

# APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 3

Application No: 216-003

Hearing Date: 4/18/16

APPLICANT: Greg Williams

Name: Greg Williams  
(Representative's name, printed)

Address: 4162 N. Arnold Mill Rd. Woodstock 30188

Business Phone: \_\_\_\_\_ Cell Phone: 770-367-4074 Fax Number: \_\_\_\_\_

E-Mail Address: ClassicPlans247@yahoo.com

Signature of Representative: Greg Williams

## TITLEHOLDER

Name: Mario Gonzalez  
(Titleholder's name, printed)

Address: 56 Rumson Ct. Smyrna, GA 30080

Business Phone: \_\_\_\_\_ Cell Phone: 404-663-1868 Home Phone: \_\_\_\_\_

E-mail Address: cam-gerencia@outlook.com

Signature of Titleholder: M. Gonzalez  
(Attach additional signatures, if needed)

(To be completed by City)

Received: 2/12/16

Heard by P&Z Board: 3/14/16

P&Z Recommendation: \_\_\_\_\_

Advertised: \_\_\_\_\_

Posted: 2/16/16

Approved/Denied: \_\_\_\_\_

**ZONING REQUEST**

From L I to RAD  
Present Zoning Proposed Zoning

**LAND USE**

From Medium Density Residential to Medium Density Residential (no change)  
Present Land Use Proposed Land Use

For the Purpose of Building a new single family home

Size of Tract 10,971 sq. ft.

Location 2963 & 2965 Elizabeth St. Smyrna

(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 594 District 17

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no X there are    such assets. If any, they are as follows:

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: R - 15

East: R - 15

South: LI

West: LI

CONTIGUOUS LAND USE

North: Residential, Medium Density

East: Residential      "      "

South: Residential      "      "

West: Vacant (Residential)

## **INFRASTRUCTURE**

### **WATER AND SEWER**

A letter from Scott Stokes, Director of Public Works Department is required stating that water is available and the supply is adequate for this project.

A letter from Scott Stokes, Director of Public Works Department is required stating that sewer is available and the capacity is adequate for this project.

- If it is Cobb County Water, Cobb County must then furnish these letters.

Comments:

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### **TRANSPORTATION**

Access to Property? \_\_\_\_\_

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Improvements proposed by developer? \_\_\_\_\_

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Comments:

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## **ZONING DISCLOSURE REPORT**

Has the applicant\* made, within two years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to the Mayor or any member of the City Council or Planning and Zoning Board who will consider this application?

No

If so, the applicant\* and the attorney representing the applicant\* must file a disclosure report with the Mayor and City Council of the City of Smyrna, within 10 days after this application is filed.

**Please supply the following information, which will be considered as the required disclosure:**

The name of the Mayor or member of the City Council or Planning and Zoning Board to whom the campaign contribution or gift was made:

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The dollar amount of each campaign contribution made by the applicant\* to the Mayor or any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application, and the date of each such contribution:

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An enumeration and description of each gift having a value of \$250 or more by the applicant\* to the Mayor and any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application:

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Does the Mayor or any member of the City Council or Planning and Zoning Board have a property interest (direct or indirect ownership including any percentage of ownership less than total) in the subject property?

No

If so, describe the natural and extent of such interest: \_\_\_\_\_

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## ZONING DISCLOSURE REPORT (CONTINUED)

Does the Mayor or any member of the City Council or Planning and Zoning Board have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

No

If so, describe the nature and extent of such interest:

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Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

No

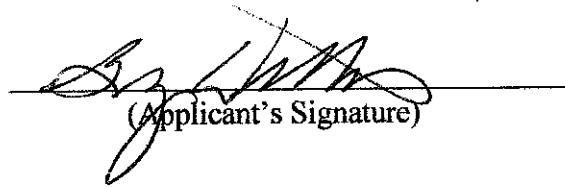
If so, describe the relationship and the nature and extent of such interest:

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If the answer to any of the above is "Yes", then the Mayor or the member of the City Council or Planning and Zoning Board must immediately disclose the nature and extent of such interest, in writing, to the Mayor and City Council of the City of Smyrna. A copy should be filed with this application\*\*. Such disclosures shall be public record and available for public inspection any time during normal working hours.

We certify that the foregoing information is true and correct, this 11th day of February,  
2014.



(Applicant's Signature)

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(Attorney's Signature, if applicable)

### Notes

\* Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association or trust) applying for rezoning action.

\*\* Copy to be filed with the City of Smyrna Zoning Department and City Clerk along with a copy of the zoning application including a copy of the legal description of the property.

## REZONING ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. Please provide responses to the following using additional pages as necessary. **This section must be filled out by the applicant prior to submittal of the rezoning request.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed zoning is suitable and consistent with the relatively new homes adjacent to and nearby this proposed new home.

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

The zoning proposed will not adversely affect the existing nearby properties, and will in fact greatly enhance the neighborhood.

There is currently an older vacant home on this property. If approved, this rezoning will allow a new home in keeping with the surrounding homes.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

It is doubtful that the property could/should ever be used as currently zoned, (as Light Industrial) since it is in a neighborhood of nice, newer homes, on a dead-end street, adjacent to other homes.

### REZONING ANALYSIS (CONTINUED)

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposed zoning will not result in excessive or burdensome use of streets or other infrastructure or schools, since it will be just one home replacing an older home.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

The proposed zoning is in conformity with the policy and intent of the land use plan, as its use will not change from its current residential use.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Since the property, in its existing form, is a vacant home, the improvement of it by building a new home would seem to support the approval of the zoning proposal.

## REZONING ANALYSIS (CONTINUED)

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

The development of this lot will conform to and enhance the architecture and aesthetics of the neighborhood. Also, by combining two small lots into one, it is enhancing the amount of open space.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

The use proposed will not be a nuisance, but will instead remove a nuisance of a vacant home, and make it a productive and vibrant neighbor to the other homes in the neighborhood.

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

The proposed size of lot and building size and height is very similar and compatible with other homes on the street. It would definitely be a positive improvement for the neighborhood.

*Rebecca Keaton*  
REBECCA KEATON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Return Recorded Document to:  
Jason B. Lingerfelt, LLC  
4286 Bells Ferry Road  
Kennesaw, GA 30144

W A R R A N T Y D E E D

STATE OF GEORGIA

COUNTY OF Cobb

File #: 14-1371J

This Indenture made this 14th day of February, 2014 between BARBARA D. JEFFARES, of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MARIO GONZALEZ, 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).

W I T N E S S E T H that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations 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,

SEE EXHIBIT "A"

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

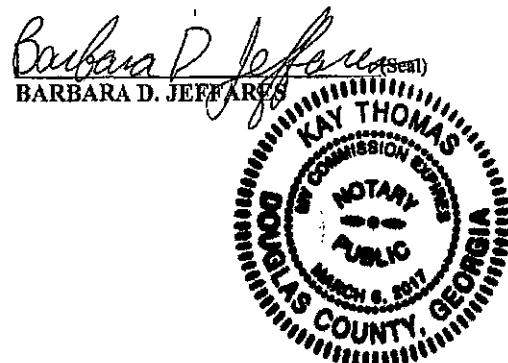
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

*Kay Thomas*  
Witness

*Kay Thomas*  
Notary Public



14-1371J

Exhibit "A"

TRACT 1 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF SMYRNA, COBB COUNTY, GEORGIA, AND KNOWN AS # 7 ELIZABETH STREET EXTENSION AND BEING A THREE ROOM FRAME HOUSE SITUATED ON THE NORTH SIDE OF THE STREET ON A LOT BEGINNING AT THE PROPERTY LINE OF W.B. CONN, AND RUNNING NORTH APPROXIMATELY 118 FEET TO A BRANCH; THENCE EAST ALONG THE SOUTH BANK OF THIS BRANCH APPROXIMATELY 50 FEET TO THE PROPERTY LINE OF W. PAUL COCHRAN; THENCE SOUTH APPROXIMATELY 118 FEET TO ELIZABETH STREET EXTENSION; THENCE WEST ALONG THE NORTH SIDE OF THE STREET TO THE POINT OF BEGINNING. IT IS A PART OF THIS TRANSACTION THAT A 10 FOOT DRIVEWAY MUST BE CONTINUOUSLY LEFT OPEN ALONG ELIZABETH STREET EXTENSION FOR THE USE OF OTHER PROPERTY OWNERS ON THIS STREET FURTHER BACK. BEING THE SAME PIECE OF PROPERTY RECORDED IN DEED BOOK 166, PAGE 395, COBB COUNTY, GEORGIA RECORDS.

TRACT 2 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF SMYRNA, AND BEING A LOT WITH A THREE ROOM HOUSE THEREON, KNOWN AS 2965 ELIZABETH STREET EXTENSION, FORMERLY KNOWN AS NO. 11 ELIZABETH STREET EXTENSION, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN SAID CITY, THIS STREET HAVING FORMLY BEEN KNOWN AS HAMBY STREET, SAID LOT FRONTING ON THE NORTH SIDE OF ELIZABETH STREET EXTENSION 55 FEET MORE OR LESS, AND RUNNING BACK A UNIFORM WIDTH FOR A DISTANCE OF 115 FEET, MORE OR LESS, A BRANCH BEING THE REAR OR NORTH BOUNDARY OF SAID LOT. FOR A MORE COMPLETE DESCRIPTION OF SAID PROPERTY THE PLAT OF THE SUBDIVISION OF THE FIRST NATIONAL BANK PROPERTY RECORDED IN PLAT BOOK 4, PAGE 91, IS HEREBY REFERRED TO, SAID LOT BEING TAKEN FROM THE EASTERN SIDE OF LOTS 89, 90, 91 AND 92 AS SHOWN ON SAID PLAT, EXCEPT THAT THE BRANCH ABOVE REFERRED TO FORMS THE NORTH LINE OF LOT 88, WHICH DOES NOT SHOW ON SAID PLAT, AND ALSO SAID ELIZABETH STREET EXTENSION WAS FORMED FROM THE SOUTH SIDE OF LOT 92, BEING A 10 FOOT STRIP THAT INTERSECTS WITH ELIZABETH STREET, WEST OF SAID LOT, WHICH IS CONVEYED HEREIN, SAID ELIZABETH STREET EXTENSION NOT BEING SHOWN ON SAID PLAT, SAID TRACT BEING BOUNDED AS FOLLOWS: ON NORTH BY SAID BRANCH; ON THE EAST BY HAMBY ESTATE; ON THE SOUTH BY SAID ELIZABETH STREET EXTENSION, AND ON THE WEST BY PROPERTY OF MR. AND MRS. ANDREW JEFFARES. IT IS A PART OF THE CONSIDERATION OF THIS DEED THAT THE 10 FOOT DRIVEWAY OR STREET, KNOWN AS ELIZABETH STREET EXTENSION MUST BE CONTINUOUSLY KEPT OPEN FOR THE USE OF OTHER PROPERTY OWNERS ADJOINING THIS PROPERTY. BEING THE SAME PIECE OF PROPERTY FILED AND RECORDED IN DEED BOOK 1976, PAGE 864, COBB COUNTY, GEORGIA RECORDS.

*Rebecca Keaton*

REBECCA KEATON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

*Mar 1*

Return Recorded Document to:  
Jason B. Lingerfelt, LLC  
4286 Bells Ferry Road  
Kennesaw, GA 30144

**W A R R A N T Y D E E D**

**STATE OF GEORGIA**

**COUNTY OF Cobb**

*Feb 26 2014*  
File #: 14-1371J

This Indenture made this 14th day of February, 2014 between WANDA JOANNE SMITH, of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MARIO GONZALEZ, 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).

**W I T N E S S E T H** that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations 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,

SEE EXHIBIT "A"

This Deed is given subject to all easements and restrictions of record, if any.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

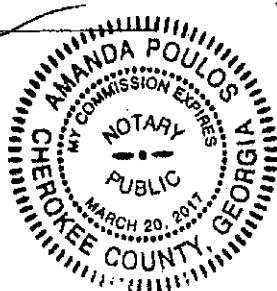
**IN WITNESS WHEREOF**, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

*Susan McGehee*  
Witness

*Amanda Poulos*  
Notary Public

*Wanda Joanne Smith*  
(Seal)  
WANDA JOANNE SMITH



14-1371J

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*Rebecca Keaton*  
REBECCA KEATON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Return Recorded Document to:  
Jason B. Lingerfelt, LLC  
4286 Bells Ferry Road  
Kennesaw, GA 30144

**W A R R A N T Y D E E D**

**STATE OF GEORGIA**

**COUNTY OF Cobb**

File #: 14-1371J

This Indenture made this 14th day of February, 2014 between FRANCES S. PEABODY, of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MARIO GONZALEZ, 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 AND 00/100'S (\$10.00) Dollars and other good and valuable considerations 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,

SEE EXHIBIT "A"

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEES SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

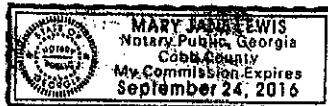
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

MARY JANE LEWIS  
Witness

Mary Jane Lewis  
Notary Public

Frances S. Peabody (Seal)  
FRANCES S. PEABODY



14-1371J

Exhibit "A"

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BK: 15140 PG: 35-36  
Filed and Recorded Feb-26-2014 09:57:48AM  
DOCH: D2014-012022  
Real Estate Transfer Tax \$0.00  
0332014003181

*Rebecca Keaton*  
REBECCA KEATON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Return Recorded Document to:  
Jason B. Lingerfelt, LLC  
4286 Bells Ferry Road  
Kennesaw, GA 30144

### WARRANTY DEED

STATE OF GEORGIA

COUNTY OF Cobb

File #: 14-1371J

This Indenture made this 14th day of February, 2014 between JANE C. THOMPSON, of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MARIO GONZALEZ, 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 AND 00/100'S (\$10.00) Dollars and other good and valuable considerations 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,

SEE EXHIBIT "A"

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AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

*Malvina Sanders*  
Witness

*Dottie J. Elsner*  
Notary Public

*Jane C. Thompson* (Seal)  
JANE C. THOMPSON

DOTTIE J. ELSNER  
GEORGIA  
MORGAN COUNTY  
COMMISSION EXPIRES SEPTEMBER 8, 2017  
NOTARY PUBLIC

14-1371J

Exhibit "A"

TRACT 1 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF SMYRNA, COBB COUNTY, GEORGIA, AND KNOWN AS # 7 ELIZABETH STREET EXTENSION AND BEING A THREE ROOM FRAME HOUSE SITUATED ON THE NORTH SIDE OF THE STREET ON A LOT BEGINNING AT THE PROPERTY LINE OF W.B. CONN, AND RUNNING NORTH APPROXIMATELY 118 FEET TO A BRANCH; THENCE EAST ALONG THE SOUTH BANK OF THIS BRANCH APPROXIMATELY 50 FEET TO THE PROPERTY LINE OF W. PAUL COCHRAN; THENCE SOUTH APPROXIMATELY 118 FEET TO ELIZABETH STREET EXTENSION; THENCE WEST ALONG THE NORTH SIDE OF THE STREET TO THE POINT OF BEGINNING. IT IS A PART OF THIS TRANSACTION THAT A 10 FOOT DRIVEWAY MUST BE CONTINUOUSLY LEFT OPEN ALONG ELIZABETH STREET EXTENSION FOR THE USE OF OTHER PROPERTY OWNERS ON THIS STREET FURTHER BACK. BEING THE SAME PIECE OF PROPERTY RECORDED IN DEED BOOK 166, PAGE 395, COBB COUNTY, GEORGIA RECORDS.

TRACT 2 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF SMYRNA, AND BEING A LOT WITH A THREE ROOM HOUSE THEREON, KNOWN AS 2965 ELIZABETH STREET EXTENSION, FORMERLY KNOWN AS NO. 11 ELIZABETH STREET EXTENSION, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN SAID CITY, THIS STREET HAVING FORMLY BEEN KNOWN AS HAMBY STREET, SAID LOT FRONTING ON THE NORTH SIDE OF ELIZABETH STREET EXTENSION 55 FEET MORE OR LESS, AND RUNNING BACK A UNIFORM WIDTH FOR A DISTANCE OF 115 FEET, MORE OR LESS, A BRANCH BEING THE REAR OR NORTH BOUDARY OF SAID LOT. FOR A MORE COMPLETE DESCRIPTION OF SAID PROPERTY THE PLAT OF THE SUBDIVISION OF THE FIRST NATIONAL BANK PROPERTY RECORDED IN PLAT BOOK 4, PAGE 91, IS HEREBY REFERRED TO, SAID LOT BEING TAKEN FROM THE EASTERN SIDE OF LOTS 89, 90, 91 AND 92 AS SHOWN ON SAID PLAT, EXCEPT THAT THE BRANCH ABOVE REFERRED TO FORMS THE NORTH LINE OF LOT 88, WHICH DOES NOT SHOW ON SAID PLAT, AND ALSO SAID ELIZABETH STREET EXTENSION WAS FORMED FROM THE SOUTH SIDE OF LOT 92, BEING A 10 FOOT STRIP THAT INTERSECTS WITH ELIZABETH STREET, WEST OF SAID LOT, WHICH IS CONVEYED HEREIN, SAID ELIZABETH STREET EXTENSION NOT BEING SHOWN ON SAID PLAT, SAID TRACT BEING BOUNDED AS FOLLOWS: ON NORTH BY SAID BRANCH; ON THE EAST BY HAMBY ESTATE; ON THE SOUTH BY SAID ELIZABETH STREET EXTENSION, AND ON THE WEST BY PROPERTY OF MR. AND MRS. ANDREW JEFFARES. IT IS A PART OF THE CONCIDERATION OF THIS DEED THAT THE 10 FOOT DRIVEWAY OR STREET, KNOWN AS ELIZABETH STREET EXTENSION MUST BE CONTINUOUSLY KEPT OPEN FOR THE USE OF OTHER PROPERTY OWNERS ADJOINING THIS PROPERTY. BEING THE SAME PIECE OF PROPERTY FILED AND RECORDED IN DEED BOOK 1976, PAGE 864, COBB COUNTY, GEORGIA RECORDS.

*Rebecca Keaton*  
REBECCA KEATON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Return Recorded Document to:  
Jason B. Lingerfelt, LLC  
4286 Bells Ferry Road  
Kennesaw, GA 30144

**W A R R A N T Y D E E D**

**STATE OF GEORGIA**

**COUNTY OF Cobb**

File #: 14-1371J

This Indenture made this 14th day of February, 2014 between SUSAN M. CALLAWAY, of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MARIO GONZALEZ, 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).

**W I T N E S S E T H** that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other good and valuable considerations 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,

SEE EXHIBIT "A"

This Deed is given subject to all easements and restrictions of record, if any.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEES SIMPLE**.

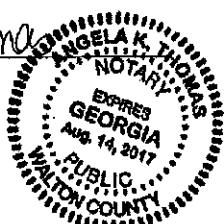
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

*Chris Bridges*  
Witness

*Angela K. Thomas*  
Notary Public



*Susan M. Callaway* (Seal)  
SUSAN M. CALLAWAY

14-1371J

Exhibit "A"

TRACT 1 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF SMYRNA, COBB COUNTY, GEORGIA, AND KNOWN AS # 7 ELIZABETH STREET EXTENSION AND BEING A THREE ROOM FRAME HOUSE SITUATED ON THE NORTH SIDE OF THE STREET ON A LOT BEGINNING AT THE PROPERTY LINE OF W.B. CONN, AND RUNNING NORTH APPROXIMATELY 118 FEET TO A BRANCH; THENCE EAST ALONG THE SOUTH BANK OF THIS BRANCH APPROXIMATELY 50 FEET TO THE PROPERTY LINE OF W. PAUL COCHRAN; THENCE SOUTH APPROXIMATELY 118 FEET TO ELIZABETH STREET EXTENSION; THENCE WEST ALONG THE NORTH SIDE OF THE STREET TO THE POINT OF BEGINNING. IT IS A PART OF THIS TRANSACTION THAT A 10 FOOT DRIVEWAY MUST BE CONTINUOUSLY LEFT OPEN ALONG ELIZABETH STREET EXTENSION FOR THE USE OF OTHER PROPERTY OWNERS ON THIS STREET FURTHER BACK. BEING THE SAME PIECE OF PROPERTY RECORDED IN DEED BOOK 166, PAGE 395, COBB COUNTY, GEORGIA RECORDS.

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Printed: 2/11/2016 9:33:18 PM

## Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**CHELLY McDUFFIE** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

Payer:  
**MARIO GONZALEZ S**

**GONZALEZ MARIO**

**Payment Date: 8/25/2015**

| Tax Year | Parcel ID   | Due Date   | Appeal Amount | Taxes Due   |         |
|----------|-------------|------------|---------------|-------------|---------|
| 2015     | 17059400400 | 10/15/2015 | Pay:          | N/A         | or      |
| Interest | Penalty     | Fees       | Total Due     | Amount Paid | Balance |
| \$0.00   | \$0.00      | \$0.00     | \$426.70      | \$426.70    | \$0.00  |



Printed: 2/11/2016 9:35:20 PM

**Cobb County Online Tax Receipt**

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**CHELLY McDUFFIE** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

Payer  
**MARIO GONZALEZ S**

**GONZALEZ MARIO**

**Payment Date: 8/25/2015**

| Tax Year | Parcel ID   | Due Date   | Appeal Amount     | Taxes Due   |         |
|----------|-------------|------------|-------------------|-------------|---------|
| 2015     | 17059400460 | 10/15/2015 | Pay:<br>N/A<br>or | 185.77      |         |
| Interest | Penalty     | Fees       | Total Due         | Amount Paid | Balance |
| \$0.00   | \$0.00      | \$0.00     | \$185.77          | \$185.77    | \$0.00  |



## **City of Smyrna**

### **Water and Sewer Availability**

The City of Smyrna has determined that water and sanitary sewer are available to the proposed development. The developer will need to move existing water service locations to the right-of-way of Elizabeth Street and install additional sewer taps for the development. Elevations are the responsibility of the developer.

This information is based upon a survey for Greg Williams, 2963 and 2965 Elizabeth Street dated June 15th, 2015 by Dekalb Surveys, Inc.

A handwritten signature in black ink, appearing to read "John C. Smith".



Atlanta Arbor Care  
407 Bluff Street  
Rockmart, Georgia 30153  
678.897.0932  
[www.ArboristAtlanta.com](http://www.ArboristAtlanta.com)

2/11/2016

Site Address:  
2963 Elizabeth Street  
Smyrna, Cobb County, Georgia

#### Tree Save Plan

No Trees on this site are considered specimen trees.

Tree Protection Plan to include Tree Protection Fencing so as not to encroach on the critical root zone. No person shall encroach or place solvents, material, construction machinery or temporary soil deposits within six feet of the area outside the critical root zone, as defined by the tree save area. All tree protection fences must remain in functioning condition until the certificate of occupancy is issued.

Existing Density Factor of this site is 126.

Required Site Density Factor is 25.

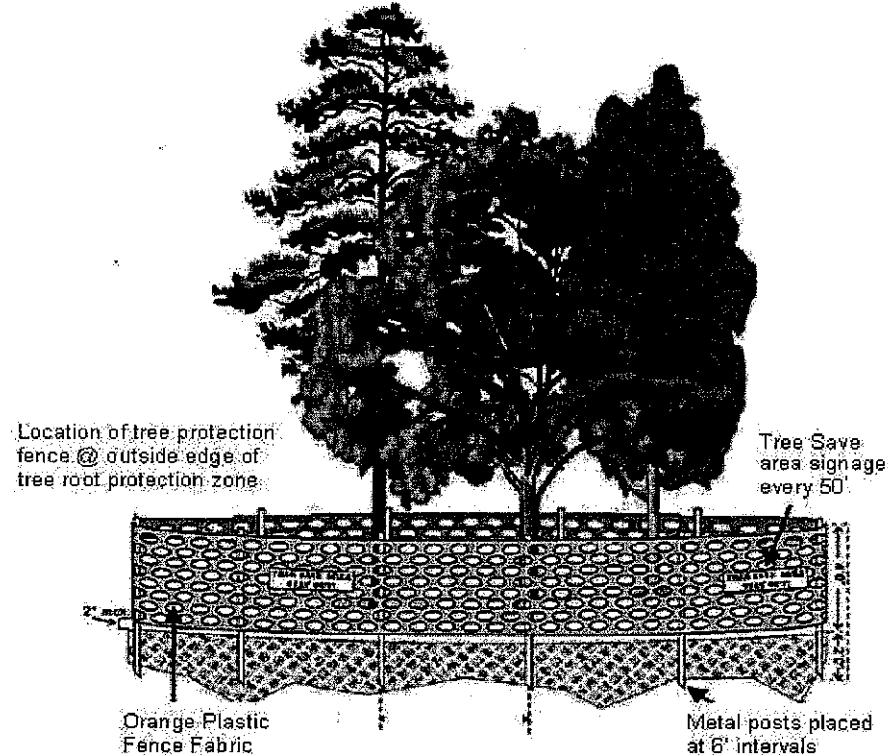
No Tree Replacement will be needed.

This has been prepared by an ISA Certified Arborist. Please call with any questions.

Sean Sewell  
Certified Arborist  
SO-5701A  
407 Bluff Street  
Rockmart, Ga. 30153  
phone: 678.897.0932

- iv. Signage must be placed every 50' on the tree protection fencing that reads, "Tree Save Area: Do Not Enter" in both English and Spanish.

**Figure 2: Tree Protection Fencing for Non-Specimen Trees**



\*\*Specimen tree protection requires orange polyethylene fence be replaced with chain link.\*\*\*

JN-16-215

GENERAL NOTES:

1: This Plot has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plot.

2: This plot is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.

3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.

4: No Geodetic monuments were found within 500 feet of this site.

5: This Plot has been prepared for the exclusive use of the person(s) or entities named hereon.

6: Vesting Deed is not descriptive enough to retrace the original boundary. The boundary lines shown reflect those shown on the Survey by Solar Land Dated 7-15-14.

Survey Data

1: ESR: 01 SURVEYOR: 01 SURVEY  
SOLAR LAND CO., INC. 11-15-14  
PROPERTY OWNER: 01 SURVEY  
WAND CONTACT: 01 SURVEY  
DRAFT SURVEY: 01 SURVEY

PROPERTY USE: 01 SURVEY  
FROM SURVEY: 01 SURVEY  
SURVEY FEE COMPANY DATED 7/15/2014

TOTAL AREA: 0.2915 AC

CALCULATED PLAT: CLOSURE: 1.000000

FIELD DATA:

DATE OF PLAT SURVEY: 6-4-2015 8:39:2015  
THE CALCULATED POSITIONAL TOLERANCE BASED ON  
PREDICTED LINE AND MEASUREMENTS OF OBSERVED  
PREDICTED POSITION TOLERANCE TO BE 0.07 FT

EQUIPMENT:

ELECTRONIC TOTAL STATION

SURVEY FOR:

GREG WILLIAMS

2963 & 2965 ELIZABETH  
STREET  
CITY OF SMYRNA, COBB COUNTY, GEORGIA  
LAND LOT 594, DIST 17, SECT 2  
DATE: JUNE 15, 2015 REVISION #: ADD TOPOGRAPHY 9/2/2015

www.dickallsurveys.com

43-5-4 41-5-6 41-5-9 41-5-15-22

THIS SURVEY WAS PREPARED TO CONFORMITY WITH THE  
TECHNICAL STANDARDS FOR PRACTICING SURVEYORS IN  
GEORGIA AS SET FORTH IN CHAPTER 80-7 OF THE  
CODE OF GEORGIA, BOARD OF REGISTRATION FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND  
AS SET FORTH IN THE GEORGIA PLAT ACT (G.C.A.)  
15-B-674 THROUGH G.C.A. SECS. 15-B-6-1  
15-B-6-7-4 15-B-6-41-5-4 41-5-9 41-5-15-22

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WRITTEN PERMISSION OF THIS  
SURVEYOR

FOR  
DICKALL SURVEYS, INC.  
407 W. PONCE DE LEON  
SUITE B  
DECATUR, GEORGIA 30034  
404.373.9003

