

**APPLICATION FOR REZONING  
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: 7

Application No: Z18-016

Hearing Date: \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

Name: **O'Dwyer Properties LLC**

(Representative's name, printed)

Address: **850 Old Alpharetta Rd. Alpharetta, GA 30005**

Business Phone: **770-887-2177** Cell Phone: **334-322-5888** Fax Number: \_\_\_\_\_

E-Mail Address: **JordonT@odwyerhomes.com**

Signature of Representative: 

**TITLEHOLDER**

Name: **Ronald and Cynthia Fennel**

(Titleholder's name, printed)

Address: **10 Rebel Trail**

Business Phone: \_\_\_\_\_ Cell Phone: **678.592.9011** Home Phone: **770.948.9486**

E-mail Address: **ronfennel@me.com**

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

(To be completed by City)

Received: 9/14/18

Heard by P&Z Board: \_\_\_\_\_

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

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

Posted: \_\_\_\_\_

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

**APPLICATION FOR ZONING AMENDMENT  
TO THE CITY OF SMYRNA**

*Please Type or Print Clearly*

(To be completed by City)

**Ward:** \_\_\_\_\_

**Application No:** \_\_\_\_\_

**Hearing Date:** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

Name: **O'Dwyer Properties LLC**

(Representative's name, printed)

Address: **850 Old Alpharetta Rd. Alpharetta, GA 30005**

Business Phone: **770-887-2177** Cell Phone: **334-322-5888** Fax Number: \_\_\_\_\_

E-Mail Address: **JordonT@odwyerhomes.com**

Signature of Representative: \_\_\_\_\_  


**TITLEHOLDER:**

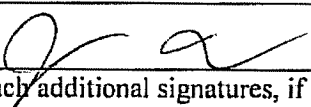
Name: **Nickajack Retreat LLC**

(Titleholder's name, printed)

Address: **850 Old Alpharetta Rd. Alpharetta, GA 30005**

Business Phone: **770-887-2177** Cell Phone: **334-322-5888** Home Phone: \_\_\_\_\_

E-mail Address: **JordonT@odwyerhomes.com**

Signature of Titleholder: \_\_\_\_\_  
  
(Attach additional signatures, if needed)

(To be completed by City)

Received: \_\_\_\_\_

Heard by P&Z Board: \_\_\_\_\_

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

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

Posted: \_\_\_\_\_

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

**ZONING REQUEST**

From Cobb County R-20 to Smyrna R-12 with Variances  
Present Zoning Proposed Zoning

**LAND USE**

From Single Family Residential to Single Family Residential  
Present Land Use Proposed Land Use

For the Purpose of Single Family Residential Subdivision

Size of Tract 2 Acres

Location 10 Rebel Trail

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

Land Lot (s) 331, 389, and 390 District 2nd

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no \_\_\_\_ there are 0 such assets. If any, they are as follows:

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(To be completed by City)

Recommendation of Planning Commission:

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Council's Decision:

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CONTIGUOUS ZONING

North: City of Smyrna R-12 and Cobb County R-20

East: City of Smyrna R-12 with Variances

South: City of Smyrna R-12 with Variances

West: Cobb County R-20

CONTIGUOUS LAND USE

North: Single Family Residential

East: Single Family Residential

South: Single Family Residential

West: Single Family 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:

**Cobb County Water and Sewer both available to the site.**

**Map showing availability included.**

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**TRANSPORTATION**

Access to Property? **Property is accessed from Cooper Lake Rd**

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Improvements proposed by developer? **Decel Lane to be included and designed per city requirements.**

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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**

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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:

**N/A**

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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:

**N/A**

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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:

**N/A**

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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?

**Yes**

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If so, describe the natural and extent of such interest: **Mr. Fennel is currently on the City Council in Smyrna and he and his wife own the property.**

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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?

**Yes**

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

**Mr. Fennel and his wife own the property.**


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:

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 13 day of SEPTEMBER, 2018.

  
\_\_\_\_\_  
(Applicant's Signature)

\_\_\_\_\_  
(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 surrounding properties are single family residential. This property will be attached to a previously zoned parcel which allowed for R-12 with a density of 2.78 units per acre. There is also a RAD townhome property south of this parcel.**

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

**No. The existing use is for single family residential. The property has remained vacant for years so the proposed development will not adversely affect nearby properties.**

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

**The parcel is zoned AG-1 with one vacant house on it. It is surrounded by residential subdivisions; therefore, it is unlikely it be used or developed for any use other than single family homes.**

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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.

**No. The zoning request is for 19 single family homes, which will have minimal impact of the existing streets, transportations facilities, utilities, or schools.**

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zoning.

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

**Yes. The requested zoning is aligned with the surrounding areas and the land use plan.**

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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.

**Next to the property is train tracks, which allows for separation between this property and any other subdivision, which helps support approval for the zoning.**

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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.

**O'Dwyer Properties has built several communities in Smyrna. We believe this development will enhance the architectural standards of the general area as well as highlight the entrance into the subdivision.**

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

**The zoning request is for 19 single family homes, which will have minimal impact on the existing area. The property is also next to the train track which allows space between this development and the closest subdivision.**

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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 zoning request is for 19 single family homes, which will have minimal impact on the existing area. The property is also below the existing street level which reduces the impact based upon building height.**

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*J.C. Stephenson*

Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

*Went*

PREPARED BY AND AFTER  
RECORDING RETURN TO:  
Diane S. Calloway, Esq.  
Specialized Title Services, Inc.  
6133 Peachtree Dunwoody Road, NE  
Atlanta, Georgia 30328  
STS File No. 1122.005

PARCEL 2

STATE OF GEORGIA

COUNTY OF FULTON

### EXECUTOR'S DEED

THIS EXECUTOR'S DEED is made and entered into this 15th day of September, 2003, by and between **Stanley P. Sullivan**, as **Executor of the Estate of Martha B. Sullivan**, Deceased (hereinafter referred to as "Grantor"), and **Ronald D. Fennel** and **Cynthia H. Fennel** (hereinafter collectively referred to as "Grantee"). Grantor and Grantee to include their respective heirs, legal representatives, successors and assigns where the context requires or permits.

#### WITNESSETH:

THAT, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the undersigned Grantor (acting under and by virtue of the power and authority contained in the Last Will and Testament of Martha B. Sullivan, Deceased, dated December 3, 1970, the same having been duly probated in solemn form on March 24, 2000, and Letters Testamentary having been issued by the Probate Court of Cobb County, Georgia, and recorded March 24, 2000 at 11:31 a.m., Probate Court of Cobb County, Georgia) has granted, bargained, sold and conveyed and these presents does hereby grant, bargain, sell and convey unto said Grantee that certain tract or parcel of land lying and being in Land Lot 331 of the 17th District, 2nd Section, Cobb County, Georgia, and more particularly described on Exhibit "A" attached hereto and made an essential part hereof.


TO HAVE AND TO HOLD the said interest in 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, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased. This conveyance is made subject to all easements, restrictions and encumbrances, if any, of record.

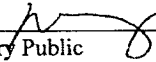
IT IS EXPRESSLY understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that Grantor makes this conveyance without covenants, warranties, representations or indemnities. Furthermore, any liability imposed on Grantor arising out of the conveyance made herein shall be satisfied solely out of the assets, if any, of the Estate of Martha B. Sullivan.

IN WITNESS WHEREOF, Grantor herein has hereunto set his hand and seal, the day and year first above written.

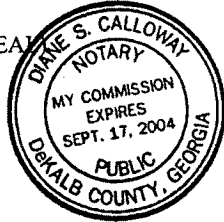
Signed, sealed and delivered in the presence of:

Witness

 (SEAL)  
Stanley S. Sullivan, as Executor of the Estate  
of Martha B. Sullivan

  
Notary Public

(NOTARY SEAL)



**EXHIBIT "A"****Lot 39, 40 and the Club Lot**

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being all of Lot 39 and the Club Lot of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

To reach the POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south  $01^{\circ}41'00''$  east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south  $65^{\circ}29'05''$  west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south  $81^{\circ}44'09''$  west for a distance of 66.37 feet to a point; proceed thence south  $29^{\circ}52'35''$  east for a distance of 79.34 feet to a point on the northwesterly right-of-way line of Club Drive (variable right-of-way, not open); thence travel southwesterly along said right-of-way line of Club Drive south  $65^{\circ}31'36''$  west for a distance of 200.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, continue thence south  $65^{\circ}31'36''$  west for a distance of 21.30 feet to a point on said right-of-way line; travel thence 72.28 feet along the arc of a curve to the left, said curve having a radius of 267.42 feet and being subtended by a chord of south  $06^{\circ}51'34''$  east, 72.06 feet to a 1/2" re-bar found; thence travel south  $29^{\circ}52'35''$  east for a distance of 51.68 feet to a point where said right-of-way line of Club Drive intersects the southeasterly right-of-way line of Rebel Trail (f/k/a Southern Drive, variable right-of-way); thence travel south  $29^{\circ}52'35''$  east for a distance of 91.87 feet to a point on the northwesterly right-of-way line of Southern Railway (200' right-of-way); thence travel 412.24 feet along the arc of a curve to the left, said curve having a radius of 3,796.70 feet and being subtended by a chord of south  $58^{\circ}48'45''$  west, 412.04 feet to a point; thence depart said Southern Railway right-of-way line and run north  $34^{\circ}11'28''$  east for a distance of 162.38 feet to a point; thence travel north  $02^{\circ}28'28''$  east for a distance of 133.90 feet to a 3/4" crimped top pipe found; thence travel north  $15^{\circ}26'28''$  east for a distance of 84.15 feet to a 3/4" crimped top pipe found; thence travel north  $31^{\circ}26'11''$  east for a distance of 100.71 feet to a 3/4" crimped top pipe found; thence travel north  $52^{\circ}32'38''$  east for a distance of 96.29 feet to a 1/2" re-bar found; thence travel south  $29^{\circ}52'35''$  east for a distance of 87.05 feet to a point on the right-of-way line of Club Drive and the POINT OF BEGINNING.

**TOGETHER WITH:**

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia being all of Lot 40 of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

To reach the POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south  $01^{\circ}41'00''$  east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south  $65^{\circ}29'05''$  west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south  $01^{\circ}42'57''$  east for a distance of 87.20 feet to a point on the southeasterly right-of-way line of Club Drive (variable right-of-way, not open); thence travel along said right-of-way line of Club Drive south  $65^{\circ}31'36''$  west 120.22 feet to a 1/2" re-bar found and the POINT OF BEGINNING.

From said POINT OF BEGINNING, travel south  $14^{\circ}55'03''$  east for a distance of 80.99 to a 1/2" re-bar found on the northwesterly right-of-way line of Rebel Trail (f/k/a Southern Drive, variable right-of-way); thence travel south  $65^{\circ}31'36''$  west along said right-of-way line of Rebel Trail for a distance of 42.80 feet to a point; thence travel northwesterly and northeasterly along said right-of-way line of Club Drive 125.46 feet along the arc of a curve to the right, said curve having a radius of 39.94 feet and being subtended by a chord of north  $24^{\circ}28'24''$  west, 79.87 feet to a point; thence travel north  $65^{\circ}31'36''$  east for a distance of 56.25 feet to a point on the northwesterly right-of-way line of Club Drive and the POINT OF BEGINNING.

Shown as 1.65699 collective acres, on ALTA/ACSM Land Title Survey for Ronald D. Fennel and Cynthia H. Fennel, Sea Island Employees Credit Union, Specialized Title Services, Inc., and Chicago Title Insurance Company, prepared by Watts & Browning Engineers, Inc., bearing the seal and certification of Virgil T. Hammond, Georgia Registered Land Surveyor No. 2554, dated July 17, 2003, last revised September 12, 2003.

*wait*

STATE OF GEORGIA  
COUNTY OF FULTON

*Jay C. Stephenson*  
Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

PREPARED BY AND AFTER  
RECORDING RETURN TO:  
Diane S. Calloway, Esq.  
Specialized Title Services, Inc.  
6133 Peachtree Dunwoody Road, NE  
Atlanta, Georgia 30328  
STS File No. 1122.005

PARCEL 2

**EXECUTOR'S DEED**

THIS EXECUTOR'S DEED is made and entered into this 15th day of September, 2003, by and between **Stanley P. Sullivan, as Executor of the Estate of Martha B. Sullivan, Deceased** (hereinafter referred to as "Grantor"), and **Ronald D. Fennel and Cynthia H. Fennel** (hereinafter collectively referred to as "Grantee"). Grantor and Grantee to include their respective heirs, legal representatives, successors and assigns where the context requires or permits.

WITNESSETH:

THAT, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the undersigned Grantor (acting under and by virtue of the power and authority contained in the Last Will and Testament of Martha B. Sullivan, Deceased, dated December 3, 1970, the same having been duly probated in solemn form on March 24, 2000, and Letters Testamentary having been issued by the Probate Court of Cobb County, Georgia, and recorded March 24, 2000 at 11:31 a.m., Probate Court of Cobb County, Georgia) has granted, bargained, sold and conveyed and these presents does hereby grant, bargain, sell and convey unto said Grantee that certain tract or parcel of land lying and being in Land Lot 331 of the 17th District, 2nd Section, Cobb County, Georgia, and more particularly described on Exhibit "A" attached hereto and made an essential part hereof.

TO HAVE AND TO HOLD the said interest in 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, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased. This conveyance is made subject to all easements, restrictions and encumbrances, if any, of record.

IT IS EXPRESSLY understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that Grantor makes this conveyance without covenants, warranties, representations or indemnities. Furthermore, any liability imposed on Grantor arising out of the conveyance made herein shall be satisfied solely out of the assets, if any, of the Estate of Martha B. Sullivan.

IN WITNESS WHEREOF, Grantor herein has hereunto set his hand and seal, the day and year first above written.

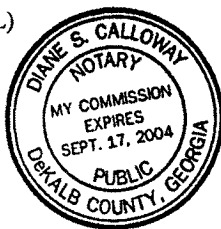
Signed, sealed and delivered in the presence of:

Witness

Stanley P. Sullivan (SEAL)  
Stanley P. Sullivan, as Executor of the Estate  
of Martha B. Sullivan

Notary Public

(NOTARY SEAL)





**EXHIBIT "A"****Investment Lots**

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being Lots 36 and 37 of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south 01°41'00" east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south 65°29'05" west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south 81°44'09" west for a distance of 66.37 feet to a point; thence travel south 81°44'09" west a distance of 21.55 feet to a 3/4" crimped top pipe found; thence travel south 68°03'56" west a distance of 30.03 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, travel south 29°52'35" east a distance of 86.71 feet to an iron pin found on the northwesterly right-of-way line of Club Drive (variable right-of-way, not open), thence travel along said right-of-way line south 65°31'36" west a distance of 100.00 feet to a point on said right-of-way line; thence depart said right-of-way line and travel north 29°54'01" west a distance of 91.19 feet to a 1/2" rebar found; thence travel north 68°03'56" east a distance of 100.56 feet to the POINT OF BEGINNING.

**TOGETHER WITH:**

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being Lots 41 and 42 of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south 01°41'00" east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south 65°29'05" west for a distance of 75.83 feet to a 1" crimped top pipe found; travel thence south 01°42'57" east for a distance of 87.20 feet to a point on the southeasterly right-of-way line of Club Drive (variable right-of-way, not open) and the POINT OF BEGINNING.

From the POINT OF BEGINNING, depart said right-of-way line and travel south 01°42'57" east a distance of 86.61 feet to a point found on the northwesterly right-of-way line of Rebel Trail f/k/a Southern Drive (variable right-of-way); thence travel along said right-of-way line south 65°31'36" west a distance of 100.16 feet to a 1/2" rebar found; thence depart said right-of-way line and travel north 14°55'03" west a distance of 80.99 feet to a 1/2" rebar found on the southeasterly right-of-way line of Club Drive; thence travel along said right-of-way line north 65°31'36" east a distance of 120.22 to the POINT OF BEGINNING.

TOGETHER WITH:

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being Lots 69 and 70 of Block 1 of Cooper Lakes Subdivision, and as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south  $01^{\circ}41'00''$  east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south  $65^{\circ}29'05''$  west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south  $01^{\circ}42'57''$  east a distance of 195.83 feet to a 1" crimped top pipe found on the southeasterly right-of-way line of Rebel Trail f/k/a Southern Drive (variable right-of-way); thence travel along said right-of-way line south  $65^{\circ}31'36''$  west a distance of 119.84 feet to a 1" crimped top pipe found on said right-of-way line and the POINT OF BEGINNING.

From the POINT OF BEGINNING; depart said right-of-way line and travel south  $24^{\circ}18'08''$  east a distance of 85.08 feet to a 1" crimped top pipe found; thence travel south  $61^{\circ}28'13''$  west a distance of 90.24 feet to a point; thence travel north  $29^{\circ}52'35''$  west a distance of 91.87 feet to a point on said right-of-way line; thence travel along said right-of-way line north  $65^{\circ}31'36''$  east a distance of 98.92 feet to a 1" crimped top pipe found on said right-of-way line and the POINT OF BEGINNING.

Shown as 0.5971 collective acres on ALTA/ACSM Land Title Survey for Ronald D. Fennel and Cynthia H. Fennel, Sea Island Employees Credit Union, Specialized Title Services, Inc., and Chicago Title Insurance Company, prepared by Watts & Browning Engineers, Inc., bearing the seal and certification of Virgil T. Hammond, Georgia Registered Land Surveyor No. 2554, dated July 17, 2003, last revised September 12, 2003.



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023

Date of this notice: 10-18-2018

Employer Identification Number:  
83-2241688

Form: SS-4

Number of this notice: CP 575 G

NICKAJACK RETREAT  
JORDON TENCH SOLE MBR  
850 OLD ALPHARETTA RD  
ALPHARETTA, GA 30005

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 83-2241688. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is NICK. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

(IRS USE ONLY)

575G

10-18-2018 NICK O 9999999999 SS-4

Keep this part for your records.

CP 575 G (Rev. 7-2007)

Return this part with any correspondence  
so we may identify your account. Please  
correct any errors in your name or address.

CP 575 G

9999999999

Your Telephone Number Best Time to Call  
( ) -

DATE OF THIS NOTICE: 10-18-2018  
EMPLOYER IDENTIFICATION NUMBER: 83-2241688  
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023



NICKAJACK RETREAT  
JORDON TENCH SOLE MBR  
850 OLD ALPHARETTA RD  
ALPHARETTA, GA 30005

Return to:  
**O'Kelley & Sorohan, Attorneys at Law, LLC**  
2170 Satellite Blvd, Suite 375  
Duluth, GA 30097  
File No.: 23-101578-CRE

STATE OF GEORGIA  
COUNTY OF GWINNETT

**LIMITED WARRANTY DEED**

THIS INDENTURE, made on **24th day of October, 2018**, between

**Whistle-Stop Properties, L.L.C., a Georgia limited liability company**

(hereinafter referred to as "Grantor") and

**Nickajack Retreat, LLC**

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties 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 CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

See attached Exhibit "A" for legal description.

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises") , the same being, belonging, or in anyway 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 person claiming by, through or under Grantor, but not otherwise.

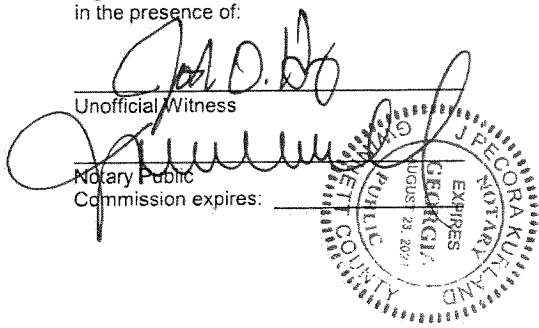
IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed, sealed and delivered  
in the presence of:

Unofficial Witness

Notary Public

Commission expires: \_\_\_\_\_



**Whistle-Stop Properties, L.L.C., a Georgia limited liability company**

BY: \_\_\_\_\_

**James S. Eubanks**  
Manager

**Exhibit "A" Legal Description**

**DB 14567 Page 5145 (to Whistle-Stop Properties, L.L.C.):**

**TRACT 2**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 389 AND 390 OF THE 17<sup>th</sup> DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SOUTHERN RAILROAD (200' R/W) AND THE WEST RIGHT OF WAY OF COOPER LAKE ROAD RELOCATION (VARIABLE R/W), THENCE ALONG THE NORTH RIGHT OF WAY OF SAID RAILROAD ALONG A CURVE TO THE LEFT, AN ARC DISTANCE OF 439.64 FEET, SAID CURVE HAVING A RADIUS OF 3930.48 FEET AND BEING SUBTENDED BY A CHORD OF 439.41 FEET, AT SOUTH 67 DEGREES 38 MINUTES 37 SECONDS WEST, TO A POINT;

THENCE LEAVING SAID RIGHT OF WAY NORTH 22 DEGREES 57 MINUTES 16 SECONDS WEST, 80.02 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 66 DEGREES 48 MINUTES 55 SECONDS EAST, 119.82 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 00 DEGREES 24 MINUTES 58 SECONDS WEST, 195.74 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 00 DEGREES 14 MINUTES 37 SECONDS WEST, 33.98 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 46 DEGREES 07 MINUTES 29 SECONDS EAST, 77.27 FEET TO A #4 REBAR FOUND;

THENCE NORTH 50 DEGREES 08 MINUTES 49 SECONDS EAST, 26.83 FEET TO A #4 REBAR FOUND;

THENCE NORTH 63 DEGREES 07 MINUTES 04 SECONDS EAST, 25.25 FEET TO A ¾ INCH OPEN TOP PIPE FOUND;

THENCE SOUTH 17 DEGREES 51 MINUTES 15 SECONDS EAST, 68.06 FEET TO A POINT;

THENCE NORTH 66 DEGREES 45 MINUTES 41 SECONDS EAST, 50.07 FEET TO A POINT;

THENCE NORTH 17 DEGREES 58 MINUTES 27 SECONDS WEST, 71.25 FEET TO A #4 REBAR FOUND;

THENCE NORTH 62 DEGREES 15 MINUTES 01 SECONDS EAST, 17.29 FEET TO A #4 REBAR SET, SAID POINT BEING THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING THUS ESTABLISHED;

THENCE NORTH 17 DEGREES 51 MINUTES 15 SECONDS WEST, 284.35 FEET TO A POINT;

THENCE NORTH 56 DEGREES 39 MINUTES 21 SECONDS EAST, 214.75 FEET TO A POINT;

THENCE SOUTH 17 DEGREES 51 MINUTES 15 SECONDS EAST, 328.00 FEET TO A #4 REBAR FOUND;

THENCE SOUTH 66 DEGREES 02 MINUTES 41 SECONDS WEST, 100.19 FEET TO A POINT;

THENCE SOUTH 17 DEGREES 10 MINUTES 50 SECONDS EAST, 6.74 FEET TO A POINT;

THENCE SOUTH 77 DEGREES 50 MINUTES 49 SECONDS WEST, 50.26 FEET TO A POINT;

THENCE SOUTH 77 DEGREES 50 MINUTES 49 SECONDS WEST, 6.24 FEET TO A POINT;

THENCE SOUTH 69 DEGREES 58 MINUTES 49 SECONDS WEST, 51.10 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINS 1.47 ACRES, MORE OR LESS, AND BEING DESIGNATED AS TRACT 2 ON THE SURVEY JULY 14, 2006, PREPARED BY GASKINS SURVEYING & ENGINEERING COMPANY, CERTIFIED BY ALBERT W. GRAMLING, JR., G.R.L.S. NO. 2983, WHICH PLAT OF SURVEY IS INCORPORATED HEREBY BY REFERENCE.

**TRACT 5**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 331, 389 AND 390 OF THE 17<sup>TH</sup> DISTRICT, 2<sup>ND</sup> SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SOUTHERN RAILROAD (200' R/W) AND THE WEST RIGHT OF WAY OF COOPER LAKE ROAD RELOCATION (VARIABLE R/W), SAID POINT BEING THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING THUS ESTABLISHED,

THENCE ALONG THE NORTH RIGHT OF WAY OF SAID RAILROAD ALONG A CURVE TO THE LEFT, AN ARC DISTANCE OF 439.64 FEET, SAID CURVE HAVING A RADIUS OF 3930.48 FEET AND BEING SUBTENDED BY A CHORD OF 439.41 FEET, AT SOUTH 67 DEGREES 38 MINUTES 37 SECONDS WEST, TO A POINT;

THENCE LEAVING SAID RIGHT OF WAY NORTH 22 DEGREES 57 MINUTES 16 SECONDS WEST, 80.02 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 66 DEGREES 48 MINUTES 55 SECONDS EAST, 119.82 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 00 DEGREES 24 MINUTES 56 SECONDS WEST, 195.74 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 00 DEGREES 14 MINUTES 37 SECONDS WEST, 33.98 FEET TO A CRIMP TOP PIPE FOUND;

THENCE NORTH 46 DEGREES 07 MINUTES 29 SECONDS EAST, 77.27 FEET TO A #4 REBAR FOUND;

THENCE NORTH 50 DEGREES 08 MINUTES 49 SECONDS EAST, 26.83 FEET TO A #4 REBAR FOUND;

THENCE NORTH 63 DEGREES 07 MINUTES 04 SECONDS EAST, 25.25 FEET TO A ¾ INCH OPEN TOP PIPE FOUND;

THENCE SOUTH 17 DEGREES 51 MINUTES 15 SECONDS EAST, 68.06 FEET TO A POINT;

THENCE NORTH 66 DEGREES 45 MINUTES 41 SECONDS EAST, 50.07 FEET TO A POINT;

THENCE NORTH 17 DEGREES 56 MINUTES 27 SECONDS WEST, 71.25 FEET TO A #4 REBAR FOUND;

THENCE NORTH 62 DEGREES 15 MINUTES 01 SECONDS EAST, 17.29 FEET TO A #4 REBAR SET;

THENCE NORTH 69 DEGREES 58 MINUTES 49 SECONDS EAST, 51.10 FEET TO A POINT;

THENCE NORTH 77 DEGREES 50 MINUTES 49 SECONDS EAST, 6.24 FEET TO A POINT;

THENCE NORTH 77 DEGREES 50 MINUTES 49 SECONDS EAST, 50.26 FEET TO A POINT;

THENCE NORTH 17 DEGREES 10 MINUTES 50 SECONDS WEST, 6.74 FEET TO A POINT;

THENCE NORTH 66 DEGREES 02 MINUTES 41 SECONDS EAST, 100.19 FEET TO A #4 REBAR FOUND;



THENCE SOUTH 17 DEGREES 51 MINUTES 15 SECONDS EAST, 14.61 FEET TO A POINT;

THENCE SOUTH 17 DEGREES 48 MINUTES 16 SECONDS EAST, 52.16 FEET TO A #4 REBAR FOUND;

THENCE NORTH 66 DEGREES 52 MINUTES 06 SECONDS EAST, 135.05 FEET TO A POINT;

THENCE NORTH 66 DEGREES 46 MINUTES 55 SECONDS EAST, 9.77 FEET TO A POINT ON THE WEST RIGHT OF WAY OF COOPER LAKE ROAD RELOCATION (VARIABLE R/W);

THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 30 DEGREES 41 MINUTES 59 SECONDS WEST, 177.49 FEET TO A RIGHT OF WAY MONUMENT FOUND;

THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, AN ARC DISTANCE OF 231.13 FEET, SAID CURVE HAVING A RADIUS OF 751.20 FEET AND BEING SUBTENDED BY A CHORD OF 230.22 FEET, AT SOUTH 21 DEGREES 53 MINUTES 06 SECONDS WEST, TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINS 3.30 ACRES, MORE OR LESS, AND IS DEPICTED AS TRACT 5, AND IS MORE FULLY SHOWN ON THE PLAT OF SURVEY DATED JULY 14, 2006, PREPARED BY GASKINS SURVEYING & ENGINEERING COMPANY, CERTIFIED BY ALBERT W. GRAMLING, JR., G.R.L.S. 2983, WHICH PLAT OF SURVEY IS INCORPORATED BY REFERENCE.

**DB 14567 Page 5149 (to Whistle-Stop Properties, L.L.C.):**

**TRACT 8**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 389 OF THE 17TH DISTRICT, 2<sup>ND</sup> SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SOUTHERN RAILROAD (200' R/W) AND THE WEST RIGHT OF WAY OF COOPER LAKE ROAD RELOCATION (VARIABLE R/W); THENCE ALONG THE WEST RIGHT OF WAY OF COOPER LAKE ROAD RELOCATION ON A CURVE TO THE RIGHT, AN ARC DISTANCE OF 231.13 FEET, SAID CURVE HAVING A RADIUS OF 751.20 FEET AND BEING SUBTENDED BY A CHORD OF 230.22 FEET, AT NORTH 21 DEGREES 53 MINUTES 08 SECONDS EAST, TO A RIGHT-OF-WAY MONUMENT;

THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 30 DEGREES 41 MINUTES 59 SECONDS EAST, 283.72 FEET TO A POINT, WHICH POINT IS THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING THUS ESTABLISHED, THENCE ALONG THE WEST RIGHT OF WAY OF COOPER LAKE ROAD RELOCATION, NORTH 30 DEGREES 41 MINUTES 59 SECONDS EAST, 176.53 FEET TO A POINT;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 43 DEGREES 52 MINUTES 19 SECONDS WEST, 101.51 FEET TO A POINT;

THENCE SOUTH 50 DEGREES 00 MINUTES 49 SECONDS WEST, 54.90 FEET TO A POINT;

THENCE SOUTH 27 DEGREES 13 MINUTES 41 SECONDS EAST, 48.73 FEET TO A POINT,

SAID POINT BEING THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINS 0.08 ACRES, MORE OR LESS, AND IS DEPICTED AS TRACT 8, AS MORE FULLY SHOWN ON THE PLAT OF SURVEY DATED JULY 14, 2006, PREPARED BY GASKINS SURVEYING & ENGINEERING COMPANY, CERTIFIED BY ALBERT W. GRAMLING, JR., G.R.LS. 2983, WHICH PLAT OF SURVEY IS INCORPORATED BY REFERENCE.

**DB 14667 Pages 5466, 5468, 5469, 5470, 5472, 5473, 5474, 5476, 5477, 5478 (to Whistle-Stop Properties, L.L.C.):**

All those certain tracts or parcels of land lying and being in Land Lots 331 and 390 of the 17<sup>th</sup> District, Second Section, Cobb County, Georgia being more particularly described as follows:

Lots 29, 34 and 35, Block One of Cooper Lakes Subdivision, being more particularly described on that certain plat of Cooper Lakes Subdivision by W.J. Nalley, C.E. dated July 15, 1922 and recorded in Plat Book 1, Page 154, Cobb County, Georgia, Records.

**DB 14968 Page 6322 (to Whistle-Stop Properties, L.L.C.):**

All that tract or parcel of land lying and being in Land Lots 331, 389 and 390 of the 17th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at #4 rebar set at the intersection of the north right of way of Southern Railroad (200' r/w) and the west right of way of Cooper Lake Road Relocation (variable r/w). Said point being the point of beginning;

From the point of beginning thus established,

Thence along the north right of way of said railroad along a curve to the left, an arc distance of 398.06 feet, said curve having a radius of 3930.48 feet and being subtended by a chord of 397.89 feet, at south 67 degrees 56 minutes 48 seconds west to a #4 rebar set;

Thence leaving said right of way north 09 degrees 19 minutes 48 seconds west, 80.86 feet to a #4 rebar set;

Thence north 09 degrees 19 minutes 48 seconds west, 211.24 feet to a crimp top pipe found;

Thence north 83 degrees 04 minutes 01 seconds east, 87.92 feet to a crimp top pipe found;

Thence north 00 degrees 14 minutes 37 seconds west, 33.98 feet to a crimp top pipe found;

Thence north 46 degrees 07 minutes 29 seconds east, 77.27 feet to a #4 rebar found;

Thence north 50 degrees 08 minutes 49 seconds east, 26.83 feet to a #4 rebar found;

Thence north 63 degrees 07 minutes 04 seconds east, 25.25 feet to a #4 rebar found;

Thence south 17 degrees 51 minutes 15 seconds east, 68.06 feet to a point;

Thence north 66 degrees 45 minutes east, 50.07 feet to a point;

Thence north 17 degrees 56 minutes 27 seconds west, 71.25 feet to a #4 rebar found;

Thence north 62 degrees 15 minutes 01 seconds east, 17.29 feet to a #4 rebar set;

Thence north 17 degrees 51 minutes 15 seconds west, 284.35 feet to a #4 rebar set;

Thence north 56 degrees 39 minutes 21 seconds east, 214.75 feet to a #4 rebar set;

Thence south 17 degrees 50 minutes 38 seconds east, 328.00 feet to a #4 rebar found;

Thence south 18 degrees 05 minutes 04 seconds east, 14.61 feet to a #4 rebar set;

Thence north 61 degrees 08 minutes 49 seconds east, 33.94 feet to a #4 rebar set;

Thence north 19 degrees 54 minutes 49 seconds east, 16.40 feet to a #4 rebar set;

Thence south 23 degrees 26 minutes 09 seconds east, 67.32 feet to a #4 rebar set;

Thence north 66 degrees 52 minutes 08 seconds east, 84.88 feet to a #4 rebar set;

Thence north 66 degrees 46 minutes 55 seconds east, 9.77 feet to a #4 rebar set on the west right of way of Cooper Lake Road Relocation (variable r/w);

Thence continuing along said right of way south 30 degrees 41 minutes 59 seconds west, 177.49 feet to a right of way monument found;

Thence continuing along said right of way along a curve to the left, an arc distance of 231.13 feet, said curve having a radius of 751.20 feet and being subtended by a chord of 230.22 feet, at south 21 degrees 53 minutes 08 seconds west, to a #4 rebar set, being the point of beginning;

Said tract or parcel contains 5.07 acres, more or less, and is depicted as Tracts 2, 3 and 5 and is more fully shown on the plat of survey dated July 9, 2012, prepared by Gaskins Surveying & Engineering Company, certified by Christopher A. Evans, G.R.L.S. 2784 and Dean C. Olson, G.R.L.S. 2806, which plat of survey is incorporated by reference.

This is the same property as was conveyed by Limited Warranty Deed from Southeast Fontaine, LLC and Fontaine Lakes, LLC, as grantor, to Whistle-Stop Properties, L.L.C., at Deed Book 14567, Page 5145 (conveying Tract 2 referenced therein); along with that certain Limited Warranty Deed from Southeast Real Estate Acquisitions, LLC and Buckner-Nickajack, LLC to Whistle-Stop Properties, L.L.C. (conveying Tracts 5 and 8 referenced therein);

along with that certain Quitclaim Deed from Raymond Weathers Stephens, Jr. in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5466 (as to Lots 29, 34, and 35, Block One of Cooper Lakes Subdivision, all as more fully shown on that certain Plat at Plat Book 1, page 154, Cobb County Plat Records; along with that certain Quitclaim Deed from Paul Milton Gray, Jr., M.D. in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5468 (as to the aforesaid Lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from John Stark Gray in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5469 (as to the aforesaid Lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from Sarah Dugger Gray Miller in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5470 (as to the aforesaid Lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from Jefferson Dugger Stewart, II in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5472 (as to aforesaid lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from Catherine Sims Stewart Stevens in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5473 (as to aforesaid lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from Ellen Reed Stewart Shea in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, page 5474 (as to aforesaid lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from Fred Stewart Wayland in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5476 (as to aforesaid lots 29, 34, and 35 of Cooper Lakes Subdivision); along with that certain Quitclaim Deed from George Burden Wayland in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5477 (as to aforesaid lots 29, 34, and 35 of Cooper Lakes Subdivision; along with that certain Quitclaim Deed from Ewing Tatum Wayland, Jr. in favor of Whistle-Stop Properties, L.L.C. at Deed Book 14667, Page 5478 (as to aforesaid lots 29, 34, and 35 of Cooper Lakes Subdivision); and that certain Quitclaim Deed from Ronald D. Fennel and Cynthia H. Fennel in favor of Whistle-Stop Properties, L.L.C., at Deed Book 14968, Page 6322 (quitclaiming any interest in Tracts 2, 3, and 5 referenced therein).



Printed: 9/10/2018

# 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

Ronald Fennel

FENNEL RONALD D & CYNTHIA H

**Payment Date: 10/15/2017**

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17033100010	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$159.04	\$0.00



Scan this code with your mobile phone to view this bill!



Printed: 9/10/2018

# 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

Ronald Fennel

FENNEL RONALD D & CYNTHIA H

**Payment Date: 10/15/2017**

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17033100090	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$2,276.53	\$0.00



Scan this code with your mobile phone to view this bill!



Printed: 9/14/2018

### Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

*PARCEL 1*

Payer:  
Catherine Eubanks

**WHISTLE STOP PROPERTIES LLC**

**Payment Date: 10/12/2017**

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17039000110	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$690.56	\$0.00



Scan this code with your mobile phone to view this bill!





Printed: 9/14/2018

# Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
 Phone: 770-528-8600  
 Fax: 770-528-8679

PARCEL 2

Catherine Eubanks

WHISTLE STOP PROPERTIES LLC

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2017	17038900450	10/15/2017	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$6.55	\$0.00	



Scan this code with your mobile phone to view this bill!



Printed: 9/14/2018

# Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER  
 HEATHER WALKER CHIEF DEPUTY  
 Phone: 770-528-8600  
 Fax: 770-528-8679

PARCEL 3

Catherine Eubanks

WHISTLE STOP PROPERTIES LLC  
 C/O PROPERTY TAX EXPERTS LLC

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2017	17038900770	10/15/2017	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$49.11	\$0.00



Scan this code with your mobile phone to view this bill!

WATER & SEWER - VERIFIED BY COBB COUNTY



### Cobb County Georgia Online Mapping



400.0  
0  
200.00  
400.0 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Cobb County Georgia

This map is a user generated static output from an internet mapping site and is for reference only. Data points that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

1:2,400



Map Notes:

Map Notes:



September 5, 2018

## **Architectural elevations and Floor Plan – For Rezoning Application on Cooper Rd**

**To City of Smyrna Planning and Development:**

**The purpose of this letter is to detail the architectural elevations and Floor plans we intend to build at the Cooper Rd Property. As a semi-custom homebuilder, we use a variety of building materials and techniques all focused on offering a craftsman style home for our future homeowners.**

**The single-family homes we will offer will be similar in design to the several previous communities completed by O'Dwyer Properties within the City of Smyrna including:**

- a) Park Place**
- b) Cooper Lake Place**
- c) Tackett Farms**
- d) Maple Shade**

**Some additional example elevations are shown on the following page.**

**Sincerely,**

**Jordon Tench  
Land Development Manager  
O'Dwyer Properties LLC  
Phone: 770-887-2177 ext 201**