT
	OUT YANCHOR
	SIGN
	FIRE HYDRANT
	WATER VALVE
	WATER METER
	WATER VAULT
	SPOT
	TREE
	FOSTER HOLLY
	CRAPE MYRTLE
	COMMUNICATION PEDESTAL
	CLEAN OUT
	GAS METER
	ELECTRIC METER
	ELECTRIC BOX
	ELECTRIC PEDESTAL
	GAS VALVE
	BOLLARD
	ROAD CENTER LINE
	REINFORCED CONCRETE PIPE
	CORRUGATED METAL PIPE
	POLYVINYL PLASTIC PIPE
	STORM LINE
	FENCE LINE
	WOODS LINE
	UNDERGROUND POWER LINE
	SANITARY SEWER LINE
	GAS LINE
	WATER LINE
	UNDERGROUND COMMUNICATION LINE



ALTA/NSPS LAND TITLE SURVEY FOR:  
**JACK'S CREEK LANDING, LLC & CHICAGO TITLE INSURANCE COMPANY**  
 LAND LOTS 108 OF THE 3RD DISTRICT  
 CITY OF MONROE  
 WALTON COUNTY, GEORGIA

REVISIONS	DATE

DRAWING TITLE  
**ALTA/NSPS LAND TITLE SURVEY**

FILE NAME: 5458.00_SV	DRAWING NO.
DRAWN BY: JR	
PROJECT NO: 5458.00	
FIELD DATE: 03/11/21	2 OF 2
PLAT DATE: 04/07/21	
SCALE: 1"=100'	



**NOTICE TO THE PUBLIC  
CITY OF MONROE**

**A petition has been filed with the City of Monroe requesting the property located at the southwest corner of US Hwy 78 and Aycock Ave. (Parcel #MO230011B00) be rezoned from PCD to PCD with modifications.**

**A public hearing will be held before the City of Monroe Planning Commission to review and consider a recommendation to the Monroe City Council at the City Hall Auditorium at 215 N. Broad Street on August 16, 2022 at 5:30 P.M. The Monroe City Council will hold a public hearing and a decision will be made at the City Hall Auditorium at 215 N. Broad Street on September 13, 2022 at 6:00 P.M. All those having an interest should be present to voice their interest.**

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**PLEASE RUN ON THE  
FOLLOWING DATE:**

**July 31, 2022**



## CODE DEPARTMENT

August 5, 2022

To Whom It May Concern:

Be advised that a public hearing before the Planning Commission is scheduled for August 16, 2022 to consider an application for rezoning +26.64 acres located at the southwest corner of US Highway 78 and Aycock Avenue, Parcel #M0230011B00. The property is currently zoned Planned Commercial District (PCD) with a request to change the zoning classification to Planned Commercial District with modifications (PCD). In addition to the rezone request, the Planning Commission will also consider an application requesting a variance from Section 9.16.3.C(2) of the Development Regulations to decrease the minimum number of driveway access points from 3 to 2 at the southwest corner of US Hwy 78 and Aycock Avenue.

As an adjacent property owner, you are officially being notified of these requests. Further notice of these requests will appear in the Walton Tribune on July 31, 2022. All public hearings will be held in the Council Chambers located at City Hall—215 N. Broad St Monroe, GA 30655. Public hearings regarding the rezone request for the property will be as follows:

- Planning Commission—August 16, 2022 at 5:30pm
- City Council—September 13, 2022 at 6:00pm

You are welcome to speak for or against this application during the public hearings; however, your attendance is not required. One week prior to the Planning Commission meeting, copies of the application submittal will be available for viewing online at [www.monroega.com](http://www.monroega.com) by selecting calendar and the date of the meeting you plan to attend for this application.

If you have any questions regarding this letter, please call the City of Monroe Code Department at 770-207-4674.

Sincerely,

Laura Wilson  
Code Department Assistant



CITY OF WOODBRIDGE  
APPLICANT: [illegible]  
**VARIAN**  
[illegible]  
[illegible]  
[illegible]  
[illegible]  
[illegible]  
[illegible]

CITY OF WOODBRIDGE  
**APPLICATION FOR A REZONE**  
FROM: [illegible] TO: [illegible]  
[illegible]  
[illegible]  
**PUBLIC HEARING INFO**  
**PLANNING COMMISSION**  
DATE: [illegible] TIME: 6:00 PM  
**CITY COUNCIL**  
DATE: [illegible] TIME: 6:00 PM  
[illegible]  
[illegible]  
[illegible]

CITY OF WOODBRIDGE  
**APPLICATION FOR A  
REZONE**

CITY OF WOODBRIDGE  
**APPLICATION FOR A  
VARIANCE**

FOR: Subdiv. Ordinance Public, Other

**+PUBLIC HEARING INFO+**

**PLANNING COMMISSION**  
DATE: 8/29/23 TIME: 6:30 PM

**CITY COUNCIL**  
DATE: 9/11/23 TIME: 6:00 PM

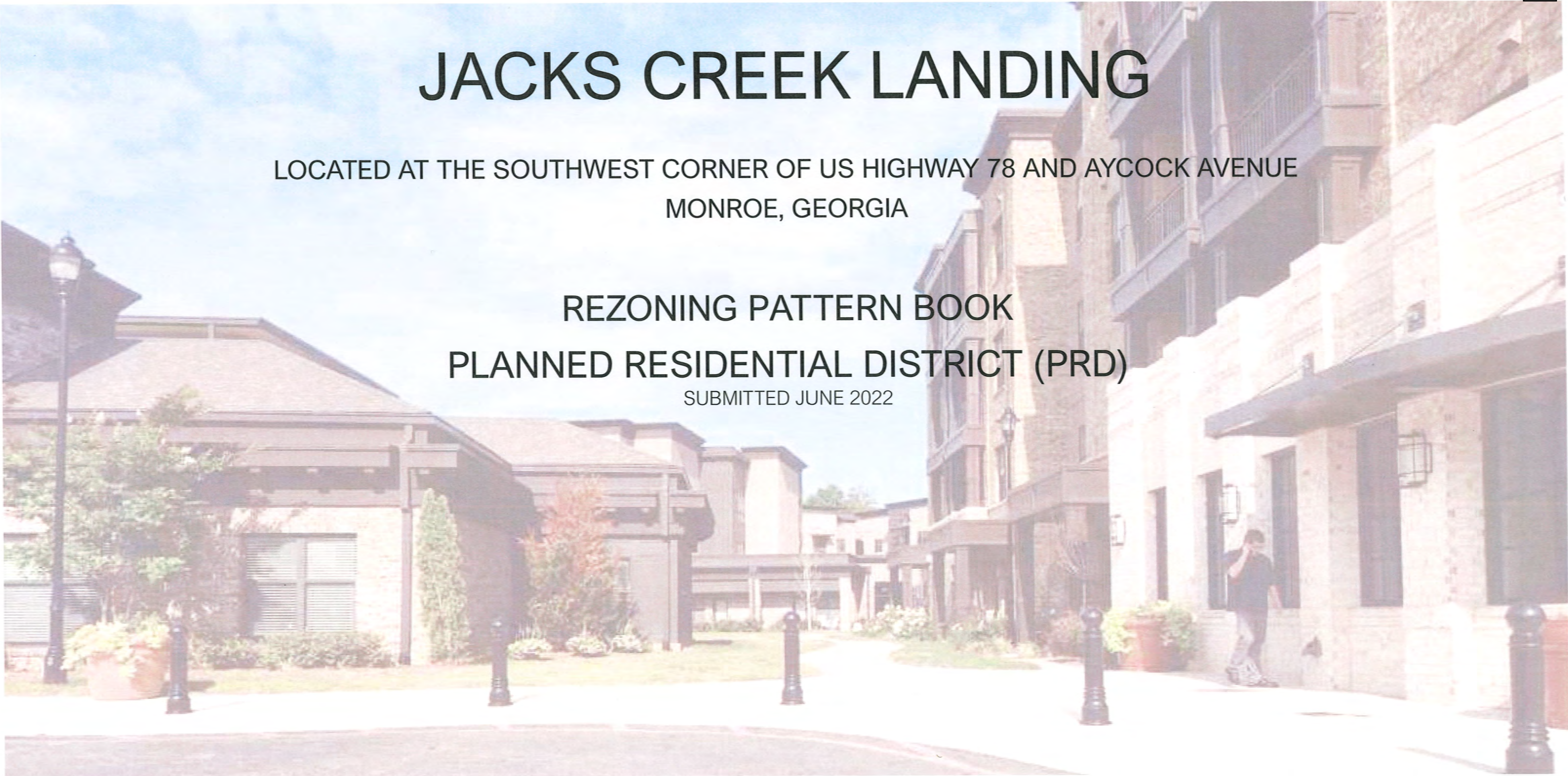
MEETINGS ARE HELD IN THE  
COUNCIL CHAMBERS, 220 CITY HALL  
470 NORTH G ST. WOODBRIDGE,  
VA 22191. FOR MORE INFORMATION,  
CALL 703-528-1234



# JACKS CREEK LANDING

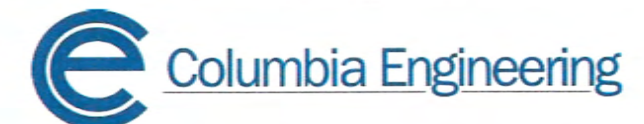
LOCATED AT THE SOUTHWEST CORNER OF US HIGHWAY 78 AND AYCOCK AVENUE  
MONROE, GEORGIA

REZONING PATTERN BOOK  
PLANNED RESIDENTIAL DISTRICT (PRD)  
SUBMITTED JUNE 2022



OWNER:  
JACKS CREEK LANDING, LLC  
2971B NORTH COLUMBIA STREET  
MILLEDGEVILLE, GA 31061

PLANNER, SURVEYOR, AND ENGINEER:



2862 Buford Highway, Suite 200  
Duluth, GA 30096



On Behalf of Jacks Creek Landing, LLC, the purpose of this pattern book is to provide a development outline and supporting documentation for the 26.6 acre Jack's Creek Landing Planned Commercial Development with Modifications (PCD) in the City of Monroe. The Project is located at the southwest corner of Aycok Avenue and US Highway 78. It is bound by a stream on the western and southern sides, and it is currently zoned PCD (Planned Commercial District) and located within the Corridor Design Overlay District in the City of Monroe.

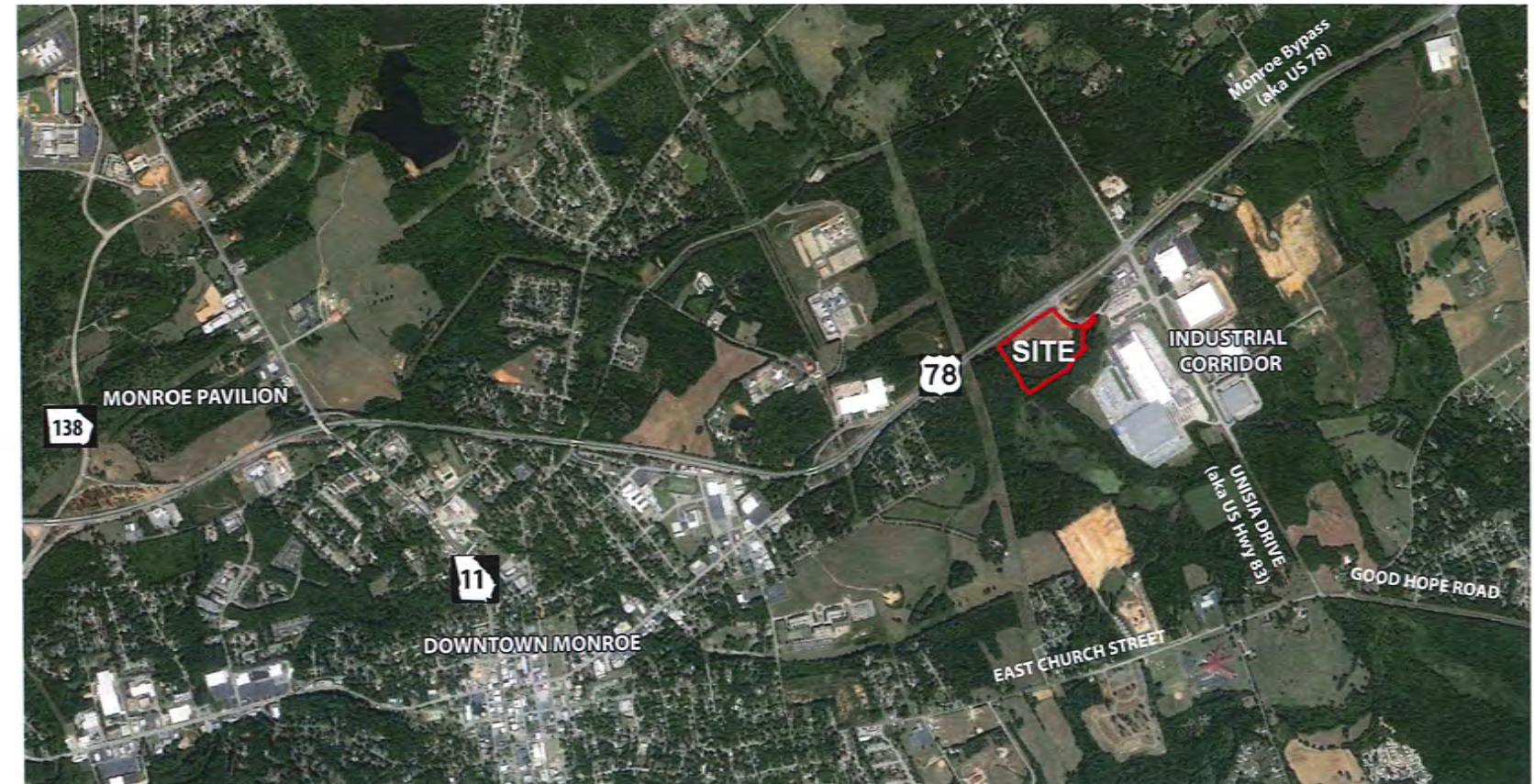
This pattern book is intended to outline the details of how the Jack's Creek Landing mixed use development will meet the Monroe zoning code, and it is intended to accompany a formal request for rezoning of the parcel from PCD to PCD with the modifications set forth.

#### Planning Objective

Jacks Creek Landing is a Planned Commercial Development that provides high quality multi-family housing as well as a commercial component and associated connectivity between the two. Located along US Highway 78 at Aycok Avenue near the eastern City limits of Monroe, it is intended to provide workforce housing for Monroe and Walton County. Located on a growing industrial corridor and near downtown, it will provide a prime living space for people wanting to make Monroe their home.

The proposed Planned Commercial district will set a standard for quality multifamily development in the Monroe area. In recent years, the City and surrounding areas have seen tremendous growth of single family detached residential subdivisions, and the proposed Jacks Creek Landing Residential community will help maintain a balance among housing types that is needed for a successful community to grow and thrive. Retail destinations such as Monroe Pavilion and downtown Monroe will be easily accessible to residents of this community for both work opportunities as well as entertainment and shopping.

The proposed development meets and exceeds the threshold of 40% open space, and includes amenities above and beyond standard requirements in order to make a special community. The development's commercial corner will have use restrictions and be targeted for community friendly retail that will create a synergy with the residential complex.

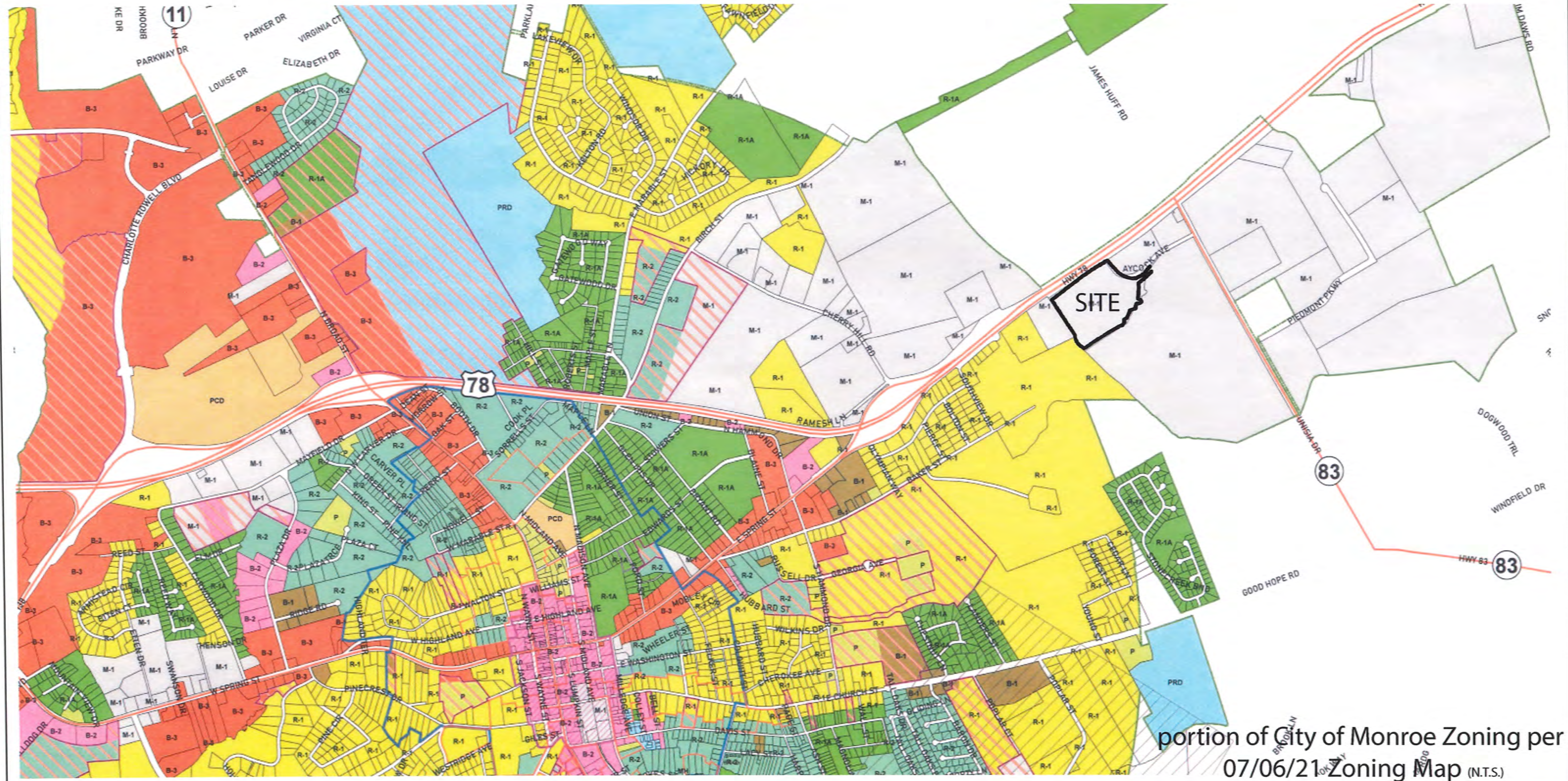


VICINITY MAP (N.T.S.)



LOCATION MAP (N.T.S.)

The subject site lies near the eastern boundary of the City and is abutted by public right-of-way and M-1 Industrial zoning for over 90% of the property boundary. The site is currently zoned PCD Planned Commercial District within the City of Monroe jurisdiction. The current Planned Commercial District with Modifications is the highest and best use for the property, given it's surrounding industrial uses and connectivity to large non-local streets. The commercial element of this PCD district is located at the intersection of Aycock and US Highway 78 will provide a mix of uses that will diversify this gateway to the City.



portion of City of Monroe Zoning per 07/06/21 Zoning Map (N.T.S.)

Future Land Use:

The current City of Monroe Comprehensive Plan identifies the project site as located within the “Northeast Sub-Area”. This is a predominantly industrial use area, but the Comprehensive Plan specifically identifies “higher density residential” as an acceptable use with a target of 5%-10% of such use within the area. Additionally, it identifies “Retail” use as acceptable with a targeted goal for 2%-4% of the sub-area. The proposed development includes both elements and in appropriate ratios to the overall desired build out of this sub area per the Comprehensive Plan. The project intent of providing workforce housing as well as a commercial component for convenience, goods, or other retail services along the US 78 corridor is consistent with the desirable goals established for this area by the City of Monroe.

CITY OF MONROE COMPREHENSIVE PLAN

CITY OF MONROE COMPREHENSIVE PLAN

NORTHEAST SUB-AREA PLAN

Existing General Character

The Northeast Monroe sub-area is shown on the following page. This area is primarily zoned for industrial uses. To meet live-work-play objective of the Comprehensive Plan, zoning/codes should adjust to allow higher density residential, commercial, and recreational uses.



Future Character

Given the existing industrial characteristics of this part of Monroe and access to SR78, a continued industrial character is anticipated into the future. To achieve the live-work-play objective of the community, form-based codes and zoning should support inclusion of residential, commercial, and recreational uses to balance the predominantly industrial character.

There is currently proposed a residential workforce development for the area. Since this area is mostly owned by the Industrial Development Authority, the City of Monroe should work with the authority to best achieve the goal for economic development and supporting urban form. Industrial land use is planned to dominate this sub-area with focus on light manufacturing (low noise and pollution).

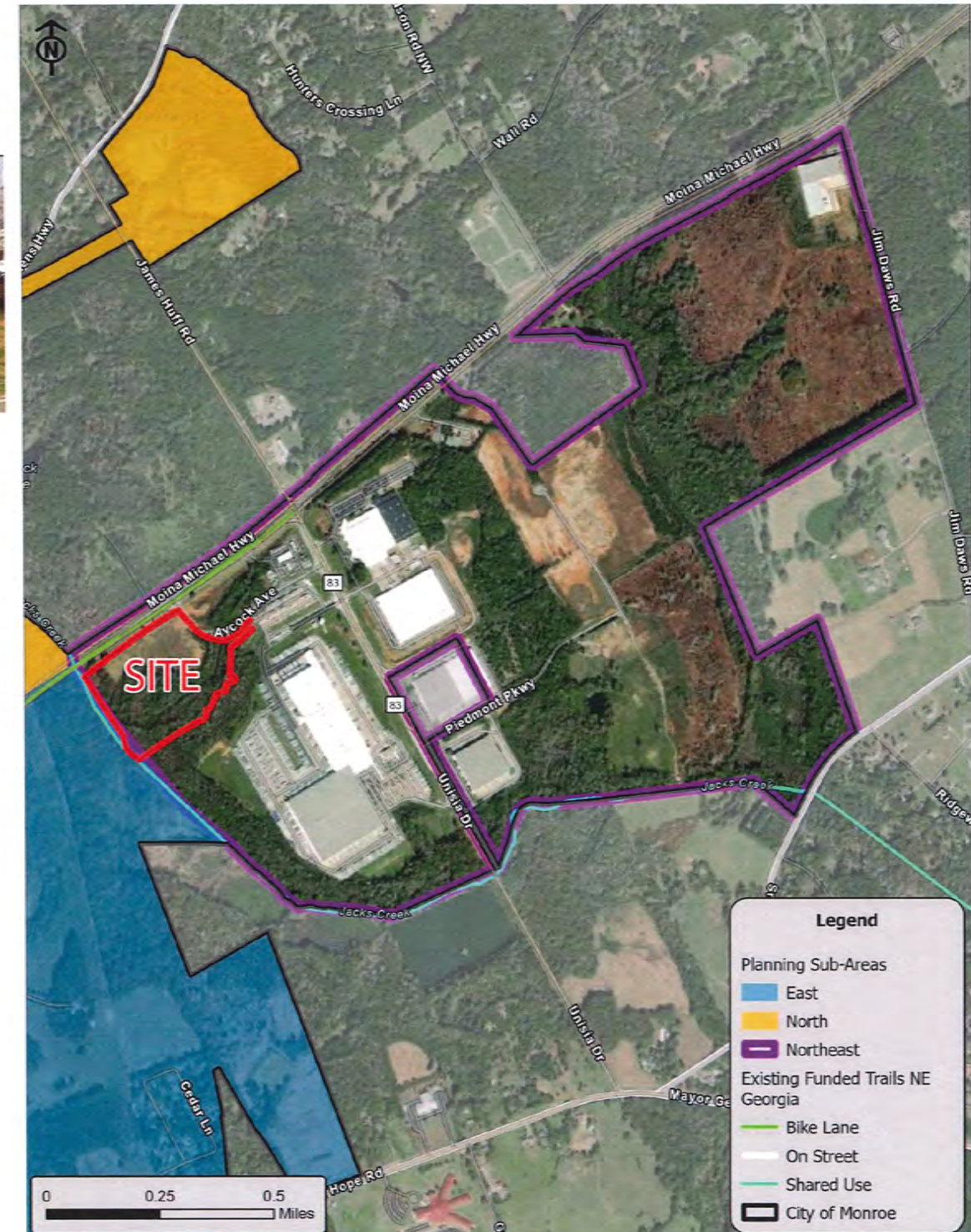
Land Use Goal Percentages

The following table shows recommended ranges for site approval considerations. The urban transect is T4 - SD for purposes of development form.

TABLE 15: NORTHEAST LAND USE GOALS

Land Use	Low	High
Industrial	75%	85%
Office	2%	4%
Retail	2%	4%
Parks/Recreation	2%	4%
Residential	5%	10%

FIGURE 36: NORTHEAST SUB-AREA PLANNING BOUNDARY



Existing Conditions:

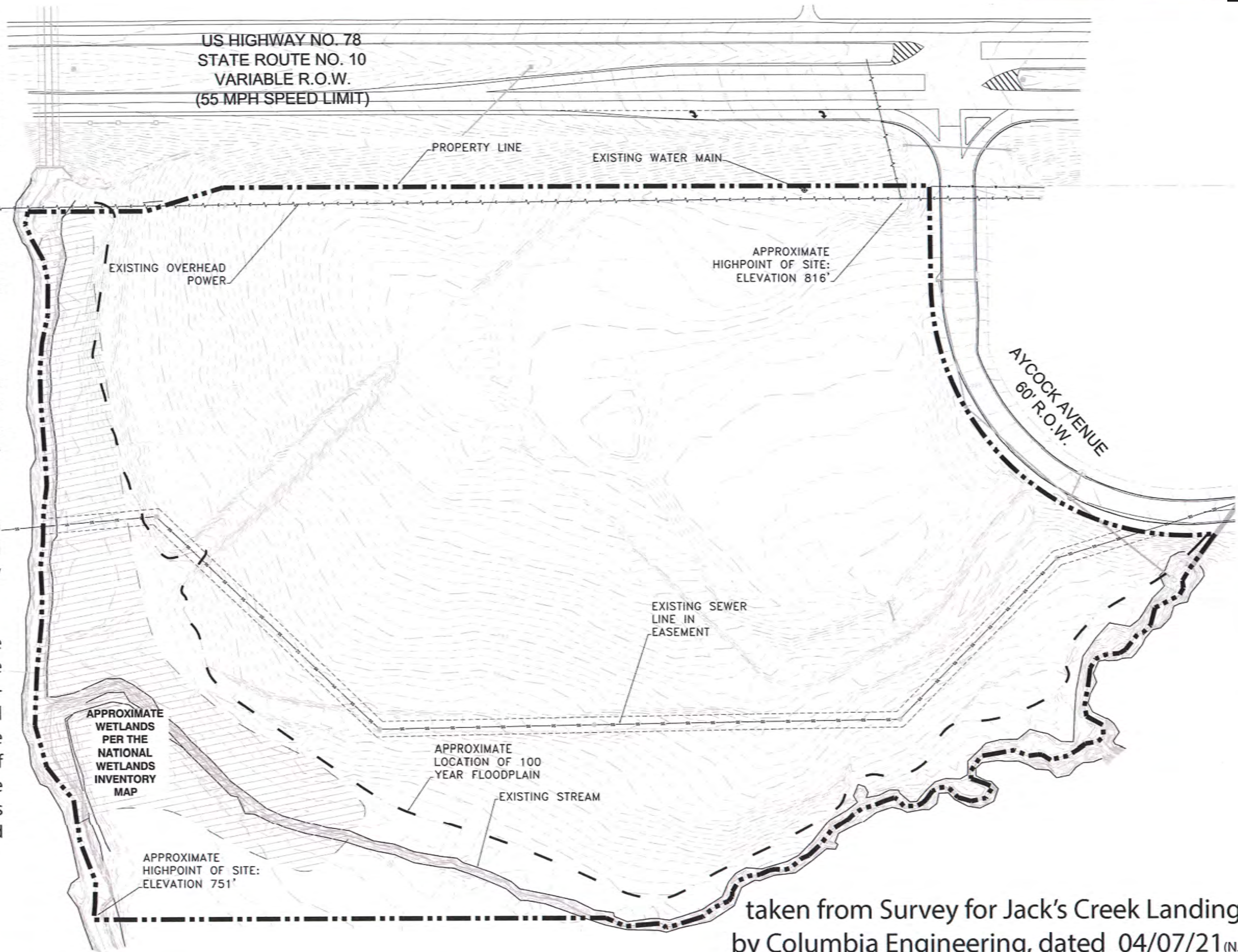
The site is fully surveyed, with existing conditions depicted below. Located at the southwest corner of the intersection of US Highway 78 and Aycock Road, the site contains substantial topographic change. From the high point near the intersection to a low point in the rear, there is approximately 65' of grade transition.

The site is served by power, water, and sewer, with sewer bisecting the site in an easement. The location of sewer impacts the configuration of the development, but does not prohibit the proposed development.

The southern and western boundaries are prohibited from development due to the location of existing streams and associated buffers, 100 year FEMA floodplain, and wetlands. These areas are to remain undisturbed in their wooded condition.

Numerous specimen trees were identified in these areas, and they will provide a substantial buffering effect which will also be amended by on site plantings.

A traffic study was undertaken to evaluate access into and from the site, and the relative speed limits, visibility, and other criteria required by GDOT were met to achieve approval for a right-in/right-out with deceleration lane along US Highway 78. and the signalization of Aycock and US Highway 78. Access is also to be attained from Aycock Road, providing residents and customers with separate ways to enter and leave the master planned site.



taken from Survey for Jack's Creek Landing by Columbia Engineering, dated 04/07/21 (N.T.S.)

**Site Plan:**

The proposed site plan will provide for a high quality multifamily housing development with numerous amenities as well as a commercial corner suitable for residents and passing motorists. Site data below identifies development conformance to Monroe standards

**Multi-family site: ±24.53 acres**

- proposed multifamily units: 282 max(11.5/ac)
- proposed parking: 423 spaces (1.5 spaces/unit max)
- Maximum structure height: 3 stories
- Minimum SF of dwellings: 1BR-800 sf; 2BR-1,000 sf; 3BR-1,200 sf
- Minimum lot size: N/A
- Maximum lot coverage: 60%
- Required buffers: stream buffers as shown, zoning buffer to R-1

**Commercial site: ±1.85 acres**

- Maximum gross sf of structures: 5,000 sf
- Minimum SF of landscaped area: 20,150 sf (25%)
- Maximum structure height: 25' height
- Minimum SF of parking and drives: 20,000 sf
- proposed # of parking spaces: per City zoning ordinance Section 520, Table 3.
- Buffers: a minimum 20' landscaped buffer is required where the commercial tract abuts the multifamily tract and shall contain a 6 ft height opaque privacy fence and a double row of evergreen trees, planted at six (6) feet in height, minimum.

The proposed user and final layout must conform to Monroe Highway Corridor Overlay district and uses shall be limited to those approved for B-3 uses in the City of Monroe zoning code. Uses are further restricted to prohibit the following:

- Salvage, junk, wrecking, recycling, waste, and scrap yards, adult bookstore, sexually oriented businesses or establishments, pawnshop or loan brokers, other than mortgage loan brokers, rooming and boarding houses, automotive repair and maintenance, except car washes.

**CDO Corridor Overlay District standards:**

- a. the development contains a mix of uses consistent with City standards and has clear and legible ingress and egress based on prior transportation analysis of the site.
- b. No recognized environmental conditions exist on site per a Phase 1 Environmental Site Assessment.
- c. Architecture and site design will be harmonious with site and landscape design as is generally depicted on architectural section of this pattern book
- d. Landscape design shall be an integral component of this development. Enhanced buffering of the multifamily component to US Highway 78 will be provided and are depicted in this pattern book.



Site Plan Rendering (N.T.S.)

Site Connectivity

US 78 access:

Along US Highway 78, the proposed driveway is in proximity to the intersection with Aycock and therefore does not consist of a median break and full access onto US 78. The proposed right in/right out as depicted has been approved by GDOT and will provide convenient ingress and egress to both the commercial and residential components of this development

Aycock Avenue access:

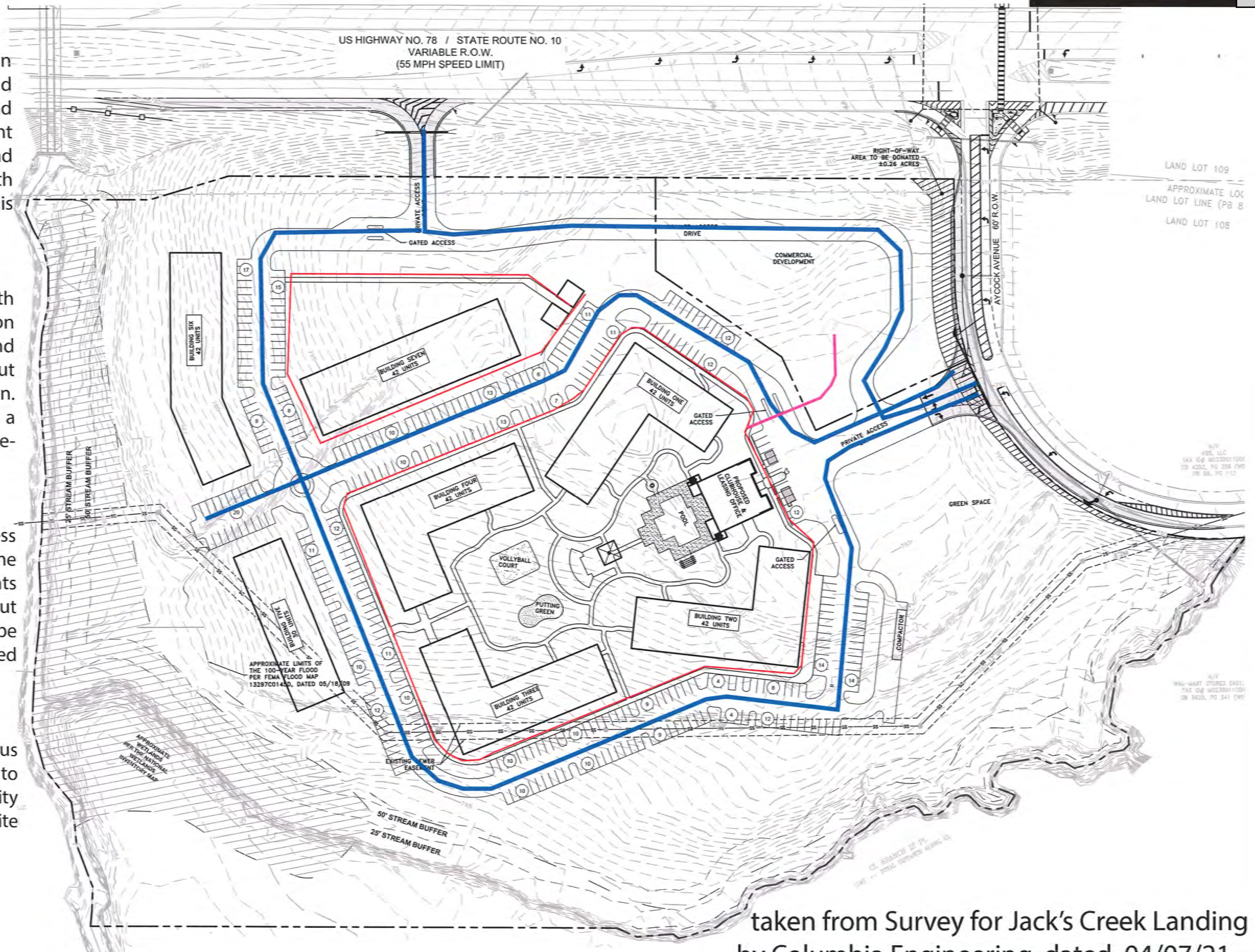
Access from Aycock Avenue is a full access, with widening of Aycock to provide left turn deceleration and stacking and right turn deceleration and stacking to facilitate easy movement into and out of the site and reduce the potential for congestion. Aycock Avenue is further designed to provide a future second left turn lane onto US 78 if traffic necessitates.

Vehicular access within the site:

The community will be served by a private access drive off of Highway 78 and Aycock Avenue. The design gives commercial customers and residents access from both US 78 and Aycock without interfering with each other. The community will be gated and the commercial use is beyond the gated area on its own accessible tract.

Pedestrian access within the site:

Sidewalks within the site provide a continuous walking loop as well as pedestrian only paths to amenities and large common spaces. Connectivity will also be available to the commercial corner site for residents convenience.

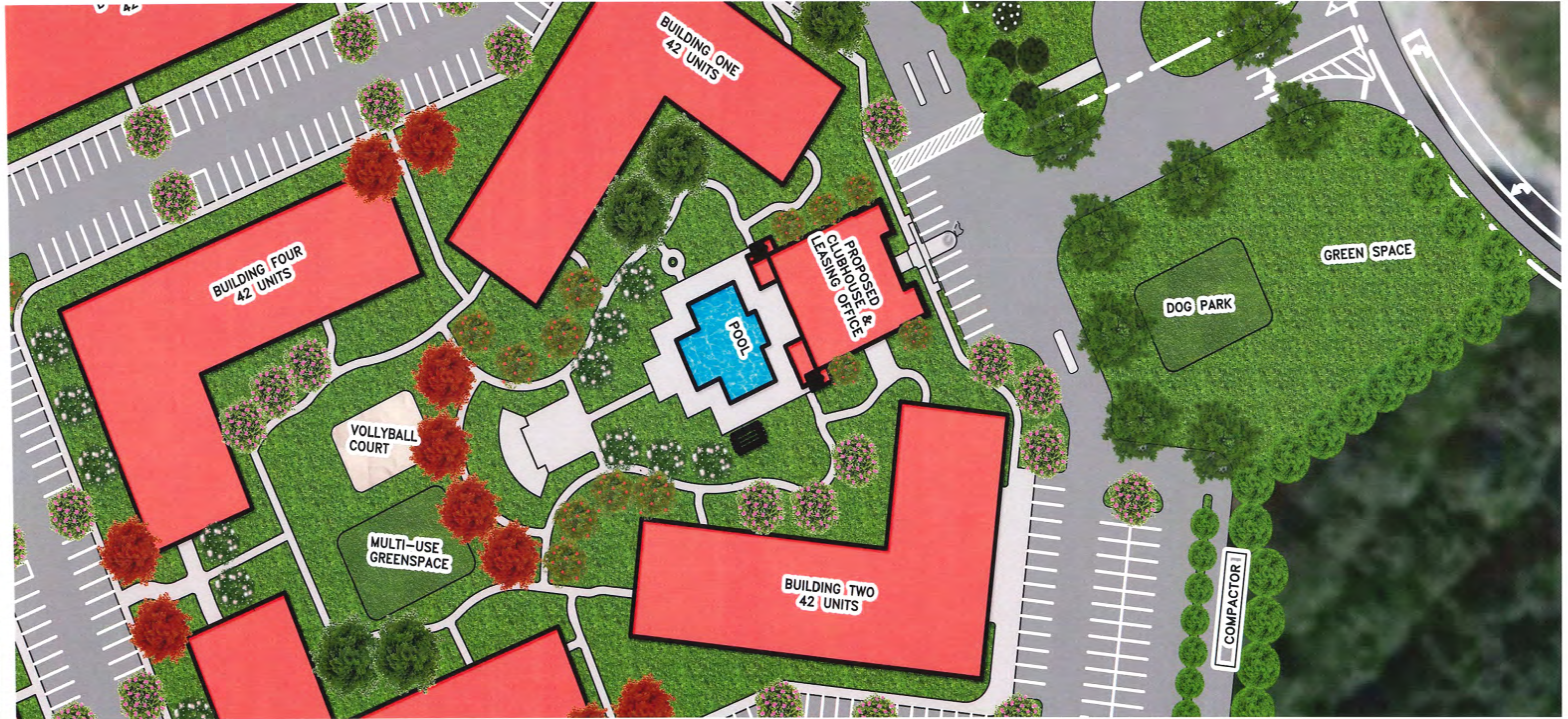


taken from Survey for Jack's Creek Landing by Columbia Engineering, dated 04/07/21 (N.T.S.)

Amenities

The quality of space and life in the proposed multifamily development is elevated above the typical apartment development. This is accomplished by the organization of space on the site, creating a large central green campus atmosphere. It is also accomplished by the high quality amenities on site, which will enhance residents enjoyment of the site and ensure the development is a desirable place to live in Monroe for many years to come. These amenities include:

- Clubhouse
- Pool cabana, and plaza
- multi-use greenspace
- volleyball court
- Dog park
- lawns, pathways, and benches
- Pavilion



Buffering

The proposed development consists of a multifamily development featuring 3 story apartment structures as well as a commercial component limited to 25' in height and located at the signalized intersection. While the site will be heavily planted throughout, buffering to adjacent neighbors to the south and west is generally achieved through the large stream buffer, floodplain, and wetlands areas which are to remain undisturbed and contain numerous specimen trees.

Buffering multifamily on US Highway 78

Buffering views from the US Highway 78 right of way to the multifamily development and vice versa will be accomplished by a planted buffer exceeding the minimum standards set by the City. Where the proposed multifamily development abuts the US Highway 78 right of way, a minimum of 4 staggered rows of evergreen trees shall be planted between the right of way and proposed structures. No more than 30% of a single species shall be used in order to provide an attractive and varying buffer. Buffer plantings are not required in undisturbed areas. **Construction of the development shall be phased to provide grading, stabilization, and planting of US 78 multifamily buffer screening plants prior to multifamily unit vertical construction.**

Buffering commercial development to multifamily development

The nature of the project is a mixed use development, but the separation of uses creates the need for buffering between higher and lower uses. For this reason, a minimum 20' landscaped buffer is required to be provided on the commercial tract, where the commercial tract abuts the multifamily tract. This buffer shall contain a 6 ft height opaque privacy fence and a double row of evergreen trees, planted at six (6) feet in height, minimum.





Architectural Option B - Parapet roof

Proposed architecture features a parapet roof system. Building color palette may be modified as necessary. All proposed multifamily units are 3 stories in height



Architectural Option A&B - Landscaped Courtyard Amenities

Arial view of English garden landscaped walkways with outdoor gaming adjacent clubhouse amenities.



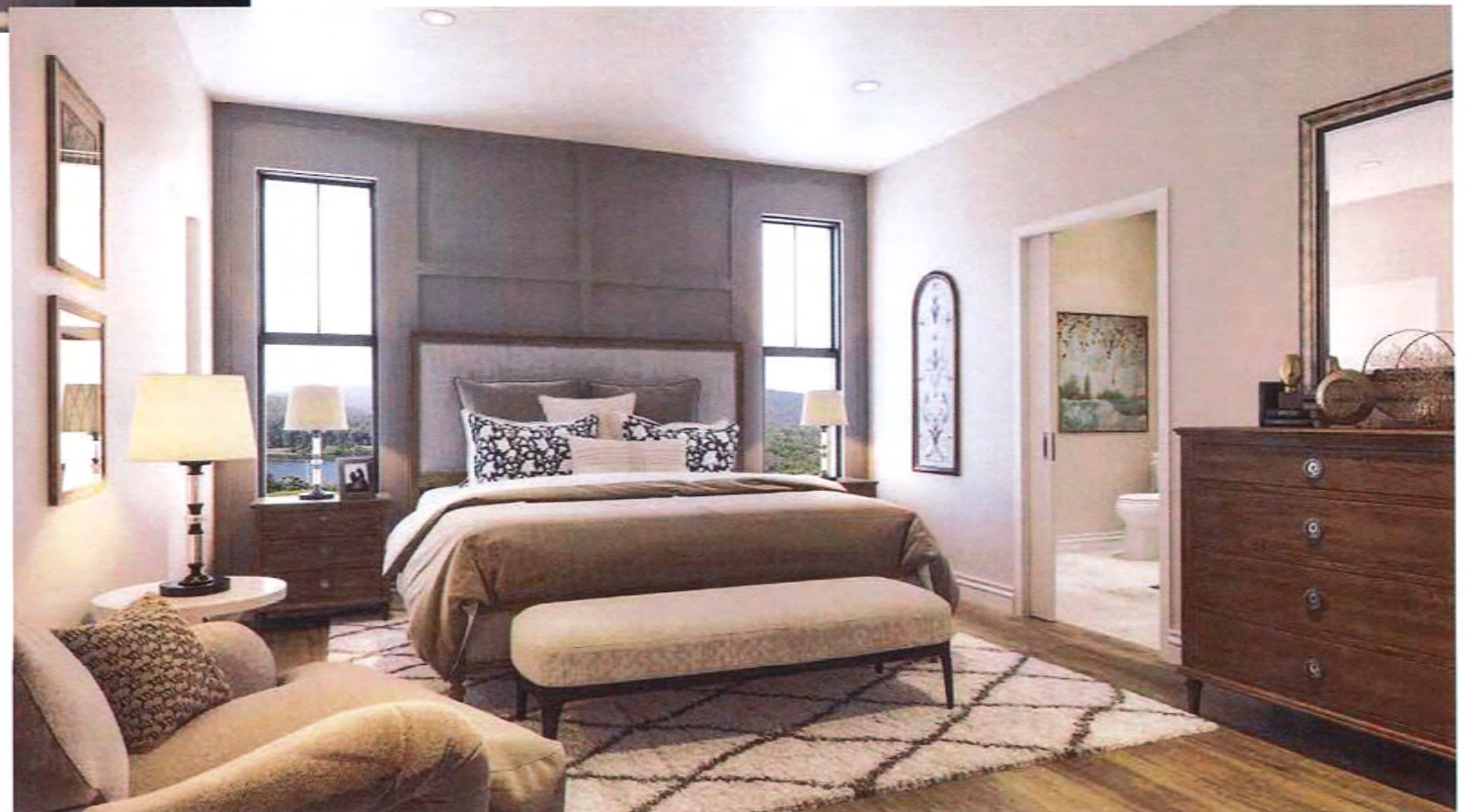
Architectural Option A: Gabled roof

Proposed architecture features a gabled roof system. Building color palette may be modified as necessary. All proposed multifamily units are 3 stories in height





Stegenga + PARTNERS  
Alpharetta, Georgia 678.319.0091 www.SnP-Studio.com





**Planning  
City of Monroe, Georgia  
VARIANCE STAFF REPORT**

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**APPLICATION SUMMARY**

**VARIANCE CASE #:** 1342

**DATE:** August 8, 2022

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Jacks Creek Landing LLC

**PROPERTY OWNER:** Jacks Creek Landing LLC

**LOCATION:** Southwest corner of US Hwy 78 & Aycok Avenue

**ACREAGE:** ±26.644

**EXISTING ZONING:** PCD (Planned Commercial District)

**EXISTING LAND USE:** Undeveloped

**ACTION REQUESTED:** The owner is requesting a variance for this property to reduce the minimum number of required access points from 3 to 2.

**STAFF RECOMMENDATION:** Staff recommends approval of this variance as submitted without conditions.

**DATES OF SCHEDULED MEETINGS**

**PLANNING COMMISSION:** August 16, 2022

**CITY COUNCIL:** September 13, 2022

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**REQUEST SUMMARY**

**VARIANCE REQUEST SUMMARY:**

The applicant is requesting approval of a variance in order to reduce the number of required access points from 3 to 2 for a mixed use development. Section 9.16.C.2 of the Development Regulations requires residential developments with more than 200 dwelling units to have a minimum of 3 driveway access points. The applicant proposes to construct one entrance into the development from US Hwy 78 with a second entrance into the development from Aycok Avenue. The applicant has already received permits from GDOT to construct the entrance from US Hwy 78. The entrance off Aycok Avenue is proposed to include additional turn lanes and right-of-way dedication as part of improvements to construct a traffic signal at the intersection of Aycok Avenue and US Hwy 78.

**PROPOSED PROJECT SUMMARY:**

- Please refer Rezone #1183, PCD to PCD with modifications for a complete background on the proposed project included with this request

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**STAFF ANALYSIS**

SECTION 14.3 OF THE *CITY OF MONROE DEVELOPMENT REGULATIONS* PERMITS VARIANCE REQUESTS FROM THE REQUIREMENTS OF THE DEVELOPMENT REGULATIONS AT THE DISCRETION OF THE MAYOR AND CITY COUNCIL.

As described in the variance summary, this variance is requested to reduce the minimum number of driveway access points from 3 to 2. The subject property is located on the southwest corner of US Hwy 78 and Aycock Avenue. A majority of the property frontage is located along US Hwy 78. Access to US Hwy 78 is controlled by GDOT. The applicant has been granted an access permit from GDOT on US Hwy 78 for one access point. The property frontage along Aycock Avenue does not contain adequate linear distance to accommodate two entrances that would comply with separation of access point requirements outlined in Section 9.16.D.1 of the Development Regulations (2 access points each 300 feet of lot frontage). Due to the limit of one access point off US Hwy 78 and the limited frontage along Aycock Avenue, requiring 3 access points into the project is not feasible.

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**STAFF RECOMMENDATION**

Based upon the City Council’s policies, decision making criteria and standards outlined in the Development Regulations of the City of Monroe, staff recommends approval of the requested variance to allow for a reduction in the minimum number of driveway access points from 3 to 2 as requested without conditions.



# City of Monroe

215 N. Broad Street  
Monroe, GA 30655  
(770) 207-4674

## VARIANCE REQUEST PERMIT

PERMIT #:	1342	DESCRIPTION:	VARIANCE REQUEST - Driveways
JOB ADDRESS:	Hwy 78	LOT #:	
PARCEL ID:	M0230011B11	BLK #:	
SUBDIVISION:		ZONING:	M1
ISSUED TO:	Jack's Creek Landing LLC	CONTRACTOR:	Jack's Creek Landing LLC
ADDRESS:	2971 North Columbia St	PHONE:	
CITY, STATE ZIP:	Milledgeville GA 31061	OWNER:	
PHONE:		PHONE:	
PROP.USE:	PCD	DATE ISSUED:	8/04/2022
VALUATION:	\$ 0.00	EXPIRATION:	1/31/2023
SQ FT:	0.00		
OCCP TYPE:			
CNST TYPE:			
INSPECTION REQUESTS:	770-207-4674 lwilson@monroega.gov		

FEE CODE	DESCRIPTION	AMOUNT
PZ-10	VARIANCE	\$ 250.00
<b>FEE TOTAL</b>		\$ 250.00
<b>PAYMENTS</b>		\$- 250.00
<b>BALANCE</b>		\$ 0.00

### NOTES:

Be advised this request for a Rezone and Variance at the southwest corner of US Hwy 78 and Aycock Avenue will be heard by the Planning Commission on August 16, 2022 at 5:30pm and by City Council on September 13, 2022 at 6pm. Both meetings will take place in the Council Chambers at 215 N. Broad St Monroe, GA.

### NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

  
\_\_\_\_\_  
(APPROVED BY)

8/15/22  
DATE





# CITY OF MONROE

## VARIANCE APPLICATION

### VARIANCE REQUEST LOCATION & DESCRIPTION

Address: Southwest corner of US Highway 78 & Aycock Avenue

Parcel #: M0230011B00 Council Districts: District 4,

Zoning: PCD (Rezoning to PCD with Modifications) Acreage/Square Feet: 26.644 ac (Surveyed)

Stated Purpose of Variance Request (Provide ordinance reference): \_\_\_\_\_

Section 9.16.1.C.2 of the Development Regulations: Reduction in the  
required number of access points based on number of units; 3 required, 2 provided

### PROPERTY OWNER & APPLICANT INFORMATION

Property Owner: Jack's Creek Landing, LLC Phone #: (706)207-8111

Address: 2971B North Columbia Street City: Milledgeville State: GA Zip: 31061

Applicant (If different than owner): \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### VARIANCE INFORMATION

**Describe the location of the structure and/or use for which the variance is sought (required to be shown on a plat by a licensed surveyor) (1430.2(b)):** Per studies performed by the City of Monroe and GDOT, the proposed  
development is limited to one access off of Highway 78 and one access off of Aycock Avenue, but requires three per the number of units proposed

**Describe the relationship of the structure and/or use to existing structures and uses on adjacent lots (1430.2(c)):** The proposed residential and commercial use is adjacent to warehouses and undeveloped land with Industrial zoning. This proposed  
mixed use development would provide more dense housing options for employees of the current and future industrial uses in this corridor.

**Describe the specific sections of the Zoning Ordinance which would cause hardship (Note: Hardship is considered to be the reason compliance is physically not possible, as opposed to financial hardships which are not a basis for a variance) (1430.2(d)):** Per the table under Section 9.16.1.C. of the Development Regulations, a residential  
development with more than 200 proposed units requires three access points.

**VARIANCE INFORMATION CONT.**

**Describe the characteristics of the property relating to its size, shape, or topography that prevent compliance with the Zoning Ordinance (1430.2(e)):** The parcel is bound by an active stream and corresponding wetlands on the southern and western boundaries through which

no access can be routed. To the north is GDOT controlled Highway 78 with one approved access, and to the east is Aycock Avenue whose site distance calculations only allow for one access.

**Describe the particular hardship that would result from strict application of the Zoning Ordinance (Note: Hardship is considered to be the reason compliance is physically not possible, as opposed to financial hardships which are not a basis for a variance) (1430.2(f)):** Stream and wetlands construction and mitigation permits would be required

to provide access through the southern or western borders, with access easement agreements through neighboring parcels to provide additional access to the site.

**If the variance requested is located in the Corridor Design Overlay District or a Historic Preservation District, a letter of approval from either and/or both the Corridor Design Commission or the Historic Preservation Commission is required to be submitted with this application. (1430.2(g))**

**REQUIRED SUBMITTAL ITEMS**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Completed Application     | <input checked="" type="checkbox"/> Deed                                     |
| <input checked="" type="checkbox"/> Fee (see Fee Schedule)    | <input checked="" type="checkbox"/> Proof of all property taxes paid in full |
| <input checked="" type="checkbox"/> Survey Plat               | <input type="checkbox"/> COA or HPC approval                                 |
| <input checked="" type="checkbox"/> Site Plan; Drawn to Scale | <input type="checkbox"/> Other information as required by Code Enforcement   |

I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES THE CODE DEPARTMENT PERSONNEL TO ENTER UPON AND INSPECT THE PROPERTY FOR ALL PURPOSES ALLOWED AND REQUIRED BY THE ZONING ORDINANCE AND THE DEVELOPMENT REGULATIONS.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPARTMENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.

**PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT**

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**NOTARY PUBLIC:**

**SWORN TO AND SUBSCRIBED BEFORE THIS** \_\_\_\_\_ **DAY OF** \_\_\_\_\_, 20\_\_\_\_\_

**NOTARY SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SEAL:**

It is the responsibility of the applicant and not the staff to ensure that a complete application with all required materials are submitted. Applications and submittals found to be incomplete and incorrect will be rejected. Each applicant is responsible for compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.

BK: 4853 PG: 16-21  
Filed and Recorded  
Apr-28-2021 04:27:33PM  
DOC#: D2021-007777  
Real Estate Transfer Tax \$0.00  
1472021001927

6 -1  
MP  
REF

Karen P. David  
CLERK OF SUPERIOR COURT Walton County GA.

Tax Parcel # M0230-00000-111-B00

(Above Reserved for Recording)

After recording, please return to:

**RETURN RECORDED DOCUMENT TO:**  
Preston & Malcom, P.C.  
110 Court Street  
Post Office Box 984  
Monroe, Georgia 30655  
File No: 21-25688

STATE OF GEORGIA  
COUNTY OF WALTON

**LIMITED WARRANTY DEED**

THIS INDENTURE is made effective on the 23<sup>rd</sup> day of April, 2021, by **DEVELOPMENT AUTHORITY OF WALTON COUNTY, GEORGIA**, a public body corporate and politic of the State of Georgia ("Grantor"), and **JACK'S CREEK LANDING, LLC**, a Georgia limited liability company ("Grantee").

**WITNESSETH:**

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby transfer and convey unto Grantee, that certain real property lying in Walton County, Georgia being more fully described in Exhibit "A" attached hereto and made a part hereof, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the "Property");

TO HAVE AND TO HOLD the Property unto Grantee forever in fee simple subject only to (i) those matters set forth on Exhibit "B" attached hereto and made a part hereof (hereinafter the "Permitted Encumbrances"), (ii) the covenants restricting the development and use of the Property set forth in Exhibit "C" attached hereto and made a part hereof (hereinafter the "Covenants, Conditions and Restrictions"), and Grantor shall warrant and forever defend the right, title and interest to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor but against none other. "Grantor" and "Grantee" shall include their respective heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has executed this deed as of the day and year first set forth above.

Signed, sealed and delivered in the presence of:

**GRANTOR:**

**DEVELOPMENT AUTHORITY OF WALTON COUNTY**, a public body corporate and politic of the State of Georgia

*[Handwritten Signature]*

Unofficial Witness

*[Handwritten Signature]*

Notary Public

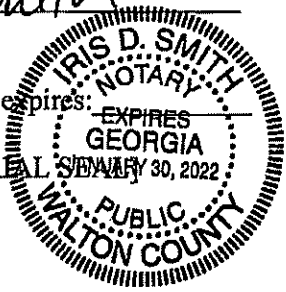
By: *[Handwritten Signature]*

Name: *W. Moses Jordan*

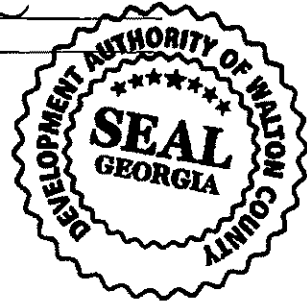
Title: *Chairman*

My commission expires:

[NOTARY SEAL]



[SEAL]



**Exhibit "A"**

**Legal Description of the Property**

ALL THAT TRACT or parcel of land lying and being in Land Lot 108, 3<sup>rd</sup> Land District, Walton County, Georgia, containing 26.6+/- acres as shown on that certain plat of survey prepared for Development Authority of Walton County by Dills-Jones & Associates, Inc., certified by Gerald T. Batchelor, Ga. R.L.S. No. 2238, dated May 12, 2006, which plat is recorded at **Plat Book 99, Page 112**, Walton County, Georgia records, and which plat is incorporated herein by reference for a more complete description of the Property.



**Exhibit "B"**

**Permitted Encumbrances**

1. All taxes for the year 2021 and subsequent years which are a lien but not yet due and payable.
2. Covenants, Conditions and Restrictions set forth herein.
3. All matters of record.



## Exhibit "C"

### Covenants, Conditions and Restrictions

Grantor and Grantee covenant and agree that the conveyance of the Property by Grantor to Grantee pursuant to this Deed is made subject to the Covenants, Conditions and Restrictions set forth herein.

**A. Definitions.** The terms used herein shall generally be given their natural, commonly accepted definitions except as otherwise specified. Capitalized terms shall be defined as set forth below.

1. "Environmental Laws": All federal and state laws, regulations, statutes, ordinances, rules, regulations, orders, determinations, or court decisions relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport, handling, discharge, emission, migration, or release of hazardous substances or solid wastes including, without limitation, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, the Resource Conservation and Recovery Act of 1976, as amended by the Used Oil Recycling Act of 1980, the Solid Waste Disposal Act Amendments of 1980, and the Hazardous and Solid Waste Amendments of 1984.

2. "Hazardous Substances": any hazardous or toxic substance or waste as those terms are defined by any applicable Federal, state, or local law or regulation and asbestos, petroleum products and oil, and any other materials regulated by Environmental Laws.

3. "Official Records": The Clerk of the Superior Court of Walton County, Georgia, or such other place which is designated as the official location for recording of deeds and similar documents affecting title to real estate.

4. "Person": A natural person, a corporation, a partnership, a trustee, or any other legal entity.

**B. Use Restrictions and Rules.** The following terms and provisions shall apply to the Property:

1. Restricted Activities. The following activities are prohibited on the Property:

(a) any activity which emits foul or obnoxious odors, fumes, dust, smoke, or pollution outside the Property or which creates noise, unreasonable risk of fire or explosion, or other conditions which tend to disturb the peace or threaten the safety of the occupants and invitees of nearby properties; provided, nothing herein shall preclude normal and customary operation of any restaurant or hospital facility;

(b) any activity which violates local, state, or Federal laws or regulations;

(c) outside burning of trash, leaves, debris, or other materials.

2. Prohibited Conditions. The following shall be prohibited on the Property:

(a) plants, animals, devices, or other things of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the Property;

(b) any sign, fence, wall, hedge, or shrub which does or tends to create a traffic or sight problem;

3. Prohibited Uses. In addition to uses which are restricted by other recorded covenants, conditions, restrictions, or easements, the following uses are prohibited on the Property:

(a) any use which is not otherwise allowable by the laws of the United States or of Georgia or of any political subdivision thereof, including, but not limited to, applicable zoning ordinances of City of Monroe, Georgia and Walton County, Georgia;

(b) any dangerous or unsafe use, such as, for illustration purposes only, the use or storage of explosives;

(c) any use which involves the generation, treatment, storage, or disposal of Hazardous Substances in violation of applicable Environmental Laws, or which poses a substantial risk of release of any Hazardous Substances into the ground, air, surface water, ground water, or any other medium. Notwithstanding anything to the contrary contained in this Exhibit, a prohibited use shall include any use or activity on any unit which would cause the Property to become subject to regulation as a hazardous waste disposal facility under current Environmental Laws;

(d) Armories;

(d) any adult book store, adult video store, adult movie theater, adult entertainment facility, or other establishment selling, renting or exhibiting pornographic materials or drug-related paraphernalia (except that this provision shall not prohibit the operation of a bookstore, grocery store/supermarket, cinema or video store, or service station which carries a broad inventory of books, magazines, videos and/or other materials directed towards the interest of the general public [as opposed to a specific segment thereof]);

(e) Radio and television transmission towers over 35 feet high (unless specifically approved by Grantor);

(f) Airports and landing areas;

(g) Heliports (unless specifically approved by Grantor);

(h) Asphalt and concrete batching plants, central mixing plants for cement, mortar, plaster or housing materials;

(i) Salvage and junk yards; and

(j) Landfills.



BK: 4853 PG: 22  
Filed and Recorded  
Apr-28-2021 04:27:33PM  
DOC#: D2021-007778  
Real Estate Transfer Tax \$0.00  
1472021001928

Return Recorded Document to:  
PRESTON & MALCOM, P.C.  
Attorneys at Law  
Post Office Box 984  
118 Court Street  
Monroe, Georgia 30655  
File # 21-25633

1-1  
MP  
(KLT)

Karen P. David  
CLERK OF SUPERIOR COURT Walton County GA.

Tax Parcel # M0230-00000-111-B00

**QUITCLAIM DEED IN AID OF TITLE**

**STATE OF GEORGIA  
COUNTY OF WALTON**

**THIS INDENTURE**, made the 23rd day of April, 2021, between **DEVELOPMENT AUTHORITY OF WALTON COUNTY, GEORGIA**, a public body corporate and politic of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **JACK'S CREEK LANDING, LLC**, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever **QUITCLAIM** unto the said Grantee,

All right, title, interest and equity in and to the following described property, to wit:

All that tract or parcel of land, together with all improvements thereon, situate, lying and being in the State of Georgia, County of Walton, City of Monroe, located in Land Lot 108 of the 3rd District, G.M.D. 419, and being designated as 26.644 acres, more or less, according to a survey entitled, "ALTA/NSPS Land Title Survey for: Jack's Creek Landing, LLC & Chicago Title Insurance Company," dated April 7, 2021, prepared by Columbia Engineering, certified by Brandon T. Miller, Georgia Registered Land Surveyor No. 2945, recorded in Plat Book 120, pages 80-81, Clerk's Office, Walton County Superior Court. Reference to said survey is hereby made and the same is incorporated herein for a more complete description of the property conveyed.

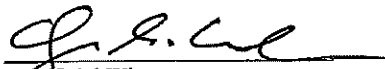
This Deed is given in conjunction with a Limited Warranty Deed of even date herewith between the parties in aid of title to avoid any gaps or overlaps in the conveyance herein.

**TO HAVE AND TO HOLD** the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.


**IN WITNESS WHEREOF**, the Grantor has signed and sealed this deed, the day and year first above written.


Signed, sealed and delivered  
in the presence of:

GRANTOR:

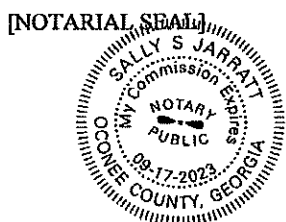
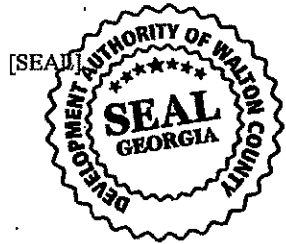
  
Unofficial Witness

**DEVELOPMENT AUTHORITY OF WALTON COUNTY**, a public body corporate and politic of the State of Georgia

  
Notary Public

By:   
W. Morris Jordan, Chairman

My commission expires: \_\_\_\_\_





Realkey	Perskey	Taxtype	Tt_Desc	Asmtpct	CovExempt	HSExempt	Millage	EstTax	Acckey
---------	---------	---------	---------	---------	-----------	----------	---------	--------	--------

(There are no records to view)

**Gross Asmt :** 331,360

**Total Est Tax :** 0.00



Tables

Close

Recheck	Total Asmt	331,360							
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**ALTA/NSPS LAND TITLE SURVEY FOR:**  
**JACK'S CREEK LANDING, LLC & CHICAGO TITLE INSURANCE COMPANY**  
 LAND LOT 108 OF THE 3RD DISTRICT  
 G.M.D. 419  
 CITY OF MONROE  
 WALTON COUNTY, GEORGIA

REVISIONS	DATE

DRAWING TITLE	
<b>ALTA/NSPS LAND TITLE SURVEY</b>	
FILE NAME: 5458_00_SV	DRAWING NO.
DRAWN BY: JR	PROJECT NO: 5458.00
PROJECT NO: 5458.00	FIELD DATE: 03/11/21
FIELD DATE: 03/11/21	PLAT DATE: 04/07/21
PLAT DATE: 04/07/21	SCALE: 1"=100'
SCALE: 1"=100'	1 OF 2

**CIVIL ENGINEERS \* LAND PLANNERS**  
**\* LANDSCAPE ARCHITECTS \* SURVEYORS**

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	S34°30'19"E	126.39'	L21	S38°03'58"E	14.42'	L41	S79°26'55"W	4.97'	L61	S59°29'19"W	12.60'	L81	N54°45'52"W	58.10'
L2	N50°52'07"E	10.35'	L22	S11°31'38"W	9.99'	L42	S48°54'59"W	8.01'	L62	S45°48'48"W	7.88'	L82	N39°24'10"W	25.98'
L3	S02°50'51"W	53.97'	L23	S46°22'32"W	16.94'	L43	S29°15'41"W	9.50'	L63	S31°07'02"W	12.79'	L83	N42°05'22"W	27.86'
L4	S02°55'18"E	21.12'	L24	S20°55'20"W	13.64'	L44	S02°34'12"W	13.57'	L64	S48°54'54"W	13.88'	L84	N73°43'37"W	27.69'
L5	S41°26'25"E	9.51'	L25	S24°39'59"W	13.83'	L45	S13°03'25"W	6.06'	L65	S32°37'47"W	15.07'	L85	N71°57'41"W	27.65'
L6	S04°37'33"E	11.11'	L26	S43°22'00"W	22.37'	L46	S27°19'11"W	7.79'	L66	S02°45'50"E	16.81'	L86	N49°32'12"W	55.21'
L7	S29°35'26"W	15.21'	L27	S65°05'58"E	1.15'	L47	S51°59'03"W	17.67'	L67	S27°58'35"E	6.53'	L87	N31°50'43"W	25.83'
L8	S28°15'34"W	20.25'	L28	S86°12'04"W	14.42'	L48	N72°06'09"W	10.39'	L68	S04°03'55"W	7.59'	L88	N31°02'39"W	45.40'
L9	S19°00'41"E	23.29'	L29	S59°40'32"W	5.73'	L49	S85°31'46"W	6.97'	L69	S31°58'47"W	20.65'	L89	N27°45'56"W	62.89'
L10	S10°25'21"W	13.41'	L30	S47°23'18"W	12.29'	L50	S37°44'32"W	14.97'	L70	S18°01'05"W	19.25'	L90	N32°12'34"W	35.35'
L11	S36°53'54"W	7.96'	L31	S78°11'13"W	19.66'	L51	S32°51'12"W	14.22'	L71	S38°54'50"W	39.51'	L91	N36°22'15"W	37.84'
L12	S04°25'25"W	24.65'	L32	S46°11'39"W	44.72'	L52	S40°50'29"W	16.61'	L72	S42°05'36"W	10.08'	L92	N27°56'33"W	31.04'
L13	S24°09'27"W	9.45'	L33	S00°22'01"E	24.14'	L53	S21°51'18"W	13.53'	L73	N88°10'17"W	8.57'	L93	N32°25'54"W	40.55'
L14	S51°31'38"W	16.93'	L34	S40°27'03"E	9.21'	L54	S10°31'21"W	8.75'	L74	S52°14'06"W	16.41'	L94	N25°54'48"W	34.42'
L15	S33°11'55"W	15.70'	L35	N75°37'25"E	19.86'	L55	S22°45'45"W	26.16'	L75	S51°10'29"W	30.13'	L95	N37°25'32"W	60.32'
L16	S03°10'16"E	13.84'	L36	N79°34'01"E	9.92'	L56	S02°27'31"W	21.43'	L76	S78°51'59"W	16.71'	L96	N37°47'44"W	46.47'
L17	S27°10'30"E	20.92'	L37	S02°19'28"E	17.03'	L57	S12°50'31"W	23.17'	L77	S78°43'23"W	11.43'	L97	N34°43'23"W	40.23'
L18	S23°54'02"E	28.76'	L38	S43°54'31"W	19.35'	L58	S31°36'44"W	10.71'	L78	N28°45'23"W	18.68'	L98	N29°27'38"W	36.79'
L19	S45°10'16"E	13.72'	L39	S71°17'22"W	18.16'	L59	S15°34'37"W	19.51'	L79	N31°05'05"W	30.74'	L99	N31°50'01"W	38.04'
L20	N84°08'38"E	23.96'	L40	N77°05'54"W	16.10'	L60	S40°03'52"W	7.25'	L80	N31°05'05"W	30.74'	L100	N33°00'36"W	43.93'

**TITLE COMMITMENT**

REFERENCE CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT No. 21-25633 HAVING AN EFFECTIVE DATE OF FEBRUARY 1, 2021.

**SCHEDULE B - PART II EXCEPTIONS**

- (NOTE: THE STATEMENTS BELOW AS TO WHETHER A DOCUMENT DOES OR DOES NOT AFFECT THE SUBJECT PROPERTY ARE BASED SOLELY UPON THE LOCATION DESCRIPTION CONTAINED IN THE RECORD DOCUMENT.)
- ALL MATTERS AS SHOWN ON A PLAT OF SURVEY RECORDED IN PLAT BOOK 99, PAGE 112, AND PLAT BOOK 80, PAGE 20, WALTON COUNTY, GEORGIA RECORDS.
  - EASEMENT FOR RIGHT OF WAY FROM AYCOCK BROS. IN FAVOR OF GEORGIA RAILWAY & POWER COMPANY, DATED OCTOBER 30, 1925, RECORDED IN DEED BOOK 13, PAGE 334, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. EASEMENT IS LOCATED SOUTHWEST OF JACKS CREEK.
  - RIGHT OF WAY EASEMENT FROM J. H. BACCUS IN FAVOR OF WALTON ELECTRIC MEMBERSHIP CORPORATION, DATED MAY 26, 1938, RECORDED IN DEED BOOK 23, PAGE 250, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. BASED UPON RECORD DOCUMENT AND THE HIGHWAY MAP OF WALTON COUNTY PUBLISHED BY STATE HIGHWAY DEPARTMENT OF GEORGIA DATED 1950 RIGHT OF WAY EASEMENT IS LOCATED WITHIN GMD 454 (MOUNTAIN) AND NOT WITHIN GMD 419 (TOWNS).
  - RIGHT OF WAY DEED FROM R. E. AYCOCK IN FAVOR OF STATE HIGHWAY DEPARTMENT OF GEORGIA, DATED MAY 24, 1957, RECORDED IN DEED BOOK 40, PAGE 432, AFORESAID RECORDS. UNABLE TO DETERMINE EXACT LOCATION FROM RECORD DOCUMENT.
  - RIGHT OF WAY AGREEMENT BY AND BETWEEN R. E. AYCOCK AND TRANSCONTINENTAL GAS PIPE LINE CORPORATION, DATED SEPTEMBER 2, 1961, RECORDED IN DEED BOOK 53, PAGE 209, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY BASED UPON LEGAL DESCRIPTION IN RECORD DOCUMENT. AFFECTED PROPERTY IS WEST OF SUBJECT PROPERTY BASED UPON PROXIMITY TO ALCOVY RIVER AS REFERENCED IN DEED.
  - RIGHT OF WAY AS SHOWN IN THAT CERTAIN DECLARATION OF TAKING FROM R. E. AYCOCK, JR. IN FAVOR OF DEPARTMENT OF TRANSPORTATION, WALTON COUNTY SUPERIOR COUNTY DOCKET NO. 9422 AND AS RECORDED IN MINUTE BOOK 27, PAGE 715, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. PORTION OF RIGHT OF WAY OF US HIGHWAY NO. 78.
  - RIGHT OF WAY DEED FROM R. E. AYCOCK, JR. IN FAVOR OF THE DEPARTMENT OF TRANSPORTATION, DATED MAY 7, 1985M RECORDED IN DEED BOOK 209, PAGE 557, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. RIGHT OF WAY IS ALONG STATE ROUTE NO. 83.
  - RIGHT OF WAY DEED FROM R. E. AYCOCK, JR. IN FAVOR OF WALTON COUNTY, GEORGIA, DATED APRIL 11, 1985, RECORDED IN DEED BOOK 209, PAGE 698, AFORESAID RECORDS. DOES NOT AFFECT SUBJECT PROPERTY. RIGHT OF WAY IS ALONG OLD ATHENS HIGHWAY.
  - RIGHT OF WAY DEED FROM DEVELOPMENT AUTHORITY OF WALTON COUNTY IN FAVOR OF CITY OF MONROE, DATED JANUARY 5, 2006, RECORDED IN DEED BOOK 2386, PAGE 47, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. RIGHT OF WAY AYCOCK AVENUE. LOCATION IS SHOWN.
  - CONSENT TO THE GRANTING OF RIGHT OF WAY BY AND BETWEEN WAL-MART STORES EAST, LP, AS SUCCESSOR TO WALMART STORES EAST, INC., WAL-MART STORES, INC. AND DEVELOPMENT AUTHORITY OF WALTON COUNTY, DATED JANUARY 5, 2006, RECORDED IN DEED BOOK 2386, PAGE 49, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. RIGHT OF WAY AYCOCK AVENUE. LOCATION IS SHOWN.

**GEORGIA SURVEYOR CERTIFICATION**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

*Brandon T. Miller*  
 BRANDON T. MILLER, RLS No. 2945



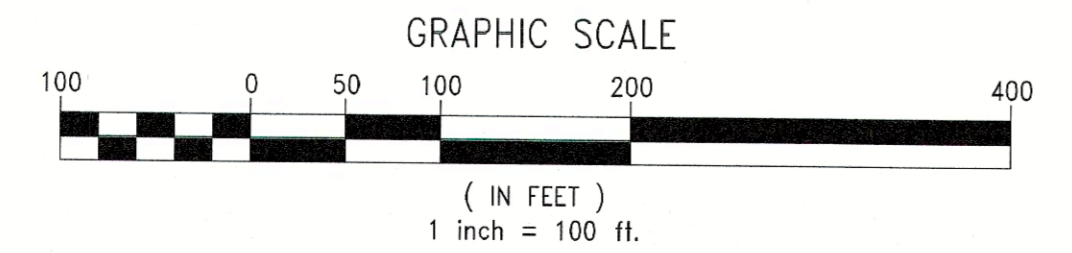
**GENERAL NOTES:**

- BY GRAPHIC PLOTTING ONLY, A PORTION OF THE PROPERTY SHOWN HEREON IS IN SPECIAL FLOOD HAZARD AREA ZONE A, ACCORDING TO THE CITY OF MONROE, WALTON COUNTY FEMA FLOOD INSURANCE RATE MAP NO. 13297C0137E, EFFECTIVE DATE DECEMBER 8, 2016.
- THE BEARING BASE FOR THIS SURVEY IS NORTH AMERICAN DATUM OF 1983 (NAD 83), GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
- THE VERTICAL DATUM FOR THIS SURVEY IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), GEOID 12B.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 261,477 FEET.
- THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 13,808 FEET AND AN ANGULAR ERROR OF 3.8 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.
- THE FIELD DATA COLLECTED TO SUPPORT THIS PLAT WAS COMPLETED ON MARCH 11, 2021.
- EQUIPMENT USED FOR MEASUREMENTS IS AS FOLLOWS: TRIMBLE S7 TOTAL STATION AND A TRIMBLE R6 GPS RECEIVER WITH THE eGPS NETWORK.
- LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EXPERTS IN THE IDENTIFICATION OF WETLANDS, CEMETERIES OR BURIAL GROUNDS, ITEMS OF HISTORICAL OR CULTURAL SIGNIFICANCE; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH MATTERS WHICH MAY EXIST WITHIN THE LIMITS OF THIS SURVEY.
- PROPERTIES WITHIN THE LIMITS OF THIS SURVEY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR ARE OTHERWISE UNKNOWN TO THE SURVEYOR THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
- PLAT BOOK 99 PAGE 112 DEPICTS THE SUBJECT SURVEYED PROPERTY AND SHOWS THE LOCATION OF THREE (3) GRAVES CENTRALLY LOCATED ON THE SUBJECT PARCEL. THE PHASE I ENVIRONMENTAL ASSESSMENT REPORT PREPARED BY DICKINSON PROPERTY SCIENCES, INC. FOR THE DEVELOPMENT AUTHORITY OF WALTON COUNTY DATED MARCH 13, 2020 INCLUDES DOCUMENTATION THAT STATES THESE GRAVES WERE RELOCATED TO REST HAVEN CEMETERY IN DOWNTOWN MONROE, GEORGIA. COLUMBIA ENGINEERING & SERVICES, INC. DID NOT FIND ANY VISIBLE SURFACE EVIDENCE OF GRAVES LOCATED ON THIS PROPERTY. COLUMBIA ENGINEERING & SERVICES, INC. DID NOT COMPLETE ANY SUBSURFACE EXPLORATION ON THE SUBJECT PROPERTY TO VERIFY THE COMPLETE REMOVAL OF PAST GRAVE SITES.
- THE SUBJECT SURVEYED PROPERTY IS PARTIALLY BOUNDED BY JACKS CREEK ON THE SOUTHWEST AND A UNKNOWN BRANCH ON THE EAST. THE WATER BOUNDARIES WERE SURVEYED BETWEEN MARCH 11 - 11, 2021 AND THESE WATER COURSES ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES.
- NO BUILDINGS WERE OBSERVED ON THE SUBJECT SURVEYED PROPERTY.

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY TO: JACK'S CREEK LANDING, LLC & CHICAGO TITLE INSURANCE COMPANY  
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 11(b), 13, 16, AND 17 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 03/11/21.

DATE OF PLAT OR MAP: 04/07/21  
 BY: *Brandon T. Miller*  
 BRANDON T. MILLER, RLS No. 2945



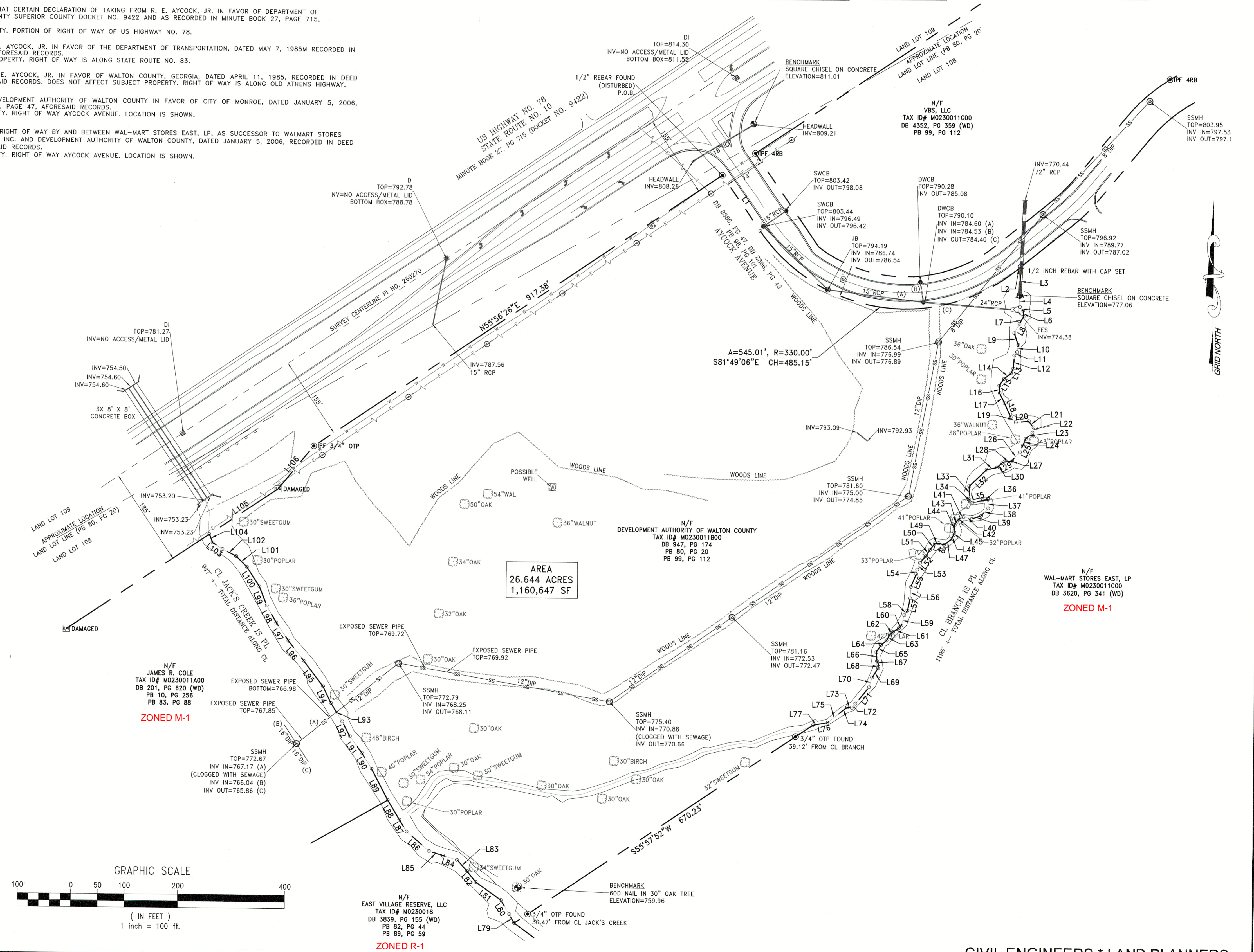
N/F EAST VILLAGE RESERVE, LLC  
 TAX ID# M02300118  
 DB 3839, PG 155 (WD)  
 PB 82, PG 44  
 PB 89, PG 59  
**ZONED R-1**

N/F JAMES R. COLE  
 TAX ID# M0230011400  
 DB 201, PG 620 (WD)  
 PB 10, PG 256  
 PB 83, PG 88  
**ZONED M-1**

N/F DEVELOPMENT AUTHORITY OF WALTON COUNTY  
 TAX ID# M0230011800  
 DB 947, PG 174  
 PB 80, PG 20  
 PB 99, PG 112

N/F WAL-MART STORES EAST, LP  
 TAX ID# M0230011000  
 DB 3620, PG 341 (WD)  
**ZONED M-1**

AREA  
 26.644 ACRES  
 1,160,647 SF







**NOTICE TO THE PUBLIC  
CITY OF MONROE**

**A petition has been filed with the City of Monroe requesting a variance from Section 9.16.3.C(2) of the Development Regulations to decrease the minimum number of driveway access points into a residential development from 3 to 2 at the southwest corner of US Hwy 78 and Aycock Ave. (Parcel #MO230011B00).**

**A public hearing will be held before the City of Monroe Planning Commission to review and consider a recommendation to the Monroe City Council at the City Hall Auditorium at 215 N. Broad Street on August 16, 2022 at 5:30 P.M. The Monroe City Council will hold a public hearing and a decision will be made at the City Hall Auditorium at 215 N. Broad Street on September 13, 2022 at 6:00 P.M. All those having an interest should be present to voice their interest.**

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**PLEASE RUN ON THE  
FOLLOWING DATE:**

**July 31, 2022**



CODE DEPARTMENT

August 5, 2022

To Whom It May Concern:

Be advised that a public hearing before the Planning Commission is scheduled for August 16, 2022 to consider an application for rezoning +26.64 acres located at the southwest corner of US Highway 78 and Aycock Avenue, Parcel #M0230011B00. The property is currently zoned Planned Commercial District (PCD) with a request to change the zoning classification to Planned Commercial District with modifications (PCD). In addition to the rezone request, the Planning Commission will also consider an application requesting a variance from Section 9.16.3.C(2) of the Development Regulations to decrease the minimum number of driveway access points from 3 to 2 at the southwest corner of US Hwy 78 and Aycock Avenue.

As an adjacent property owner, you are officially being notified of these requests. Further notice of these requests will appear in the Walton Tribune on July 31, 2022. All public hearings will be held in the Council Chambers located at City Hall—215 N. Broad St Monroe, GA 30655. Public hearings regarding the rezone request for the property will be as follows:

- Planning Commission—August 16, 2022 at 5:30pm
- City Council—September 13, 2022 at 6:00pm

You are welcome to speak for or against this application during the public hearings; however, your attendance is not required. One week prior to the Planning Commission meeting, copies of the application submittal will be available for viewing online at [www.monroega.com](http://www.monroega.com) by selecting calendar and the date of the meeting you plan to attend for this application.

If you have any questions regarding this letter, please call the City of Monroe Code Department at 770-207-4674.

Sincerely,

Laura Wilson  
Code Department Assistant



CITY OF MOORCIE  
**APPLICATION FOR A VARIANCE**  
FOR: [illegible]  
PUBLIC HEARING INFO -  
PLANNING COMMISSION  
DATE: [illegible] TIME: 5:30 PM  
CITY COUNCIL  
DATE: [illegible] TIME: 6:00 PM  
MEETINGS ARE HELD IN THE  
COUNCIL CHAMBERS AT CITY HALL  
715 NORTH BROAD STREET  
THE AMERICAN, SUITE 2000 FLOOR 2000  
770-207-4674

CITY OF MOORCIE  
**APPLICATION FOR A REZONE**  
FROM: PD TO: RD, LPT & SUBDIVISION  
+ PUBLIC HEARING INFO +  
PLANNING COMMISSION  
DATE: 8/16/22 TIME: 5:30 PM  
CITY COUNCIL  
DATE: 9/15/22 TIME: 6:00 PM  
MEETINGS ARE HELD IN THE  
COUNCIL CHAMBERS AT CITY HALL  
715 NORTH BROAD STREET  
THE AMERICAN, SUITE 2000 FLOOR 2000  
770-207-4674





**Planning  
City of Monroe, Georgia  
VARIANCE STAFF REPORT**

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**APPLICATION SUMMARY**

**VARIANCE CASE #:** 1343

**DATE:** August 8, 2022

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Robert R. & Kathleen D. Chancey

**PROPERTY OWNER:** Robert Chancey

**LOCATION:** West side of Felker Street – 204 Felker Street

**ACREAGE:** ±0.44

**EXISTING ZONING:** R-1 (Large Lot Residential District)

**EXISTING LAND USE:** Single-family residence

**ACTION REQUESTED:** The owner is requesting a variance for this property to allow a construction of a forward facing attached garage.

**STAFF RECOMMENDATION:** Staff recommends approval of this variance subject to conditions.

**DATES OF SCHEDULED MEETINGS**

**PLANNING COMMISSION:** August 16, 2022

**CITY COUNCIL:** September 13, 2022

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**REQUEST SUMMARY**

**VARIANCE REQUEST SUMMARY:**

The applicant is requesting approval of a variance in order to construct a forward facing attached garage. Section 910.1(8) of the Zoning Ordinance requires all garage doors to be side or rear facing except in cul-de-sac lots where lot widths would prohibit side or rear entry. A single-family residence currently exists on the property. The applicant proposes to attach the garage to the existing residence along with other improvements and expansions for the residence. The garage is proposed to be recessed behind the front of the dwelling.

**PROPOSED PROJECT SUMMARY:**

- Front Entry Garage Addition
  - Existing Single-Family Residence Floor Area – 1,176 Sf
    - Proposed Addition – 958 Sf
  - Requested Garage Addition – 672 Sf
    - South side of residence, facing Felker Street
    - Recessed behind the front of the dwelling (not including porch) by 23 Feet
    - Total length of dwelling with additions will be 46 Feet

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**STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR VARIANCE APPLICATION DECISIONS” AS SET FORTH IN SECTION 1430.6 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) Whether there are extraordinary and exceptional conditions pertaining to the subject property because of size, shape, or topography:** The size, shape, and topography of the site are not the basis for this variance request.
- (2) Whether the literal application of this Ordinance would create an unnecessary hardship:** No undue hardship is created through a literal application of the Zoning Ordinance. It is possible the applicant could redesign the proposed additions to the dwelling and garage to comply with the requirements of Section 910.1(8).
- (3) Whether the variance would not cause substantial detriment to the public good or impair the purposes or intent of this Ordinance:** If approved, this variance could impair the current purposes and intent of requiring only rear and side entry garages in residential building design throughout the City.
- (4) Whether a variance will no confer upon the property of the applicant any special privilege denied to other properties in the district:** If approved, this variance would confer special privileges for the applicant that is not currently available to other residential structures. In every case for a request of this nature, an analysis of these standards would result in a recommendation for denial of the application. However, the standard the applicant is requesting the variance from in Section 910.1(8) can be considered a preferential standard established by the City to promote quality building construction. A preferential standard can be adjusted from time to time for better quality and flexibility as well as the result of innovative design. In this variance request, the garage will be recessed behind the front half of the dwelling. The underlying intent to not have a forward facing garage at the front of the dwelling, like in the current standard, appears to be achieved in this request. The garage would be recessed in a manner that the dwelling remains prominent and forward on the lot in relation to the street. With this in mind, staff recommends the variance be approved with an additional recommendation the City Council consider amending the Zoning Ordinance in the future to allow similar design for new residential construction throughout the City.
- (5) Whether the special circumstances surrounding the request for the variance are not the result of acts by the applicant:** The special circumstances surrounding this request represent the proposed intent by the applicant and not the result of any previous actions taken by the applicant.
- (6) Whether the variance is not a request to permit a use of land, buildings, or structures which is not permitted by right or by conditional use in the district:** The proposed use and structures in this request are permitted by right in the underlying R-1 zoning district.
- (7) Whether the zoning proposal is consistent with the construction and design standards and design criteria adopted by the City of Monroe:** The applicant is not requesting a rezone of this property in this request.

**(8) Whether the variance is the minimum variance that will make possible an economically viable use of the land, building, or structure:** A single-family dwelling has existed on the subject property since 1936. The requested variance is not considered a minimum variance necessary to make an economically viable use of the residence or the existing lot.

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**STAFF RECOMMENDATION**

Based upon the City Council’s policies, decision making criteria and standards outlined in the Zoning Ordinance of the City of Monroe, staff recommends approval of the requested variance to allow for a forward facing attached garage subject to the following condition:

1. The garage shall be constructed as presented on the documents submitted in this request. The garage shall be recessed behind the front of the dwelling by at least half the distance of the total length of the dwelling (measured from the front of the dwelling to the rear of the dwelling).

Staff further recommends to the City Council to consider future amendments to the Zoning Ordinance where the standard under Section 910.1(8) is modified to allow forward facing garages that are similar to the requested variance to promote and enhance better residential building designs.



# City of Monroe

215 N. Broad Street  
Monroe, GA 30655  
(770) 207-4674

## VARIANCE REQUEST PERMIT

PERMIT #:	1343	DESCRIPTION:	VARIANCE REQUEST - Garage
JOB ADDRESS:	204 FELKER ST	LOT #:	
PARCEL ID:	M0150050	BLK #:	
SUBDIVISION:		ZONING:	R-1
ISSUED TO:	Robert Chancey	CONTRACTOR:	Robert Chancey
ADDRESS:	728 Wellington Rd	PHONE:	
CITY, STATE ZIP:	Monroe GA 30655	OWNER:	
PHONE:	404-309-3936	PHONE:	
PROP. USE:	RESIDENTIAL	DATE ISSUED:	8/04/2022
VALUATION:	\$ 0.00	EXPIRATION:	1/31/2023
SQ FT:	0.00		
OCCP TYPE:			
CNST TYPE:			
INSPECTION REQUESTS:	770-207-4674 lwilson@monroega.gov		

FEE CODE	DESCRIPTION	AMOUNT
PZ-10	VARIANCE	\$ 250.00
<b>FEE TOTAL</b>		\$ 250.00
<b>PAYMENTS</b>		\$- 250.00
<b>BALANCE</b>		\$ 0.00

### NOTES:

Be advised this request for a Variance at 204 Felker St. will be heard by the Planning Commission on August 16, 2022 at 5:30pm and by City Council on September 13, 2022 at 6pm. Both meetings will take place in the Council Chambers at 215 N. Broad St Monroe, GA.

### NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

  
\_\_\_\_\_  
(APPROVED BY)

8/15/22  
DATE



RECEIVED  
#1343

# CITY OF MONROE VARIANCE APPLICATION

**VARIANCE REQUEST LOCATION & DESCRIPTION**

Address: 204 Felker Street Monroe Ga 30655

Parcel #: MO150050 Council Districts: District 4 / District 8

Zoning: R1 Acreage/Square Feet: 0.4400 / 19,167

Stated Purpose of Variance Request (Provide ordinance reference): 910.1(8)  
requesting a front entry garage

**PROPERTY OWNER & APPLICANT INFORMATION**

Property Owner: Robert + Kathleen Chancey Phone #: 404-309-3936

Address: 728 Wellington Drive City: Monroe State: Ga Zip: 30655

Applicant (If different than owner): \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**VARIANCE INFORMATION**

Describe the location of the structure and/or use for which the variance is sought (required to be shown on a plat by a licensed surveyor) (1430.2(b)): South side of Existing House

Describe the relationship of the structure and/or use to existing structures and uses on adjacent lots (1430.2(c)): typical to other homes in neighborhood

Describe the specific sections of the Zoning Ordinance which would cause hardship (Note: Hardship is considered to be the reason compliance is physically not possible, as opposed to financial hardships which are not a basis for a variance) (1430.2(d)): 910.1 garage would need to be front facing due to existing house already on lot.

VARIANCE INFORMATION CONT.

Describe the characteristics of the property relating to its size, shape, or topography that prevent compliance with the Zoning Ordinance (1430.2(e)): N/A

Describe the particular hardship that would result from strict application of the Zoning Ordinance (Note: Hardship is considered to be the reason compliance is physically not possible, as opposed to financial hardships which are not a basis for a variance) (1430.2(f)): Garage would need to be front entry due to placement of existing home on lot.

If the variance requested is located in the Corridor Design Overlay District or a Historic Preservation District, a letter of approval from either and/or both the Corridor Design Commission or the Historic Preservation Commission is required to be submitted with this application. (1430.2(g))

REQUIRED SUBMITTAL ITEMS

- Completed Application
- Fee (see Fee Schedule)
- Survey Plat
- Site Plan; Drawn to Scale
- Deed
- Proof of all property taxes paid in full
- COA or HPC approval
- Other information as required by Code Enforcement

I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES THE CODE DEPARTMENT PERSONNEL TO ENTER UPON AND INSPECT THE PROPERTY FOR ALL PURPOSES ALLOWED AND REQUIRED BY THE ZONING ORDINANCE AND THE DEVELOPMENT REGULATIONS.

SIGNATURE: [Signature] DATE: 7-12-2022

A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPARTMENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.

PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

NOTARY PUBLIC:

SWORN TO AND SUBSCRIBED BEFORE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

NOTARY SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

SEAL:

It is the responsibility of the applicant and not the staff to ensure that a complete application with all required materials are submitted. Applications and submittals found to be incomplete and incorrect will be rejected. Each applicant is responsible for compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.

File #:	2022-116-GA	Property	204 Felker Street Monroe, GA 30655	Settlement Date 03/08/2022
Prepared:	03/08/2022	Buyer	Robert R. Chancey, Jr and Kathleen D. Chancey 728 Wellington Drive Monroe, GA 30655	Disbursement Date 03/08/2022
Attorney:	Joel VanderVeur	Seller	Sally S. Fielder	
		Lender	Weinberg Servicing, LLC 148 Hammond Drive Sandy Springs, GA 30328	

Seller			Buyer	
Debit	Credit		Debit	Credit
		<b>Primary Charges &amp; Credits</b>		
	\$205,000.00	Sales Price of Property	\$205,000.00	
		Deposit		\$2,000.00
		Loan Amount		\$105,000.00
		<b>Prorations/Adjustments</b>		
\$223.63		County Taxes 01/01/2022 to 03/08/2022		\$223.63
		<b>Loan Charges</b>		
		3% of Loan Amount (Points)	\$3,150.00	
		Attorney Fee to VanderVeur & Page	\$700.00	
		Courier Fee to VanderVeur & Page	\$35.00	
\$75.00		Post-Closing Fee to VanderVeur & Page		
		Flood Certification Fee to Weinberg Servicing, LLC	\$18.00	
		Tax Certification Fee to Weinberg Servicing, LLC	\$81.00	
		Prepaid Interest (\$35.00 per day from 03/08/2022 to 03/31/2022)	\$805.00	
		<b>Impounds</b>		
		Homeowner's insurance	\$176.20	
		Property taxes	\$719.47	
		<b>Government Recording and Transfer Charges</b>		
		Recording Fees	\$50.00	
		---Deed: \$25.00		
		---Mortgage: \$25.00		
		Real Estate Transfer Tax (State Deed Taxes) to Walton County Recording Office	\$205.00	
		<b>Commissions</b>		
		Listing Agent Commission to Malcom and Malcom Realty Prof.	\$4,000.00	
		<b>Title Charges</b>		
		Title - CPL (Lender) to Chicago Title Insurance Company	\$50.00	
		Title - Lender's Title Policy to Chicago Title Insurance Company	\$150.00	
		Title Examination to VanderVeur & Page	\$225.00	
		Title - Owner's Title Policy to Chicago Title Insurance Company	\$961.50	
		<b>Miscellaneous Charges</b>		

Prepared by and Return to:  
VanderVeur & Page  
333 North Point Center East  
Ste. 250  
Alpharetta, GA 30022  
(470) 509-3883  
File No. 2022-116-GA

STATE OF Georgia  
COUNTY OF Fulton

**LIMITED WARRANTY DEED**

THIS INDENTURE made this 8 day of March, 2022, between

**Sally S. Fielder**

as party or parties of the first part, hereinafter called Grantor, and

**Robert R. Chancey, Jr and Kathleen D. Chancey, as joint tenants with right of survivorship**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

**SEE ATTACHED EXHIBIT "A"**

TOGETHER WITH all and singular the rights, members, and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.

Subject to all easements, rights of way, and restrictive covenants of record (Hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.



Signed, sealed and delivered in the presence of:

*Sally S. Fielder* (SEAL)  
Sally S. Fielder

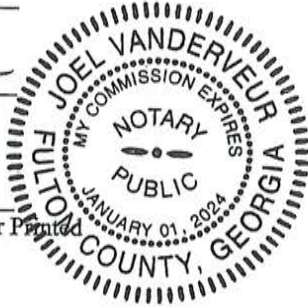
STATE OF GEORGIA  
COUNTY OF FULTON

Signed, sealed and delivered before me, this 8 day of March, 2022.

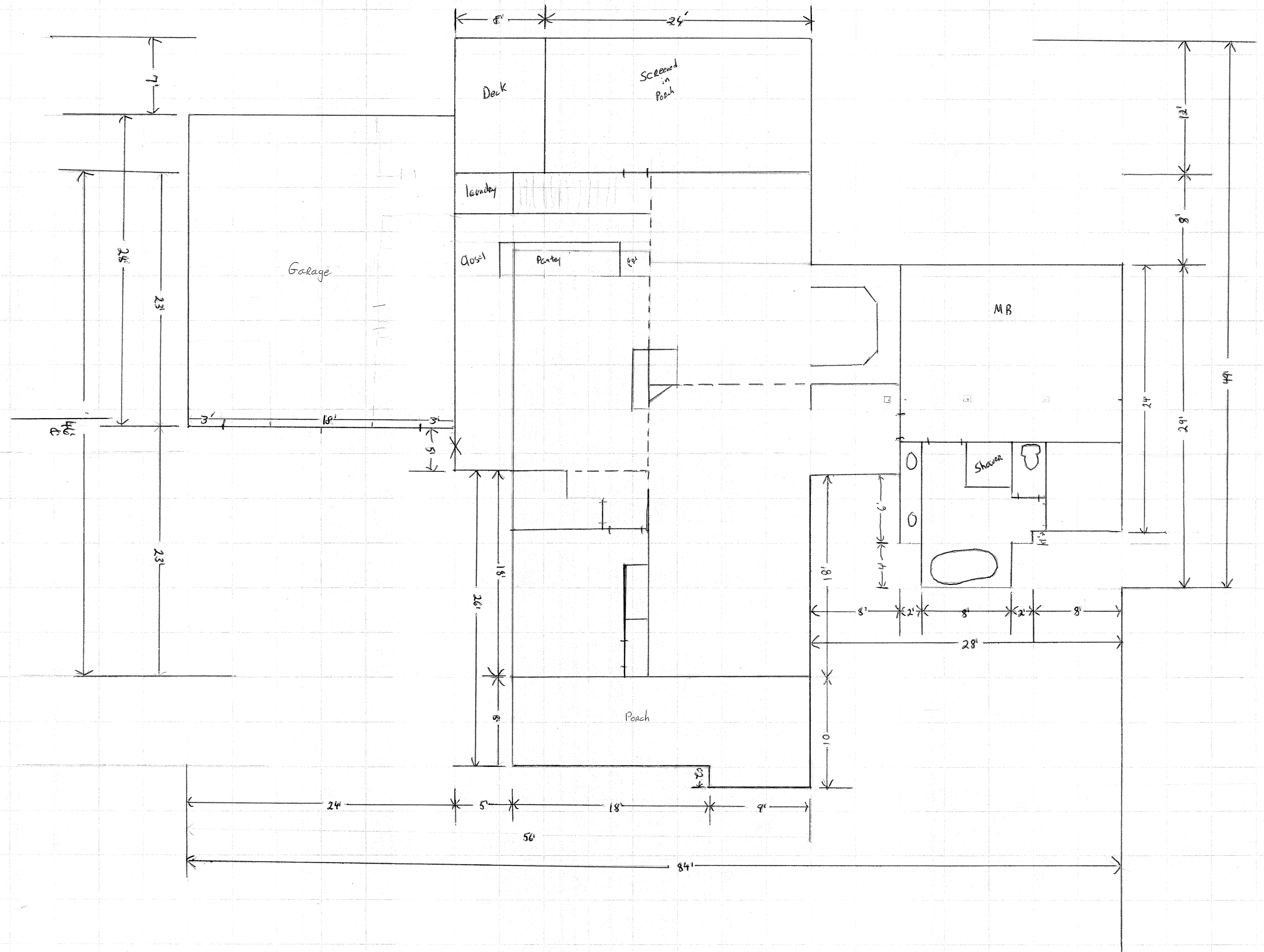
Personally Known  
 Produced Identification  
Type and # of ID \_\_\_\_\_

\_\_\_\_\_  
Unofficial Witness

*Joel Vanderveur*  
\_\_\_\_\_  
Signature Notary



\_\_\_\_\_  
Name of Notary Typed, Stamped, or Printed  
Notary Public, State of Georgia



**BK:123 PG:25-25**  
 Filed and Recorded  
 Jun-30-2022 12:29 PM  
 DOC# 2022 - 000202  
 KAREN P. DAVID  
 CLERK OF SUPERIOR COURT  
 WALTON COUNTY, GA  
 Participant ID: 4005252566

**PARCEL INFORMATION:**  
 OWNERS: ROBERT R. CHANCEY  
 KATHLEEN D. CHANCEY  
 WALTON PIN: M0150050  
 SITE ADDRESS: 204 FELKER STREET  
 MONROE, GA 30655  
 CURRENT ZONING: R1  
 OVERLAY: INFILL OVERLAY DISTRICT  
 HISTORIC DISTRICT: NONE

**SURVEY REFERENCES:**  
 1. DEED BOOK 5107 - PAGE 385  
 2. PLAT BOOK 61 - PAGE 64

WALTON COUNTY CLERK OF SUPERIOR COURT

**PLAT SUMMARY:**

THE PURPOSE OF THIS PLAT IS A MINOR REPLAT, OF THE EXISTING TRACT KNOWN AS TAX MAP PARCEL M0150050, WALTON COUNTY, GEORGIA. THE SOURCE OF TITLE DESCRIPTION IS PER DEED BOOK 5107, PAGE 385, AFORESAID COUNTY. THE CURRENT OWNER, AS PER THE VESTING DEED IS ROBERT R. CHANCEY AND KATHLEEN D. CHANCEY. THE PROPERTY ADDRESS IS 204 FELKER STREET, MONROE, GA 30655. THE PROPERTY IS CURRENTLY ZONED R1 - SINGLE FAMILY RESIDENTIAL DISTRICT.

**SURVEY NOTES:**

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 334,638' AND AN ANGULAR ERROR OF 00°00'02.7" PER ANGLE POINT AND WAS ADJUSTED USING THE CARLSON SURVNET LEAST SQUARES METHOD.
2. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE TAKEN WITH A GEOMAX ZOOM 90 ROBOTIC TOTAL STATION, FIELD WORK WAS COMPLETED ON 05/31/2022.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 273,096'.
4. THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH AS SHOWN HEREON. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
5. THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NAD 83 - STATE PLANE COORDINATE SYSTEM OF GEORGIA - WEST ZONE.
6. ALL OBSERVED ACCESS TO A PUBLIC WAY, SUCH AS CURB CUTS AND DRIVEWAYS ARE AS SHOWN.
7. THE RECORDS REFERENCED HEREON DO NOT CONSTITUTE A TITLE SEARCH AND ARE SHOWN FOR REFERENCE PURPOSES ONLY. THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS OF RECORD.
8. IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

**FLOOD NOTE:**

ACCORDING TO FLOOD INSURANCE RATE MAP NO.: 13297C0137E, DATED DECEMBER 08, 2016 FOR WALTON COUNTY, GEORGIA AND INCORPORATED AREAS THE PROPERTY SHOWN HEREON LIES WITHIN ZONE X AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA.

**CERTIFICATE OF APPROVAL FOR RECORDING**

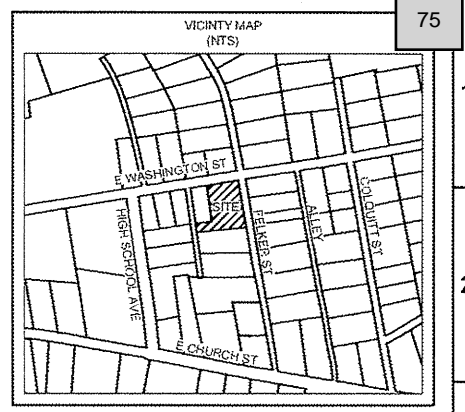
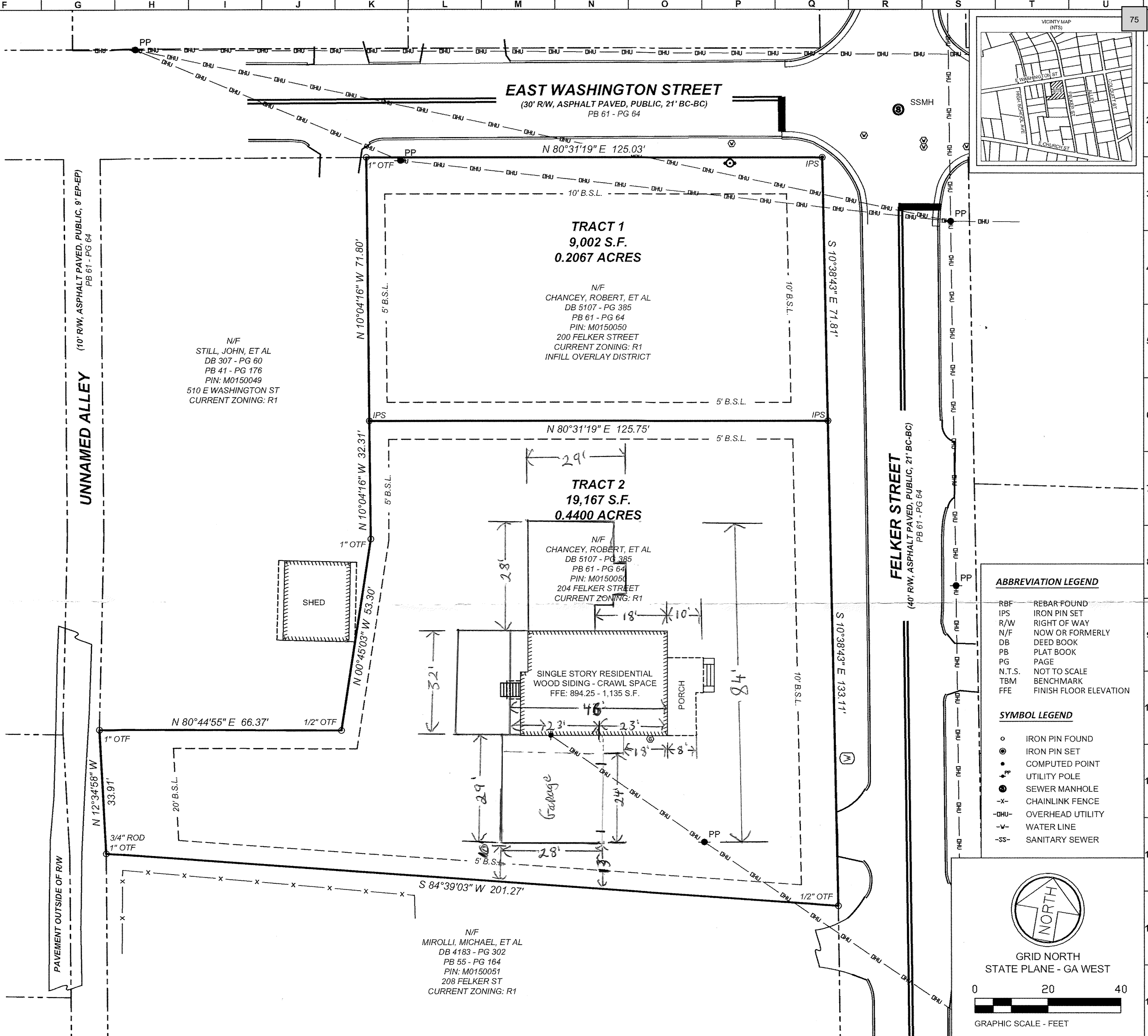
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE ZONING ORDINANCE AND DEVELOPMENT REGULATIONS OF THE CITY OF MONROE, GEORGIA, AND THAT IT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF WALTON COUNTY, GEORGIA.

*Brad Calender*  
 6/29/2022  
 CODE ENFORCEMENT OFFICER DATE

**SURVEYOR'S CERTIFICATE**

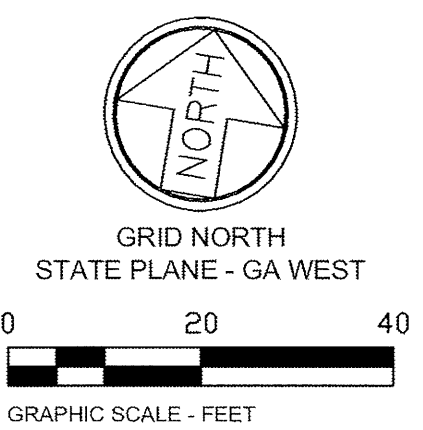
AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

*K.R.S.*  
 KEVIN R. SETTLES, GA PLS - 3412



- ABBREVIATION LEGEND**
- RBF REBAR FOUND
  - IPS IRON PIN SET
  - R/W RIGHT OF WAY
  - N/F NOW OR FORMERLY
  - DB DEED BOOK
  - PG PLAT BOOK
  - N.T.S. NOT TO SCALE
  - TBM BENCHMARK
  - FFE FINISH FLOOR ELEVATION

- SYMBOL LEGEND**
- IRON PIN FOUND
  - IRON PIN SET
  - COMPUTED POINT
  - ⊙ UTILITY POLE
  - ⊙ SEWER MANHOLE
  - X- CHAINLINK FENCE
  - DHU- OVERHEAD UTILITY
  - V- WATER LINE
  - SS- SANITARY SEWER



**MINOR PLAT FOR:**

**ROBERT R. CHANCEY  
 KATHLEEN D. CHANCEY**

Land Lot 65, 3rd Land District, City of Monroe, Walton County, Georgia

REVISIONS		PROJECT NO.: 22FSM015	SURVEYOR OF RECORD: KEVIN R. SETTLES, PLS 678-209-3921 krsettles@frontiersurvey.com GA RLS: 3412
DATE	DESCRIPTION	FIELD: DBR	
		DRAWN BY: KRS	
		CHECKED BY: KRS	
		SCALE: 1" = 20'	
		ISSUE DATE: 06/10/2022	
<small>THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67</small>			<p><b>SHEET 1 of 1</b></p>

**FRONTIER**  
 SURVEYING & MAPPING  
 FRONTIER SURVEYING & MAPPING, LLC  
 505 DUKES ROAD, MANSFIELD, GA 30055  
 KEVIN R. SETTLES, PLS  
 678-209-3921  
 krsettles@frontiersurvey.com  
 GA LSF NO.: 001310



**NOTICE TO THE PUBLIC  
CITY OF MONROE**

**A petition has been filed with the City of Monroe requesting a variance from Section 910.1(8) of the Zoning Ordinance to allow a front facing garage at 204 Felker Street (Parcel #M0150050).**

**A public hearing will be held before the City of Monroe Planning Commission to review and consider a recommendation to the Monroe City Council at the City Hall Auditorium at 215 N. Broad Street on August 16, 2022 at 5:30 P.M. The Monroe City Council will hold a public hearing and a decision will be made at the City Hall Auditorium at 215 N. Broad Street on September 13, 2022 at 6:00 P.M. All those having an interest should be present to voice their interest.**

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**PLEASE RUN ON THE  
FOLLOWING DATE:**

**July 31, 2022**



CODE DEPARTMENT

August 5, 2022

To Whom It May Concern:

Be advised that a public hearing before the Planning Commission is scheduled for August 16, 2022 to consider an application for a variance at 204 Felker St., Parcel #M0150050. The applicant is requesting a variance from Section 910.1(8) of the Zoning Ordinance to allow a front facing garage at 204 Felker St. As an adjacent property owner, you are officially being notified of these requests. Further notice of these requests will appear in the Walton Tribune on July 31, 2022.

All public hearings will be held in the Council Chambers located at City Hall—215 N. Broad St Monroe, GA 30655. Public hearings regarding the rezone request for the property will be as follows:

- Planning Commission—August 16, 2022 at 5:30pm
- City Council—September 13, 2022 at 6:00pm

You are welcome to speak for or against this application during the public hearings; however, your attendance is not required. One week prior to the Planning Commission meeting, copies of the application submittal will be available for viewing online at [www.monroega.com](http://www.monroega.com) by selecting calendar and the date of the meeting you plan to attend for this application.

If you have any questions regarding this letter, please call the City of Monroe Code Department at 770-207-4674.

Sincerely,

Laura Wilson  
Code Department Assistant

CITY OF WILMINGTON  
APPLICATION FOR A  
**VARIANCE**  
FOR: *Exterior Lighting Change*  
• PUBLIC HEARING INFO •  
PLANNING COMMISSION  
DATE: 8/16/23 TIME: 9:00 PM  
CITY COUNCIL  
DATE: 8/16/23 TIME: 9:00 PM  
MEETINGS ARE HELD IN THE  
COUNCIL CHAMBERS OF CITY HALL  
870 NORTH BRIDGE STREET  
FOR ADDITIONAL INFORMATION PLEASE CALL  
770-387-4874

