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## ORIGINAL

## APPLICATION FOR REZONING TO THE CITY OF SMYRNA

*Type or Print Clearly*

(To be completed by City)

Ward:

Application No: Z15-012

Hearing Date: 7/20/15

**APPLICANT:** Creekside Village Development, Inc.

Name: Jason A. Lewis, Pres.  
(Representative's name, printed)

Address: 4030 Pineridge Rd, Smyrna, GA 30080

Business Phone: 404-449-1560 Cell Phone: 5am Fax Number: 7704389896

E-Mail Address: Jason.A.lewis@att.net

Signature of Representative: Jason A. Senn, Pres.

## TITLEHOLDER

Name: Creekside Village Development Group, Inc.  
(Titleholder's name, printed)

Address: 1630 Pineridge Rd, Smyrna GA 30080

Business Phone: 404-449-1560 Cell Phone: same Home Phone: \_\_\_\_\_

E-mail Address: Jason ALewis@att.net

Signature of Titleholder: John S. pres.  
(Attach additional signatures, if needed)

(To be completed by City)

Received:

Heard by P&Z Board: 6/8/15 \*

### P&Z Recommendation:

Advertised:

Posted:

Approved/Denied:

## ZONING REQUEST

From \_\_\_\_\_ to TBD  
Present Zoning Proposed Zoning

## LAND USE

From VACANT to MULTI STORY APARTMENT BUILDING (55+)  
Present Land Use Proposed Land Use

For the Purpose of MULTI STORY 55+ SENIOR LIVING APARTMENT BUILDING

Size of Tract 4.8 ACRES ± (INCLUDING 6 ACRE TO BE ANNEXED)

Location HANSON DR. SMYRNA, GA  
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 691 District 17th

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no ✓ there are \_\_\_\_\_ 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: LI - (PIONEER CONCRETE PUMPING CO.)

East: S. Cobb Drive

South: Calibre Lake Apartments

West: LI -(MEC BUSINESS PARK )

### CONTIGUOUS LAND USE

North: PIONEER CONCRETE Pumping Co.

East: S. Cobb Dr.

South: CREEKSIDE VILLAGE ASSISTED LIVING

West: RUBY GILLS CONST.

## **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? HANSON DRIVE OFF WEST SIDE OF  
S. COBB DRIVE

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Improvements proposed by developer? MULTI STORY RESIDENTIAL APARTMENT  
building (Seniors - 55+)

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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:

*NA*

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:

*NA*

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:

*NA*

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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NO

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 12<sup>th</sup> day of May,  
2015.

 Jean A. Sean, Pres  
(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 USE COMPLIMENTS THE ASSISTED LIVING FACILITY CURRENTLY UNDER CONSTRUCTION ON THE ADJOINING SITE.*

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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*

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

*NOT AS CURRENTLY ZONED*

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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

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

YES

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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.

THIS RE-ZONING REQUEST WILL COMPLIMENT THE ZONING TO THE SOUTH; THE ASSISTED LIVING FACILITY CURRENTLY UNDER CONSTRUCTION. THIS RE-ZONING WILL HAVE NO MATERIAL AFFECT ON THE ADJOINING SITES TO THE NORTH AND WEST.

### 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 PROPOSED DEVELOPMENT WILL BE OF LIKE MATERIALS; THE ELEVATIONS WILL BE VERY SIMILAR TO THE ASSISTED LIVING MATERIALS AND OVERALL ELEVATIONS. THE PARK-LIKE SETTING, OPEN SPACE AND LANDSCAPING WILL BE AESTHETICALLY PLEASING AND IN KEEPING WITH THE GENERAL AREA'S RESIDENTIAL DEVELOPMENTS.

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

WILL NOT

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.

IT WILL BE A POSITIVE ASSET TO THE ADJOINING PROPERTIES AND AREA, IN GENERAL.

# APPLICATION FOR REZONING TO THE CITY OF SMYRNA

*Type or Print Clearly*

(To be completed by City)

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

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

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

APPLICANT: CREEKSIDE VILLAGE DEVELOPMENT, INC

Name: JASON A. LEWIS, PRES.  
(Representative's name, printed)

Address: 4030 PINEWOOD RD

Business Phone: \_\_\_\_\_ Cell Phone: 404-449-1560 Fax Number: \_\_\_\_\_

E-Mail Address: JASONALEWIS@ATT.NET

Signature of Representative: Jason A. Lewis

## TITLEHOLDER

Name: PROVIDENT - CREEKSIDE  
(Titleholder's name, printed)

Address: 5565 BANKERS AVE; BATON ROUGE, LA. 70808

Business Phone: \_\_\_\_\_ Cell Phone: 302-740-6795 Home Phone: \_\_\_\_\_

E-mail Address: KBECKER@PROVIDENT.ORG

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: \_\_\_\_\_

AMY RISER

FIRST AMERICAN TITLE INSURANCE

SIX CONCOURSE PARKWAY, STE 2000

ATLANTA GA 30328

**LIMITED WARRANTY DEED**

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18  
THIS INDENTURE, made effective as of this 16<sup>th</sup> day of May, 2014, by and between HARRIETT ATKINS a/k/a HARRIETT LOIS ATKINS, JAMES CARMAN WRIGHT a/k/a JAMES CARMEN WRIGHT, HANSON GARY WRIGHT a/k/a GARY HANSON WRIGHT, AND SELINA WRIGHT WINGARD a/k/a SELINA CURTIS WINGARD (collectively, "Grantor"), and CREEKSIDE VILLAGE DEVELOPMENT GROUP, INC., a Georgia corporation ("Grantee").

**WITNESSETH:**

That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all of that certain tract or parcel of land lying and being in Fulton County, Georgia, being more particularly described in Exhibit A attached hereto and by this reference made a part hereof (hereinafter referred to as the "Property").

This conveyance is made subject to (i) the lien of real estate taxes, taxes imposed by special assessment and water, sewer, vault, public space and other public charges which are not yet due and payable, (ii) all applicable laws (including zoning, building ordinances and land use regulations), and (iii) the exceptions set forth on Exhibit B attached hereto and made part hereof...

TO HAVE AND TO HOLD said Property, together 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 Grantee forever IN FEE SIMPLE.

AND THE SAID Grantor shall warrant and forever defend the right and title to said Property unto the Grantee against the lawful claims of all persons claiming by, through or under Grantor but not otherwise.

[SIGNATURES ON THE FOLLOWING PAGES]

## GRANTOR:

Signed, sealed and delivered  
in the presence of:

Luie C. P.

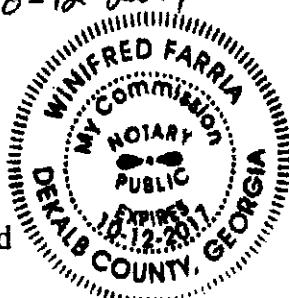
Unofficial Witness

Winifred Farris

Notary Public

My Commission Expires: 10-12-2017

[NOTARY SEAL]



Signed, sealed and delivered  
in the presence of:

Luie C. P.

Unofficial Witness

Winifred Farris

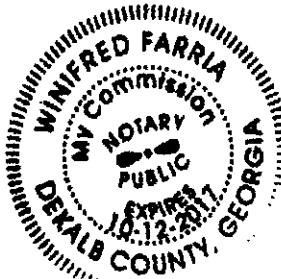
Notary Public

My Commission Expires: 10-12-2017

[NOTARY SEAL]

James Carmen Wright

JAMES CARMAN WRIGHT a/k/a  
JAMES CARMEN WRIGHT



Signed, sealed and delivered  
in the presence of:

Luie C. P.

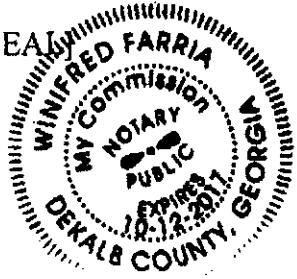
Unofficial Witness

Winifred Farris

Notary Public

My Commission Expires: 10-12-2017

[NOTARY SEAL]



Selina Wright Wingard

SELINA WRIGHT WINGARD a/k/a  
SELINA CURTIS WINGARD

Janet Weller

Unofficial Witness

Carol C. Bechtold

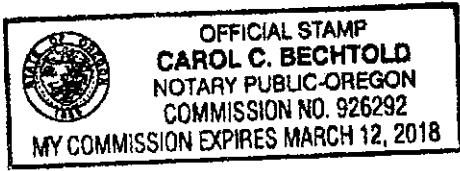
Notary Public

My Commission Expires: 3/12/18

[NOTARY SEAL]

Gary Wright

GARY HANSON WRIGHT a/k/a  
HANSON GARY WRIGHT



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 690 AND 691 OF THE 17<sup>TH</sup> DISTRICT, 2<sup>ND</sup> SECTION OF COBB COUNTY, GEORGIA WITHIN THE CITY OF SMYRNA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR IRON PIN FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE (HAVING A 200' RIGHT-OF-WAY) AND THE SOUTH LAND LOT LINE OF LAND LOT 690, GO THENCE NORTH 08 DEGREES 38 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 690.82 FEET ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE TO A REBAR IRON PIN FOUND; GO THENCE NORTH 89 DEGREES 11 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 561.50 FEET TO A REBAR IRON PIN FOUND; GO THENCE NORTH 02 DEGREES 30 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 275.76 FEET TO A POINT AND THE TRUE POINT OF BEGINNING. HAVING ESTABLISHED THE TRUE POINT OF BEGINNING, GO THENCE NORTH 02 DEGREES 30 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 370.75 FEET TO AN IRON PIN SET; GO THENCE NORTH 98 DEGREES 02 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 15.35 FEET TO A POINT; GO THENCE NORTH 01 DEGREES 18 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 11.37 FEET TO AN IRON PIN FOUND; GO THENCE SOUTH 88 DEGREES 52 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 78.26 FEET TO A STEEL PIN FOUND; GO THENCE SOUTH 88 DEGREES 52 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 173.46 FEET TO A POINT; GO THENCE NORTH 32 DEGREES 39 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 135.99 FEET TO AN IRON PIN SET; GO THENCE NORTH 34 DEGREES 03 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 102.69 FEET TO AN IRON PIN SET ON THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE; GO THENCE ALONG AN ARC TO THE RIGHT AN ARC DISTANCE OF 119.09 FEET TO A POINT USING A RADIUS LENGTH OF 1778.91 FEET AND BEING SUBTENDED BY A CHORD BEARING OF SOUTH 18 DEGREES 05 MINUTES 16 SECONDS EAST AND A CHORD LENGTH OF 119.06 FEET; GO THENCE SOUTH 40 DEGREES 24 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 44.03 FEET TO A POINT; GO THENCE SOUTH 00 DEGREES 09 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 93.53 FEET TO A POINT; GO THENCE SOUTH 07 DEGREES 10 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 170.19 FEET TO A POINT; GO THENCE SOUTH 26 DEGREES 39 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 89.62 FEET TO A POINT; GO THENCE SOUTH 43 DEGREES 56 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 356.29 FEET TO A POINT; GO THENCE NORTH 49 DEGREES 08 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 96.81 FEET TO A POINT; GO THENCE NORTH 26 DEGREES 45 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 117.59 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 4.25 ACRES, MORE OR LESS, AND BEING SHOWN AS "TRACT B (WITHOUT OVERLAP)" ON THAT CERTAIN SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY FOR CREEKSIDER VILLAGE DEVELOPMENT GROUP, FIRST AMERICAN TITLE INSURANCE COMPANY, PROVIDENT GROUP-CREEKSIDER PROPERTIES, LLC, & PROVIDENT DEVELOPMENT GROUP, LLC" BY PAUL LEE CONSULTING ENGINEERING ASSOCIATES, INC., DATED JULY 24, 2013, LAST REVISED APRIL 29, 2014, BEARING THE SEAL AND CERTIFICATION OF MARK G. LEE, G.R.L.S NO. 2522, WHICH SUCH SURVEY IS INCORPORATED HEREIN BY THIS REFERENCE.

1. Easements as conveyed in Right-of-Way Deed from Robert C. Wright to Department of Transportation, and their successors, dated January 28, 1975, filed for record January 29, 1975, and recorded in Deed Book 1581, Page 174, Cobb County, Georgia records.
2. Easements as conveyed in Right-of-Way Deed from Robert C. Wright to Department of Transportation, and their successors, dated January 28, 1975, filed for record January 29, 1975, and recorded in Deed Book 1581, Page 174, Cobb County, Georgia records.
3. Permit to Cut or Trim Trees from Robert C. Wright a/k/a R.C. Wright to Georgia Power Company dated March 26, 1969, filed for record April 18, 1969, and recorded in Deed Book 1093, Page 359, aforesaid records.
4. Permit for Anchors, Guy Poles and Wires from Robert C. Wright a/k/a R.C. Wright to Georgia Power Company dated March 20, 1969, filed for record April 18, 1969, and recorded in Deed Book 1093, Page 348, aforesaid records.
5. Pipeline Easement from R. L. Wright to Plantation Pipe Line Company, a Delaware corporation, dated October 15, 1941, filed for record November 13, 1941, and recorded in Deed Book 142, Page 671, aforesaid records; and as affected by that certain Easement Grant and Amendment from R.C. Wright to Plantation Pipe Line Company, dated March 30, 1968, filed for record October 22, 1968, and recorded in Deed Book 1064, Page 637, aforesaid records.
6. Pipe Line Easement from John T. Lecroy to Plantation Pipe Line Company, a Delaware Corporation, dated October 2 1941, filed for record October 16, 1941, and recorded in Deed Book 142, Page 666, aforesaid records; and as affected by that certain Easement Grant and Amendment from R.C. Wright to Plantation Pipe Line Company, dated March 30, 1968, filed for record October 22, 1968, and recorded in Deed Book 1064, Page 637, aforesaid records.
7. Matters as shown on that certain plat recorded in Plat Book 6, Page 172, aforesaid records.
8. Matters as shown on that certain plat recorded in Plat Book 7, Page 96, aforesaid records.
9. Matters disclosed that certain survey entitled "ALTA/ACMS Land Title Survey for Creekside Village Development Group, First American Title Insurance Company, Provident Group-Creekside Properties, LLC, & Provident Development Group, LLC" by Paul Lee Consulting Engineering Associates, Inc., dated July 24, 2013, last revised 4/24/14, signed and sealed by Mark G. Lee, G.R.L.S No. 2522.

**LEGAL DESCRIPTION  
TRACT B – 4.35 ACRES**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 690 AND 691 OF THE 17<sup>TH</sup> DISTRICT, 2<sup>ND</sup> SECTION OF COBB COUNTY, GEORGIA WITHIN THE CITY OF SMYRNA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR IRON PIN FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE (HAVING A 200' RIGHT-OF-WAY) AND THE SOUTH LAND LOT LINE OF LAND LOT 690, GO THENCE NORTH 08 DEGREES 38 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 690.82 FEET ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE TO A REBAR IRON PIN FOUND; GO THENCE NORTH 89 DEGREES 11 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 563.37 FEET TO A REBAR IRON PIN FOUND; GO THENCE NORTH 01 DEGREES 18 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 290.00 FEET TO A POINT AND THE TRUE POINT OF BEGINNING. HAVING ESTABLISHED THE TRUE POINT OF BEGINNING, GO THENCE NORTH 01 DEGREES 18 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 368.42 FEET TO AN IRON PIN SET; GO THENCE SOUTH 88 DEGREES 52 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 78.26 FEET TO A STEEL PIN FOUND; GO THENCE SOUTH 88 DEGREES 52 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 173.46 FEET TO A POINT; GO THENCE NORTH 32 DEGREES 39 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 135.99 FEET TO AN IRON PIN SET; GO THENCE NORTH 34 DEGREES 03 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 102.69 FEET TO AN IRON PIN SET ON THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE; GO THENCE ALONG AN ARC TO THE RIGHT AN ARC DISTANCE OF 119.09 FEET TO A POINT USING A RADIUS LENGTH OF 1778.91 FEET AND BEING SUBTENDED BY A CHORD BEARING OF SOUTH 18 DEGREES 05 MINUTES 16 SECONDS EAST AND A CHORD LENGTH OF 119.06 FEET; GO THENCE SOUTH 40 DEGREES 24 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 44.03 FEET TO A POINT; GO THENCE SOUTH 00 DEGREES 09 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 93.53 FEET TO A POINT; GO THENCE SOUTH 07 DEGREES 10 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 170.19 FEET TO A POINT; GO THENCE SOUTH 26 DEGREES 39 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 89.62 FEET TO A POINT; GO THENCE SOUTH 43 DEGREES 56 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 356.29 FEET TO A POINT; GO THENCE NORTH 49 DEGREES 08 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 96.81 FEET TO A POINT; GO THENCE NORTH 26 DEGREES 45 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 133.78 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 4.35 ACRES, MORE OR LESS, AND BEING SHOWN AS "TRACT B (W/OVERLAP)" ON THAT CERTAIN SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY FOR CREEKSIDER VILLAGE DEVELOPMENT GROUP, FIRST AMERICAN TITLE INSURANCE COMPANY, PROVIDENT GROUP-CREEKSIDER PROPERTIES, LLC, & PROVIDENT DEVELOPMENT GROUP, LLC" BY PAUL LEE CONSULTING ENGINEERING ASSOCIATES, INC., DATED JULY 24, 2013, LAST REVISED APRIL 29, 2014, BEARING THE SEAL AND CERTIFICATION OF MARK G. LEE, G.R.L.S NO. 2522, WHICH SUCH SURVEY IS INCORPORATED HEREIN BY THIS REFERENCE.

**LEGAL DESCRIPTION**  
**"ROAD FRONTAGE"**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 690 AND 691 OF THE 17<sup>TH</sup> DISTRICT, 2<sup>ND</sup> SECTION, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE (HAVING A 200' RIGHT-OF-WAY) WITH THE SOUTH LAND LOT LINE OF LAND LOT 690 GO THENCE NORTH 08 DEGREES 38 MINUTES 39 SECONDS WEST ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE FOR A DISTANCE OF 690.82 FEET TO A REBAR IRON PIN FOUND; GO THENCE NORTH 08 DEGREES 42 MINUTES 38 SECONDS WEST ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE FOR A DISTANCE OF 371.54 FEET TO AN IRON PIN FOUND; GO THENCE SOUTH 81 DEGREES 17 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 32.00 FEET TO AN IRON PIN FOUND; GO THENCE NORTH 08 DEGREES 42 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 65.00 FEET TO AN IRON PIN FOUND AND THE TRUE POINT OF BEGINNING; GO THENCE SOUTH 54 DEGREES 51 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 95.68 FEET TO A POINT; GO THENCE NORTH 26 DEGREES 39 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 89.62 FEET TO A POINT; GO THENCE NORTH 07 DEGREES 10 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 170.19 FEET TO A POINT; GO THENCE NORTH 00 DEGREES 09 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 93.53 FEET TO A POINT; GO THENCE NORTH 40 DEGREES 24 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 44.03 FEET TO A POINT AND THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE; GO THENCE SOUTHEAST ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE AN ARC LENGTH OF 172.58 FEET; SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 13 DEGREES 23 MINUTES 14 SECONDS EAST FOR A CHORD DISTANCE OF 172.51 FEET USING A RADIUS LENGTH OF 1778.91 FEET; GO THENCE SOUTH 08 DEGREES 42 MINUTES 38 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE FOR A DISTANCE OF 150.00 FEET TO AN IRON PIN FOUND; GO THENCE SOUTH 81 DEGREES 17 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 32.00 FEET TO AN IRON PIN FOUND AND THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.442 ACRES.

**LEGAL DESCRIPTION**  
*now or formerly known as*  
**"HANSON DRIVE"**

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN LAND LOT 691 OF THE 17<sup>th</sup> DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR IRON PIN FOUND AT THE INTERSECTION OF THE WEST RIGHT- OF-WAY OF SOUTH COBB DRIVE (HAVING A 200' RIGHT-OF-WAY) AND THE NORTH RIGHT-OF-WAY OF HANSON DRIVE (HAVING A 20' RIGHT-OF-WAY) GO THENCE SOUTH

20 DEGREES 23 MINUTES 18 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE FOR A DISTANCE OF 24.57 FEET TO A REBAR IRON PIN FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF SOUTH COBB DRIVE AND THE SOUTH RIGHT-OF-WAY OF HANSON DRIVE; GO THENCE SOUTH 34 DEGREES 03 MINUTES

54 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY OF HANSON DRIVE FOR A DISTANCE OF 102.69 FEET TO A POINT; GO THENCE SOUTH 32 DEGREES 39 MINUTES 08 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY OF HANSON DRIVE FOR A DISTANCE OF 135.99 FEET TO A POINT; GO THENCE NORTH 88 DEGREES 52 MINUTES 32 SECONDS WEST ALONG THE SOUTH LAND LOT LINE OF LAND LOT 691 FOR A DISTANCE OF 2.74 FEET TO A REBAR IRON PIN FOUND; GO THENCE NORTH 88 DEGREES 52 MINUTES 32 SECONDS WEST ALONG THE SOUTH LAND LOT LINE OF LAND LOT 691 FOR A DISTANCE OF 20.72 FEET TO A POINT AT THE INTERSECTION OF THE SOUTH LAND LOT LINE OF LAND LOT 691 AND THE WEST RIGHT-OF-WAY OF HANSON DRIVE; GO THENCE NORTH 32 DEGREES 38 MINUTES 30 SECONDS EAST ALONG THE NORTH RIGHT- OF-WAY OF HANSON DRIVE FOR A DISTANCE OF 148.54 FEET TO A REBAR IRON PIN FOUND; GO THENCE NORTH 34 DEGREES 04 MINUTES 44 SECONDS EAST ALONG THE NORTH RIGHT-OF-WAY OF HANSON DRIVE FOR A DISTANCE OF 117.19 FEET TO A REBAR IRON PIN FOUND AND THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.116 ACRES (5,048.76 SQUARE FEET).

**4788 HANSON DRIVE**  
**f.k.a "THE HINES' PROPERTY"**

All that tract or parcel of land laying and being in Land Lot 691 of the 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, and being Lot 6, Block B, of Oakdale Park Subdivision, as shown by plat thereof by N.B. Faunce, C.E. dated February 4<sup>th</sup>, 1947, and recorded in Plat Book 6, Page 172, in the office of the Clerk of the Superior Court of Cobb County, Georgia, said property being more particularly described as follows:

Beginning at a point on the south land lot line of said Land Lot 691 where said land lot line is intersected by the northwesterly side of a 20-foot driveway, said point of beginning being the southeast corner of said Subdivision Lot 6; thence northeasterly, along the northwesterly side of said 20-foot driveway a distance of one hundred forty-eight and three-tenths (148.3) feet to the southeast corner of Lot 4, Block B, of said subdivision; thence west, along the south sides of Lots 4 and 3, Block B, of said subdivision, a distance of two hundred twenty-nine and seven-tenths (229.7) feet to the northeast corner of Lot 5,, Block B, of said subdivision; thence south, along the east side of said Lot 5 a distance of one hundred twenty-five (125.0) feet to the southeast corner of said Lot 5, the same being on the south land lot line of said Land Lot 691; thence east, along said south land lot line a distance of one hundred fifty (150.0) feet to the point of the beginning.

This being that same tract or parcel of land conveyed to Grantor by Warranty Deed recorded in Cobb County Deed Book 370, Page 382, on August 24, 1956.



CARLA JACKSON, Tax Commissioner

CHELLY McDUFFIE, Deputy Tax Commissioner

BILL NUMBER

COBB COUNTY DUPLICATE TAX STATEMENT  
FOR TAX YEAR 2014

PLEASE WRITE PARCEL  
NUMBER BELOW  
ON YOUR CHECK

MAKE CHECK PAYABLE TO: "Cobb County Tax Commissioner"  
MAIL REMITTANCE TO: P.O. Box 649  
Marietta, GA 30061-0649

PROPERTY DESCRIPTION		4840 HANSON DR						
Parcel	Lot	BLK	Unit	Acres	Homestead	Dist	Gross Value	Gross Assessment
17-0691-0-011-0				0.40		6	3080	1232



TOTAL TAX 32.83

LESS AMT. PREV. PAID -32.83

CREEKSIDE VILLAGE DEVELOPMENT GROUP INC

5% Penalty 1.64

4030 PINERIDGE RD SE  
SMYRNA GA 30080

Interest 2.07

Paid Interest/Fees/Penalties 3.71

Total Due \$0.00

DETACH AND RETURN WITH CHECK

REMITTANCE COPY

COBB COUNTY DUPLICATE TAX STATEMENT  
FOR TAX YEAR 2014

TAXPAYER COPY

BILL NUMBER

PROPERTY DESCRIPTION		4840 HANSON DR						
Parcel	Lot	BLK	Unit	Acres	Homestead	Dist	Gross Value	Gross Assessment
17-0691-0-011-0				0.40		6	3080	1232

2014 owner was WRIGHT DOROTHY HELEN

CREEKSIDE VILLAGE DEVELOPMENT GROUP INC

4030 PINERIDGE RD SE  
SMYRNA GA 30080

GROSS ASSESSMENT - EXEMPTION = ASSESSMENT X MILLAGE = TAX - = TOTAL TAX

STATE	1232		1232	0.000100	0.12		0.12
COUNTY GENERAL	1232		1232	0.007320	9.02		9.02
COUNTY BOND	1232		1232	0.000330	0.41		0.41
SCHOOL GENERAL	1232		1232	0.018900	23.28		23.28
SCHOOL BOND	1232		1232	0.000000			

10% PENALTY FOR NOT FILING A TAX RETURN

TOTAL 32.83 32.83

LESS AMT. PREV. PAID -32.83

5% Penalty 1.64

Interest 2.07

Paid Interest/Fees/Penalties 3.71

Total Due \$0.00

This is the duplicate tax bill for the above said property, calculated from information supplied by the Cobb County Board of Tax Assessors.

You must send a copy of this bill to your mortgage company if they are responsible for payment.

CARLA JACKSON, Tax Commissioner  
CHELLY McDUFFIE, Deputy Tax Commissioner

Phone 770-528-8600  
Fax 770-528-8679  
E-mail: tax@cobbtax.org  
tags@cobbtax.org  
Web: www.cobbtax.org

CARLA JACKSON, Tax Commissioner

CHELLY McDUFFIE, Deputy Tax Commissioner

BILL NUMBER

COBB COUNTY DUPLICATE TAX STATEMENT  
FOR TAX YEAR 2014

PLEASE WRITE PARCEL  
NUMBER BELOW  
ON YOUR CHECK

MAKE CHECK PAYABLE TO: "Cobb County Tax Commissioner"  
MAIL REMITTANCE TO: P.O. Box 649  
Marietta, GA 30061-0649

PROPERTY DESCRIPTION HANSON DR

Parcel	Lot	BLK	Unit	Acres	Homestead	Dist	Gross Value	Gross Assessment
17-0690-0-007-0				0.32		6	29650	11860



CREEKSIDER VILLAGE DEVELOPMENT GROUP INC

4030 PINERIDGE RD SE  
SMYRNA GA 30080

Paid Interest/Fees/Penalties 39.03

Total Due \$0.00

DETACH AND RETURN WITH CHECK

REMITTANCE COPY

COBB COUNTY DUPLICATE TAX STATEMENT  
FOR TAX YEAR 2014

BILL NUMBER

PROPERTY DESCRIPTION HANSON DR

Parcel	Lot	BLK	Unit	Acres	Homestead	Dist	Gross Value	Gross Assessment
17-0690-0-007-0				0.32		6	29650	11860

2014 owner was WRIGHT JAMES C & GARY H &

CREEKSIDER VILLAGE DEVELOPMENT GROUP INC

4030 PINERIDGE RD SE  
SMYRNA GA 30080

GROSS ASSESSMENT - EXEMPTION	NET ASSESSMENT	X MILLAGE	CALCULATED TAX	= TOTAL TAX
------------------------------	----------------	-----------	----------------	-------------

STATE	11860		11860	0.000100	1.19	1.19
COUNTY GENERAL	11860		11860	0.007320	86.82	86.82
COUNTY BOND	11860		11860	0.000330	3.91	3.91
SCHOOL GENERAL	11860		11860	0.018900	224.15	224.15
SCHOOL BOND	11860		11860	0.000000		

10% PENALTY FOR NOT FILING A TAX RETURN

TOTAL	316.07	316.07
LESS AMT. PREV. PAID	316.07	316.07
5% Penalty	15.80	
Interest	23.23	

Paid Interest/Fees/Penalties 39.03  
Total Due \$0.00

This is the duplicate tax bill for the above said property, calculated from information supplied by the Cobb County Board of Tax Assessors.

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CARLA JACKSON, Tax Commissioner  
CHELLY McDUFFIE, Deputy Tax Commissioner

Phone 770-528-8600  
Fax 770-528-8679  
E-mail: tax@cobbtax.org  
tags@cobbtax.org  
Web: www.cobbtax.org

CREEKSIDE VILLAGE DEVELOPMENT GROUP

4030 PINERIDGE RD SE  
SMYRNA, GA 30080

Ac 6087

May 8th 2015

64-10-610

\$ 355.10

0000000871

Pay to the order of: Cobb County Tax  
Three hundred fifty five & 10/100

SUNTRUST

ACH FRT 05000104

For: Hansen, A - Creekside Village  
#0000060871 100 1000104 16211111

CARLA JACKSON, Tax Commissioner

CHELLY McDUFFIE, Deputy Tax Commissioner

BILL NUMBER

COBB COUNTY DUPLICATE TAX STATEMENT  
FOR TAX YEAR 2014

PLEASE WRITE PARCEL  
NUMBER BELOW  
ON YOUR CHECK

MAKE CHECK PAYABLE TO: "Cobb County Tax Commissioner"  
MAIL REMITTANCE TO: P.O. Box 649  
Marietta, GA 30061-0649

PROPERTY DESCRIPTION 4788 HANSON DR								
Parcel	Lot	BLK	Unit	Acres	Homestead	Dist	Gross Value	Gross Assessment
17-0691-0-010-0	0006	B		0.60	223	9	87410	34964



TOTAL TAX 271.02  
LESS AMT. PREV. PAID -271.02

HINES ROBERT RAY SR & BETTY J  
4788 HANSON DR  
SMYRNA GA 30082

Total Due \$0.00

DETACH AND RETURN WITH CHECK

REMITTANCE COPY

COBB COUNTY DUPLICATE TAX STATEMENT  
FOR TAX YEAR 2014

BILL NUMBER

TAXPAYER COPY

PROPERTY DESCRIPTION 4788 HANSON DR								
Parcel	Lot	BLK	Unit	Acres	Homestead	Dist	Gross Value	Gross Assessment
17-0691-0-010-0	0006	B		0.60	223	9	87410	34964

HINES ROBERT RAY SR & BETTY J  
4788 HANSON DR  
SMYRNA GA 30082

GROSS ASSESSMENT - EXEMPTION = ASSESSMENT X MILLAGE = TAX - = TOTAL TAX

STATE	34964	34964	0	0.000100				
COUNTY GENERAL	34964	12280	22684	0.007320	166.05			166.05
COUNTY BOND	34964	4000	30964	0.000330	10.22			10.22
COUNTY FIRE	34964	4000	30964	0.003060	94.75			94.75
SCHOOL GENERAL	34964	34964	0	0.018900				
SCHOOL BOND	34964		34964	0.000000				

10% PENALTY FOR NOT FILING A TAX RETURN

TOTAL 271.02 271.02  
LESS AMT. PREV. PAID -271.02

Total Due \$0.00

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CARLA JACKSON, Tax Commissioner  
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Phone 770-528-8600  
Fax 770-528-8679  
E-mail: tax@cobbtax.org  
tags@cobbtax.org  
Web: www.cobbtax.org

**Subject:** Confirmation of Payment

**From:** "Official Payments - Customer Service"  
<[customerservice@officialpayments.com](mailto:customerservice@officialpayments.com)>  
**Sent:** 5/8/2015 10:56:59 AM  
**To:** "Jason Lewis" <[jasonalewis@att.net](mailto:jasonalewis@att.net)>



Dear Official Payments Customer:

Thank you for selecting Official Payments Corporation for electronic payment of Real Estate Tax. Your payment of \$30.35 was sent to Smyrna, City of on 05-08-2015. Your confirmation number is 09731B.

To check the status of your payment, visit the Official Payments Corporation Web site at [https://www.officialpayments.com/pc\\_paym.jsp](https://www.officialpayments.com/pc_paym.jsp). Please be prepared to provide your e-mail address [jasonalewis@att.net](mailto:jasonalewis@att.net) and one of the following two items:

-Your confirmation number, 09731B

OR

-The last four digits of the card you used for payment, 0489

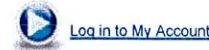
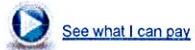
To become a registered user of Official Payments Corporation, enabling you to access your complete tax and fee payment history, visit our web site at [http://www.officialpayments.com/pc\\_sign.jsp](http://www.officialpayments.com/pc_sign.jsp).

Again, thank you for using Official Payments Corporation. We hope you enjoy the convenience, cash management, and payment card benefits earned from your payment.

Customer Service

Official Payments Corporation

Questions? Call toll-free 1-800-487-4567.



Official Payments  
3550 Engineering Drive, Suite 400  
Norcross, GA 30092  
[www.OfficialPayments.com](http://www.OfficialPayments.com)



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## Smyrna, City of, GA

### Real Estate Tax

Confirmation Number:	09731B
Payment Date:	Friday, May 8, 2015
Payment Time:	10:56AM ET

### Payer Information

Name:	Jason A. Lewis
Street Address:	4030 Pineridge Road
	Smyrna
	Smyrna, GA 30080
	United States
Daytime Phone Number:	(404) 449 - 1560
E-mail Address:	jasonalewis@att.net
Bill Number:	3415
Bill Year:	2014
Account Number:	17069100110
Customer ID:	27848
Session ID:	560620917~1

### Card Information

Card Type:	MasterCard
Card Number:	*****0489
Expiration Date:	07/2017
Card Verification Number:	****

### Payment Information

Payment Type:	Real Estate Tax
Payment Amount:	\$30.35
Convenience Fee:	\$3.95
Total Payment:	\$34.30

Thank you for using Official Payments. If you have a question regarding your payment, please call us toll free at 1-800-487-4567. To make payments in the future, please visit our website at [www.officialpayments.com](http://www.officialpayments.com).

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**Subject:** Confirmation of Payment

**From:** "Official Payments - Customer Service"  
<[customerservice@officialpayments.com](mailto:customerservice@officialpayments.com)>  
**Sent:** 5/8/2015 11:32:34 AM  
**To:** "Jason Lewis" <[jasonalewis@att.net](mailto:jasonalewis@att.net)>



Dear Official Payments Customer:

Thank you for selecting Official Payments Corporation for electronic payment of Real Estate Tax. Your payment of \$141.18 was sent to Smyrna, City of on 05-08-2015. Your confirmation number is 06998B.

To check the status of your payment, visit the Official Payments Corporation Web site at [https://www.officialpayments.com/pc\\_paym.jsp](https://www.officialpayments.com/pc_paym.jsp). Please be prepared to provide your e-mail address [jasonalewis@att.net](mailto:jasonalewis@att.net) and one of the following two items:

-Your confirmation number, 06998B

OR

-The last four digits of the card you used for payment, 0489

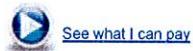
To become a registered user of Official Payments Corporation, enabling you to access your complete tax and fee payment history, visit our web site at [http://www.officialpayments.com/pc\\_sign.jsp](http://www.officialpayments.com/pc_sign.jsp).

Again, thank you for using Official Payments Corporation. We hope you enjoy the convenience, cash management, and payment card benefits earned from your payment.

Customer Service

Official Payments Corporation

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Norcross, GA 30092  
[www.OfficialPayments.com](http://www.OfficialPayments.com)



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# Real Estate Bills

## View Bill

**Bill Year** 2014

**Bill** 3412

**Owner** CREEKSIDER VILLAGE DEVELOPMENT GROUP INC

**Parcel ID** 17069000010

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/17/2014	\$720.21	\$720.21	\$0.00	\$0.00	\$0.00
Penalties		\$72.02	\$72.02	\$0.00	\$0.00	\$0.00
Interest			\$7.20			\$0.00
<b>TOTAL</b>		<b>\$792.23</b>	<b>\$799.43</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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# COBB COUNTY WATER SYSTEM

Customer Services Facility  
660 South Cobb Drive  
Marietta, Georgia 30060-3105  
770-423-1000  
[www.cobbwater.org](http://www.cobbwater.org)

Stephen D. McCullers, P.E.  
Director

*Divisions*  
Business Services  
Customer Services  
Engineering & Records  
Stormwater Management  
System Maintenance  
Water Protection

May 8, 2015

Robert Butler  
4030 Pineridge Road  
Smyrna, GA 30080

Re: Proposed Senior Living Apartments, Phase Two/Parcel B  
250 units, 4.03 +/- Acres  
Land Lots 690, 17th District,  
Nickajack Creek Basin, South Cobb WRF

To Whom It May Concern:

Current Cobb County policy is to provide wastewater treatment capacity for approved zonings. CCWS will be able to provide capacity for your approved zoning classification with the following stipulations as set forth by the Cobb County Board of Commissioners:

→The developer has 150 days from this date to present plans for review and approval. Water and sewer fees must be paid and construction started within 90 days after plan approval.

→Should you fail to meet this stipulation, this letter of allocation is invalid and you must reapply to this department for capacity. No preference will be given and your request will be placed at the bottom of the request list.

→This letter is only valid for the project referenced. It is non-renewable, non-transferable, non-extendible and does not guarantee that sewer lines are at the site. Upgrades to existing water distribution and wastewater collection facilities may be required of the Developer if the demands of this proposal exceed the capacity limits of our existing or proposed facilities.

There is an existing 12-inch water main on South Cobb Drive available for use. A passing fire flow test will be required prior to approval of construction plans by this department.

Sincerely,

COBB COUNTY WATER SYSTEM



Tim Davidson  
Plan Review Engineer  
Engineering & Records Division

cc: file