

APPLICATION FOR SPECIAL LAND USE PERMIT TO THE CITY OF SMYRNA

Please Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: _____ Google Fiber Georgia, LLC

Name: Wally Shin

(Representative's name, printed)

Address: 2400 Herodian Way, Suite 450, Smyrna, GA 30080

Business Phone: (770) 779-1859 Cell Phone: (678) 428-0592 Fax Number: _____

E-Mail Address: wshin@bechtel.com

Signature of Representative: _____



TITLEHOLDER:

Name: City of Smyrna

(Titleholder's name, printed)

Address: 2800 King Street, Smyrna, GA 30080

Business Phone: (770) 434-6600 Cell Phone: _____ Home Phone: _____

E-mail Address: ksuddreth@smyrnaga.gov

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:

L-C Limited Commercial

Present Zoning

LAND USE:

Parking Lot

Present Land Use

For the Purpose of Placement of fiber optic equipment enclosure hut

Size of Tract 1.45 Acres

Location 2618 Powder Springs St SE, Smyrna, GA 30080

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

Land Lot (s) 520, 521, 522 & 428

District 17

DESCRIPTION OF PROPOSED SPECIAL LAND USE:

Placement of a new hut enclosure compound. Hut compound is primarily comprised of a 12' x 28' pre-fabricated equipment enclosure which will house most of the data processing and fiber optic transmission equipment. Additionally, there will be a natural gas emergency generator adjacent to the hut. Four (4) underground vaults will connect hut to the fiber backbone network. The entire compound will be enclosed in a 8' tall chain-link fence topped by 1' of barbed security wire.

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: L-C Limited Commercial

East: GC General Commercial

South: Across Powder Springs Road - CBD Central Business District

West: R-15 Single Family Residential

CONTIGUOUS LAND USE

North: Parking Lot - Smyrna Police Department

East: Church - Second Baptist Church

South: Across Powder Springs Road - Smyrna Community Center

West: Undeveloped - City of Smyrna

**NOTIFICATION OF CONTIGUOUS OCCUPANTS OR LAND OWNERS TO
ACCOMPANY APPLICATION FOR SPECIAL LAND USE PERMIT**

By signature, it is hereby acknowledged that I have been notified that _____
Google Fiber Georgia, LLC

Intends to make an application for a special land use permit for the purpose of
Placement of a new fiber optic equipment enclosure hut at 2618 Powder Springs St. SE, Smyrna GA 30080.

_____ on the premises described in the application.

NAME	ADDRESS
Second Baptist Church	2698 Atlanta Rd SE, Smyrna GA, 30080

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:

Not Applicable

TRANSPORTATION

Access to Property? Access to the site will be via existing public right-of-way.

Improvements proposed by developer? None proposed

Comments:

ZONING DISCLOSURE REPORT

Has the applicant* made, within two years immediately preceding the filing of this application for a special land use permit, 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:

Not Applicable

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:

Not Applicable

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:

Not Applicable

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: _____

Not Applicable

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:

Not Applicable

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:

Not Applicable

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 14th day of August, 2015.


(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.

LIMITED

Warranty Deed

13.00
5.00

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, Made the 9th day of April, in the year one thousand nine hundred ninety , between

the CITY OF SMYRNA, a Georgia municipal corporation

of the County of Cobb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

the DOWNTOWN SMYRNA DEVELOPMENT AUTHORITY,

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 & OTHER VALUABLE CONSIDERATIONS ----- (\$10.00---) DOLLARS 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 The Attached Four (4) pages for Legal Description.

FILED AND RECORDED
1990 APR 16 AM 11:37
J.C. Stephenson
COBB SUPERIOR COURT CLERK

Cobb County, Georgia
Real Estate Transfer Tax
Paid 1.00
Date 4-16-90
Jay C. Stephenson
Clerk of Superior Court

This instrument is given pursuant to resolution of the Mayor and Council of the City of Smyrna duly passed at a regular meeting, all and proper notices having been given.

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.

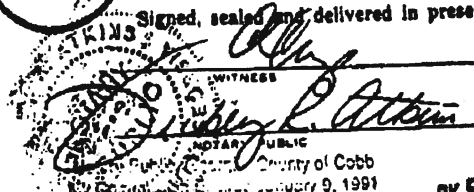
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by or through the City of Smyrna.

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

Signed, sealed and delivered in presence of:

City of Smyrna, Georgia
By: A. Max Bacon (Seal)

A. Max Bacon, Mayor
Attest: [Signature] (Seal)
City Clerk



BK5698PC0415

All that tract or parcel of land lying and being in Land Lots 520, 521, 522, and 428 of the 17th District, 2nd Second Section of Cobb County, Georgia as shown per plat of survey thereof by Planners and Engineers Collaborative, John A. McCleskey, R.L.S. # 2355 WHICH SURVEY IS MADE A PART HEREOF FOR MORE PARTICULAR DESCRIPTION AND DELINEATION and being more particularly described as follows:

BLOCK A

Beginning at an iron pin at the intersection of the westerly right of way of Fuller Street and the northerly right of way of Powder Springs Street; running thence North 88 degrees 52 minutes 34 seconds West, along the northerly right of way of Powder Springs Street, a distance of 83.35 feet to an iron pin; thence North 89 degrees 06 minutes 00 seconds West, along the northerly right of way of Powder Springs Street, a distance of 309.17 feet to an iron pin; thence along the arc, clockwise, of the northerly right of way of Powder Springs Street, having a radius of 327.42 feet, an arc distance of 207.84 feet (said arc being subtended by a chord North 76 degrees 52 minutes 14 seconds West, a distance of 204.37) feet to an iron pin; thence North 00 degrees 52 minutes 04 seconds West, a distance of 343.84 feet to an iron pin; thence North 86 degrees 43 minutes 10 seconds East, a distance of 28.93 feet to an iron pin; thence North 00 degrees 48 minutes 00 seconds West, a distance of 248.88 feet to an iron pin; thence South 86 degrees 12 minutes 45 seconds East, a distance of 305.60 feet to an iron pin; thence South 17 degrees 14 minutes 37 seconds East, a distance of 55.31 feet to an iron pin; thence North 85 degrees 35 minutes 03 seconds East, a distance of 297.20 feet to an iron pin; thence South 13 degrees 50 minutes 23 seconds East, a distance of 100.00 feet to an iron pin; thence South 85 degrees 47 minutes 22 seconds West a distance of 89.09 feet to an iron pin; thence South 18 degrees 12 minutes 57 seconds East a distance of 111.53 feet to an iron pin; thence North 89 degrees 05 minutes 24 seconds East a distance of 46.36 feet to an iron pin; thence South 80 degrees 59 minutes 12 seconds East a distance of 96.75 feet to an iron pin; thence South 11 degrees 09 minutes 05 seconds East a distance of 131.25 feet to an iron pin; thence South 86 degrees 15 minutes 19 seconds East a distance of 57.08 feet to an iron pin; thence South 26 degrees 16 minutes 24 seconds East a distance of 3.15 feet to an iron pin; thence North 76 degrees 21 minutes 40 seconds East a distance of 99.0 feet to an iron pin on the southwesterly right of way of Atlanta Street (a/k/a State Route 3); thence southeasterly along the southwesterly right of way of Atlanta Street, South 11 degrees 56 minutes 17 seconds East a distance of 101.85 feet to an iron pin; continuing thence southeasterly along the southwesterly right of way of Atlanta Street, South 11 degrees 54 minutes 46 seconds East a distance of 90.00 feet to an iron pin; thence South 82 degrees 30 minutes 39 seconds West a distance of 98.71 feet to an iron pin; thence South 11 degrees 54 minutes 51 seconds East a distance of 60.84 feet to an iron pin on the northerly right of way of Powder Springs Street; running thence North 89 degrees 26 minutes 27 seconds West, along the northerly right of way of Powder Springs Street, a distance of 176.63 feet to an iron pin; thence North 89 degrees 21 minutes 31 seconds West, along the northerly right of way of Powder Springs Street, a distance of 96.89 feet to an iron pin; thence North 87 degrees 35 minutes 49 seconds West, along the northerly right of way of Powder Springs Street, and across Fuller Street, a distance of 20.08 feet to an iron pin and the Point of Beginning.

BLOCK B

BEGINNING at an iron pin at the intersection of the southerly right of way of Powder Springs Street and the easterly right of way of Hamby Street; running thence South 62 degrees 47 minutes 02 seconds East, along the southerly right of way of Powder Springs Street, a distance of 84.00 feet to an iron pin; thence South 88 degrees 52 minutes 02 seconds East, along the southerly right of way of Powder Springs Street, a distance of 152.50 feet to an iron pin; thence South 89 degrees 27 minutes 32 seconds East, along the southerly right of way of Powder Springs Street, a distance of 139.78 feet to an iron pin; thence South 88 degrees 59 minutes 27 seconds East, along the southerly right of way of Powder Springs Street, a distance of 60.00 feet to an iron pin; thence South 89 degrees 01 minutes 41 seconds East, along the southerly right of way of Powder Springs Street, a distance of 100.00 feet to an iron pin; thence South 89 degrees 09 minutes 27 seconds East, along the southerly right of way of Powder Springs Street, a distance of 79.93 feet to an iron pin; thence South 89 degrees 14 minutes 41 seconds East, along the southerly right of way of Powder Springs Street, a distance of 99.99 feet to an iron pin; thence South 00 degrees 04 minutes 16 seconds West, a distance of 100.00 feet to an iron pin on the northerly right of way of Sunset Avenue (a/k/a Sunset Boulevard); running thence North 88 degrees 59 minutes 46 seconds West, along the northerly right of way of Sunset Avenue, a distance of 100.00 feet to an iron pin; thence North 89 degrees 09 minutes 12 seconds West, along the northerly right of way of Sunset Avenue, a distance of 79.35 feet to an iron pin; thence North 89 degrees 01 minutes 50 seconds West, along the northerly right of way of Sunset Avenue, a distance of 100.24 feet to an iron pin; thence North 89 degrees 01 minutes 14 seconds West, along the northerly right of way of Sunset Avenue, a distance of 60.11 feet to an iron pin; thence North 88 degrees 40 minutes 18 seconds West, along the northerly right of way of Sunset Avenue, a distance of 139.58 feet to an iron pin; thence North 88 degrees 52 minutes 52 seconds West, along the northerly right of way of Sunset Avenue, a distance of 227.00 feet to an iron pin on the easterly right of way of Hamby Street; thence North 00 degrees 08 minutes 18 seconds West, along the easterly right of way of Hamby Street, a distance of 137.00 feet to an iron pin and the Point of BEGINNING.

BLOCK C

BEGINNING at an iron pin at the intersection of the southerly right of way of Sunset Avenue and the easterly right of way of Hamby Street; running thence South 89 degrees 25 minutes 15 seconds East, along the southerly right of way of Sunset Avenue, a distance of 185.00 feet to an iron pin; thence South 88 degrees 44 minutes 19 seconds East, along the southerly right of way of Sunset Avenue, a distance of 99.00 feet to an iron pin; thence South 88 degrees 44 minutes 19 seconds East, along the southerly right of way of Sunset Avenue, a distance of 102.99 feet to an iron pin; thence South 88 degrees 44 minutes 19 seconds East, along the southerly right of way of Sunset Avenue, a distance of 81.79 feet to an iron pin; thence South 88 degrees 52 minutes 55 seconds East, along the southerly right of way of Sunset Avenue, a distance of 68.09 feet to an iron pin; thence South 00 degrees 21 minutes 59 seconds East, a distance of 5.00 feet to an iron pin; thence South 89 degrees 06 minutes 07 seconds East, along the southerly right of way of Sunset Avenue, a distance of 140.99 feet to an iron pin; thence South 88 degrees 50 minutes 43 seconds East, a distance of 86.64 feet to an iron pin; thence South 06 degrees 36 minutes 34 seconds East, a distance of 198.60 feet to an iron pin; thence South 88 degrees 24 minutes 44 seconds West, a distance of 33.53 feet to an iron pin; thence South 01 degrees 13 minutes 11 seconds West, a distance of 142.60 feet to an iron pin; on the northerly right of way of Bank Street; running thence North 88 degrees 41 minutes 44 seconds West, along the northerly right of way of Bank Street,

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a distance of 50.00 feet to an iron pin; thence North 89 degrees 58 minutes 19 seconds West, along the northerly right of way of Bank Street, a distance of 51.67 feet to an iron pin; thence South 89 degrees 38 minutes 26 seconds West, along the northerly right of way of Bank Street, a distance of 105.91 feet to an iron pin; thence North 00 degrees 55 minutes 39 seconds West, a distance of 143.97 feet to an iron pin; thence North 89 degrees 78 minutes 39 seconds West, a distance of 132.05 feet to an iron pin; thence South 00 degrees 14 minutes 42 seconds East, a distance of 147.11 feet to an iron pin; thence South 89 degrees 18 minutes 20 seconds West, along the northerly right of way of Bank Street, a distance of 78.67 feet to an iron pin; thence South 89 degrees 57 minutes 59 seconds West, along the northerly right of way of Bank Street, a distance of 52.50 feet to an iron pin; thence South 89 degrees 57 minutes 59 seconds West, along the northerly right of way of Bank Street, a distance of 74.00 feet to an iron pin; thence North 00 degrees 02 minutes 01 seconds West, a distance of 143.50 feet to an iron pin; thence South 89 degrees 57 minutes 59 seconds West, a distance of 69.97 feet to an iron pin; thence South 00 degrees 02 minutes 01 seconds East, a distance of 143.50 feet to an iron pin on the northerly right of way of Bank Street; thence South 89 degrees 57 minutes 59 seconds West, a distance of 69.97 feet to an iron pin; thence North 00 degrees 02 minutes 01 seconds West, a distance of 143.50 feet to an iron pin; thence South 89 degrees 57 minutes 59 seconds West, a distance of 73.00 feet to an iron pin on the easterly right of way of Hamby Street; thence North 00 degrees 33 minutes 00 seconds East, along the easterly right of way of Hamby Street, a distance of 200.00 feet to an iron pin and the Point of BEGINNING.

BLOCK D

BEGINNING at the corner formed by the intersection of the southerly right of way of Sunset Street (A/R/A Sunset Avenue or Sunset Boulevard) with the southwesterly right of way of Atlanta Street (a/k/a State Route 3); running thence along the southwesterly right of way of Atlanta Street, a distance of 39.51 feet to a point; thence South 30 degrees 58 minutes 20 seconds East, along the southwesterly right of way of Atlanta Street, a distance of 27.54 feet to a point; thence South 12 degrees 42 minutes 09 seconds East, along the southwesterly right of way of Atlanta Street, a distance of 26.94 feet to a point; thence South 13 degrees 37 minutes 40 seconds East, along the southwesterly right of way of Atlanta Street, a distance of 50.06 feet to a point; thence South 15 degrees 22 minutes 15 seconds East, along the southwesterly right of way of Atlanta Street, a distance of 100.00 feet to a point; thence South 17 degrees 09 minutes 34 seconds East, along the southwesterly right of way of Atlanta Street, a distance of 53.00 feet to a point; thence South 16 degrees 47 minutes 48 seconds East, along the southwesterly right of way of Atlanta Street, a distance of 21.61 feet to a point; thence North 88 degrees 40 minutes 52 seconds West, distance of 96.20 feet to a point; thence North 00 degrees 07 minutes 43 seconds West, distance of 69.56 feet to a point; thence North 89 degrees 39 minutes 44 seconds West, distance of 112.15 feet to a point; thence North 14 degrees 12 minutes 54 seconds West, distance of 52.13 feet to a point on the southerly right of way of Sunset Street; thence South 89 degrees 05 minutes 29 seconds East, along the southerly right of way of Sunset Street distance of 52.13 feet to a point; thence South 89 degrees 05 minutes 29 seconds East, along the southerly right of way of Sunset Street distance of 39.51 feet to a point and the Point of BEGINNING.

BLOCK E

BEGINNING at the corner formed by the intersection of the southwesterly right of way of Atlanta Street (a/k/a State Route 3) with the southerly right of way of West Spring Street; running thence South 09 degrees 55 minutes 55 seconds East, a distance of 23.85 feet to a point; thence South 01 degrees 54 minutes 45 seconds East, a distance of 21.77 feet to a point; thence South 04 degrees 26 minutes 14 seconds West, a distance of 17.96 feet to a point; thence South 07 degrees 08 minutes 38 seconds West, a distance of 16.16 feet to a point; thence South 04 degrees 07 minutes 06 seconds West, a distance of 49.43 feet to a point; thence North 89 degrees 08 minutes 10 seconds West, a distance of 100.00 feet to a point; thence North 06 degrees 43 minutes 05 seconds East, a distance of 75.64 feet to a point; thence North 01 degrees 07 minutes 34 seconds West, a distance of 51.65 feet to a point on the southerly right of way of West Spring Street; thence North 89 degrees 51 minutes 29 seconds East, along the southerly right of way of West Spring Street, a distance of 96.26 feet to a point and the Point of BEGINNING.

LEGAL DESCRIPTON

"EXHIBIT B-2"

SITE 108

LEASE AREA

A tract of land being part of Land Lot(s) 520 in district 17 of Cobb County, Georgia, more particularly described as follows:

Commencing at the right of way of Powder Springs Street and Atlanta Road; running thence North 89 degrees 54 minutes 11 seconds West for a distance of 425.97 feet to a point; thence North 86 degrees 15 minutes 21 seconds West for a distance of 20.05 feet to a point; thence North 0 degrees 27 minutes 27 seconds West for a distance of 47.22 feet to a point; thence North 88 degrees 4 minutes 7 seconds West for a distance of 138.68 feet to a point; thence South 0 degrees 0 minutes 0 seconds West for a distance of 6.79 feet to an iron pin set at the True Point of Beginning; thence North 90 degrees 0 minutes 0 seconds West for a distance of 32.00 feet to an iron pin set; thence North 0 degrees 0 minutes 0 seconds East for a distance of 50.00 feet to an iron pin set; thence South 90 degrees 0 minutes 0 seconds East for a distance of 32.00 feet to an iron pin set; thence South 0 degrees 0 minutes 0 seconds West for a distance of 50.00 feet to an iron pin set at the True Point of Beginning, said Tract containing 1,600 square feet or 0.037 acres. Subject to all easements and restrictions of record.

RICKEY L. MCPHAIL
BECHTEL CORPORATION
2610 TRELIS POST CT. SE
OWENS CROSS ROADS AL 35763

1029

DATE 8/13/2015

88-767/1130

PAY TO THE
ORDER OF

City of Smyrna

\$ 250.00

Two hundred-fifty & 00/100

DOLLARS



Security Features
Included.
Details on Back

J.P.Morgan

JPMorgan Chase Bank, N.A.
Commercial Credit Card Access Check

MEMO

ATL 108 - SLRP App Fee

R. McPhail

MP

⑆ 1 13007673⑆ 5287393573 155⑈ 1029

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