CITY OF
GAINESVILLE

Mayor/Council Meeting Agenda
Tuesday, April 19, 2022, 5:30 PM
Public Safety Complex, Municipal Court Room
701 Queen City Parkway, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS / RECOGNITIONS:

A. Parks & Recreation Employee Awards

B. Proclamation: Georgia Cities Week 2022

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

A. Chicopee Woods Area Park Commission
- Appoint Kelly Lee

B. Development Authority
- Appoint Melissa Tymchuk

Minutes

A. March 10, 2022 Work Session

B. March 15, 2022 Mayor/Council Meeting

Resolutions

A. BR-2022-14 Abandonment and Conveyance of 0.361 Acre Tract on Mitchell Street

B. BR-2022-15 Transfer 0.126 Acre Tract to Koch Foods of Gainesville, LLC

C. BR-2022-16 Allen Creek Soccer Complex Intergovernmental Lease Agreement with Hall County

D. BR-2022-17 Declaration of Surplus Property

E. BR-2022-18 Modify Boundaries Related to Downtown Dining District

F. BR-2022-19 Tax Allocation District (TAD) Funding for Grubs Market

G. BR-2022-20 Write-off of Delinquent Personal Property Tax

H. BR-2022-21 Write-Off of Delinquent Utility Receivables

I. BR-2022-22 Write-off of Uncollectible Checks

PUBLIC HEARING(S):

Annexation/Zoning Items

A. Request from **Interface Properties, LLC** to rezone a 6.6± acres tract located on the southwest side of the intersection of Dawsonville Highway and Beechwood Boulevard (a/k/a **989 Dawsonville Highway, NW**) from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B). **Ward Number: One**. Tax Parcel Number(s): 01-115-002-002E. **Request: Retail, drive-through restaurant and auto service**.

- Proposed Rezoning Ordinance 2022-11

B. Request from **McKinley Homes US, LLC** for a special use on a 7.74± acres tract located on the west side of Florence Drive, across from its intersection with Bentley Park Circle (a/k/a **2920 Florence Drive, SW**), having a zoning of Office and Institutional (O-I). **Ward Number: Four**. Tax Parcel Number(s): 08-015-005-029. Request: **Residential townhomes**.

- Proposed Zoning Resolution 2022-03

Community Development Items

A. **(Tabled at the March 15, 2022 Council Meeting)**
Request from **Clayton Properties Group, Inc. d/b/a Chafin Development** for a permit to relocate an abandoned cemetery located on real property owned by Butler Property, LLC, which real property is more particularly described in a Limited Warranty Deed dated September 29,. 2010, recorded at Deed Book 6749, Pages 226-241, Hall County, Georgia Deed Records, from said real property to Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia 30504.

- Proposed Resolution BR-2022-12

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, April 15, 2022, 4:12 PM

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 2/28/2022

Presenter: Kate Mattison

Item of Business: Parks & Recreation Employee Awards

Meeting Date: 4/19/2022

Purpose of Request:

To recognize those staff in Parks & Recreation who have performed at the highest levels in the last year.

History/Background:

In honor of National Employee Appreciation Day on March 4, GPRA hosted an employee appreciation luncheon at Longwood Park. Twelve staff were presented with superlative awards. In addition, one staff member was presented with the Pursuit of Excellence award in December.

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Kate Mattison

If funding is involved, are funds approved within the current budget?

No

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Special Recognition P&R	Cover Memo

Gainesville Parks & Recreation

EMPLOYEE APPRECIATION

2022

AWARD WINNERS

Overachiever - Steve Woods

Customer Service - Shannon Jones

MacGyver - Kyle Hewell

Change Agent - Jennifer Hill

Coaching Champion - Zandrea Stephens

Team Player - Janice Teems

Growth Driver - Michael Williams

Rookie - Bryan Rodriguez

Innovator - Sam Ballinger

Big Picture - Julie Butler

Go Getter - Alan Cline

Steadfast - Staci Butts

Pursuit of Excellence - Crystal Tavares

Congratulations!

LOVE YOUR PARKS

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/12/2022

Presenter: Sam Couvillon

Item of Business: Proclamation: Georgia Cities Week 2022

Meeting Date: 4/19/2022

Purpose of Request:

To present a proclamation declaring April 24-30 Georgia Cities Week 2022.

History/Background:

The Georgia Municipal Association is pleased to again sponsor Georgia Cities Week from April 24-30, 2022. This will give cities the opportunity to:

- Share information about the valuable services cities provide to residents, including an inside look into city operations and how cities positively impact their quality of life
- Highlight successful community projects and infrastructure enhancements
- Connect residents with one another
- Build or improve working relationships with state leaders and legislators

Now in its 23rd year, Georgia Cities Week is also an opportunity to celebrate community achievements and recognize volunteers and city employees.

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Christina Santee

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

Georgia Cities Week 2022 Proclamation (Unsigned draft) Presentation

PROCLAMATION

WHEREAS, city government is the closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Georgia Cities Week is a very important time to recognize the important role played by city government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Georgia that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, the Georgia Municipal Association and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, Georgia Cities Week offers an important opportunity to convey to all the citizens of Georgia that they can shape and influence government through their civic involvement.

NOW, THEREFORE BE IT RESOLVED THAT I, W. Samuel Couvillon, Mayor and the Gainesville City Council do hereby proclaim April 24-30, 2022 as

"GEORGIA CITIES WEEK"

Presented this 19th day of April, 2022

_____

W. Samuel Couvillon, Mayor
City of Gainesville

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/14/2022

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 4/19/2022

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesvillega.gov.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/7/2022

Presenter: Sam Couvillon

Item of Business: Chicopee Woods Area Park Commission
- Appoint Kelly Lee

Meeting Date: 4/19/2022

Purpose of Request:

The purpose of this request is to address the expired term position previously held by Jock Hornor.

History/Background:

The Commission follows the guidelines of the City Charter and the Code of Ordinances. Members serve three-year terms.

Facts & Issues for Consideration:

Kelly Lee confirmed a willingness to serve. The process for verification of outstanding debt was completed with no concerns.

Department Recommendation:

To approve the nomination of Kelly Lee for appointment as submitted by the Mayor during the April 14, 2022 Work Session.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
CWAPC Members	Backup Material

CHICOPEE WOODS AREA PARK COMMISSION

APPOINTED BY	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
CWAPC (2)	Gilliam Secretary	Steve	2/14/2011	2/10/2014 Feb. 2017 2/18/2020	3/26/2023
CWAPC (1)	Girardeau At-Large	John	2019		3/26/2022
City Council (1)	Hornor Treasurer	Jock	5/19/15 UE	7/19/2016 3/19/2019	3/26/2022
City Council (2)	Lawson	Emily D. (Sissy)	3/6/2007	3/4/2008 5/17/2011 3/4/2014 5/2/2017 5/5/2020	3/26/2023
City Council (3)	Whitehead Chairman	RK	3/7/2006	3/17/2009 5/1/2012 5/5/2015 3/6/2018 3/17/2021	3/26/2024
County Commission (2)	Bagwell	Emily	3/9/2017	2/27/2020	3/26/2023
County Commission (1)	Hemmer Vice Chair	Jane	2007	2010 3/14/2013 3/10/2016 2019	3/26/2022
County Commission (3)	Oliver	Tom	4/9/2015	3/27/2018 3/11/2021	3/26/2024
County Commission (3)	Norton	Amanda	4/25/17 UE	3/27/2018 3/11/2021	3/26/2024
Ex-Officio	Wangemann	George	1/7/2020	1/19/2021 1/4/2022	1/17/2023
Ex-Officio	Stowe	Jeff	2019		N/A

TERM: Three year terms

CONTACT: RK Whitehead

NOTE: All terms expire March 26th

UPDATED: 1/6/2022 ag

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/7/2022

Presenter: Sam Couvillon

Item of Business: Development Authority
- Appoint Melissa Tymchuk

Meeting Date: 4/19/2022

Purpose of Request:

The purpose of this request is to address the expired term position previously held by Jackie Slaughter.

History/Background:

The Authority follows the guidelines of the Bylaws, the City Charter and Code of Ordinances. Appointees serve a four-year term and serve until the position is filled.

Facts & Issues for Consideration:

Nominations were submitted by the Greater Hall Chamber of Commerce in accordance with the Bylaws of the Development Authority.

The verification process has been completed with no concerns.

Department Recommendation:

To approve the nomination of Melissa Tymchuk for appointment as submitted by the Mayor during the April 14, 2022 Work Session.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Development Authority Members	Backup Material
GHCC Nomination Letter	Backup Material

DEVELOPMENT AUTHORITY - CITY APPOINTMENTS

POST	LAST NAME	FIRST NAME	APPOINTED / REAPPOINTED	TERM ENDS
City	Walters-Slaughter	Jackie	4/17/2018	3/31/2022
City	Daniel	Brian	5/5/2020	3/31/2024
City	Rochester	Brian	4/20/2021	3/31/2025
City	Whitehead	RK	3/19/2019	3/31/2023
Ex-Officio - City	Couvillon	Sam	1/4/2022	1/19/2023

DEVELOPMENT AUTHORITY - OTHER BOARD MEMBERS

POST	LAST NAME	FIRST NAME	TERM BEGINS	TERM ENDS
County	Carey	Dan		3/31/2024
County	Lee	David		3/31/2025
County	Wilheit (Chairman)	Philip		3/31/2023
County	Barnes	Glennis	4/1/2018	3/31/2022
County	Bagwell (Vice Chair)	William		3/31/2023
Ex-Officio - County	Powell	Billy	1/1/2018	
Ex-Officio - GHCC Chair	Sutton	Phil	8/19/2021	
Others - GHCC	Dunlap	Kit		
Others - EDC Directo	Evans	Tim		
Others - City	Lackey	Bryan		
Others - County	Connell	Jock		
Others - Media	The Times			
Others - Media	WDUN			
Counsel/Secretary	Syfan	Tread		

TERM: Four year terms
Nominations provided by Greater Hall Chamber of Commerce.
Members serve until position filled.
A member who has served a full four-year term is not eligible for reappointment until the lapse of one year after

CONTACT: Tim Evans tim@ghcc.com Kit Dunlap kit@ghcc.com UPDATED: 1/6/2022 ag

GREATER HALL
CHAMBER OF COMMERCE

230 E.E. Butler Parkway
Post Office Box 374
Gainesville, Georgia 30503

March 17, 2022

Mayor Sam Couvillon
City of Gainesville
P. O. Box 2496
Gainesville, GA 30503

Dear Mayor Couvillon:

The Greater Hall Chamber of Commerce nominates the following two (2) persons to be considered for the one (1) appointment to the Gainesville & Hall County Development Authority. The person selected will fill the term of Jackie Walters Slaughter, whose term expires 3/31/2022. This request is in accordance with the By-Laws of the Authority that we submit these persons for selection.

Melissa Tymchuk, Northeast Georgia Health System
Jimmy Adams, The Adams Companies

Both of these nominees are familiar with the economic development efforts of Gainesville and Hall County and would be quality members of the Authority. Please make the selection at your earliest convenience and notify us.

Sincerely,

Kathryn L. Dunlap
President & CEO
Greater Hall Chamber of Commerce

Attachment: Current roster of members
Gainesville & Hall County Development Authority

cc: Philip Wilheit, Chairman
Gainesville & Hall County Development Authority

Tread Syfan, Attorney
Gainesville & Hall County Development Authority

Bryan Lackey, City Manager
City of Gainesville

Alisa Grayson
Gainesville Deputy City Clerk

770.532.6206
Fax 770.535.8419

www.greaterhallchamber.com

"FROM ISLANDS TO HIGHLANDS...
WE'VE GOT IT ALL!"

Gainesville-Hall County Development Authority

1/05/2022

Name	Address	Phone	Cell	Fax	E-mail	City/County	Expiration	Position
Philip Wilheit, Sr. (Wilheit Packaging)	P.O. Box 111, Gainesville, GA 30503	770-532-4421	678-316-4498	770-532-8956	wilpak@aol.com	County	3/31/2023	Chairman
William Bagwell (Homestead Investments)	P.O. Box 872, Gainesville, GA 30503	770-531-6623	770-540-2923		williambagwell@homesteadinvestments.net	At-Large	3/31/2023	Vice Chair
Dan Carey (Truist Financial [BB&T / SunTrust])	455 Jesse Jewell Parkway, Gainesville, GA 30501	678-989-1036	678-756-0007		dan.carey@truist.com	County	3/31/2024	Member
Brian Daniel (Carroll Daniel Construction)	P.O. Box 1438, Gainesville, GA 30503	770-536-3241	770-519-2653		bdaniel@carrolldaniel.com	City	3/31/2024	Member
Brian Rochester (Rochester & Associates)	425 Oak Street, Gainesville, GA 30501	770-718-0600	678-316-1687		bkrochester@rochester-assoc.com	City	3/31/2025	Member
David Lee (Jackson EMC)	P.O. Box 5909, Gainesville, GA 30504	770-538-2500	770-402-0695		dlee@jacksonemc.com	County	3/31/2025	Member
Glennis Barnes (Georgia Power Company)	426 Spring Street, Gainesville, GA 30501	770-535-4400	404-518-2425		gebarnes@southernco.com	County	3/31/2022	Member
Jackie Walters Slaughter (Walters Management Company)	718 Green Street, Gainesville, GA 30501	770-534-9909	678-428-6754	770-503-9074	jackiew@waltersmgmt.com	City	3/31/2022	Member
R.K. Whitehead (Whitehead Die Casting)	2600 Atlanta Highway, Gainesville, GA 30504	770-287-1600	770-654-1160		rkwhitehead@wdcdiecast.com	City	3/31/2023	Member
Ex-Officio								
Sam Couvillon (Gainesville City Council)	P.O. Box 2496, Gainesville, GA 30503	770-535-6865	706-247-3237	770-535-6896	sam.couvillon@twsinsurance.com ; scouvillon@gainesvillega.gov	Mayor		
Billy Powell (Hall County Commission)	P.O. Box 1435, Gainesville, GA 30503	770-535-8288	678-640-4818	770-531-3972	billy.powell@svn.com	Commissioner		
Phil Sutton (Greater Hall Chamber Chair)	2715 Ramsey Road, Gainesville, GA 30501	678-989-5487	770-540-9283		phil.sutton@kubota.com	Chair-GHCC		
Others Notified								
Jock Connell (Hall County Administrator)	P.O. Box 1435, Gainesville GA 30503	770-535-8288	770-316-0800	770-531-3972	jconnell@hallcounty.org			
Bryan Lackey (City of Gainesville, City Manager)	P.O. Box 2496, Gainesville, GA 30503	770-535-6865	678-602-2249	770-535-6896	blackey@gainesvillega.gov			
Tim Evans (Exec. Dir. Economic Development)	P.O. Box 374, Gainesville GA 30503	770-532-6206	678-644-1864	770-535-8419	tim@ghcc.com			Treasurer; Asst. Secretary
Kit Dunlap (Greater Hall Chamber, President)	P.O. Box 374, Gainesville GA 30503	770-532-6206	770-287-4801	770-535-8419	kit@ghcc.com			
The Times	P.O. Box 838, Gaineville GA 30503	770-532-1234		770-532-0457				
WDUN	P.O. Box 10, Gainesville GA 30503	770-532-9921		770-532-0506				
Counsel/Secretary								
Tread Syfan (Stewart, Melvin & Frost)	P.O. Box 3280, Gainesville, GA 30503	770-536-0101	770-539-2794	770-532-5071	tsyfan@smf-law.com			Secretary

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/18/2022

Presenter: Denise Jordan

Item of Business: March 10, 2022 Work Session

Meeting Date: 4/19/2022

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/18/2022

Presenter: Denise Jordan

Item of Business: March 15, 2022 Mayor/Council Meeting

Meeting Date: 4/19/2022

Purpose of Request:

The purpose of this request is to allow the governing body to approve the referenced meeting minutes.

History/Background:

Facts & Issues for Consideration:

The referenced draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/12/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-14 Abandonment and Conveyance of 0.361 Acre Tract on Mitchell Street

Meeting Date: 4/19/2022

Purpose of Request:

To authorize conveyance of 0.361 acres tract property on Mitchell Street to Koch Foods.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Approve the resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-14 Abandonment and Conveyance of 0.361 Acre Tract on Mitchell Street	Resolution
Exhibits A and B	Attachments/Exhibits
Letter to Koch Foods	Backup Material
Publishers Affidavit	Backup Material
Legal Ad 3.23-24.22	Backup Material
Legal Ad 3.30-31.22	Backup Material
Listing Agreement	Backup Material
Citys Signature Page	Backup Material

RESOLUTION BR-2022-14

ABANDONMENT AND CONVEYANCE
CITY OF GAINESVILLE, GEORGIA - OWNED PROPERTY ON MITCHELL STREET

WHEREAS, pursuant to O.C.G.A Sec. 32-7-1 et seq., the City of Gainesville hereby deems it to be in the public interest to abandon a portion of a public road within its jurisdiction known as Mitchell Street, as more specifically set forth in the plat attached hereto as Exhibit "A," and as more specifically described in the legal description attached hereto as Exhibit "B" (hereinafter referred to as "the Property"); and

WHEREAS, the removal of the Property from the municipal street system is in the best public interest, as it will allow for the improvement of the Koch Foods of Gainesville, LLC ("Koch Foods") campus, such that Koch Foods may continue to provide excellent products and employment opportunities to the citizens of the City of Gainesville and surrounding areas; and

WHEREAS, the City provided notice of the proposed abandonment to property owners located adjacent to the Property; and

WHEREAS, the City hereby certifies and declares the Property to be abandoned and no longer part of the municipal street system; and

WHEREAS, the rights of the public in and to the Property as a public road shall cease; and

WHEREAS, the City listed the Property through a licensed real estate broker, Will Cobb of The Norton Agency, who has a place of business located in the State of Georgia, for at least 30 days; and

WHEREAS, commencing at the time of the listing of the Property, the City provided for a notice to be inserted once a week for two weeks in the legal organ of Hall County, the Gainesville Times, indicating the name of the real estate broker listing the Property; and

WHEREAS, W. McRae Greene, a real estate appraiser with knowledge of the local real estate market who is licensed in Georgia, established the fair market value of the Property prior to the listing at $74,700; and

WHEREAS, Koch Foods submitted an offer to purchase the Property for the sum of $74,700.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the conveyance of the Property to Koch Foods for the sum of $74,700 and authorizes the Mayor, the City Manager, and the City Attorney to execute a quitclaim deed and such other documents that may be necessary to complete the conveyance of the Property to Koch Foods.

Adopted this _____ day of April, 2022.

RESOLUTION BR-2022-14

ABANDONMENT AND CONVEYANCE
CITY OF GAINESVILLE, GEORGIA - OWNED PROPERTY ON MITCHELL STREET

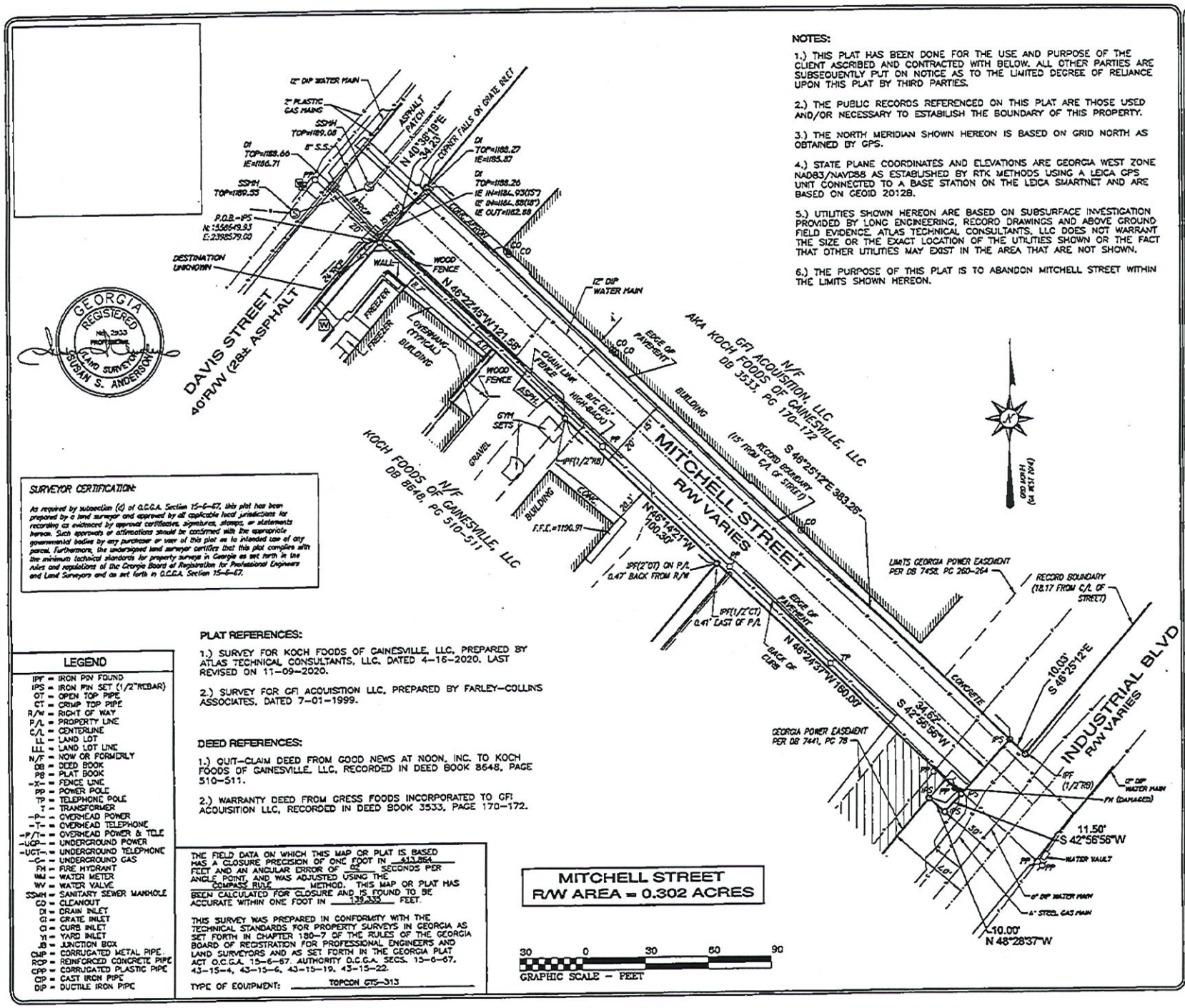
_____
W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____
Denise O. Jordan, City Clerk

Exhibit 11A



NOTES:

1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.

2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE THOSE USED AND/OR NECESSARY TO ESTABLISH THE BOUNDARY OF THIS PROPERTY.

3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH AS OBTAINED BY GPS.

4.) STATE PLANE COORDINATES AND ELEVATIONS ARE GEORGIA WEST ZONE NAD83/NAVD88 AS ESTABLISHED BY RTK METHODS USING A LEICA GPS UNIT CONNECTED TO A BASE STATION ON THE LEICA SMARTNET AND ARE BASED ON GEOID 2012B.

5.) UTILITIES SHOWN HEREON ARE BASED ON SUBSURFACE INVESTIGATION PROVIDED BY LONG ENGINEERING, RECORD DRAWINGS AND ABOVE GROUND FIELD EVIDENCE. ATLAS TECHNICAL CONSULTANTS, LLC DOES NOT WARRANT THE SIZE OR THE EXACT LOCATION OF THE UTILITIES SHOWN OR THE FACT THAT OTHER UTILITIES MAY EXIST IN THE AREA THAT ARE NOT SHOWN.

6.) THE PURPOSE OF THIS PLAT IS TO ABANDON MITCHELL STREET WITHIN THE LIMITS SHOWN HEREON.

SURVEYOR CERTIFICATION:

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

PLAT REFERENCES:

1.) SURVEY FOR KOCH FOODS OF GAINESVILLE, LLC, PREPARED BY ATLAS TECHNICAL CONSULTANTS, LLC, DATED 4-16-2020, LAST REVISED ON 11-09-2020.

2.) SURVEY FOR GFI ACQUISITION LLC, PREPARED BY FARLEY-COLLINS ASSOCIATES, DATED 7-01-1999.

DEED REFERENCES:

1.) QUIT-CLAIM DEED FROM GOOD NEWS AT NOON, INC. TO KOCH FOODS OF GAINESVILLE, LLC, RECORDED IN DEED BOOK 8648, PAGE 510-511.

2.) WARRANTY DEED FROM GRESS FOODS INCORPORATED TO GFI ACQUISITION LLC, RECORDED IN DEED BOOK 3533, PAGE 170-172.

LEGEND

IPF	= IRON PIN FOUND
IPS	= IRON PIN SET (1/2"REBAR)
OT	= OPEN TOP PIPE
CT	= CRIMP TOP PIPE
R/W	= RIGHT OF WAY
P/L	= PROPERTY LINE
C/L	= CENTERLINE
LL	= LAND LOT
LLL	= LAND LOT LINE
N/F	= NOW OR FORMERLY
DB	= DEED BOOK
PB	= PLAT BOOK
-X-	= FENCE LINE
PP	= POWER POLE
TP	= TELEPHONE POLE
T	= TRANSFORMER
-P-	= OVERHEAD POWER
-T-	= OVERHEAD TELEPHONE
-P/T-	= OVERHEAD POWER & TELE
-UGP-	= UNDERGROUND POWER
-UGT-	= UNDERGROUND TELEPHONE
-G-	= UNDERGROUND GAS
FH	= FIRE HYDRANT
WM	= WATER METER
WV	= WATER VALVE
SSMH	= SANITARY SEWER MANHOLE
CO	= CLEANOUT
DI	= DRAIN INLET
GI	= GRATE INLET
CI	= CURB INLET
YI	= YARD INLET
JB	= JUNCTION BOX
CMP	= CORRUGATED METAL PIPE
RCP	= REINFORCED CONCRETE PIPE
CPP	= CORRUGATED PLASTIC PIPE
CIP	= CAST IRON PIPE
DIP	= DUCTILE IRON PIPE

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 313,864 FEET AND AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 139,335 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

TYPE OF EQUIPMENT: TOPCON GTS-313

MITCHELL STREET
R/W AREA = 0.302 ACRES

30 0 30 60 90
GRAPHIC SCALE - FEET

Atlas Technical Consultants, LLC
Engineering · Planning · Landscape Architecture · Land Acquisition · Surveying
LSF001329, EXP:06/30/2022
630 Interstate Ridge Drive Suite "F"
Gainesville, Georgia 30501
PHONE:(770)532-4021 FAX:(770)532-4023

RIGHT-OF-WAY ABANDONMENT PLAT:

KOCH FOODS OF GAINESVILLE, LLC

LAND LOT 153 - 6th DISTRICT, GMD 411
CITY OF GAINESVILLE - HALL COUNTY, GEORGIA

SHEET 1 of 1 SHEETS

VERTICAL SCALE:	N/A
HORIZONTAL SCALE:	1" = 30'
DATE:	9-20-2021
DATE OF FIELD SURVEY:	9-17-2021
DRAWN BY:	SA
CHECKED BY:	DRJ
JOB NO.:	20-5000-C210

Exhibit "B"

LEGAL DESCRIPTION
Mitchell Street

All that tract of land lying and being in G.M.D. 411, Land Lot 153 of the 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar) at the right-of-way intersection of the southeasterly right-of-way of Davis Street, having a right-of-way width of forty (40) feet with the southwesterly right-of-way of Mitchell Street, having a variable right-of-way width, said point having a Georgia West Zone state plane coordinate of N:1558649.93 and E:2398579.00;

Thence, North 40 degrees 38 minutes 19 seconds East for a distance of 34.23 feet to a point on a grate inlet, said point being on the northeasterly right-of-way of said Mitchell Street;

Thence, South 46 degrees 25 minutes 12 seconds East for a distance of 383.26 feet along said northeasterly right-of-way to an iron pin set (1/2" rebar);

Thence, South 42 degrees 56 minutes 56 seconds West for a distance of 34.62 feet to an iron pin set (1/2" rebar) on the southwesterly right-of-way of said Mitchell Street;

Thence, North 46 degrees 24 minutes 37 seconds West for a distance of 160.00 feet along said southwesterly right-of-way to a point;

Thence, North 46 degrees 14 minutes 21 seconds West for a distance of 100.30 feet continuing along said southwesterly right-of-way to an iron pin found (1/2" rebar);

Thence, North 46 degrees 22 minutes 45 seconds West for a distance of 121.58 feet continuing along said southwesterly right-of-way to an iron pin set (1/2" rebar) at the **POINT OF BEGINNING.**

Containing within said bounds an area of 0.302 acres more or less as shown on a Right-of-Way Abandonment Plat for Koch Foods of Gainesville, LLC, prepared by Atlas Technical Consultants, LLC, dated 9-20-2021. Said plat by specific reference is made a part hereof.

HULSEY, OLIVER & MAHAR, LLP

EST. 1914

JULIUS M. HULSEY
R. DAVID SYFAN
THOMAS L. FITZGERALD
THOMAS D. CALKINS
ABBOTT S. HAYES, JR.
PAUL B. SMART
JASON A. DEAN
T. WESLEY ROBINSON
JASON E. VOYLES
JESSICA M. LUND
VANESSA E. SYKES
MONICA B. HATFIELD
KASSANDRA M. LAWSON

ATTORNEYS AT LAW

E.D. KENYON
(1890-1981)
SAMUEL L. OLIVER
(1942-2011)

OF COUNSEL

JAMES E. MAHAR, JR.
(Practice Limited to
Mediation and Arbitration)
JANE A. RANGE
CHRISTOPHER J. WALKER, III

March 14, 2022

VIA FEDERAL EXPRESS

Koch Foods of Gainesville, LLC
Attn: CT Corporation System, Registered
Agent
289 S. Culver St.
Lawrenceville, GA 30046-4805

Dear Sir or Madam:

I am an attorney for the City of Gainesville ("the City"). I am writing to you regarding a portion of a public road within the City's jurisdiction known as Mitchell Street, as more specifically set forth in the plat attached hereto as Exhibit "A," and as more specifically described in the legal description attached hereto as Exhibit "B" (hereinafter referred to as "the Property"). The City intends to abandon the Property and remove the Property from the municipal street system, as it is in the best public interest to allow for the improvement of the Koch Foods of Gainesville, LLC ("Koch Foods") campus, such that Koch Foods may continue to provide excellent products and employment opportunities to the citizens of the City and surrounding areas. As you are located adjacent to the Property, I am providing you, on behalf of the City, with notice of the proposed abandonment and sale of the Property. The governing body of the City intends to consider and potentially proceed with the abandonment at its regular meeting on April 19, 2022, at the City Public Safety Complex Municipal Court Room, located at 701 Queen City Parkway, Gainesville, GA 30501.

Sincerely,

Abbott S. Hayes, Jr.

Enclosures
cc: Bryan Lackey (via email)
Angela Sheppard (via email)
Steve Isaacson (via email)
Craig Whitehead (via email)
Matt Tate (via email)
Rusty Ligon (via email)

ASH/W2639936

200 E. E. Butler Parkway | Post Office Box 1457 | Gainesville, Georgia 30503
Telephone: (770) 532-6312 | Fax: (770) 531-9230 OR (770) 532-6822 | www.homlaw.com

Exhibit 11A

NOTES:

1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.

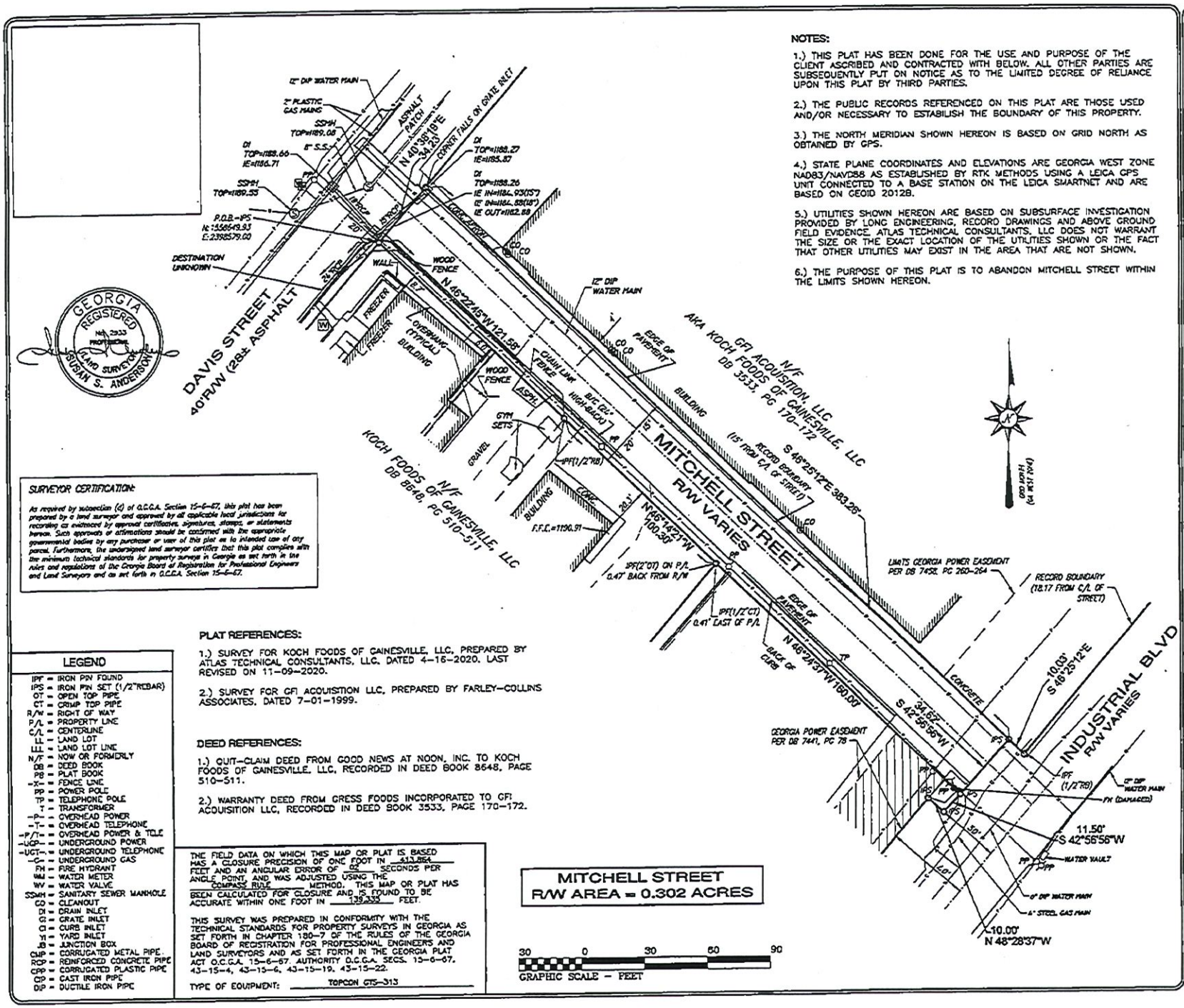
2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE THOSE USED AND/OR NECESSARY TO ESTABLISH THE BOUNDARY OF THIS PROPERTY.

3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH AS OBTAINED BY GPS.

4.) STATE PLANE COORDINATES AND ELEVATIONS ARE GEORGIA WEST ZONE NAD83/NAVD88 AS ESTABLISHED BY RTK METHODS USING A LEICA GPS UNIT CONNECTED TO A BASE STATION ON THE LEICA SMARTNET AND ARE BASED ON GEOID 2012B.

5.) UTILITIES SHOWN HEREON ARE BASED ON SUBSURFACE INVESTIGATION PROVIDED BY LONG ENGINEERING, RECORD DRAWINGS AND ABOVE GROUND FIELD EVIDENCE. ATLAS TECHNICAL CONSULTANTS, LLC DOES NOT WARRANT THE SIZE OR THE EXACT LOCATION OF THE UTILITIES SHOWN OR THE FACT THAT OTHER UTILITIES MAY EXIST IN THE AREA THAT ARE NOT SHOWN.

6.) THE PURPOSE OF THIS PLAT IS TO ABANDON MITCHELL STREET WITHIN THE LIMITS SHOWN HEREON.



SURVEYOR CERTIFICATION:

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

GEORGIA REGISTERED No. 2933 PROFESSIONAL LAND SURVEYOR SUSAN S. ANDERSON

PLAT REFERENCES:

1.) SURVEY FOR KOCH FOODS OF GAINESVILLE, LLC, PREPARED BY ATLAS TECHNICAL CONSULTANTS, LLC, DATED 4-16-2020, LAST REVISED ON 11-09-2020.

2.) SURVEY FOR GFI ACQUISITION LLC, PREPARED BY FARLEY-COLLINS ASSOCIATES, DATED 7-01-1999.

DEED REFERENCES:

1.) QUIT-CLAIM DEED FROM GOOD NEWS AT NOON, INC. TO KOCH FOODS OF GAINESVILLE, LLC, RECORDED IN DEED BOOK 8648, PAGE 510-511.

2.) WARRANTY DEED FROM GRESS FOODS INCORPORATED TO GFI ACQUISITION LLC, RECORDED IN DEED BOOK 3533, PAGE 170-172.

LEGEND

IPF	= IRON PIN FOUND
IPS	= IRON PIN SET (1/2"REBAR)
OT	= OPEN TOP PIPE
CT	= CRIMP TOP PIPE
R/W	= RIGHT OF WAY
P/L	= PROPERTY LINE
C/L	= CENTERLINE
LL	= LAND LOT
LLL	= LAND LOT LINE
N/F	= NOW OR FORMERLY
DB	= DEED BOOK
PB	= PLAT BOOK
-X-	= FENCE LINE
PP	= POWER POLE
TP	= TELEPHONE POLE
T	= TRANSFORMER
-P-	= OVERHEAD POWER
-T-	= OVERHEAD TELEPHONE
-P/T-	= OVERHEAD POWER & TELE
-UGP-	= UNDERGROUND POWER
-UGT-	= UNDERGROUND TELEPHONE
-G-	= UNDERGROUND GAS
FH	= FIRE HYDRANT
WM	= WATER METER
WV	= WATER VALVE
SSMH	= SANITARY SEWER MANHOLE
CO	= CLEANOUT
DI	= DRAIN INLET
GI	= GRATE INLET
CI	= CURB INLET
YI	= YARD INLET
JB	= JUNCTION BOX
CMP	= CORRUGATED METAL PIPE
RCP	= REINFORCED CONCRETE PIPE
CPP	= CORRUGATED PLASTIC PIPE
CIP	= CAST IRON PIPE
DIP	= DUCTILE IRON PIPE

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 313,864 FEET AND AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 139,335 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

TYPE OF EQUIPMENT: TOPCON GTS-313

MITCHELL STREET
R/W AREA = 0.302 ACRES

30 0 30 60 90
GRAPHIC SCALE - FEET

Atlas Technical Consultants, LLC
Engineering · Planning · Landscape Architecture · Land Acquisition · Surveying
LSF001329, EXP:06/30/2022
630 Interstate Ridge Drive Suite "F"
Gainesville, Georgia 30501
PHONE:(770)532-4021 FAX:(770)532-4023

ATLAS

RIGHT-OF-WAY ABANDONMENT PLAT:

KOCH FOODS OF GAINESVILLE, LLC

LAND LOT 153 - 6th DISTRICT, GMD 411
CITY OF GAINESVILLE - HALL COUNTY, GEORGIA

SHEET 1 of 1 SHEETS

VERTICAL SCALE:	N/A
HORIZONTAL SCALE:	1" = 30'
DATE:	9-20-2021
DATE OF FIELD SURVEY:	9-17-2021
DRAWN BY:	SA
CHECKED BY:	DRJ
JOB NO.:	20-5000-C210

Exhibit "B"

LEGAL DESCRIPTION
Mitchell Street

All that tract of land lying and being in G.M.D. 411, Land Lot 153 of the 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar) at the right-of-way intersection of the southeasterly right-of-way of Davis Street, having a right-of-way width of forty (40) feet with the southwesterly right-of-way of Mitchell Street, having a variable right-of-way width, said point having a Georgia West Zone state plane coordinate of N:1558649.93 and E:2398579.00;

Thence, North 40 degrees 38 minutes 19 seconds East for a distance of 34.23 feet to a point on a grate inlet, said point being on the northeasterly right-of-way of said Mitchell Street;

Thence, South 46 degrees 25 minutes 12 seconds East for a distance of 383.26 feet along said northeasterly right-of-way to an iron pin set (1/2" rebar);

Thence, South 42 degrees 56 minutes 56 seconds West for a distance of 34.62 feet to an iron pin set (1/2" rebar) on the southwesterly right-of-way of said Mitchell Street;

Thence, North 46 degrees 24 minutes 37 seconds West for a distance of 160.00 feet along said southwesterly right-of-way to a point;

Thence, North 46 degrees 14 minutes 21 seconds West for a distance of 100.30 feet continuing along said southwesterly right-of-way to an iron pin found (1/2" rebar);

Thence, North 46 degrees 22 minutes 45 seconds West for a distance of 121.58 feet continuing along said southwesterly right-of-way to an iron pin set (1/2" rebar) at the **POINT OF BEGINNING.**

Containing within said bounds an area of 0.302 acres more or less as shown on a Right-of-Way Abandonment Plat for Koch Foods of Gainesville, LLC, prepared by Atlas Technical Consultants, LLC, dated 9-20-2021. Said plat by specific reference is made a part hereof.

AFFIDAVIT OF PUBLICATION

State of Georgia
County of Hall

Personally appeared before the undersigned, Megan Lewis, who having been duly sworn, on oath, says that she is the Inside Sales Representative of THE TIMES, and that the Advertisement was Published in THE TIMES:

Ad# 105996
Miscellaneous
Mitchell Street
Published:
The Times: 3/23/2022, 3/30/2022

_____
Megan Lewis, Affiant

Verified____X_____

Sworn to and Subscribed before me

This 30th day of March 2022.

_____
Notary Public, my commission expires September 22, 2024.

LAWS; AND FOR OTHER PURPOSES.
A copy of the proposed ordinance to amend the Town Charter of the Town of Clermont, Georgia, to provide revised Councilmember election wards for the Mayor and Town Council of the Town of Clermont, Georgia in response to the 2020 U.S. decennial census is available for inspection through the Town Clerk at Clermont Town Hall, 109 King Street, Clermont, Georgia
and in the office of the Clerk of the Superior Court of Hall County, at the Hall County Courthouse, 225 Green Street, S.E., Gainesville, Georgia. The public is invited to attend and observe the meeting.
105429 3/16,23,30

NOTICE OF SERVICE BY PUBLICATION: On July 6, 2021, Plaintiff Nelda Madriz filed a Complaint for Damages in the State Court of Hall County, State of Georgia, against Georgia Waste Systems, Inc. and Timothy R. Shirley styled Civil Action File No. 2021SV615Z. On October 27, 2021, the Court issued an Order for Service by Publication to serve Defendant Timothy R. Shirley, whose last known address is 36 Katie Lane, Commerce, Georgia 30529 in Jackson County, Georgia. Timothy R. Shirley is hereby commanded to file with the clerk and serve upon the Plaintiff's Attorney John Morrison at The Law Offices of John Morrison, LLC, 1955 Lower Roswell Road, Marietta, GA 30068, an answer within 60 days of the date of the order for service by publication. Submitted by John Morrison, Attorney for Plaintiff, Ga. Bar No. 705115.
106100 3/23,30,4/6,13

Peach State Bank & Trust has filed an application with the Federal Deposit Insurance Corporation ("FDIC") and the Georgia Department of Banking and Finance ("GDBF") to relocate its Main Office from 325 Washington Street, Gainesville, Georgia to 121 EE Butler Parkway, Gainesville, Georgia. Any person wishing to comment on this application may file his or her comments in writing with the regional director of the Federal Deposit Insurance Corporation at the Atlanta Regional FDIC Office located at 10 Tenth Street NE, Suite 800, Atlanta, Georgia 30309-3849 not later than March 31, 2022. The non-confidential portions of the application are on file at the appropriate FDIC office and are available for public inspection during regular business hours.
105925 3/16,23

PUBLIC NOTICE
In accordance with O.C.G.A. § 32-7-4(b)(2)(B), public notice is hereby given that the City of Gainesville has listed a portion of a public road within its jurisdiction known as Mitchell Street, as more particularly described as: All that tract of land lying and being in G.M.D. 411, Land Lot 153 of the 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:
BEGINNING at an iron pin set (1/2" rebar) at the right-of-way intersection of the southeasterly right-of-way of Davis Street, having a right-of-way width of forty (40) feet with the southwesterly right-of-way of Mitchell Street, having a variable right-of-way width, said point having a Georgia West Zone state plane coordinate of N:1558649.93 and E:2398579.00;
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Thence, South 46 degrees 25 minutes 12 seconds East for a distance of 383.26 feet along said northeasterly right-of-way to an iron pin set (1/2" rebar);
Thence, South 42 degrees 56 minutes 56 seconds West for a distance of 34.62 feet to an iron pin set (1/2" rebar) on the southwesterly right-of-way of said Mitchell Street;
Thence, North 46 degrees 24 minutes 37 seconds West for a distance of 160.00 feet along said southwesterly right-of-way to a point;
Thence, North 46 degrees 14 minutes 21 seconds West for a distance of 100.30 feet continuing along said southwesterly right-of-way to an iron pin found (1/2" rebar);
Thence, North 46 degrees 22 minutes 45 seconds West for a distance of 121.58 feet continuing along said southwesterly right-of-way to an iron pin set (1/2" rebar) at the POINT OF BEGINNING.
Containing within said bounds an area of 0.302 acres more or less as shown on a Right-of-Way Abandonment Plat for Koch Foods of Gainesville, LLC, prepared by Atlas Technical Consultants, LLC, dated 9-20-2021. Said plat by specific reference is made a part hereof. The real property described above is hereinafter referred to as "the Property."
The City of Gainesville has listed the Property with Will Cobb of The Norton Agency, a licensed real estate broker. Questions regarding the Property may be directed to Will Cobb at 770-654-7791.
105996 3/23,30

PUBLIC NOTICE
In accordance with O.C.G.A. § 36-37-6(c), public notice is hereby given within six weeks preceding the closing of the proposed exchange of real properties between the City of Gainesville, Georgia and Midland Gainesville MF, LLC. Based on an appraisal of the real properties to be exchanged, the value of the real property to be acquired by the City of Gainesville from Midland Gainesville MF, LLC is of greater value than the real property to be granted to Midland Gainesville MF, LLC by the City of Gainesville.
The real property to be acquired by the City of Gainesville from Midland Gainesville MF, LLC is described as the following tracts numbered as Tracts 1 through 6:
TRACT 1 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR BANKS STREET
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EXISTING NORTHERN RIGHT-OF-WAY OF BANKS STREET (35' R/W); THENCE ALONG THE EXISTING NORTHERN RIGHT-OF-WAY OF SAID BANKS STREET, SOUTH 58°46'22" WEST, A DISTANCE OF 337.10 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF PIERCE FAMILY, L.P. AND THE PROPERTY NOW OR FORMERLY OF STANLEY D. & CHRISTY PIERCE, NORTH 59°02'02" EAST, A DISTANCE OF 139.08 FEET TO A POINT; THENCE ALONG THE PROPERTY NOW OR FORMERLY OF SAID STANLEY D. & CHRISTY PIERCE AND THE PROPERTIES NOW OR FORMERLY OF DAVID PIERCE FAMILY, LP, NORTH 58°56'29" EAST, A DISTANCE OF 93.30 FEET TO A POINT; THENCE NORTH 58°17'37" EAST, A DISTANCE OF 93.36 FEET TO A POINT; THENCE SOUTH 77°59'43" EAST, A DISTANCE OF 15.53 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.078 ACRE OR 3,404 SQUARE FEET.
TRACT 2 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR ST. THOMAS DRIVE
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EXISTING SOUTHEASTERN RIGHT-OF-WAY OF SAID ST. THOMAS DRIVE (37.26' R/W); THENCE ALONG THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF SAID GORDON AVENUE, SOUTH 66°31'35" EAST, A DISTANCE OF 30.91 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF ROBSON CROSSING, LLC, NORTH 88°03'25" WEST, A DISTANCE OF 32.70 FEET TO A POINT ON THE EXISTING SOUTHEASTERN RIGHT-OF-WAY OF SAID SAINT THOMAS DRIVE; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 21°06'19" EAST, A DISTANCE OF 12.01 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINS 0.004 ACRE OR 185 SQUARE FEET.
TRACT 3 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR GORDON AVENUE-1
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EXISTING NORTHWESTERN RIGHT-OF-WAY OF BANKS STREET (35' R/W); THENCE LEAVING SAID INTERSECTION AND INTO THE PROPERTY NOW OR FORMERLY OF DAVID PIERCE FAMILY, LP, THE PROPERTY NOW OR FORMERLY OFCHARLES DUANE PIERCE, THE PROPERTY NOW OR FORMERLY OF HUBERT DANIEL GIBSON AND THE PROPERTY NOW OR FORMERLY OF ORBSON CROSSING, LLC THE FOLLOWING COURSES AND DISTANCES: NORTH 77°59'43" WEST, A DISTANCE OF 15.53 FEET TO A POINT; THENCE 168.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 5809.79 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 27°12'05" WEST, 168.25 FEET TO A POINT; THENCE NORTH 27°54'09" WEST, A DISTANCE OF 12.23 FEET TO A POINT; THENCE 45.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 73.87 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 45°06'46" WEST, 44.67 FEET TO A POINT; THENCE NORTH 64°53'25" WEST, A DISTANCE OF 15.50 FEET TO A POINT; THENCE NORTH 66°19'51" WEST, A DISTANCE OF 142.58 FEET TO A POINT; THENCE NORTH 22°40'28" EAST, A DISTANCE OF 10.38 FEET TO A POINT ON THE SOUTHWESTER RIGHT-OF-WAY OF SAID GORDON AVENUE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES: SOUTH 66°31'35" EAST, A DISTANCE OF 153.32 FEET TO A POINT; THENCE 57.88 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 85.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 47°01'11" EAST, 56.77 FEET TO A POINT; THENCE SOUTH 27°30'48" EAST, A DISTANCE OF 190.37 FEET TO THE TRUE POINT OF BEGINNING.
SAID TRACT CONTAINS 0.099 ACRE OR 4,301 SQUARE FEET.
TRACT 4 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR GORDON AVENUE-2
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EXISTING NORTHWESTERN RIGHT-OF-WAY OF PARKER STREET (ASSUMED 40' R/W); THENCE ALONG THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF SAID GORDON AVENUE, NORTH 66°31'35" WEST, A DISTANCE OF 10.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTER RIGHT-OF-WAY OF SAID GORDON AVENUE, NORTH 66°31'35" WEST A DISTANCE OF 201.06 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF ROBSON CROSSING, LLC, NORTH 23°28'25" EAST, A DISTANCE OF 3.00 FEET TO A POINT; THENCE SOUTH 66°31'35" EAST, A DISTANCE OF 201.56 FEET TO A POINT; THENCE SOUTH 32°55'47" WEST, A DISTANCE OF 3.04 FEET TO THE TRUE POINT OF BEGINNING.
SAID TRACT CONTAINS 0.014 ACRE OR 604 SQUARE FEET.
TRACT 5 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR EAST AVENUE
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN MITERED RIGHT-OF-WAY OF EAST AVENUE (ASSUMED 40' R/W) WITH THE EXISTING NORTHWESTERN RIGHT-OF-WAY OF PARKER STREET (ASSUMED 40' R/W); THENCE ALONG THE EXISTING NORTHWESTERN RIGHT-OF-WAY OF SAID PARKER STREET, SOUTH 59°49'34" WEST, A DISTANCE OF 6.57 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF ROBSON CROSSING, LLC. THE FOLLOWING COURSES AND DISTANCES: NORTH 54°37'51" WEST, A DISTANCE OF 87.95 FEET TO A POINT; THENCE NORTH 07°00'29" WEST, A DISTANCE OF 14.02 FEET TO A POINT ON THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF SAID EAST AVENUE; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 54°37'56" EAST, A DISTANCE OF 99.66 FEET TO A POINT ON SAID MITERED RIGHT-OF-WAY; THENCE ALONG SAID MITER, SOUTH 29°21'15" WEST, A DISTANCE OF 4.40 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINS 0.022 ACRE OR 979 SQUARE FEET.
TRACT 6 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR PARKER STREET
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN MITERED RIGHT-OF-WAY OF EAST AVENUE (ASSUMED 40' R/W) WITH THE EXISTING NORTHWESTERN RIGHT-OF-WAY OF PARKER STREET (ASSUMED 40' R/W); THENCE ALONG THE EXISTING NORTHWESTERN RIGHT-OF-WAY OF SAID PARKER STREET THE FOLLOWING COURSES AND DISTANCES: SOUTH 59°49'34" WEST, A DISTANCE OF 91.18 FEET TO A POINT; THENCE 81.40 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 171.88 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 46°15'31" WEST, 80.64 FEET TO A POINT; THENCE SOUTH 32°41'29" WEST, A DISTANCE OF 127.27 FEET TO A POINT AT THE RIGHT-OF-WAY INTERSECTION OF THE NORTHWESTERN RIGHT-OF-WAY OF SAID PARKER STREET WITH THE NORTHEASTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W); THENCE ALONG THE NORTHEASTERN RIGHT-OF-WAY OF SAID GORDON AVENUE NORTH 66°31'35" WEST, A DISTANCE OF 10.29 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF ROBSON CROSSING, LLC, THE FOLLOWING COURSES AND DISTANCES: NORTH 32°55'47" EAST, A DISTANCE OF 131.26 FEET TO A POINT; THENCE 83.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 189.20 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 46°22'36" EAST, 82.96 FEET TO A POINT; THENCE NORTH 58°56'13" EAST, A DISTANCE OF 86.04 FEET TO A POINT; THENCE SOUTH 54°37'51" EAST, A DISTANCE OF 12.45 FEET TO THE TRUE POINT OF BEGINNING.
SAID TRACT CONTAINS 0.069 ACRE OR 3,023 SQUARE FEET.
The real property to be acquired by Midland Gainesville MF, LLC from the City of Gainesville is described as: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9TH DISTRICT, HALL COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN FOUND (1/2" REBAR) AT THE INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EASTERN RIGHT-OF-WAY OF LONGSTREET AVENUE (20' R/W); THENCE ALONG SAID EASTERN RIGHT-OF-WAY AND THE WESTERN PROPERTY LINE OF THE PROPERTIES NOW OR FORMERLY OF CHARLES DUANE PIERCE AND PIERCE FAMILY, L.P., SOUTH 24°29'19" WEST, A DISTANCE OF 199.95 FEET TO A POINT ON THE SOUTHERN RIGHT-OF-WAY OF LONGSTREET AVENUE (37.26' R/W); THENCE ALONG SAID SOUTHERN RIGHT-OF-WAY AND THE NORTHERN PROPERTY LINE OF THE PROPERTIES NOW OR FORMERLY OF PIERCE FAMILY, L.P. AND DAVID PIERCE FAMILY, L.P., NORTH 66°47'55" WEST, A DISTANCE OF 210.99 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY OF SAINT THOMAS DRIVE (37.26' R/W); THENCE ALONG SAID EASTERN RIGHT-OF-WAY, NORTH 20°25'18" WEST, A DISTANCE OF 37.57 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY OF SAID LONGSTREET AVENUE (37.26' R/W); THENCE ALONG SAID NORTHERN RIGHT-OF-WAY AND THE SOUTHERN PROPERTY LINES OF THE PROPERTIES NOW OR FORMERLY OF ROBSON CROSSING, LLC., SOUTH 66°47'55" EAST, A DISTANCE OF 191.03 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY OF SAID LONGSTREET AVENUE (20' R/W); THENCE ALONG SAID WESTERN RIGHT-OF-WAY AND THE EASTERN PROPERTY LINES OF THE PROPERTIES NOW OR FORMERLY OF ROBSON CROSSING, LLC. AND HUBERT DANIEL GIBSON, NORTH 24°29'19" EAST, A DISTANCE OF 162.51 FEET TO AN IRON PIN FOUND ON THE SOUTHERN RIGHT-OF-WAY OF SAID GORDON AVENUE; THENCE ALONG SAID SOUTHERN RIGHT-OF-WAY, SOUTH 66°31'35" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.255 ACRE OR 11,117 SQUARE FEET.
105837 3/16,23,30,4/6

The Gainesville Housing Authority is opening its waiting list for affordable housing units funded through HUD's Project Based Rental Assistance program at Walton Harbor. The waiting list will open on April 4th. Rents are based on income. Please go to www.waltonharbor.com to apply for the waiting list. The link to apply will not be available until April 4th. The waiting list is only open for Walton Harbor.
105622 3/9,16,23,30,4/6

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re
GLORIA DENISE RUCKER
CIVIL ACTION
FILE NO.: 2022CV25B
NOTICE OF PETITION FOR NAME CHANGE
Gloria Denise Rucker filed a petition in the Hall County, Superior Court on the 5th day of January 2022 to change the name from Gloria Denise Rucker to
Gloria Denise Shields.
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
This 19th day of January 2022.
/s/Andre M Robertson
Georgia Bar No.: 521899
264 College Avenue SE
Gainesville, Georgia 30501
770-532-7485
Andrerobertson97@gmail.com
105551 3/9,16,23,30

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE NAME CHANGE OF: BERRY JEANNE EZRINE Petitioner
CIVIL ACTION FILE NO:2022CV144A
NOTICE OF PUBLICATION
By Order for service by Publication dated the 23rd day of February 2022, you are hereby notified that on the 27th day of January 2022 a Petition for Name Change in the Superior Court of Hall County was filed. BERRY JEANNE EZRINE desires to change her name to BERRY JEANNE KIRK. Any interested or affected party has the right to appear and file objections within thirty (30) days of the date the Petition for Name Change was filed.
WITNESS , the Honorable C. Andrew Fuller Judge of this Superior Court. This the 24th day of February 2022.
Attorney:
/s/ Troy R. Millikan
Troy Millikan
Post Office Box 679
Gainesville, GA 30502
Office (770) 536-7970
105300 3/2,9,16,23

IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
In re the Name Change of Alba Miesell
Petitioner
Civil Action Case Number 22-CV-412W
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Alba Miesell filed a petition in the Hall County Superior Court on March 9 2022 to change the name from Alba Miesell to Alba G Reyes
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated 3/9/2022
/s/ Alba Miesell
105865 3/16,23,30,4/6

NOTICE OF NAME CHANGE
PLEASE TAKE NOTICE that on the 24th day of February, 2022, Jenna Noelle Matz filed a Petition in the Superior Court of Hall County, Georgia, Civil Action File number 2022CV343J, seeking a name change for herself to be changed from Jenna Noelle Matz to Jenna Noelle Calomeris. Any interested or affected party has the right to appear and file objections. At the expiration of thirty (30) days from the filing of the Petition, upon proof of publication, and if no objection is filed, the Court shall proceed to hear and determine all matters raised by said Petition. Submitted by Petitioner's Counsel Jerry C. Carter, Jr. 621 Spring Street SE, Gainesville, Georgia 30501.
105382 3/9,16,23,3/2

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of:
Carlos Soto
Petitioner.
Civil Action
case Number 22-CV-353C
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Carlos Soto filed a petition in the Superior Court of Hall County on February 2022to change the name from Carlos Soto to Carlos Guzman
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated 2/28/22
/s/ Carlos Soto
Petitioner, Prose
105432 3/9,16,23,30

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of:
Romel Danilo Regalado Apolo, Petitioner
Civil Action File No: 2022CV160B
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Romel Danilo Regalado Apolo filed a petition in the Superior Court of Hall County on 02/01/2022, to change the name from: Romel Danilo Regalado Apolo to Romel Danilo Apolo. Any interested party has the right to appear in this said case and file objections within 30 days after the Petition was filed.
Dated: 02/01/2022
105572 3/9,16,23,30

SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
In re the Name Change of
Jasper Ward Williams-Crawford Jr
Petitioner
Civil Action Case Number 22-CV-317C
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Jasper Ward Williams-Crawford Jr filed a petition in the Superior Court of Hall County on February 22, 2022 to change the name from Jasper Ward Williams-Crawford Jr to Jasper Ward Crawford. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
/s/ Jasper Ward Williams-Crawford Jr
Petitioner pro se
105177 3/2,9,16,23

SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
In re the Name Change of
Quatrina Lee Jones
Petitioner
CiviLAction Case Number 22CV367C
Notice of Petition to Change Name of Adult
Quatrina Lee Jones filed a petition in the Superior Court of Hall County on MArch 02,2022 to change the name from Quatrina Lee Jones to Quatrina Lee Powell
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated 03/02/2022
/s/Quatrina Lee Jones
Petitioner Pro se
105764 3/16,23,30,4/6

SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
In re the Name Change of Breaunna Michelle Tate
Petitioner
Civil Acion Case Number 2022CV292J
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Breaunna Michelle Tate filed a petition in the Superior Court of Hall County on February 18th 2022 to change the name from Breaunna Michelle Tate to Michael Blaise Tate Any interested party has the right to appear in this case and file objections within 30 days after the petition was filed..
Dated 2/18/2022
/s/Breaunna Michelle Tate
Petitioner Pro se
105105 3/2,9,16,23

SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
In re the Name Change of Children
Kayla Alexa Alfaro Peres
Francisco Antonio Godinez
Petitioner
V
Sanjuana Alfano Peres
Respondent
Civil Action Case Number 2022CV187W
NOTICE OF PETITION TO CHANGE NAMES OF MINOR CHILDREN
Francisco Antonio Godinez filed a petition in the Superior Court of Hall County on January 28th 2022 to change the names of the following minor children
From
Kayla Alexa Alfaro Peres to Kayla Antonio
Any interested party has the right to appear in this cse and file objections within the time prescribed in OCGA ss 19-12-1(f) (2) and (3)
Dated 01/28/2022
/s/Francisco Antonio Godinez
Petitioner Pro se
105097 3/2,9,16,23

Public Hearings

Georgia Department of Transportation
Public Information Open House
For P.I. No. 122060
Hall County
The Georgia Department of Transportation (DOT) is placing project information for review and feedback into an internet platform to allow citizens to review and comment on the proposed project. We appreciate your participation in this process.
Georgia DOT has posted information related to the proposed State Route (SR) 11/US 129/ Cleveland Highway widening project at http://www.dot.ga.gov/AboutGDOT/PublicOutreach.
This project proposes to widen an approximately 1.3-mile section of SR 11/US 129/Cleveland Highway from two to four lanes and, beginning south of Indian Trail Road (North), approximately 1.3 miles of SR 11/US 129/ Cleveland Highway would be relocated

Address: PO Box 1778, Flowery Branch, GA 30542-0030
Telephone #: 770-381-1140
105910 3/16,23,30

ABANDONED MOTOR VEHICLE PETITION ADVERTISEMENT
You are hereby notified, in accordance with O.C.G.A. Section 40-11-19.1, that petitions were filed in the Magistrate Court of HALL County to foreclose liens against the vehicles listed below for all amounts owed. If a lien is foreclosed, the Court shall order the sale of the vehicle to satisfy the debt. The present location of the vehicles is: Statewide Wrecker Service, Inc. 2315 Murphy Blvd, Gainesville, GA 30504
Anyone with an ownership interest in a vehicle listed herein may file an answer to the petition on or before: 04/18/2022
Answer forms may be found in the Magistrate Court Clerk's office.
Forms may also be obtained online at www.georgiamagistratecouncil.com.
2004 Ford F-250 Super Duty; 1FTNW20P44EA51538; PZX2775 (Georgia); MV-2022-191400
1966 Chevrolet Pickup; C2546S 222457; RTM4774 (Georgia); MV-2022-191399
2004 Mercedes-Benz E500; WDBUF70J54A508562; S0155151 (Georgia); MV-2022-191402
MAG 40-10
106480 3/30,4/6,13

Hideaway Bay Marina will sell at public auction the following vessels and or trailers at 9:00 A.M. on Saturday April 2nd, 2022. The sell will take place at Hideaway Bay Marina, 6334 Mitchell St. Flowery Branch, GA 30542.
Notice is hereby given to:
Braxton Trina
1995 19' Chaparral SST
If not redeemed within the prescribed time, all cost imposed on said vessel herein shall be disposed of by public sale outlined by Georgia Law, O.C.G.A 11-1-201. These boats with all attachments, riggings, fixtures, equipment, personality, improvements, and contents located at 6334 Mitchell St, Flowery Branch, GA 30542 in which he/she is listed as owner has been abandoned. Owner has ten days from the first posting of this notice to contact Hideaway Bay Marina who is in possession of said vessel. Proceeds will be used to satisfy debt created by account holder to Hideaway Bay Marina. Boats are sold "as is". Payment must be made by certified funds at the time of purchase. For Further information please contact Hideaway Bay Marina at 770-967-5500.
106039 3/23,30

IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
Fredy Rodriguez Hernandez
Plaintiff,
V.
Brittany Brooks Ojeda
Defendant.
CIVIL ACTION
FILE NO.: 2022CV248W
NOTICE OF PUBLICATION
By order for service by publication dated the 11th day of February 2022 you are hereby notified that on the 11th day of 2022 Fredy Rodriguez Hernandez filed suit against you for Contempt.
You are required to file with the Clerk of the Superior Court and serve upon Plaintiffs counsel, Inez Grant, P.O. Box 246, Gillsville, Georgia 30543, an Answer in writing within sixty (60) days of the date of the order for publication.
Witness, the Honorable Bearden Judge of this Superior Court.
This the 28 day of February, 2022.
Deputy Clerk, Superior Court
105464 3/9,16,23,30

IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
JENNIFER TAPP, a Georgia resident
Petitioner,
vs.
3898 TROTTER ROAD, HALL COUNTY, GEORGIA 30506, BEING TAX MAP AND PARCEL NUMBER AND Tax Parcel ID: 10142000004 PER RECORDS OF HALL COUNTY TAX COMMISSIONER AND PLATS AND PLAT MAPS OF HALL COUNTY TAX ACCESSORS OFFICE AND AS FURTHER DESCRIBED IN DEED BOOK 7246, PAGE 496, DEED BOOK 3734, PAGE 499, DEED BOOK 3671, PAGES 424-6 AND DEED BOOK 2307, PAGE 189 HALL COUNTY RECORDS AND as the Respective Interests May Be or Appear: ROBBIE GONTERMAN AND OWNER, TENANT OR OCCUPANT OF THE PROPERTY OTHER THAN PETITIONER AND LIEN HOLDERS AND UNKNOWN PARTIES WITH ANY INTEREST IN THE SUBJECT PROPERTY,
Respondents.
CIVIL ACTION
File No. 2022CV441A
NOTICE OF FILING OF PETITION TO QUIET TITLE PURSUANT TO O.C.G.A. § 23-3-40 ET. SEQ.
To: (i) ROBBIE GONTERMAN and all other persons who might claim any interest in the subject property.
(ii) Unknown parties with any interest in the subject property.
You are hereby notified that a Petition to Quiet Title Pursuant to O.C.G.A. § 23-3-40 ET. SEQ. for the following described property (the "Property"):3898 TROTTER ROAD, HALL COUNTY, GEORGIA 30506, BEING TAX MAP AND PARCEL NUMBER AND Tax Parcel ID: 10142000004 PER RECORDS OF HALL COUNTY TAX COMMISSIONER AND PLATS AND PLAT MAPS OF HALL COUNTY TAX ACCESSORS OFFICE AND AS FURTHER DESCRIBED IN DEED BOOK 7246, PAGE 496, DEED BOOK 3734, PAGE 499, DEED BOOK 3671, PAGES 424-6 AND DEED BOOK 2307, PAGE 189 HALL COUNTY RECORDS.
has been filed in the Superior Court of Hall County, Georgia, Case No. File No. 2022CV441A, on March 14, 2022, which Petition seeks to establish title to the Property in the name of Petitioner.
Generally, the Petition alleges that Respondent failed to pay her ad valorem taxes on the Property, that: (i) after proper and due notice of delinquent tax payments; (ii) after proper and due notice of a tax sale of the Property; (iii) at a proper and due auction of the Property by the Hall County Sheriff's office Petitioner acquired title to the Property by tax deed; (iv) after one (1) year Petitioner properly foreclosed on Petitioner's right of redemption, Petitioner is entitled to an Order granting Petitioner good and marketable title to the Property.
You may obtain a copy of this Petition from the Clerk of Superior Court of Hall County, located at 225 Green St SE, Gainesville, GA 30501 or (770) 531-7025.
After you review the Petition, you must file your written answer and objections to the Petition with the Clerk of Superior Court. You must also serve a copy of your answer upon the Petitioner, whose address is as follows: c/o Louis Bridges, Law Office of Louis E. Bridges, LLC, 5784 Lake Forrest Drive
Suite 270, Atlanta, Georgia 30328. Your answer must be made within thirty (30) days of the date of the filing.
Signed this __ day of March, 2022.
Prepared and Presented by: LAW OFFICE OF LOUIS E. BRIDGES, LLC
Louis E. Bridges
Attorney for Petitioner
Louis E. Bridges
5784 Lake Forrest Drive
Suite 270
Atlanta, GA 30328
Telephone Number (404) 845-4001
Facsimile Number (404) 845-4031
E-mail: lbridges@lbridgeslaw.com
106294 3/30,4/6,13,20

IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA
ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC F/K/A RAS CRANE LLC,
Petitioner,
v.
FRANK THOMPSON; DAVID THOMPSON; THE UNKNOWN HEIRS OF MARTHA THOMPSON, DECEASED
Respondents.
CIVIL ACTION
FILE NO. 2021CV31C
NOTICE OF PUBLICATION
To: THE UNKNOWN HEIRS OF MARTHA THOMPSON, DECEASED
You are hereby notified that the above styled action seeking Verified Complaint for Equitable Interpleader on January 11, 2021 and that by reason of an Order for Service by Publication entered by the Court on March 9, 2021, you are hereby commanded and required to file with the Clerk of said Court and serve upon Plaintiff's Attorney whose address is:
Angelo Vasilescu
Robertson Anschutz Schneid, Crane & Partners, PLLC
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
an answer to the complaint within sixty (60) days of the date of the Order for Service by Publication.
Witness the Honorable Jason Deal, Judge of this Court.
This 14th day of August, 2022.
Charles Baker
Clerk, Superior Court
Hall County, Georgia
105980 3/23,30,4/,6,13

LEGAL AND PUBLIC NOTICE
Chafin Land Development, LLC is filing an application for a cemetery relocation permit with the City of Gainesville, Georgia. The cemetery is located within tax parcel 08024 005008A, in Land Lot 25, 8th District, Oakwood, Hall County, Georgia, and is approximately 580 feet east of Apache Circle or 870 feet northeast of its intersection with Old Oakwood Road. The cemetery is on a tract of land owned by Butler Property, LLC (Deed Book 6749, Page 226, Clerk of Superior Court, Hall County, Georgia). Based on ongoing research, it is possible that members of the Godfrey Luther, Ervin (Irvin) Strickland, Sr., Lewis Tumlin, Francis Mooney, Daniel and Asberry Bagwell and/or Russell Smith families were interred at this place. The subject property was owned by the Arthur E. Smith family throughout the 20th century. Members of other families may be buried here as well. If you are a descendant of individuals buried in the subject cemetery or if you know someone who may be, please contact Mr. Neil Bowen at: 770 345-0706; by e mail at: nbowen.rswa@gmail.com; or by mail at: R.S. Webb & Associates, P.O. Drawer 1319, Holly Springs, Ga.,30142.
103434 1/12,19,26,2/2,9,16, 23,3/2,9,16
3/30, 4/6

NOTICE AS TO PROPOSED AMENDMENT TO THE TOWN CHARTER
TO PROVIDE FOR REVISED COUNCIL MEMBER ELECTION WARDS
FOR THE MAYOR AND TOWN COUNCIL
FOR THE TOWN OF CLERMONT, GEORGIA
IN RESPONSE TO THE 2020 U.S. DECENNIAL CENSUS
Notice is given that the Mayor and Council of Clermont, Georgia shall conduct a public meeting at Clermont Chattahoochee Center, 639 Main Street, Clermont, Georgia at 6:00 p.m. on Tuesday, April 5, 2022 to have the proposed passage of an ordinance to amend the Town Charter to provide for revised Council Member election wards for the Mayor and Town Council for the Town of Clermont, Georgia in response to the 2020 U.S. decennial census, and which includes the following matters:
AN ORDINANCE TO AMEND THE TOWN CHARTER OF THE TOWN OF CLERMONT, GEORGIA, AS AMENDED, SO AS TO CHANGE THE DESCRIPTION OF THE CLERMONT TOWN COUNCIL ELECTION WARDS FOR THE TOWN COUNCIL OF THE TOWN OF CLERMONT, GEORGIA; TO PROVIDE FOR DEFINITIONS AND INCLUSIONS; TO PROVIDE FOR CONTINUANCE IN OFFICE OF CURRENT MEMBERS; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.
A copy of the proposed ordinance to amend the Town Charter of the Town of Clermont, Georgia, to provide revised Councilmember election wards for the Mayor and Town Council of the Town of Clermont, Georgia in response to the 2020 U.S. decennial census is available for inspection through the Town Clerk at Clermont Town Hall, 109 King Street, Clermont, Georgia and in the office of the Clerk of the Superior Court of Hall County, at the Hall County Courthouse, 225 Green Street, S.E., Gainesville, Georgia. The public is invited to attend and observe the meeting.
105429 3/16,23,30

NOTICE IS HEREBY GIVEN that on the 2nd day of January, 2020, the location and design of the Sardis Road Connector Project (Federal Aid Project STP00-0003-00(626)), were approved. Said project consists of the widening, realignment, and reconstruction of existing roadways and the construction of new roadways to provide a connector roadway between Georgia State Route 53 to the South and Georgia State Route 60 to the North. The project will begin at the Sardis Road and Chestatee Road intersection and will extend northward approximately 3.55 miles to Georgia State Route 60 ending near the intersection of State Route 60 and Mount Vernon Road. The project is located in Land Districts 9 and 10 and G.M.D. 570 of Hall County, Georgia. The proposed roadway will consist of a four-lane curb and gutter divided roadway, having 2 lanes in each direction. The lanes will be separated by a 20-foot wide, 6 inch high curb and gutter median. Sidewalks will be provided on both sides of the road having a design speed limit of 45 mph. A plat or map of the project showing the exact date of the original location is on file at the office of Hall County Public Works, 2875 Browns Bridge Road, Gainesville, GA 30504, (770) 531-6800, and any interested party may obtain a copy of said plat or map by writing to Hall County Public Works and paying a nominal fee therefor.
106301 3/30,4/6,13,20

NOTICE OF SECOND DUI CONVICTION WITHIN 5 YEARS
TO BE PUBLISHED
Insert Photo
NAME: DAVID GARCIA-HERNANDEZ
CITY: GAINESVILLE, GA
COUNTY: HALL
ZIP CODE: 30504
ARREST DATE: 05/05/2019
ARREST TIME: 12:37 AM
ARREST LOCATION: HANCOCK AVE EXT @ GRIFFIN CIR
DISPOSTION: GUILTY
Hall County Superior & State Court
Charles Baker, Clerk
225 Green Street, SE
Gainesville, GA 30501
PUBLISHED PURSUANT TO O.C.G.A. 40-6-391A2
2019SR6001N
Page 2 of Photo Order
106493 3/30

NOTICE OF SECOND DUI CONVICTION WITHIN 5 YEARS
TO BE PUBLISHED
Insert Photo
NAME: JIMMIE RANDOLPH WEAVER
CITY: GAINESVILLE, GA
COUNTY: HALL
ZIP CODE: 30501
ARREST DATE: 11/20/2017
ARREST TIME: 07:48 PM
ARREST LOCATION: DAWSONVILLE HWY @ PEARL NIX PKWY
DISPOSTION: GUILTY
Hall County Superior & State Court
Charles Baker, Clerk
225 Green Street, SE
Gainesville, GA 30501
PUBLISHED PURSUANT TO O.C.G.A. 40-6-391A1
2018SR1926N
Page 2 of Photo Order
106495 3/30

NOTICE OF SERVICE BY PUBLICATION: On July 6, 2021, Plaintiff Nelda Madriz filed a Complaint for Damages in the State Court of Hall County, State of Georgia, against Georgia Waste Systems, Inc. and Timothy R. Shirley styled Civil Action File No. 2021SV615Z. On October 27, 2021, the Court issued an Order for Service by Publication to serve Defendant Timothy R. Shirley, whose last known address is 36 Katie Lane, Commerce, Georgia 30529 in Jackson County, Georgia. Timothy R. Shirley is hereby commanded to file with the clerk and serve upon the Plaintiff's Attorney John Morrison at The Law Offices of John Morrison, LLC, 1955 Lower Roswell Road, Marietta, GA 30068, an answer within 60 days of the date of the order for service by publication. Submitted by John Morrison, Attorney for Plaintiff, Ga. Bar No. 705115.
106100 3/23,30,4/6,13

Notice of Summons
Service by Publication
In the Superior Court of Jackson County
State of Georgia
Civil Action File No 21CV1097
Amanda Parker Plaintiff
v
Erik Rindahl Defendant
To Erik Rindahl
You are hereby notified that the above styled action seeking Petition for Minor Name Change was filed against you in said court on November 22,2021 and that by reason of an order for service of summons by publication entered by the court on December 27,2021 you are hereby commanded and required to file with the clerk of said court and serve upon Amanda Parker Plaintiff whose address is 517 Hoschton GA an answer to the complaint within sixty (60) days of the date of the order for service by publication if you fail to do so judgment by default will be taken against you for the relief demanded in the complaint
Witness the Honorable Joseph H Booth Judge of said court
This the day of 20
By
Clerk of Superior Court
County
106293 3/30,4/6,13,20

PUBLIC NOTICE OF CONCURRENCE WITH VRP COMPLIANCE STATUS REPORT AND REMOVAL FROM THE HAZARDOUS SITE INVENTORY
This is to inform all interested persons that the Environmental Protection Division (EPD) has completed its review of a Compliance Status Report (CSR) for the following property. EPD concurs with the responsible party's certification that this property is in compliance with the Risk Reduction Standards (RRS) of §391-3-19-.07 of the Georgia Rules for Hazardous Site Response (Rules). Therefore, EPD is removing this property and the associated sub-listed property from the Hazardous Site Inventory (HSI) in accordance with §391-3-19-.06(6)(b)1. of the Rules and §12-8-107(f) of the VRP Act.
Applicant/Responsible Party: Gainesville-Oakwood Properties, LLC
HSI Site No.: 10559
Tax Parcel ID #: 08044 002023
Site Name: Shade/Allied, Inc.
Street Address: 3701 Old Oakwood Road
City, County, Zip Code: Gainesville, Hall County, Georgia 30566
EPD Compliance Officer: Robert Mangum
Sub-listed property:
Applicant/Responsible Party: Gainesville-Oakwood Properties, LLC
HSI Site No.: 10559
Tax Parcel ID #: 08044 002008B
Site Name: Shade/Allied, Inc.
Street Address: 3707 Old Oakwood Road
City, County, Zip Code: Gainesville, Hall County, Georgia 30566
EPD Compliance Officer: Robert Mangum
106341 3/30

PUBLIC NOTICE
In accordance with O.C.G.A. § 32-7-4(b)(2)(B), public notice is hereby given that the City of Gainesville has listed a portion of a public road within its jurisdiction known as Mitchell Street, as more particularly described as: All that tract of land lying and being in G.M.D. 411, Land Lot 153 of the 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:
BEGINNING at an iron pin set (1/2" rebar) at the right-of-way intersection of the southeasterly right-of-way of Davis Street, having a right-of-way width of forty (40) feet with the southwesterly right-of-way of Mitchell Street, having a variable right-of-way width, said point having a Georgia West Zone state plane coordinate of N:1558649.93 and E:2398579.00;
Thence, North 40 degrees 38 minutes 19 seconds East for a distance of 34.23 feet to a point on a grate inlet, said point being on the northeasterly right-of-way of said Mitchell Street;
Thence, South 46 degrees 25 minutes 12 seconds East for a distance of 383.26 feet along said northeasterly right-of-way to an iron pin set (1/2" rebar);
Thence, South 42 degrees 56 minutes 56 seconds West for a distance of 34.62 feet to an iron pin set (1/2" rebar) on the southwesterly right-of-way of said Mitchell Street;
Thence, North 46 degrees 24 minutes 37 seconds West for a distance of 160.00 feet along said southwesterly right-of-way to a point;
Thence, North 46 degrees 14 minutes 21 seconds West for a distance of 100.30 feet continuing along said southwesterly right-of-way to an iron pin found (1/2" rebar);
Thence, North 46 degrees 22 minutes 45 seconds West for a distance of 121.58 feet continuing along said southwesterly right-of-way to an iron pin set (1/2" rebar) at the POINT OF BEGINNING.
Containing within said bounds an area of 0.302 acres more or less as shown on a Right-of-Way Abandonment Plat for Koch Foods of Gainesville, LLC, prepared by Atlas Technical Consultants, LLC, dated 9-20-2021. Said plat by specific reference is made a part hereof. The real property described above is hereinafter referred to as "the Property."
The City of Gainesville has listed the Property with Will Cobb of The Norton Agency, a licensed real estate broker. Questions regarding the Property may be directed to Will Cobb at 770-654-7791.
105996 3/23,30

PUBLIC NOTICE
In accordance with O.C.G.A. § 36-37-6(c), public notice is hereby given within six weeks preceding the closing of the proposed exchange of real properties between the City of Gainesville, Georgia and Midland Gainesville MF, LLC. Based on an appraisal of the real properties to be exchanged, the value of the real property to be acquired by the City of Gainesville from Midland Gainesville MF, LLC is of greater value than the real property to be granted to Midland Gainesville MF, LLC by the City of Gainesville.
The real property to be acquired by the City of Gainesville from Midland Gainesville MF, LLC is described as the following tracts numbered as Tracts 1 through 6:
TRACT 1 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR BANKS STREET
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EXISTING NORTHERN RIGHT-OF-WAY OF BANKS STREET (35'R/W); THENCE ALONG THE EXISTING NORTHERN RIGHT-OF-WAY OF SAID BANKS STREET, SOUTH 58°46'22" WEST, A DISTANCE OF 337.10 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF PIERCE FAMILY, L.P. AND THE PROPERTY NOW OR FORMERLY OF STANLEY D. & CHRISTY PIERCE, NORTH 59°02'02" EAST, A DISTANCE OF 139.08 FEET TO A POINT; THENCE ALONG THE PROPERTY NOW OR FORMERLY OF SAID STANLEY D. & CHRISTY PIERCE AND THE PROPERTIES NOW OR FORMERLY OF DAVID PIERCE FAMILY, LP, NORTH 58°56'29" EAST, A DISTANCE OF 93.30 FEET TO A POINT; THENCE NORTH 58°17'37" EAST, A DISTANCE OF 93.36 FEET TO A POINT; THENCE SOUTH 77°59'43" EAST, A DISTANCE OF 15.53 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.078 ACRE OR 3,404 SQUARE FEET.
TRACT 2 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR ST. THOMAS DRIVE
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT, CITY OF GAINESVILLE, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF GORDON AVENUE (40' R/W) WITH THE EXISTING SOUTHEASTERN RIGHT-OF-WAY OF SAINT THOMAS DRIVE (37.26' R/W); THENCE ALONG THE EXISTING SOUTHWESTERN RIGHT-OF-WAY OF SAID GORDON AVENUE, SOUTH 66°31'35" EAST, A DISTANCE OF 30.91 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF ROBSON CROSSING, LLC, NORTH 88°03'25" WEST, A DISTANCE OF 32.70 FEET TO A POINT ON THE EXISTING SOUTHEASTERN RIGHT-OF-WAY OF SAID SAINT THOMAS DRIVE; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 21°06'19" EAST, A DISTANCE OF 12.01 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINS 0.004 ACRE OR 185 SQUARE FEET.
TRACT 3 LEGAL DESCRIPTION: RIGHT-OF-WAY DEDICATION FOR GORDON AVENUE-1
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153, 9th DISTRICT,

ACBR
ATLANTA COMMERCIAL BOARD OF REALTORS®

ATLANTA COMMERCIAL BOARD OF REALTORS®, INC.

Exclusive Listing Agreement for Sale of Real Property

REALTOR®

This Exclusive Listing Agreement is made and entered into on this the 19th day of November, 2021, between The City of Gainesville as owner of the real property described herein, (hereinafter referred to as **"Owner"**), and The Norton Agency (hereinafter referred to as **"Broker"**).

WITNESSETH:

WHEREAS, Seller desires to sell real property situated Hall County, Georgia, known as .361 acres, located on Mitchell Street between Davis Street and Industrial Boulevard, Gainesville, Georgia. as more particularly described in Exhibit "A" attached hereto and by reference incorporated herein, including all buildings and improvements thereon and all fixtures and appurtenances, (all of the foregoing being collectively referred to hereinafter as the "Property").

WHEREAS, Broker is licensed by the Georgia Real Estate Commission as a real estate broker and will act as the limited agent of Seller with respect to the negotiations for the sale of Property. Broker is a member of the Atlanta Commercial Board of REALTORS®, Inc.

WHEREAS, Seller desires to engage the services of Broker to market and offer the Property for sale, and Broker desires to assist Seller in that connection, upon the terms, provisions and conditions contained hereinafter.

NOW THEREFORE, for and in consideration of the premises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **APPOINTMENT OF BROKER.** Seller hereby appoints Broker as its sole and exclusive limited agent for the term hereof with the sole exclusive right to offer the Property for sale or exchange at the Listing Price, on the terms and conditions contained herein, or for such other price and on such other terms as may be acceptable to Seller.

2. **BROKER/AGENCY RELATIONSHIPS.**

   (A) Broker's agency policy is to represent landlords, tenants, sellers, and purchasers, in the same transaction with disclosed dual agency when both the clients consent in writing, and with respect to the transactions specifically contemplated by this Agreement, seller and a prospective purchaser in the same transaction with disclosed dual agency when both clients consent in writing. Broker also offers designated agency by assigning different salespersons of Broker to represent solely each client to the exclusion of all other clients in the same transaction.

   (B) Unless otherwise required by law or Owner permits disclosure of the information by subsequent word or conduct, Broker agrees to maintain the confidentiality of all information identified as confidential by Owner, if that information is received by Broker during the term of this Agreement, as required by the Brokerage Relationships in Real Estate Transaction Act.

   (C) Broker has no other known agency relationships which would conflict with the interest of Owner (with the exception that Broker may represent other landlords and tenants in leasing property) except as follows:

   N/A.

3. **LISTING PRICE.** The Property shall be offered at a price of Seventy-five thousand dollars and 00/100 Dollars ($ 75,000.00), the "Listing Price" payable upon the following terms and conditions: cash at closing or any other price or other terms and conditions acceptable to Seller.

4. **LISTING TERM.** The term of this Agreement shall commence on the 22nd day of November, 2021, and shall terminate on the 13th day of April, 2022, (the "Expiration Date"). This term shall be automatically

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extended for N/A additional days unless Seller gives Broker written notice prior to said Expiration Date that the term will not be automatically extended. In the event that Seller enters into a sales contract while this Agreement is in effect, the term and other time periods set forth in this Agreement shall be automatically extended for a period of time equal to the number of days between the date of execution of said sales contract and the date said sales contract is finally terminated.

5. **COMMISSION.** In consideration of the services to be rendered by Broker to and for the benefit of Owner with respect to the listing for sale and procuring of a purchaser for the Property, Owner agrees to pay Broker a commission in an amount equal to TBD% of the gross sales price for the Property in the event that during the Term: (A) Owner enters into an enforceable contract for the sale or exchange of the Property, or any legal or equitable interest in the Property, with any purchaser, without exclusion as to any purchaser, whether by or through the efforts of Broker or any other person, including Owner; (B) Owner contributes or conveys the Property to a partnership, limited liability company, joint venture or other business entity; (C) in the event Owner is a corporation, limited liability company, partnership or other business entity and an interest in such corporation, partnership or other business entity is transferred, whether by merger, purchase or otherwise, in lieu of a sale of the Property; or (D) Broker individually or in cooperation with any other broker procures a person or business entity ready, able and willing to purchase the Property at the Listing Price. Owner also agrees to pay to Broker said commission if within n/a (n/a) days after termination of this Agreement, the Property, or any legal or equitable interest in the Property, is sold, exchanged or conveyed to any prospective purchaser whose attention has been called to the Property by Broker or any cooperating broker during the term of this Agreement. Broker shall deliver to Owner a notice in writing containing a list of such prospective purchasers on or before ten (10) days after the termination of this Agreement. If Owner enters into a listing agreement with another licensed real estate broker with respect to the Property after the termination of this Agreement, Owner shall exclude sales or exchanges of the Property to any prospective purchaser named in said written notice from said listing agreement for such n/a (n/a) day period. Prospective purchasers as used in this paragraph shall include such person or entity, their respective family members, and affiliates or other entities over which they may exercise control. Owner shall pay Broker such commission in immediately available U.S. funds either (i) at the time of the consummation of the sale or exchange of the Property, or (ii) in the event such commission is earned by Broker pursuant to subsection (D) of this Section 4, within five (5) days of procurement of a person or business entity ready, able and willing to purchase the Property at the Listing Price. Owner hereby expressly authorizes Broker to share the commission with any other licensed real estate broker or brokers in any proportion agreeable to Broker at the of closing the sale contemplated herein. The provisions of this paragraph shall survive the rescission, cancellation, termination or consummation of this Agreement.

6. **BROKER'S AUTHORITY.** Owner authorizes Broker to:

(A) Utilize such marketing techniques and programs as Broker deems appropriate for and advantageous to the sale of the Property, including the placement of a "For Sale" sign or signs on the Property and the removal of any existing signs;

(B) Enter the Property at reasonable times with cooperating brokers and their salespersons of the purpose of showing the Property to prospective purchasers; and

(C) Incur reasonable expenses at Owner's expense for marketing the Property, in an amount not to exceed $n/a.

7. **OWNER'S COVENANTS.** Owner hereby covenants and agrees to:

(A) Cooperate with Broker, its sales associates and any cooperating brokers fully with respect to Broker's efforts to sell the Property, including, without limitation, providing Broker with all pertinent information related to the Property and within Owner's possession;

(B) Refer to Broker all inquiries received by Owner relating to the sale of the Property and to conduct all negotiations with prospective purchasers of the Property through Broker; and

(C) Reimburse Broker for all authorized expenses incurred by Broker in marketing the Property.

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8. **OWNER'S REPRESENTATIONS.** Owner represents and warrants to Broker that:

(A) Owner (i) is the sole fee simple title owner to the Property, (ii) is authorized and has the capacity to execute and deliver this Agreement, and (iii) has the right to convey title to the Property to a purchaser by warranty deed.

(B) There are no actions, suits or proceedings pending or threatened against Owner or the Property affecting any portion of the Property.

(C) There are no pending or threatened condemnation actions or special assessments of any nature with respect to the property nor has Owner received any notices of any such condemnation action or special assessment.

(D) There are no foreclosures pending or threatened with respect to the Property, nor has Owner received any notices of any such foreclosure action being contemplated.

(E) Owner has not received any notice in writing or otherwise from any governmental agency requiring the correction of any violation with respect to the Property or any part thereof.

(F) The Property has no known significant or material latent defects and none of the improvements on the Property have been constructed with material know to be a potential health hazard to occupants of the Property, except as disclosed in writing by Owner to Broker in the Owner's Property Disclosure Notice executed by Owner at the time this Agreement is executed. Owner hereby authorizes Broker to disclose to prospective purchasers all information with respect to the Property either furnished by Owner to Broker on the Owner's Property Disclosure Notice, or otherwise furnished to Broker. Owner hereby agrees to hold Broker harmless of and from any and all damages, claims, costs and expenses of every kind and character resulting from or relating to Owner's furnishing to Broker any false, incorrect or inaccurate information with respect to the Property or failing to disclose to Broker any material latent defects in the Property.

(G) The Property shall be offered, shown and made available for sale to or exchange with all persons on a non-discriminatory basis, without regard to race, color, religion, sex, handicap, familial status or national origin.

(H) Owner has entered into no unperformed agreement, oral or written, not referred to herein, with reference to the Property, and neither the Owner nor the Property is subject to any judgment or decree of a court of competent jurisdiction, or to any lawsuit or administrative proceeding which would in any way adversely affect the Property or which would limit or restrict in any way Owner's rights and ability to enter into this Agreement and consummate the transactions contemplated hereby

(I) All information provided by Owner is, to Owner's actual knowledge, accurate and complete.

(J) Owner has not entered into any other listing agreements or contracts to sell with respect to the Property.

The provisions of this paragraph shall survive the rescission, cancellation, termination or consummation of this Agreement.

9. **BROKER/AGENCY RELATIONSHIPS.** Pursuant to Regulation 520-1.06 of the Georgia Real Estate Commission's Regulations and Georgia's Brokerage Relationships in the Real Estate Transactions Act ("BRRETA"), O.C.G.A. Section 10-6A-1 et. seq., Owner hereby acknowledges that Broker makes the following disclosures, checking all that apply:

☒ (A) Broker represents the Owner only; or

☐ (B) Broker represents both the Owner and ___ jointly and such dual agency is expressly consented to by the parties by their execution of a Dual Agency Disclosure and Consent Agreement; or

☐ (C) Broker has assigned Broker's affiliated license # ___ to represent solely the Owner as its designated agent

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and has assigned Broker's affiliated licensee # _____ to represent solely _____ as its designated agent.

Broker shall have no duty to Owner greater than what is set forth in BRRETA, Official Code of Georgia Annotated Section 10-6A-1 et. seq.

10. **NOTICES.** All notices, requests, consents and other communications hereunder shall be in writing and shall be personally delivered, sent by overnight (e.g. Federal Express) or same day courier service providing a return receipt, or mailed by first-class registered or certified mail, return receipt requested, with postage prepaid. Notices may also be sent by electronic mail (with reasonable proof of transmission and receipt) between the hours of 9:00 a.m. and 6:00 p.m. local _____ time, Mondays through Fridays, holidays excepted, provided that a copy thereof is also sent, within three (3) business days, by one of the other methods permitted hereunder. Notices shall be effective when received, when refused or when the same cannot be delivered, as evidenced on the return receipt or facsimile delivery confirmation, as applicable. Notices shall be sent to the following addresses:

OWNER: The City of Gainesville
300 Henry Ward Way SE
Gainesville, GA 30501
ATTN: Bryan Lackey

BROKER: The Norton Agency
434 Green Street
Gainesville, GA 30501
ATTN: Will Cobb

11. **LIMITATION OF LIABILITY.** Owner hereby agrees that Broker and any cooperating brokers shall not be responsible in any manner for personal injury to any person or for any loss or damage to personal or real property due to vandalism, theft, freezing water pipes or any other cause of damage or loss whatsoever with respect to the Property.

12. **LEGAL EXPENSES.** In the event it is necessary for Broker to retain an attorney to enforce the provisions hereof, in addition to the commission payable hereunder, Broker shall be entitled to recover from Owner reasonable attorneys' fees and all other costs of collection incurred by Broker in the connection therewith.

13. **SEVERABILITY CLAUSE.** If any term, provision or covenant contained herein is found to be invalid or unenforceable by a court of competent jurisdiction, then the parties agree that such invalid term, provision or covenant shall be deemed to be severed and deleted from this Agreement, and the remainder of the Agreement shall continue in full force and effect and shall remain fully valid and enforceable.

14. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia.

15. **MISCELLANEOUS.** This Agreement shall inure to the benefit of, and be binding upon, the parties thereto, their heirs, administrators, successors, and permitted assigns. Neither this Agreement nor any of the rights, duties or benefits hereunder may be assigned by either party hereto without the prior written consent of the other party hereto. This instrument contains the entire agreement and understanding to the parties hereto with respect to the subject matter contained herein. No representation, promise or inducement not included in this Agreement shall be binding on any party hereto. This Agreement may be modified only in writing signed by the party against which enforcement of the modification is asserted. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which taken together shall constitute one and the same instrument. Any counterpart of this Agreement may be executed and delivered by facsimile or electronic transmission, which shall have the same force and effect as an original. The date of this Agreement shall be the

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date on which it is last signed by the parties hereto, and such date shall be inserted in the introductory paragraph of this Agreement. This Agreement cannot be amended or canceled except by an agreement in writing executed by each of the parties hereto. Time is of the essence of this Agreement. No failure of any party to exercise any power given hereunder or to insist upon strict compliance with any obligation specified herein, and no custom or practice at variance with the terms hereof, shall constitute a waiver of either party's right to demand exact compliance with the terms hereof. If the time period by which any right, option or election provided under this Agreement must be exercised, or by which any act required hereunder must be performed, or by which the Closing must be held, expires on a Saturday, Sunday or legal holiday, then such time period shall be automatically extended to the close of business on the next regular business day.

16. SPECIAL STIPULATIONS:

Subject to City of Gainesville's Approval

ATLANTA COMMERCIAL BOARD OF REALTORS, INC. ("ACBR") DISCLAIMER; WAIVER AND RELEASE OF CLAIMS. This "Disclaimer; Waiver and Release of Claims" provision, without any changes, modifications, deletions or revisions, must be included in all ACBR Form documents that include any reference to ACBR. The parties hereto hereby acknowledge and agree that: (A) THIS DOCUMENT HAS IMPORTANT CONSEQUENCES, LEGAL, FINANCIAL AND OTHERWISE, AND ACBR HAS ADVISED THE PARTIES THAT THEY SHOULD EACH CONSULT WITH AN ATTORNEY OR OTHER PROFESSIONAL OF THEIR CHOICE WITH RESPECT TO THE TERMS OF, AND/OR THE COMPLETION, MODIFICATION AND/OR EXECUTION OF, THIS DOCUMENT; (B) form documents by their nature are designed to be of general application, and may not be applicable to specific facts and circumstances, may not address a given party's specific conditions or requirements and/or may not reflect the relative bargaining or negotiations of the parties, as such variables may arise on any given transaction; (C) to avoid any possible misunderstanding or confusion as to the original form of this document and any revisions, modifications or changes to it, any and all revisions, modifications or changes to the original should be made readily apparent by highlighting, underscoring or other means to distinguish them from the original ACBR form; (D) ACBR has made the original versions of this document and other document forms available to ACBR"s members as a service, but makes no representation or warranty, express or implied, as to the suitability or applicability of the terms and conditions of, or the enforceability of, this document or other document forms; (E) ACBR document forms are updated by ACBR from time to time, and ACBR strongly recommends to the parties that they use the most current, updated versions of any such document forms; and (F) by executing this document the parties hereto each hereby waive and release ACBR, its officers, directors, members, employees and agents, from any and all claims, demands and/or causes of action (whether known or unknown) arising out of, pertaining to or resulting directly or indirectly from the use of this form document.

- Signatures on Following Page -

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IN WITNESS WHEREOF, the parties hereto have caused this Listing Agreement to be executed, under seal, in their respective names and on their behalf by their duly authorized officials, the day and year indicated below.

OWNER:

Signature: _____ (Seal)

Name: Bryan Lackey

Title: City Manager

Firm: The City of Gainesville

Phone: 770-535-6864

Date: _____

BROKER:

Signature: _____ (Seal)

Name: Will Cobb

Title: VP / Partner

Firm: The Norton Agency

Firm License #: 66501

Phone: 770-654-7791

Date: _____

Agent Name(s): Will Cobb

Agent License #(s): 175387

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Exhibit "A"
Legal Description of Property

See Attached

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Exhibit "A"

IN WITNESS WHEREOF, the parties hereto have caused this Listing Agreement to be executed, under seal, in their respective names and on their behalf by their duly authorized officials, the day and year indicated below.

OWNER:

Signature: _____ (Seal)

Name: Bryan Lackey

Title: City Manager

Firm: The City of Gainesville

Phone: 770-535-6864

Date: 2-22-22

BROKER:

Signature: _____ (Seal)

Name: Will Cobb

Title: VP / Partner

Firm: The Norton Agency

Firm License #: 66501

Phone: 770-654-7791

Date: _____

Agent Name(s): Will Cobb

Agent License #(s): 175387

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APPRAISAL REPORT OF:

Mitchell Street Abandonment Project
Located on Mitchell Street between Davis Street and Industrial Blvd
Gainesville, Hall County, Georgia

OWNER OF RECORD:

The City of Gainesville

PREPARED FOR:

The City of Gainesville
Office of the City Manager

PREPARED BY

W. McRae Greene
CG-1548
Greene Real Estate Service, Inc.
Gainesville, Georgia 30501

DATE OF REPORT AND VALUATION

October 27, 2021

GREENE REAL ESTATE SERVICES, INC.

APPRAISERS AND CONSULTANTS

POSTOFFICE BOX 811
GAINESVILLE, GEORGIA 30503

W. McRae Greene, Jr. President **Office 770-532-1245**
raeg44@gmail.com

Bryan Lackey October 28, 2021
City Manager
City of Gainesville, Georgia

RE: Mitchell Street Abandonment Project

Dear Mr. Lackey,

In regards to your request for a valuation and analysis of the abandonment of Mitchell Street between Davis Street and Industrial Blvd., may I advise that I have made a personal inspection of the property and analyzed the pertinent data necessary to form an opinion of value.

The project is the abandonment of the right of way of Mitchell Street which is a 40 ft by approximately 392.2 lineal feet area totaling 15,728 square feet or 0.361 acres (estimated by appraiser). The present use is a public street connecting Davis Street with Industrial Blvd. It appears to be rarely used due to the congestion at Industrial Blvd. Davis Street connects Queen City Parkway with Dorsey Street which provides a more direct route to property owners.

The only adjoining land property owner is Koch Foods of Gainesville, LLC. The east side of Mitchell Street is a solid wall for an industrial building and the west side is predominantly truck parking. The abandonment would not have a negative impact on local traffic and would benefit the adjoining property owner for access and redevelopment of the site.

The use of this property by the owners would allow them to utilize the abandoned street to the Highest and Best Use which would allow for benefits to the City due to the tax base and overall improvements to market value within the Industrial Blvd business district.

It is my opinion that the abandonment, as proposed, has a Fair Market Value of $74,700.

Thank you for the opportunity to be of service in this matter.

Respectfully,

W. McRae Greene
GA Certified Appraiser - 1548

RESTRICTED USE APPRAISAL

Section 1 - Project Identification

Mitchell Street Abandonment Project
Located at Mitchell Street between Davis St and Industrial Blvd

Section 2 - Parcel Identification

Parcel Owner: City of Gainesville

Adjoining Owners

Parcel 00030 009002:	Koch Foods of Gainesville, LLC	3.09 acres
Parcel 00050 001007:	Koch Foods of Gainesville, LLC	0.52 acres
Parcel 01050 001008:	Koch Foods of Gainesville, LLC	1.32 acres
Parcel 01050 001009:	Koch Foods of Gainesville, LLC	0.31 acres
Parcel 01050 001009A:	Koch Foods of Gainesville, LLC	0.19 acres
		5.43 acres

Section 3 - Owner Contact/Ownership Interests

Contact
The property owner is the client in this appraisal.

Inspection
The property was inspected by the appraiser on multiple occasions with the last being October 27, 2021

Occupancy
The property is a public street that has been used for access.

Rent
N/A

Title History
N/A

Section 4- Reporting Disclosure

This report is intended for the use of the client only. A general data book was not prepared and all the data necessary to properly understand this report is included herein.

Purpose and intended use of the appraisal:

The purpose of this appraisal is to estimate the Fair Market Value of the Fee Simple Interest in the property as an unimproved parcel and to estimate the contributory value of the underlying land to the adjoining owners to its Highest and Best Use.

Client and intended use of the appraisal:

This appraisal is being prepared for City of Gainesville. It is understood that this report will be used to determine the Fair Market Value of the abandonment of Mitchell Street.

State and reference a definition of the value to be estimated:

The following definitions are those as stated in The Appraisal of Real Estate, Eleventh Edition, Appraisal Institute, p.23, 137 & 146

Market Value may be defined as:
The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this information are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a) Buyer and seller are typically motivated:
b) Both parties are well informed or well advised, and each acting in what they consider their best interest:
c) A reasonable time is allowed for exposure in the market:
d) Payment is made in terms of cash in United States dollars or in terms of finance arrangements comparable thereto: and
e) The price represent the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated by anyone with the sale.

Fee Simple Ownership may be defined as:
"absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat."

Easement may be defined as:
"An easement is usually the right to perform a specific action on a particular parcel of property or a portion thereof, by the grantees who do not hold the underlying fee."

Exposure time:
Assumed to be adequate, sufficient, and reasonable. Effort for exposure is assumed to be adequate, sufficient and reasonable. Both items are assumed to precede the effective date of value. The time frame is an integral part of the appraisal analysis and is based on one or more of the following:

a) Statistical information about days on the market
b) Information gathered through sales verification; and
c) Interviews of market participants

Appraisal Type
This is an appraisal of unimproved and improved commercial property with the land only being valued. This appraisal includes an analysis of a proposed land swap.

Scope of Assignment
Extent and process of collecting, confirming and reporting all data - all data, which was considered to be pertinent to the valuation of the subject property was gathered. This included, but was not limited to, local and neighborhood economic trends, conformity of land uses, zoning and market sales data. These sales where researched to determine factors that would influence the sales price and their comparability to the subject. These sales were verified through the buyer, seller or other knowledgeable parties, and/or including the public records. The five step process is utilized to estimate just and adequate compensation for the acquisition.

Describe any special limitations
All limiting conditions and assumptions that affect the analysis and conclusions are included in this report.

Section 5 - Local Government Requirements

Zoning

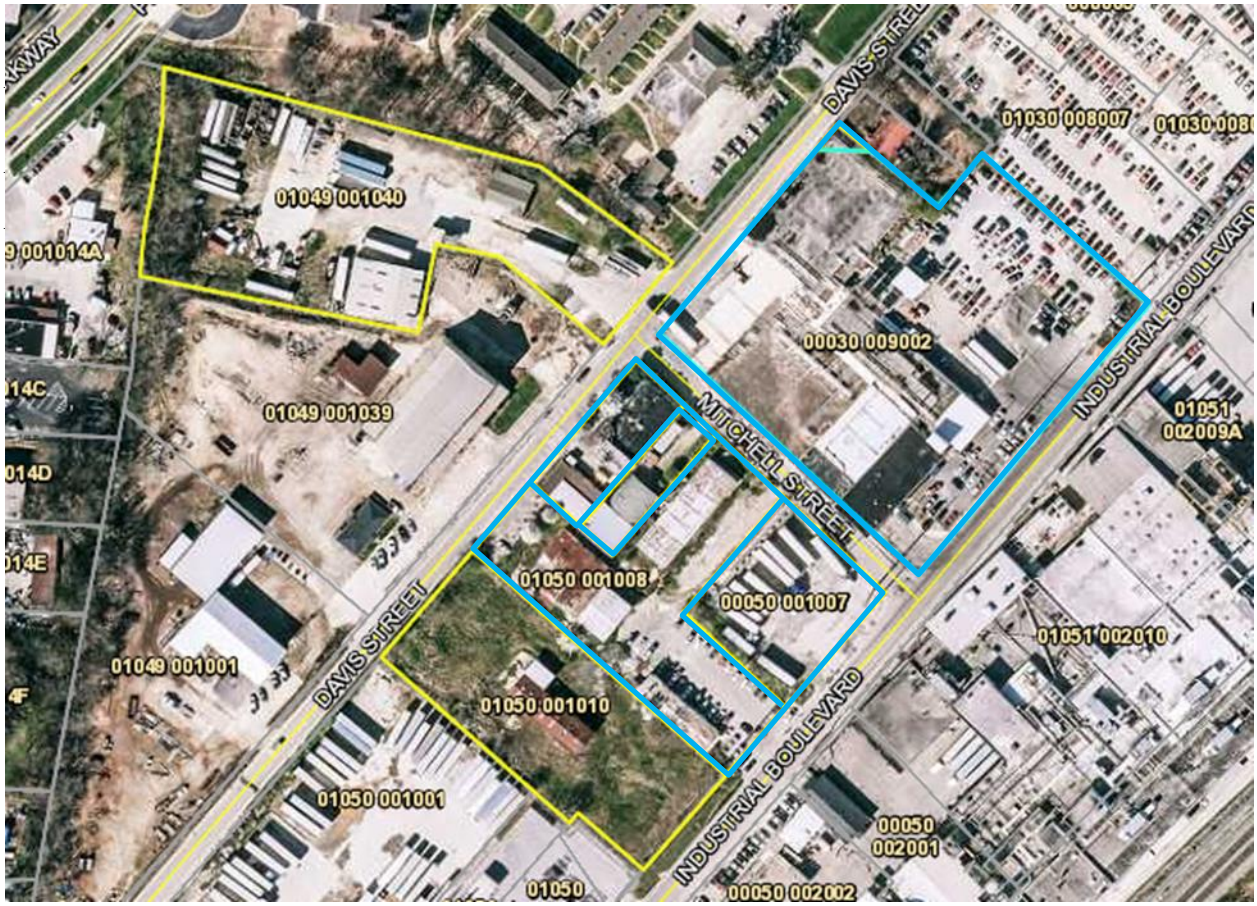
Classification:	H-I (Heavy Industrial)
Governmental Jurisdiction:	City of Gainesville
Permitted Uses:	Access to Adjoining Properties
Restrictions:	Public Right of Way only

Section 6 - Property Description

The properties surrounding the Mitchell Street project are the industrial complex identified as the Koch Foods of Gainesville, LLC production facility. A portion of this property was acquired in 2002 and the adjoining property was purchased in November of 2020 to facilitate an expansion.

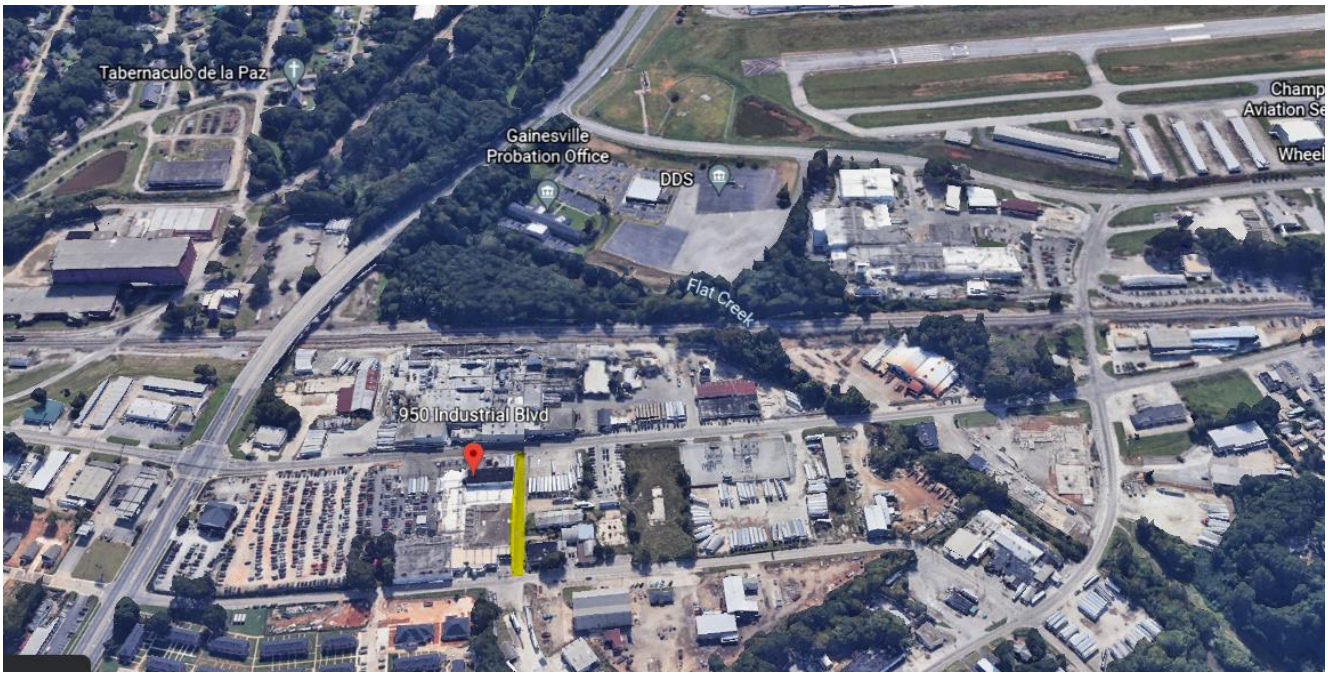
For description see aerial photos and tax maps and plats included in this report.

Identification of Project and Area



Adjoining parcels outlined in blue

Mitchell Street area



Mitchell Street area

Mitchell Street area

Mitchell Street area

Mitchell Street from Industrial Blvd

Mitchell Street from Davis St

Mitchell Street

Mitchell Street

Mitchell Street

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Mitchell Street

Mitchell Street

Section 7 – Highest and Best Use

Four major criteria are considered in a Highest and Best Use analysis. These are the physical attributes of the property; the legal restrictions attached to the property (zoning); the most financially feasible use for the property; and the use that will provide the maximum financial return to the owner

The Highest and Best Use for the subject property is to provide access to the adjoining properties.

Section 8 - Valuation, Before Abandonment

APPRAISAL PROCEDURE

In estimating the present fair market value of the subject property all approaches to value were considered. Since the highest and best use indicates that the highest and best use for valuation is as unimproved and available for development, the sales comparison approach to value will be utilized to value the land only. This is the approach that compares the subject property to other similar properties that have sold or currently offered for sale. These properties are compared to the subject and are adjusted based on their dissimilar characteristics.

LAND VALUATION

In order to estimate the market value of the subject, consideration is given to all sales in the general market area for the past three years of vacant or under improved tracts. All of the sales are considered generally comparable and relevant to the valuation of the subject property.

The value of the "unimproved land" based on the actual sales price paid in the overall general market is estimated (based on arm's length transactions) to be in the range of $4.75 per square foot or $207,000 per acre of useable land.

COMPARABLE SALES SUMMARY

NO.	LOCATION	DATE	SIZE / SF	PRICE	PRICE/SF
1.	889 Bradford St	9/15/2017	57,935	$250,000	$4.32
2.	890 Wills St	4/25/2018	20,603	$100,000	$4.85

The real estate sales in the specific area of this property are improved with buildings in use and it is difficult to determine the contribution of the underlying land to the sales price. From our experience in this market we determined that the two sales summarized above are within the overall range of values.

Based on this general analysis it would be beneficial to the City of Gainesville and Koch Foods of Gainesville, LLC to proceed with the abandonment and allow the adjoining owners to develop or utilize the area to its Highest and Best Use.

Based on these considerations, it is our opinion that the Fair Market Value of the subject property for assemblage is estimated to be based on $4.75 per square foot ($ 207,000 per acre).

15,728 sf @ $4.75 = $74,700

ASSUMPTIONS AND LIMITING CONDITIONS

These appraisal reports have been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.

3. Responsible management and competent property management are assumed.

4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.

5. All engineering is assumed to be correct. The tax plats, right-of-way plans and illustrative material in the reports are included only to assist the reader in visualizing the property.

6. It is assumed that there are no hidden or unapparent conditions of property, subsoil, or restrictions that render it more or less valuable. Nor is responsibility assumed for such conditions or for arranging for engineering studies that may be required to discover them.

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.

8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless nonconformity has been stated, defined, and considered in the appraisal report.

9. It is assumed that all required licenses, certifications of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in the report is based.

10. It is assumed that the utilization of the land and improvement is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

11. The distribution, if any of the total valuation in the report between land and improvements applies only under the stated program of utilization. The separate allocations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

12. Possession of the report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with properly written qualification and only in its entirety. Therefore, the liability of the appraiser shall be expressly limited to the person for whom the appraisal was addressed and any reliance there on by any third party shall not be justifiable and therefore at the peril of the third party.

13. The appraiser herein by reason of the appraisal is not required to give further consultation, testimony or be attendance in court with reference to the property in question unless arrangements have been previously made.

14. Neither all nor any part of the contents of the report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without the prior consent and approval of the appraiser.

15. It is a condition of the appraisal that the subject property, including any proposed improvements, meets all governmental regulations and restrictions, including but not limited to zoning requirements, building and development codes, drainage requirements and all fire safety laws.

16. It is a condition that the property is subject to typical easements such as right-of- way for electric power lines, sewer easements, natural gas lines, as well as telephone lines and water lines.

17. It is a condition of the appraisal that no soil boring test has been made and the stated value would be subject to such a test.

18. It is a condition of the appraisal that any marketing of the subject property would expressly require effective and aggressive sales methods and techniques, reasonable pricing, market exposure, and coverage, and unless stated any suggested improvements or repairs completed in order to market the property.

19. The subject is specifically conditioned on present market conditions, any changes may affect the market value stated.

20. Unless otherwise stated in the report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser however **is not qualified** to detect such substances. The value is predicated on the assumption that there are no such materials on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge necessary to discover them. The client is urged to retain an expert in this field, if desired.

21. It is specifically noted as a condition of the appraisal that, unless found otherwise, the furnished plans for the project, furnished square foot or metric areas, owner furnished information, as well as county tax record information regarding the subject is believed to be reliable.

CERTIFICATION OF APPRAISER

STATE OF GEORGIA
COUNTY OF: HALL

I Hereby Certify:

That I have personally inspected the property appraised herein and that I have also made a personal field inspection of the comparable sales relied upon in making said appraisal. The subject and the comparable sales relied upon in said appraisal were as represented in said appraisal or in the data book or report which supplements said appraisal. That no one provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief, the statements contained in the appraisal herein set forth are true and correct, the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions. That my analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The appraiser is currently certified under the continuing education program of the State of Georgia through the date July 31, 2022. The appraiser is also currently certified under the voluntary continuing education program of American Society of Appraisers.

That I understand that such appraisal may be used in connection with the disposal for a project identified as abandonment of alleyways by the City of Gainesville.

That such appraisal has been made in conformity with the appropriate State laws, regulations, and policies and procedures applicable to appraisal of right-of-way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items, which are non-compensable under the established law of said State.

That my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. That I have no personal interest in or bias with respect to the parties involved and that I have no present or prospective interest in the property that is the subject of this report.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the acquiring agency and I will not do so until so authorized by said officials, or until I am required to do so by due process of law, or until I am released from the obligation by having publicly testified as to such findings.

That it is my opinion of just compensation for the disposition as of the October 27, 2021 is $74,700 based upon my independent appraisal and the exercise of my professional judgment.

.

W. McRae Greene
Georgia Certification #1548

QUALIFICATIONS OF W. McRAE GREENE, JR.

Greene Real Estate Services, Inc.
P.O. Box 811
Gainesville, Georgia 30503
770-532-1245 raeg44@gmail.com

EDUCATION

BBA Degree - University of Georgia (1966)
BBA Degree with Major in Real Estate
Continuing Education - Annual courses and seminars in all areas of real estate brokerage, finance and appraisal

AFFILIATIONS

Affiliate member - Appraisal Institute
Member - National Association of Independent Fee Appraisers (Certification IFAS)
Past President - Gainesville Hall County Association of Realtors
Past Director - Georgia Association of Realtors

EXPERIENCE

Georgia Licensed Real Estate Broker (# 085049) Originally Licensed Oct. 1965
Tennessee Certified General Real Estate Appraiser (#5266)
South Carolina Certified Real Estate Appraiser (# 7437)
Georgia Certified Real Estate Appraiser (#1548)
Unlicensed States by reciprocal temporary licensing agreement
Owner and President of Greene Real Estate Services, Inc. (1966 - Present)
Active Real Estate Appraiser (1966 - Present)

RECENT CLIENTS

Clients for appraisal assignments over the past three years include Governmental Agencies, Lending Institutions, Businesses, Estates, Individuals, Certified Public Accountants and Attorneys. Also, testimony relating to real estate value in the Superior Courts of most counties in Northeast Georgia, Federal Court and U.S. Bankruptcy Court.
Internal Revenue Service
For over 30 years appraisals for fee simple interest charitable donations that meet IRS requirements.

Specific recent clients include: (conservation easement clients not disclosed)

Georgia Department of Transportation
Etowah Water and Sewer Authority
Cobb County Water and Sewer Department
Cities of Gainesville, Cornelia, Clayton, Georgia
United States Corps of Engineers

Valuation assignments utilizing before and after analysis of easement interest for public utilities, property acquisitions and sales of surplus properties.

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ADDENDUM

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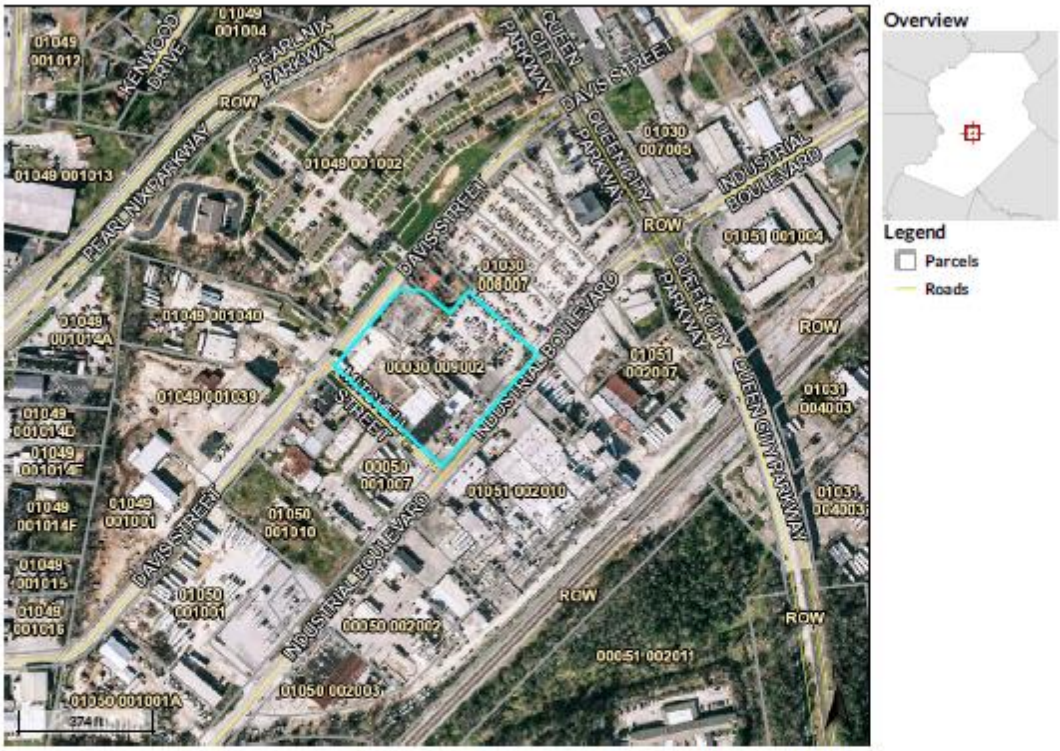

				Last 2 Sales			
Parcel ID	00030 009002	Owner	KOCH FOODS OF GAINESVILLE LLC	Date	Price	Reason	Qual
Class Code	Industrial		P O BOX 1158	12/10/2002	0	5	U
Taxing District	GAINESVILLE 1		GAINESVILLE, GA 30503	8/5/1999	0	5	U
Acres	3.09	Physical Address	950 SW INDUSTRIAL BLVD				
		Assessed Value	Value $1928700				

(Note: Not to be used on legal documents)

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Summary

Parcel Number	00030 009002
Location Address	950 SW INDUSTRIAL BLVD
Legal Description	950 INDUSTRIAL BLV (Note: Not to be used on legal documents)
Class	I3 Industrial (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	I1 I Note: Refer to map zoning layer for official zoning.
Tax District	GAINESVILLE 1 (District 01)
Millage Rate	16.235
Acres	3.09
Neighborhood	Industrial Property (30000)
Homestead Exemption	No (S0)
Landlot/District	N/A

View Map

Owner

BOOCH FOODS OF GAINESVILLE LLC
P O BOX 1158
GAINESVILLE, GA 30503

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Industrial	Comm Gainesville 01	Square Feet	134,200	0	0	3.09	1

Commercial Improvement Information

Description	Office Buildings 3
Value	$261,600
Actual Year Built	1962
Effective Year Built	1982
Square Feet	6000
Wall Height	10
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Storage Warehouse 1
Value	$16,500
Actual Year Built	2009
Effective Year Built	
Square Feet	450
Wall Height	12
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Ind's Light Manufacturing 3
Value	$313,500
Actual Year Built	1962
Effective Year Built	1982
Square Feet	16560
Wall Height	16
Wall Frames	

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Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Ind's Light Manufacturing 3
Value	$157,700
Actual Year Built	1962
Effective Year Built	1982
Square Feet	24171
Wall Height	16
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Ind's Light Manufacturing 3
Value	$153,600
Actual Year Built	1958
Effective Year Built	1982
Square Feet	7000
Wall Height	18
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Ind's Light Manufacturing 3
Value	$77,600
Actual Year Built	1958
Effective Year Built	1982
Square Feet	3350
Wall Height	18
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Ind's Light Manufacturing 3
Value	$393,600
Actual Year Built	1958
Effective Year Built	1982
Square Feet	30301
Wall Height	14
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	

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Number of Buildings	1

Description	Inds Light Manufacturing 5
Value	$83,200
Actual Year Built	1979
Effective Year Built	1982
Square Feet	6870
Wall Height	14
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Inds Light Manufacturing 3
Value	$21,000
Actual Year Built	2020
Effective Year Built	2020
Square Feet	286
Wall Height	10
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Accessory Information

Description	Year Built	Dimension/Units	Identical Units	Value
Paving Concrete	1990	0x0 / 4500	0	$2,200
Paving Asphalt	1962	23000x1 / 0	1	$9,200
Commercial Site Value AV	1962	0x0 / 1	1	$50,000

What are Homesites?

Permits

Permit Date	Permit Number	Type	Description
09/15/2020	00571	ROOF	REROOF FREEZER 1 AND FREEZER 2
02/22/2018	00165	RENOVATIONS	INTERIOR RENOVATION, DEMO & REBUILD COOLER
02/09/2009	2009 00120	ADDITION	new storage addition

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
12/10/2002			$0	RELATED IND. OR CORP.		KOCH FOODS OF GAINESVILLE LLC
8/5/1999			$0	RELATED IND. OR CORP.		CRESS FOODS LLC
7/30/1999	3533170 2		$2,400,000	VALID IMPROVED PROPERTY	CRESS FOODS INC	C F I ACQUISITION LLC
6/2/1978	660 171		$700,000			CRESS FOODS INC

Valuation

	2021	2020	2019
Previous Value	$1,907,700	$1,854,400	$1,366,000
Land Value	$288,800	$288,800	$235,500
Improvement Value	$1,578,500	$1,557,500	$1,557,500
Accessory Value	$61,400	$61,400	$61,400
Current Value	**$1,928,700**	**$1,907,700**	**$1,854,400**

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Assessment Notice

2020 Assessment Notice (PDF)

2021 Assessment Notice (PDF)

Photos

Sketches

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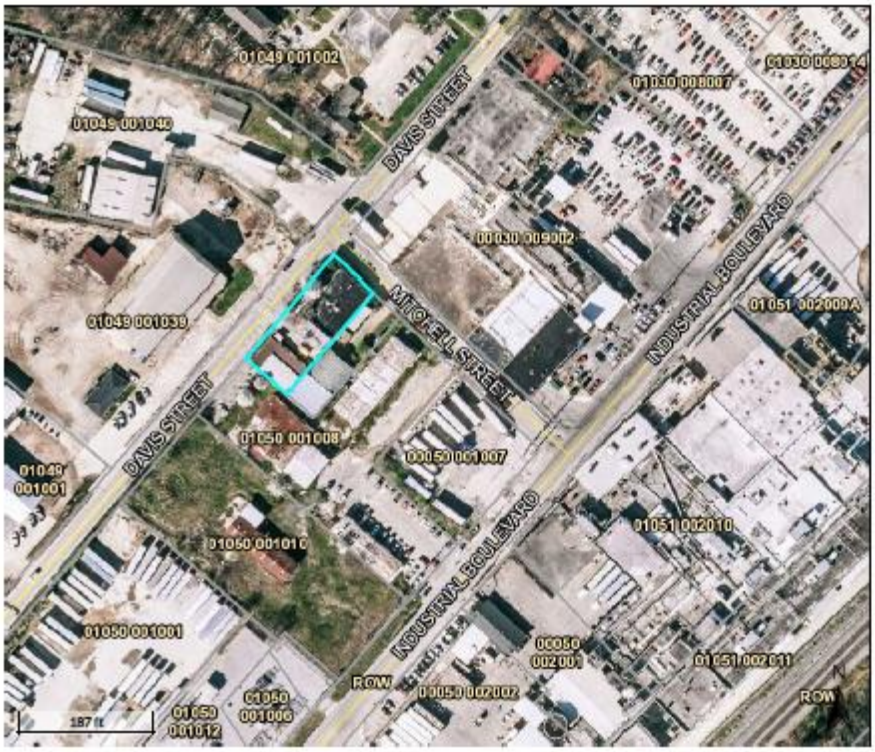

Legend
- Parcels
- Roads

Parcel ID	01050 001009	Owner	KOCH FOODS OF GAINESVILLE LLC C/O KOCH FOODS, INC. ATTN: MARK KAMINSKY 1300 W. HIGGINS ROAD SUITE 100 PARK RIDGE, IL 60068	Last 2 Sales			
Class Code	Industrial			Date	Price	Reason	Qual
Taxing District	GAINESVILLE-WESTSIDE TAD WESTSIDE TAD			11/13/2020	$1050000	MP	U
				11/13/2020	$1050000	MP	U
Acres	0.31						
		Physical Address	979 SW DAVIS ST				
		Assessed Value	Value $332400				

(Note: Not to be used on legal documents)

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Summary

Parcel Number	01050 001009
Location Address	979 SW DAVIS ST
Legal Description	C'VILLE CLASS CO (Note: Not to be used on legal documents)
Class	I3 Industrial (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	I1 I Note: Refer to map zoning layer for official zoning
Tax District	GAINESVILLE WESTSIDE TAD (District 18)
Millage Rate	N/A
Acres	0.31
Neighborhood	Industrial Property (10000)
Homestead Exemption	No (S0)
Landlot/District	N/A

View Map

Owner

KOCH FOODS OF GAINESVILLE LLC
C/O KOCH FOODS, INC. ATTN: MARK
KAMINSKY
1300 W. HIGGINS ROAD
SUITE 100
PARK RIDGE, IL 60068

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Industrial	Comm Gainesville 01	Square Feet	13,425	0	0	0.31	1

Commercial Improvement Information

Description	Banquet Hall 5
Value	
Actual Year Built	1965
Effective Year Built	1980
Square Feet	1400
Wall Height	14
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Dormitories 5
Value	
Actual Year Built	1965
Effective Year Built	1980
Square Feet	1672
Wall Height	8
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Office Buildings 3
Value	
Actual Year Built	1965
Effective Year Built	1980

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Square Feet	2400
Wall Height	10
Wall Frames	Bearing Wall
Exterior Wall	Tilt Up Concrete
Roof Cover	Roll Roofing
Interior Walls	Sheetrock/Paneling
Floor Construction	Reinforced Concrete
Floor Finish	Quarry Tile
Ceiling Finish	
Lighting	
Heating	Steam Including Boiler
Number of Buildings	1

Accessory Information

Description	Year Built	Dimension/Units	Identical Units	Value
Commercial Site Value LC	2021	0x0 / 1	1	$0

What are Homesites?

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
11/13/2020	8648 504		$1,050,000	Multi Parcel Sale To Be Reviewed	COOD NEWS AT NOON INC	KOCH FOODS OF GAINESVILLE LLC
11/13/2020	8648 504		$1,050,000	Multi Parcel Sale To Be Reviewed	MANSFIELD JOHN E SR	KOCH FOODS OF GAINESVILLE LLC
7/1/1992	1787 255		$103,000	Sale to be Reviewed	COOD NEWS AT NOON INC	MANSFIELD JOHN E SR
7/1/1992	1787 255		$103,000	Sale to be Reviewed	MANSFIELD JOHN E SR	COOD NEWS AT NOON INC

Valuation

	2021	2020	2019
Previous Value	$381,516	$381,516	$381,516
Land Value	$43,600	$93,000	$93,000
Improvement Value	$280,800	$94,816	$94,816
Accessory Value	$8,000	$193,700	$193,700
Current Value	**$332,400**	**$381,516**	**$381,516**

Assessment Notice

2021 Assessment Notice (PDF)

Photos

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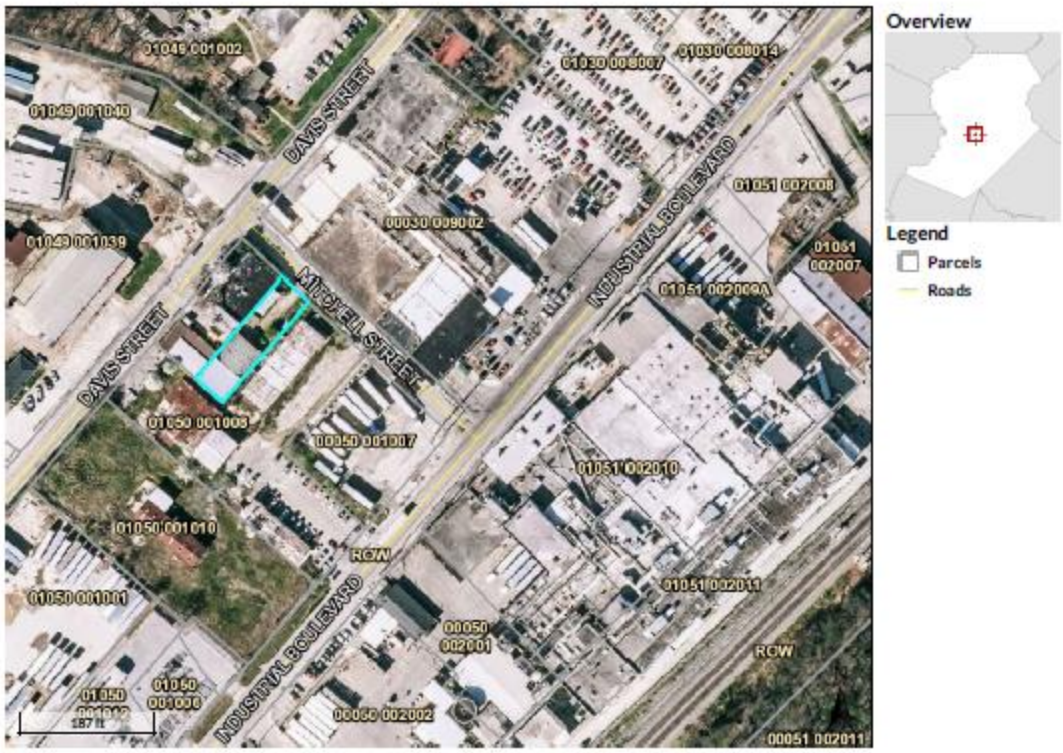

Overview

Legend

- Parcels
- Roads

Parcel ID	01050 001009A	**Owner**	KOCH FOODS OF GAINESVILLE LLC	**Last 2 Sales**			
Class Code	Industrial		C/O KOCH FOODS, INC. ATTN: MARK	**Date**	**Price**	**Reason**	**Qual**
Taxing District	GAINESVILLE-WESTSIDE TAD		KAMINSKY	11/13/2020	$1050000	51	U
	WESTSIDE TAD		1300 W. HIGGINS ROAD	11/13/2020	$1050000	MP	U
Acres	0.19		SUITE 100				
			PARK RIDGE, IL 60068				
		Physical Address	906 SW MITCHELL ST				
		Assessed Value	Value $95900				

(Note: Not to be used on legal documents)

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Summary

Parcel Number	01050 001009A
Location Address	906 SW MITCHELL ST
Legal Description	MITCHELL STREET SW (Note: Not to be used on legal documents)
Class	I3 Industrial (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	I1 I Note: Refer to map zoning layer for official zoning
Tax District	GAINESVILLE WESTSIDE TAD (District 18)
Millage Rate	N/A
Acres	0.19
Neighborhood	Industrial Property (10000)
Homestead Exemption	No (S0)
Landlot/District	N/A

View Map

Owner

KOCH FOODS OF GAINESVILLE LLC.
C/O KOCH FOODS, INC. ATTN: MARK KAMINSKY
1300 W. HIGGINS ROAD
SUITE 100
PARK RIDGE, IL 60068

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Industrial	Comm Gainesville 01	Square Feet	8,272	0	0	0.19	1

Commercial Improvement Information

Description	Storage Warehouse S
Value	$8,000
Actual Year Built	1958
Effective Year Built	
Square Feet	1974
Wall Height	13
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Accessory Information

Description	Year Built	Dimension/Units	Identical Units	Value
Commercial Site Value LC	1998	1x0 / 1	1	$8,000
SIM QUONSET SHED	1996	1x0 / 1980	1	$5,500

What are Homesites?

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
11/13/2020	8648 504		$1,050,000	Multi Parcel Sale To Be Reviewed	GOOD NEWS AT NOON INC	KOCH FOODS OF GAINESVILLE LLC
11/13/2020	8648 504		$1,050,000	MULTI PARCEL SALE IMP	GOOD NEWS AT NOON INC	KOCH FOODS OF GAINESVILLE LLC
10/16/1997	2999 222		$0	TIMESHARE	SHEPPARD THOMAS J	GOOD NEWS AT NOON INC
5/1/1994			$90,000	VALID IMPROVED PROPERTY		
	2183 153		$90,000			

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Valuation

	2021	2020	2019
Previous Value	$119,271	$119,271	$119,271
Land Value	$71,100	$71,100	$71,100
+ Improvement Value	$8,000	$20,073	$20,073
+ Accessory Value	$13,500	$24,798	$24,798
= Current Value	**$95,900**	**$119,271**	**$119,271**

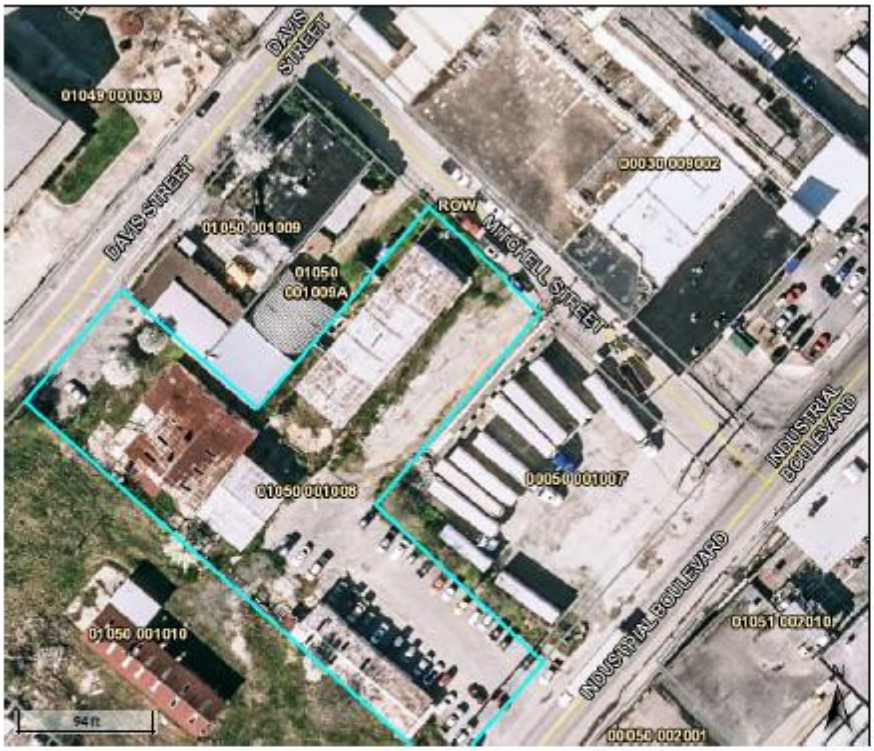
Assessment Notice

2021 Assessment Notice (PDF)

Photos

Sketches

qPublic.net™ Hall County, GA



Parcel ID	01050 001008	**Owner**	KOCH FOODS OF GAINESVILLE LLC	**Last 2 Sales**			
Class Code	Industrial		C/O KOCH FOODS, INC. ATTN: MARK	**Date**	**Price**	**Reason**	**Qual**
Taxing	GAINESVILLE-WESTSIDE		KAMINSKY	11/13/2020	$1050000	51	U
District	TAD		1300 W. HIGGINS ROAD	11/13/2020	$1050000	MP	U
	WESTSIDE TAD		SUITE 100				
Acres	1.32		PARK RIDGE, IL 60068				
		Physical Address	998 SW INDUSTRIAL BLVD				
		Assessed Value	Value $162400				

(Note: Not to be used on legal documents)

Date created: 10/28/2021
Last Data Uploaded: 10/27/2021 10:07:04 PM

Developed by Schneider GEOSPATIAL

10/28/21, 7:44 AM qPublic.net - Hall County, GA - Report: 01050 001008

qPublic.net™ Hall County, GA

Summary

Parcel Number	01050 001008
Location Address	998 SW INDUSTRIAL BLVD
Legal Description	INDUSTRIAL BOULEVARD W (Note: Not to be used on legal documents)
Class	I3 Industrial (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	I1 I Note: Refer to map zoning layer for official zoning
Tax District	GAINESVILLE WESTSIDE TAD (District 18)
Millage Rate	N/A
Acres	1.32
Neighborhood	Industrial Property (50000)
Homestead Exemption	No (50)
Landlot/District	N/A

View Map

Owner

KOCH FOODS OF GAINESVILLE LLC,
C/O KOCH FOODS, INC. ATTN: MARK
KAMINSKY
1300 W. HIGGINS ROAD
SUITE 100
PARK RIDGE, IL 60068

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Industrial	Comm Gainesville 01	Square Feet	57,508	0	0	1.32	1

Commercial Improvement Information

Description	Storage Warehouse 5
Value	$20,800
Actual Year Built	1965
Effective Year Built	1965
Square Feet	4800
Wall Height	13
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Accessory Information

Description	Year Built	Dimension/Units	Identical Units	Value
Commercial Site Value LC	1998	1x0 / 1	1	$8,000
Paving Concrete	1965	18000x1 / 0	1	$9,000
Paving Asphalt	1965	1500x1 / 0	1	$1,500

What are Homesites?

Permits

Permit Date	Permit Number	Type	Description
03/29/2019	00135	DEMOLITION	DEMOLITION OF 2 BUILDINGS

10/28/21, 7:44 AM qPublic.net - Hall County, GA - Report: 01050 001008

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
11/13/2020	8648 501		$1,050,000	Multi Parcel Sale To Be Reviewed	GOOD NEWS AT NOON, INC.	KOCH FOODS OF GAINESVILLE LLC
11/13/2020	8648 501		$1,050,000	MULTI PARCEL SALE IMP	GOOD NEWS AT NOON, INC.	KOCH FOODS OF GAINESVILLE LLC
2/20/2014	7328 518		$225,000	MULTI PARCEL SALE IMP	ALMA SAMPLES FAMILY LP ET AL	GOOD NEWS AT NOON, INC.
7/30/2004	5048 259		$200,000	RELATED IND. OR CORP.	SAMPLES ALMA FAMILY L P	ALMA SAMPLES FAMILY LP & ET AL
9/25/1997	2980 283		$0	PROPERTY COMBINED AFTER SALE	SAMPLES E E MRS (ALMA M)	SAMPLES ALMA FAMILY L P
	2010 316		$0			

Valuation

	2021	2020	2019
Previous Value	$156,500	$135,300	$109,200
Land Value	$123,100	$123,100	$100,400
Improvement Value	$20,800	$14,900	$16,400
Accessory Value	$18,500	$18,500	$18,500
Current Value	**$162,400**	**$156,500**	**$135,300**

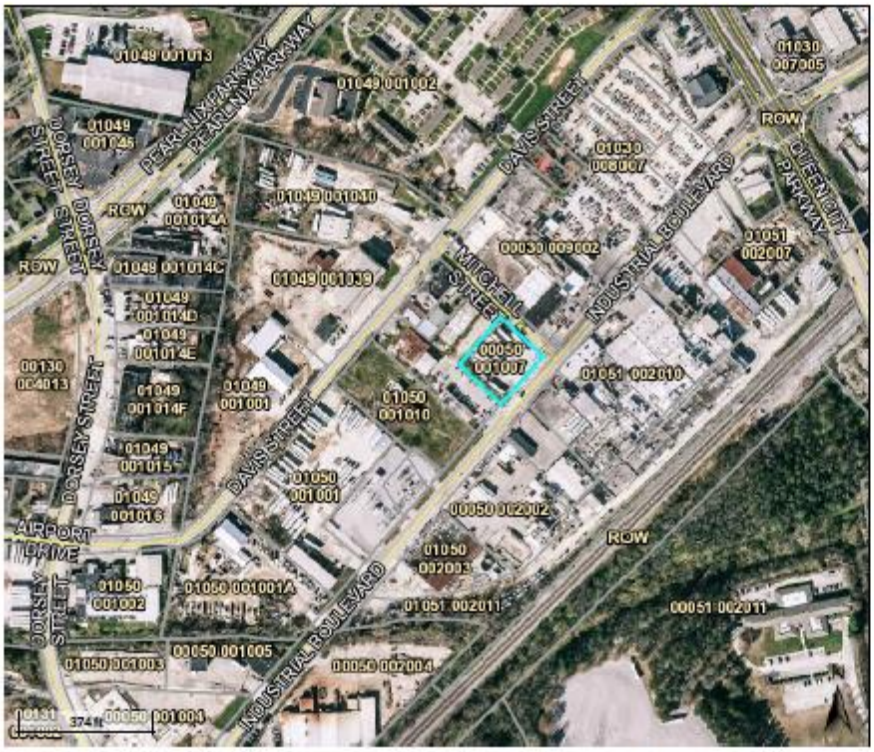
Assessment Notice

2021 Assessment Notice (PDF)

Photos

Sketches

qPublic.net™ Hall County, GA



Legend
- Parcels
- Roads

Parcel ID	00050 001007	**Owner**	KOCH FOODS OF GAINESVILLE LLC C/O KOCH FOODS, INC. ATTN: MARK KAMINSKY 1300 W. HIGGINS ROAD SUITE 100 PARK RIDGE, IL 60068	**Last 2 Sales**			
Class Code	Industrial			**Date**	**Price**	**Reason**	**Qual**
Taxing District	COUNTY			11/13/2020	$1000000	24	U
Acres	0.52			11/13/2020	$1000000	50	U
		Physical Address	966 INDUSTRIAL BLVD				
		Assessed Value	Value $98100				

(Note: Not to be used on legal documents)

Date created: 10/28/2021
Last Data Uploaded: 10/27/2021 10:07:04 PM

Developed by Schneider GEOSPATIAL

10/28/21, 7:47 AM qPublic.net - Hall County, GA - Report: 00050 001007

qPublic.net™ Hall County, GA

Summary

Parcel Number	00050 001007
Location Address	966 INDUSTRIAL BLVD
Legal Description	966 INDUSTRIAL BLV (Note: Not to be used on legal documents)
Class	I3 Industrial (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	I1 I Note: Refer to map zoning layer for official zoning.
Tax District	COUNTY (District 01)
Millage Rate	27.185
Acres	0.52
Neighborhood	Industrial Property (50000)
Homestead Exemption	No (S0)
Landlot/District	N/A

View Map

Owner

KOCH FOODS OF GAINESVILLE LLC
C/O KOCH FOODS, INC. ATTN: MARK
KAMINSKY
1300 W. HIGGINS ROAD
SUITE 100
PARK RIDGE, IL 60068

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Industrial	Comm Gainesville 01	Square Feet	22,500	0	0	0.52	1

Accessory Information

Description	Year Built	Dimension/Units	Identical Units	Value
Commercial Site Value Fair	1998	1x0 / 1	1	$25,000

What are Homesites?

Permits

Permit Date	Permit Number	Type	Description
01/22/2013	2013 00023	DEMOLITION	
01/22/2013	2013 00023	DEMOLITION	DEMOLITION OF BLDG

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
11/13/2020	8648 657	83 65	$1,000,000	MULTI PARCEL SALE VAC	966 DAVIS STREET, LLC	KOCH FOODS OF GAINESVILLE LLC
11/13/2020	8648 657	83 65	$1,000,000	PERSONAL PROPERTY/BUSINESS	966 DAVIS STREET, LLC	KOCH FOODS OF GAINESVILLE LLC
11/21/2019	8383 410	13 133	$100,000	Transitional Sale	STRONG MARY MITCHELL	966 DAVIS ST.

Valuation

	2021	2020	2019
Previous Value	$98,100	$67,600	$53,000
Land Value	$73,100	$73,100	$59,600
+ Improvement Value	$0	$0	$0
+ Accessory Value	$25,000	$25,000	$8,000
= Current Value	**$98,100**	**$98,100**	**$67,600**

Assessment Notice

2020 Assessment Notice (PDF)

2021 Assessment Notice (PDF)

No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/12/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-15 Transfer 0.126 Acre Tract to Koch Foods of Gainesville, LLC

Meeting Date: 4/19/2022

Purpose of Request:

To authorize the transfer of a 0.126 acre tract owned by the City of Gainesville to Koch Foods of Gainesville, LLC.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Approve the resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-15 Transfer 0.126 Acre Tract to Koch Foods of Gainesville, LLC	Resolution
Exhibits A and B	Attachments/Exhibits
City Manager Determination	Backup Material
Letter to Property Owners	Backup Material
Appraisal and Valuation Report	Backup Material

RESOLUTION BR-2022-15

TRANSFER OF CITY OF GAINESVILLE, GEORGIA - OWNED PROPERTY TO KOCH FOODS OF GAINESVILLE, LLC

WHEREAS, the City of Gainesville owns the 0.126 acre tract of real property shown as Tracts 3 and 4 on the plat attached as Exhibit "A," and as more specifically described in the legal description attached hereto as Exhibit "B" (hereinafter referred to as "the Property"); and

WHEREAS, the Gainesville City Manager has made Determinations pursuant to Sec. 2-3-2(b) of the Gainesville Code of Ordinances and recommendations of transfer pursuant to Sec. 2-3-2(d) of the Gainesville Code of Ordinances; and

WHEREAS, the City of Gainesville agrees with the recommendations made by the City Manager.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves of the transfer of the Property to the abutting property owner, Koch Foods of Gainesville, LLC, as specifically set forth in the City Manager Determinations related to the Property.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, the City Manager and City Attorney to execute all such documents and agreements that may be necessary to complete the transfer of the Property.

Adopted this _____ day of April, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Exhibit A

SURVEYOR CERTIFICATION:

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

GEORGIA REGISTERED No. 2933 PROFESSIONAL LAND SURVEYOR SUSAN S. ANDERSON

NOTES:

1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.

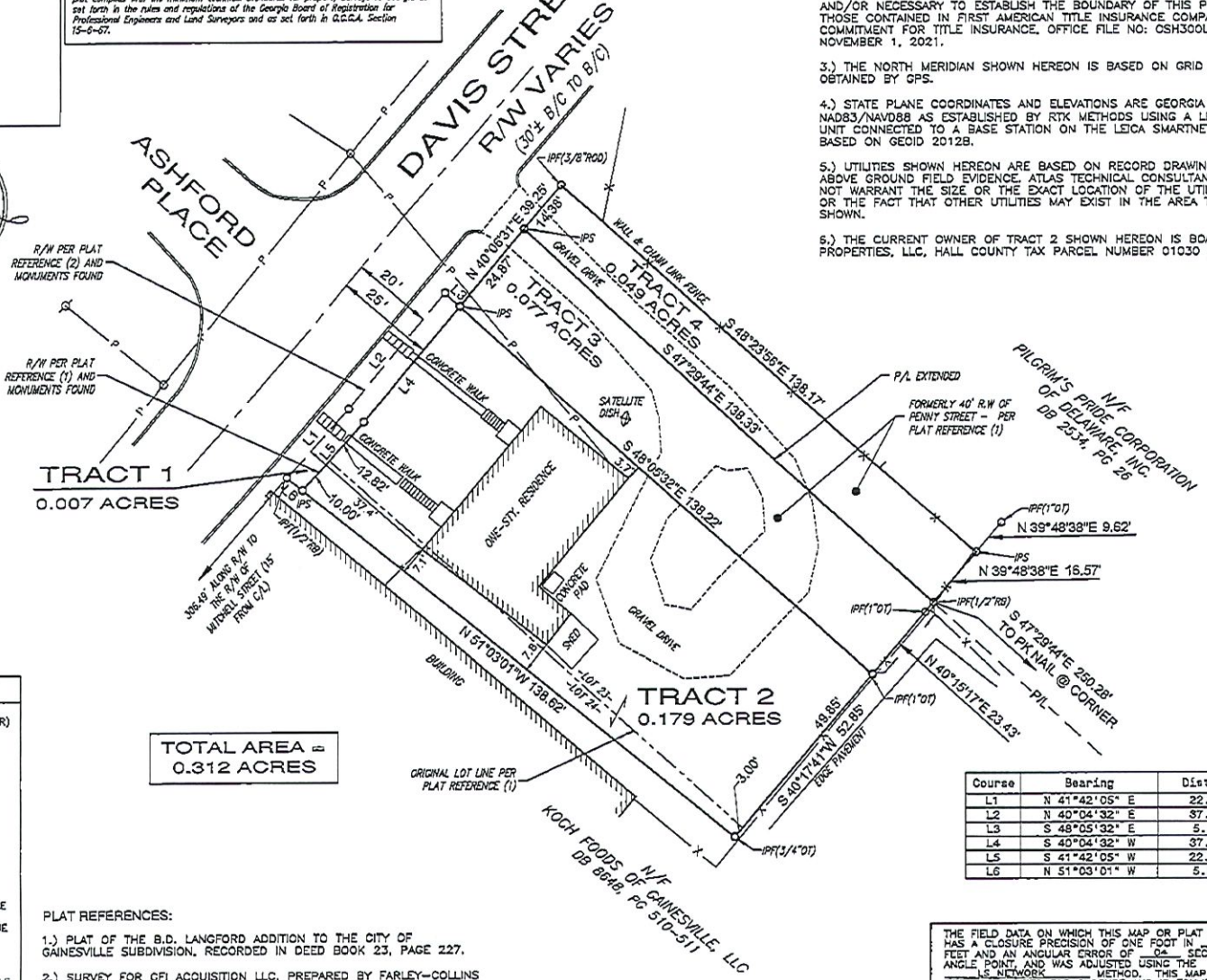
2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE THOSE USED AND/OR NECESSARY TO ESTABLISH THE BOUNDARY OF THIS PROPERTY AND THOSE CONTAINED IN FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, OFFICE FILE NO: OSH300L016, DATED NOVEMBER 1, 2021.

3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH AS OBTAINED BY GPS.

4.) STATE PLANE COORDINATES AND ELEVATIONS ARE GEORGIA WEST ZONE NAD83/NAVD88 AS ESTABLISHED BY RTK METHODS USING A LEICA GPS UNIT CONNECTED TO A BASE STATION ON THE LEICA SMARTNET AND ARE BASED ON GEOID 2012B.

5.) UTILITIES SHOWN HEREON ARE BASED ON RECORD DRAWINGS AND ABOVE GROUND FIELD EVIDENCE. ATLAS TECHNICAL CONSULTANTS, LLC DOES NOT WARRANT THE SIZE OR THE EXACT LOCATION OF THE UTILITIES SHOWN OR THE FACT THAT OTHER UTILITIES MAY EXIST IN THE AREA THAT ARE NOT SHOWN.

6.) THE CURRENT OWNER OF TRACT 2 SHOWN HEREON IS BOARDWALK PROPERTIES, LLC, HALL COUNTY TAX PARCEL NUMBER 01030 009001.



Course	Bearing	Distance
L1	N 41°42'05" E	22.98'
L2	N 40°04'32" E	37.28'
L3	S 48°05'32" E	5.00'
L4	S 40°04'32" W	37.18'
L5	S 41°42'05" W	22.82'
L6	N 51°03'01" W	5.01'

TOTAL AREA = 0.312 ACRES

LEGEND

IPF =	IRON PIN FOUND
IPS =	IRON PIN SET (1/2"REBAR)
OT =	OPEN TOP PIPE
CT =	CRIMP TOP PIPE
R/W =	RIGHT OF WAY
P/L =	PROPERTY LINE
C/L =	CENTERLINE
LL =	LAND LOT
LLL =	LAND LOT LINE
N/F =	NOW OR FORMERLY
DB =	DEED BOOK
PB =	PLAT BOOK
-X- =	FENCE LINE
PP =	POWER POLE
TP =	TELEPHONE POLE
T =	TRANSFORMER
-P- =	OVERHEAD POWER
-T- =	OVERHEAD TELEPHONE
-P/T- =	OVERHEAD POWER & TELE
-UGP- =	UNDERGROUND POWER
-UGT- =	UNDERGROUND TELEPHONE
-G- =	UNDERGROUND GAS
FH =	FIRE HYDRANT
WM =	WATER METER
WV =	WATER VALVE
SSMH =	SANITARY SEWER MANHOLE
CO =	CLEANOUT
DI =	DRAIN INLET
GI =	GRATE INLET
CI =	CURB INLET
YI =	YARD INLET
JB =	JUNCTION BOX
CMP =	CORRUGATED METAL PIPE
RCP =	REINFORCED CONCRETE PIPE
CPP =	CORRUGATED PLASTIC PIPE
CIP =	CAST IRON PIPE
DIP =	DUCTILE IRON PIPE

PLAT REFERENCES:

1.) PLAT OF THE B.D. LANGFORD ADDITION TO THE CITY OF GAINESVILLE SUBDIVISION. RECORDED IN DEED BOOK 23, PAGE 227.

2.) SURVEY FOR CFI ACQUISITION LLC, PREPARED BY FARLEY-COLLINS ASSOCIATES, DATED 7-01-1999.

DEED REFERENCES:

1.) WARRANTY DEED FROM CARL S. VOLLE TO BOARDWALK PROPERTIES, LLC, RECORDED IN DEED BOOK 8193, PAGES 4-5.

20 0 20 40 60
GRAPHIC SCALE - FEET

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 35,183 FEET AND AN ANGULAR ERROR OF 04 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LS NETWORK METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 113,270 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

TYPE OF EQUIPMENT: TOPCON GPT-8005A

REVISED: 11-30-2021 (ADD TRACTS 3 & 4)
REVISED: 11-03-2021 (PER TITLE COMMITMENT)

ALTA/NSPS LAND TITLE SURVEY - RETRACEMENT SURVEY:

KOCH FOODS OF GAINESVILLE, LLC

LAND LOT 153 - 9th DISTRICT, GMD 411
CITY OF GAINESVILLE - HALL COUNTY, GEORGIA

Atlas Technical Consultants, LLC
Engineering • Planning • Landscape Architecture • Land Acquisition • Surveying
LSF001323, EXP. 6/30/2022
930 Interstate Ridge Drive Suite "F"
Gainesville, Georgia 30501
PHONE(770)532-4021 FAX(770)532-4023

SHEET 1 of 2 SHEETS

VERTICAL SCALE:	N/A
HORIZONTAL SCALE:	1" = 20'
DATE:	10-15-2021
DATE OF FIELD SURVEY:	9-30-2021
DRAWN BY:	SA
CHECKED BY:	DRJ
JOB NO.:	20-5000-G210

G:\DATA\SURVEY\20G210\G210_DWG.DWG

Exhibit "B"

LEGAL DESCRIPTION

TRACT 3

All that tract of land lying and being in G.M.D. 411, Land Lot 153, 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

COMMENCING at a point at the right-of-way intersection of the northeasterly right-of-way of Mitchell Street, said point being fifteen (15) feet from the centerline of said Mitchell Street with the southeasterly right-of-way of Davis Street, said point being twenty (20) feet from the centerline of said Davis Street; Thence, 306.49 feet along said southeasterly right-of-way of Davis Street to an iron pin found (1/2" rebar); Thence, South 51 degrees 03 minutes 01 seconds East for a distance of 5.01 feet to an iron pin set (1/2" rebar) on the original southeasterly fifty (50) feet right-of-way of Davis Street, said point being twenty-five (25) feet from said centerline of Davis Street; Thence, North 41 degrees 42 minutes 05 seconds East for a distance of 22.82 feet along said original right-of-way of Davis Street to a point; Thence, North 40 degrees 04 minutes 32 seconds East for a distance of 37.18 feet continuing along said original right-of-way to an iron pin set (1/2" rebar) on the original southwesterly right-of-way of Penny Street having a right-of-way width of forty (40) feet, said Penny Street currently not used as a public right-of-way, said point being the POINT OF BEGINNING.

Thence, North 40 degrees 06 minutes 31 seconds East for a distance of 24.87 feet continuing along the original southeasterly fifty (50) feet right-of-way of Davis Street to an iron pin set (1/2" rebar);

Thence, South 47 degrees 29 minutes 44 seconds East for a distance of 138.33 feet leaving said right-of-way to an iron pin found (1/2" rebar);

Thence, South 40 degrees 15 minutes 17 seconds West for a distance of 23.43 feet to an iron pin found (1" open top) on said original southwesterly right-of-way of Penny Street;

Thence, North 48 degrees 05 minutes 32 seconds West for a distance of 138.22 feet along said westerly right-of-way of Penny Street to an iron pin set on said original southeasterly fifty (50) feet right-of-way of Davis Street, said point being the POINT OF BEGINNING.

Containing within said bounds an area of 0.077 acres more or less.

TRACT 4

All that tract of land lying and being in G.M.D. 411, Land Lot 153, 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

COMMENCING at a point at the right-of-way intersection of the northeasterly right-of-way of Mitchell Street, said point being fifteen (15) feet from the centerline of said Mitchell Street with the southeasterly right-of-way of Davis Street, said point being twenty (20) feet from the centerline of said Davis Street; Thence, 306.49 feet along said southeasterly right-of-way of Davis Street to an iron pin found (1/2" rebar); Thence, South 51 degrees 03 minutes 01

seconds East for a distance of 5.01 feet to an iron pin set (1/2" rebar) on the original southeasterly fifty (50) feet right-of-way of Davis Street, said point being twenty-five (25) feet from said centerline of Davis Street; Thence, North 41 degrees 42 minutes 05 seconds East for a distance of 22.82 feet along said original right-of-way of Davis Street to a point; Thence, North 40 degrees 04 minutes 32 seconds East for a distance of 37.18 feet continuing along said original right-of-way to an iron pin set (1/2" rebar) on the original southwesterly right-of-way of Penny Street having a right-of-way width of forty (40) feet, said Penny Street currently not used as a public right-of-way; Thence, North 40 degrees 06 minutes 31 seconds East for a distance of 24.87 feet continuing along the original southeasterly fifty (50) feet right-of-way of Davis Street to an iron pin set (1/2" rebar); said point being the POINT OF BEGINNING.

Thence, North 40 degrees 06 minutes 31 seconds East for a distance of 14.38 feet continuing along the original southeasterly fifty (50) feet right-of-way of Davis Street to an iron pin found (3/8" rod) on the original northeasterly right-of-way of said Penny Street;

Thence, South 48 degrees 23 minutes 56 seconds East for a distance of 138.17 feet leaving said right-of-way of Davis Street and along said northeasterly right-of-way of Penny Street to an iron pin set (1/2" rebar);

Thence, South 39 degrees 48 minutes 38 seconds West for a distance of 16.57 feet to an iron pin found (1/2" rebar);

Thence, North 47 degrees 29 minutes 44 seconds West for a distance of 138.33 feet to an iron pin set (1/2" rebar) on said original right-of-way of Davis Street, said point being the POINT OF BEGINNING.

Containing within said bounds an area of 0.049 acres more or less.

CITY MANAGER DETERMINATIONS

Bryan Lackey, City Manager of the City of Gainesville, Georgia, hereby makes the following determinations pursuant to Sec. 2-3-2(b) of the Gainesville Code of Ordinances:

The 0.126 acre tract of real property shown as Tracts 3 and 4 on the plat attached as Exhibit "A," and as more specifically described in the legal description attached hereto as Exhibit "B" (hereinafter referred to as "the Property") is a narrow strip of land, so shaped and so small as to be incapable of being used independently as zoned and under applicable subdivision and other development ordinances, and is also incapable of being used as a street, whether owned in fee or used by easement. The transfer of the Property to Koch Foods of Gainesville, LLC will facilitate the enjoyment of the highest and best use of the abutting owners' property and will also benefit the City tax base and contribute to the overall development of the City. The reasonable fair market value of the Property, based upon an appraisal conducted by a licensed real estate appraiser within the last twelve (12) months, is $26,070.

Based on the aforementioned determinations, the abutting property owners, Koch Foods of Gainesville, LLC and Pilgrim's Pride Corporation, have been notified of the availability of the Property, and an abutting property owner, Koch Foods of Gainesville, LLC, has expressed its desire to purchase the Property.

I hereby recommend that the governing body of the City of Gainesville authorize the sale of the Property to Koch Foods of Gainesville, LLC.

This 13th day of April, 2022.

Bryan Lackey, City Manager

ASH//15100/11401/W263946

HULSEY, OLIVER & MAHAR, LLP

EST. 1914

JULIUS M. HULSEY
R. DAVID SYFAN
THOMAS L. FITZGERALD
THOMAS D. CALKINS
ABBOTT S. HAYES, JR.
PAUL B. SMART
JASON A. DEAN
T. WESLEY ROBINSON
JASON E. VOYLES
JESSICA M. LUND
VANESSA E. SYKES
MONICA B. HATFIELD
KASSANDRA M. LAWSON

ATTORNEYS AT LAW

E.D. KENYON
(1890-1981)
SAMUEL L. OLIVER
(1942-2011)

OF COUNSEL

JAMES E. MAHAR, JR.
(Practice Limited to
Mediation and Arbitration)
JANE A. RANGE
CHRISTOPHER J. WALKER, III

March 14, 2022

VIA CERTIFIED/RETURN RECEIPT REQUESTED

Koch Foods of Gainesville, LLC
Attn: CT Corporation System, Reg. Agt.
289 S. Culver St.
Lawrenceville, GA 30046

Pilgrim's Pride Corporation
Attn: Corp. Service Co., Reg. Agt.
2 Sun Court, Suite 400
Peachtree Corners, GA 30092

Dear Property Owners:

I am an attorney for the City of Gainesville. I am writing to you regarding the 0.126 acre tract of real property shown as Tracts 3 and 4 on the plat attached as Exhibit "A," and as more specifically described in the legal description attached hereto as Exhibit "B" (hereinafter referred to as "the Property"). The Property is a narrow strip of land, so shaped and so small as to be incapable of being used independently as zoned and under applicable subdivision and other development ordinances, and is also incapable of being used as a street, whether owned in fee or used by easement. The transfer of the Property to abutting property owners will facilitate the enjoyment of the highest and best use of the abutting owners' property and will also benefit the City tax base and contribute to the overall development of the City. The reasonable fair market value of the Property, based upon an appraisal conducted by a licensed real estate appraiser within the last twelve (12) months, is $26,070, with $15,930 representing the value of Tract 3 of the Property and $10,140 representing the value of Tract 4 of the Property. Please accept this as notification, pursuant to Section 2-3-2 of the Gainesville Code of Ordinances, that the Property is available for transfer. Koch Foods of Gainesville, LLC has expressed an interest in purchasing either Tract 3 of the Property or both Tracts 3 and 4 of the Property, in the event that Pilgrim's Pride Corporation is not interested in purchasing Tract 4 of the Property. I am offering you the opportunity, as abutting property owners make an offer to purchase the Property. You have thirty (30) days from the date of this letter to express your desire in writing relating to the disposition of the Property. Please submit written notice of your desire relating to the Property to me at this address listed above or via email at ash@homlaw.com within thirty (30) days of the date of this letter.

200 E. E. Butler Parkway | Post Office Box 1457 | Gainesville, Georgia 30503
Telephone: (770) 532-6312 | Fax: (770) 531-9230 OR (770) 532-6822 | www.homlaw.com

Sincerely,

Abbott S. Hayes, Jr.

Enclosures

cc: Angela Sheppard (via email)
Bryan Lackey (via email)
Steve Isaacson (via email)
Craig Whitehead (via email)
Rusty Ligon (via email)

ASH//15100/11401/W263945

Exhibit A

SURVEYOR CERTIFICATION:

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

GEORGIA REGISTERED No. 2933 PROFESSIONAL LAND SURVEYOR SUSAN S. ANDERSON

NOTES:

1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.

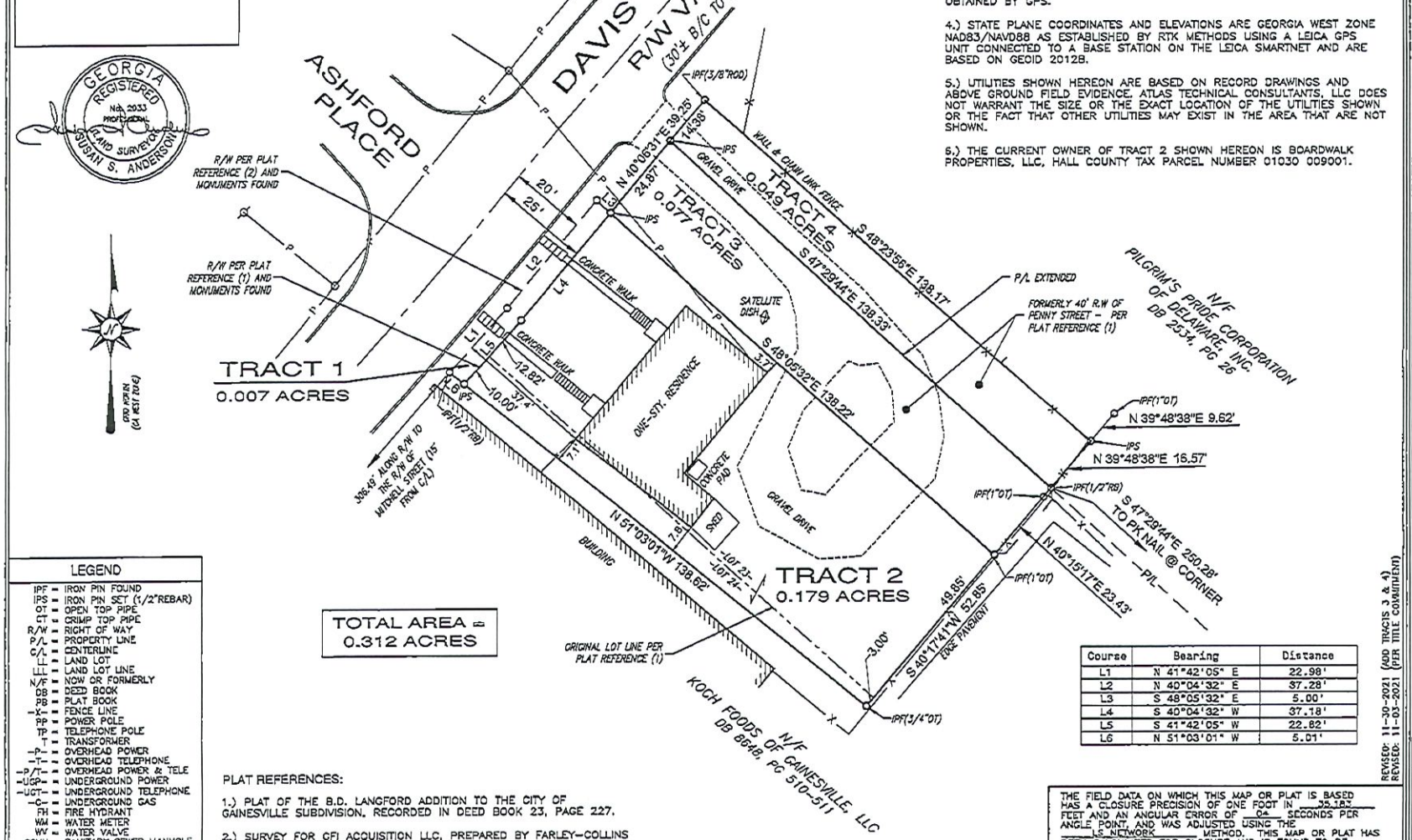
2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE THOSE USED AND/OR NECESSARY TO ESTABLISH THE BOUNDARY OF THIS PROPERTY AND THOSE CONTAINED IN FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, OFFICE FILE NO: OSH300L016, DATED NOVEMBER 1, 2021.

3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH AS OBTAINED BY GPS.

4.) STATE PLANE COORDINATES AND ELEVATIONS ARE GEORGIA WEST ZONE NAD83/NAVD88 AS ESTABLISHED BY RTK METHODS USING A LEICA GPS UNIT CONNECTED TO A BASE STATION ON THE LEICA SMARTNET AND ARE BASED ON GEOID 2012B.

5.) UTILITIES SHOWN HEREON ARE BASED ON RECORD DRAWINGS AND ABOVE GROUND FIELD EVIDENCE. ATLAS TECHNICAL CONSULTANTS, LLC DOES NOT WARRANT THE SIZE OR THE EXACT LOCATION OF THE UTILITIES SHOWN OR THE FACT THAT OTHER UTILITIES MAY EXIST IN THE AREA THAT ARE NOT SHOWN.

6.) THE CURRENT OWNER OF TRACT 2 SHOWN HEREON IS BOARDWALK PROPERTIES, LLC, HALL COUNTY TAX PARCEL NUMBER 01030 009001.



Course	Bearing	Distance
L1	N 41°42'05" E	22.98'
L2	N 40°04'32" E	37.28'
L3	S 48°05'32" E	5.00'
L4	S 40°04'32" W	37.18'
L5	S 41°42'05" W	22.82'
L6	N 51°03'01" W	5.01'

LEGEND

IPF =	IRON PIN FOUND
IPS =	IRON PIN SET (1/2"REBAR)
OT =	OPEN TOP PIPE
CT =	CRIMP TOP PIPE
R/W =	RIGHT OF WAY
P/L =	PROPERTY LINE
C/L =	CENTERLINE
LL =	LAND LOT
LLL =	LAND LOT LINE
N/F =	NOW OR FORMERLY
DB =	DEED BOOK
PB =	PLAT BOOK
-X- =	FENCE LINE
PP =	POWER POLE
TP =	TELEPHONE POLE
T =	TRANSFORMER
-P- =	OVERHEAD POWER
-T- =	OVERHEAD TELEPHONE
-P/T- =	OVERHEAD POWER & TELE
-UGP- =	UNDERGROUND POWER
-UGT- =	UNDERGROUND TELEPHONE
-G- =	UNDERGROUND GAS
FH =	FIRE HYDRANT
WM =	WATER METER
WV =	WATER VALVE
SSMH =	SANITARY SEWER MANHOLE
CO =	CLEANOUT
DI =	DRAIN INLET
GI =	GRATE INLET
CI =	CURB INLET
YI =	YARD INLET
JB =	JUNCTION BOX
CMP =	CORRUGATED METAL PIPE
RCP =	REINFORCED CONCRETE PIPE
CPP =	CORRUGATED PLASTIC PIPE
CIP =	CAST IRON PIPE
DIP =	DUCTILE IRON PIPE

PLAT REFERENCES:

1.) PLAT OF THE B.D. LANGFORD ADDITION TO THE CITY OF GAINESVILLE SUBDIVISION. RECORDED IN DEED BOOK 23, PAGE 227.

2.) SURVEY FOR CFI ACQUISITION LLC, PREPARED BY FARLEY-COLLINS ASSOCIATES, DATED 7-01-1999.

DEED REFERENCES:

1.) WARRANTY DEED FROM CARL S. VOLLE TO BOARDWALK PROPERTIES, LLC, RECORDED IN DEED BOOK 8193, PAGES 4-5.

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 35,183 FEET AND AN ANGULAR ERROR OF 04 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LS NETWORK METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 113,270 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

TYPE OF EQUIPMENT: TOPCON GPT-8005A

REVISED: 11-30-2021 (ADD TRACTS 3 & 4)
REVISED: 11-03-2021 (PER TITLE COMMITMENT)

ALTA/NSPS LAND TITLE SURVEY - REPRACEMENT SURVEY:

KOCH FOODS OF GAINESVILLE, LLC

LAND LOT 153 - 9th DISTRICT, GMD 411
CITY OF GAINESVILLE - HALL COUNTY, GEORGIA

Atlas Technical Consultants, LLC
Engineering • Planning • Landscape Architecture • Land Acquisition • Surveying
LSF001323, EXP. 6/30/2022
930 Interstate Ridge Drive Suite "F"
Gainesville, Georgia 30501
PHONE(770)532-4021 FAX(770)532-4023

SHEET 1 of 2 SHEETS

VERTICAL SCALE:	N/A
HORIZONTAL SCALE:	1" = 20'
DATE:	10-15-2021
DATE OF FIELD SURVEY:	9-30-2021
DRAWN BY:	SA
CHECKED BY:	DRJ
JOB NO.:	20-5000-G210

G:\DATA\SURVEY\20G210\G210_DWG.DWG

Exhibit "B"

LEGAL DESCRIPTION

TRACT 3

All that tract of land lying and being in G.M.D. 411, Land Lot 153, 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

COMMENCING at a point at the right-of-way intersection of the northeasterly right-of-way of Mitchell Street, said point being fifteen (15) feet from the centerline of said Mitchell Street with the southeasterly right-of-way of Davis Street, said point being twenty (20) feet from the centerline of said Davis Street; Thence, 306.49 feet along said southeasterly right-of-way of Davis Street to an iron pin found (1/2" rebar); Thence, South 51 degrees 03 minutes 01 seconds East for a distance of 5.01 feet to an iron pin set (1/2" rebar) on the original southeasterly fifty (50) feet right-of-way of Davis Street, said point being twenty-five (25) feet from said centerline of Davis Street; Thence, North 41 degrees 42 minutes 05 seconds East for a distance of 22.82 feet along said original right-of-way of Davis Street to a point; Thence, North 40 degrees 04 minutes 32 seconds East for a distance of 37.18 feet continuing along said original right-of-way to an iron pin set (1/2" rebar) on the original southwesterly right-of-way of Penny Street having a right-of-way width of forty (40) feet, said Penny Street currently not used as a public right-of-way, said point being the POINT OF BEGINNING.

Thence, North 40 degrees 06 minutes 31 seconds East for a distance of 24.87 feet continuing along the original southeasterly fifty (50) feet right-of-way of Davis Street to an iron pin set (1/2" rebar);

Thence, South 47 degrees 29 minutes 44 seconds East for a distance of 138.33 feet leaving said right-of-way to an iron pin found (1/2" rebar);

Thence, South 40 degrees 15 minutes 17 seconds West for a distance of 23.43 feet to an iron pin found (1" open top) on said original southwesterly right-of-way of Penny Street;

Thence, North 48 degrees 05 minutes 32 seconds West for a distance of 138.22 feet along said westerly right-of-way of Penny Street to an iron pin set on said original southeasterly fifty (50) feet right-of-way of Davis Street, said point being the POINT OF BEGINNING.

Containing within said bounds an area of 0.077 acres more or less.

TRACT 4

All that tract of land lying and being in G.M.D. 411, Land Lot 153, 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

COMMENCING at a point at the right-of-way intersection of the northeasterly right-of-way of Mitchell Street, said point being fifteen (15) feet from the centerline of said Mitchell Street with the southeasterly right-of-way of Davis Street, said point being twenty (20) feet from the centerline of said Davis Street; Thence, 306.49 feet along said southeasterly right-of-way of Davis Street to an iron pin found (1/2" rebar); Thence, South 51 degrees 03 minutes 01

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Thence, North 40 degrees 06 minutes 31 seconds East for a distance of 14.38 feet continuing along the original southeasterly fifty (50) feet right-of-way of Davis Street to an iron pin found (3/8" rod) on the original northeasterly right-of-way of said Penny Street;

Thence, South 48 degrees 23 minutes 56 seconds East for a distance of 138.17 feet leaving said right-of-way of Davis Street and along said northeasterly right-of-way of Penny Street to an iron pin set (1/2" rebar);

Thence, South 39 degrees 48 minutes 38 seconds West for a distance of 16.57 feet to an iron pin found (1/2" rebar);

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Containing within said bounds an area of 0.049 acres more or less.

APPRAISAL REPORT OF:

Narrow Strip Uneconomic Remnant
Located on Davis Street between 913 and 843 Davis Street
Gainesville, Hall County, Georgia

OWNER OF RECORD:

The City of Gainesville

PREPARED FOR:

The City of Gainesville
Office of the City Manager

PREPARED BY

W. McRae Greene
CG-1548
Greene Real Estate Service, Inc.
Gainesville, Georgia 30501

DATE OF REPORT AND VALUATION

March 10, 2022

GREENE REAL ESTATE SERVICES, INC.

APPRAISERS AND CONSULTANTS

POSTOFFICE BOX 811
GAINESVILLE, GEORGIA 30503

W. McRae Greene, Jr. President **Office 770-532-1245**
raeg44@gmail.com

Abbott Hayes March 10, 2022
City Attorney
City of Gainesville, Georgia

RE: Narrow Strip Uneconomic Remnant
Located on Davis Street between 913 and 843 Davis Street
Gainesville, Hall County, Georgia

Dear Mr. Hayes:

Regarding your request for a valuation and analysis of the sale of Narrow Strip Uneconomic Remnants between 913 and 843 Davis Street, may I advise that I have made a personal inspection of the property and analyzed the pertinent data necessary to form an opinion of value.

The project is the sale of 2 tracts of uneconomic remnant to the adjoining owners. This will allow the land to be utilized at its Highest and Best Use as assemblage.

The only adjoining property owner of Tract 3 is Koch Foods and the only adjoining property owner of Tract 2 is Pilgrim's Pride. The use of this property by these owners would allow them to utilize the uneconomic narrow strip properties to the Highest and Best Use which would allow for benefits to the City due to the tax base and overall improvements to market value within the Industrial Blvd business district.

Thank you for the opportunity to be of service in this matter.

Respectfully,

W. McRae Greene
GA Certified Appraiser - 1548

RESTRICTED USE APPRAISAL

Section 1 - Project Identification

Narrow Strip Uneconomic Remnant
Located on Davis Street between 913 and 843 Davis Street
Gainesville, Hall County, Georgia

Section 2 - Parcel Identification

Parcel Owner: City of Gainesville

Adjoining Owners:

Parcel 00030 009002:	Koch Foods of Gainesville, LLC	3.09 acres
Parcel 00050 001007:	Koch Foods of Gainesville, LLC	0.52 acres
Parcel 01050 001008:	Koch Foods of Gainesville, LLC	1.32 acres
Parcel 01050 001009:	Koch Foods of Gainesville, LLC	0.31 acres
Parcel 01050 001009A:	Koch Foods of Gainesville, LLC	0.19 acres
		5.43 acres

Parcel 01030 008007:	Pilgrim's Pride Corporation	1.18 acres
Parcel 01030 008001:	Pilgrim's Pride Corporation	0.27 acres
Parcel 01030 008002:	Pilgrim's Pride Corporation	0.78 acres
Parcel 01030 0080016:	Pilgrim's Pride Corporation	0.27 acres
Parcel 01030 0080014:	Pilgrim's Pride Corporation	0.50 acres
Parcel 01030 008005:	Pilgrim's Pride Corporation	0.57 acres
		3.57 acres

Section 3 - Owner Contact/Ownership Interests

Contact
The property owner is the client in this appraisal.

Inspection
The property was inspected by the appraiser on multiple occasions with the last being March 10, 2022.

Title History
N/A

Section 4- Reporting Disclosure

This report is intended for the use of the client only. A general data book was not prepared and all the data necessary to properly understand this report is included herein.

Purpose and intended use of the appraisal:

The purpose of this appraisal is to estimate the Fair Market Value of the Fee Simple Interest in the property as an unimproved parcel and to estimate the contributory value of the underlying land to the adjoining owners to its Highest and Best Use.

Client and intended use of the appraisal:

This appraisal is being prepared for City of Gainesville. It is understood that this report will be used to determine the Fair Market Value of the sale of property under the narrow strip ordinance.

State and reference a definition of the value to be estimated:

The following definitions are those as stated in The Appraisal of Real Estate, Eleventh Edition, Appraisal Institute, p.23, 137 & 146

Market Value may be defined as:
The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this information are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a) Buyer and seller are typically motivated:
b) Both parties are well informed or well advised, and each acting in what they consider their best interest:
c) A reasonable time is allowed for exposure in the market:
d) Payment is made in terms of cash in United States dollars or in terms of finance arrangements comparable thereto: and
e) The price represent the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated by anyone with the sale.

Fee Simple Ownership may be defined as:
"absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat."

Easement may be defined as:
"An easement is usually the right to perform a specific action on a particular parcel of property or a portion thereof, by the grantees who do not hold the underlying fee."

Exposure time:
Assumed to be adequate, sufficient, and reasonable. Effort for exposure is assumed to be adequate, sufficient and reasonable. Both items are assumed to precede the effective date of value. The time frame is an integral part of the appraisal analysis and is based on one or more of the following:

a) Statistical information about days on the market
b) Information gathered through sales verification; and
c) Interviews of market participants

Appraisal Type
This is an appraisal of unimproved and improved commercial property with the land only being valued. This appraisal includes an analysis of a proposed land sale.

Scope of Assignment
Extent and process of collecting, confirming and reporting all data - all data, which was considered to be pertinent to the valuation of the subject property was gathered. This included, but was not limited to, local and neighborhood economic trends, conformity of land uses, zoning and market sales data. These sales where researched to determine factors that would influence the sales price and their comparability to the subject. These sales were verified through the buyer, seller or other knowledgeable parties, and/or including the public records. The five step process is utilized to estimate just and adequate compensation for the acquisition.

Describe any special limitations
All limiting conditions and assumptions that affect the analysis and conclusions are included in this report.

Section 5 - Local Government Requirements

Zoning

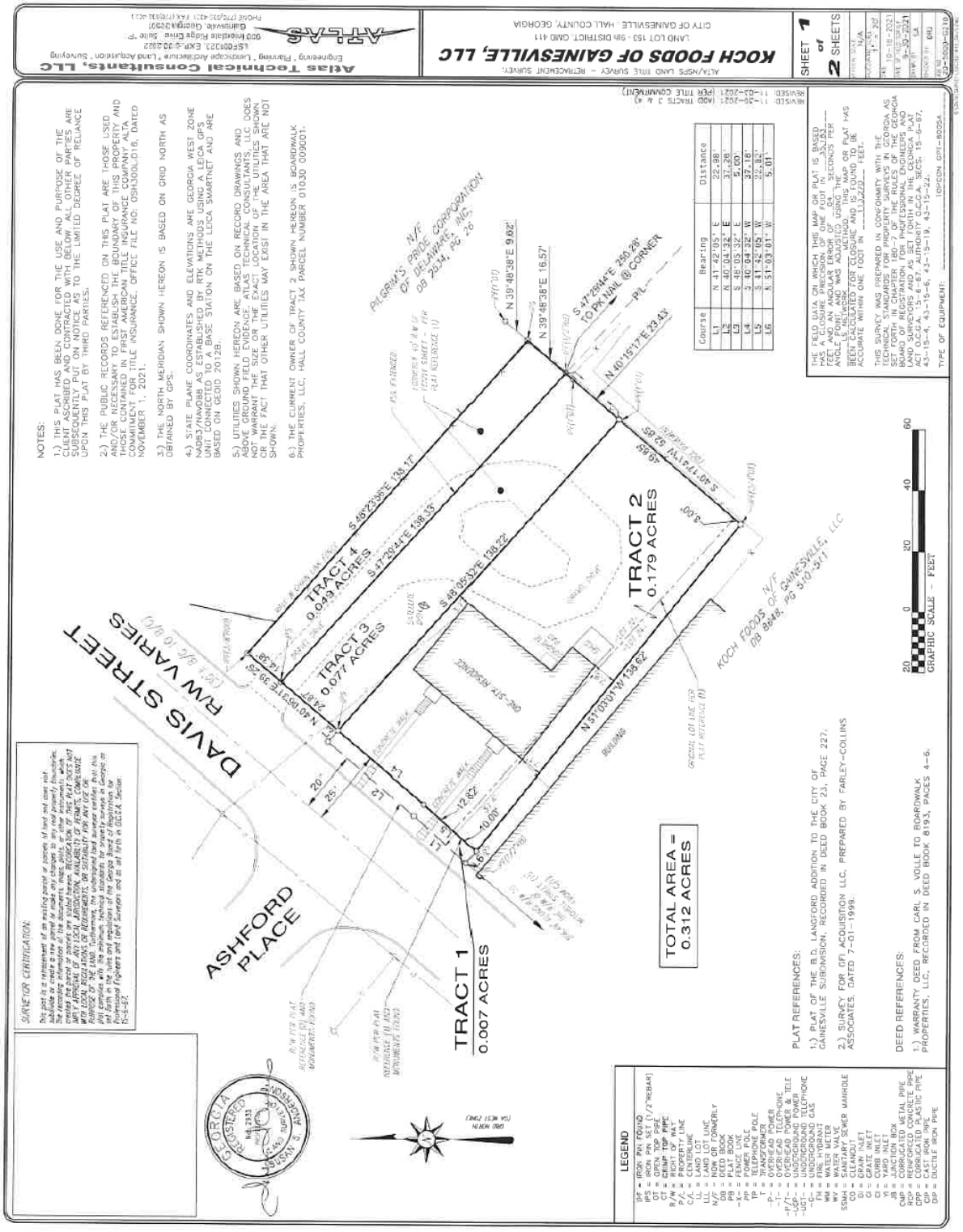
Classification:	H-I (Heavy Industrial)
Governmental Jurisdiction:	City of Gainesville
Permitted Uses:	Access to Adjoining Properties
Restrictions:	Public Right of Way

Section 6 - Property Description

The properties surrounding the subject are an industrial complex identified as the Koch Foods of Gainesville, LLC production facility and The Pilgrim's Pride poultry processing plant. The physical use of the adjoing property is for employee parking. The subject is a narrow strip and is identified and described on the plat included in this report.

For description see aerial photos and tax maps and plats included in this report.

Plat and Description of Subject Property



TRACT 3

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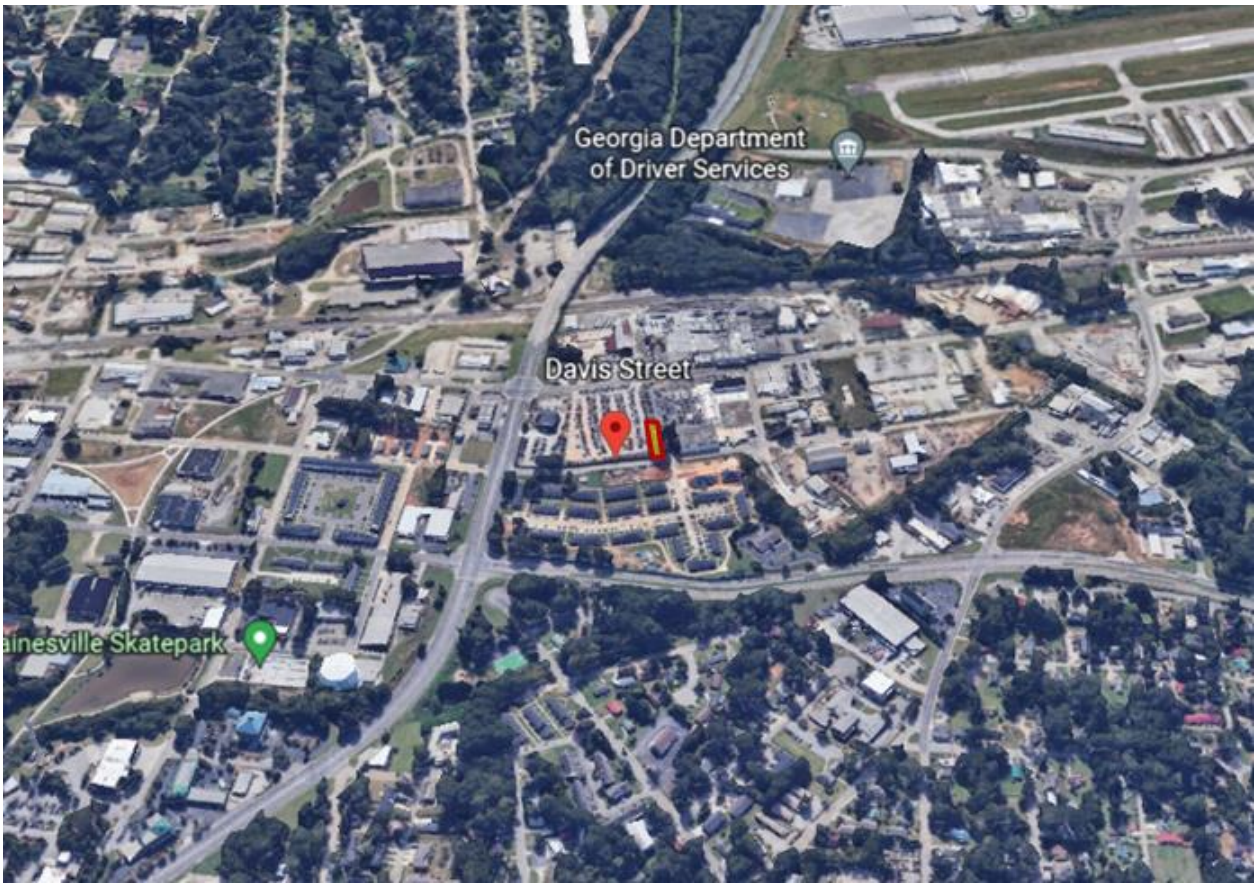
Containing within said bounds an area of 0.049 acres more or less.

Identification of Project and Area

Subject- Red Tract 3 & 4 Uneconomic Remnant
Adjoining parcels – Blue 843 Davis St Pilgrim's Pride
Yellow 913 Davis St Koch Foods

Davis St Area

Davis St Area



Davis St Area

Davis St Area

913 Davis St Gainesville, Georgia

843 Davis St Gainesville, Georgia

GAINESVILLE BUILDING INSPECTION
Demolition
ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH GAINESVILLE IN REGARDS TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
THE APPLICANT IS: KOCH FOODS OF GAINESVILLE, LLC
THE REQUEST IS: REZONE 7.055 AC FROM RESIDENTIAL-II (R-II) TO HEAVY INDUSTRIAL (H-I) FOR A POULTRY PROCESSING PLANT EXPANSION
THE MEETING WILL BE HELD ON:
Date: 11/8/2021
Time: 5:30 PM
GAINESVILLE JUSTICE CENTER
PUBLIC SAFETY COMPLEX
701 QUEEN CITY PARKWAY
Date: 12/7/2021
Time: 5:30 PM
GAINESVILLE JUSTICE CENTER
PUBLIC SAFETY COMPLEX
701 QUEEN CITY PARKWAY
FOR MORE INFORMATION CALL: 770-531-6570

Section 7 – Highest and Best Use

Four major criteria are considered in a Highest and Best Use analysis. These are the physical attributes of the property; the legal restrictions attached to the property (zoning); the most financially feasible use for the property; and the use that will provide the maximum financial return to the owner

The Highest and Best Use for the subject property is to provide additional property and access to the adjoining properties.

Section 8 - Valuation

APPRAISAL PROCEDURE

In estimating the present fair market value of the subject property all approaches to value were considered. Since the highest and best use indicates that the highest and best use for valuation is as unimproved and available for development, the sales comparison approach to value will be utilized to value the land only. This is the approach that compares the subject property to other similar properties that have sold or currently offered for sale. These properties are compared to the subject and are adjusted based on their dissimilar characteristics.

LAND VALUATION

In order to estimate the market value of the subject, consideration is given to all sales in the general market area for the past three years of vacant or under improved tracts. All of the sales are considered generally comparable and relevant to the valuation of the subject property.

The value of the "unimproved land" based on the actual sales price paid in the overall general market is estimated (based on arm's length transactions) to be in the range of $4.75 per square foot or $207,000 per acre of useable land.

Valuation Summary

COMPARABLE SALES SUMMARY

NO.	LOCATION	DATE	SIZE / SF	PRICE	PRICE/SF
1.	889 Bradford St	9/15/2017	57,935	$250,000	$4.32
2.	890 Wills St	4/25/2018	20,603	$100,000	$4.85

The real estate sales in the specific area of this property are improved with buildings in use and it is difficult to determine the contribution of the underlying land to the sales price. From our experience in this market we determined that the two sales summarized above are within the overall range of values.

Based on this general analysis it would be beneficial to the City of Gainesville, Koch Foods and Pilgrim's Pride to proceed with the sale and allow the adjoining owners to develop or utilize the area to its Highest and Best Use.

Based on these considerations, it is our opinion that the Fair Market Value of the subject property for assemblage is estimated to be based on $4.75 per square foot ($ 207,000 per acre).

Tract 3 Koch Foods 0.007 acres or 3,354 square feet

3,354 sf @ $4.75 = $ 15,930

Tract 4 Pilgrim's Pride 0.049 acres or 2,134 square feet

2,134 sf @ $4.75 = $ 10,140

ASSUMPTIONS AND LIMITING CONDITIONS

These appraisal reports have been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.

3. Responsible management and competent property management are assumed.

4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.

5. All engineering is assumed to be correct. The tax plats, right-of-way plans and illustrative material in the reports are included only to assist the reader in visualizing the property.

6. It is assumed that there are no hidden or unapparent conditions of property, subsoil, or restrictions that render it more or less valuable. Nor is responsibility assumed for such conditions or for arranging for engineering studies that may be required to discover them.

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.

8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless nonconformity has been stated, defined, and considered in the appraisal report.

9. It is assumed that all required licenses, certifications of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in the report is based.

10. It is assumed that the utilization of the land and improvement is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

11. The distribution, if any of the total valuation in the report between land and improvements applies only under the stated program of utilization. The separate allocations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

12. Possession of the report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with properly written qualification and only in its entirety. Therefore, the liability of the appraiser shall be expressly limited to the person for whom the appraisal was addressed and any reliance there on by any third party shall not be justifiable and therefore at the peril of the third party.

13. The appraiser herein by reason of the appraisal is not required to give further consultation, testimony or be attendance in court with reference to the property in question unless arrangements have been previously made.

14. Neither all nor any part of the contents of the report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without the prior consent and approval of the appraiser.

15. It is a condition of the appraisal that the subject property, including any proposed improvements, meets all governmental regulations and restrictions, including but not limited to zoning requirements, building and development codes, drainage requirements and all fire safety laws.

16. It is a condition that the property is subject to typical easements such as right-of- way for electric power lines, sewer easements, natural gas lines, as well as telephone lines and water lines.

17. It is a condition of the appraisal that no soil boring test has been made and the stated value would be subject to such a test.

18. It is a condition of the appraisal that any marketing of the subject property would expressly require effective and aggressive sales methods and techniques, reasonable pricing, market exposure, and coverage, and unless stated any suggested improvements or repairs completed in order to market the property.

19. The subject is specifically conditioned on present market conditions, any changes may affect the market value stated.

20. Unless otherwise stated in the report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser however **is not qualified** to detect such substances. The value is predicated on the assumption that there are no such materials on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge necessary to discover them. The client is urged to retain an expert in this field, if desired.

21. It is specifically noted as a condition of the appraisal that, unless found otherwise, the furnished plans for the project, furnished square foot or metric areas, owner furnished information, as well as county tax record information regarding the subject is believed to be reliable.

CERTIFICATION OF APPRAISER

STATE OF GEORGIA
COUNTY OF: HALL

I Hereby Certify:

That I have personally inspected the property appraised herein and that I have also made a personal field inspection of the comparable sales relied upon in making said appraisal. The subject and the comparable sales relied upon in said appraisal were as represented in said appraisal or in the data book or report which supplements said appraisal. That no one provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief, the statements contained in the appraisal herein set forth are true and correct, the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions. That my analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The appraiser is currently certified under the continuing education program of the State of Georgia through the date July 31, 2022. The appraiser is also currently certified under the voluntary continuing education program of American Society of Appraisers.

That I understand that such appraisal may be used in connection with the disposal for a project identified as abandonment of alleyways by the City of Gainesville.

That such appraisal has been made in conformity with the appropriate State laws, regulations, and policies and procedures applicable to appraisal of right-of-way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items, which are non-compensable under the established law of said State.

That my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. That I have no personal interest in or bias with respect to the parties involved and that I have no present or prospective interest in the property that is the subject of this report.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the acquiring agency and I will not do so until so authorized by said officials, or until I am required to do so by due process of law, or until I am released from the obligation by having publicly testified as to such findings.

That it is my opinion of just compensation for the disposition as of the March 10, 2022 is Tract 3 $15,930 and Tract 4 - $ 10,140 and is based upon my independent appraisal and the exercise of my professional judgment.

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W. McRae Greene
Georgia Certification #1548

QUALIFICATIONS OF W. McRAE GREENE, JR.

Greene Real Estate Services, Inc.
P.O. Box 811
Gainesville, Georgia 30503
770-532-1245 raeg44@gmail.com

EDUCATION

BBA Degree - University of Georgia (1966)
BBA Degree with Major in Real Estate
Continuing Education - Annual courses and seminars in all areas of real estate brokerage, finance and appraisal

AFFILIATIONS

Affiliate member - Appraisal Institute
Member - National Association of Independent Fee Appraisers (Certification IFAS)
Past President - Gainesville Hall County Association of Realtors
Past Director - Georgia Association of Realtors

EXPERIENCE

Georgia Licensed Real Estate Broker (# 085049) Originally Licensed Oct. 1965
Tennessee Certified General Real Estate Appraiser (#5266)
South Carolina Certified Real Estate Appraiser (# 7437)
Georgia Certified Real Estate Appraiser (#1548)
Unlicensed States by reciprocal temporary licensing agreement
Owner and President of Greene Real Estate Services, Inc. (1966 - Present)
Active Real Estate Appraiser (1966 - Present)

RECENT CLIENTS

Clients for appraisal assignments over the past three years include Governmental Agencies, Lending Institutions, Businesses, Estates, Individuals, Certified Public Accountants and Attorneys. Also, testimony relating to real estate value in the Superior Courts of most counties in Northeast Georgia, Federal Court and U.S. Bankruptcy Court.
Internal Revenue Service
For over 30 years appraisals for fee simple interest charitable donations that meet IRS requirements.

Specific recent clients include: (conservation easement clients not disclosed)

Georgia Department of Transportation
Etowah Water and Sewer Authority
Cobb County Water and Sewer Department
Cities of Gainesville, Cornelia, Clayton, Georgia
United States Corps of Engineers

Valuation assignments utilizing before and after analysis of easement interest for public utilities, property acquisitions and sales of surplus properties.

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CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/12/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-16 Allen Creek Soccer Complex Intergovernmental Lease Agreement with Hall County

Meeting Date: 4/19/2022

Purpose of Request:

The purpose of this request is to enter into a lease agreement with Hall County.

History/Background:

Hall County and the City of Gainesville each own one-half interest in the Allen Creek Soccer Complex.

Facts & Issues for Consideration:

The resolution authorizes the execution of a fifty year lease agreement with a provision that the property continue to provide recreational benefits for the citizens of Hall County, Gainesville and surrounding communities.

Department Recommendation:

Adopt the resolution as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-16 Allen Creek Soccer Complex Lease IGA with Hall County	Resolution
Allen Creek Soccer Complex Lease Agreement	Contract/Agreement/MOU
Exhibit A - 11.13.2000 Deed	Attachments/Exhibits

RESOLUTION BR-2022-16

ALLEN CREEK SOCCER COMPLEX INTERGOVERNMENTAL LEASE AGREEMENT WITH HALL COUNTY

WHEREAS, Art. IX, § III, ¶ I (a) of the Georgia Constitution authorizes a municipality and county to contract with each other for a period not exceeding 50 years for the provision of services and use of facilities relating to activities, services and facilities that the contracting parties are authorized by law to provide; and

WHEREAS, Hall County and the City of Gainesville ("Gainesville") each own a one-half interest in the improved real property known as the Allen Creek Soccer Complex ("Allen Creek"); and

WHEREAS, Hall County has indicated that it intends to continue to operate and maintain Allen Creek as a recreational facility, and Gainesville is willing to lease its interest in Allen Creek to Hall County for use as a recreational facility; and

WHEREAS, Gainesville wishes to lease its interest in Allen Creek to Hall County for fifty years, such that Allen Creek can continue to be used to provide recreational benefits for the citizens of Hall County, Gainesville, and surrounding communities; and

WHEREAS, Hall County has reviewed and approved the Intergovernmental Lease Agreement that is attached hereto as Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Gainesville does hereby approve the attached Intergovernmental Lease Agreement and authorizes the Mayor, City Manager and City Attorney to execute an agreement in substantially the same form as the Intergovernmental Lease Agreement attached hereto, as well as such other documents as may be necessary to effectuate the terms of the attached Agreement.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

INTERGOVERNMENTAL LEASE AGREEMENT FOR ALLENS CREEK SOCCER COMPLEX

BETWEEN HALL COUNTY, GEORGIA AND THE CITY OF GAINESVILLE

This Intergovernmental Lease Agreement entered into pursuant to the authority granted by Georgia Constitution Art. IX, § III, ¶ I (a) this _____ day of _____, 2022, by and between Hall County, Georgia, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia (hereinafter referred to as "Hall County"), and the City of Gainesville, Georgia, a municipal corporation, by and through its duly authorized governing authority, the City Council of Gainesville, Georgia (hereinafter referred to as the "City of Gainesville"), is entered into for the purpose of setting forth the duties, obligations, and responsibilities of both government entities in undertaking a long-term lease of the City of Gainesville's one-half interest in the improved real property known as the Allen Creek Soccer Complex by Hall County.

WHEREAS, Hall County is fee simple owner of a one-half interest in the improved real property known as the Allen Creek Soccer Complex pursuant to a deed dated March 23, 2000 and recorded in the real estate records on November 13, 2000 (see Exhibit A hereto); and

WHEREAS, the City of Gainesville is fee simple owner of a remaining one-half interest in the improved real property known as the Allen Creek Soccer Complex; and

WHEREAS, on or about November 21, 2001 Hall County and the City of Gainesville entered into an Intergovernmental Agreement ("IGA") covering the operation and maintenance of the Allen Creek Soccer complex; and

WHEREAS, the November 21, 2001 IGA, its addendum, and its automatic renewal periods expired on November 21, 2021, and said IGA is no longer in effect; and

WHEREAS, the City of Gainesville has indicated that it no longer wishes to be involved in the operation and maintenance of the Allen Creek Soccer Complex; and

WHEREAS, Hall County has indicated that it intends to continue to operate and maintain the Allen Creek Soccer Complex as a recreational facility for the foreseeable future; and

WHEREAS, the City of Gainesville has indicated its willingness to enter into an Intergovernmental Lease Agreement whereby it leases its interest in the Allen Creek Soccer Complex to Hall County for Hall County's use as a public recreational facility.

NOW THEREFORE, Hall County and the City of Gainesville hereby enter into the following Intergovernmental Lease Agreement for said facility upon the following terms and conditions.

1.

Term of Lease

As permitted by Article IX, § III, ¶ I (a) of the Georgia Constitution, the term of this lease shall be for a total of fifty years from the date of its full execution.

2.

Consideration

In consideration of the mutual promises contained herein, Hall County shall pay to the City of Gainesville the yearly amount of $100.00 paid to the City in a lump sum each year during the month of December for the entire term of this Intergovernmental Lease Agreement. For the year 2022 the County shall pay in December of 2022 a pro rata share of the above-referenced yearly lump sum for the time that this Lease Agreement is in effect during 2022 based upon this lease taking effect on the date of its full execution by the parties.

3.

Premises

In consideration of the mutual promises contained herein and other good and valuable consideration, as well as the payments described in paragraph 2 herein, the City of Gainesville does hereby rent and lease to Hall County its entire interest in the real property and improvements known as the Allen Creek Soccer Complex, said real property and improvements being the City of Gainesville's entire remaining interest in said Complex, including real property and improvements. For purposes of describing the premises of the Complex, the Allen Creek Soccer Complex property is depicted and described in a Quit Claim Deed between the parties dated March 23, 2000 and filed with the Clerk's real estate records on November 13, 2000. Said deed and related documents are attached hereto as Exhibit "A" for reference as to the boundaries of the Complex.

4.

Use of the Premises

As a condition of this Intergovernmental Lease Agreement, Hall County agrees to use the real property and improvements known as the Allen Creek Soccer Complex solely for recreational purposes during the term of this Agreement. In the event that the Allen Creek Soccer Complex ceases being used for recreational purposes for a period of more than six (6) months, the City of Gainesville shall have the option, upon written notice to Hall County, to terminate this Intergovernmental Lease Agreement.

5.

Operation and Maintenance

During the term of this Intergovernmental Lease Agreement, Hall County agrees to be solely responsible for the operation and maintenance of the Allen Creek Soccer Complex as a recreational facility, and will accordingly be solely responsible for the oversight and management of the facility during the lease term.

6.

Revenue

During the term of this Agreement, Hall County shall be solely entitled to receive all revenue generated as a result of the operation of the Complex premises and facility thereon.

7.

Records

During the term of this Agreement Hall County shall be responsible for maintaining all financial records and financial reports reflecting the operation of the facility.

8.

Improvements

During the term of the lease, Hall County shall be permitted, without first consulting the City, to make minor improvements to the facility as deemed necessary to landscape the facility, to replace and repair the athletic fields and buildings, and engage in necessary or routine maintenance such as cleaning, painting, re-roofing, and repair to existing structures. Should Hall County wish to make major improvements or changes to the facility, such as changing the footprint of existing buildings and/or grading/excavating, the County will first obtain the permission of the City, and such permission shall not be unreasonably withheld.

9.

Utilities

During the term of the lease, Hall County shall be solely responsible for the payment of all utilities required for the operation of the facility.

10.

Subleasing

During the term of the lease, Hall County shall be entitled to sublease all or a portion of the facility as it deems necessary provided that any such sublease shall be for operation of recreational facilities on the property.

11.

Severance

In the event that any part or provision of this Agreement is held to be invalid, the remainder of the Agreement shall not be affected thereby and shall continue in full force and effect.

12.

Governing Law

This Agreement shall be governed in all respects as to validity, construction, capacity, performance, enforcement, or otherwise by the laws of the State of Georgia.

13.

Entire Agreement

This Agreement, including any exhibits hereto, constitutes the entire agreement between the parties. There are no conditions, agreements, or representations either written or oral between the parties except those expressed herein. This Agreement may only be altered or amended by a written instrument duly executed by both parties hereto.

14.

Notice

During the term of this Agreement any required notice or communication from the City to the County shall be sufficient if sent via Certified Mail, return receipt requested, to the County Administrator, with copies via U.S. Mail to the County's Director of Parks and Leisure and to the County Attorney. Likewise, during the term of this Agreement any required notice or communication from the County to the City shall be sufficient if sent via Certified Mail, return receipt requested, to the City Manager, with copies via U.S. Mail to the City's Director of Parks and Recreation and to the City Attorney.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective as of the day and year first above written.

HALL COUNTY, GEORGIA

By:_____
Richard Higgins
Commission Chairman

Attest:_____
Jennifer Rivera
Commission Clerk

CITY OF GAINESVILLE, GEORGIA

APPROVED AS TO FORM

_____
Abbott S. Hayes, Jr.
Hulsey, Oliver & Mahar, LLP
City Attorney

By:_____
W. Samuel Couvillon
Mayor

Attest:_____
Denise O. Jordan
City Clerk

Exhibit A
(November 13, 2000 Deed from City to County of ½ Interest in Complex)

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HALL COUNTY, Georgia
Real Estate Transfer Tax

Paid $ -0-
Date 11-10-05
DWIGHT S. WOOD
Clerk Superior Court
By

Georgia, Hall County, Clerk Superior Court
Filed in office, this 10 day of Nov.
20 05 at 3:30 pm. Recorded in
Book 3767 Page(s) 509-511
this 13 day of Nov., 2005.
DWIGHT S. WOOD, CLERK, by:

QUIT-CLAIM DEED

STATE OF GEORGIA,
COUNTY OF HALL

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THIS INDENTURE, made this 23rd day of March, in the year of Our Lord Two Thousand, between **CITY OF GAINESVILLE, GEORGIA** of the State of Georgia and County of Hall (hereinafter called "GRANTOR"), and **HALL COUNTY, GEORGIA** of the State of Georgia and County of Hall (hereinafter called 'GRANTEE"),

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of Ten ($10.00) and other valuable consideration DOLLARS, in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever QUIT-CLAIM to the said GRANTEE the following described property, to-wit:

A one-half (½) undivided interest in and to all that tract or parcel of land lying and being in the Tadmore (GMD 268) District of Hall County, Georgia, consisting of 89.896 acres and being more particularly described according to a survey for City of Gainesville by Donald Rex Jones, registered surveyor, dated September 17, 1999, and being more particularly described according to said survey as follows:

BEGINNING at a concrete monument located at the intersection of the southeast side of the right-of-way of Monroe Drive with the southwest side of the right-of-way of Allen Creek Road; thence along the southwest side of the right-of-way of Allen Creek Road south 48 degrees 01 minutes 57 seconds east 298.28 feet to a point; thence continuing along the right-of-way of the said Allen Creek Road a chord bearing and distance of south 59 degrees 59 minutes 38 seconds east 821.62 feet to an iron pin; thence south 24 degrees 10 minutes 49 seconds west 21.50 feet to an iron pin; thence south 65 degrees 49 minutes 11 seconds east 31.77 feet to an iron pin; thence north 24 degrees 10 minutes 49 seconds east 25.18 feet to an iron pin located on the southwest side of the right-of-way of Allen Creek Road; thence along said right-of-way a chord bearing and distance of south 78 degrees 14 minutes 35 seconds east 370.59 feet to a point; thence along said right-of-way south 83 degrees 36 minutes 24 seconds east 174.89 feet to a point; thence along said right-of-way a chord bearing and distance of south 56 degrees 56 minutes 33 seconds east 830.74 feet to a point; thence along said right-of-way south 30 degrees 16 minutes 41 seconds east 1,051.26 feet to an iron pin; thence leaving said right-of-way and running south 57 degrees 06 minutes 30 seconds west 356 feet to an iron pin; thence south 65 degrees 54 minutes 29 seconds west 354.94 feet to an iron pin; thence north 76 degrees 47 minutes 12 seconds west 484.46 feet to a point located in the center of a branch; thence along the centerline of said branch the following courses and distances: south 57 degrees 32 minutes 31 seconds west 17.75 feet; south 20 degrees 06 minutes 10 seconds west 67.21 feet; south 77 degrees 07 minutes 44 seconds west 19.69 feet; south 19 degrees 32 minutes 24 seconds west 19.35 feet; south 59 degrees 59 minutes 41 seconds west 41.23 feet; south 32 degrees 09 minutes 17 seconds west 33.41 feet; south 45 degrees 31 minutes 52 seconds west 41.42 feet; south 74 degrees 56 minutes 57 seconds west 31.48 feet; south 15 degrees 35 minutes 59 seconds west 21.79 feet; south 68 degrees 03 minutes 04 seconds west 19.87 feet; south 74 degrees 37 minutes 28 seconds west 27.03 feet; south 61 degrees 24 minutes 05 seconds west 57.14 feet; south 37 degrees 19 minutes 56 seconds west 29.27 feet; north 69 degrees 08 minutes 04 seconds west 21.99 feet; south 36 degrees 13 minutes 48 seconds west 30.07 feet; south 40 degrees 06 minutes 16 seconds west 43.55 feet; south 43 degrees 45 minutes 14 seconds west 56.91 feet; south 48 degrees 41 minutes 39 seconds west 111.07 feet to a point at the centerline intersection of the within branch and Allen Creek; thence along the centerline of Allen Creek the following courses and distances: north 40 degrees 28 minutes

28 seconds west 72.41 feet; north 22 degrees 05 minutes 11 seconds west 51.80 feet; north 33 degrees 36 minutes 56 seconds east 19.78 feet; north 53 degrees 50 minutes 23 seconds west 18.41 feet; north 40 degrees 44 minutes 15 seconds west 30.10 feet; north 67 degrees 36 minutes 06 seconds west 33.10 feet; north 38 degrees 39 minutes 38 seconds west 36.43 feet; north 57 degrees 17 minutes 23 seconds east 83.89 feet; north 05 degrees 16 minutes 44 seconds east 51.53 feet; north 49 degrees 16 minutes 23 seconds west 58.30 feet; south 71 degrees 43 minutes 57 seconds west 40.13 feet; north 65 degrees 01 minutes 17 seconds west 27.21 feet; north 16 degrees 49 minutes 45 seconds west 34.19 feet; north 74 degrees 01 minutes 55 seconds west 49.07 feet; north 78 degrees 15 minutes 38 seconds west 31.65 feet; north 46 degrees 00 minutes 53 seconds west 29.23 feet; south 87 degrees 52 minutes 35 seconds west 56.57 feet; south 71 degrees 36 minutes 42 seconds west 29.00 feet; north 63 degrees 14 minutes 22 seconds west 73.10 feet; north 28 degrees 54 minutes 26 seconds west 61.77 feet; north 30 degrees 17 minutes 26 seconds west 48.60 feet; north 46 degrees 06 minutes 43 seconds west 39.08 feet; north 07 degrees 39 minutes 18 seconds west 34.16 feet; north 25 degrees 24 minutes 03 seconds east 54.84 feet; north 51 degrees 07 minutes 08 seconds west 40.11 feet; north 05 degrees 14 minutes 27 seconds west 47.28 feet; north 36 degrees 46 minutes 31 seconds west 23.84 feet; south 74 degrees 21 minutes 59 seconds west 78.15 feet; north 15 degrees 07 minutes 01 seconds west 16.90 feet; north 11 degrees 55 minutes 28 seconds east 56.44 feet; north 63 degrees 29 minutes 36 seconds west 60.93 feet; north 09 degrees 18 minutes 26 seconds west 37.47 feet; north 25 degrees 59 minutes 53 seconds west 34.87 feet; north 22 degrees 57 minutes 37 seconds west 54.39 feet; north 47 degrees 28 minutes 34 seconds west 61.55 feet; north 74 degrees 57 minutes 11 seconds west 53.72 feet; north 63 degrees 14 minutes 10 seconds west 54.53 feet; north 14 degrees 26 minutes 29 seconds east 28.71 feet; north 27 degrees 43 minutes 33 seconds west 73.77 feet; north 58 degrees 26 minutes 02 seconds east 72.08 feet; north 13 degrees 44 minutes 02 seconds east 36.52 feet; north 56 degrees 46 minutes 28 seconds west 41.42 feet; north 35 degrees 24 minutes 00 seconds west 42.06 feet; north 18 degrees 04 minutes 12 seconds west 25.48 feet; north 01 degrees 23 minutes 32 seconds east 43.36 feet; north 45 degrees 28 minutes 38 seconds west 66.13 feet; north 47 degrees 48 minutes 15 seconds west 61.94 feet; north 34 degrees 10 minutes 08 seconds west 53.82 feet; north 29 degrees 33 minutes 09 seconds east 61.59 feet; north 37 degrees 08 minutes 27 seconds west 77.23 feet; north 51 degrees 03 minutes 30 seconds west 67.31 feet; north 02 degrees 44 minutes 35 seconds east 41.79 feet; north 23 degrees 11 minutes 36 seconds west 57.55 feet; north 23 degrees 53 minutes 37 seconds west 47.65 feet; north 23 degrees 34 minutes 18 seconds west 52.31 feet; north 44 degrees 08 minutes 15 seconds west 56.78 feet; north 36 degrees 50 minutes 45 seconds west 46.35 feet; north 20 degrees 29 minutes 06 seconds west 53.45 feet; north 19 degrees 30 minutes 56 seconds west 77.61 feet; north 08 degrees 47 minutes 32 seconds east 35.58 feet; north 16 degrees 35 minutes 34 seconds west 56.56 feet; north 18 degrees 01 minutes 13 seconds west 59.37 feet; north 34 degrees 48 minutes 41 seconds west 52.62 feet; north 05 degrees 33 minutes 41 seconds west 58.41 feet; north 63 degrees 55 minutes 29 seconds east 69.45 feet; north 11 degrees 01 minutes 34 seconds west 37.48 feet; north 44 degrees 23 minutes 45 seconds west 61.41 feet; north 82 degrees 40 minutes 40 seconds west 49.14 feet; thence leaving the centerline of the said Allen Creek and running north 48 degrees 15 minutes 25 seconds west 52.96 feet to an iron pin located on the southeast side of the right-of-way of Monroe Drive; thence along said right-of-way north 38 degrees 43 minutes 53 seconds east 217.22 feet to a point; thence continuing along said right-of-way a chord bearing and distance of north 34 degrees 09 minutes 43 seconds east 194.53 feet to a point; thence continuing along said right-of-way north 60 degrees 24 minutes 27 seconds west 25 feet to a point; thence continuing along said right-of-way north 28 degrees 49 minutes 40 seconds east 31.93 feet to a concrete monument located at the intersection of the southeast side of the right-of-way of Monroe Drive with the southwest side of the right-of-way of Allen Creek Road at the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said described premises to the said GRANTEE, so that neither the said GRANTOR nor his heirs, nor any other person or persons claiming under him shall at any time, by an means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

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WHEREVER there is a reference herein to the GRANTOR or the GRANTEE, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year above written.

CITY OF GAINESVILLE

By: _____ (SEAL)

Attest: _____ (SEAL)

Signed, sealed and delivered in presence of:

_____

_____
Notary Public
My commission expires: 1-06-04

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 3/29/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-17 Declaration of Surplus Property

Meeting Date: 4/19/2022

Purpose of Request:

Requesting Council declare the property on the attached listings as surplus for public sale or disposal.

History/Background:

The City's Capital Asset policy dictates the procedure for transferring assets that have outlived their useful life to surplus. This policy has been followed with the assets listed on Attachments A and B. Finance periodically requests that property be declared surplus in order to sell or dispose of property in a timely and orderly manner.

Facts & Issues for Consideration:

Surplus property that was purchased by the City is offered to other City departments before a sale takes place. Property seized or confiscated by the Police department is not offered to City departments.

Department Recommendation:

Approve the resolution for property listed on Attachments A and B be declared as surplus.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget?

Amount Requested:

N/A

Source of Funds:

N/A

Finance Comments:

N/A

Administrative Comments:

N/A

ATTACHMENTS:

Description	Type
BR-2022-17 Declaration of Surplus Property	Resolution
Attachment A- Tagged Assets	Attachments/Exhibits

RESOLUTION BR-2022-17

Declaration of Surplus Property

WHEREAS, the City Finance staff recommends that the attached list (Attachment A and B) of property be declared surplus and made available for the sale or donation in accordance with Resolution BR-90-81 adopting the City's Purchasing Policies and Procedures; and

WHEREAS, it has been determined that the attached list of property has served beyond its useful life and the City Finance staff believes that the method of disposal shall be by sale at auction to the highest bidder in accordance with the policies and procedure, or dispensation in a manner approved by the City Manager; and

WHEREAS, the City Finance staff shall set a date, place and time for the appropriate sale; and

WHEREAS, the method of disposal of surplus property shall be an auction, utilizing GovDeals, an online auction company recommended by the Georgia Municipal Association, with concurrence of the City Attorney, City Clerk, and City Manager in accordance with the policies and procedures, or dispensation in a manner approved by the City Manager; and

WHEREAS, funds derived from the sale of surplus property shall be deposited to the appropriate fund and account as determined by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby declare this property surplus and available for public sale or disposal as approved by the City Manager, and that any item not sold at the sale shall be disposed of in an appropriate manner with concurrence of the City Manager.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Tagged Assets

Attachment A

Asset #	Asset Description	Dept #	Purchase Date	Purchase Cost
	Airport			
13901	EXMARK MOWER 60"	4563	3/21/2012	$ 8,299.99
14618	TORO 30' PUSH MOWER	4563	3/26/2014	$ 1,398.15
	Cemetery			
14619	TORO 30' PUSH MOWER	4950	3/26/2014	$ 1,398.15
16713	55 GAL TANK SPRAYER	4950	2/5/2018	$ 1,200.00
	PW- Streets			
12158	TOMMY LIFT GATE	4200	11/9/2005	$ 1,900.00
17152	SMALL TANDEM TRAILER	4200	7/1/1985	$ 2,250.00
12543	2008 FORD F250	4200	5/8/2007	$ 22,479.40
	Fire			
11599	2004 FORD EXPEDITION XLT 4x2	3500	4/12/2004	$ 26,986.24
12458	2007 FORD EXPEDITION 4x4	3500	1/22/2007	$ 29,051.82
19488	2000 FORD CROWN VIC POLICE INTER	3500	9/20/2000	$ 23,119.00
19658	2001 FORD F350 4x2 SD	3500	5/15/2001	$ 27,131.00
13285	1998 PIERCE DASH CUSTOM PUMP	3500	2/16/1998	$ 284,500.00
13284	1998 PIERCE DASH CUSTOM PUMP	3500	2/6/1998	$ 279,500.00
	Solid Waste			
13878	2012 FORD F-150 4x4	4500	4/10/2012	$ 22,114.88
14212	2013 FORD F-150	4500	12/12/2012	$ 19,683.63
	Vehicle Services			
11751	AUTOMATIC FLOOR SCRUBBER	4990	7/29/2004	$ 2,535.88
13772	FLOOR SCRUBBER ALTO CLARKE	4990	10/5/2011	$ 5,199.00
11296	2001 CHEVY BLAZER	4990	6/30/2003	$ 14,113.00
	Department of Water Resources			
12391	2006 MILLENNIUM 15 TON TRAIILER	4330	9/6/2006	$ 10,140.00
3549	1968 TANDEM AXLE TRAILER	4330	9/12/1969	$ -
1372	HACH 1720E TURBIDMETER	4430	9/8/2011	$ 2,547.00
2705	CAPITOL CHLORINE DECTECTOR	4430	3/29/1990	$ 1,033.00
12099	HACH 1720E TURBIDMETER	4430	9/29/2005	$ 1,973.00
13760	HACH 1720E TURBIDMETER	4430	9/8/2011	$ 2,597.94
13761	HACH 1720E TURBIDMETER	4430	9/8/2011	$ 2,597.94
13763	HACH 1720E TURBIDMETER	4430	9/8/2011	$ 2,597.94
14284	CAPITAL CHLORINE DECTECTOR	4430	3/22/2013	$ 1,843.10
17354	9180SC ACIDIFICATION UNIT	4430	6/1/2019	$ 2,248.68
1022	1987 HUDSON MDL HD-12 TRAILER	4440	7/1/1987	$ 1,700.00
11520	2004 HARDEEBILT TRAILER	4440	1/14/2004	$ 4,850.00
11989	2005 PORTABLE CONCRETE MIXER	4440	8/9/2005	$ 3,564.05
12389	2006 MILLENNIUM 15 TON TRAIILER	4440	9/6/2006	$ 10,140.00
15994	2000 CHEVY CAB & CHAS W/DUMP	4900	2/4/2000	$ 40,395.00
1012	1984 LEROI PORTABLE AIR COMPRESS	4900	1/1/1984	$ 9,000.00
20016	NEW HOLLAND TL80 #M14 TRACTOR	4900	12/3/2001	$ 25,087.00
20028	ELECTRIC WARN M12000 WINCH	4900	9/20/2001	$ 1,130.00
20781	SNAPPER RIDING MOWER	4900	5/14/2002	$ 1,475.00
11289	RECON 128 MEG-STO SURVERY	4970	6/27/2003	$ 2,145.00
15484	SURVEY INSTRUMNET- GTS301DPG	4970	5/23/1995	$ 11,692.48
11133	2003 CHEV SILVERADO LWB 4x2 PICKUP	4985	2/20/2003	$ 14,758.00

Non-Tagged Assets

Attachment B

Asset #	Asset Description	Dept #	Comments
	Solid Waste		
NO TAG	2021 FORD F-150 TRUCK BED	4500	BELOW THRESHOLD
NO TAG	2022 FORD F-150 TRUCK BED	4500	BELOW THRESHOLD
	Police		
NO TAG	REMINGTON MODEL870, 20" BARREL	3200	SEIZED
NO TAG	YELLOW METALLIC NECKLACE	3200	SEIZED
	Department of Water Resources		
NO TAG	TOPCON TOTAL STATION	4970	BELOW THRESHOLD
NO TAG	PPT878 PORTABLE LIQUID FLOATER	4970	BELOW THRESHOLD
	Vehicle Services		
NO TAG	GM TRAN UPPER LINE	4990	BELOW THRESHOLD
NO TAG	GREASE DISPENSER	4990	BELOW THRESHOLD
NO TAG	OIL DISPENSER	4990	BELOW THRESHOLD

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 3/31/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-18 Modify Boundaries Related to Downtown Dining District

Meeting Date: 4/19/2022

Purpose of Request:

To amend and expand the boundaries of the downtown dining district to include Solis, Standard Service restaurant, Poultry Park and 2 Dog restaurant.

History/Background:

The Downtown Dining District was established by resolution BR-2017-39.

Facts & Issues for Consideration:

The City Council has the ability to modify the Downtown Dining District by resolution.

Department Recommendation:

Approve the resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-18 Modify Boundaries Related to Downtown Dining District	Resolution
Modified District Map	Attachments/Exhibits
BR-2017-39	Backup Material

RESOLUTION BR-2022-18

Modify Boundaries Related to Downtown Dining District

WHEREAS, Section 6-4-87(f)1 entitled Alcoholic Beverages of the Code of Ordinances of the City of Gainesville, Georgia states that the area of the Downtown Dining District will be set by resolution of the governing body for the City of Gainesville; and

WHEREAS, the governing body established the boundaries of the Downtown Dining District in resolution BR-2017-39; and

WHEREAS, the governing body will from time to time, review all areas and make changes as needed; and

WHEREAS, it has been determined that the boundaries of the Downtown Dining District need to be modified from those established in BR-2017-39; and

WHEREAS, the governing body has reviewed the attached map and would like to amend the Downtown Dining District to reflect the modified area.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the area on the attached Downtown Dining District Map, of which this area shall be in effect until further resolution of the governing body.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

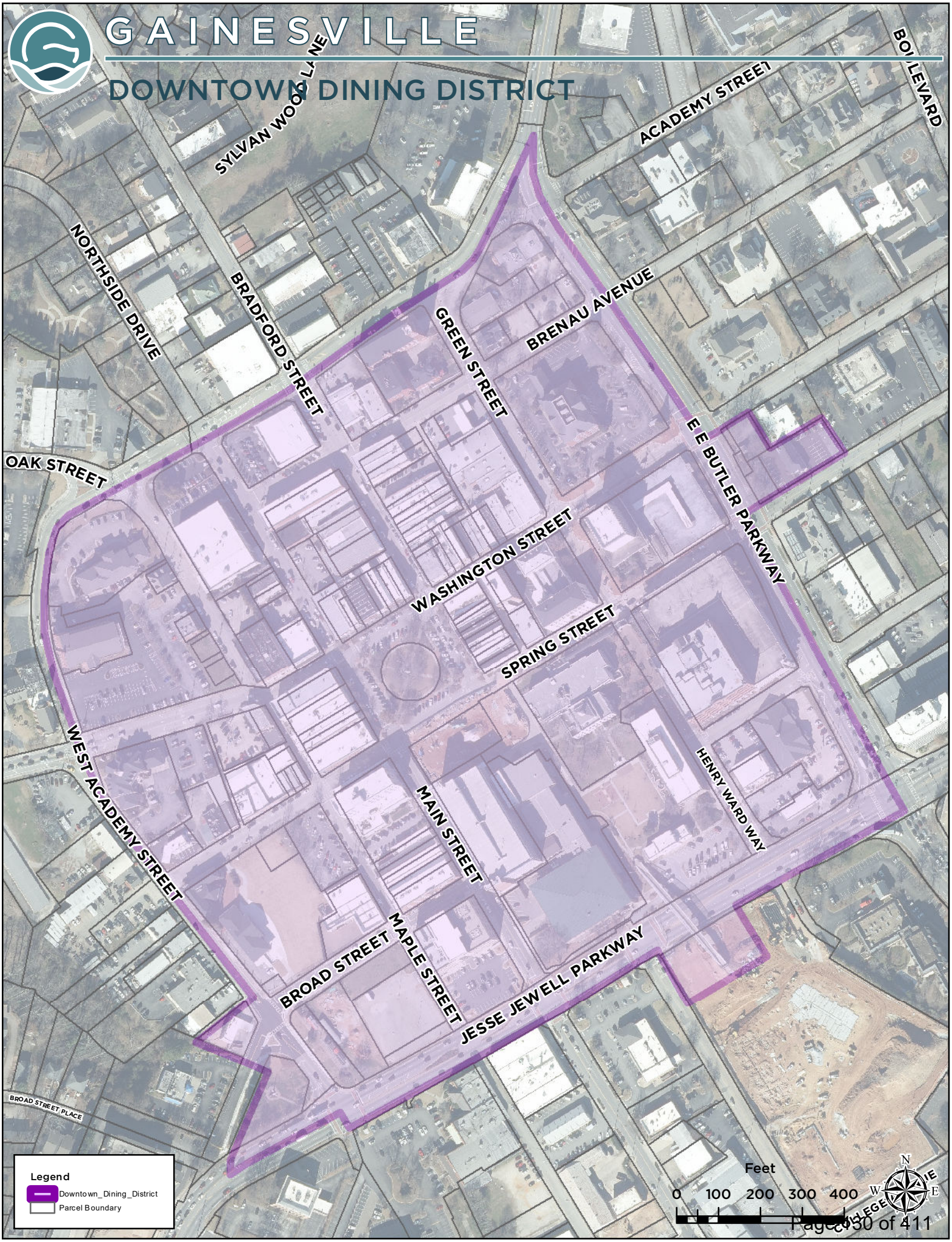
ATTEST:

_____

Denise O. Jordan, City Clerk

GAINESVILLE

DOWNTOWN DINING DISTRICT



RESOLUTION BR-2017-39

Establish Boundaries Related to Downtown Dining District

WHEREAS, Section 6-4-87(f)1 entitled Alcoholic Beverages of the Code of Ordinances of the City of Gainesville, Georgia states that the area of the Downtown Dining District will be set by resolution of the governing body for the City of Gainesville; and

WHEREAS, the governing body will from time to time, review all areas and make changes as needed; and

WHEREAS, the governing body has reviewed the area on the attached map.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the area on the attached Downtown Dining District Map, of which this area shall be in effect until further resolution of the governing body.

Adopted this 15th day of August, 2017.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan

Denise O. Jordan, City Clerk

CITY OF GAINESVILLE GEORGIA CHARTERED 1821

N

CITY OF GAINESVILLE
DOWNTOWN DINING DISTRICT

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 3/31/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-19 Tax Allocation District (TAD) Funding for Grubs Market

Meeting Date: 4/19/2022

Purpose of Request:

To present a proposed resolution for approval of TAD Funding in the amount of $210,575 for Grubs Market.

History/Background:

The TAD Advisory Committee considered the application at their meeting on March 30, 2022 and approved the project.

Facts & Issues for Consideration:

Department Recommendation:

Approve the Resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

210,575

Source of Funds:

TAD

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-19 TAD Funding Grubs Market	Resolution
Presentation: Grubs Market	Backup Material

RESOLUTION BR-2022-19

TAX ALLOCATION DISTRICT (TAD) FUNDING FOR "GRUBS MARKET"

WHEREAS, the governing body of the City of Gainesville is committed to the success of the redevelopment of Midtown Gainesville into a live, work and play area; and

WHEREAS, on October 17, 2006 the governing body of the City of Gainesville adopted the Midtown Redevelopment Plan and created Tax Allocation District (TAD) Number One –Midtown pursuant to the Georgia Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.) as the next steps in the City's redevelopment effort to reinvigorate Midtown; and

WHEREAS, the City of Gainesville will only consider applications for TAD financing for purposes or uses that are consistent with the definition of "redevelopment" as defined in the Georgia Redevelopment Powers Law [O.C.G.A. § 36-44-3(5)], with said eligible purposes or uses including public works and utilities, telecommunications infrastructure, street/streetscape improvements, parks and open space amenities, transit facilities and public parking structures, pedestrian amenities and safety improvements, and site preparation; and

WHEREAS, upon approval of a request for TAD funding, a TAD Development Agreement between the applicant/developer and the City shall be executed, and shall specify the eligible expenses, what method of funding will be utilized (i.e., pay-as-you-go, bank financing, bond financing or other method), and any special conditions and performance standards of the developer; and

WHEREAS, an application involving the construction of a 6,000 square foot market, known as Grubs Market, hereinafter "project," was reviewed by the TAD Advisory Committee and determined to achieve the TAD criteria; and

WHEREAS, the TAD Advisory Committee unanimously recommended approval of the TAD funding request of up to $210,575 for the following uses with the following conditions and payment schedule:

Use relating to the project:

- **Plumbing - Grease Trap**
- **Water & Back Wall Repair**
- **Structural Steel**
- **Concrete Repair**
- **Masonry**
- **Bollards & Dumpster Gate**
- **Doors, Frames and Hardware**
- **Windows**
- **Painting**
- **Exterior Sitework**
- **Material Overhead**

Conditions:

- **Permitted project must be in substantial conformance with the architectural renderings and budget submitted with the TAD application.**
- **In order to receive TAD funds, the project must remain a market that is in substantial conformance with the uses proposed in the application.**

RESOLUTION BR-2022-19

TAX ALLOCATION DISTRICT (TAD) FUNDING FOR "BOURBON BROTHERS" AND POULTRY PARK IMPROVEMENTS

Payment Schedule:

- **Up to $210,575.00 in TAD funds shall be made payable upon submittal of paid invoices for the purchase of and/or labor to complete or install the items specified under "Use" above, relating to the project, based upon the schedule and conditions listed below:**
  - **Reimbursement will be distributed on an annual basis based on the TAD increment generated by the project for that calendar year.**
  - **Reimbursement will not begin until the calendar year after the calendar year in which the Certificate of Occupancy is obtained for the project.**
  - **The total period of reimbursement of up to a maximum of $210,575.00 shall not exceed a period of 15 calendar years, which period shall commence upon the first calendar year in which any reimbursement is paid to the applicant.**

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the TAD application of up to $210,575.00 for "Grubs Market."

BE IT FURTHER RESOLVED THAT that the governing body for the City of Gainesville hereby approves funding for the redevelopment improvement from the increment generated by the Grubs Market project and that is deposited into the Tax Allocation District Fund.

BE IT FURTHER RESOLVED THAT the governing body authorizes the City Manager and City Attorney to prepare and execute a TAD Development Agreement to effectuate the terms and conditions of the funding, use and payment schedule.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

TAD ADVISORY COMMITTEE

March 30, 2022
The Station

CITY OF
GAINESVILLE

TAD APPLICATION – GRUBS MARKET

509 & 511 MAIN STREET

Grubs Market

GRUBS MARKET

511 Main Street SW

Gainesville, GA 30501

INTRODUCTION

Daniel Stribling

- Born and raised in Gainesville, Ga
- Experience in the food, medical, petroleum industries
- Hands on day-to-day operator of Grubs Market
- Long time dream has been to open his own Market

Robert Turner

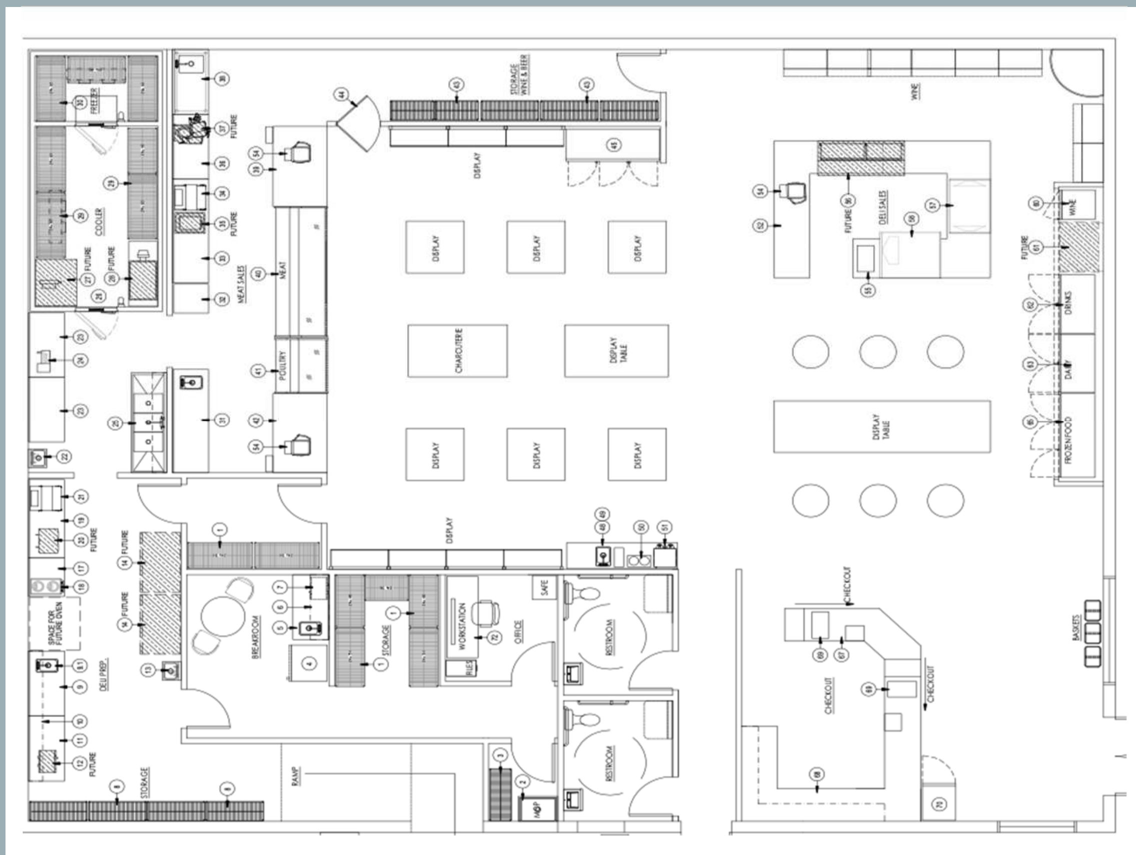
- Live in Gainesville close to a decade
- Married long time resident born and raised in Gainesville
- Worked in Healthcare for past 15 years
- Current Army Reserve Officer of the USAR

- Local store focused on local sustainability Grubs Market will focus on premium:
  - Meats
    - Beef
    - Pork
    - Poultry
    - Seafood
    - Exotics
  - Cheeses
  - Charcuterie
  - Wine / Craft Beer
  - Deli and Bakery Items
  - Pre-prepped foods
- High focus on locally sourced products from GA and surrounding states

EXTERIOR DESIGN

Future Building

- Complete refacing of the front of the building with brick and B&B
- Painting of the exterior to match other building on the street
- Addition of local art on the two sides of the building (pending)
- Improvement to parking lot, handicap accessibility, and loading dock
- Create a space for patrons to eat outside



INTERIOR LAYOUT

PROJECT FINANCIALS

Items that Influence the Look of Grubs Exterior

Building	$	550,000.00
Build Out	$	644,550.00
Equipment	$	276,874.00
Mill Work	$	121,000.00
Lighting	$	25,000.00
Signage / interior	$	15,000.00
Website	$	7,500.00
Grand opening	$	5,000.00
Licenses and permit	$	5,000.00
Bank fees	$	17,500.00
Low voltage	$	12,700.00
Architect & Design	$	16,615.00
Consultants	$	8,000.00
Misc - small equipment	$	8,000.00
Stocking	$	150,000.00
Boxes	$	5,000.00
POS System	$	6,500.00
JA	$	13,333.00

Total Project: $1.9M

Plumbing- Grease trap Clean Up	$	15,675.00
Water repair and back wall repair	$	11,400.00
Structural Steel	$	35,750.00
Concrete repair	$	12,500.00
Masonry	$	31,000.00
Bollards & dumpster gate	$	5,700.00
Doors, Frames and Hardware	$	21,800.00
Windows	$	6,750.00
Painting	$	24,000.00
Exterior Sitework Allowance	$	22,000.00
Material Overhead	$	24,000.00

Total TAD Request: $210,575

TAX ASSESSOR ESTIMATED VALUATION

Grubs Market

Proposed Values

Using Current Market/Cost: 534,200

Indicated Value by Income: $1,194,127

Cost tables are planned to be updated for 2023, which would indicate a higher cost value. Even so we would not use the cost approach on this type property. We would use the income approach to value. Therefore, the estimated Fair Market Value for this property for tax year 2023 would be estimated at *$1,200,000*.

"We Appraise Property & We Value People"

HALL COUNTY
GEORGIA

TAD ADVISORY COMMITTEE RECOMMENDATION

TAD REQUEST

Plumbing- Grease trap Clean Up	$ 15,675.00
Water repair and back wall repair	$ 11,400.00
Structural Steel	$ 35,750.00
Concrete repair	$ 12,500.00
Masonry	$ 31,000.00
Bollards & dumpster gate	$ 5,700.00
Doors, Frames and Hardware	$ 21,800.00
Windows	$ 6,750.00
Painting	$ 24,000.00
Exterior Sitework Allowance	$ 22,000.00
Material Overhead	$ 24,000.00
TOTAL	**$ 210,575.00**

TAD POTENTIAL

	Midland
Valuation	
2006 Base Fair Market Value	$237,794
2021 Assessed Value	$235,700
TAD Potential	
Based on Tax Assessor's Value of:	$1,194,127
15 Year Estimated TAD (100% Assessed Value)	$174,059

TADAC RECOMMENDATION

Payment Schedule:

- Up to $210,575.00 in TAD funds shall be made payable upon submittal of paid invoices based upon the schedule and conditions listed below:
  - Reimbursement will be distributed on an annual basis based on the TAD Increment generated by the project for that calendar year.
  - Reimbursement will begin after the Certificate of Occupancy is obtained.
  - Reimbursement shall not exceed a period of 15 calendar years or $210,575.00, whichever occurs first.

Conditions:

- Permitted project is in substantial conformance with the architectural renderings and budget submitted with the application.
- The project must remain a market that is in substantial conformance with the uses proposed in the application.

DISCUSSION

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 3/28/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-20 Write-off of Delinquent Personal Property Tax

Meeting Date: 4/19/2022

Purpose of Request:

To write-off the delinquent personal property taxes that were billed in 2015.

History/Background:

City Auditors have recommended that the City periodically write-off uncollectible receivable balances. The Tax Office has general policies and procedures for collecting delinquent personal property taxes.

Facts & Issues for Consideration:

Attachment A is a listing of the accounts that we are requesting be written off. This list consists of businesses that have either closed or cannot be located, and the statute of limitations on FIFAs that were filed on these accounts has expired. Of the $26,727.76 base tax amount, $17,813.69 is school tax. The Gainesville City School Finance Director has been notified of this request, and write-off on the school portion of the tax is contingent upon the Gainesville School Board approval.

Department Recommendation:

We recommend that Council approve the attached resolution for the write-off of the 2015 delinquent personal property taxes.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-20 Write-Off of Delinquent Personal Property Tax	Resolution
Attachment A - Write-off of Delinquent Personal Property Tax Listing	Attachments/Exhibits
Additional Backup- Personal Property Collection Procedures	Backup Material

RESOLUTION BR-2022-20

Write-off of Delinquent Personal Property Tax

WHEREAS, the City of Gainesville Tax Office actively and extensively pursues the collection of delinquent personal property tax; and

WHEREAS, the attached list of accounts due from tax year 2015 has been deemed uncollectible by further efforts of the Tax Office; and

WHEREAS, Generally Accepted Accounting Principles require receivables to be written off when they are deemed uncollectible, and the City of Gainesville's auditors, Rushton and Company, has recommended that uncollectible receivables be written off.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Tax Office to write-off the attached list (Attachment A) of delinquent personal property tax accounts.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Delinquent Personal Property Tax Write-Off - Tax Year 2015

PARCEL	NAME	TAX YEAR	BILL #	Tax	CITY	SCHOOL	INTEREST	FIFA	PENALTY	TOTAL DUE
90000314470	6 AM CLEANERS LLC	2015	600005	260.57	95.21	165.36	124.82	12.00	26.06	423.45
90000314669	6 AM CLEANERS LLC	2015	600006	260.57	95.21	165.36	124.82	12.00	26.06	423.45
90000306613	A & B INSURANCE AGENCY LLC	2015	600010	112.47	34.66	77.81	53.85	12.00	11.25	189.57
90000312708	A S A SPA	2015	600032	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000304140	A S G FOUNDATIONS INC	2015	600033	81.05	24.47	56.58	38.78	12.00	8.11	139.94
90000311125	ABA GAINESVILLE LLC	2015	600052	162.86	59.51	103.35	77.98	12.00	16.29	269.13
90000307912	AHART DANIEL TAX SERVICE	2015	600097	89.62	27.75	61.87	42.98	12.00	8.96	153.56
90000312665	ALL IN FITNESS	2015	600115	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000310792	AMAL	2015	600139	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000310925	AMERICAN AUTOS UNLIMITED INC	2015	600141	10.68	3.30	7.38	4.85	12.00	0.00	27.53
90000312611	ARTS AUTO SERVICE & REPAIR	2015	600197	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000314643	ATLANTA WATER FIRE & MOLD DAMAGE LLC	2015	600228	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000312265	B N P BODYBUILDING & FITNESS STUDIO	2015	600271	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000202006	BAYOU SEAFOOD CHICKEN & STEAKS	2015	600303	78.96	23.84	55.12	37.70	12.00	7.90	136.56
90000312233	BENN ZULU	2015	600320	184.57	67.44	117.13	88.32	12.00	18.46	303.35
90000310735	BEST DEAL AUTO SALES.COM THE	2015	600329	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000310942	BLUMES APOTHECARY	2015	600366	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000150240	BODY CENTRAL STORES INC	2015	600367	1,407.58	473.81	933.77	673.62	12.00	140.76	2,233.96
90000311236	BUCKSHOT OUTFITTERS	2015	600401	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000191767	BUENO BONITO BARATO	2015	600404	202.74	72.58	130.16	97.17	12.00	20.27	332.18
90000312270	CAMBIANDO VIDAS	2015	600447	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000309125	CASA LATINA MARKET LLC	2015	600494	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000104701	CITATION MFG INC	2015	600561	2,557.48	905.26	1,652.22	1,223.88	12.00	255.75	4,049.11
90000312267	CLASSIC CUTS & BRAIDS	2015	600574	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000314461	CLASSIC HAIR & MORE	2015	600576	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000309241	CLAY RILEY DESIGN	2015	600579	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000309175	CLOTHE	2015	600586	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000314839	COLLEGIATE GOLF CONNECTION LLC	2015	600597	249.31	75.28	174.03	119.33	12.00	24.93	405.57
90000314840	CONCRETE PLACEMENT SERVICE INC	2015	600623	358.28	130.91	227.37	171.52	12.00	35.83	577.63
90000162448	COZY CORNER OF GAINESVILLE INC	2015	600657	498.19	150.42	347.77	238.43	12.00	49.82	798.44
90000309191	CUERPO SALUDABLE	2015	600681	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000312332	D B COLLINS & ASSOCIATES LLC	2015	600691	184.57	67.44	117.13	88.32	12.00	18.46	303.35
90000309464	D R G CUSTOM EMBROIDERY & MORE	2015	600695	205.65	62.79	142.86	98.54	12.00	20.57	336.76
90000310672	DAWG HOUSE THE	2015	600709	199.76	67.20	132.56	95.61	12.00	19.98	327.35
90000311104	DECAL QUEEN	2015	600715	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000184559	DEPORTES ARON	2015	600729	176.74	64.38	112.36	84.54	12.00	17.67	290.95
90000314734	DIAMOND BODY SHOP	2015	600739	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000174711	DJIVANS LLC	2015	600767	1,016.70	307.68	709.02	486.62	12.00	101.67	1,616.99
90000306769	DOLLAR ALLEY	2015	600773	196.84	71.38	125.46	94.27	12.00	19.68	322.79
90000307624	DON FILIS	2015	600783	178.23	54.51	123.72	85.22	12.00	17.82	293.27
90000314758	DOS GRINGOS MEXICAN RESTAURANT	2015	600784	358.28	130.91	227.37	171.52	12.00	35.83	577.63
90000300012	DOTS LLC #702	2015	600785	922.08	309.66	612.42	441.24	12.00	92.21	1,467.53
90000311239	DR B LLC	2015	600791	220.61	67.31	153.30	105.69	12.00	22.06	360.36
90000197892	EL CARIBE	2015	600833	405.48	145.16	260.32	193.94	12.00	40.55	651.97
90000183198	EL MAGUEY SUPERMERCADO INC	2015	600841	622.35	221.33	401.02	297.79	12.00	62.24	994.38
90000305086	EL TORREON	2015	600853	178.87	56.07	122.80	85.75	12.00	17.89	294.51
90000301639	EL ZACATECAZ	2015	600854	328.67	101.30	227.37	157.24	12.00	32.87	530.78
90000314761	ENTERPRISE SERVICES LLC	2015	600872	109.66	40.07	69.59	52.60	12.00	10.97	185.23
90000311119	FAMILY CHIROPRACTIC	2015	600918	288.21	87.02	201.19	114.31	12.00	28.82	443.34
90000315115	FLIGHTWING EQUIPTMENT CORP	2015	600980	266.00	97.19	168.81	127.35	12.00	26.60	431.95
90000312624	FOR EVERY STORY LLC	2015	600996	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000312346	FREEDOM TAX & BUSINESS SERVICES	2015	601015	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000310973	FULL BODY CAFE	2015	601028	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000307565	GILLS AUTO CENTER	2015	601177	201.37	61.50	139.87	96.36	12.00	20.14	329.87
90000311082	GO CALENDARS	2015	601193	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000104674	GOLDEN PALACE RESTAURANT	2015	601197	234.74	71.75	162.99	112.37	12.00	23.47	382.58
90000302482	GOOD OLD BOYS UPHOLSTERY	2015	601200	89.30	28.34	60.96	42.78	12.00	8.93	153.01
90000304818	GREENE AGENCY LLC THE	2015	601219	478.24	144.39	333.85	228.88	12.00	47.82	766.94
90000311083	H S R INSURANCE LLC	2015	601254	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000314471	HOUSE OF LIGHTS, INC	2015	601382	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000312318	HOUSE OF PIZZA	2015	601383	358.28	130.91	227.37	171.52	12.00	35.83	577.63
90000192190	I CARD NOW INC	2015	601407	473.46	142.95	330.51	226.53	12.00	47.35	759.34
90000311497	JOIN THE PARTY	2015	601525	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000303614	JUST CONCRETE LLC II	2015	601542	348.81	106.01	242.80	166.91	12.00	34.88	562.60
90000308966	LA CASITA VERDE INCOME TAX LLC	2015	601598	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000311498	LAKEVIEW ANTIQUE MALL	2015	601623	167.19	55.30	111.89	0.00	12.00	16.72	195.91
90000174823	LANIER LAUNDROMAT	2015	601658	157.92	47.68	110.24	75.65	12.00	15.79	261.36
90000312232	LAS FRESITAS	2015	601671	184.57	67.44	117.13	88.32	12.00	18.46	303.35
90000304628	LATINOS CATERING	2015	601674	78.96	23.84	55.12	37.70	12.00	7.90	136.56
90000311260	LOPEZ HOUSE HOLD SUPPLIES	2015	601749	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000315483	M TO Z LLC	2015	601781	103.64	31.29	72.35	49.58	12.00	10.36	175.58

Delinquent Personal Property Tax Write-Off - Tax Year 2015

PARCEL	NAME	TAX YEAR	BILL #	Tax	CITY	SCHOOL	INTEREST	FIFA	PENALTY	TOTAL DUE
90000308992	MARCELAS BOUTIQUE	2015	601816	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000304378	MARTIAL ART AND LEARNING CENTER	2015	601836	78.96	23.84	55.12	37.70	12.00	7.90	136.56
90000306560	MASTERWORK CUSTOMS INC	2015	601850	152.00	45.89	106.11	72.77	12.00	15.20	251.97
90000307835	MCGEE WILEY H	2015	601874	89.62	27.75	61.87	42.98	12.00	8.96	153.56
90000306746	MODERN GLASS RAILING LLC	2015	601959	86.86	31.74	55.12	41.56	12.00	8.69	149.11
90000309045	MUSTARD SEED RESALE BOUTIQUE	2015	601988	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000141954	MY COIN LAUNDRY INC	2015	601990	130.55	39.42	91.13	62.53	12.00	13.06	218.14
90000311040	NEXT LEVEL	2015	602039	85.94	26.64	59.30	41.25	12.00	8.59	147.78
90000314764	NORTH GEORGIA CLASSY CLEANERS	2015	602062	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000310974	NOVEDADES Y REGALOS	2015	602111	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000183335	OK COIN LAUNDRY	2015	602132	322.01	99.46	222.55	154.05	12.00	32.20	520.26
90000196435	OZONE SPORTS TRAINING	2015	602170	118.29	37.22	81.07	56.67	12.00	11.83	198.79
90000195673	PATTERSON BART & ASSOC LLC	2015	602210	197.25	70.14	127.11	53.45	0.00	39.44	290.14
90000309262	R E G A LAKESHADOW LLC	2015	602369	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000306608	R P BLANCO	2015	602373	78.96	23.84	55.12	37.70	12.00	7.90	136.56
90000102250	RAIL CONSTRUCTION CO	2015	602390	112.21	37.32	74.89	53.72	12.00	11.22	189.15
90000306790	RED SKY NEIGHBORHOOD GRILL	2015	602417	229.69	73.20	156.49	109.97	12.00	22.97	374.63
90000160724	RITZ CAMERA & IMAGE, LLC	2015	602475	896.90	322.44	574.46	429.26	12.00	89.69	1,427.85
90000311016	ROSCOES BBQ & MORE	2015	602497	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000314537	ROSCOES BBQ AND SPORTS GRILL	2015	602498	184.57	67.44	117.13	88.32	12.00	18.46	303.35
90000315425	S & S LEASING SOLUTIONS LLC	2015	602523	1,285.68	388.19	897.49	615.31	12.00	128.57	2,041.56
90000312341	S J K CLEANING GAINESVILLE INC	2015	602530	184.57	67.44	117.13	88.32	12.00	18.46	303.35
90000308908	SALON DE BELLZA DISENO E IMAGEN	2015	602546	74.03	22.35	51.68	35.47	12.00	7.40	128.90
90000310660	SERENITY NEST 1	2015	602596	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000312256	SIR-K TRUCKING LLC	2015	602635	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000173875	SMITH BENSEN	2015	602650	334.60	101.03	233.57	160.05	12.00	33.46	540.11
90000314766	SMOCKS AND STOKES	2015	602659	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000307833	SOUTHEASTERN STORAGE & LAND COMPANY LL	2015	602678	78.96	23.84	55.12	37.70	12.00	7.90	136.56
90000311493	SOUTHERN DIAGNOSTIC TESTING	2015	602684	220.61	67.31	153.30	105.69	12.00	22.06	360.36
90000303993	STANLEY FIRM THE	2015	602734	93.42	28.21	65.21	44.70	12.00	9.34	159.46
90000310797	STOP & SHOP APPAREL	2015	602757	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000310149	TAB STOREFORCE INC	2015	602827	258.16	77.95	180.21	123.46	12.00	25.82	419.44
90000309395	TAKE 318	2015	602831	97.13	30.02	67.11	46.68	12.00	9.71	165.52
90000310522	THRIFT 4 LESS	2015	602882	167.19	55.30	111.89	79.99	12.00	16.72	275.90
90000304386	TRANSPORTATION & LOGISTICS	2015	602918	78.96	23.84	55.12	37.70	12.00	7.90	136.56
90000314769	ULISES ROAD SERVICE	2015	602958	119.43	43.64	75.79	57.16	12.00	11.94	200.53
90000312307	VETERAN & COMMUNITY OUTREACH FOUNDAT	2015	603012	114.00	41.65	72.35	54.55	12.00	11.40	191.95
90000302871	VITABULK	2015	603026	121.98	43.80	78.18	58.44	12.00	12.20	204.62
90000315127	WORLD TRANSPORT CORDINATION SVCS IN	2015	603136	846.85	309.43	537.42	405.22	12.00	84.69	1,348.76
90000305092	XAVIERS CUSTOM GARAGE & BODY SHOP	2015	603146	169.76	52.63	117.13	81.16	12.00	16.98	279.90
90000311047	ZACKS AUTO BODY REPAIR	2015	603170	167.19	55.30	111.89	79.99	12.00	16.72	275.90
	Totals			**26,727.76**	**8,914.07**	**17,813.69**	**12,648.81**	**1,332.00**	**2,691.45**	**43,400.02**

Breakdown of Proposed Write-Off

City Taxes	$ 8,914.07	21%
School Tax	17,813.69	41%
Interest	12,648.81	29%
FIFA and Penalty	4,023.45	9%
Total	$ 43,400.02	100%

City of Gainesville
Personal Property Tax
General Policies and Procedures

Reporting

On March 1 of each year, taxpayers (individuals and businesses) who owned inventory or personal property on January 1 of that same year are required to file an ad valorem tax return in the county where the property is located. This return reports information about all inventory and personal property including, but not limited to, furniture and equipment used in business operation, boats and aircraft.

State Approval

Based primarily on the information supplied by these returns, the Hall County Personal Property Tax Assessor's Office compiles the information for the Hall County Tax Commissioner. The County Tax Commissioner sends this personal property information along with the real property digest to the State of Georgia for approval.

Transfer of Data

After approval is received from the State, the Hall County Tax Commissioner provides a file of the tax digest (assessed values) for all property located within Gainesville's city limits. From the file, data is retrieved and downloaded on the City's computer system. Verification is made to assure that the assessments according to Hall County are the same as the City's data after the transfer.

Tax Calculation

According to an ordinance establishing the ad valorem tax rate, the City's millage rate is applied to the assessed value of personal property and the tax due is calculated. This calculation is broken down into six entities as follows:

- General Government
- Parks and Recreation
- Debt Service
- Fire Services
- Police Special District
- Gainesville Board of Education and
- Retirement of School Bonds

Tests are made to assure that the calculation of tax due is correct.

Collection of Tax

Tax Bills are generated and mailed. The attached Collection Calendar details the steps taken in the collection of personal property tax.

City of Gainesville
Personal Property Tax
Collection Calendar Used to Collect Taxes

Target Date	Task
Oct 01, 20x1	Bills are mailed
Oct 31, 20x1	Returned mail is reviewed and effort is made to determine Taxpayer's correct address.
Dec 01, 20x1	Payment is due.
Jan 2, 20x2	Interest is calculated for one month. Business license renewals are held on accounts with outstanding taxes.
Jan 7, 20x2	Delinquent Tax Notices are printed and mailed on all delinquent accounts notifying the taxpayer that the City Tax Office will issue an execution (FIFA) against the taxpayer.
Feb 2, 20x2	Interest is calculated again for one month and added to the balance of delinquent accounts. This process will continue to occur on the 2nd day of each subsequent month until the balance is paid.
April 1, 20x2	120 days after the due date, a 5% penalty is assessed on the outstanding balance. Also, at this time, executions are issued (FIFA's) directing that a tax lien be attached to the property.
April 10, 20x2	Delinquent notices are mailed, notifying the taxpayer of the delinquent tax, fees, interest and FIFA that has been filed.
July 1, 20x2	Delinquent notices are mailed, notifying the taxpayer of the additional 5% penalty that will be added in August.
August 1, 20x2	Additional 5% penalty is added to the unpaid tax balance.
December 1, 20x2	Additional 5% penalty is added to the unpaid tax balance.
April 1, 20x3	The fourth and final 5% penalty is added to the unpaid tax balance. Auction of property is advertised in the paper; signs regarding the impending sale is posted on the property.

May X, 20x3	Property is presented for sale at the City auction, held on the 1st Tuesday of May, outside of the Courthouse. The City only levies on real property due to storage issues on personal property.

Additional Collection Steps Taken

Delinquent Tax notices continue to be mailed periodically. We try to obtain corrected addresses on returned mail.

Telephone calls are made to try and reach the taxpayer. We document contacts given and comments made during these calls.

We check business licenses for owners of businesses and contact them for payment.

Reports filed with the Hall County Personal Property Tax Assessors are checked for contact information.

Searches for persons or businesses are done on the Internet, City directory, water files, Hall County tax records and telephone books.

We stay tuned for information on delinquent taxpayers to help us locate anyone trying to move or relocate their business.

Business Licenses are held in order to collect delinquent tax prior to issuance of current license.

Purchase orders for work or supplies for the City have been denied if delinquent tax is owed.

Accounts payable checks are held for vendors that owe outstanding tax.

Searches for new owners are done through the Hall County Tax Assessors Office.

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 3/28/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-21 Write-Off of Delinquent Utility Receivables

Meeting Date: 4/19/2022

Purpose of Request:

To allow the write-off of uncollectible utility recievables.

History/Background:

Finance is presenting the request to write-off uncollectible billing on behalf of the Department of Water Resources. The accounts that we are requesting to be written off are listed on Attachment A. City Auditors have recommended that the City periodically write-off uncollectible receivable balances.

Facts & Issues for Consideration:

The account holders listed on Attachment A are either deceased or have declared bankruptcy.

Department Recommendation:

We recommend that Council approve the attached resolution for the write-off of the utility accounts listed on Attachment A.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-21 Write-Off of Delinquent Utility Receivables	Resolution
Attachment A - Water Receivables Write-Off Detail	Attachments/Exhibits

RESOLUTION BR-2022-21

Write-off of Delinquent Utility Receivables

WHEREAS, the City of Gainesville Department of Water Resources actively and extensively pursues the collection of delinquent utility receivables; and

WHEREAS, due to the status of the accounts listed on Attachment A, these accounts have been deemed uncollectible by further efforts of the Department of Water Resources staff; and

WHEREAS, Generally Accepted Accounting Principles require receivables to be written off when they are deemed uncollectible, and the City of Gainesville's auditors, Rushton and Company, has recommended that uncollectible receivables be written off.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Department of Water Resources staff to write-off the attached list (Attachment A) of delinquent utility accounts.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Attachment A

Summary - Requested Write-Off of Water Receivables		
Bankruptcy Status	**$**	**3,896.18**
Deceased Status		**2,009.80**
Totals	**$**	**5,905.98**

Bankruptcy Status Write-Off Accounts		
Customer #	**Customer Name**	**Balance Written-Off**
78997-0	LEONARDO, TANYA	$ 36.41
67117-5	BROWN, FELECIA M	274.97
93108-0	GIBSON, PAUL	161.31
82015-0	DEC, SHERRY ANN	649.53
49990-4	MAYFIELD, DIONNE HOPKINS	95.02
79005-1	ANDERSON, ANGELA W	21.23
31101-0	KUBACKI, MICHAEL	173.41
85235-0	CRAWFORD, SARABELLE JEANETTE	31.24
61012-2	THAYER, JANE M	30.28
86229-0	MCDONALD, SHARON	129.35
55417-0	HOYT, JOHN R	4.26
65989-2	WILKINS, CYNTHIA	197.62
94825-0	MAREZ, DEANNA D	328.81
85976-0	MIXON, DEVRON T	309.15
95491-0	WILKINS, ASHLEY S	237.85
64507-3	JONES, ALICIA HUNTER	120.53
59967-0	VORRERO, LUIS RAMON	36.21
68439-1	ESCAMILLA, MARIA	396.49
41317-0	GRUTADAURIO, JODI E	101.55
11675-0	WHITE, DONNA	31.00
68105-0	BYRNES, CALISTA AMELIA	69.66
73157-0	WATERS, JARVIS G	29.49
22197-2	BENDER, DENISE	31.17
87147-0	WOFFORD, JL STEVE	259.52
23759-0	HOWINGTON, FELECIA	51.59
033720-0	HANCOCK FABRICS	88.53
	Total Bankruptcy Status	$ 3,896.18

Deceased Status Write-Off Accounts		
Customer #	**First Name**	**Balance Written-Off**
103289-0	PEREZ, SUZANNE	$ 15.79
17977-0	MORGAN, DAVID	26.77
17977-1	MORGAN, DAVID	16.17
31716-0	STOWERS, ELETA	30.00
38658-0	PECK, RICKY	84.02
46770-0	VAUGHAN SR, JERRY	46.17
6586-0	ERMAN, DAVID	109.87
65880-0	MCNEAL, REGINA	115.03
8768-0	WHITMER, CHERYL	292.27
42177-0	WOROSCHINSKI, JOHN H	$44.06
35027-0	INWOOD, PAT	$183.65
14539-0	MCDONALD, PETER J	$192.21
80256-0	PRUETT, WILLIAM B	$574.44
66331-0	SCIAVONE, LORETTA	$212.64
8726-0	MIZE, SHIRLEY	$22.34
78175-0	HAYES, JOHNNY	$44.37
	Total Deceased Status	**$ 2,009.80**

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 3/28/2022

Presenter: Bryan Lackey

Item of Business: BR-2022-22 Write-off of Uncollectible Checks

Meeting Date: 4/19/2022

Purpose of Request:

To write-off uncollectible returned checks.

History/Background:

City Auditors have recommended that the City periodically write-off uncollectible returned checks.

Facts & Issues for Consideration:

The checks listed on Attachment A have been deemed uncollectible. General procedures for the handling of returned checks are provided for reference purposes.

Department Recommendation:

We recommend that Council approve the attached resolution of the write-off of uncollectible returned checks.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2022-22 Write-off of Uncollectible Checks	Resolution
Schedule A - Write-off of Uncollectible Returned Checks Listing	Attachments/Exhibits
Additional Backup- General Procedures on Handling Returned Checks	Backup Material

RESOLUTION BR-2022-22

Write-off of Uncollectible Returned Checks

WHEREAS, the City of Gainesville departments actively and extensively pursue the collection of returned checks; and

WHEREAS, the attached list of returned checks dated prior to July 2021 have been deemed uncollectible by further efforts of the City Departments; and

WHEREAS, Generally Accepted Accounting Principles require receivables to be written off when they are deemed uncollectible, and the City of Gainesville's auditors, Rushton and Company, has recommended that uncollectible receivables be written off.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Finance staff to write off the attached list (Attachment A) of returned checks.

Adopted this _____ day of _____, 2022.

_____

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Attachment A

Write-off of Uncollectible Returned Check Listing

Total Proposed Returned Check Write-Off Summarized by Fund:		
General Fund		40.00
Community Service Center		110.00
Parks and Recreation		17.50
Chattahoochee Golf Course		40.00
Grand Total		**207.50**
General Fund Detail		
05/31/19	Liberty Utilities	40.00
Total General Fund		40.00
Community Service Center Detail		
06/30/21	Pure Hearts Personal Home Care	76.00
06/30/21	Jerry Grubb	34.00
Total Community Service Center		110.00
Parks and Recreation Detail		
05/31/19	Brian Buffington	17.50
Total Parks and Recreation		17.50
Chattahoochee Golf Course Detail		
08/28/19	Dr./Mrs. M.R. Stephens	40.00
Total Chattahoochee Golf Course		40.00
Total Proposed Write-Off of Returned Checks City-Wide		**207.50**
Summarized by Fiscal Year:		
FY19		57.50
FY20		40.00
FY21		110.00
Grand Total		**207.50**

General Procedures on handling returned checks

Prevention

- Keep a list of returned checks at the locations where checks are taken, and instruct employees to check that list before taking a check.
- When taking checks, if it is not preprinted on check, get a name, physical address, home and work phone number.

Collection

- Try reaching the individual who wrote the returned check by phone. If they cannot be reached by phone or they don't come in and pay within 5 calendar days after the phone call, send a letter by certified mail returned receipt required. Also, send a copy of the letter by regular mail.
- Send a letter requiring payment including a service charge of $30 within 30 days from receipt of the letter.
- If the letter comes back undeliverable because of the address, make every attempt possible to find a valid address.
- When taking payment for a returned check, only accept cash, money orders or cashier's checks.
- When the writer of the returned check comes in to make payment, give them back the original check, along with a receipt.
- All payments taken for returned checks should be turned over to the Finance department within 5 working days to be deposited.
- If payment is not received within 10 calendar days from the date of the letter and the check is $500 or over, the Department Head may turn the matter over to the Magistrate or District Attorney for criminal prosecution.
- Magistrate Court will need: original check and returned letter or green signed receipt from the Post Office.
- The current file of returned checks is on the V drive:
  V:\Financial Services and IT\Accounting\Returned Checks\FYXX Returned Checks & Redeposits. This file should be reviewed periodically and updated monthly with the details of the collection efforts (including dates) in the column "Department/Finance Comment"

REZONING/ANNEXATION PUBLIC HEARING

STANDARD HEARING PROCEDURE

Presiding Officer – City Attorney

1) Call Hearing to Order ---------- City Attorney

2) Confirm Public Notice was Advertised ---------- City Clerk/Planning Staff

3) Instructions for Speakers ---------- City Attorney

- Please state your name, address, and whether you live in the City or County at the time you speak.
- Speak only to the merits of the proposed application.
- Comments should be addressed to the Council.
- Refrain from personal attacks on anyone.
- Discuss the facts instead of opinions/speculation.
- Please summarize your remarks in 3 to 5 minutes.
- Each side will have a total of 20 minutes to speak.
- Turn off or silence cellular phones and pagers.
- When the hearing is over, it will be closed and the matter will be returned to the Council for a decision.
- Agendas and the outline of the public hearing procedures are on the table at the entrance of the court room.

4) Planning and Appeals Board Report Summary ---------- Planning Staff

5) Petitioner Presentation ---------- Petitioner Representative

6) Public Comments Supporting Proposal ---------- General Public

7) Public Comments Objecting To Proposal ---------- General Public

8) Close Public Hearing---------- City Attorney

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/1/2022

Presenter: Abb Hayes

Item of Business: Request from **Interface Properties, LLC** to rezone a 6.6± acres tract located on the southwest side of the intersection of Dawsonville Highway and Beechwood Boulevard (a/k/a **989 Dawsonville Highway, NW**) from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B). **Ward Number: One**. Tax Parcel Number(s): 01-115-002-002E. **Request: Retail, drive-through restaurant and auto service**.

- Proposed Rezoning Ordinance 2022-11

Meeting Date: 4/19/2022

Purpose of Request:

To conduct a public hearing regarding the following zoning request as presented at the March 8, 2022 Planning and Appeals Board Meeting:

The applicant is proposing to rezone the subject property for a 3,750 square foot fast food drive-thru restaurant and a 2,085 square foot auto (lube) service use. No use has been identified for the remainder of the property at this time. Access is proposed from Dawsonville Highway and Beechwood Boulevard. The property is located within the Gateway Corridor Overlay Zone and is the site of the Trinity Baptist Church which is no longer open and will be demolished as part of the redevelopment. Adjacent uses include Olive Garden restaurant, McEver Corners Shopping Center, Guilford Immediate Care, residential quadplex, residential duplex and single-family homes.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Staff and PAB recommended approval with eight conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS

Approval of Ordinance 2022-11:
I move to approve the ordinance to rezone the subject property from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B) with eight conditions as presented.

Denial of the Request:
I move to deny the request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Legal Ad Newspaper Article	Backup Material
PAB Recommendation Report	Report
Proposed Rezoning Ordinance 2022-11	Attachments/Exhibits
Location Maps	Backup Material
Narrative	Backup Material
Survey	Backup Material
Site Plan	Backup Material
Architectural Rendering 1	Backup Material
Architectural Rendering 2	Backup Material
Traffic Impact Study	Backup Material

Housing Authority is opening its waiting list for affordable housing units funded through HUD's Project Based Rental Assistance program at Walton Harbor. The waiting list will open on April 4th. Rents are based on income. Please go to www.waltonharbor.com to apply for the waiting list. The link to apply will not be available until April 4th. The waiting list is only open for Walton Harbor.
105622 3/9,16,23,30,4/6

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re
GLORIA DENISE RUCKER
CIVIL ACTION
FILE NO.: 2022CV25B
NOTICE OF PETITION FOR NAME CHANGE
Gloria Denise Rucker filed a petition in the Hall County, Superior Court on the 5th day of January 2022 to change the name from Gloria Denise Rucker to Gloria Denise Shields.
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
This 19th day of January 2022.
353C
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Carlos Soto filed a petition in the Superior Court of Hall County on February 2022to change the name from Carlos Soto to Carlos Guzman
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated 2/28/22
/s/ Carlos Soto
Petitioner, Prose
105432 3/9,16,23,30

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of:
Romel Danilo Regalado Apolo, Petitioner
Civil Action File No: 2022CV160B
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Romel Danilo Regalado Apolo filed a petition in the Superior Court of Hall County on 02/01/2022, to change the name from: Romel Danilo Regalado Apolo to Romel Danilo Apolo.
Any interested party has the right to appear in this said case and file objections within 30

Subject to County Commission on a 30.62± acre tract located on the south side of Hunter Road approximately 1,252 feet from its intersection with Cleveland Highway; a.k.a. 4294 Hunter Road; Zoned AR-IV; Tax Parcel 12023 000010. Proposed use: Farm-style dog daycare, boarding facility and family/community events. ** Commission District 3.
5. Application of Roger Perkins for a Use Subject to County Commission on a .29± acre tract on the south side of Lakeshore Drive approximately 149 feet from its intersection with Oakwood Trail; a.k.a. 6527 Lakeshore Drive; Zoned PRD; Tax Parcel 10011D000105. Proposed use: Personal Single family residence. ** Commission District 2.
6. Application of Highlands Residential, LLC to amend conditions of a Planned Commercial Development (PCD) on a 5.77± acre tract located on the north side of Thompsons Mill Road approximately 1,049 feet from its intersection with Napa Ridge Road; a.k.a. 5596, 5608, 5614, and 0 Thompsons Mill Road;

Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.
**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, May 26, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.
106449 3/30

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP
Notice is hereby given that the Gainesville City Council will conduct a public hearing on Tuesday, April 19, 2022 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:
1) Request from Interface Properties, LLC to rezone a 6.6± acres tract located on the southwest side of the intersection of Dawsonville Highway and Beechwood Boulevard (a/k/a 989

Division, by calling 770-531-6570.
NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})
106368 3/30

NOTICE OF PUBLIC HEARING
Notice is hereby given that a public hearing will be held on behalf of the Housing Authority of the City of Gainesville (the "Issuer") on April 6, 2022 at 10:00 a.m., pursuant to Revenue Procedure 2022-22, the public hearing may be accessed by dialing 1-800-726-5670, Access Code 36421245. This hearing is for the purpose of considering the approval of the

s/Andre M Robertson
ieorgia Bar No.: 521899
64 College Avenue SE
iainesville, Georgia
0501
70-532-7485
ndrerobertson97@
mail.com
105551 3/9,16,23,30

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05865 3/16,23,30,4/6

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022CV343J, seeking a
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days after the Petition
was filed.
Dated: 02/01/2022
105572 3/9,16,23,30

SUPERIOR COURT OF
HALL COUNTY
STATE OF GEORGIA
In re the Name Change
of
Quatrina Lee Jones
Petitioner
CiviLAction Case
Number 22CV367C
Notice of Petition to
Change Name of Adult
Quatrina Lee Jones
filed a petition in the
Superior Court of Hall
County on MArch
02,2022 to change the
name from Quatrina
Lee Jones to Quatrina
Lee Powell
Any interested party
has the right to appear
in this case and file
objections within 30
days after the Petition
was filed.
Dated 03/02/2022
/s/Quatrina Lee Jones
Petitioner Pro se
105764 3/16,23,30,4/6

Public Hearings

NOTICE is hereby given that the Hall County Planning Commission shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 5:15 p.m. on Monday, April 18, 2022 to consider the following:

1. Previously tabled application of Efrain Carrillo to rezone from Agricultural Residential-IV (AR-IV) to Residential-I (R-I) on a 27.29± acre tract located on the west side of Coker Road approximately 171 feet from its intersection with Thousand Oaks Drive; a.k.a. 3504 Coker Road; Zoned AR-IV; Tax Parcel 15015 000131. Proposed Use: 18 lot subdivision. ** Commission District 3.
2. Previously tabled application of James E. and Greg S. Simpson to rezone from Agricultural Residential-IV (AR-IV) to Light Industrial (I-I) on a 37.30± acre tract Zoned PCD; Tax Parcel 15041 000020, 000013, 000056, and 000191. Proposed use: 152 unit senior living facility. ** Commission District 1.
7. Application of D. Barrett Investment Properties, LLC to rezone from Agricultural-Residential-III (AR-III) and Residential-II (R-II) to Planned Commercial Development (PCD) on a 5.7± acre tract located on the east side of Thompson Bridge Road approximately 1,306 feet from its intersection with Mount Vernon Road; a.k.a. 3654 Thompson Bridge Road; Zoned AR-III and R-II; Tax Parcel 10104 000002. Purposed Use: climate controlled storage and medical office facility. ** Commission District 2.
8. Application of Tyrus Brown to rezone from Residential-I (R-I) to Residential-II (R-II) on a 9.65± acre tract located on Meadow Lane at its terminus; a.k.a. 3596 Meadow Lane; Zoned R-I; Tax parcel 10105 004089. Proposed use: 44 unit townhome development. ** Commission District 2.
9. Amend the Official Code of Hall County, Georgia by amending Section 17.20.020. Definitions to change the definition of "Adult Establishments"; by amending Section 17.420.050(A) to amend the list of Prohibited uses in the Gateway Corridors Overlay District (GCOD). The intent of the proposed changes is to update the regulation of Adult establishments in Title 17 to protect the health, safety, and welfare by preventing negative secondary effects, while satisfying constitutional standards for adult establishment regulations.

NOTE: In accordance with Georgia law, anyone who
(a) wishes to express opposition to the proposed rezoning and
(b) has made, within two years immediately preceding the filing of the proposed rezoning, Dawsonville Highway, NW) from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-115-002-002E
Request: Retail, drive-through restaurant and auto service
2) Request from McKinley Homes US, LLC for a special use on a 7.74± acres tract located on the west side of Florence Drive, across from its intersection with Bentley Park Circle (a/k/a 2920 Florence Drive, SW), having a zoning of Office and Institutional (O-I).
Ward Number: Four
Tax Parcel Number(s): 08-015-005-029
Request: Residential townhomes
Additional information is available from the Community and Economic Development Department, Planning Division, by calling 770-531-6570.
NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})
106479 3/30

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP
Notice is hereby given that the Gainesville City Council will conduct a public hearing on Tuesday, April 19, 2022 at 6:00 p.m. in the Gainesville Justice Center (Municipal

GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION

Applicant ..... Interface Properties, LLC

Property Owner ..... Chattahoochee Baptist Association

Location ..... 989 Dawsonville Highway, NW

Request ..... Rezone from R-I, R-II and G-B to G-B

Total Acres ..... 6.6± acres

Ward ..... One

Proposed Use ..... Retail, drive-through restaurant and auto service

Planning Division Staff Recommendation ..... **Approval, with conditions**

Planning & Appeals Board Recommendation ..... **Approval, with conditions**

Date ..... March 8, 2022

- ***Applicant's Proposal and Background Information***

The property is currently zoned Residential-I (R-I), Residential-II (R-II) and General Business (G-B). The intent is to consolidate the property under one zoning of General Business (G-B). The proposal is for a 3,751± square foot fast food drive-thru restaurant and a 2,086± square foot auto (lube) service use. While no use has been identified for the remainder of the property known as Phase II, the applicant states the following uses will be prohibited:

- Adult novelty stores /adult entertainment centers
- Group homes /crisis centers
- Pawn shops /dollar-type stores
- Massage parlors
- Hookah lounge /tobacco or vaping stores
- Tattoo parlors
- Psychics /fortune tellers /clairvoyants and the like
- Gas station /convenience stores
- Tire stores /auto parts stores /auto body shops
- Automobile sales establishments /marine sales or repair stores
- Automated or non-automated car washes
- Truck stops
- Coin-laundry facilities

As part of the redevelopment, the existing 14,000± square foot church building and parking lot will be demolished. The northwest portion of the property is below the street grade of Dawsonville Highway which will require a retaining wall to raise it to street grade. Access is proposed from Dawsonville Highway as well as near an existing driveway cut on Beechwood Boulevard. The proposed buildings are to include EIFS, cementitious siding and stone which are materials that adhere to the Gateway Corridor Overlay Zone architectural standards. City water and sewer services will be utilized which are presently available to the site.

- ***Adjacent Land Use and Zoning***

Location	Use	Zoning
North	Olive Garden Restaurant, Residential Quadplex, Residential Duplex, Single-Family Homes, Lake Forest Apartments	General Business (G-B) Residential-II (R-II) Residential-I (R-I)
South	McEver Corners Shopping Center	General Business (G-B)
East	Guilford Immediate Care, Retail and Restaurant Uses	General Business (G-B)
West	Beechwood Estates Neighborhood	Residential-I (R-I)

- ***Other Departmental Comments***

The proposal will require coordination with the Georgia Department of Transportation (GDOT).

- ***Traffic Impact Study Summary***

A Traffic Impact Study (TIS) was completed for the proposed development on January 27, 2022 and revised on February 23, 2022, by CHA Consulting, Inc. COVID-19 adjustment factors and a 1% annual growth rate were applied to the counts collected for the studied intersections. The results of the Intersection Capacity Analysis for the proposed development are as follows:

- SR 53/Dawsonville Highway and Academy Sports (signalized)
  - Level of Service C (Acceptable)
- SR 53/Dawsonville Highway and Beechwood Boulevard (unsignalized)
  - Level of Service D or better (Acceptable)
- SR 53/Dawsonville Highway and SR 53/McEver Road (signalized)
  - Level of Service D (Acceptable)
- SR 53/Dawsonville Highway at the New Driveway (unsignalized)
  - Level of Service A (Acceptable)

The project trips are expected to be distributed as follows:

- 35% to/from the south on SR 53
- 40% to/from the north on SR 53
- 1% to/from the west on Beechwood Boulevard
- 24% to/from the west on McEver Rd

Based on the Institute of Transportation Engineers (ITE), Trip Generation 10th Edition, the estimated trips for the development are provided below. Note. The calculations do not include Phase 2 of the development of which no specified use is proposed at this time.

Land Use	Size (SF)	AM Peak Hour		PM Peak Hour		Weekday Trips	
		Enter	Exit	Enter	Exit	Enter	Exit
Fast Food Restaurant	3,751	61	66	82	78	864	865

Auto Servicing	2,086	5	2	2	3	31	31
Totals	**5,837**	**66**	**68**	**84**	**81**	**895**	**896**

According to the TIS, the new trips generated by the new development will not deteriorate the intersections operation. The peak hours 95th queue at all intersections could be accommodated within the available storage. Therefore, no geometric improvements are recommended at the studied intersections.

- ***Zoning History***

The following zoning actions have taken place in the immediate area during the last ten years:

2021 – A request by Parth S. Patel for a special use on a 1.41± acres tract zoned General Business (G-B) located at 1310 Dawsonville Highway for retail sales of alternative nicotine products was approved with conditions.

2020 – A request by OHC Lanier North, LLC to amend a 26.16± acres tract zoned Planned Unit Development (P-U-D) located at 0 & 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; and 2049 Strickland Drive for an active adult community and four residential lots was approved with conditions.

2018 – A request by LLJ Development, LLC to rezone a 6.854± acres tract located at 0 and 1010 Dawsonville Highway from Office and Institutional (O-I) to General Business (G-B) zoning for a fitness center, retail center and restaurant was approved with conditions.

2018 – A request by REB Land Development, LLC to rezone a 2.744± acres tract located at 621 Lakeshore Drive NW from Residential-I (R-I) to General Business (G-B) zoning for a multi-tenant retail, office and restaurant was withdrawn at the City Council meeting.

2018 – A request by John Harris to rezone a 5.73± acres tract located at 1331 Lanier Valley Drive from Residential-II (R-II) and General Business (G-B) to General Business (G-B) zoning for a non-profit residential facility was approved with conditions.

2018 – A request by Lake 53, LLC to rezone a 6.227± acres tract located at 1995 Dawsonville Highway from General Business (G-B) to Planned Unit Development (P-U-D) zoning for 79 residential condominiums and office space was conditionally approved.

2017 – A request by Lidl US Operations to rezone a 6.854± acres tract (subject property) located at 0 and 1010 Dawsonville Highway from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) zoning for a grocery store was withdrawn at City Council.

2017 – A request by Oak Hall Companies, LLC to rezone a 157.98± acres tract located at 0, 1264 and 1817 Ahaluna Drive; 1876 Dawsonville Highway; 2208 Karen Lane; 0 and 2029 Strickland Drive; 0 and 1489 West Lake Drive from Residential-I-A (R-I-A), Residential-I (R-I), Planned Unit Development (P-U-D) and Regional Business (R-B) to Planned Unit Development (P-U-D) and General Business (G-B) zoning for a mixed-use, age restricted community was approved with conditions.

2017 – A request by Oak Hall Companies, LLC to annex a 50.81± acres tract with a zoning of Planned Unit Development (P-U-D) and General Business (G-B) located at 0 and 1758 Ahaluna Drive; 1508, 1550, 1740, 1746, 1758, 1760, 1934 and 1982 Dawsonville Highway; 300 and 301 Skyview Drive; 0, 2008 and 2016 Strickland Drive was conditionally approved for a mixed-use, age restricted community.

2017 – A request by Oak Hall Companies, LLC to annex a 26.16 ± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; 2049 Strickland Drive was conditionally approved for an age restricted, active adult community.

2015 – A request by West Ahaluna, LLC to annex an 8.74± acres tract with a zoning of Residential-I-A (R-I-A) located at 0 and 1264 Ahaluna Drive was conditionally approved for no proposed use.

2014 – A request by West Ahaluna, LLC to annex a 70.23± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 1817 Ahaluna Drive; 1982 Dawsonville Highway; 2208 Karen Lane; 2008, 2016 and 2029 Strickland Drive was approved with conditions. In addition, the same applicant requested to rezone a 31.93± acres tract located at 0 Ahaluna Drive NW and 1489 West Lake Drive NW from Residential-I (R-I) to Planned Unit Development (P-U-D) was also approved with conditions for a 199-lot single-family subdivision.

2013 – A request by America's Home Place, Inc. to rezone a 25.11± acres tract located at 0 and 1198 Dawsonville Highway; 1232 Ahaluna Drive and 1162 Lakeshore Circle from Residential-I (R-I), Residential-II (R-II) and Office and Institutional (O-I) to General Business (G-B) zoning for a commercial shopping center was approved with conditions.

2010 – A request by Bill Dupree to annex a 7.11± acres tract with General Business (G-B) zoning and rezone a 2.44± acres tract from Residential-II (R-II) to General Business (G-B) located at 0, 1293, 1297 and 1139 Dawsonville Highway was approved with conditions for the Olive Garden, Buffalo Wild Wings, Cheddar's and Holiday Inn Express development.

- ***Staff Analysis***

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The subject property has served as a church since 1970. The adjacent properties consist of retail, restaurant and service uses fronting Dawsonville Highway. Residential uses are located to the north and west fronting Beechwood Boulevard. These properties are zoned Residential-I (R-I), Residential-II (R-II) and General Business (G-B). It appears the proposed use is consistent with existing and new commercial development located along Dawsonville Highway.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The Dawsonville Highway corridor will continue to experience increased traffic volumes which are currently strained during the holiday period and certain peak times. The proposed development will add additional turning movements to and from Dawsonville Highway. If approved, appropriate buffers are necessary to help reduce visual impacts the Beechwood Estates neighborhood.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The proposed use appears to be consistent with the purpose and intent of the Comprehensive Plan.

The property is located within the *Retail/Commercial* land use category which includes commercial service activities such as grocery stores, banks, restaurants, theatres, hotels, and automotive related businesses. Commercial uses may be located as a single use in one building or grouped together in a shopping center.

The subject property is also located within the *Suburban Commercial* Character Area. This area will continue to grow as a regional retail center for the City and Hall County, but should diversify over time to include multi-family housing and a higher-density mix of retail, office, services and high-quality employment. In addition, expanding premium retail could offer a variety of shopping options that are currently not available elsewhere in the City. The area has become one of the most prominent commercial corridors and gateways into the City, and a thriving economic anchor for the northwest side. When development occurs, adequate buffers should be maintained around development to protect watersheds and sensitive environments. Land uses allowed within the *Suburban Commercial* area include commercial, public / institutional, multi-family residential and mixed use.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The subject property is zoned R-I, R-II and G-B and is 6.6± acres in size. Approximately 5.1± acres of the property is zoned R-I which is limited to single-family uses or semi-public uses such as a church. A 1.0± acres portion of the property is zoned R-II which allows for single-family, two-family or up to 12 multi-family apartments. The remaining 0.5± acre of the property is zoned G-B which allows for commercial uses with no current zoning restrictions. The applicant desires that the entire property have a zoning of G-B for commercial uses.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The subject property and surrounding development currently utilize City water and sewer services and there is sufficient capacity to serve the development.

Existing public safety services respond to the adjacent and nearby properties. Gainesville Fire Station #1 is located approximately 2.4 miles from the property. Future fire station #6 is planned at the entrance to the future master planned, age restricted development located one mile north of the subject property off of Dawsonville Highway.

No impacts to the school system are expected as the development is for non-residential purposes.

According to the applicants Traffic Impact Study, the proposed development is anticipated to generate 1,791± new trips per weekday (50% entering, 50% exiting), 134± A.M. peak hour trips (49% entering, 51% exiting) and 165± P.M. peak hour trips (49% entering, 51% exiting).

Georgia Department of Transportation (GDOT) has a corridor widening project being conducted on SR 53/Dawsonville Highway from Ahaluna Drive to Shallowford Road. The main purpose of the project is to improve congestion for northbound and southbound through movements on Dawsonville Highway connecting existing right-turn auxiliary lanes between Ahaluna Drive and Shallowford Road. This will create three through lanes in each direction. The project will also modify the existing median on SR 53 at Beechwood Boulevard into an R-CUT median to prohibit eastbound left turns from Beechwood Boulevard onto SR 53. The proposed project will also

install a dual R-CUT median at the existing median opening on SR 53 between the McEver Corners Shopping Center and the Jackson EMC access driveway. The project is proposed to be constructed in 2023.

In addition, staff recommends the developer pursue inter-parcel access which would provide connection to the adjacent McEver Corners shopping center.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The anticipated use for the subject property is for non-residential purposes which is consistent with the Comprehensive Plan and the proposed development.

The property is located within one of Gainesville's most active regional commercial corridors. Tremendous growth has occurred over the past 20 years, some of which include the Northlake Square shopping center, Village Shoppes of Gainesville, Home Depot, Best Buy, McEver Corners shopping center, Texas Roadhouse, Olive Garden, Cheddar's, Buffalo Wild Wings, Culver's restaurant, numerous retail strip centers, child day care facility and a 94-room Holiday Inn Express hotel. As well, it is anticipated that the 860-unit age-restricted development known as "Lake Society" off of Ahaluna Drive and Dawsonville Highway will begin development within the next year.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Due to the subject property's consistency with the Comprehensive Plan and its proximity to existing commercial uses, the proposal with the recommended zoning conditions appears to promote a reasonable balance between the interests of the City, the property owner, and neighboring residents and property owners.

- ***Staff Recommendation***

The Planning Division staff is recommending **conditional approval** of this rezoning request with **G-B zoning**, based on the Comprehensive Plan and the adjacent residential and non-residential land uses.

Conditions

1. **The proposed buildings shall be generally consistent with the standards depicted on the concept plan and architectural elevation provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards.**
2. **Prohibited uses for the subject property shall include group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**

3. **A mixture of evergreen and deciduous buffer trees shall be planted at the top of the grade between Beechwood Boulevard adjacent to the proposed building/parking lot/service areas. In addition, the frontage landscape strip at the street grade of Beechwood Boulevard shall be planted with trees, shrubs and sod similar to the adjacent Olive Garden restaurant property. The location, size and type of landscaping /trees shall be subject to the approval of the Community and Economic Development Department Director.**
4. **An electronic message board / changeable copy sign shall not be permitted.**
5. **Free-standing signage shall not be allowed along Beechwood Boulevard.**
6. **The subject property shall be limited to one driveway on Beechwood Boulevard and one driveway on Dawsonville Highway as generally depicted on the concept plan. In addition, an inter-parcel access drive shall be permitted to connect with the adjacent McEver Corners shopping center located south of the subject property.**
7. **Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent McEver Corners shopping center property located south of the subject property as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.**
8. **All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director. Approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

Excerpts from the March 8, 2022 PAB Meeting Minutes

Applicant Presentation: **Tyler Smith**, 340 Jesse Jewell Parkway, represents the applicant and also present was Patrick Bentley from High Point Real Estate. Mr. Smith stated the property is currently owned by Chattahoochee Baptist Association and the purpose was to consolidate the zoning to a General Business (G-B) zoning category. He said it is a commercial corridor on all sides except for the west which is residential. He stated the adjacent residential property will be at a lower in grade of approximately 20 to 30 feet once developed. The development will consist of a fast food restaurant and an oil change facility. He then explained phase two at the rear of the property will be developed at a later time and agrees with all conditions including the prohibited uses mentioned by Mr. Tate. He said there will be access at Dawsonville Highway with a cut at Beechwood Boulevard and hopefully inter-parcel access with McEver Corners Shopping Center.

FAVOR: None

OPPOSE: Christine Osasu, 1738 Lanier Springs Drive, presented a petition containing signatures and said more than 70 percent of the neighbors are opposed to the request. She spoke about accidents on Dawsonville Highway, traffic concerns at Beechwood Boulevard, noise, safety, property values decreasing, liter and asked the board to consider not allowing an entrance to the development on Beechwood Boulevard.

Brooke Reid, 1756 Beechwood Boulevard, stated she was speaking on behalf of her mother's residence. She submitted an open records request from the police department

which showed a high number of wrecks on Dawsonville Highway at and near Beechwood Boulevard. Her other concern was the proposed entrance/exit at Beechwood Boulevard and the amount of traffic it might bring. She said the church never had access and is opposed to the development.

Rebuttal: Mr. Smith stated there will be a vegetated buffer planted to buffer the development from the residential uses. There would and only one driveway onto Dawsonville Highway and one driveway onto Beechwood Boulevard for the project similar to the neighboring Olive Garden restaurant which provides additional access the Beechwood residents to access the existing signalized intersection. Mr. Smith gave a brief review the traffic study which stated the proposal would have minimal traffic impacts to Beechwood Boulevard along with the prohibited uses.

PLANNING AND APPEALS BOARD COMMENTS: Board Member Simmons asked about how many homes were in the area and was told approximately sixty-five and then asked the name of the proposed restaurant. Mr. Smith stated he could not reveal the name due to confidentiality. Vice-Chair Fleming asked if Phase II would be retail and if it would be subdivided and need to come back through the planning board. Chairman Carter stated on a commercial project with a large amount of acreage was normal not to know all the tenants at the beginning but over time filled in within the parameters of the rezoning. Chairman Carter said the front lots are usually the first to have users/tenants.

Deputy Director Tate stated if the property is rezoned then it could be subdivided and developed for different types of uses that could include such uses as a daycare center, kennel, lodging services, office, retreat center, self-storage facility or animal hospital. Mr. Tate stated the board is charged to determine if the proposed use entirety is consistent with the Comprehensive plan while giving consideration to any impact to the adjacent and nearby properties. He explained that GDOT plans to redesign the existing median cut at Beechwood Boulevard and Dawsonville Highway with an R-Cut median that would allow a dedicated left turning movement off of Dawsonville to Beechwood Boulevard. He stated the development would be limited to right turning movements from the proposed driveway on Dawsonville Highway and from the intersection of Beechwood Boulevard/ Dawsonville Highway. The staff proposed zoning conditions restrict the proposed development to a single driveway on Dawsonville Highway, a single driveway on Beechwood Boulevard and the possibility of an inter-parcel access driveway connecting the development to the neighboring McEver Corners shopping center.

Board Member Simmons asked if Ms. Osasu understood or was confused about the exits. Ms. Osasu stated she understood but was mostly concerned with the traffic trying to get out of the neighborhood and had been stuck for more than 30 minutes at the shopping center across the street at one point. She also asked about noise and traffic from self-storage unit/buildings in a residential area. Chairman Carter stated a self-storage facility generates the least amount of traffic for a development.

There was a motion to recommend conditional approval to rezone the subject property for retail, drive-through restaurant and auto service from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B) with the following conditions:

<u>Conditions</u>

1. **The proposed buildings shall be generally consistent with the standards depicted on the concept plan and architectural elevation provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards.**
2. **Prohibited uses for the subject property shall include group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
3. **A mixture of evergreen and deciduous buffer trees shall be planted at the top of the grade between Beechwood Boulevard adjacent to the proposed building/parking lot/service areas. In addition, the frontage landscape strip at the street grade of Beechwood Boulevard shall be planted with trees, shrubs and sod similar to the adjacent Olive Garden restaurant property. The location, size and type of landscaping /trees shall be subject to the approval of the Community and Economic Development Department Director.**
4. **An electronic message board / changeable copy sign shall not be permitted.**
5. **Free-standing signage shall not be allowed along Beechwood Boulevard.**
6. **The subject property shall be limited to one driveway on Beechwood Boulevard and one driveway on Dawsonville Highway as generally depicted on the concept plan. In addition, an inter-parcel access drive shall be permitted to connect with the adjacent McEver Corners shopping center located south of the subject property.**
7. **Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent McEver Corners shopping center property located south of the subject property as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.**
8. **All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director. Approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

Motion made by Board Member White
Motion seconded by Board Member Martin
Vote – 5 favor, 1 oppose (Simmons), 1 absent (Thompson)

Passed: _____

AN ORDINANCE

No. 2022-11

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 6.6± ACRES TRACT LOCATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF DAWSONVILLE HIGHWAY AND BEECHWOOD BOULEVARD (A/K/A 989 DAWSONVILLE HIGHWAY, NW) FROM RESIDENTIAL-I (R-I), RESIDENTIAL-II (R-II) AND GENERAL BUSINESS (G-B) TO GENERAL BUSINESS, WITH CONDITIONS (G-B-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **General Business, with conditions (G-B-c)**.

Conditions

1. **The proposed buildings shall be generally consistent with the standards depicted on the concept plan and architectural elevation provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards.**
2. **Prohibited uses for the subject property shall include group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
3. **A mixture of evergreen and deciduous buffer trees shall be planted at the top of the grade between Beechwood Boulevard adjacent to the proposed building/parking lot/service areas. In addition, the frontage landscape strip at the street grade of Beechwood Boulevard shall be planted with trees, shrubs and sod similar to the adjacent Olive Garden restaurant property. The location, size and type of landscaping /trees shall be subject to the approval of the Community and Economic Development Department Director.**
4. **An electronic message board / changeable copy sign shall not be permitted.**

5. **Free-standing signage shall not be allowed along Beechwood Boulevard.**
6. **The subject property shall be limited to one driveway on Beechwood Boulevard and one driveway on Dawsonville Highway as generally depicted on the concept plan. In addition, an inter-parcel access drive shall be permitted to connect with the adjacent McEver Corners shopping center located south of the subject property.**
7. **Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent McEver Corners shopping center property located south of the subject property as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.**
8. **All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director. Approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

Legal Description

TRACT I:

All that tract or parcel of land lying and being in Land Lot No. 172 in the 9th District of Hall County, Georgia, and being more fully described as follows:

BEGINNING at an iron pin corner on the right-of-way of State Route 53 on the West corner of property of the Boyd-Thomas Tractor Co., and running S 60° 00 W 628.5 feet to iron pin; thence S23° 06 E 422.2 feet to iron pin corner; thence S 60° 00 W 205.5 feet to iron pin corner; thence N 23° 06 W 632.2 feet to iron pin corner; thence N 60° 00 E 834.0 feet to an iron pin corner on the right-of-way of State Route 53; thence S 23° 06 E 210 feet along the right-of-way of State Route 53 to the beginning corner. Said property being bounded on the east side by the Boyd-Thomas Tractor Co., and the west side and south side by the property of L. Edd Travis and Lee Waldrip.

Said property containing 6 acres, more or less, and being a part of the property described in a Deed from Red Hen Farms, Inc. to L. Edd Travis recorded in Deed Book 136, page 65 and a one-half undivided interest from L. Edd Travis to Lee Waldrip in Deed dated May 22, 1964, as filed and recorded in Deed Book 283, pages 336-337 of the Hall County Deed records and being more fully described in plat made November 23, 1964 by Patton, Pless & Jarrard, Reg. Surveyors. Said plat being recorded in Plat Book 32, page 284, Hall County Plat records.

Being the same property as conveyed in Warranty Deed from Lee Waldrip and L. Edd Travis to Broadway Baptist Church, its Trustees, Otis Bridges, Dean Watson and Charles Gabriel & their successors dated December 31, 1964, filed and recorded February 19, 1965 in Deed Book 300, page 109, Hall County, Georgia records.

LESS AND EXCEPT:

All that tract or parcel of land containing two acres more or less and located in Land Lot 172 of the 9th Land District of Hall County, Georgia, as shown by plat of survey by

Patton-Pless-Jarrard dated November 23, 1964, and revised May 12, 1967, said plat being entitled "Property of Broadway Baptist Church" and described as follows:

BEGINNING at an iron pin corner with the property of Boyd-Thomas Tractor Company which beginning corner is located South 60 degrees 00 minutes West 628.5 feet measured from the western boundary of Highway No. 53,and running along a line between the main lot of Broadway Baptist Church, Inc. and property of Boyd-Thomas Tractor Company; from said beginning point thence running South 23 degrees 06 minutes East 422.2 feet to an iron pin; thence South 60 degrees 00 minutes West 205.5 feet to an iron pin comer; thence North 23 degrees 06 minutes West 422.2 feet to a corner; thence North 60 degrees 00 minutes East 205.5 feet to the point of beginning; said property containing two acres, more or less, and adjoining the main lot on which the Educational Building of Broadway Baptist Church is presently located.

TRACT II:

All that tract or parcel of land lying and being in Land Lot 172, 9th Land District, Hall County, Georgia and being all of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) of Section "A" of the Beechwood Estate and being more fully shown on plat prepared by Patton-Pless and Associates, Gainesville, Georgia dated November 6, 1966.

LESS AND EXCEPT: 10' x 15' corner of Beechwood Boulevard and Dawsonville Highway for a Beechwood Estate sign and for sale signs of houses and lots in said Beechwood Estates until such time as lots and houses in said subdivision have been sold.

Being the same property as conveyed by Warranty Deed from L. Edd Travis and Lee Waldrip to Trustees of Broadway Baptist Church dated September 19, 1968, as filed and recorded September 19, 1968 in Deed Book 380, page 242, Hall County, Georgia records.

SECTION II

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV

This Ordinance is enacted as an amendment to the Code of the City of Gainesville, Georgia, and is to be codified as a part of Section 9-1-1-5.

SECTION V

The effective date of this Ordinance shall be upon approval by the governing body of the City of Gainesville, Georgia.

_____

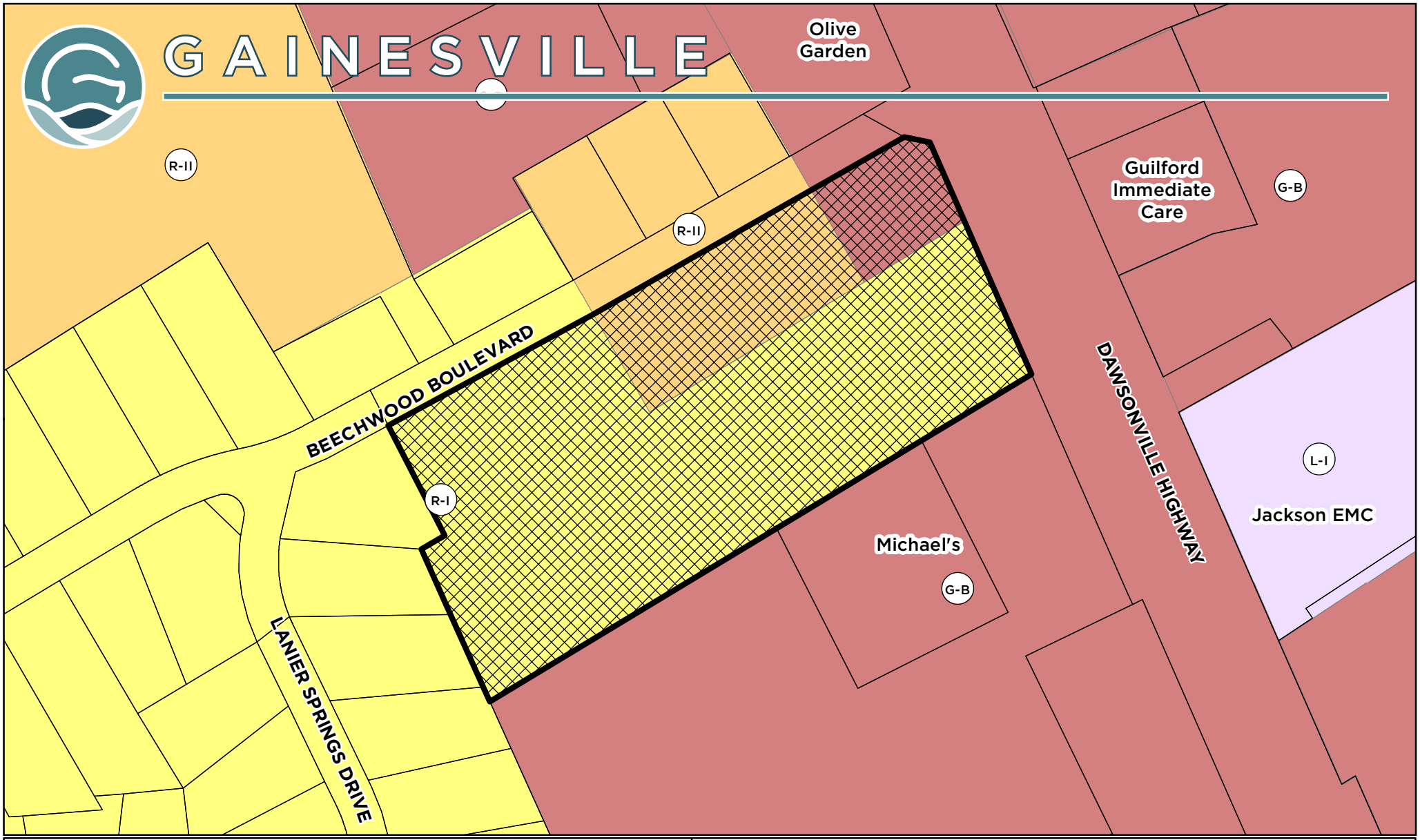
W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk



Applicant: INTERFACE PROPERTIES, LLC

REZONING REQUEST

Request:
Rezone a 6.6+/- acres tract from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B) for retail, drive-thru restaurant and auto service

Subject Property Address:
989 Dawsonville Highway, NW

Tax Parcel:
01-115-002-002E

Subject Property

Meeting Date: 03/08/2022

Map Prepared: 02/15/2022

0 90 180 Feet

SCALE: 1 " = 167 '

N W E S

Applicant: INTERFACE PROPERTIES, LLC

REZONING REQUEST

Request:
Rezone a 6.6+/- acres tract from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B) for retail, drive-thru restaurant and auto service

Subject Property Address:
989 Dawsonville Highway, NW

Tax Parcel:
01-115-002-002E

Subject Property

Aerial from 2021

Meeting Date: 03/08/2022

Map Prepared: 02/15/2022

0 90 180 360 Feet

SCALE: 1 " = 167 '

N W E S

NARRATIVE REPORT

For City of Gainesville Application for Rezoning Action

By Interface Properties LLC dated January 26, 2022

This Narrative Report is submitted by Applicant Interface Properties LLC (hereafter "Applicant") on behalf of property owner, Chatahoochee Baptist Association Inc., for the property located at 989 Dawsonville Highway, Gainesville, Georgia 30501, tax parcel 01115 002002E.

Applicant seeks to rezone the property to G-B (general business). The property is approximately 6.6 acres in total and has 3 separate zoning classifications currently. A portion of the property is already zoned G-B, a different portion of the property is zoned R-II, and the remaining portion of the property is zoned R-1.

Dawsonville Highway is a commercial corridor with G-B zoning classifications to the north of the subject property, south of the subject property, and east of the subject property. The site plan is attached with the Application and shows two commercial buildings fronting Dawsonville Highway. Renderings submitted with the Application show the look and style of the proposed commercial buildings.

The property can be exited on the east end through a future joint driveway between the two commercial buildings located near the northern access drive for the Church.

The rear of the property, identified as Phase II – Future Development on the conceptual site plan, shall be limited to the following approved G-B uses: day care center, kennel, lodging services, office, retreat center, self-service storage facility, or veterinarian/animal hospital.

Prohibited uses for Phase II – Future Development include: adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like."

Applicant respectfully requests approval and submits the exhibits in support of its requests.

If the planning staff, the Planning and Appeals Board, or City Council Members need additional information, please do not hesitate to contact Ken Goodman with Interface Properties LLC or Applicant's counsel, Steven P. Gilliam, whose contact information is contained on the law firm's letterhead on which this narrative is written.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

NOTES:

(1) THIS PLAT WAS PRODUCED FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS DRAWING BY THIRD PARTIES.

(2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. SUBJECT AND ADJOINING PROPERTY OWNERS' DEED REFERENCES WERE PROVIDED BY JORDAN-PARKER LAND SURVEYING, LLC AND ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS. THE PROPERTY IS SUBJECT TO ANY AND ALL DISCLOSURES IN WHICH A TITLE SEARCH MAY PRODUCE.

(3) THE TERM "CERTIFICATION" AS USED IN RULE "180-6-.09(2) AND (3)" AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES, AS DEFINED IN O.C.G.A. 43-15-2(6) AND (11), SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

(4) THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67, IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

(5) CURRENT ZONING INFLUENCES ARE NOT SHOWN HEREON BUT PARTIES ARE PUT ON NOTICE AS TO RESTRICTIONS IN USE OF THE PROPERTY AND SETBACK AND BUFFER REQUIREMENTS IN REGARD TO BOUNDARY LINES AS PROVIDED FOR IN CITY OF GAINESVILLE, GA CODE OF ORDINANCES.

(6) AN UNDISTURBED VEGETATIVE BUFFER MEETING LOCAL, COUNTY, STATE, AND FEDERAL REGULATIONS SHOULD BE PRESERVED ADJACENT TO ALL WATERS OR WETLANDS. JORDAN-PARKER LAND SURVEYING HAS NOT FIELD LOCATED OR DELINEATED ANY STATE WATERS AND/OR WETLANDS THAT MIGHT EXIST OR THEIR BUFFERS ON THIS PROPERTY. PROPERTY OWNERS ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT THE PROPER PERMIT APPLICATION AND APPROVAL.

(7) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER THE FEDERAL EMERGENCY AGENCY'S FLOOD INSURANCE RATE MAP NO. 13139C0186G, HALL COUNTY, GEORGIA; EFFECTIVE DATE: APRIL 4, 2018.

(8) THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY FUTURE FLOOD ZONE PER HALL COUNTY GIS.

(9) ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE 8.170.070)

(10) IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 17.225.040)

(11) IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8.180.120 AND 8.180.130)

SURVEY DATA

TOTAL AREA:	6.64 ACRES
ERROR OF CLOSURE PLAT:	1 IN 182,193

THE FIELD DATA COLLECTED & REPRESENTED HEREON IS BASED UPON GPS OBSERVATIONS USING A LEICA VIVA GS16 MULTI FREQUENCY RTK (BASE/ROVER) & LEICA SMARTNET GNSS RTK NETWORK.

RELATIVE POSITIONAL ACCURACY:
HORIZONTAL: 0.04' (95% CONFIDENCE LEVEL)

ADDITIONAL EQUIPMENT USED: LEICA TS12P

HORIZONTAL DATUM: NAD83, GA WEST, 1002

SURVEY REFERENCES

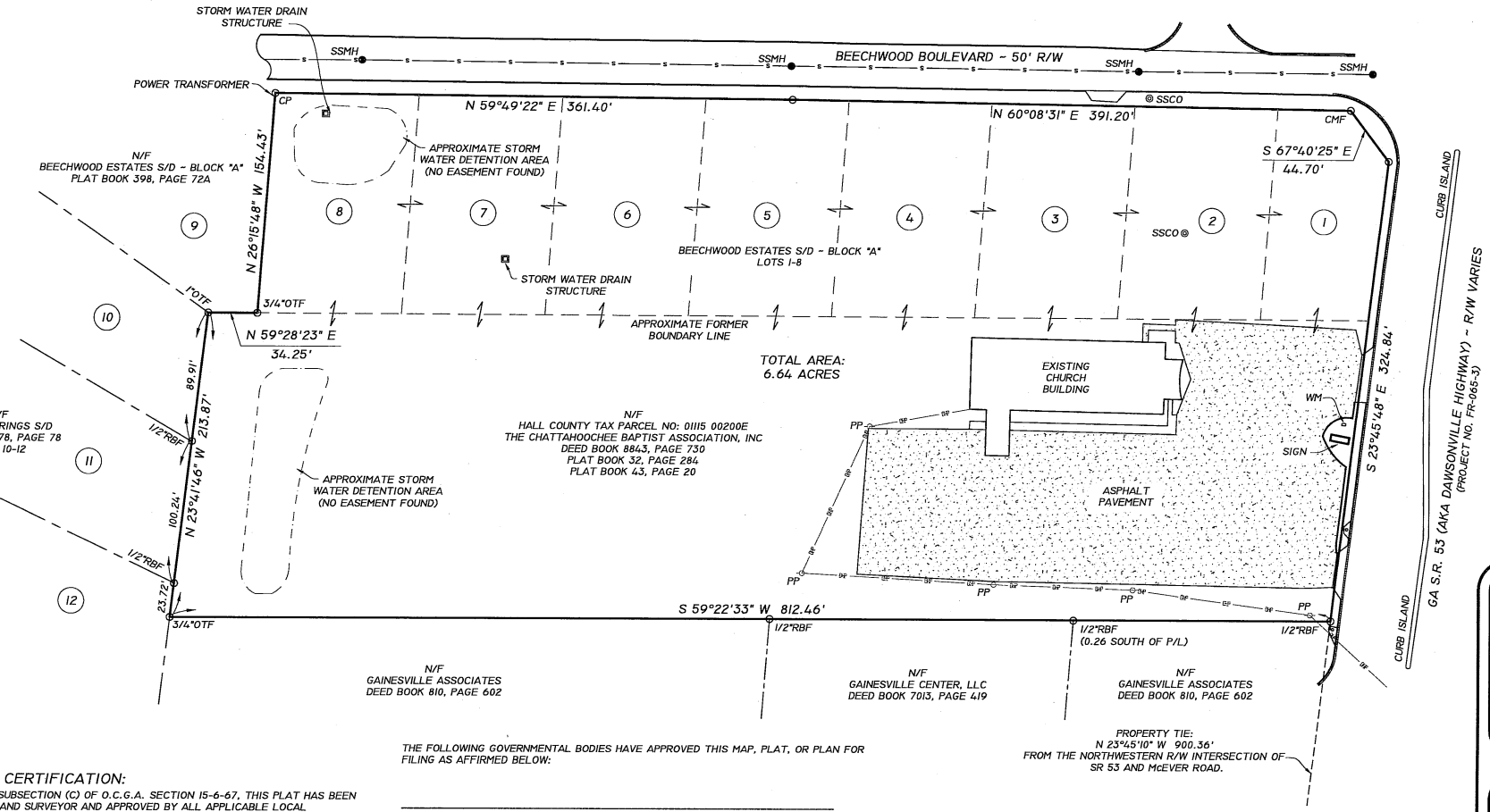
1.) DEED BOOK 8843 PAGE 730
2.) PLAT BOOK 32 PAGE 284

LEGEND:

RBF = REBAR PIN FOUND
OTF = OPEN TOP PIPE FOUND
CP = CALCULATED POINT
(C) = BOUNDARY CORNER
R/W = RIGHT OF WAY
——— = APPROXIMATE P/L
C/L = CENTERLINE
N/F = NOW OR FORMERLY
—>— = CONTIGUOUS
PP = POWER POLE
SP = SERVICE POLE
—OP— = OVERHEAD POWER LINE
WM = WATER METER
WV = WATER VALVE
SSMH = SEWER MANHOLE
SSCO = SEWER CLEANOUT

GRID NORTH - NAD83 (GA - WEST ZONE(1002))

0' 60' 120' 180'
GRAPHIC SCALE - FEET



THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT, OR PLAN FOR FILING AS AFFIRMED BELOW:

CITY OF GAINESVILLE, GA DATE

SURVEYORS CERTIFICATION:

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

RUSSEL H. PARKER, GA RLS #3264 DATE

SEAL: GEORGIA REGISTERED No. 3264 LAND SURVEYOR RUSSEL H. PARKER

REVISIONS:	
DATE:	COMMENTS:

RETRACEMENT/COMBINATION SURVEY FOR:

THE CHATTAHOOCHEE BAPTIST ASSOCIATION, INC.

LOCATED IN:
LAND LOT 172, 9TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

JORDAN-PARKER LAND SURVEYING
GEORGIA LAND SURVEYOR FIRM NO. LSF001079
P.O. BOX 1022
LULA, GA 30554
PHONE: 678.649.8076
EMAIL: HANK@JPLS.NET

CC:	DRAWN:
HP	HP
PLAT DATE: 9/1/2021	CHECKED: HP
SURVEY DATE: 8/30/2021	
SCALE: 1 INCH = 60 FEET	
SHEET NUMBER: 1 OF 1	

FILE NAME: 21-081.DWG

CITY OF GAINESVILLE PARCEL NO:
01115 002002E

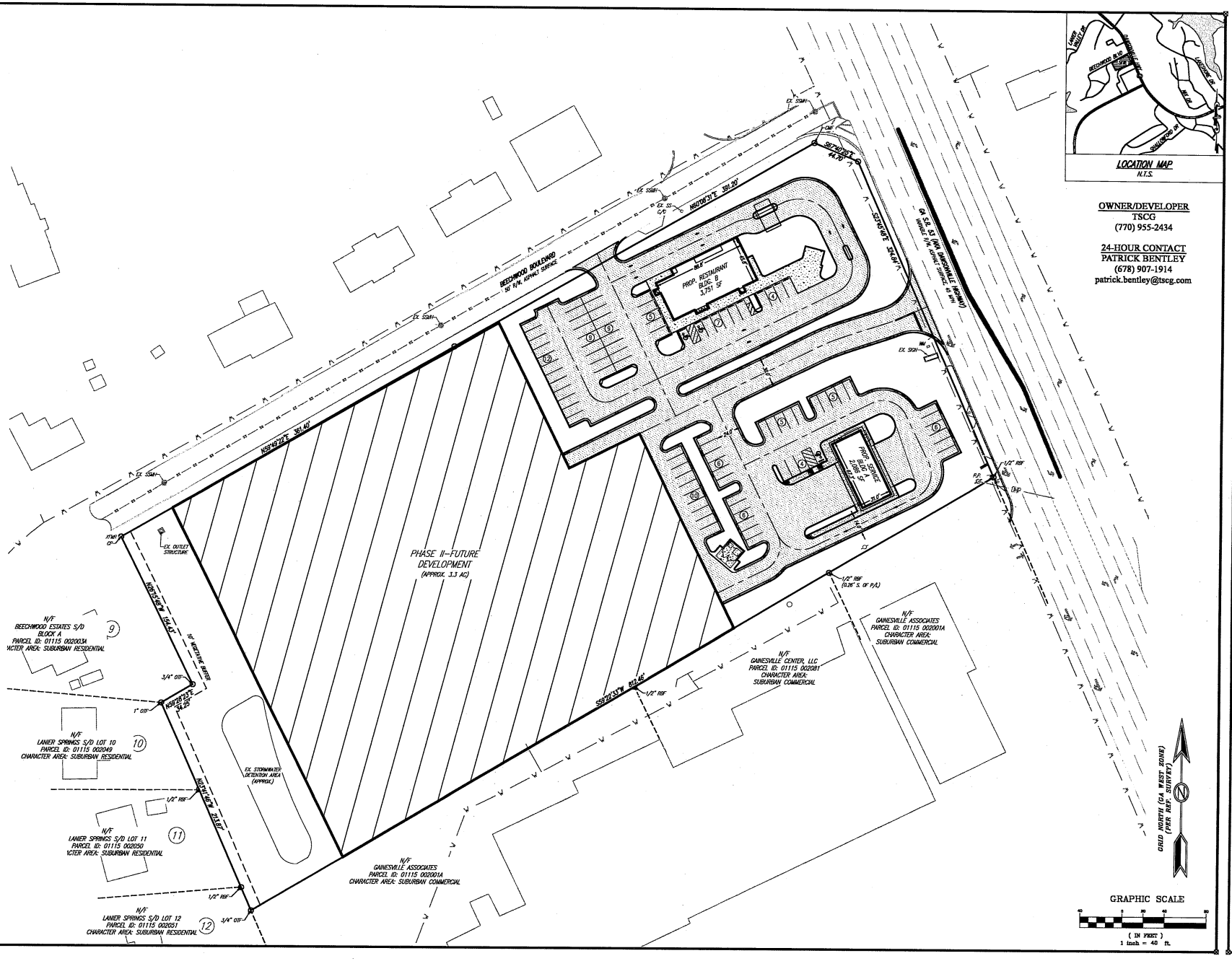
CHARACTER AREA:
SUBURBAN COMMERCIAL

CURRENT ZONING:
R-I, R-II, C-B

PROPOSED ZONING:
C-B

TOTAL AREA:
6.64 ACRES

SITE ADDRESS:
989 DAWSONVILLE HIGHWAY
GAINESVILLE, GA 30501



LOCATION MAP
N.T.S.

OWNER/DEVELOPER
TSCG
(770) 955-2434

24-HOUR CONTACT
PATRICK BENTLEY
(678) 907-1914
patrick.bentley@tscg.com

DES DAVIS
ENGINEERING & SURVEYING
133 PROMINENCE COURT
SUITE 210
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	-	-

REZONING CONCEPT

TSCG
LAND LOT 172
9TH DISTRICT
CITY OF GAINESVILLE, GA

DRAWN BY:	GRJ
CHECKED BY:	JKD
LAND LOT:	172
DISTRICT:	9TH
SECTION:	-
CITY:	GAINESVILLE
COUNTY:	HALL
DATE:	1/24/22

SHEET NO.
1 OF 1

PROJECT NO.
2021-521

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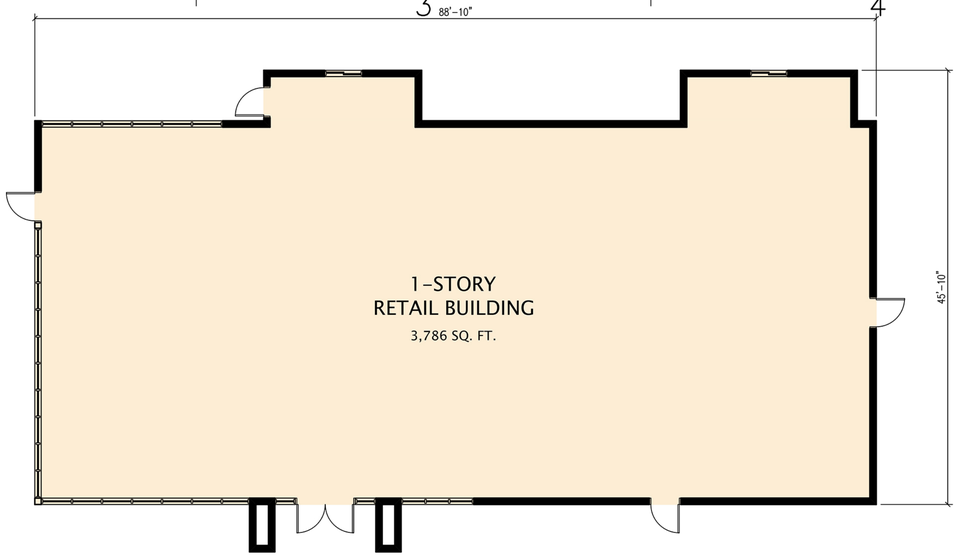


FLOOR PLAN 1/8"

0 4' 8' 16'

SCALE: 1/8" = 1'-0"

LEFT SIDE ELEVATION 1/8"

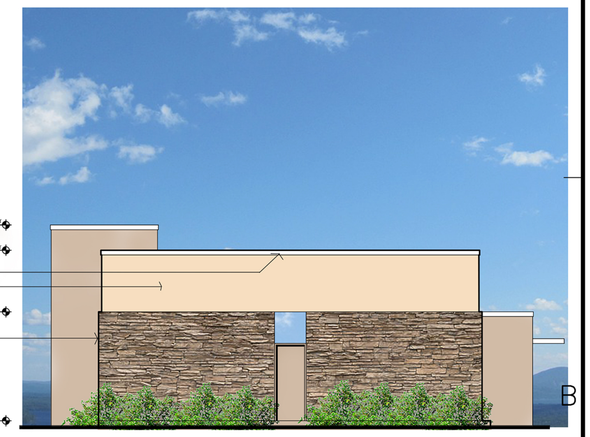
0 4' 8' 16'

SCALE: 1/8" = 1'-0"

FRONT ELEVATION 1/8"

0 4' 8' 16'

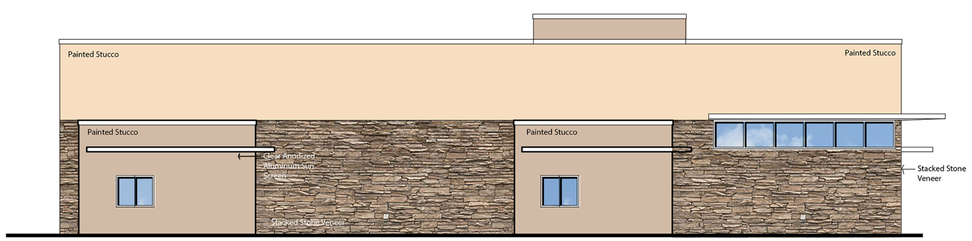
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION 1/8"

0 4' 8' 16'

SCALE: 1/8" = 1'-0"



REAR ELEVATION 1/8"

0 4' 8' 16'

SCALE: 1/8" = 1'-0"

KRAVIT Architecture

KRAVIT ARCHITECTURE & DESIGN, INC.
10430 E. SKINNER DRIVE
SCOTTSDALE, ARIZONA, 85262

MICHAEL J. KRAVIT, AIA, NCARB, RA
GEORGIA LICENSE No.

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CONSULTANTS

PROPOSED RESTAURANT BUILDING CONCEPT

OWNER

INTERFACE PROPERTIES, LLC.
1001 E. Telecom Drive
Boca Raton FL 33431

TSCG
Land Lot 172
9th district
City of Gainesville, GA

989 Dawsonville Highway
Gainesville, GA 30501

MARK	DATE	DESCRIPTION

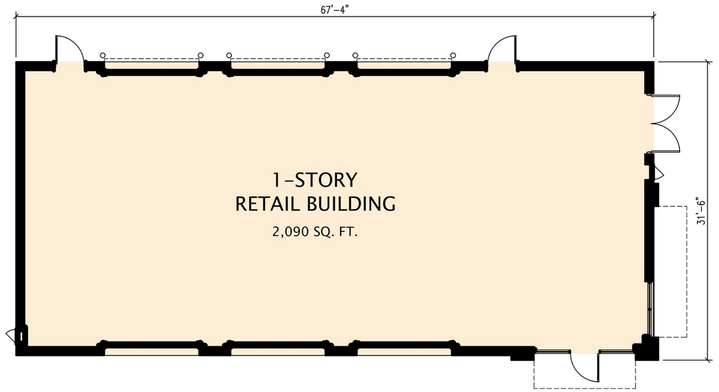
PROJECT NO:	KADI-INT.01
CAD DWG FILE:	KADI-INT.01 SDP.DWG
DRAWN BY:	M.KRAVIT
CHK'D BY:	MJK
COPYRIGHT:	

SHEET TITLE

SCHEMATIC DESIGN
PLAN & ELEVATIONS

A-2

SHEET 1 OF 2



FLOOR PLAN 1/8"

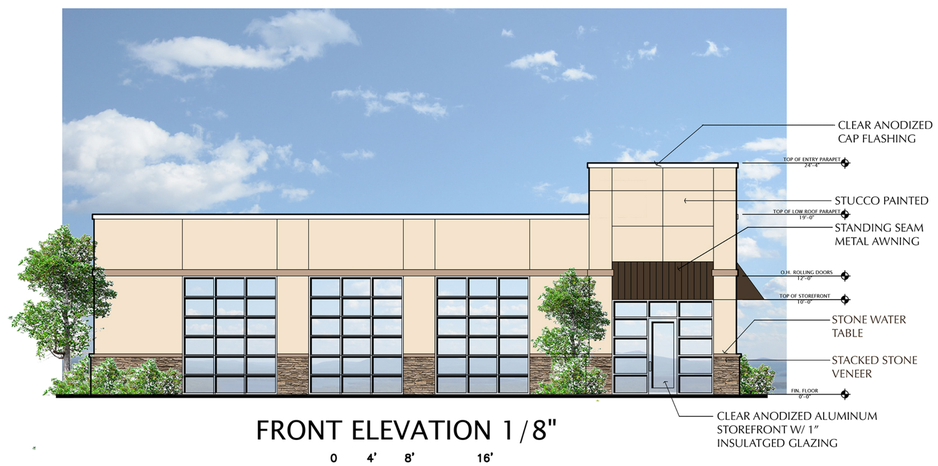
0 4' 8' 16'

SCALE: 1/8" = 1'-0"

LEFT SIDE ELEVATION 1/8"

0 4' 8' 16'

SCALE: 1/8" = 1'-0"



FRONT ELEVATION 1/8"

0 4' 8' 16'

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RIGHT SIDE ELEVATION 1/8"

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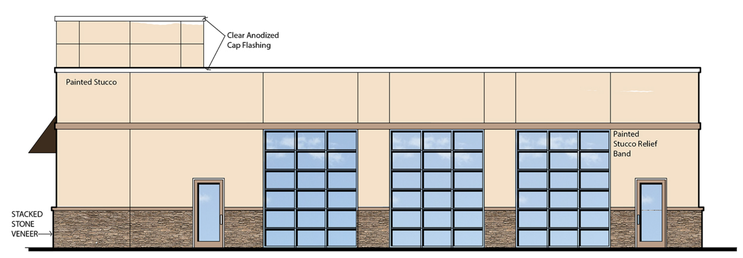
SCALE: 1/8" = 1'-0"



REAR ELEVATION 1/8"

0 4' 8' 16'

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CONSULTANTS

PROPOSED RETAIL BUILDING CONCEPT

OWNER

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Boca Raton FL 33431

TSCG
Land Lot 172
9th district
City of Gainesville, GA

989 Dawsonville Highway
Gainesville, GA 30501

MARK	DATE	DESCRIPTION

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SHEET TITLE

SCHEMATIC DESIGN PLAN & ELEVATIONS

A-1

SHEET 1 OF 2

Traffic Impact Study

Proposed Commercial Development

SR 53/Dawsonville Highway
Gainesville, Georgia

Prepared For: Interface Properties LLC.

CHA Consulting, Inc. Project No.

21-TF-903

GEORGIA REGISTERED No. PE030670 PROFESSIONAL ENGINEER PAUL A. SLONE

2-23-22

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1. INTRODUCTION

1.1. STUDY AREA

This traffic study was conducted to evaluate the traffic impacts of a proposed commercial development consisting of a drive thru hamburger retailer which is not a full-service restaurant, auto servicing store and a cell phone store located in Gainesville, Georgia. The proposed site is located at the south-west corner of the SR 53 at Beechwood Boulevard intersection. The proposed lot for the site is currently undeveloped. Figure 1 illustrates the location of the site and identifies the roadway network in the vicinity.

1.2. PROPOSED DEVELOPMENT

The proposed development will consist of approximately 5,835 square feet of building space that will be divided among two main land uses. There will be a 3,750 square feet drive-through hamburger retailer on the north parcel which is not a full-service restaurant. On the south side, there will be a 2,085 square feet auto service (oil). The commercial businesses are expected to be built out in 2023. The site will have a full access point on Beechwood Boulevard and a right in/right out driveway on SR 53. **Appendix A** illustrates the proposed site plan.

1.3. PLANNED TRANSPORTATION IMPROVEMENTS

Georgia Department of Transportation (GDOT) District 1 has a corridor widening project being conducted on SR 53/Dawsonville Highway from Ahalluna Drive to Shallowford Road (PI 0015702) in Hall County. The main purpose of the project is to improve congestion for northbound and southbound through movements on SR 53 by connecting existing right-turn auxiliary lanes between Ahaluna Drive and Shallowford Road. This will create an approximate 0.83 miles segment with three through lanes in each direction. The project will also modify the existing median on SR 53 at Beechwood Boulevard into an R-CUT median to prohibit eastbound left turns from Beechwood Boulevard onto SR 53. The proposed project will also install a dual R-CUT median at the existing median opening on SR 53 between the McEver Corners Shopping Center and the Jackson EMC access driveway. The project is proposed to be constructed in 2023. The roadway plans showing the SR 53 corridor improvements from Beechwood Boulevard to McEver Road is presented in **Appendix B.**

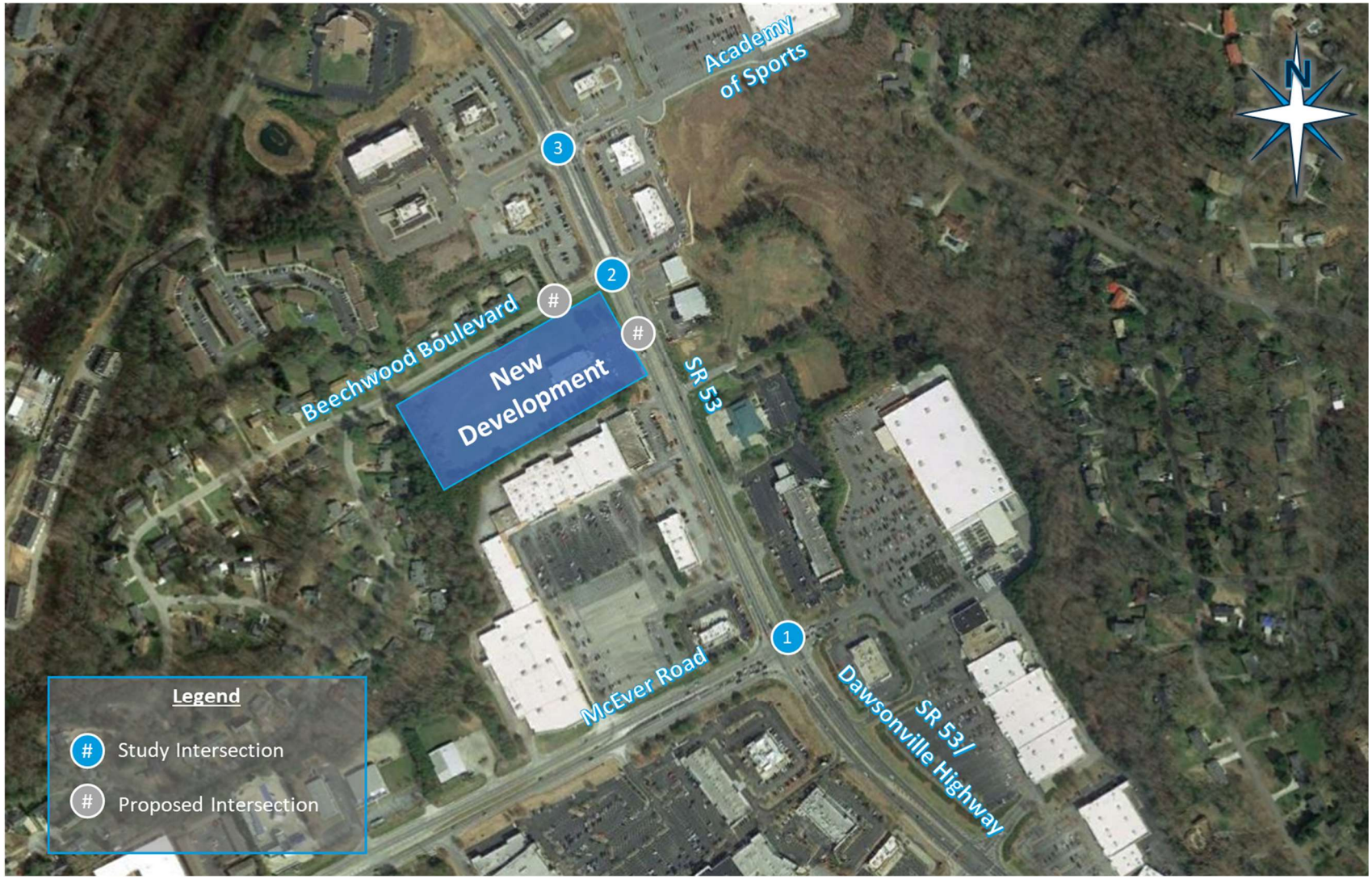


Figure 1 – Aerial View of Study Area

2. EXISTING CONDITIONS

2.1. ROADWAYS

SR 53/Dawsonville Highway is a four-lane median divided highway that runs primarily north-south and serves heavy commercial development within the vicinity of the site. SR 53/Dawsonville Highway is classified as an Urban Principal Arterial and has a posted speed limit of 45 mph within the study area. SR 53 originates at the Alabama state line and travels primarily east through Georgia's rural and mountainous regions in the northwest and northern portions of the state. SR 53 intersects US 19/SR 400 in Dawsonville and continues east through Forsyth County, before finally entering Hall County, crossing the Chestatee River and making the southwest turn onto McEver Road. SR 53 then proceeds in a southerly and southeasterly direction toward the Athens area, where it terminates at its intersection with SR 15 in downtown Watkinsville. On Dawsonville Highway south of McEver Road, the highway is signed as SR 53 Connector. SR 53 Connector runs east from McEver Road into downtown Gainesville, running in common with SR 60 beginning at its intersection with Jesse Jewell Parkway. SR 53 Connector terminates at its interchange with Interstate 985. As part of the GDOT PI 0015702, corridor improvement project, SR 53 will be widened to a 6-lane median divided highway by Year 2023.

SR 53/McEver Road is a four-lane median divided highway that runs primarily east-west and serves industrial and heavy commercial development within the vicinity of the site. McEver Road is classified as an Urban Principal Arterial and has a posted speed limit of 45 mph. McEver Road originates as Peachtree Industrial Boulevard in Gwinnett County at the intersection with Holcomb Bridge Road and becomes McEver Road at the Hall County line.

2.2. INTERSECTIONS

The following intersections were evaluated as part of this study:

1. SR 53/Dawsonville Highway and Academy of Sports (signalized)
2. SR 53/Dawsonville Highway and Beechwood Boulevard (unsignalized)
3. SR 53/Dawsonville Highway and SR 53/McEver Road (signalized)

Existing geometry and traffic operation control of the existing intersections were inventoried. Traffic signal timing data for the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road is contained in the Synchro models developed for the GDOT PI 0015702, corridor improvement project.

2.3. EXISTING TRAFFIC FLOW PATTERNS

Existing Turning Movement Count (TMC) data were collected at three studied intersections on December 16, 2021 as shown in **Appendix C.** Counts were collected for two hours during the morning peak period (7:00-9:00 am) and for two hours during the evening peak period (4:00-6:00 pm).

The recent COVID-19 pandemic has resulted in various business closures and altered school schedules. As a result, traffic patterns in 2021 have differed from past years. The growth rate, as described in section 3.1, was applied to the 2019 traffic volume reported for SR 53 and McEver Road to estimate what the expected 2021 traffic would be.

COVID-19 adjustment factors were calculated based on the expected 2021 traffic and the peak hour count that was collected in the field. The adjustment factors, as shown in **Table 1**, were then applied to the raw counts collected in the field to estimate "typical" 2021 traffic for the study area. **Figure 2** presents the adjusted 2021 peak hour traffic for the study intersections.

Table 1 – COVID-19 Adjustment Factors

GDOT Count Station ID	Direction	Peak Hour	2019 TADA counts (Pre-COVID)	Growth Rate	Estimated 2021 counts	2021 TADA counts (Post-COVID)	COVID Adj. Factor
139_0258	**NB**	AM	934	1.0%	953	856	**1.11**
		PM	1738	1.0%	1773	1696	**1.05**
	SB	AM	1384	1.0%	1412	1329	**1.06**
		PM	1234	1.0%	1259	1218	**1.03**
139-0274	**NB**	AM	809	1.0%	825	785	**1.05**
		PM	1380	1.0%	1408	1284	**1.10**
	SB	AM	954	1.0%	973	923	**1.05**
		PM	927	1.0%	946	968	**1.00**

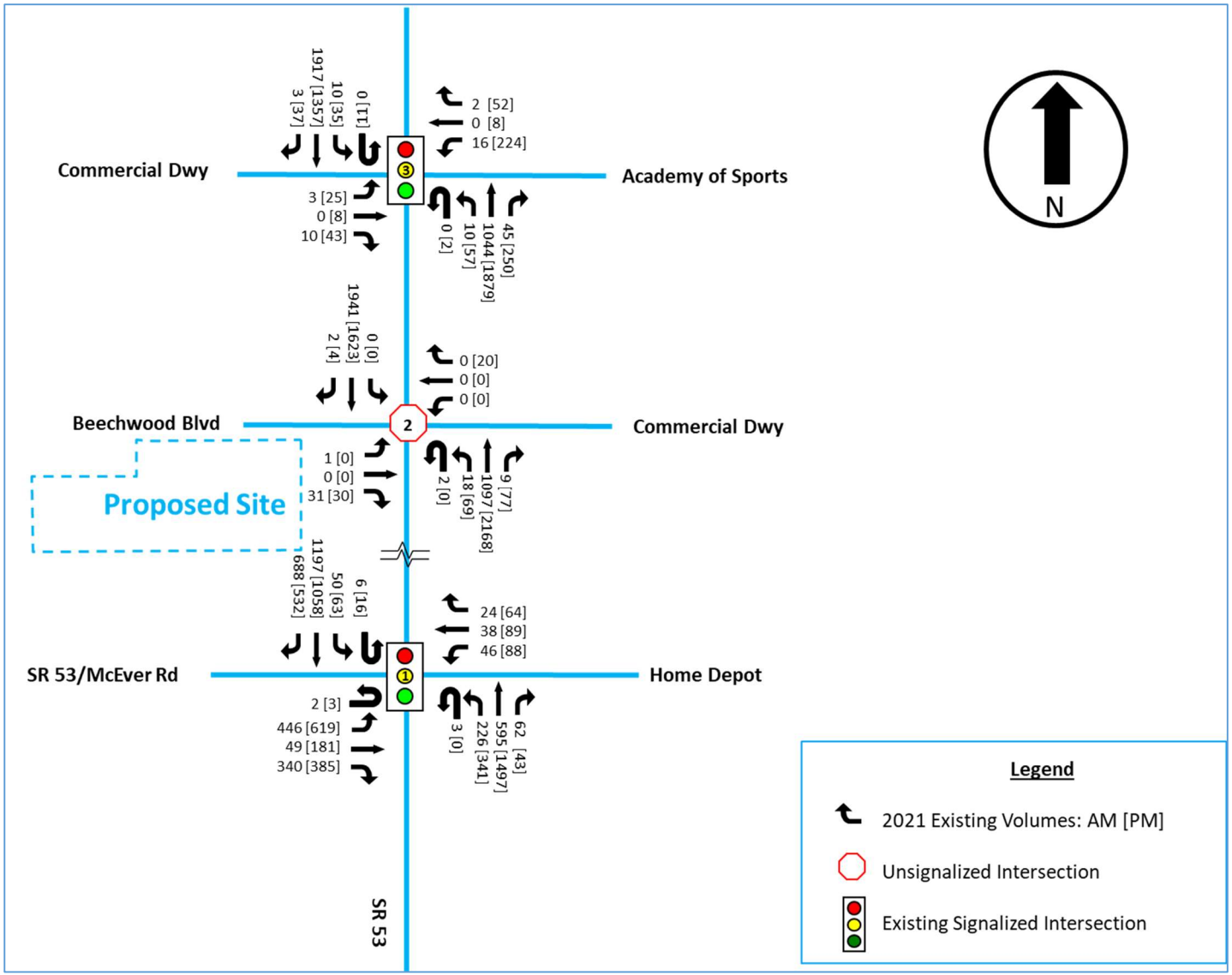


Figure 2 – Existing Peak Hour Volumes

3. TRAFFIC PROJECTIONS

3.1. FUTURE BACKGROUND TRAFFIC

A build-out year of 2023 was established for the project. The GDOT traffic corridor study (PI 0015702) projects the 2037 traffic for two of the intersections. This project had determined a 1% per year growth rate for the SR 53 corridor within the study limits. Therefore, a growth rate of 1.0 percent per year was applied to SR 53 and crossing roads.

3.2. TRIP GENERATION

Trip generation analysis was performed for each of the Development Land Uses based on data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual 10th Edition* (*TGM*).

A portion of the total trips to be generated by the proposed development would be pass-by trips which are trips made by existing traffic on the adjacent roadway. The *Trip Generation Handbook*, published by ITE, includes suggested pass-by trip rates for various land uses depending on their size. The recommended pass-by rate for Land Use Code 935 is 71 percent of the total trips generated by the site. The pass-by rate for Land Use Code 943 is assumed to be 20 percent of the total trips generated by the site. Daily and peak hour trips for the proposed development is presented in **Table 2.**

The total number of weekday trips that would be generated by the proposed development is 1,791 trips per day. A total of 134 weekday trips would be generated during the morning (AM) peak hour and 165 weekday trips would occur during the evening (PM) peak hour. Pass-by trips account for 1,240 of the daily trips, 91 of the morning peak hour trips, and 114 of the evening peak hour trips. Of the total trips generated, the new development is expected to generate 9 new heavy truck trips per day, with no heavy truck trips being made during the peak hours. The proposed project is not expected to generate any pedestrian, bicycle, or transit trips.

Table 2 – Trip Generation Summary

Primary Trips																				
Land Use		Area (Sqft)	AM						PM						Daily					
			Total Trips		Car Trips		Truck Trips		Total Trips		Car Trips		Truck Trips		Total Trips		Car Trips		Truck Trips	
			Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit
935	Fast Food Restaurant with Drive-Thru Window and No Indoor Seating	3,751	61	66	61	66	0	0	82	78	82	78	0	0	864	865	861	861	3	4
943	Auto Servicing	2,086	5	2	5	2	0	0	2	3	2	3	0	0	31	31	30	30	1	1
Total			**66**	**68**	**66**	**68**	**0**	**0**	**84**	**81**	**84**	**81**	**0**	**0**	**895**	**896**	**891**	**891**	**4**	**5**
ITE Pass By Trips																				
Land Use		ITE Pass By Rate	AM						PM						Daily					
			Total Trips		Car Trips		Truck Trips		Total Trips		Car Trips		Truck Trips		Total Trips		Car Trips		Truck Trips	
			Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit
935	Fast Food Restaurant with Drive-Thru Window and No Indoor Seating	71%	43	47	43	47	0	0	58	55	58	55	0	0	613	614	611	611	2	3
943	Auto Servicing	20%	1	0	1	0	0	0	0	1	0	1	0	0	6	6	6	6	0	0

3.3. TRIP DISTRIBUTION FOR NEW TRIPS

After the magnitude of generated trips has been established, it is then necessary to determine the routing of the new trips. The trip distribution for the new trips was based on the existing traffic patterns from the AM and PM peak period counts at the existing site driveway.

The majority of project trips are expected to be distributed to/from the south of the project site. Only 1 percent of the total trips are expected to be distributed to/from the west of the project on Beachwood Boulevard. **Figure 3** presents the expected trip distribution for the project. The project trips are expected to be distributed as follows:

- 35% to/from the south on SR 53
- 40% to/from the north on SR 53
- 1% to/from the west on Beachwood Boulevard
- 24% to/from the west on McEver Rd

3.4. ASSIGNMENT OF PROJECT-GENERATED TRIPS

Project-generated trips were assigned to each driveway based on the expectation that the trips generated by each user would enter at the most convenient driveway in relation to the user space. Project-generated trips assigned to the driveway on Beachwood Boulevard were then added as right turns at the intersection of SR 53 at Beachwood Boulevard. The new trips generated by the proposed development were added to the Background Traffic (shown in **Figure 4**) to estimate the Opening Year 2023 With Project traffic (shown in **Figure 5**).

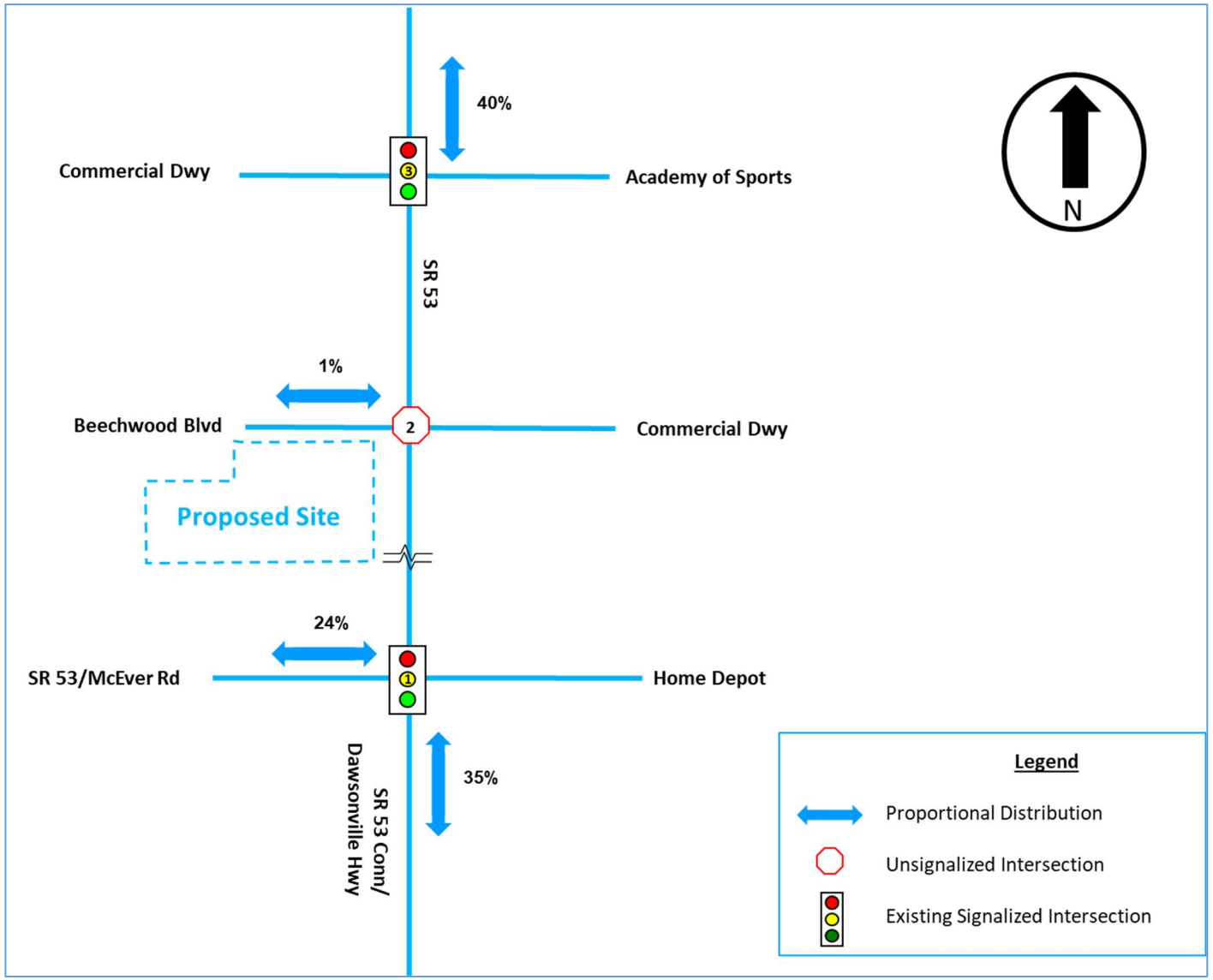


Figure 3 – New Trip Distribution

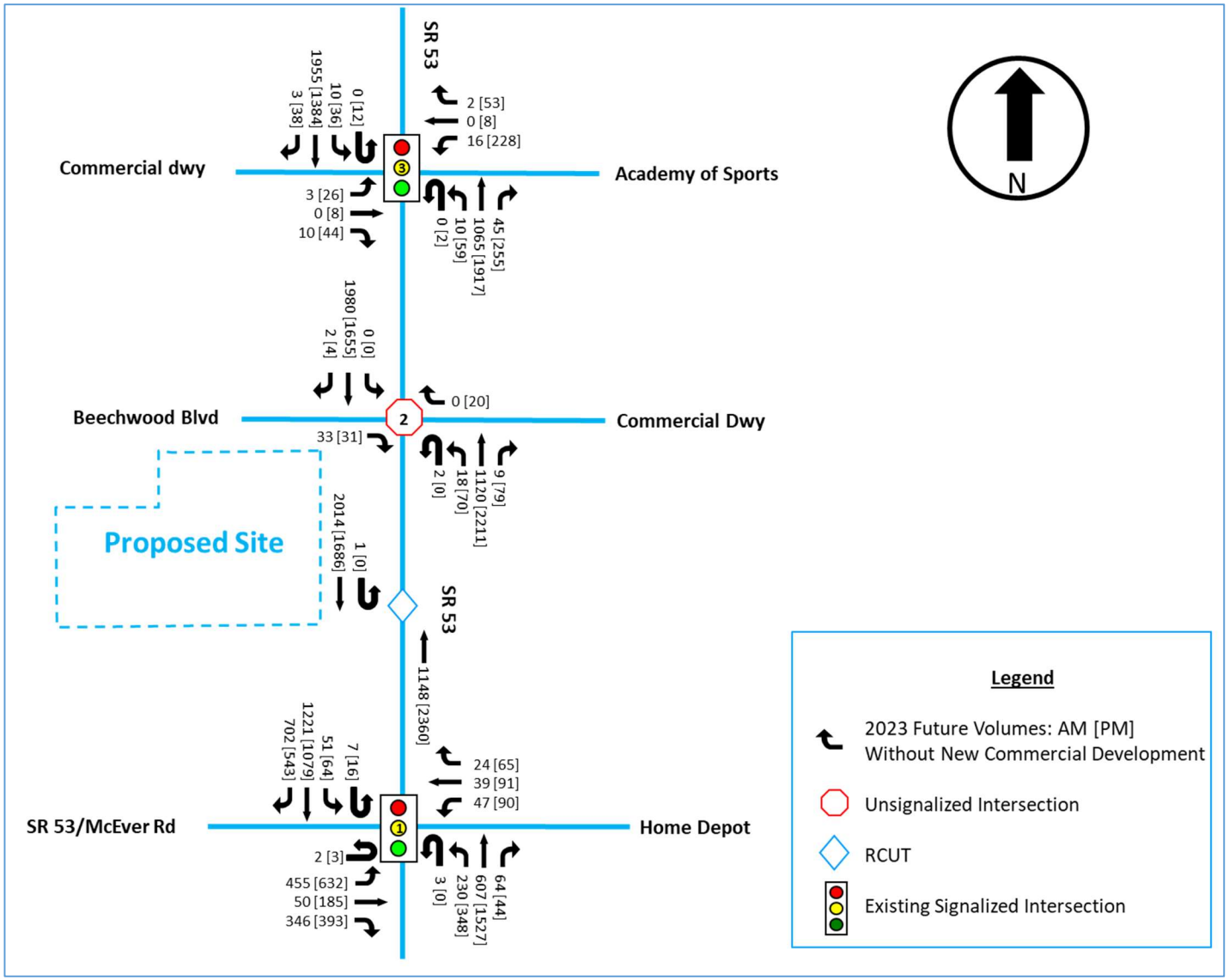


Figure 4 – Opening Year 2023 Background Traffic

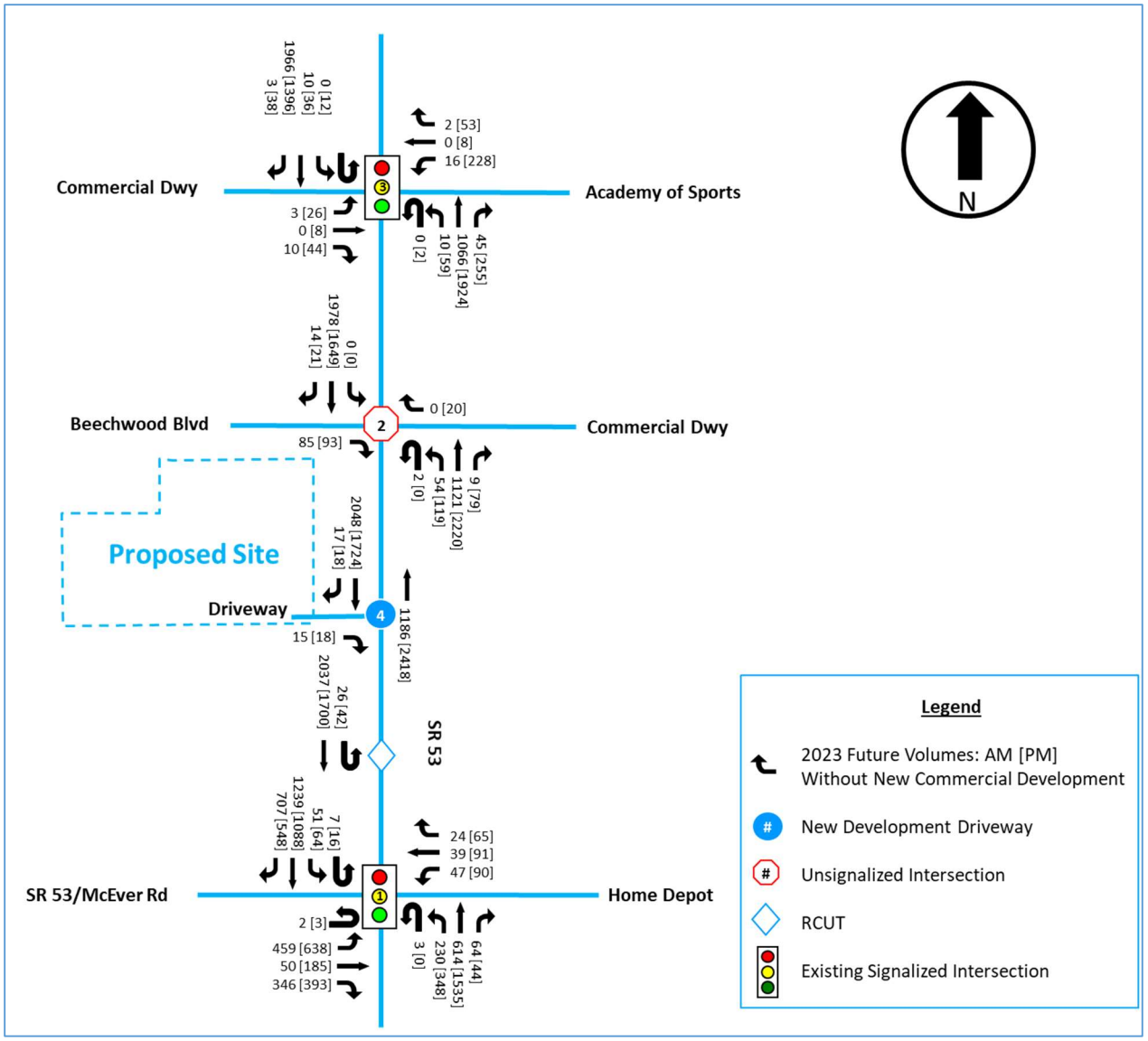


Figure 5 – Opening Year 2023 With Project Traffic

4. DATA ANALYSIS

4.1. LEVEL OF SERVICE CRITERIA

In order to quantify the impacts of the additional traffic and to determine any needed roadway and/or operational improvements, the existing and projected conditions were evaluated with traffic capacity analysis techniques. Synchro (10) was used to conduct capacity analysis. Synchro implements the capacity methods of the *Highway Capacity Manual* (HCM) for performing the industry standard evaluation of primarily signalized intersection performance. Delays used in the reports follow the procedure as recommended by the HCM. The HCM defines Level of Service (LOS) in terms of the amount of control delay, including initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

The LOS definitions for both stop sign controlled intersections and traffic signal-controlled intersections are provided in **Table 3.**

Table 3 – Level of Service Criteria

Level of Service (LOS)	Unsignalized Control Delay per Vehicle (sec)	Signalized Control Delay per Vehicle (sec)
A	≤ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

Source: *Highway Capacity Manual*

GDOT has ranges of adequate LOS based on area classification. Rural, sparsely developed areas have a minimum LOS requirement of C. This is due to the expectancy of rural residents for relatively uncongested conditions and design flexibility related to lower right of way costs. The minimum LOS for urban areas is D. This reflects the greater acceptance of delay and congestion by urban residents. Additionally, the increased density of developments makes right of way costs much higher in urban areas. The Dawsonville Highway project corridor is in the Atlanta metro area and, therefore, has a minimum LOS requirement of D.

4.2. INTERSECTION CAPACITY ANALYSIS RESULTS

Capacity analysis was used to evaluate the Existing Year 2021 and four future 2023 scenarios for the intersections being studied. For Existing Year 2021, the existing lane configurations and traffic control were used. For Future Year 2023, the lane configurations proposed by the corridor study (PI 0015702), as shown in **Appendix B,** and signal phasing plans, as shown in **Appendix D**, are used. The signal timings at the existing signalized intersections were optimized for the With Project traffic. **Table 4** shows the Intersection Delay and LOS during the AM and PM peak hours. **Table 5** presents the queue lengths for the traffic movements, impacted by the proposed development. Analysis reports are included in **Appendix E**.

INTERSECTION 1 – SR 53 AT MCEVER ROAD (SIGNALIZED)

The overall intersection operations exhibit a Level of Service (LOS) E in Existing Year 2021, and LOS D in the Opening Year 2023 Background condition and Opening Year 2023 With Project condition. The individual movements report failing operation (LOS F) for the Eastbound Left-turn, Northbound Left-turn and Southbound Left-turn movements. The queue length for the Eastbound Left-turn movement has increased by 5 ft and 10 ft during the AM and PM peak hours, respectively, in the With Project condition compared to the Background condition. The continuous eastbound left turn lane would accommodate these queues.

INTERSECTION 2 – SR 53 AT BEECHWOOD BLVD (UNSIGNALIZED)

The approaches at this intersection exhibit LOS D or better across the Existing, Opening Year 2023 Background condition and Opening Year 2023 With Project condition. This intersection is upgraded from a Two Way Stop Controlled intersection to an R-Cut intersection in the Opening Year as per the recommended improvements in the SR 53/Dawsonville Highway from Ahalluna Drive to Shallowford Road (PI 0015702) Corridor Study.

INTERSECTION 3 – SR 53 AT ACADEMY OF SPORTS

This intersection exhibits LOS C or better across the Existing, Opening Year 2023 Background condition and Opening Year 2023 With Project condition. The Eastbound and Westbound Movements report LOS E in the AM peak hour. In the PM peak hour, the Westbound Left turning movement operates at LOS F in the PM Peak hour, in all analysis years. Also, the Southbound left turning movement operates at LOS E during the PM Peak hour, in the Opening Year Background condition and With Project condition. The peak hours 95th queue at this intersection could be accommodated within the available storage.

INTERSECTION 4 – SR 53 AT NEW DEVELOPMENT DRIVEWAY

All the approaches at this right-in/right-out intersection would exhibit LOS A in the Opening Year 2023 With Project condition.

Table 4 – Results of Intersection Capacity Analysis

Int No.	Intersection	Approach	Movement	AM PEAK HOUR			PM PEAK HOUR		
				Existing Year 2021	Future Year 2023 Background	Future Year 2023 With Project	Existing Year 2021	Future Year 2023 Background	Future Year 2023 With Project
1	SR 53/McEver Road (Signalized)	Eastbound	Left	F (268.1)	F (139.7)	F (143.6)	F (141.5)	F (90.1)	F (101.1)
			Thru/Right	E (59.6)	E (55)	E (55)	E (60.7)	D (52.8)	D (53.8)
			Right	D (54.8)	D (51.2)	D (51.2)	D (49.0)	D (43.6)	D (43.8)
		Westbound	Left	E (64.0)	E (64.2)	E (64.2)	E (59.2)	E (59.3)	E (59.1)
			Thru/Right	E (67.9)	E (68.3)	E (68.3)	E (79.4)	E (79.6)	E (79.6)
		Northbound	Left	F (98.3)	E (74.4)	E (74.4)	F (141.2)	F (108.6)	F (128.2)
			Thru/Right	B (18.9)	C (20.3)	C (20.3)	D (51.7)	D (41.1)	D (42.8)
		Southbound	Left	E (70.5)	E (72.4)	E (71.6)	F (145.4)	F (106.5)	F (127.7)
			Thru	C (22.C)	C (23.6)	C (23.5)	C (33.5)	C (28.4)	C (29.2)
			Right	C (26.7)	E (67.3)	E (64.2)	C (23.9)	A (5.7)	A (7.2)
		Overall		**E (60.4)**	**D (40.5)**	**D (52.1)**	**E (65.3)**	**D (49.1)**	**D (52)**
2	SR 53/Beechwood Blvd (TWSC/RCUT)	Eastbound		C (15.8)	C (10)	B (10.5)	B (14.8)	A (9.2)	A (9.7)
		Westbound		A (0.0)	A (0)	A (0)	D (26.7)	C (17.3)	C (17)
		Northbound		A (0.3)	A (0.3)	C (22.7)	A (0.4)	A (0.4)	C (17.1)
		Southbound		A (0.0)	A (0)	A (0)	A (0.0)	A (0)	A (0)
3	SR 53/Academy of Sports (Signalized)	Eastbound	Left	E (70.2)	E (70.2)	E (70.2)	D (52.5)	D (52.2)	D (47.8)
			Thru/Right	E (69.5)	E (69.5)	E (69.5)	D (51.8)	D (51.5)	D (47.2)
		Westbound	Left	E (76.7)	E (76.7)	E (76.7)	F (92.1)	F (92.8)	F (133.6)
			Thru	A (0.0)	A (0)	A (0)	A (0.0)	D (50.9)	D (46.7)
			Right	E (69.4)	E (69.4)	E (69.4)	D (51.4)	D (51.1)	D (47)
		Nortbound	Left	A (4.6)	A (2.4)	A (2.5)	B (11.8)	B (10.5)	B (12.5)
			Thru/Right	A (3.0)	A (1.8)	A (1.8)	B (15.6)	B (10.6)	B (13.5)
		Southbound	Left	A (2.2)	A (2.8)	A (2.8)	C (33.6)	E (57.4)	E (61.9)
			Thru/Right	A (7.6)	A (4.8)	A (4.8)	B (19.6)	B (18.3)	C (22.1)
		Overall		**A (6.9)**	**A (4.6)**	**A (4.7)**	**C (22.5)**	**B (19.7)**	**C (27.3)**
4	SR 53/Driveway	Eastbound	Right	–	–	A (10)	–	–	A (9.1)
		Northbound	Thru	–	–	A (0)	–	–	A (0)
		Southbound	Thru/Right	–	–	A (0)	–	–	A (0)

Table 5 – Queue Lengths of Impacted Movements due to the Development

Int No.	Intersection	Movement	AM PEAK HOUR			PM PEAK HOUR		
			Existing Year 2021	Future Year 2023 Background	Future Year 2023 With Project	Existing Year 2021	Future Year 2023 Background	Future Year 2023 With Project
1	SR 53/McEver Road	EB Left	441	401	406	552	508	518
		EB Thru	193	187	187	410	397	389
		EB Right	76	75	75	156	101	89
		WB Left	75	74	74	107	102	104
		WB Thru/Right	95	98	98	224	229	230
		NB Left	224	193	193	319	305	326
		NB Thru	244	183	185	1062	636	681
		NB Right	--	--	--	--	--	--
		SB Left	99	118	118	181	188	187
		SB Thru	567	383	387	570	309	338
		SB Right	591	489	492	167	4	12
2	Beechwood Blvd	EB Right	5	4	11	9	4	11
		WB Right	--	--	--	14	8	5
		NB Left	4	6	20	11	15	31
		NB Thru	--	--	--	--	--	--
		NB Right	--	--	--	--	--	--
		SB Thru/Right	--	--	--	--	--	--
3	Academy of Sports	EB Left	13	13	13	49	50	50
		EB Thru	0	0	0	28	28	28
		EB Right	--	--	--	--	--	--
		WB Left	40	40	40	382	391	373
		WB Thru	--		--	24	24	22
		WB Right	0	0	0	34	33	0
		NB Left	2	3	3	17	20	19
		NB Thru	80	63	63	562	402	392
		NB Right	0	--	--	45	--	--
		SB Left	4	7	7	54	61	51
		SB Thru	655	319	322	636	383	388
		SB Right	0	--	--	7	--	--

5. GDOT INTERSECTION CONTROL EVALUATION

A GDOT Intersection Control Evaluation (ICE) has been requested to be performed for the studied intersection to determine the preferred alternative for mitigating the peak hour intersection operations.

5.1. SIGNAL WARRANT ANALYSIS

The Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) outlines standards for warranting the installation of a traffic signal at a given intersection. The MUTCD includes a total of 9 Warrants which were examined as follows:

- Warrant 1, Eight-Hour Vehicular Volume
  - Examined for Future 2023 With Project conditions
- Warrant 2, Four-Hour Vehicular Volume
  - Examined for Future 2023 With Project conditions
- Warrant 3, Peak Hour
  - Not examined because land use is not expected to attract or discharge high volumes of traffic over a short period of time
- Warrant 4, Pedestrian Volume
  - Not examined because intersection has little to no pedestrian traffic
- Warrant 5, School Crossing
  - Not examined because there are no schools in the vicinity of the study intersection
- Warrant 6, Coordinated Signal System
  - Not examined because the intersection is not part of a coordinated signal system
- Warrant 7, Crash Experience
  - Examined for Future 2023 With Project conditions. The crash data for the calendar year 2020 was used for the analysis
- Warrant 8, Roadway Network
  - Not examined
- Warrant 9, Intersection Near a Grade Crossing
  - Not examined because intersection is not located near a railroad crossing

A signal warrant analysis was performed for the intersection of SR 53 at Beechwood Blvd, assuming that the intersection configuration remains as existing. Warrants 1 and 2 were examined using PC Warrants software for both the 2023 With Project volumes. The remaining Warrants 3 through 6 and also Warrants 8 and 9 do not apply to the study intersection. The PC Warrants reports are included in **Appendix F**.

Project-generated trips for the 24-hour period were estimated by applying the Time-of-Day Distribution published in the ITE TGM to the daily volume of trips expected to be generated by the proposed development. The project-generated trips for each hour were added to the 2023 Background volumes to establish 24 hours of the 2023 With Project volumes for the study intersection.

Warrants 1, 2, and 7 were analyzed for the 2023 With Project traffic. **The 2023 With Project Condition at the study intersection satisfies Warrants 1 or 2 and 7**. However, as part of the GDOT District 1 Widening Project (PI 0015702), the existing median on SR 53 at Beechwood Boulevard will be modified into an R-CUT median. Therefore, **an ICE waiver is being requested for this location**.

Full GDOT ICE analyses were conducted at two nearby signalized intersections (SR 53 at Mcever Road and SR 53 at Academy of sports). ICE analysis and waivers documents are included in **Appendix G**. The ICE evaluation indicated that the signal optimization for the two signalized intersections of SR 53 at Mcever Road and SR 53 at Academy of sports is the preferred alternative. The Opening Year With Project condition would provide similar results as the Opening Year Background condition.

6. CONCLUSIONS

This traffic study was conducted to evaluate the traffic impacts of a proposed commercial development consisting of a drive thru hamburger retailer which is not a full-service restaurant, auto servicing store and a cell phone store located in Gainesville, Georgia. The proposed site is located to the west of SR 53/Dawsonville Highway, just north of the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road. The proposed lot for the site is currently undeveloped.

The proposed development will consist of a 5,835 square feet of building space that will be divided among two main land uses. There will be a 3,750 square feet drive-through hamburger retailer on the north parcel and a 2,085 square feet auto service (oil) on the south side. The commercial businesses are expected to be built out in 2023. The site will have a full access point on Beechwood Boulevard and a right in/right out driveway on SR 53.

Existing TMCs were collected at three studied intersections on December 16, 2021 for two hours during the morning peak period (7:00-9:00 am) and for two hours during the evening peak period (4:00-6:00 pm). These counts were adjusted for COVID-19 related impacts. A growth rate of 1.0% per year was applied on SR 53 and the crossing streets to establish traffic counts for the Opening Year 2023.

The total number of weekday trips that would be generated by the proposed development is 1,791 trips per day. A total of 134 weekday trips would be generated during the morning (AM) peak hour and 165 weekday trips would occur during the evening (PM) peak hour. Pass-by trips account for 1,240 of the daily trips, 91 of the morning peak hour trips, and 114 of the evening peak hour trips. Of the total trips generated, the new development is expected to generate 9 new heavy truck trips per day, with no heavy truck trips being made during the peak hours. The proposed project is not expected to generate any pedestrian, bicycle, or transit trips.

The majority of project trips are expected to be distributed to/from the south of the project site. Only 1 percent of the total trips are expected to be distributed to/from the west of the project on Beachwood Boulevard. The project trips are expected to be distributed as follows:

- 35% to/from the south on SR 53
- 40% to/from the north on SR 53
- 1% to/from the west on Beachwood Boulevard
- 24% to/from the west on McEver Rd

Intersection Capacity Analysis was performed using Synchro for the Existing Year, Opening Year Background condition and Opening Year With Project condition. The signal timings at the existing signalized intersections were reoptimized for the With Project traffic. Intersection 1 (SR 53 at McEver Road) is expected to operate at LOS D in both Background condition and Opening Year With Project condition. Intersection 2 (SR 53 at Beechwood Blvd) has individual movements operating at LOS C or better in the Background condition and Opening Year With Project condition. Intersection 3 (SR 53 at Academy of Sports) operates at overall intersection of LOS B in the Background condition and LOS C in Opening Year With Project condition.

Based on the results of the Opening Year analysis, the new trips generated by the new development will not deteriorate the intersections operation. The peak hours 95th queue at all intersections could be accommodated within the available storage. Therefore, **no geometric improvements are recommended at the studied intersections**.

APPENDIX A :

SITE PLAN

CITY OF GAINESVILLE PARCEL NO:
01115 002002E

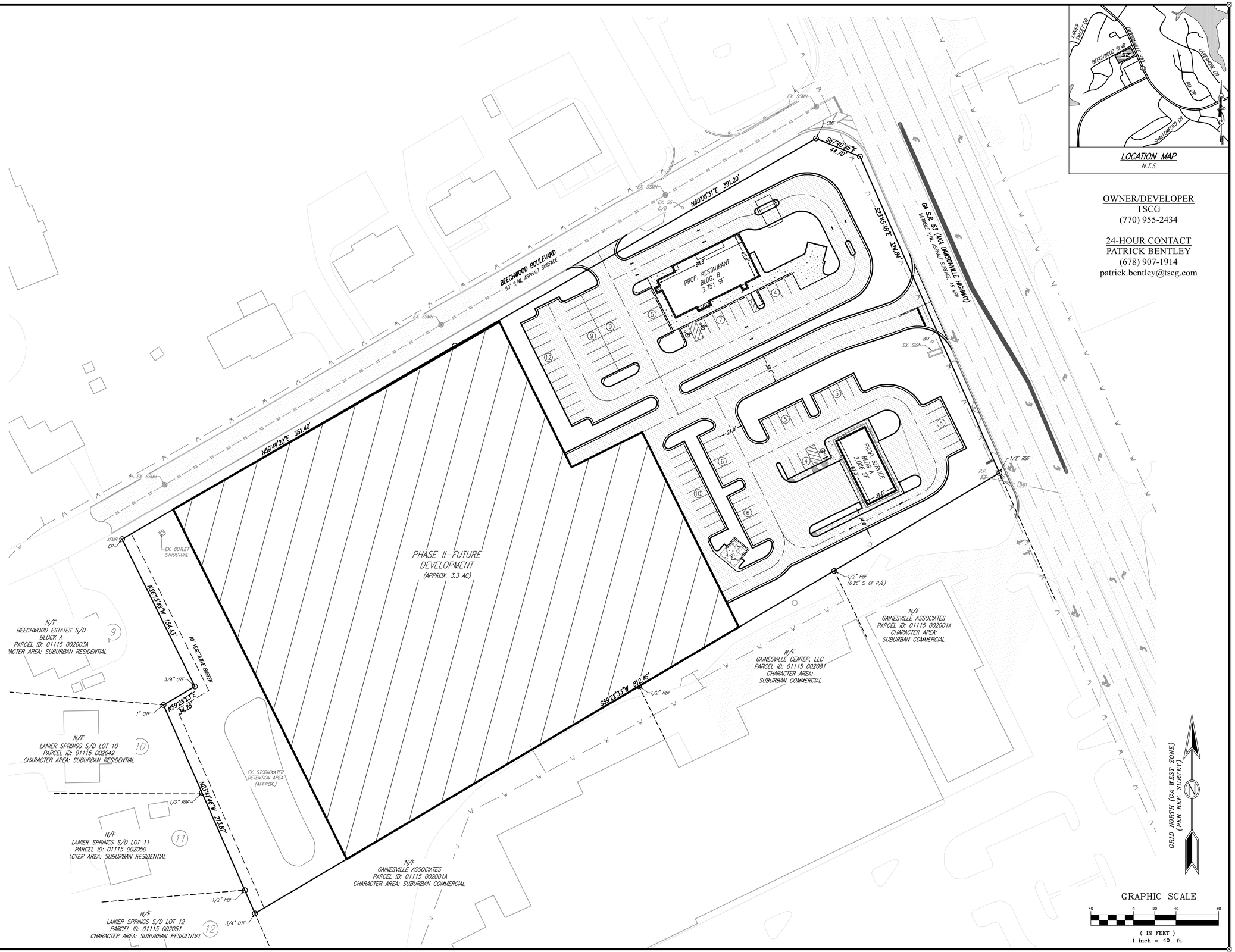
CHARACTER AREA:
SUBURBAN COMMERCIAL

CURRENT ZONING:
R-I, R-II, G-B

PROPOSED ZONING:
G-B

TOTAL AREA:
6.64 ACRES

SITE ADDRESS:
989 DAWSONVILLE HIGHWAY
GAINESVILLE, GA 30501



LOCATION MAP
N.T.S.

OWNER/DEVELOPER
TSCG
(770) 955-2434

24-HOUR CONTACT
PATRICK BENTLEY
(678) 907-1914
patrick.bentley@tscg.com

DES DAVIS
ENGINEERING & SURVEYING
133 PROMINENCE COURT
SUITE 210
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	-	-

REZONING CONCEPT

TSCG
LAND LOT 172
9TH DISTRICT
CITY OF GAINESVILLE, GA

DRAWN BY:	GRJ
CHECKED BY:	JKD
LAND LOT:	172
DISTRICT:	9TH
SECTION:	–
CITY:	GAINESVILLE
COUNTY:	HALL
DATE:	1/24/22

SHEET NO.
1 OF 1

PROJECT NO.
2021-521

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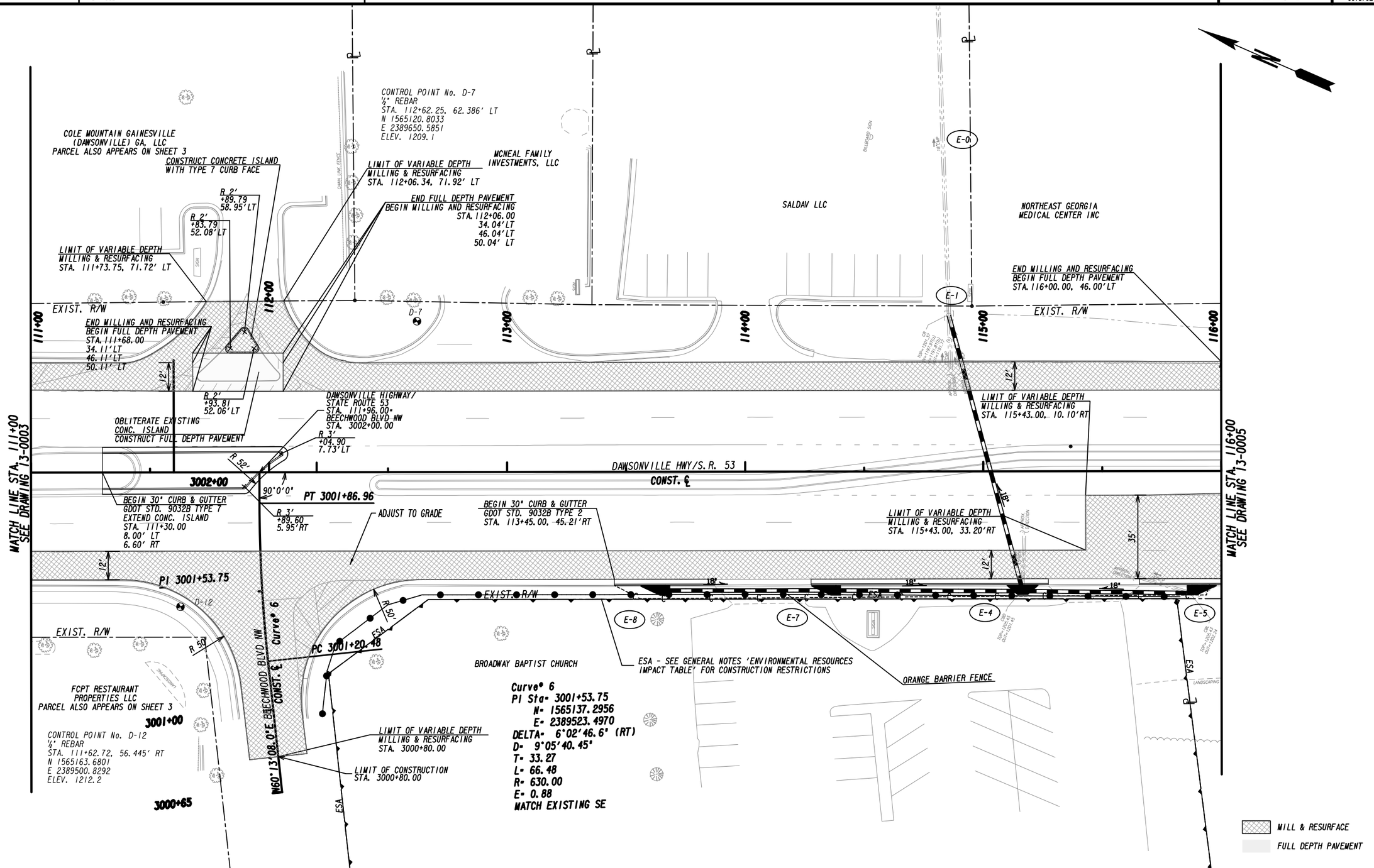
APPENDIX B :

SR 53 CORRIDOR IMPROVEMENT ROADWAY PLAN



PROPERTY AND EXISTING R/W LINE	
REQUIRED R/W LINE	
CONSTRUCTION LIMITS	—C— —F—
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	
EASEMENT FOR CONSTR OF SLOPES	
EASEMENT FOR CONSTR OF DRIVES	

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
LIMIT OF ACCESS
REQ'D R/W & LIMIT OF ACCESS
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA (SEE ERIT TABLE)

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Duluth, GA 30097
(770) 476-8999 · www.chacompanies.com

SCALE IN FEET
0 20 40 80

REVISION DATES

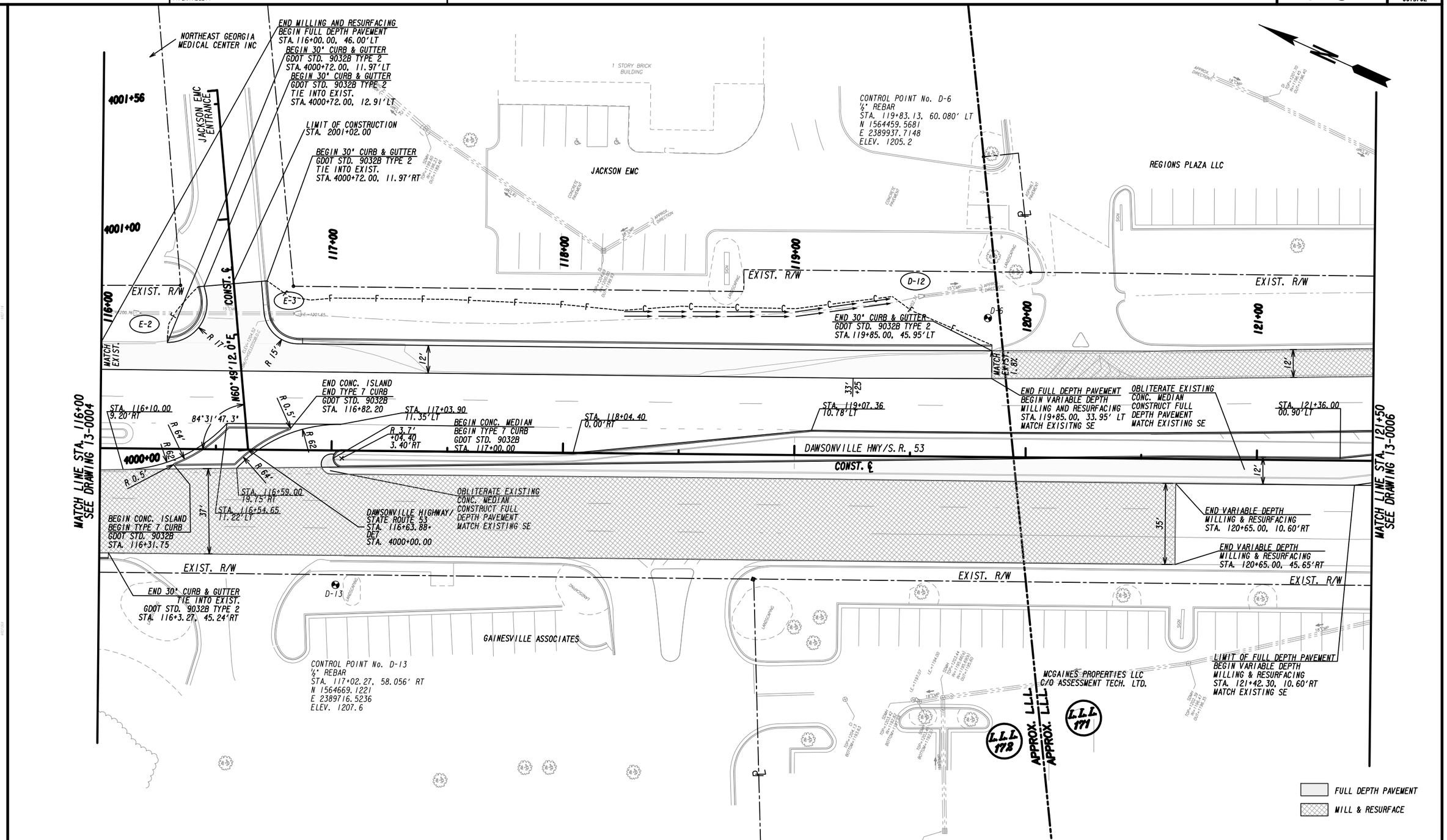
MAINLINE PLAN

SR 53/AHALUNA Dr TO CS 966/SHALLOWFORD Rd CORRIDOR IMPROVEMENT

CHECKED:		DATE:	
BACKCHECKED:		DATE:	
CORRECTED:		DATE:	
VERIFIED:		DATE:	

DRAWING No. 13-0004

DATE$$$ TIME$$$ $PRF6$ DGN GDOT PROJECT NO. 0015702
$USER$ $$PENTABLE$$



PROPERTY AND EXISTING R/W LINE	
REQUIRED R/W LINE	
CONSTRUCTION LIMITS	
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	
EASEMENT FOR CONSTR OF SLOPES	
EASEMENT FOR CONSTR OF DRIVES	

BEGIN LIMIT OF ACCESS	BLA
END LIMIT OF ACCESS	ELA
LIMIT OF ACCESS	
REQ'D R/W & LIMIT OF ACCESS	
ORANGE BARRIER FENCE	
ESA - ENV. SENSITIVE AREA (SEE ERIT TABLE)	

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SCALE IN FEET
0 20 40 80

REVISION DATES

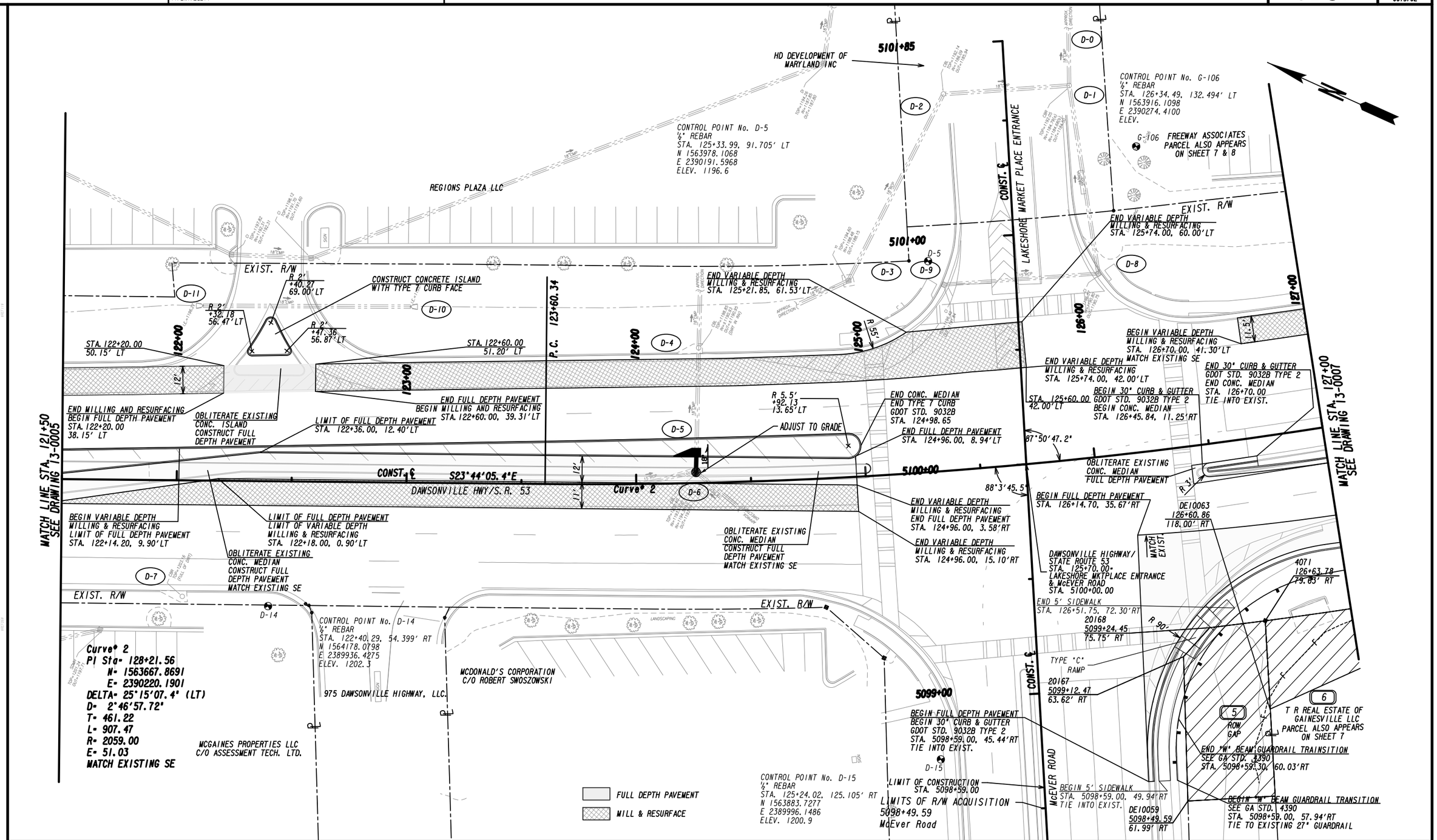
MAINLINE PLAN

SR 53/AHALUNA Dr TO CS 966/SHALLOWFORD Rd
CORRIDOR IMPROVEMENT

CHECKED:		DATE:		DRAWING No.
BACKCHECKED:		DATE:		13-0005
CORRECTED:		DATE:		
VERIFIED:		DATE:		

7/31/2015 GPLN

DATE$$$ TIME$$$ $PRF8$ DGN GDOT PROJECT NO. 0015702
$USER$ $$PENTABLE$$



PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
LIMIT OF ACCESS
REQ'D R/W & LIMIT OF ACCESS
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA (SEE ERIT TABLE)

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SCALE IN FEET
0 20 40 80

REVISION DATES

MAINLINE PLAN

SR 53/AHALUNA Dr TO CS 966/SHALLOWFORD Rd CORRIDOR IMPROVEMENT

CHECKED:		DATE:	DRAWING No.
BACKCHECKED:		DATE:	13-0006
CORRECTED:		DATE:	
VERIFIED:		DATE:	

7/31/2015 GPLN

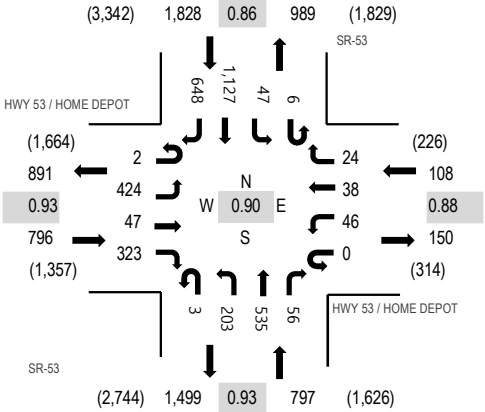
APPENDIX C :

EXISTING TURNING MOVEMENT COUNTS

ALL TRAFFIC DATA SERVICES
(303) 216-2439
www.alltrafficdata.net

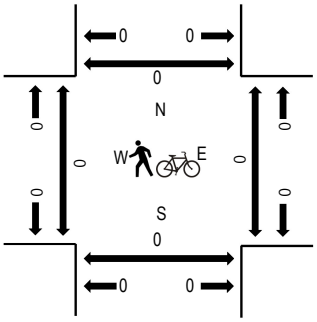
Location: #1 SR-53 & HWY 53 / HOME DEPOT AM
Date: Thursday, December 16, 2021
Peak Hour: 07:30 AM - 08:30 AM
Peak 15-Minutes: 07:45 AM - 08:00 AM

Peak Hour - Motorized Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts - Motorized Vehicles

Interval Start Time	HWY 53 / HOME DEPOT Eastbound				HWY 53 / HOME DEPOT Westbound				SR-53 Northbound				SR-53 Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
7:00 AM	0	62	7	48	0	5	1	7	0	48	103	11	1	4	228	149	674	3,295	0	0	0	0
7:15 AM	0	74	4	65	0	12	4	5	0	61	117	12	2	5	273	148	782	3,465	0	0	0	0
7:30 AM	0	120	6	88	0	7	4	4	0	48	100	8	1	12	284	172	854	3,529	0	0	0	0
7:45 AM	0	108	15	84	0	8	6	5	1	66	144	7	1	12	347	181	985	3,491	0	0	0	0
8:00 AM	2	109	16	74	0	12	11	8	0	42	141	16	1	11	260	141	844	3,256	0	0	0	0
8:15 AM	0	87	10	77	0	19	17	7	2	47	150	25	3	12	236	154	846		0	0	0	0
8:30 AM	1	69	21	65	0	21	12	6	0	57	158	27	4	14	235	126	816		0	0	0	0
8:45 AM	0	68	17	60	0	24	13	8	0	52	152	31	4	11	209	101	750		0	0	0	0

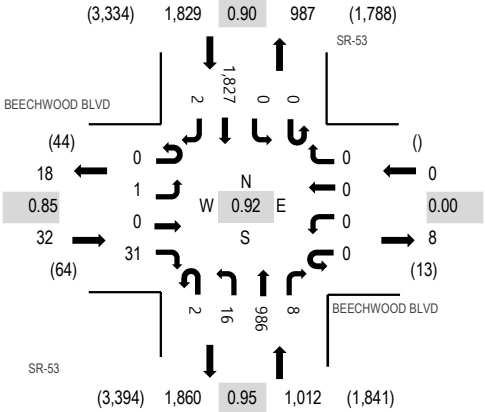
Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	11	1	0	0	2	2	0	0	0	17	0	0	0	16	2	51
Lights	2	392	45	315	0	44	36	23	3	199	491	56	6	46	1,089	630	3,377
Mediums	0	21	1	8	0	0	0	1	0	4	27	0	0	1	22	16	101
Total	2	424	47	323	0	46	38	24	3	203	535	56	6	47	1,127	648	3,529

ALL TRAFFIC DATA SERVICES
(303) 216-2439
www.alltrafficdata.net

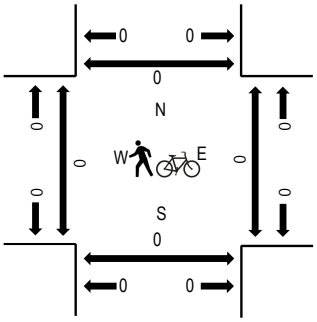
Location: #2 SR-53 & BEECHWOOD BLVD AM
Date: Thursday, December 16, 2021
Peak Hour: 07:30 AM - 08:30 AM
Peak 15-Minutes: 07:45 AM - 08:00 AM

Peak Hour - Motorized Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts - Motorized Vehicles

Interval Start Time	BEECHWOOD BLVD Eastbound				BEECHWOOD BLVD Westbound				SR-53 Northbound				SR-53 Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
7:00 AM	0	0	0	12	0	0	0	0	0	7	153	0	0	0	378	2	552	2,710	0	0	0	0
7:15 AM	0	1	0	9	0	0	0	0	0	6	195	0	0	0	434	1	646	2,850	0	0	0	0
7:30 AM	0	1	0	8	0	0	0	0	1	5	227	0	0	0	491	1	734	2,873	0	0	0	0
7:45 AM	0	0	0	10	0	0	0	0	1	5	241	5	0	0	516	0	778	2,741	0	0	0	0
8:00 AM	0	0	0	8	0	0	0	0	0	3	261	2	0	0	418	0	692	2,529	0	0	0	0
8:15 AM	0	0	0	5	0	0	0	0	0	3	257	1	0	0	402	1	669		0	0	0	0
8:30 AM	0	0	0	4	0	0	0	0	1	5	223	1	0	0	367	1	602		1	0	0	0
8:45 AM	0	0	0	6	0	0	0	0	1	4	229	4	0	0	322	0	566		0	0	0	0

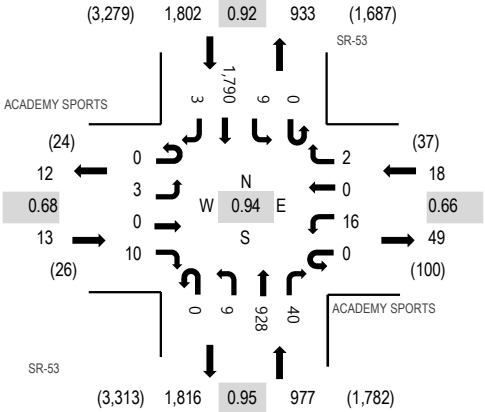
Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	26	0	0	0	16	0	42
Lights	0	1	0	29	0	0	0	0	2	15	910	8	0	0	1,775	1	2,741
Mediums	0	0	0	2	0	0	0	0	0	1	50	0	0	0	36	1	90
Total	0	1	0	31	0	0	0	0	2	16	986	8	0	0	1,827	2	2,873

ALL TRAFFIC DATA SERVICES
(303) 216-2439
www.alltrafficdata.net

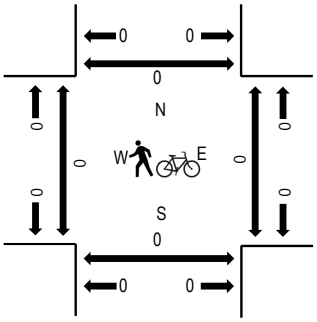
Location: #3 SR-53 & ACADEMY SPORTS AM
Date: Thursday, December 16, 2021
Peak Hour: 07:30 AM - 08:30 AM
Peak 15-Minutes: 07:45 AM - 08:00 AM

Peak Hour - Motorized Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts - Motorized Vehicles

Interval Start Time	ACADEMY SPORTS Eastbound				ACADEMY SPORTS Westbound				SR-53 Northbound				SR-53 Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
7:00 AM	0	0	0	4	0	1	0	0	0	2	153	1	0	0	369	0	530	2,639	0	0	0	0
7:15 AM	0	0	0	1	0	1	0	0	0	0	194	3	0	0	432	0	631	2,783	0	0	0	0
7:30 AM	0	0	0	1	0	1	0	0	0	1	223	3	0	1	497	0	727	2,810	0	0	0	0
7:45 AM	0	1	0	5	0	5	0	0	0	2	230	8	0	6	493	1	751	2,681	0	0	0	0
8:00 AM	0	1	0	2	0	4	0	0	0	3	242	12	0	2	408	0	674	2,485	0	0	0	0
8:15 AM	0	1	0	2	0	6	0	2	0	3	233	17	0	0	392	2	658		0	0	0	0
8:30 AM	0	2	0	5	0	5	0	1	0	3	206	17	1	2	356	0	598		0	0	0	0
8:45 AM	0	0	0	1	0	9	0	2	1	4	195	26	0	2	312	3	555		0	0	0	0

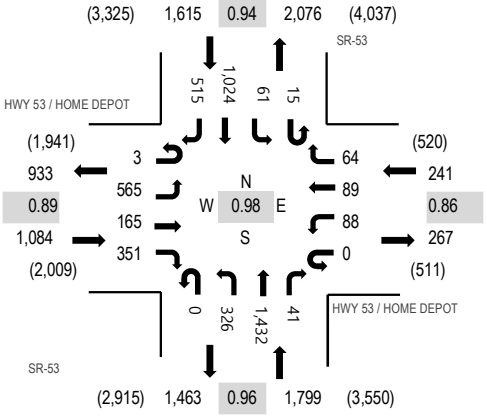
Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	28	0	0	0	17	0	45
Lights	0	3	0	10	0	16	0	2	0	9	851	40	0	9	1,739	3	2,682
Mediums	0	0	0	0	0	0	0	0	0	0	49	0	0	0	34	0	83
Total	0	3	0	10	0	16	0	2	0	9	928	40	0	9	1,790	3	2,810

ALL TRAFFIC DATA SERVICES
(303) 216-2439
www.alltrafficdata.net

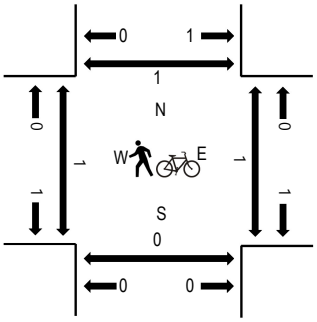
Location: #1 SR-53 & HWY 53 / HOME DEPOT PM
Date: Thursday, December 16, 2021
Peak Hour: 04:45 PM - 05:45 PM
Peak 15-Minutes: 05:00 PM - 05:15 PM

Peak Hour - Motorized Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts - Motorized Vehicles

Interval Start Time	HWY 53 / HOME DEPOT Eastbound				HWY 53 / HOME DEPOT Westbound				SR-53 Northbound				SR-53 Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
4:00 PM	3	131	21	80	0	24	27	18	0	95	329	17	4	12	262	172	1,195	4,673	0	0	0	0
4:15 PM	1	84	12	74	0	23	19	16	0	106	360	12	6	20	286	140	1,159	4,682	0	0	0	0
4:30 PM	3	136	20	70	0	39	17	21	0	98	332	12	3	24	252	125	1,152	4,715	0	0	0	0
4:45 PM	2	135	13	64	0	29	20	13	0	104	372	13	4	15	248	135	1,167	4,739	1	0	0	0
5:00 PM	0	115	36	103	0	25	21	19	0	76	379	13	3	13	283	118	1,204	4,731	0	1	0	1
5:15 PM	1	179	55	90	0	17	25	18	0	85	331	7	3	14	238	129	1,192		0	0	0	0
5:30 PM	0	136	61	94	0	17	23	14	0	61	350	8	5	19	255	133	1,176		0	0	0	0
5:45 PM	1	148	67	74	0	15	18	42	0	52	330	8	1	19	253	131	1,159		0	0	0	0

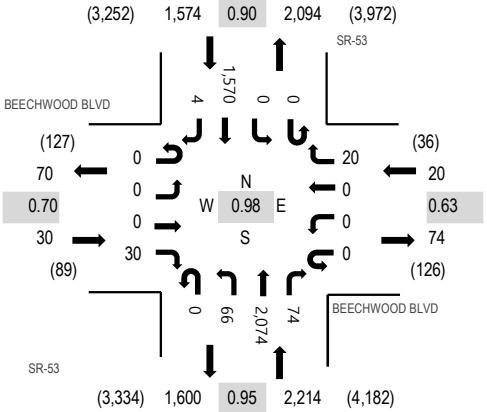
Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	3	0	2	0	0	0	0	0	1	9	0	0	0	15	6	36
Lights	3	557	165	346	0	88	87	63	0	325	1,405	40	15	60	992	499	4,645
Mediums	0	5	0	3	0	0	2	1	0	0	18	1	0	1	17	10	58
Total	3	565	165	351	0	88	89	64	0	326	1,432	41	15	61	1,024	515	4,739

ALL TRAFFIC DATA SERVICES
(303) 216-2439
www.alltrafficdata.net

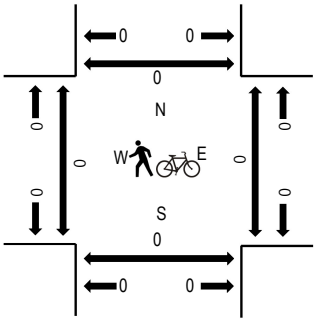
Location: #2 SR-53 & BEECHWOOD BLVD PM
Date: Thursday, December 16, 2021
Peak Hour: 05:00 PM - 06:00 PM
Peak 15-Minutes: 05:30 PM - 05:45 PM

Peak Hour - Motorized Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts - Motorized Vehicles

Interval Start Time	BEECHWOOD BLVD Eastbound				BEECHWOOD BLVD Westbound				SR-53 Northbound				SR-53 Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
4:00 PM	0	0	0	21	0	0	0	3	1	12	456	14	0	0	463	2	972	3,721	0	0	0	0
4:15 PM	0	0	0	10	0	0	0	5	2	15	440	6	0	0	405	1	884	3,641	0	0	0	0
4:30 PM	0	3	0	12	0	0	0	6	2	13	472	18	0	0	360	3	889	3,738	0	0	0	0
4:45 PM	0	0	0	13	0	0	0	2	1	11	491	14	0	0	444	0	976	3,833	0	0	0	0
5:00 PM	0	0	0	7	0	0	0	3	0	17	487	18	0	0	360	0	892	3,838	0	0	0	0
5:15 PM	0	0	0	11	0	0	0	4	0	6	559	15	0	0	385	1	981		0	0	0	0
5:30 PM	0	0	0	5	0	0	0	8	0	15	524	16	0	0	416	0	984		0	0	0	0
5:45 PM	0	0	0	7	0	0	0	5	0	28	504	25	0	0	409	3	981		0	0	0	0

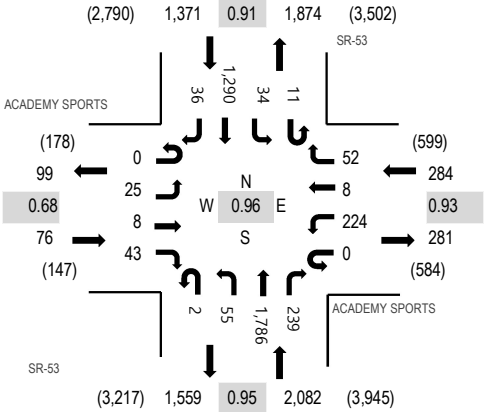
Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	9	0	0	0	22	0	31
Lights	0	0	0	30	0	0	0	20	0	66	2,050	74	0	0	1,520	4	3,764
Mediums	0	0	0	0	0	0	0	0	0	0	15	0	0	0	28	0	43
Total	0	0	0	30	0	0	0	20	0	66	2,074	74	0	0	1,570	4	3,838

ALL TRAFFIC DATA SERVICES
(303) 216-2439
www.alltrafficdata.net

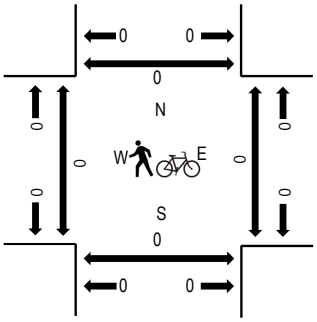
Location: #3 SR-53 & ACADEMY SPORTS PM
Date: Thursday, December 16, 2021
Peak Hour: 05:00 PM - 06:00 PM
Peak 15-Minutes: 05:30 PM - 05:45 PM

Peak Hour - Motorized Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts - Motorized Vehicles

Interval Start Time	ACADEMY SPORTS Eastbound				ACADEMY SPORTS Westbound				SR-53 Northbound				SR-53 Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
4:00 PM	0	5	0	16	0	61	2	13	0	15	369	59	2	9	374	4	929	3,668	0	0	0	0
4:15 PM	0	3	0	17	0	62	2	20	1	12	370	71	1	11	317	4	891	3,622	1	0	0	0
4:30 PM	0	4	0	11	0	65	2	18	2	13	401	68	2	10	291	7	894	3,698	0	0	0	0
4:45 PM	0	3	4	8	0	58	1	11	2	15	404	61	2	10	373	2	954	3,798	0	0	0	0
5:00 PM	0	6	2	9	0	53	2	12	0	9	414	59	5	10	296	6	883	3,813	0	0	0	0
5:15 PM	0	8	4	5	0	59	4	13	1	15	469	62	1	7	311	8	967		0	0	0	0
5:30 PM	0	2	1	11	0	58	1	9	1	15	473	55	5	7	350	6	994		0	0	0	0
5:45 PM	0	9	1	18	0	54	1	18	0	16	430	63	0	10	333	16	969		0	0	0	0

Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	9	0	0	0	23	0	32
Lights	0	25	8	43	0	224	8	51	2	55	1,762	238	11	34	1,238	35	3,734
Mediums	0	0	0	0	0	0	0	1	0	0	15	1	0	0	29	1	47
Total	0	25	8	43	0	224	8	52	2	55	1,786	239	11	34	1,290	36	3,813

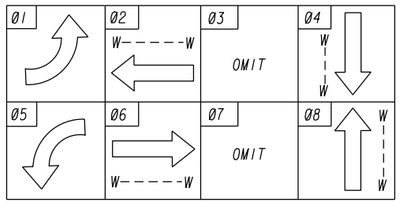
APPENDIX D :

SIGNAL PLANS

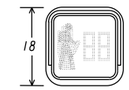
GDOT Georgia Department of Transportation

P.I NO. 0015702

PHASING DIAGRAM

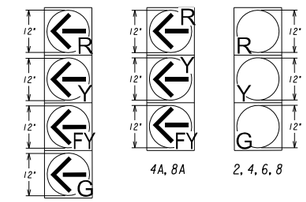


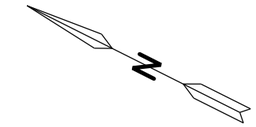
PEDESTRIAN HEADS

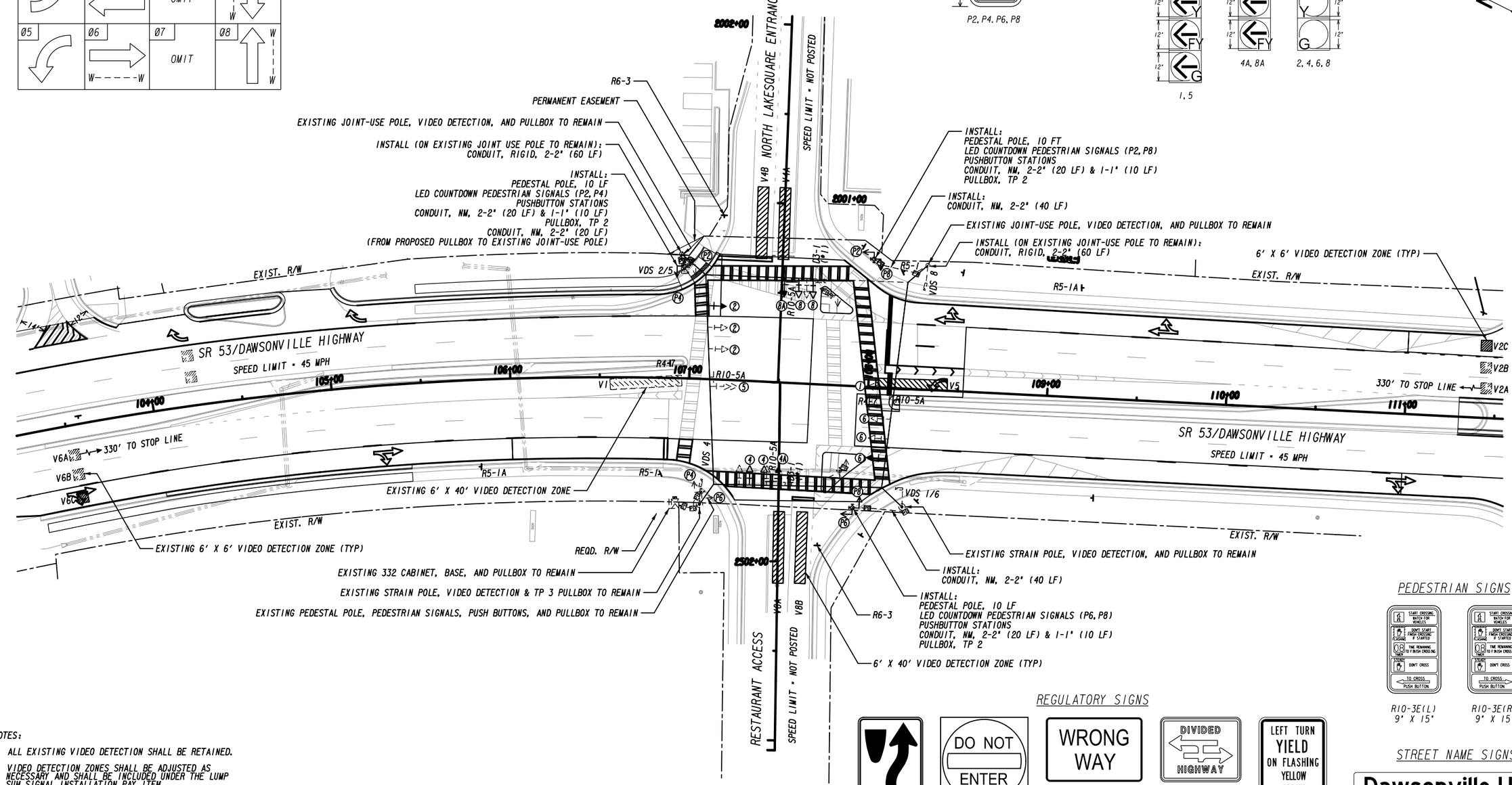


P2, P4, P6, P8

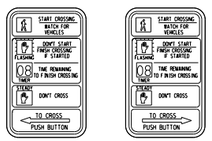
PROPOSED LED SIGNAL HEADS WITH 2" RETRO-REFLECTIVE BORDER ON BACKPLATE







PEDESTRIAN SIGNS



R10-3E(L) 9" X 15" R10-3E(R) 9" X 15"

REGULATORY SIGNS

R4-7 24" X 30" R5-1 30" X 30" R5-1A 42" X 30" R6-3 30" X 24" R10-5A 30" X 36"

STREET NAME SIGNS

Dawsonville Hwy

D3-1 (*1)

NOTES:

1. ALL EXISTING VIDEO DETECTION SHALL BE RETAINED.
2. VIDEO DETECTION ZONES SHALL BE ADJUSTED AS NECESSARY AND SHALL BE INCLUDED UNDER THE LUMP SUM SIGNAL INSTALLATION PAY ITEM.
3. SEE DRAWING 27-0010 FOR INTERSECTION DETAILS.
4. ALL POST-MOUNTED SIGNS ARE SHOWN FOR INFORMATION ONLY

SIGNAL LEGEND

- PROPOSED SIGNAL HEAD
- PROPOSED 4-SECTION SIGNAL HEAD
- EXISTING SIGNAL HEAD
- PROPOSED 5-SECTION OR 4-SECTION SIGNAL HEAD
- RELOCATED SIGNAL HEAD
- PEDESTRIAN SIGNAL HEAD

DETECTION LEGEND

- PROPOSED INDUCTANCE LOOP
- PROPOSED VIRTUAL DETECTION ZONE
- PROPOSED VIDEO DETECTION CAMERA
- PROPOSED MAGNETOMETER
- PROPOSED RADAR

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SCALE: 1" = 30'

REVISION DATES

SIGNAL PLANS
INTERSECTION #2
SR 53/DAWSONVILLE HIGHWAY @ ACADEMY SPORTS ENTRANCE

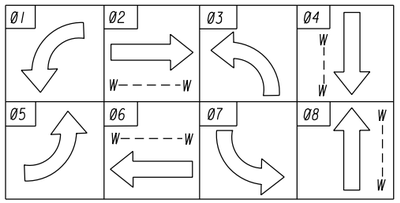
CHECKED:		DATE:	DRAWING No.
BACKCHECKED:		DATE:	27-0008
CORRECTED:		DATE:	
VERIFIED:		DATE:	

4/28/2016 GPLN

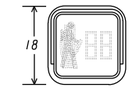
GDOT Georgia Department of Transportation

P.I NO. 0015702

PHASING DIAGRAM

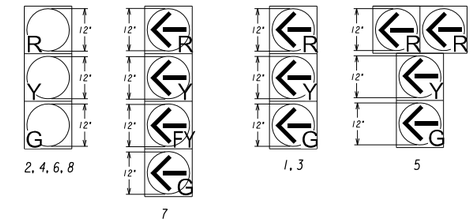


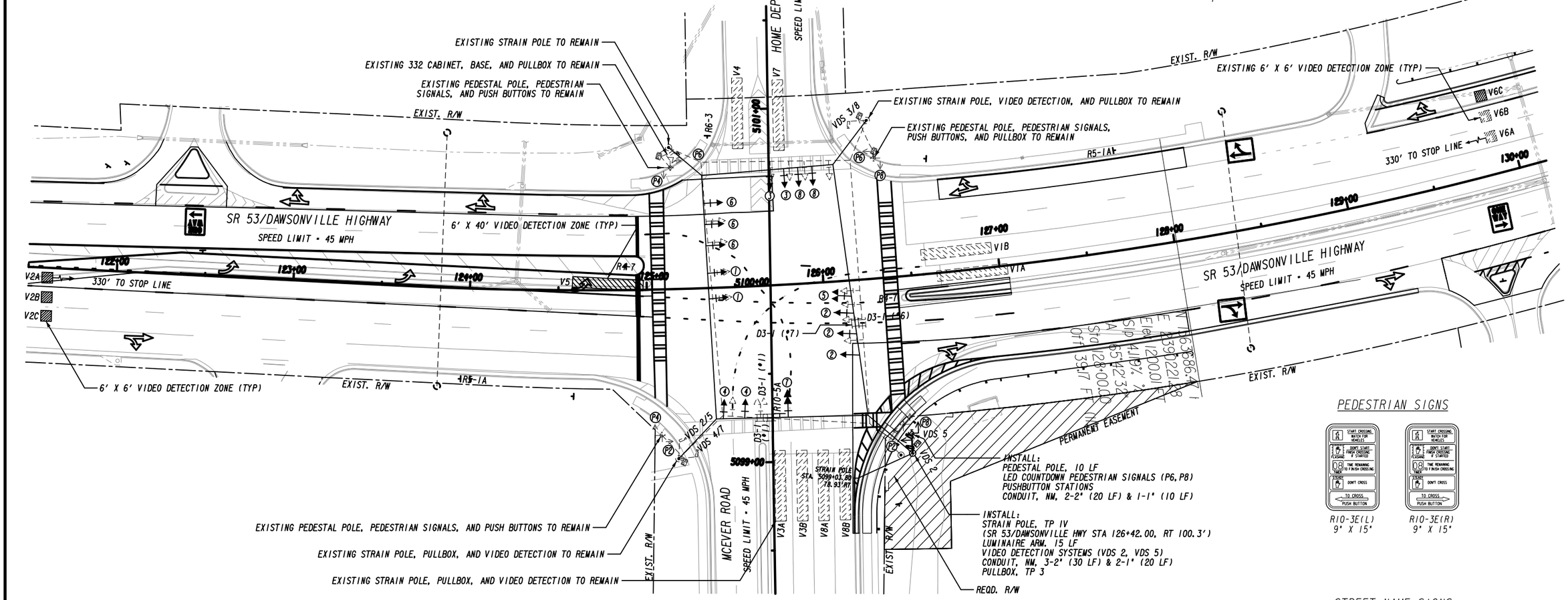
PEDESTRIAN HEADS



P2, P4, P6, P8

LED SIGNAL HEADS WITH 2" RETRO-REFLECTIVE BORDER ON BACKPLATE





PEDESTRIAN SIGNS

R10-3E(L) 9" X 15"

R10-3E(R) 9" X 15"

NOTES:

1. EXISTING D3-1 (*1), D3-1 (*6) AND D3-1 (*7) SIGNS SHALL BE RELOCATED TO PROPOSED SPAN WIRE AND SHALL BE INCLUDED UNDER THE LUMP SUM SIGNAL INSTALLATION PAY ITEM.
2. VIDEO DETECTION ZONES SHALL BE ADJUSTED AS NECESSARY AND SHALL BE INCLUDED UNDER THE LUMP SUM SIGNAL INSTALLATION PAY ITEM.
3. SEE DRAWING 27-0014 FOR INTERSECTION DETAILS.
4. POST-MOUNTED SIGNS ARE SHOWN FOR INFORMATION ONLY

REGULATORY SIGNS

R4-7 24" X 30"

WRONG WAY

R5-1A 42" X 30"

DIVIDED HIGHWAY

R6-3 30" X 24"

LEFT TURN YIELD ON FLASHING YELLOW ARROW

R10-5A 30" X 36"

STREET NAME SIGNS

Dawsonville Hwy

D3-1 (*1)

← McEver Rd

D3-1 (*6)

McEver Rd →

D3-1 (*7)

SIGNAL LEGEND

- PROPOSED SIGNAL HEAD
- PROPOSED 4-SECTION SIGNAL HEAD
- EXISTING SIGNAL HEAD
- PROPOSED 5-SECTION OR 4-SECTION SIGNAL HEAD
- RELOCATED SIGNAL HEAD
- PEDESTRIAN SIGNAL HEAD

DETECTION LEGEND

- PROPOSED INDUCTANCE LOOP
- PROPOSED VIRTUAL DETECTION ZONE
- PROPOSED VIDEO DETECTION CAMERA
- PROPOSED MAGNETOMETER
- PROPOSED RADAR

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SCALE: 1" = 30'

REVISION DATES

SIGNAL PLANS

INTERSECTION #3
SR 53/DAWSONVILLE HIGHWAY @ MCEVER ROAD/HOME DEPOT ENTRANCE

CHECKED:		DATE:	DRAWING No.
BACKCHECKED:		DATE:	
CORRECTED:		DATE:	27-0012
VERIFIED:		DATE:	

4/28/2016 GPLN

APPENDIX E :

SYNCHRO ANALYSIS REPORTS

Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	482	214	205	52	70	246	640	67	65	1392	800
v/c Ratio	1.41	0.64	0.51	0.37	0.53	1.02	0.33	0.07	0.43	0.70	0.75
Control Delay	247.1	37.7	11.3	55.2	60.8	131.0	19.0	0.1	73.5	21.0	13.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	247.1	37.7	11.3	55.2	60.8	131.0	19.0	0.1	73.5	21.0	13.3
Queue Length 50th (ft)	~324	102	0	41	47	~131	178	0	65	502	340
Queue Length 95th (ft)	#441	193	76	75	95	#224	244	0	m99	567	591
Internal Link Dist (ft)		1109			394		815			1309	
Turn Bay Length (ft)	450		475	130		450		265	310		
Base Capacity (vph)	342	600	639	139	473	240	1947	946	170	1981	1070
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.41	0.36	0.32	0.37	0.15	1.02	0.33	0.07	0.38	0.70	0.75

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU
Lane Configurations												
Traffic Volume (vph)	2	446	49	340	46	38	24	3	226	595	62	6
Future Volume (vph)	2	446	49	340	46	38	24	3	226	595	62	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)			0%			3%				0%		
Total Lost time (s)		7.3	7.3	7.3	6.5	7.3			7.5	6.6	6.6	
Lane Util. Factor		0.97	0.95	0.95	1.00	1.00			0.97	0.95	1.00	
Frpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00	1.00	
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00	1.00	
Frt		1.00	0.89	0.85	1.00	0.94			1.00	1.00	0.85	
Flt Protected		0.95	1.00	1.00	0.95	1.00			0.95	1.00	1.00	
Satd. Flow (prot)		3336	1525	1461	1693	1679			3303	3406	1517	
Flt Permitted		0.95	1.00	1.00	0.62	1.00			0.95	1.00	1.00	
Satd. Flow (perm)		3336	1525	1461	1101	1679			3303	3406	1517	
Peak-hour factor, PHF	0.90	0.93	0.93	0.93	0.88	0.88	0.88	0.93	0.93	0.93	0.93	0.86
Adj. Flow (vph)	2	480	53	366	52	43	27	3	243	640	67	7
RTOR Reduction (vph)	0	0	94	173	0	19	0	0	0	0	30	0
Lane Group Flow (vph)	0	482	120	32	52	51	0	0	246	640	37	0
Confl. Peds. (#/hr)									1			
Heavy Vehicles (%)	0%	5%	5%	5%	5%	5%	5%	6%	6%	6%	6%	3%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	1	0
Turn Type	Prot	Prot	NA	Perm	pm+pt	NA		Prot	Prot	NA	Perm	Prot
Protected Phases	3	3	8		7	4		1	1	6		5
Permitted Phases				8	4						6	
Actuated Green, G (s)		15.4	23.5	23.5	15.7	11.5			12.4	83.0	83.0	
Effective Green, g (s)		15.4	23.5	23.5	15.7	11.5			12.4	83.0	83.0	
Actuated g/C Ratio		0.10	0.16	0.16	0.10	0.08			0.08	0.55	0.55	
Clearance Time (s)		7.3	7.3	7.3	6.5	7.3			7.5	6.6	6.6	
Vehicle Extension (s)		3.0	3.0	3.0	3.0	3.0			3.0	3.0	3.0	
Lane Grp Cap (vph)		342	238	228	131	128			273	1884	839	
v/s Ratio Prot		c0.14	c0.08		0.01	0.03			c0.07	0.19		
v/s Ratio Perm				0.02	0.03						0.02	
v/c Ratio		1.41	0.51	0.14	0.40	0.40			0.90	0.34	0.04	
Uniform Delay, d1		67.3	57.9	54.5	62.0	65.9			68.2	18.4	15.3	
Progression Factor		1.00	1.00	1.00	1.00	1.00			1.00	1.00	1.00	
Incremental Delay, d2		200.8	1.7	0.3	2.0	2.0			30.1	0.5	0.1	
Delay (s)		268.1	59.6	54.8	64.0	67.9			98.3	18.9	15.4	
Level of Service		F	E	D	E	E			F	B	B	
Approach Delay (s)			170.1			66.3				39.2		
Approach LOS			F			E				D		

Intersection Summary			
HCM 2000 Control Delay	60.4	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.82		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	90.1%	ICU Level of Service	E
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBL	SBT	SBR
Lane Configurations			
Traffic Volume (vph)	50	1197	688
Future Volume (vph)	50	1197	688
Ideal Flow (vphpl)	1900	1900	1900
Grade (%)		0%	
Total Lost time (s)	7.2	6.6	6.6
Lane Util. Factor	1.00	0.95	1.00
Frpb, ped/bikes	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00
Frt	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00
Satd. Flow (prot)	1752	3505	1547
Flt Permitted	0.95	1.00	1.00
Satd. Flow (perm)	1752	3505	1547
Peak-hour factor, PHF	0.86	0.86	0.86
Adj. Flow (vph)	58	1392	800
RTOR Reduction (vph)	0	0	204
Lane Group Flow (vph)	65	1392	596
Confl. Peds. (#/hr)			1
Heavy Vehicles (%)	3%	3%	3%
Bus Blockages (#/hr)	0	0	0
Turn Type	Prot	NA	Perm
Protected Phases	5	2	
Permitted Phases			2
Actuated Green, G (s)	11.7	82.0	82.0
Effective Green, g (s)	11.7	82.0	82.0
Actuated g/C Ratio	0.08	0.55	0.55
Clearance Time (s)	7.2	6.6	6.6
Vehicle Extension (s)	3.0	3.0	3.0
Lane Grp Cap (vph)	136	1916	845
v/s Ratio Prot	0.04	c0.40	
v/s Ratio Perm			0.38
v/c Ratio	0.48	0.73	0.70
Uniform Delay, d1	66.2	25.6	25.1
Progression Factor	1.03	0.79	0.91
Incremental Delay, d2	2.1	1.9	3.9
Delay (s)	70.5	22.2	26.7
Level of Service	E	C	C
Approach Delay (s)		25.2	
Approach LOS		C	

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (veh/h)	1	0	31	0	0	0	2	18	1097	9	0	1941
Future Volume (Veh/h)	1	0	31	0	0	0	2	18	1097	9	0	1941
Sign Control		Stop			Yield				Free			Free
Grade		0%			0%				0%			0%
Peak Hour Factor	0.85	0.85	0.85	0.90	0.90	0.90	0.95	0.95	0.95	0.95	0.90	0.90
Hourly flow rate (vph)	1	0	36	0	0	0	0	19	1155	9	0	2157
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)			2									
Median type									None			None
Median storage veh)												
Upstream signal (ft)												457
pX, platoon unblocked	0.76	0.76	0.76	0.76	0.76		0.00	0.76				
vC, conflicting volume	2774	3360	720	1912	3352	578	0	2159			1164	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	2224	2997	0	1088	2987	578	0	1414			1164	
tC, single (s)	7.6	6.6	7.0	7.5	6.5	6.9	0.0	4.3			4.2	
tC, 2 stage (s)												
tF (s)	3.6	4.1	3.4	3.5	4.0	3.3	0.0	2.3			2.2	
p0 queue free %	94	100	96	100	100	100	0	94			100	
cM capacity (veh/h)	16	9	813	120	10	464	0	340			590	

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3
Volume Total	37	0	19	578	578	9	863	863	433
Volume Left	1	0	19	0	0	0	0	0	0
Volume Right	36	0	0	0	0	9	0	0	2
cSH	607	1700	340	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.06	0.00	0.06	0.34	0.34	0.01	0.51	0.51	0.25
Queue Length 95th (ft)	5	0	4	0	0	0	0	0	0
Control Delay (s)	15.8	0.0	16.2	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	C	A	C						
Approach Delay (s)	15.8	0.0	0.3				0.0		
Approach LOS	C	A							

Intersection Summary			
Average Delay	0.3		
Intersection Capacity Utilization	47.5%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	SBR
Lanes, Configurations	
Traffic Volume (veh/h)	2
Future Volume (Veh/h)	2
Sign Control	
Grade	
Peak Hour Factor	0.90
Hourly flow rate (vph)	2
Pedestrians	
Lane Width (ft)	
Walking Speed (ft/s)	
Percent Blockage	
Right turn flare (veh)	
Median type	
Median storage veh)	
Upstream signal (ft)	
pX, platoon unblocked	
vC, conflicting volume	
vC1, stage 1 conf vol	
vC2, stage 2 conf vol	
vCu, unblocked vol	
tC, single (s)	
tC, 2 stage (s)	
tF (s)	
p0 queue free %	
cM capacity (veh/h)	

Direction, Lane #

Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	4	15	24	3	11	1099	47	11	2084	3
v/c Ratio	0.05	0.10	0.32	0.01	0.07	0.37	0.04	0.02	0.68	0.00
Control Delay	67.0	1.4	78.0	0.0	1.7	2.8	0.0	1.9	7.1	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	67.0	1.4	78.0	0.0	1.7	2.8	0.0	1.9	7.1	0.0
Queue Length 50th (ft)	4	0	23	0	1	53	0	1	273	0
Queue Length 95th (ft)	13	0	40	0	m2	m80	m0	4	655	0
Internal Link Dist (ft)		591				377			764	
Turn Bay Length (ft)	100		270	115	250			235		395
Base Capacity (vph)	345	438	341	500	161	2943	1324	449	3081	1387
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.03	0.07	0.01	0.07	0.37	0.04	0.02	0.68	0.00

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	3	0	10	16	0	2	10	1044	45	10	1917	3
Future Volume (vph)	3	0	10	16	0	2	10	1044	45	10	1917	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.4	6.4		6.4		6.4	6.4	6.2	6.2	6.0	6.2	6.2
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1671	3343	1495	1752	3505	1568
Flt Permitted	0.76	1.00		0.75		1.00	0.07	1.00	1.00	0.25	1.00	1.00
Satd. Flow (perm)	1439	1615		1421		1615	118	3343	1495	456	3505	1568
Peak-hour factor, PHF	0.68	0.68	0.68	0.66	0.66	0.66	0.95	0.95	0.95	0.92	0.92	0.92
Adj. Flow (vph)	4	0	15	24	0	3	11	1099	47	11	2084	3
RTOR Reduction (vph)	0	14	0	0	0	3	0	0	8	0	0	1
Lane Group Flow (vph)	4	1	0	24	0	0	11	1099	39	11	2084	2
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	8%	8%	8%	3%	3%	3%
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		8			4		5	2		1	6	
Permitted Phases	8			4		4	2		2	6		6
Actuated Green, G (s)	5.7	5.7		5.7		5.7	125.7	123.4	123.4	125.3	123.0	123.0
Effective Green, g (s)	5.7	5.7		5.7		5.7	125.7	123.4	123.4	125.3	123.0	123.0
Actuated g/C Ratio	0.04	0.04		0.04		0.04	0.84	0.82	0.82	0.84	0.82	0.82
Clearance Time (s)	6.4	6.4		6.4		6.4	6.4	6.2	6.2	6.0	6.2	6.2
Vehicle Extension (s)	3.0	3.0		3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	54	61		53		61	122	2750	1229	400	2874	1285
v/s Ratio Prot		0.00					c0.00	0.33		0.00	c0.59	
v/s Ratio Perm	0.00			c0.02		0.00	0.07		0.03	0.02		0.00
v/c Ratio	0.07	0.01		0.45		0.00	0.09	0.40	0.03	0.03	0.73	0.00
Uniform Delay, d1	69.6	69.4		70.6		69.4	6.7	3.5	2.4	2.2	6.0	2.4
Progression Factor	1.00	1.00		1.00		1.00	0.66	0.78	0.00	1.00	1.00	1.00
Incremental Delay, d2	0.6	0.1		6.0		0.0	0.2	0.3	0.0	0.0	1.6	0.0
Delay (s)	70.2	69.5		76.7		69.4	4.6	3.0	0.0	2.2	7.6	2.4
Level of Service	E	E		E		E	A	A	A	A	A	A
Approach Delay (s)		69.6			75.9			2.9			7.6	
Approach LOS		E			E			A			A	

Intersection Summary			
HCM 2000 Control Delay	6.9	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.70		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	19.0
Intersection Capacity Utilization	71.0%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			

Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	699	333	303	102	177	355	1559	45	84	1126	566
v/c Ratio	1.13	0.74	0.54	0.46	0.76	1.07	0.94	0.05	0.99	0.76	0.67
Control Delay	133.2	60.8	16.1	44.6	78.3	134.7	51.9	0.1	145.6	34.5	12.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	133.2	60.8	16.1	44.6	78.3	134.7	51.9	0.1	145.6	34.5	12.4
Queue Length 50th (ft)	~433	316	65	73	160	~210	802	0	91	277	65
Queue Length 95th (ft)	#552	410	156	107	224	#319	#1062	0	m#181	570	167
Internal Link Dist (ft)		1009			530		800			1293	
Turn Bay Length (ft)	450		475	130		450		265	310		
Base Capacity (vph)	621	665	727	222	460	332	1663	834	85	1472	842
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.13	0.50	0.42	0.46	0.38	1.07	0.94	0.05	0.99	0.76	0.67

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	3	619	181	385	88	89	64	341	1497	43	16	63
Future Volume (vph)	3	619	181	385	88	89	64	341	1497	43	16	63
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)			0%			3%			0%			
Total Lost time (s)		7.3	7.3	7.3	6.5	7.3		7.5	6.6	6.6		7.2
Lane Util. Factor		0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00		1.00
Frpb, ped/bikes		1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00		1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00		1.00
Frt		1.00	0.94	0.85	1.00	0.94		1.00	1.00	0.85		1.00
Flt Protected		0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00		0.95
Satd. Flow (prot)		3467	1682	1519	1760	1737		3433	3539	1577		1752
Flt Permitted		0.95	1.00	1.00	0.54	1.00		0.95	1.00	1.00		0.95
Satd. Flow (perm)		3467	1682	1519	1001	1737		3433	3539	1577		1752
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.86	0.86	0.86	0.96	0.96	0.96	0.94	0.94
Adj. Flow (vph)	3	696	203	433	102	103	74	355	1559	45	17	67
RTOR Reduction (vph)	0	0	18	170	0	19	0	0	0	24	0	0
Lane Group Flow (vph)	0	699	315	133	102	158	0	355	1559	21	0	84
Confl. Peds. (#/hr)								1				
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	2%	2%	2%	3%	3%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	1	0	0
Turn Type	Prot	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	Prot
Protected Phases	3	3	8		7	4		1	6		5	5
Permitted Phases				8	4					6		
Actuated Green, G (s)		28.7	41.0	41.0	28.3	19.9		15.5	75.2	75.2		7.8
Effective Green, g (s)		28.7	41.0	41.0	28.3	19.9		15.5	75.2	75.2		7.8
Actuated g/C Ratio		0.18	0.26	0.26	0.18	0.12		0.10	0.47	0.47		0.05
Clearance Time (s)		7.3	7.3	7.3	6.5	7.3		7.5	6.6	6.6		7.2
Vehicle Extension (s)		3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0		3.0
Lane Grp Cap (vph)		621	431	389	216	216		332	1663	741		85
v/s Ratio Prot		c0.20	c0.19		0.02	0.09		c0.10	c0.44			0.05
v/s Ratio Perm				0.09	0.06					0.01		
v/c Ratio		1.13	0.73	0.34	0.47	0.73		1.07	0.94	0.03		0.99
Uniform Delay, d1		65.7	54.5	48.5	57.5	67.5		72.2	40.2	22.8		76.1
Progression Factor		1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00		0.85
Incremental Delay, d2		75.9	6.3	0.5	1.6	12.0		69.0	11.5	0.1		80.7
Delay (s)		141.5	60.7	49.0	59.2	79.4		141.2	51.7	22.8		145.4
Level of Service		F	E	D	E	E		F	D	C		F
Approach Delay (s)			100.4			72.0			67.3			
Approach LOS			F			E			E			

Intersection Summary			
HCM 2000 Control Delay	65.3	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.01		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	95.8%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	1058	532
Future Volume (vph)	1058	532
Ideal Flow (vphpl)	1900	1900
Grade (%)	0%	
Total Lost time (s)	6.6	6.6
Lane Util. Factor	0.95	1.00
Frpb, ped/bikes	1.00	0.99
Flpb, ped/bikes	1.00	1.00
Frt	1.00	0.85
Flt Protected	1.00	1.00
Satd. Flow (prot)	3505	1547
Flt Permitted	1.00	1.00
Satd. Flow (perm)	3505	1547
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	1126	566
RTOR Reduction (vph)	0	193
Lane Group Flow (vph)	1126	373
Confl. Peds. (#/hr)		1
Heavy Vehicles (%)	3%	3%
Bus Blockages (#/hr)	0	0
Turn Type	NA	Perm
Protected Phases	2	
Permitted Phases		2
Actuated Green, G (s)	67.2	67.2
Effective Green, g (s)	67.2	67.2
Actuated g/C Ratio	0.42	0.42
Clearance Time (s)	6.6	6.6
Vehicle Extension (s)	3.0	3.0
Lane Grp Cap (vph)	1472	649
v/s Ratio Prot	0.32	
v/s Ratio Perm		0.24
v/c Ratio	0.76	0.58
Uniform Delay, d1	39.7	35.5
Progression Factor	0.77	0.59
Incremental Delay, d2	2.9	2.8
Delay (s)	33.5	23.9
Level of Service	C	C
Approach Delay (s)	35.7	
Approach LOS	D	

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	30	0	0	20	69	2168	77	0	1623	4
Future Volume (Veh/h)	0	0	30	0	0	20	69	2168	77	0	1623	4
Sign Control		Stop			Yield			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.70	0.70	0.70	0.63	0.63	0.63	0.95	0.95	0.95	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	43	0	0	32	73	2282	81	0	1803	4
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)			2									
Median type								None			None	
Median storage veh)												
Upstream signal (ft)											448	
pX, platoon unblocked	0.75	0.75	0.75	0.75	0.75		0.75					
vC, conflicting volume	3092	4314	603	3029	4235	1141	1807			2363		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	2633	4253	0	2550	4149	1141	930			2363		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.2		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	95	100	100	84	87			100		
cM capacity (veh/h)	7	1	823	9	2	197	556			200		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3
Volume Total	43	32	73	1141	1141	81	721	721	365
Volume Left	0	0	73	0	0	0	0	0	0
Volume Right	43	32	0	0	0	81	0	0	4
cSH	411	197	556	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.10	0.16	0.13	0.67	0.67	0.05	0.42	0.42	0.21
Queue Length 95th (ft)	9	14	11	0	0	0	0	0	0
Control Delay (s)	14.8	26.7	12.4	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	B	D	B						
Approach Delay (s)	14.8	26.7	0.4				0.0		
Approach LOS	B	D							

Intersection Summary			
Average Delay	0.6		
Intersection Capacity Utilization	69.9%	ICU Level of Service	C
Analysis Period (min)	15		

Lane Group	EBL	EBT	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	37	75	241	9	56	62	1978	263	50	1491	41
v/c Ratio	0.13	0.19	0.90	0.02	0.15	0.29	0.84	0.24	0.47	0.66	0.04
Control Delay	51.5	15.8	95.5	49.0	9.8	7.4	16.2	3.8	32.3	20.5	1.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	51.5	15.8	95.5	49.0	9.8	7.4	16.2	3.8	32.3	20.5	1.1
Queue Length 50th (ft)	31	10	243	8	0	12	499	38	15	527	0
Queue Length 95th (ft)	49	28	#382	24	34	m17	m562	m45	54	636	7
Internal Link Dist (ft)		673		657			368			581	
Turn Bay Length (ft)	100		270		115	250			235		395
Base Capacity (vph)	321	422	299	423	408	247	2364	1114	106	2255	1031
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.12	0.18	0.81	0.02	0.14	0.25	0.84	0.24	0.47	0.66	0.04

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	25	8	43	224	8	52	2	57	1879	250	11	35
Future Volume (vph)	25	8	43	224	8	52	2	57	1879	250	11	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.4	6.4		6.4	6.4	6.4		6.4	6.2	6.2		6.0
Lane Util. Factor	1.00	1.00		1.00	1.00	1.00		1.00	0.95	1.00		1.00
Frt	1.00	0.87		1.00	1.00	0.85		1.00	1.00	0.85		1.00
Flt Protected	0.95	1.00		0.95	1.00	1.00		0.95	1.00	1.00		0.95
Satd. Flow (prot)	1805	1661		1787	1881	1599		1787	3574	1599		1736
Flt Permitted	0.75	1.00		0.71	1.00	1.00		0.11	1.00	1.00		0.04
Satd. Flow (perm)	1428	1661		1332	1881	1599		203	3574	1599		71
Peak-hour factor, PHF	0.68	0.68	0.68	0.93	0.93	0.93	0.95	0.95	0.95	0.95	0.91	0.91
Adj. Flow (vph)	37	12	63	241	9	56	2	60	1978	263	12	38
RTOR Reduction (vph)	0	50	0	0	0	45	0	0	0	58	0	0
Lane Group Flow (vph)	37	25	0	241	9	11	0	62	1978	205	0	50
Heavy Vehicles (%)	0%	0%	0%	1%	1%	1%	1%	1%	1%	1%	4%	4%
Turn Type	Perm	NA		Perm	NA	Perm	Prot	pm+pt	NA	Perm	Prot	pm+pt
Protected Phases		8			4		5	5	2		1	1
Permitted Phases	8			4		4		2		2		6
Actuated Green, G (s)	32.3	32.3		32.3	32.3	32.3		110.6	104.6	104.6		107.2
Effective Green, g (s)	32.3	32.3		32.3	32.3	32.3		110.6	104.6	104.6		107.2
Actuated g/C Ratio	0.20	0.20		0.20	0.20	0.20		0.69	0.65	0.65		0.67
Clearance Time (s)	6.4	6.4		6.4	6.4	6.4		6.4	6.2	6.2		6.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0		3.0	3.0	3.0		3.0
Lane Grp Cap (vph)	288	335		268	379	322		199	2336	1045		94
v/s Ratio Prot		0.01			0.00			0.01	c0.55			c0.01
v/s Ratio Perm	0.03			c0.18		0.01		0.20		0.13		0.34
v/c Ratio	0.13	0.07		0.90	0.02	0.04		0.31	0.85	0.20		0.53
Uniform Delay, d1	52.3	51.7		62.3	51.2	51.3		14.1	21.5	11.0		27.9
Progression Factor	1.00	1.00		1.00	1.00	1.00		0.82	0.65	0.81		1.00
Incremental Delay, d2	0.2	0.1		29.8	0.0	0.0		0.3	1.6	0.2		5.7
Delay (s)	52.5	51.8		92.1	51.2	51.4		11.8	15.6	9.0		33.6
Level of Service	D	D		F	D	D		B	B	A		C
Approach Delay (s)		52.1			83.4				14.7			
Approach LOS		D			F				B			

Intersection Summary			
HCM 2000 Control Delay	22.5	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.85		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	19.0
Intersection Capacity Utilization	81.5%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	1357	37
Future Volume (vph)	1357	37
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	6.2	6.2
Lane Util. Factor	0.95	1.00
Frt	1.00	0.85
Flt Protected	1.00	1.00
Satd. Flow (prot)	3471	1553
Flt Permitted	1.00	1.00
Satd. Flow (perm)	3471	1553
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	1491	41
RTOR Reduction (vph)	0	15
Lane Group Flow (vph)	1491	26
Heavy Vehicles (%)	4%	4%
Turn Type	NA	Perm
Protected Phases	6	
Permitted Phases		6
Actuated Green, G (s)	102.7	102.7
Effective Green, g (s)	102.7	102.7
Actuated g/C Ratio	0.64	0.64
Clearance Time (s)	6.2	6.2
Vehicle Extension (s)	3.0	3.0
Lane Grp Cap (vph)	2227	996
v/s Ratio Prot	0.43	
v/s Ratio Perm		0.02
v/c Ratio	0.67	0.03
Uniform Delay, d1	18.0	10.4
Progression Factor	1.00	1.00
Incremental Delay, d2	1.6	0.0
Delay (s)	19.6	10.5
Level of Service	B	B
Approach Delay (s)	19.8	
Approach LOS	B	

Intersection Summary

1: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Home Depot

Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	491	218	208	53	71	250	722	67	1420	816
v/c Ratio	1.11	0.58	0.47	0.38	0.54	0.83	0.28	0.44	0.55	0.70
Control Delay	132.3	31.9	9.9	53.1	63.2	89.1	19.8	76.3	22.3	10.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	132.3	31.9	9.9	53.1	63.2	89.1	19.8	76.3	22.3	10.2
Queue Length 50th (ft)	~284	96	0	40	49	125	141	63	337	181
Queue Length 95th (ft)	#401	187	75	74	98	#193	183	118	383	489
Internal Link Dist (ft)		1109			394		815		848	
Turn Bay Length (ft)	450		475	130		450		310		330
Base Capacity (vph)	444	644	677	139	472	308	2621	170	2603	1161
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.11	0.34	0.31	0.38	0.15	0.81	0.28	0.39	0.55	0.70

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU
Lane Configurations												
Traffic Volume (vph)	2	455	50	346	47	39	24	3	230	607	64	7
Future Volume (vph)	2	455	50	346	47	39	24	3	230	607	64	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)			0%			3%				0%		
Total Lost time (s)		7.3	7.3	7.3	6.5	7.3			7.5	6.6		
Lane Util. Factor		0.97	0.95	0.95	1.00	1.00			0.97	0.91		
Frpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00		
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00		
Frt		1.00	0.89	0.85	1.00	0.94			1.00	0.99		
Flt Protected		0.95	1.00	1.00	0.95	1.00			0.95	1.00		
Satd. Flow (prot)		3336	1525	1461	1693	1681			3303	4823		
Flt Permitted		0.95	1.00	1.00	0.62	1.00			0.95	1.00		
Satd. Flow (perm)		3336	1525	1461	1097	1681			3303	4823		
Peak-hour factor, PHF	0.90	0.93	0.93	0.93	0.88	0.88	0.88	0.93	0.93	0.93	0.93	0.86
Adj. Flow (vph)	2	489	54	372	53	44	27	3	247	653	69	8
RTOR Reduction (vph)	0	0	95	169	0	18	0	0	0	6	0	0
Lane Group Flow (vph)	0	491	123	39	53	53	0	0	250	716	0	0
Confl. Peds. (#/hr)									1			
Heavy Vehicles (%)	0%	5%	5%	5%	5%	5%	5%	6%	6%	6%	6%	3%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	1	0
Turn Type	Prot	Prot	NA	Perm	pm+pt	NA		Prot	Prot	NA		Prot
Protected Phases	3	3	8		7	4		1	1	6		5
Permitted Phases				8	4							
Actuated Green, G (s)		20.0	28.0	28.0	15.6	11.4			15.2	78.5		
Effective Green, g (s)		20.0	28.0	28.0	15.6	11.4			15.2	78.5		
Actuated g/C Ratio		0.13	0.19	0.19	0.10	0.08			0.10	0.52		
Clearance Time (s)		7.3	7.3	7.3	6.5	7.3			7.5	6.6		
Vehicle Extension (s)		3.0	3.0	3.0	3.0	3.0			3.0	3.0		
Lane Grp Cap (vph)		444	284	272	130	127			334	2524		
v/s Ratio Prot		c0.15	c0.08		0.01	0.03			c0.08	0.15		
v/s Ratio Perm				0.03	0.03							
v/c Ratio		1.11	0.43	0.14	0.41	0.41			0.75	0.28		
Uniform Delay, d1		65.0	54.0	51.0	62.2	66.1			65.5	20.0		
Progression Factor		1.00	1.00	1.00	1.00	1.00			1.00	1.00		
Incremental Delay, d2		74.7	1.1	0.2	2.1	2.2			8.9	0.3		
Delay (s)		139.7	55.0	51.2	64.2	68.3			74.4	20.3		
Level of Service		F	E	D	E	E			E	C		
Approach Delay (s)			99.5			66.6				34.2		
Approach LOS			F			E				C		

Intersection Summary			
HCM 2000 Control Delay	52.4	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.68		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	91.3%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBL	SBT	SBR
Lane Configurations			
Traffic Volume (vph)	51	1221	702
Future Volume (vph)	51	1221	702
Ideal Flow (vphpl)	1900	1900	1900
Grade (%)		0%	
Total Lost time (s)	7.2	6.6	6.6
Lane Util. Factor	1.00	0.91	1.00
Frpb, ped/bikes	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00
Frt	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00
Satd. Flow (prot)	1752	5036	1547
Flt Permitted	0.95	1.00	1.00
Satd. Flow (perm)	1752	5036	1547
Peak-hour factor, PHF	0.86	0.86	0.86
Adj. Flow (vph)	59	1420	816
RTOR Reduction (vph)	0	0	375
Lane Group Flow (vph)	67	1420	441
Confl. Peds. (#/hr)			1
Heavy Vehicles (%)	3%	3%	3%
Bus Blockages (#/hr)	0	0	0
Turn Type	Prot	NA	Perm
Protected Phases	5	2	
Permitted Phases			2
Actuated Green, G (s)	11.7	74.7	74.7
Effective Green, g (s)	11.7	74.7	74.7
Actuated g/C Ratio	0.08	0.50	0.50
Clearance Time (s)	7.2	6.6	6.6
Vehicle Extension (s)	3.0	3.0	3.0
Lane Grp Cap (vph)	136	2507	770
v/s Ratio Prot	0.04	0.28	
v/s Ratio Perm			c0.28
v/c Ratio	0.49	0.57	0.57
Uniform Delay, d1	66.3	26.3	26.4
Progression Factor	1.05	0.86	2.44
Incremental Delay, d2	2.5	0.9	2.8
Delay (s)	72.4	23.6	67.3
Level of Service	E	C	E
Approach Delay (s)		40.5	
Approach LOS		D	

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (veh/h)	0	0	33	0	0	0	2	18	1120	9	0	1980
Future Volume (Veh/h)	0	0	33	0	0	0	2	18	1120	9	0	1980
Sign Control		Stop			Yield				Free			Free
Grade		0%			0%				0%			0%
Peak Hour Factor	0.85	0.85	0.85	0.90	0.90	0.90	0.95	0.95	0.95	0.95	0.90	0.90
Hourly flow rate (vph)	0	0	39	0	0	0	0	19	1179	9	0	2200
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type									None			None
Median storage veh)												
Upstream signal (ft)												457
pX, platoon unblocked	0.86	0.86	0.86	0.86	0.86		0.00	0.86				
vC, conflicting volume	2632	3427	734	1994	3424	398	0	2202			1188	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	2334	3256	134	1594	3252	398	0	1835			1188	
tC, single (s)	7.6	6.6	7.0	7.5	6.5	6.9	0.0	4.3			4.2	
tC, 2 stage (s)												
tF (s)	3.6	4.1	3.4	3.5	4.0	3.3	0.0	2.3			2.2	
p0 queue free %	100	100	95	100	100	100	0	93			100	
cM capacity (veh/h)	15	7	757	56	8	608	0	262			578	

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3
Volume Total	39	0	19	472	472	245	880	880	442
Volume Left	0	0	19	0	0	0	0	0	0
Volume Right	39	0	0	0	0	9	0	0	2
cSH	757	1700	262	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.05	0.00	0.07	0.28	0.28	0.14	0.52	0.52	0.26
Queue Length 95th (ft)	4	0	6	0	0	0	0	0	0
Control Delay (s)	10.0	0.0	19.8	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	B	A	C						
Approach Delay (s)	10.0	0.0	0.3				0.0		
Approach LOS	B	A							

Intersection Summary			
Average Delay	0.2		
Intersection Capacity Utilization	48.3%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	SBR
Lanes, Configurations	
Traffic Volume (veh/h)	2
Future Volume (Veh/h)	2
Sign Control	
Grade	
Peak Hour Factor	0.90
Hourly flow rate (vph)	2
Pedestrians	
Lane Width (ft)	
Walking Speed (ft/s)	
Percent Blockage	
Right turn flare (veh)	
Median type	
Median storage veh)	
Upstream signal (ft)	
pX, platoon unblocked	
vC, conflicting volume	
vC1, stage 1 conf vol	
vC2, stage 2 conf vol	
vCu, unblocked vol	
tC, single (s)	
tC, 2 stage (s)	
tF (s)	
p0 queue free %	
cM capacity (veh/h)	

Direction, Lane #

Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	4	15	24	3	11	1168	11	2128
v/c Ratio	0.05	0.08	0.32	0.01	0.06	0.28	0.03	0.48
Control Delay	67.0	0.8	78.0	0.0	3.0	1.6	3.8	4.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	67.0	0.8	78.0	0.0	3.0	1.6	3.8	4.4
Queue Length 50th (ft)	4	0	23	0	1	30	1	136
Queue Length 95th (ft)	13	0	40	0	m3	m63	7	319
Internal Link Dist (ft)		591				377		764
Turn Bay Length (ft)	100		270	115	250		235	
Base Capacity (vph)	345	473	341	500	185	4200	393	4417
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.03	0.07	0.01	0.06	0.28	0.03	0.48

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	3	0	10	16	0	2	10	1065	45	10	1955	3
Future Volume (vph)	3	0	10	16	0	2	10	1065	45	10	1955	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.4	6.4		6.4		6.4	6.4	6.2		6.0	6.2	
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.91		1.00	0.91	
Frt	1.00	0.85		1.00		0.85	1.00	0.99		1.00	1.00	
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1805	1615		1805		1615	1671	4774		1752	5035	
Flt Permitted	0.76	1.00		0.75		1.00	0.08	1.00		0.21	1.00	
Satd. Flow (perm)	1439	1615		1421		1615	137	4774		396	5035	
Peak-hour factor, PHF	0.68	0.68	0.68	0.66	0.66	0.66	0.95	0.95	0.95	0.92	0.92	0.92
Adj. Flow (vph)	4	0	15	24	0	3	11	1121	47	11	2125	3
RTOR Reduction (vph)	0	14	0	0	0	3	0	1	0	0	0	0
Lane Group Flow (vph)	4	1	0	24	0	0	11	1167	0	11	2128	0
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	8%	8%	8%	3%	3%	3%
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA		pm+pt	NA	
Protected Phases		8			4		5	2		1	6	
Permitted Phases	8			4		4	2			6		
Actuated Green, G (s)	5.7	5.7		5.7		5.7	123.3	123.3		122.7	122.7	
Effective Green, g (s)	5.7	5.7		5.7		5.7	123.3	123.3		122.7	122.7	
Actuated g/C Ratio	0.04	0.04		0.04		0.04	0.82	0.82		0.82	0.82	
Clearance Time (s)	6.4	6.4		6.4		6.4	6.4	6.2		6.0	6.2	
Vehicle Extension (s)	3.0	3.0		3.0		3.0	3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	54	61		53		61	139	3924		345	4118	
v/s Ratio Prot		0.00					0.00	c0.24		0.00	c0.42	
v/s Ratio Perm	0.00			c0.02		0.00	0.06			0.03		
v/c Ratio	0.07	0.01		0.45		0.00	0.08	0.30		0.03	0.52	
Uniform Delay, d1	69.6	69.4		70.6		69.4	3.9	3.1		2.7	4.3	
Progression Factor	1.00	1.00		1.00		1.00	0.55	0.51		1.00	1.00	
Incremental Delay, d2	0.6	0.1		6.0		0.0	0.2	0.2		0.0	0.5	
Delay (s)	70.2	69.5		76.7		69.4	2.4	1.8		2.8	4.8	
Level of Service	E	E		E		E	A	A		A	A	
Approach Delay (s)		69.6			75.9			1.8			4.8	
Approach LOS		E			E			A			A	

Intersection Summary			
HCM 2000 Control Delay	4.6	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.52		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	19.0
Intersection Capacity Utilization	55.9%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

1: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Home Depot

Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	713	341	309	105	182	363	1637	85	1148	578
v/c Ratio	0.98	0.67	0.48	0.47	0.76	0.97	0.75	0.86	0.61	0.61
Control Delay	90.0	52.4	8.9	42.7	78.5	108.8	42.2	115.3	29.1	3.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	90.0	52.4	8.9	42.7	78.5	108.8	42.2	115.3	29.1	3.0
Queue Length 50th (ft)	386	309	25	71	165	198	525	92	197	0
Queue Length 95th (ft)	#508	397	101	102	229	#305	636	m#188	309	4
Internal Link Dist (ft)		1009			530		800		829	
Turn Bay Length (ft)	450		475	130		450		310		330
Base Capacity (vph)	730	721	799	222	460	375	2169	99	1881	940
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.98	0.47	0.39	0.47	0.40	0.97	0.75	0.86	0.61	0.61

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	3	632	185	393	90	91	65	348	1527	44	16	64
Future Volume (vph)	3	632	185	393	90	91	65	348	1527	44	16	64
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)			0%			3%			0%			
Total Lost time (s)		7.3	7.3	7.3	6.5	7.3		7.5	6.6			7.2
Lane Util. Factor		0.97	0.95	0.95	1.00	1.00		0.97	0.91			1.00
Frpb, ped/bikes		1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00
Frt		1.00	0.94	0.85	1.00	0.94		1.00	1.00			1.00
Flt Protected		0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.95
Satd. Flow (prot)		3467	1683	1519	1760	1737		3433	5064			1752
Flt Permitted		0.95	1.00	1.00	0.55	1.00		0.95	1.00			0.95
Satd. Flow (perm)		3467	1683	1519	1013	1737		3433	5064			1752
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.86	0.86	0.86	0.96	0.96	0.96	0.94	0.94
Adj. Flow (vph)	3	710	208	442	105	106	76	362	1591	46	17	68
RTOR Reduction (vph)	0	0	18	197	0	19	0	0	2	0	0	0
Lane Group Flow (vph)	0	713	323	112	105	163	0	363	1635	0	0	85
Confl. Peds. (#/hr)								1				
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	2%	2%	2%	3%	3%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	1	0	0
Turn Type	Prot	Prot	NA	Perm	pm+pt	NA		Prot	NA		Prot	Prot
Protected Phases	3	3	8		7	4		1	6		5	5
Permitted Phases				8	4							
Actuated Green, G (s)		33.7	46.7	46.7	28.4	20.3		17.5	68.5			9.1
Effective Green, g (s)		33.7	46.7	46.7	28.4	20.3		17.5	68.5			9.1
Actuated g/C Ratio		0.21	0.29	0.29	0.18	0.13		0.11	0.43			0.06
Clearance Time (s)		7.3	7.3	7.3	6.5	7.3		7.5	6.6			7.2
Vehicle Extension (s)		3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0
Lane Grp Cap (vph)		730	491	443	217	220		375	2168			99
v/s Ratio Prot		c0.21	c0.19		0.02	0.09		c0.11	c0.32			0.05
v/s Ratio Perm				0.07	0.06							
v/c Ratio		0.98	0.66	0.25	0.48	0.74		0.97	0.75			0.86
Uniform Delay, d1		62.8	49.7	43.3	57.6	67.3		71.0	38.6			74.8
Progression Factor		1.00	1.00	1.00	1.00	1.00		1.00	1.00			0.84
Incremental Delay, d2		27.3	3.2	0.3	1.7	12.3		37.6	2.5			43.4
Delay (s)		90.1	52.8	43.6	59.3	79.6		108.6	41.1			106.5
Level of Service		F	D	D	E	E		F	D			F
Approach Delay (s)			70.2			72.1			53.4			
Approach LOS			E			E			D			

Intersection Summary			
HCM 2000 Control Delay	49.1	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.86		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	94.5%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	1079	543
Future Volume (vph)	1079	543
Ideal Flow (vphpl)	1900	1900
Grade (%)	0%	
Total Lost time (s)	6.6	6.6
Lane Util. Factor	0.91	1.00
Frpb, ped/bikes	1.00	0.99
Flpb, ped/bikes	1.00	1.00
Frt	1.00	0.85
Flt Protected	1.00	1.00
Satd. Flow (prot)	5036	1547
Flt Permitted	1.00	1.00
Satd. Flow (perm)	5036	1547
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	1148	578
RTOR Reduction (vph)	0	362
Lane Group Flow (vph)	1148	216
Confl. Peds. (#/hr)		1
Heavy Vehicles (%)	3%	3%
Bus Blockages (#/hr)	0	0
Turn Type	NA	Perm
Protected Phases	2	
Permitted Phases		2
Actuated Green, G (s)	59.8	59.8
Effective Green, g (s)	59.8	59.8
Actuated g/C Ratio	0.37	0.37
Clearance Time (s)	6.6	6.6
Vehicle Extension (s)	3.0	3.0
Lane Grp Cap (vph)	1882	578
v/s Ratio Prot	0.23	
v/s Ratio Perm		0.14
v/c Ratio	0.61	0.37
Uniform Delay, d1	40.6	36.5
Progression Factor	0.67	0.11
Incremental Delay, d2	1.3	1.6
Delay (s)	28.4	5.7
Level of Service	C	A
Approach Delay (s)	24.8	
Approach LOS	C	

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	31	0	0	20	70	2211	79	0	1655	4
Future Volume (Veh/h)	0	0	31	0	0	20	70	2211	79	0	1655	4
Sign Control		Stop			Yield			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.70	0.70	0.70	0.63	0.63	0.63	0.95	0.95	0.95	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	44	0	0	32	74	2327	83	0	1839	4
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage veh)												
Upstream signal (ft)											448	
pX, platoon unblocked	0.83	0.83	0.83	0.83	0.83		0.83					
vC, conflicting volume	2765	4399	615	3174	4360	817	1843			2410		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	2410	4378	0	2902	4331	817	1299			2410		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.2		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	95	100	100	90	83			100		
cM capacity (veh/h)	11	1	906	5	1	324	444			192		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3
Volume Total	44	32	74	931	931	548	736	736	372
Volume Left	0	0	74	0	0	0	0	0	0
Volume Right	44	32	0	0	0	83	0	0	4
cSH	906	324	444	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.05	0.10	0.17	0.55	0.55	0.32	0.43	0.43	0.22
Queue Length 95th (ft)	4	8	15	0	0	0	0	0	0
Control Delay (s)	9.2	17.3	14.7	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	A	C	B						
Approach Delay (s)	9.2	17.3	0.4				0.0		
Approach LOS	A	C							

Intersection Summary			
Average Delay	0.5		
Intersection Capacity Utilization	54.5%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	WBL	WBT	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	38	77	245	9	57	64	2286	53	1563
v/c Ratio	0.13	0.20	0.90	0.02	0.15	0.25	0.68	0.53	0.50
Control Delay	51.5	15.4	95.9	48.9	9.3	7.7	10.7	54.5	17.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	51.5	15.4	95.9	48.9	9.3	7.7	10.7	54.5	17.5
Queue Length 50th (ft)	32	10	247	7	0	15	338	16	341
Queue Length 95th (ft)	50	28	#391	24	33	m20	m402	#61	383
Internal Link Dist (ft)		673		657			368		581
Turn Bay Length (ft)	100		270		115	250		235	
Base Capacity (vph)	321	423	299	423	410	265	3347	100	3145
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.12	0.18	0.82	0.02	0.14	0.24	0.68	0.53	0.50

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	26	8	44	228	8	53	2	59	1917	255	12	36
Future Volume (vph)	26	8	44	228	8	53	2	59	1917	255	12	36
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.4	6.4		6.4	6.4	6.4		6.4	6.2			6.0
Lane Util. Factor	1.00	1.00		1.00	1.00	1.00		1.00	0.91			1.00
Frt	1.00	0.87		1.00	1.00	0.85		1.00	0.98			1.00
Flt Protected	0.95	1.00		0.95	1.00	1.00		0.95	1.00			0.95
Satd. Flow (prot)	1805	1659		1787	1881	1599		1787	5045			1736
Flt Permitted	0.75	1.00		0.71	1.00	1.00		0.12	1.00			0.04
Satd. Flow (perm)	1428	1659		1330	1881	1599		226	5045			73
Peak-hour factor, PHF	0.68	0.68	0.68	0.93	0.93	0.93	0.95	0.95	0.95	0.95	0.91	0.91
Adj. Flow (vph)	38	12	65	245	9	57	2	62	2018	268	13	40
RTOR Reduction (vph)	0	52	0	0	0	45	0	0	10	0	0	0
Lane Group Flow (vph)	38	25	0	245	9	12	0	64	2276	0	0	53
Heavy Vehicles (%)	0%	0%	0%	1%	1%	1%	1%	1%	1%	1%	4%	4%
Turn Type	Perm	NA		Perm	NA	Perm	Prot	pm+pt	NA		Prot	pm+pt
Protected Phases		8			4		5	5	2		1	1
Permitted Phases	8			4		4		2				6
Actuated Green, G (s)	32.7	32.7		32.7	32.7	32.7		112.9	104.6			104.1
Effective Green, g (s)	32.7	32.7		32.7	32.7	32.7		112.9	104.6			104.1
Actuated g/C Ratio	0.20	0.20		0.20	0.20	0.20		0.71	0.65			0.65
Clearance Time (s)	6.4	6.4		6.4	6.4	6.4		6.4	6.2			6.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0		3.0	3.0			3.0
Lane Grp Cap (vph)	291	339		271	384	326		240	3298			90
v/s Ratio Prot		0.02			0.00			c0.01	c0.45			c0.02
v/s Ratio Perm	0.03			c0.18		0.01		0.17				0.37
v/c Ratio	0.13	0.07		0.90	0.02	0.04		0.27	0.69			0.59
Uniform Delay, d1	52.0	51.4		62.1	50.9	51.0		19.1	17.5			47.9
Progression Factor	1.00	1.00		1.00	1.00	1.00		0.53	0.56			1.00
Incremental Delay, d2	0.2	0.1		30.7	0.0	0.0		0.4	0.8			9.5
Delay (s)	52.2	51.5		92.8	50.9	51.1		10.5	10.6			57.4
Level of Service	D	D		F	D	D		B	B			E
Approach Delay (s)		51.8			84.0				10.6			
Approach LOS		D			F				B			

Intersection Summary			
HCM 2000 Control Delay	19.7	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.74		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	19.0
Intersection Capacity Utilization	80.5%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	1384	38
Future Volume (vph)	1384	38
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	6.2	
Lane Util. Factor	0.91	
Frt	1.00	
Flt Protected	1.00	
Satd. Flow (prot)	4967	
Flt Permitted	1.00	
Satd. Flow (perm)	4967	
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	1521	42
RTOR Reduction (vph)	2	0
Lane Group Flow (vph)	1562	0
Heavy Vehicles (%)	4%	4%
Turn Type	NA	
Protected Phases	6	
Permitted Phases		
Actuated Green, G (s)	100.0	
Effective Green, g (s)	100.0	
Actuated g/C Ratio	0.62	
Clearance Time (s)	6.2	
Vehicle Extension (s)	3.0	
Lane Grp Cap (vph)	3104	
v/s Ratio Prot	0.31	
v/s Ratio Perm		
v/c Ratio	0.50	
Uniform Delay, d1	16.4	
Progression Factor	1.00	
Incremental Delay, d2	0.6	
Delay (s)	17.0	
Level of Service	B	
Approach Delay (s)	18.3	
Approach LOS	B	

Intersection Summary

Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	496	218	208	53	71	250	729	67	1441	822
v/c Ratio	1.12	0.58	0.47	0.38	0.54	0.83	0.28	0.44	0.55	0.71
Control Delay	135.7	31.9	9.9	53.1	63.2	89.1	19.8	75.6	22.2	10.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	135.7	31.9	9.9	53.1	63.2	89.1	19.8	75.6	22.2	10.2
Queue Length 50th (ft)	~289	96	0	40	49	125	143	63	341	184
Queue Length 95th (ft)	#406	187	75	74	98	#193	185	118	387	492
Internal Link Dist (ft)		1109			394		815		626	
Turn Bay Length (ft)	450		475	130		450		310		330
Base Capacity (vph)	444	644	677	139	472	308	2621	170	2603	1161
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.12	0.34	0.31	0.38	0.15	0.81	0.28	0.39	0.55	0.71

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU
Lane Configurations												
Traffic Volume (vph)	2	459	50	346	47	39	24	3	230	614	64	7
Future Volume (vph)	2	459	50	346	47	39	24	3	230	614	64	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)			0%			3%				0%		
Total Lost time (s)		7.3	7.3	7.3	6.5	7.3			7.5	6.6		
Lane Util. Factor		0.97	0.95	0.95	1.00	1.00			0.97	0.91		
Frpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00		
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00		
Frt		1.00	0.89	0.85	1.00	0.94			1.00	0.99		
Flt Protected		0.95	1.00	1.00	0.95	1.00			0.95	1.00		
Satd. Flow (prot)		3336	1525	1461	1693	1681			3303	4824		
Flt Permitted		0.95	1.00	1.00	0.62	1.00			0.95	1.00		
Satd. Flow (perm)		3336	1525	1461	1097	1681			3303	4824		
Peak-hour factor, PHF	0.90	0.93	0.93	0.93	0.88	0.88	0.88	0.93	0.93	0.93	0.93	0.86
Adj. Flow (vph)	2	494	54	372	53	44	27	3	247	660	69	8
RTOR Reduction (vph)	0	0	95	169	0	18	0	0	0	6	0	0
Lane Group Flow (vph)	0	496	123	39	53	53	0	0	250	723	0	0
Confl. Peds. (#/hr)									1			
Heavy Vehicles (%)	0%	5%	5%	5%	5%	5%	5%	6%	6%	6%	6%	3%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	1	0
Turn Type	Prot	Prot	NA	Perm	pm+pt	NA		Prot	Prot	NA		Prot
Protected Phases	3	3	8		7	4		1	1	6		5
Permitted Phases				8	4							
Actuated Green, G (s)		20.0	28.0	28.0	15.6	11.4			15.2	78.5		
Effective Green, g (s)		20.0	28.0	28.0	15.6	11.4			15.2	78.5		
Actuated g/C Ratio		0.13	0.19	0.19	0.10	0.08			0.10	0.52		
Clearance Time (s)		7.3	7.3	7.3	6.5	7.3			7.5	6.6		
Vehicle Extension (s)		3.0	3.0	3.0	3.0	3.0			3.0	3.0		
Lane Grp Cap (vph)		444	284	272	130	127			334	2524		
v/s Ratio Prot		c0.15	c0.08		0.01	0.03			c0.08	0.15		
v/s Ratio Perm				0.03	0.03							
v/c Ratio		1.12	0.43	0.14	0.41	0.41			0.75	0.29		
Uniform Delay, d1		65.0	54.0	51.0	62.2	66.1			65.5	20.0		
Progression Factor		1.00	1.00	1.00	1.00	1.00			1.00	1.00		
Incremental Delay, d2		78.6	1.1	0.2	2.1	2.2			8.9	0.3		
Delay (s)		143.6	55.0	51.2	64.2	68.3			74.4	20.3		
Level of Service		F	E	D	E	E			E	C		
Approach Delay (s)			101.8			66.6				34.1		
Approach LOS			F			E				C		

Intersection Summary			
HCM 2000 Control Delay	52.1	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.68		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	91.8%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBL	SBT	SBR
Lane Configurations			
Traffic Volume (vph)	51	1239	707
Future Volume (vph)	51	1239	707
Ideal Flow (vphpl)	1900	1900	1900
Grade (%)		0%	
Total Lost time (s)	7.2	6.6	6.6
Lane Util. Factor	1.00	0.91	1.00
Frpb, ped/bikes	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00
Frt	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00
Satd. Flow (prot)	1752	5036	1547
Flt Permitted	0.95	1.00	1.00
Satd. Flow (perm)	1752	5036	1547
Peak-hour factor, PHF	0.86	0.86	0.86
Adj. Flow (vph)	59	1441	822
RTOR Reduction (vph)	0	0	375
Lane Group Flow (vph)	67	1441	447
Confl. Peds. (#/hr)			1
Heavy Vehicles (%)	3%	3%	3%
Bus Blockages (#/hr)	0	0	0
Turn Type	Prot	NA	Perm
Protected Phases	5	2	
Permitted Phases			2
Actuated Green, G (s)	11.7	74.7	74.7
Effective Green, g (s)	11.7	74.7	74.7
Actuated g/C Ratio	0.08	0.50	0.50
Clearance Time (s)	7.2	6.6	6.6
Vehicle Extension (s)	3.0	3.0	3.0
Lane Grp Cap (vph)	136	2507	770
v/s Ratio Prot	0.04	0.29	
v/s Ratio Perm			c0.29
v/c Ratio	0.49	0.57	0.58
Uniform Delay, d1	66.3	26.5	26.6
Progression Factor	1.04	0.85	2.31
Incremental Delay, d2	2.6	0.9	2.9
Delay (s)	71.6	23.5	64.2
Level of Service	E	C	E
Approach Delay (s)		39.3	
Approach LOS		D	

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (veh/h)	0	0	85	0	0	0	2	54	1121	9	0	1978
Future Volume (Veh/h)	0	0	85	0	0	0	2	54	1121	9	0	1978
Sign Control		Stop			Yield				Free			Free
Grade		0%			0%				0%			0%
Peak Hour Factor	0.85	0.85	0.85	0.90	0.90	0.90	0.95	0.95	0.95	0.95	0.90	0.90
Hourly flow rate (vph)	0	0	100	0	0	0	0	57	1180	9	0	2198
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type									None			None
Median storage veh)												
Upstream signal (ft)												457
pX, platoon unblocked	0.86	0.86	0.86	0.86	0.86		0.00	0.86				
vC, conflicting volume	2713	3509	741	2131	3512	398	0	2214			1189	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	2425	3349	134	1749	3353	398	0	1845			1189	
tC, single (s)	7.6	6.6	7.0	7.5	6.5	6.9	0.0	4.3			4.2	
tC, 2 stage (s)												
tF (s)	3.6	4.1	3.4	3.5	4.0	3.3	0.0	2.3			2.2	
p0 queue free %	100	100	87	100	100	100	0	78			100	
cM capacity (veh/h)	11	5	756	35	5	607	0	260			577	

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3
Volume Total	100	0	57	472	472	245	879	879	456
Volume Left	0	0	57	0	0	0	0	0	0
Volume Right	100	0	0	0	0	9	0	0	16
cSH	756	1700	260	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.13	0.07	0.22	0.28	0.28	0.14	0.52	0.52	0.27
Queue Length 95th (ft)	11	0	20	0	0	0	0	0	0
Control Delay (s)	10.5	0.0	22.7	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	B	A	C						
Approach Delay (s)	10.5	0.0	1.0				0.0		
Approach LOS	B	A							

Intersection Summary			
Average Delay	0.7		
Intersection Capacity Utilization	57.1%	ICU Level of Service	B
Analysis Period (min)	15		

Movement	SBR
Lanes, Configurations	
Traffic Volume (veh/h)	14
Future Volume (Veh/h)	14
Sign Control	
Grade	
Peak Hour Factor	0.90
Hourly flow rate (vph)	16
Pedestrians	
Lane Width (ft)	
Walking Speed (ft/s)	
Percent Blockage	
Right turn flare (veh)	
Median type	
Median storage veh)	
Upstream signal (ft)	
pX, platoon unblocked	
vC, conflicting volume	
vC1, stage 1 conf vol	
vC2, stage 2 conf vol	
vCu, unblocked vol	
tC, single (s)	
tC, 2 stage (s)	
tF (s)	
p0 queue free %	
cM capacity (veh/h)	
Direction, Lane #	

Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	4	15	24	3	11	1169	11	2140
v/c Ratio	0.05	0.08	0.32	0.01	0.06	0.28	0.03	0.48
Control Delay	67.0	0.8	78.0	0.0	3.1	1.6	3.8	4.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	67.0	0.8	78.0	0.0	3.1	1.6	3.8	4.4
Queue Length 50th (ft)	4	0	23	0	1	30	1	137
Queue Length 95th (ft)	13	0	40	0	m3	m63	7	322
Internal Link Dist (ft)		591				377		764
Turn Bay Length (ft)	100		270	115	250		235	
Base Capacity (vph)	345	473	341	500	183	4200	391	4417
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.03	0.07	0.01	0.06	0.28	0.03	0.48

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	3	0	10	16	0	2	10	1066	45	10	1966	3
Future Volume (vph)	3	0	10	16	0	2	10	1066	45	10	1966	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.4	6.4		6.4		6.4	6.4	6.2		6.0	6.2	
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.91		1.00	0.91	
Frt	1.00	0.85		1.00		0.85	1.00	0.99		1.00	1.00	
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1805	1615		1805		1615	1671	4774		1752	5035	
Flt Permitted	0.76	1.00		0.75		1.00	0.08	1.00		0.21	1.00	
Satd. Flow (perm)	1439	1615		1421		1615	135	4774		396	5035	
Peak-hour factor, PHF	0.68	0.68	0.68	0.66	0.66	0.66	0.95	0.95	0.95	0.92	0.92	0.92
Adj. Flow (vph)	4	0	15	24	0	3	11	1122	47	11	2137	3
RTOR Reduction (vph)	0	14	0	0	0	3	0	1	0	0	0	0
Lane Group Flow (vph)	4	1	0	24	0	0	11	1168	0	11	2140	0
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	8%	8%	8%	3%	3%	3%
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA		pm+pt	NA	
Protected Phases		8			4		5	2		1	6	
Permitted Phases	8			4		4	2			6		
Actuated Green, G (s)	5.7	5.7		5.7		5.7	123.3	123.3		122.7	122.7	
Effective Green, g (s)	5.7	5.7		5.7		5.7	123.3	123.3		122.7	122.7	
Actuated g/C Ratio	0.04	0.04		0.04		0.04	0.82	0.82		0.82	0.82	
Clearance Time (s)	6.4	6.4		6.4		6.4	6.4	6.2		6.0	6.2	
Vehicle Extension (s)	3.0	3.0		3.0		3.0	3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	54	61		53		61	137	3924		345	4118	
v/s Ratio Prot		0.00					0.00	c0.24		0.00	c0.43	
v/s Ratio Perm	0.00			c0.02		0.00	0.06			0.03		
v/c Ratio	0.07	0.01		0.45		0.00	0.08	0.30		0.03	0.52	
Uniform Delay, d1	69.6	69.4		70.6		69.4	4.0	3.1		2.7	4.3	
Progression Factor	1.00	1.00		1.00		1.00	0.57	0.51		1.00	1.00	
Incremental Delay, d2	0.6	0.1		6.0		0.0	0.2	0.2		0.0	0.5	
Delay (s)	70.2	69.5		76.7		69.4	2.5	1.8		2.8	4.8	
Level of Service	E	E		E		E	A	A		A	A	
Approach Delay (s)		69.6			75.9			1.8			4.8	
Approach LOS		E			E			A			A	

Intersection Summary			
HCM 2000 Control Delay	4.7	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.52		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	19.0
Intersection Capacity Utilization	56.1%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	0	15	0	1186	2048	17
Future Volume (Veh/h)	0	15	0	1186	2048	17
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	17	0	1318	2276	19
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type				None	None	
Median storage veh)						
Upstream signal (ft)				1152	694	
pX, platoon unblocked	0.89	0.86	0.86			
vC, conflicting volume	2725	768	2295			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	2063	161	1936			
tC, single (s)	6.8	6.9	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	100	98	100			
cM capacity (veh/h)	43	741	265			

Direction, Lane #	EB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	17	439	439	439	910	910	474
Volume Left	0	0	0	0	0	0	0
Volume Right	17	0	0	0	0	0	19
cSH	741	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.02	0.26	0.26	0.26	0.54	0.54	0.28
Queue Length 95th (ft)	2	0	0	0	0	0	0
Control Delay (s)	10.0	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	A						
Approach Delay (s)	10.0	0.0			0.0		
Approach LOS	A						

Intersection Summary			
Average Delay	0.0		
Intersection Capacity Utilization	49.9%	ICU Level of Service	A
Analysis Period (min)	15		

1: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Home Depot

Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	689	326	296	102	177	374	1698	93	1265	637
v/c Ratio	1.01	0.68	0.48	0.47	0.76	1.04	0.80	0.94	0.66	0.67
Control Delay	99.3	53.4	7.8	43.3	78.7	124.1	43.7	131.4	29.9	3.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	99.3	53.4	7.8	43.3	78.7	124.1	43.7	131.4	29.9	3.9
Queue Length 50th (ft)	~381	296	11	70	160	~215	560	100	245	0
Queue Length 95th (ft)	#518	389	89	104	230	#326	681	m#187	m338	m12
Internal Link Dist (ft)		1109			394		815		626	
Turn Bay Length (ft)	450		475	130		450		310		330
Base Capacity (vph)	681	695	777	217	453	361	2114	99	1908	947
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.01	0.47	0.38	0.47	0.39	1.04	0.80	0.94	0.66	0.67

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	3	638	185	393	90	91	65	348	1535	44	16	64
Future Volume (vph)	3	638	185	393	90	91	65	348	1535	44	16	64
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)			0%			3%			0%			
Total Lost time (s)		7.3	7.3	7.3	6.5	7.3		7.5	6.6			7.2
Lane Util. Factor		0.97	0.95	0.95	1.00	1.00		0.97	0.91			1.00
Frpb, ped/bikes		1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00
Frt		1.00	0.94	0.85	1.00	0.94		1.00	1.00			1.00
Flt Protected		0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.95
Satd. Flow (prot)		3336	1619	1461	1693	1671		3303	4873			1752
Flt Permitted		0.95	1.00	1.00	0.55	1.00		0.95	1.00			0.95
Satd. Flow (perm)		3336	1619	1461	989	1671		3303	4873			1752
Peak-hour factor, PHF	0.90	0.93	0.93	0.93	0.88	0.88	0.88	0.93	0.93	0.93	0.86	0.86
Adj. Flow (vph)	3	686	199	423	102	103	74	374	1651	47	19	74
RTOR Reduction (vph)	0	0	18	200	0	19	0	0	2	0	0	0
Lane Group Flow (vph)	0	689	308	96	102	158	0	374	1696	0	0	93
Confl. Peds. (#/hr)								1				
Heavy Vehicles (%)	0%	5%	5%	5%	5%	5%	5%	6%	6%	6%	3%	3%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	1	0	0
Turn Type	Prot	Prot	NA	Perm	pm+pt	NA		Prot	NA		Prot	Prot
Protected Phases	3	3	8		7	4		1	6		5	5
Permitted Phases				8	4							
Actuated Green, G (s)		32.7	45.9	45.9	28.6	20.5		17.5	69.3			9.1
Effective Green, g (s)		32.7	45.9	45.9	28.6	20.5		17.5	69.3			9.1
Actuated g/C Ratio		0.20	0.29	0.29	0.18	0.13		0.11	0.43			0.06
Clearance Time (s)		7.3	7.3	7.3	6.5	7.3		7.5	6.6			7.2
Vehicle Extension (s)		3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0
Lane Grp Cap (vph)		681	464	419	212	214		361	2110			99
v/s Ratio Prot		c0.21	c0.19		0.02	0.09		c0.11	c0.35			0.05
v/s Ratio Perm				0.07	0.06							
v/c Ratio		1.01	0.66	0.23	0.48	0.74		1.04	0.80			0.94
Uniform Delay, d1		63.6	50.3	43.5	57.4	67.2		71.2	39.4			75.2
Progression Factor		1.00	1.00	1.00	1.00	1.00		1.00	1.00			0.85
Incremental Delay, d2		37.4	3.6	0.3	1.7	12.4		57.0	3.4			63.8
Delay (s)		101.1	53.8	43.8	59.1	79.6		128.2	42.8			127.7
Level of Service		F	D	D	E	E		F	D			F
Approach Delay (s)			76.4			72.1			58.2			
Approach LOS			E			E			E			

Intersection Summary			
HCM 2000 Control Delay	52.0	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.90		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	94.9%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	1088	548
Future Volume (vph)	1088	548
Ideal Flow (vphpl)	1900	1900
Grade (%)	0%	
Total Lost time (s)	6.6	6.6
Lane Util. Factor	0.91	1.00
Frpb, ped/bikes	1.00	0.99
Flpb, ped/bikes	1.00	1.00
Frt	1.00	0.85
Flt Protected	1.00	1.00
Satd. Flow (prot)	5036	1547
Flt Permitted	1.00	1.00
Satd. Flow (perm)	5036	1547
Peak-hour factor, PHF	0.86	0.86
Adj. Flow (vph)	1265	637
RTOR Reduction (vph)	0	362
Lane Group Flow (vph)	1265	275
Confl. Peds. (#/hr)		1
Heavy Vehicles (%)	3%	3%
Bus Blockages (#/hr)	0	0
Turn Type	NA	Perm
Protected Phases	2	
Permitted Phases		2
Actuated Green, G (s)	60.6	60.6
Effective Green, g (s)	60.6	60.6
Actuated g/C Ratio	0.38	0.38
Clearance Time (s)	6.6	6.6
Vehicle Extension (s)	3.0	3.0
Lane Grp Cap (vph)	1907	585
v/s Ratio Prot	0.25	
v/s Ratio Perm		0.18
v/c Ratio	0.66	0.47
Uniform Delay, d1	41.2	37.6
Progression Factor	0.67	0.13
Incremental Delay, d2	1.6	2.3
Delay (s)	29.2	7.2
Level of Service	C	A
Approach Delay (s)	26.7	
Approach LOS	C	

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	93	0	0	20	119	2220	79	0	1649	21
Future Volume (Veh/h)	0	0	93	0	0	20	119	2220	79	0	1649	21
Sign Control		Stop			Yield			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.85	0.85	0.85	0.90	0.90	0.90	0.95	0.95	0.95	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	109	0	0	22	125	2337	83	0	1832	23
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage veh)												
Upstream signal (ft)											457	
pX, platoon unblocked	0.82	0.82	0.82	0.82	0.82		0.82					
vC, conflicting volume	2872	4514	622	3348	4484	820	1855			2420		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	2507	4517	0	3090	4480	820	1261			2420		
tC, single (s)	7.6	6.6	7.0	7.5	6.5	6.9	4.3			4.2		
tC, 2 stage (s)												
tF (s)	3.6	4.1	3.4	3.5	4.0	3.3	2.3			2.2		
p0 queue free %	100	100	88	100	100	93	70			100		
cM capacity (veh/h)	8	1	875	3	1	322	421			190		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3
Volume Total	109	22	125	935	935	550	733	733	389
Volume Left	0	0	125	0	0	0	0	0	0
Volume Right	109	22	0	0	0	83	0	0	23
cSH	875	322	421	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.12	0.07	0.30	0.55	0.55	0.32	0.43	0.43	0.23
Queue Length 95th (ft)	11	5	31	0	0	0	0	0	0
Control Delay (s)	9.7	17.0	17.1	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	A	C	C						
Approach Delay (s)	9.7	17.0	0.8				0.0		
Approach LOS	A	C							

Intersection Summary			
Average Delay	0.8		
Intersection Capacity Utilization	54.7%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	WBL	WBT	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	38	77	345	12	80	64	2293	52	1558
v/c Ratio	0.11	0.17	1.08	0.03	0.17	0.27	0.77	0.51	0.52
Control Delay	50.6	15.1	127.7	48.8	4.0	8.5	12.9	50.3	20.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	50.6	15.1	127.7	48.8	4.0	8.5	12.9	50.3	20.2
Queue Length 50th (ft)	32	10	~420	10	0	15	327	16	347
Queue Length 95th (ft)	50	28	#373	22	0	m19	m392	51	388
Internal Link Dist (ft)		591		845			377		764
Turn Bay Length (ft)	100		270		115	250		235	
Base Capacity (vph)	340	445	320	453	468	246	2969	102	2973
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.11	0.17	1.08	0.03	0.17	0.26	0.77	0.51	0.52

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	26	8	44	228	8	53	2	59	1924	255	12	36
Future Volume (vph)	26	8	44	228	8	53	2	59	1924	255	12	36
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.4	6.4		6.4	6.4	6.4		6.4	6.2			6.0
Lane Util. Factor	1.00	1.00		1.00	1.00	1.00		1.00	0.91			1.00
Frt	1.00	0.87		1.00	1.00	0.85		1.00	0.98			1.00
Flt Protected	0.95	1.00		0.95	1.00	1.00		0.95	1.00			0.95
Satd. Flow (prot)	1805	1659		1805	1900	1615		1675	4719			1765
Flt Permitted	0.75	1.00		0.71	1.00	1.00		0.11	1.00			0.04
Satd. Flow (perm)	1424	1659		1343	1900	1615		202	4719			79
Peak-hour factor, PHF	0.68	0.68	0.68	0.66	0.66	0.66	0.90	0.95	0.95	0.95	0.90	0.92
Adj. Flow (vph)	38	12	65	345	12	80	2	62	2025	268	13	39
RTOR Reduction (vph)	0	49	0	0	0	61	0	0	11	0	0	0
Lane Group Flow (vph)	38	28	0	345	12	19	0	64	2282	0	0	52
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	8%	8%	8%	0%	3%
Turn Type	Perm	NA		Perm	NA	Perm	pm+pt	pm+pt	NA		pm+pt	pm+pt
Protected Phases		8			4		5	5	2		1	1
Permitted Phases	8			4		4	2	2			6	6
Actuated Green, G (s)	38.2	38.2		38.2	38.2	38.2		108.4	99.1			97.6
Effective Green, g (s)	38.2	38.2		38.2	38.2	38.2		108.4	99.1			97.6
Actuated g/C Ratio	0.24	0.24		0.24	0.24	0.24		0.68	0.62			0.61
Clearance Time (s)	6.4	6.4		6.4	6.4	6.4		6.4	6.2			6.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0		3.0	3.0			3.0
Lane Grp Cap (vph)	339	396		320	453	385		222	2922			91
v/s Ratio Prot		0.02			0.01			c0.02	c0.48			c0.01
v/s Ratio Perm	0.03			c0.26		0.01		0.18				0.33
v/c Ratio	0.11	0.07		1.08	0.03	0.05		0.29	0.78			0.57
Uniform Delay, d1	47.6	47.1		60.9	46.7	46.9		23.9	22.5			53.5
Progression Factor	1.00	1.00		1.00	1.00	1.00		0.50	0.54			1.00
Incremental Delay, d2	0.1	0.1		72.7	0.0	0.1		0.5	1.4			8.4
Delay (s)	47.8	47.2		133.6	46.7	47.0		12.5	13.5			61.9
Level of Service	D	D		F	D	D		B	B			E
Approach Delay (s)		47.4			115.4				13.5			
Approach LOS		D			F				B			

Intersection Summary			
HCM 2000 Control Delay	27.3	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.85		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	19.0
Intersection Capacity Utilization	80.5%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

Movement	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	1396	38
Future Volume (vph)	1396	38
Ideal Flow (vphpl)	1900	1900
Total Lost time (s)	6.2	
Lane Util. Factor	0.91	
Frt	1.00	
Flt Protected	1.00	
Satd. Flow (prot)	5016	
Flt Permitted	1.00	
Satd. Flow (perm)	5016	
Peak-hour factor, PHF	0.92	0.92
Adj. Flow (vph)	1517	41
RTOR Reduction (vph)	2	0
Lane Group Flow (vph)	1556	0
Heavy Vehicles (%)	3%	3%
Turn Type	NA	
Protected Phases	6	
Permitted Phases		
Actuated Green, G (s)	93.5	
Effective Green, g (s)	93.5	
Actuated g/C Ratio	0.58	
Clearance Time (s)	6.2	
Vehicle Extension (s)	3.0	
Lane Grp Cap (vph)	2931	
v/s Ratio Prot	0.31	
v/s Ratio Perm		
v/c Ratio	0.53	
Uniform Delay, d1	20.0	
Progression Factor	1.00	
Incremental Delay, d2	0.7	
Delay (s)	20.7	
Level of Service	C	
Approach Delay (s)	22.1	
Approach LOS	C	

Intersection Summary

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	0	18	0	2418	1724	18
Future Volume (Veh/h)	0	18	0	2418	1724	18
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	20	0	2687	1916	20
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type				None	None	
Median storage veh)						
Upstream signal (ft)				1152	694	
pX, platoon unblocked	0.79	0.82	0.82			
vC, conflicting volume	2822	649	1936			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	845	0	1371			
tC, single (s)	6.8	6.9	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	100	98	100			
cM capacity (veh/h)	242	894	416			

Direction, Lane #	EB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	20	896	896	896	766	766	403
Volume Left	0	0	0	0	0	0	0
Volume Right	20	0	0	0	0	0	20
cSH	894	1700	1700	1700	1700	1700	1700
Volume to Capacity	0.02	0.53	0.53	0.53	0.45	0.45	0.24
Queue Length 95th (ft)	2	0	0	0	0	0	0
Control Delay (s)	9.1	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	A						
Approach Delay (s)	9.1	0.0			0.0		
Approach LOS	A						

Intersection Summary			
Average Delay	0.0		
Intersection Capacity Utilization	50.1%	ICU Level of Service	A
Analysis Period (min)	15		

APPENDIX F :

SIGNAL WARRANT ANALYSIS

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Signal Warrants - Summary

Major Street Approaches

Northbound: 38000
Number of Lanes : 2+

Total Approach Volume: 18,893

Southbound: 37000
Number of Lanes :2+

Total Approach Volume: 24,744

Minor Street Approaches

Eastbound: 200
Number of Lanes :1

Total Approach Volume: 1,178

Westbound: 300
Number of Lanes :1

Total Approach Volume: 0

Warrant Summary (Urban Values Apply)

Warrant 1 - Eight Hour Vehicular Volumes.....**Satisfied**

Warrant 1A - Minimum Vehicular Volume.....**Not Satisfied**
Required volumes reached for 0 hours, 8 are needed

Warrant 1B - Interruption of Continuous Traffic.....**Satisfied**
Required volumes reached for 9 hours, 8 are needed

Warrant 1C - Combination of Warrants.....**Not Satisfied**
Required 1A volumes reached for 1 hours, 8 are needed
Required 1B volumes reached for 11 hours, 8 are needed

Warrant 2 - Four Hour Volumes.....**Satisfied**
Number of hours (8) volumes exceed minimum >= minimum required (4).

Warrant 3 - Peak Hour.....**Not Evaluated**

Warrant 3A - Peak Hour Delay.....**Not Evaluated**

Warrant 3B - Peak Hour Volumes.....**Not Evaluated**

Warrant 4 - Pedestrian Volumes.....**Not Evaluated**

Warrant 5 - School Crossing.....**Not Evaluated**

Warrant 6 - Coordinated Signal System.....**Not Evaluated**

Warrant 7 - Crash Experience.....**Satisfied**
Number of accidents (17) is more than minimum (5) and volume requirements are met.

Warrant 8 - Roadway Network.....**Not Evaluated**

Warrant 9 - Intersection Near a Grade Crossing.....**Not Evaluated**

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 1A - Minimum Volumes

Description

Intended for sites where the volume of intersecting traffic is the principal reason for consideration of a signal installation.

Summary

Only 0 one hour periods meet minimums.
Warrant is NOT met.

Site Data Required

Rural Settings Apply = **False**
Number of Major Lanes = **2 or more**
Number of Minor Lanes = **1**

Volume Requirements

Veh/Hr Major = **600**

Veh/Hr Minor = **150**

Major Road	Minor Road
38000	200

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met?
17:00 - 18:00	2238	+	1586	=	3824	78	0	No
16:45 - 17:45	2200	+	1619	=	3819	86	0	No
16:30 - 17:30	2151	+	1567	=	3718	98	0	No
16:00 - 17:00	1998	+	1694	=	3692	115	0	No
16:15 - 17:15	2035	+	1588	=	3623	99	0	No
17:15 - 18:15	2016	+	1599	=	3615	78	0	No
15:45 - 16:45	1842	+	1667	=	3509	111	0	No
15:30 - 16:30	1696	+	1733	=	3429	105	0	No
17:30 - 18:30	1764	+	1659	=	3423	75	0	No
15:15 - 16:15	1559	+	1767	=	3326	105	0	No
13:00 - 14:00	1289	+	1894	=	3183	83	0	No
12:45 - 13:45	1260	+	1915	=	3175	94	0	No
15:00 - 16:00	1425	+	1744	=	3169	94	0	No
12:15 - 13:15	1370	+	1791	=	3161	113	0	No
12:30 - 13:30	1325	+	1833	=	3158	103	0	No
12:00 - 13:00	1373	+	1771	=	3144	123	0	No
13:30 - 14:30	1276	+	1859	=	3135	84	0	No
13:15 - 14:15	1237	+	1898	=	3135	84	0	No
11:45 - 12:45	1425	+	1687	=	3112	114	0	No
14:45 - 15:45	1343	+	1767	=	3110	92	0	No
17:45 - 18:45	1501	+	1606	=	3107	77	0	No
13:45 - 14:45	1317	+	1773	=	3090	82	0	No
14:15 - 15:15	1300	+	1770	=	3070	86	0	No
14:30 - 15:30	1303	+	1762	=	3065	89	0	No
11:30 - 12:30	1395		1666		3061	106	0	No

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 1B - Interruption of Continuous Traffic

Description

Intended for sites where the volume of the major street is so heavy that traffic on the minor street suffers excessive delay or hazard.

Summary

9 one hour periods meet minimums.
Warrant IS met.

Site Data Required

Rural Settings Apply = **False**
Number of Major Lanes = **2 or more**
Number of Minor Lanes = **1**

Volume Requirements

Veh/Hr Major = **900**

Veh/Hr Minor = **75**

Major Road	Minor Road
38000	200

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met?
16:45 - 17:45	2200	+	1619	=	3819	86	0	Yes
15:45 - 16:45	1842	+	1667	=	3509	111	0	Yes
12:45 - 13:45	1260	+	1915	=	3175	94	0	Yes
11:45 - 12:45	1425	+	1687	=	3112	114	0	Yes
14:45 - 15:45	1343	+	1767	=	3110	92	0	Yes
17:45 - 18:45	1501	+	1606	=	3107	77	0	Yes
13:45 - 14:45	1317	+	1773	=	3090	82	0	Yes
10:45 - 11:45	1198	+	1451	=	2649	80	0	Yes
06:45 - 07:45	750	+	1651	=	2401	76	0	Yes
07:45 - 08:45	1029	+	1714	=	2743	58	0	No
08:00 - 09:00	1013	+	1519	=	2532	51	0	No
10:30 - 11:30	1131	+	1364	=	2495	70	0	No
10:15 - 11:15	1059	+	1382	=	2441	62	0	No
09:30 - 10:30	939	+	1418	=	2357	54	0	No
10:00 - 11:00	1003	+	1344	=	2347	53	0	No
08:15 - 09:15	964	+	1379	=	2343	48	0	No
09:15 - 10:15	909	+	1412	=	2321	54	0	No
09:45 - 10:45	977	+	1324	=	2301	52	0	No
18:45 - 19:45	991	+	1308	=	2299	61	0	No
09:00 - 10:00	872	+	1377	=	2249	53	0	No
08:45 - 09:45	883	+	1354	=	2237	53	0	No
08:30 - 09:30	902	+	1306	=	2208	49	0	No
19:00 - 20:00	945	+	1210	=	2155	56	0	No
06:30 - 07:30	618	+	1442	=	2060	69	0	No
19:15 - 20:15	849		1100		1949	51	0	No

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 1C Combination of Warrants

Description

Intended for sites where the traffic volumes don't meet individual warrants but where Warrants 1A and 1B are both met to 80% of their stated values.

Summary

Only 1 hours meet 1A minimums.
11 hours meet 1B minimums.
Warrant is NOT met.

Site Data Required

Rural Settings Apply =	**False**
Number of Major Lanes =	**2 or more**
Number of Minor Lanes =	**1**

Volume Requirements

Warrant	1A	1B
Veh/Hr Major =	**480**	**720**
Veh/Hr Minor =	**120**	**60**

Major Road	Minor Road
38000	**200**

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met1A?
12:00 - 13:00	1373	+	1771	=	3144	123	0	Yes
17:00 - 18:00	2238	+	1586	=	3824	78	0	No
16:45 - 17:45	2200	+	1619	=	3819	86	0	No
16:30 - 17:30	2151	+	1567	=	3718	98	0	No
16:00 - 17:00	1998	+	1694	=	3692	115	0	No
16:15 - 17:15	2035	+	1588	=	3623	99	0	No
17:15 - 18:15	2016	+	1599	=	3615	78	0	No
15:45 - 16:45	1842	+	1667	=	3509	111	0	No
15:30 - 16:30	1696	+	1733	=	3429	105	0	No
17:30 - 18:30	1764	+	1659	=	3423	75	0	No
15:15 - 16:15	1559	+	1767	=	3326	105	0	No
13:00 - 14:00	1289		1894		3183	83	0	No

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met1B?
16:15 - 17:15	2035	+	1588	=	3623	99	0	Yes
17:15 - 18:15	2016	+	1599	=	3615	78	0	Yes
15:15 - 16:15	1559	+	1767	=	3326	105	0	Yes
12:15 - 13:15	1370	+	1791	=	3161	113	0	Yes
13:15 - 14:15	1237	+	1898	=	3135	84	0	Yes
14:15 - 15:15	1300	+	1770	=	3070	86	0	Yes
11:15 - 12:15	1365	+	1537	=	2902	96	0	Yes
07:30 - 08:30	1034	+	1839	=	2873	66	0	Yes
18:15 - 19:15	1129	+	1529	=	2658	72	0	Yes
10:15 - 11:15	1059	+	1382	=	2441	62	0	Yes
06:30 - 07:30	618	+	1442	=	2060	69	0	Yes
09:30 - 10:30	939		1418		2357	54	0	No

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 2 - Four Hour Volumes

Description

Intended for sites where the volume of intersecting traffic during any four hours of the day is the principal reason for consideration of a signal installation.

Summary

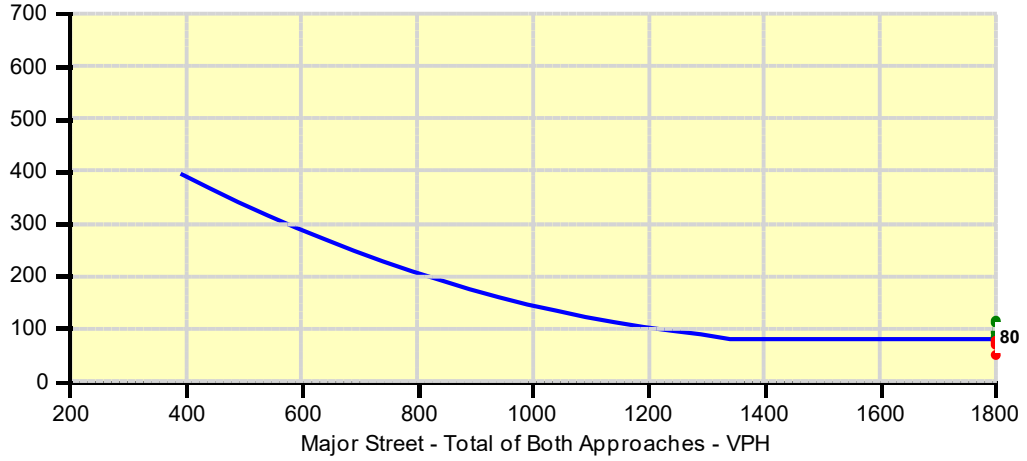
8 one hour periods meet minimums.
Warrant IS met.

Site Data Required

Rural Settings Apply =	**False**
Number of Major Lanes =	**2 or more**
Number of Minor Lanes =	**1**

Major Road	Minor Road
38000	200

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met?
16:45 - 17:45	2200	+	1619	=	3819	86	0	Yes
15:45 - 16:45	1842	+	1667	=	3509	111	0	Yes
12:45 - 13:45	1260	+	1915	=	3175	94	0	Yes
11:45 - 12:45	1425	+	1687	=	3112	114	0	Yes
14:45 - 15:45	1343	+	1767	=	3110	92	0	Yes
13:45 - 14:45	1317	+	1773	=	3090	82	0	Yes
07:00 - 08:00	872	+	1835	=	2707	81	0	Yes
10:45 - 11:45	1198	+	1451	=	2649	80	0	Yes
17:45 - 18:45	1501	+	1606	=	3107	77	0	No
18:00 - 19:00	1185	+	1543	=	2728	76	0	No
18:15 - 19:15	1129	+	1529	=	2658	72	0	No
							0	No



SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 3A - Peak Hour Delay

Description

Intended for sites where for one hour of the day minor street traffic suffers undue traffic delay entering or crossing the major street.

Summary

Only 0 one hour periods meet minimums.
Warrant is NOT met.

Site Data Required

Number of Minor Lanes =**1**

Volume and Delay Requirements

Veh/Hr All Approaches = **800**
Veh/Hr Minor = **100**
Total Delay (Veh-Hrs) = **0**

Major Road	Minor Road
38000	200

Time	Total of All Approaches	Met?	Minor EB	Delay EB	Met?	Minor WB	Delay WB	Met?	Warrant Met?
16:45 - 17:45	3905	Yes	86	0.0	No	0	0.0	---	No
17:00 - 18:00	3902	Yes	78	0.0	No	0	0.0	---	No
16:30 - 17:30	3816	Yes	98	0.0	No	0	0.0	---	No
16:00 - 17:00	3807	Yes	115	0.0	No	0	0.0	---	No
16:15 - 17:15	3722	Yes	99	0.0	No	0	0.0	---	No
17:15 - 18:15	3693	Yes	78	0.0	No	0	0.0	---	No
15:45 - 16:45	3620	Yes	111	0.0	No	0	0.0	---	No
15:30 - 16:30	3534	Yes	105	0.0	No	0	0.0	---	No
17:30 - 18:30	3498	Yes	75	0.0	No	0	0.0	---	No
15:15 - 16:15	3431	Yes	105	0.0	No	0	0.0	---	No
12:15 - 13:15	3274	Yes	113	0.0	No	0	0.0	---	No
12:45 - 13:45	3269	Yes	94	0.0	No	0	0.0	---	No
12:00 - 13:00	3267	Yes	123	0.0	No	0	0.0	---	No
13:00 - 14:00	3266	Yes	83	0.0	No	0	0.0	---	No
15:00 - 16:00	3263	Yes	94	0.0	No	0	0.0	---	No
12:30 - 13:30	3261	Yes	103	0.0	No	0	0.0	---	No
11:45 - 12:45	3226	Yes	114	0.0	No	0	0.0	---	No
13:15 - 14:15	3219	Yes	84	0.0	No	0	0.0	---	No
13:30 - 14:30	3219	Yes	84	0.0	No	0	0.0	---	No
14:45 - 15:45	3202	Yes	92	0.0	No	0	0.0	---	No
17:45 - 18:45	3184	Yes	77	0.0	No	0	0.0	---	No
13:45 - 14:45	3172	Yes	82	0.0	No	0	0.0	---	No
11:30 - 12:30	3167	Yes	106	0.0	No	0	0.0	---	No
14:15 - 15:15	3156	Yes	86	0.0	No	0	0.0	---	No
14:30 - 15:30	3154	Yes	89	0.0	No	0	0.0	---	No

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 3B - Peak Hour Volumes

Description

Intended for sites where the volume of intersecting traffic during one hour of the day is the principal reason for consideration of a signal installation.

Summary

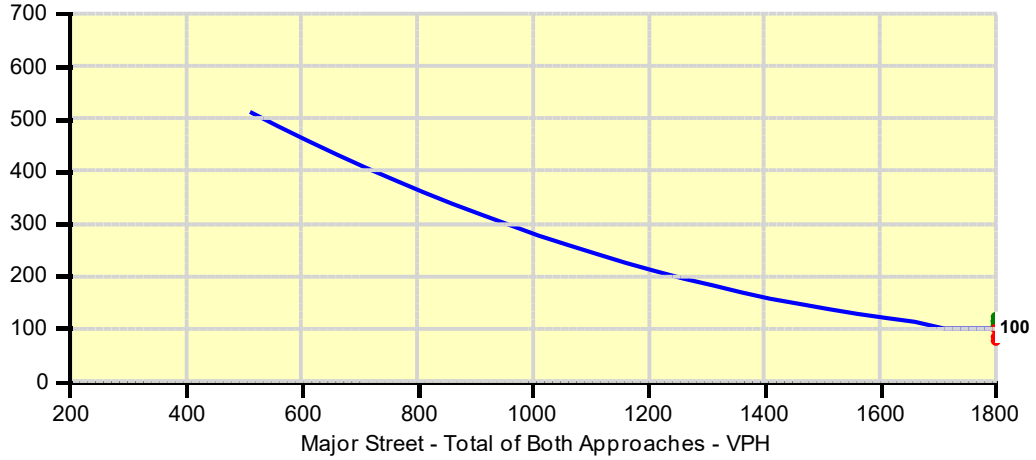
Only 0 one hour periods meet minimums.
Warrant is NOT met.

Site Data Required

Rural Settings Apply =	**False**
Number of Major Lanes =	**2 or more**
Number of Minor Lanes =	**1**

Major Road	Minor Road
38000	200

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met?
16:00 - 17:00	1998	+	1694	=	3692	115	0	Yes
15:45 - 16:45	1842	+	1667	=	3509	111	0	Yes
15:30 - 16:30	1696	+	1733	=	3429	105	0	Yes
15:15 - 16:15	1559	+	1767	=	3326	105	0	Yes
12:15 - 13:15	1370	+	1791	=	3161	113	0	Yes
12:30 - 13:30	1325	+	1833	=	3158	103	0	Yes
12:00 - 13:00	1373	+	1771	=	3144	123	0	Yes
11:45 - 12:45	1425	+	1687	=	3112	114	0	Yes
11:30 - 12:30	1395	+	1666	=	3061	106	0	Yes
17:00 - 18:00	2238	+	1586	=	3824	78	0	No
16:45 - 17:45	2200	+	1619	=	3819	86	0	No
							0	No



SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

Study Date : 1/27/2022

Warrant 7 - Crash Experience

Description

Intended for sites where the frequency of correctible crashes in the past 12 months is the primary motivation for installing a traffic signal.

Summary

Number of crashes meet minimum.
Pedestrian volumes do not meet the 80% criteria.
War 1A or 1B volumes meet the 80% criteria.
Warrant IS met.

Site Data Required

Number of crashes in last 12 months = **17**

Rural Settings Apply = **False**
Number of Major Lanes = **2 or more**
Number of Minor Lanes = **1**

Crash and Volume Requirements

Minimum number of crashes = **5**

Veh/Hr Major: War 1A = **480** War 1B = **720**

Veh/Hr Minor: War 1A = **120** War 1B = **60**

Volume and Pedestrian Data

Hours data meets 80% requirements of Warrant 1A (8 needed) **1** Met? **No**
Hours data meets 80% requirements of Warrant 1B (8 needed) **11** Met? **Yes**
Hours data meets 80% requirements of Warrant 4 (4,1 needed) **0** **0** Met? **No**

Major Road	Minor Road
38000	200

Warrant 1A Details

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met1A?
12:00 - 13:00	1373	+	1771	=	3144	123	0	Yes
17:00 - 18:00	2238	+	1586	=	3824	78	0	No
16:45 - 17:45	2200	+	1619	=	3819	86	0	No
16:30 - 17:30	2151	+	1567	=	3718	98	0	No
16:00 - 17:00	1998	+	1694	=	3692	115	0	No
16:15 - 17:15	2035	+	1588	=	3623	99	0	No
17:15 - 18:15	2016	+	1599	=	3615	78	0	No
15:45 - 16:45	1842	+	1667	=	3509	111	0	No
15:30 - 16:30	1696	+	1733	=	3429	105	0	No
17:30 - 18:30	1764	+	1659	=	3423	75	0	No
15:15 - 16:15	1559	+	1767	=	3326	105	0	No
13:00 - 14:00	1289		1894		3183	83	0	No

Warrant 1B Details

Time	Major NB	+	Major SB	=	Total	Minor EB	Minor WB	Met1B?
16:15 - 17:15	2035	+	1588	=	3623	99	0	Yes
17:15 - 18:15	2016	+	1599	=	3615	78	0	Yes
15:15 - 16:15	1559	+	1767	=	3326	105	0	Yes
12:15 - 13:15	1370	+	1791	=	3161	113	0	Yes
13:15 - 14:15	1237	+	1898	=	3135	84	0	Yes
14:15 - 15:15	1300	+	1770	=	3070	86	0	Yes
11:15 - 12:15	1365	+	1537	=	2902	96	0	Yes
07:30 - 08:30	1034	+	1839	=	2873	66	0	Yes
18:15 - 19:15	1129	+	1529	=	2658	72	0	Yes
10:15 - 11:15	1059	+	1382	=	2441	62	0	Yes
06:30 - 07:30	618	+	1442	=	2060	69	0	Yes
09:30 - 10:30	939		1418		2357	54	0	No

SR 53 at Beechwood Blvd

Year (100% Thresholds)

Build Alternative- With RCUT

Study Name: SR 53- TIS- Without RCUT

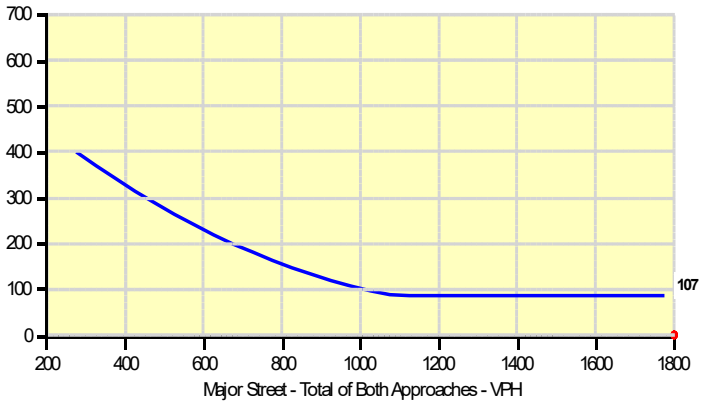
Study Date : 1/27/2022

Warrant 7 - Crash Experience

Major Road
37000

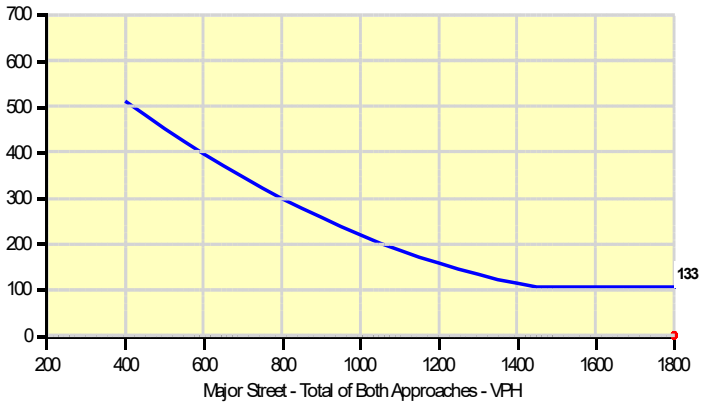
80% of Warrant 4 - 4 Hr Pedestrian Data

Time	NB Vehs	+	SB Vehs	=	Total Vehs	NB Peds	+	SB Peds	=	Ped Total	Met?
17:00 - 18:00	2238	+	1586	=	3824	0	+	0	=	0	No
16:45 - 17:45	2200	+	1619	=	3819	0	+	0	=	0	No
16:30 - 17:30	2151	+	1567	=	3718	0	+	0	=	0	No
16:00 - 17:00	1998	+	1694	=	3692	0	+	0	=	0	No
16:15 - 17:15	2035	+	1588	=	3623	0	+	0	=	0	No
17:15 - 18:15	2016	+	1599	=	3615	0	+	0	=	0	No
15:45 - 16:45	1842	+	1667	=	3509	0	+	0	=	0	No
15:30 - 16:30	1696	+	1733	=	3429	0	+	0	=	0	No
17:30 - 18:30	1764	+	1659	=	3423	0	+	0	=	0	No
15:15 - 16:15	1559	+	1767	=	3326	0	+	0	=	0	No
13:00 - 14:00	1289	+	1894	=	3183	0	+	0	=	0	No
12:45 - 13:45	1260		1915		3175	0		0		0	No



80% of Warrant 4 - 1 Hr Pedestrian Data

Time	NB Vehs	+	SB Vehs	=	Total Vehs	NB Peds	+	SB Peds	=	Ped Total	Met?
17:00 - 18:00	2238	+	1586	=	3824	0	+	0	=	0	No
16:45 - 17:45	2200	+	1619	=	3819	0	+	0	=	0	No
16:30 - 17:30	2151	+	1567	=	3718	0	+	0	=	0	No
16:00 - 17:00	1998	+	1694	=	3692	0	+	0	=	0	No
16:15 - 17:15	2035	+	1588	=	3623	0	+	0	=	0	No
17:15 - 18:15	2016	+	1599	=	3615	0	+	0	=	0	No
15:45 - 16:45	1842	+	1667	=	3509	0	+	0	=	0	No
15:30 - 16:30	1696	+	1733	=	3429	0	+	0	=	0	No
17:30 - 18:30	1764	+	1659	=	3423	0	+	0	=	0	No
15:15 - 16:15	1559	+	1767	=	3326	0	+	0	=	0	No
13:00 - 14:00	1289	+	1894	=	3183	0	+	0	=	0	No
12:45 - 13:45	1260		1915		3175	0		0		0	No



APPENDIX G :

ICE ANALYSIS REPORTS

GDOT INTERSECTION CONTROL EVALUATION (ICE) TOOL

ICE Version 2.15 | Revised 07/01/2019

GDOT PI # (or N/A):	N/A	Request By:	CHA
County:	Hall	GDOT District:	1 - Gainesville
Major (State) Road:	SR 53	Speed Limit:	45 mph
Minor (Crossing) ST:	McEVer Road	Speed Limit:	45 mph
Major ST Direction:	North/South	Area Type:	Urban
Intersection Control:	Signal (turn lanes on mainline)		
Prepared By:	CHA	Analyst:	F Baratian
Date:	1/27/2022	Project ID:	
Project Purpose:	Private Development - Traffic Impact Study		

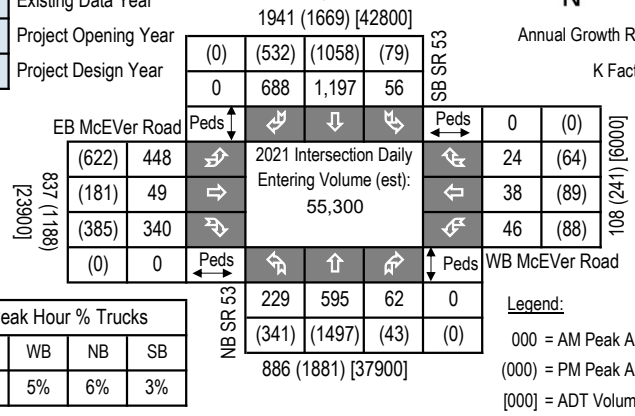
2021	Existing Data Year
2023	Project Opening Year
2023	Project Design Year

N

Annual Growth Rate: 1.0%

K Factor*: 9%

2021 Existing Year Volumes



Peak Hour % Trucks			
EB	WB	NB	SB
5%	5%	6%	3%

Legend:

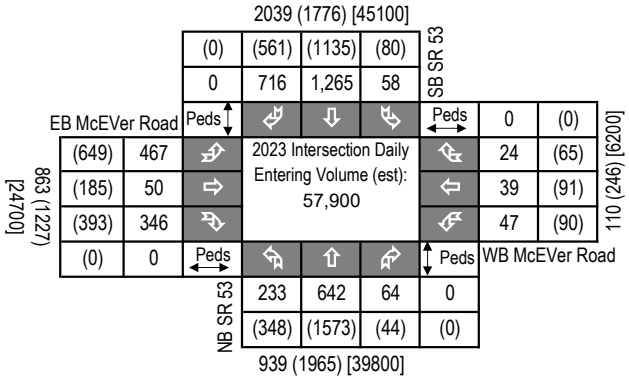
000 = AM Peak Approach Vol

(000) = PM Peak Approach Vol

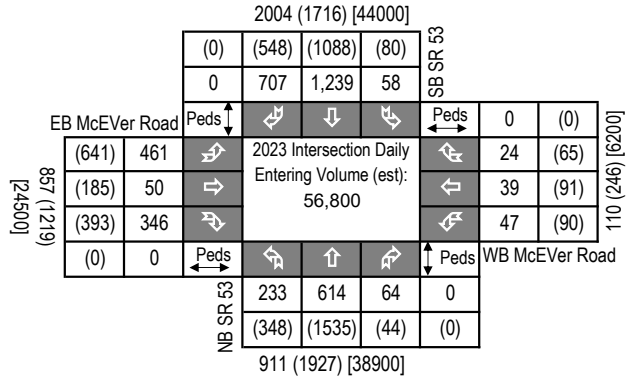
[000] = ADT Volume (Estimate)

Approach Splits: SR 53 - 0.72 / McEVer Road - 0.28

2023 Opening Year Volumes



2023 Design Year Volumes



Introduction: In 2005, SAFETEA-LU established the Highway Safety Improvement Program (HSIP) and mandated that each state prepare a Strategic Highway Safety Plan (SHSP) to prioritize safety funding investments. Intersections quickly became a common component of most states' SHSP emphasis areas and HSIP project lists, including Georgia's SHSP. Intersection Control Evaluation (ICE) policies and procedures represent a traceable and transparent procedure to streamline the evaluation of intersection control alternatives, and further leverage safety advancements for intersection improvements beyond just the safety program. Approximately one-third of all traffic fatalities and roughly seventy five percent of all traffic crashes in Georgia occur at or adjacent to intersections. Accordingly, the Georgia SHSP includes an emphasis on enhancing intersection safety to advance the *Toward Zero Deaths* vision embraced by the Georgia Governor's Office of Highway Safety (GOHS). This ICE tool was developed to support the ICE policy, developed and adopted to help ensure that intersection investments across the entire Georgia highway system are selected, prioritized and implemented with defensible benefits for safety towards those ends.

Tool Goal: The goal of this ICE tool is to provide a simplified and consistent way of importing traffic, safety, cost, environmental impact and stakeholder posture data to assess and quantify intersection control improvement benefits. The tool supports the ICE policy and procedures to provide traceability, transparency, consistency and accountability when identifying and selecting an intersection control solution that both meets project purpose and reflects overall best value in terms of specific performance-based criteria.

Requirements: An ICE is required for any intersection improvement (e.g. new or modified intersection, widening/reconstruction or corridor project, or work accomplished through a driveway or encroachment permit that affects an intersection) where: **1)** the intersection includes at least one roadway designated as a State Route (State Highway System) or as part of the National Highway System; or **2)** the intersection will be designed or constructed using State or Federal funding. In certain circumstances where an ICE would otherwise be required, the requirement may be waived based on appropriate evidence presented with a written request. (See the "**Waiver**" tab to review criteria that may make a project waiver eligible and for instructions to submit a waiver request to the Department). An ICE is not required when the proposed work does not include any changes to the intersection design, involves only routine traffic signal timing and equipment maintenance, or for driveway permits where the driveway is not a new leg to an already existing intersection on either 1) a divided, multi-lane highway with a closed median and only right-in/right-out access or 2) an undivided roadway where the development is not required to construct left and/or right turn lanes (as per the Driveway Manual and District Traffic Engineer).

Two-Stage Process: A complete ICE process consists of two (2) distinct stages, and it is expected that the respective level of effort for completing both stages of ICE will correspond to the magnitude and complexity of the intersection. Prior to starting an ICE, the District Traffic Engineer and/or State Traffic Engineer should be consulted for advice on an appropriate level of effort. The Stage 1 and Stage 2 ICE forms are designed minimize required data inputs using drop-down menu choices and limiting text entry. All fields shaded grey include drop down menu choices and all fields shaded blue require data entry. All other cells in the worksheet are locked.

Stage 1: Screening Decision Record Stage 1 should be conducted early in the project development process and is intended to inform which alternatives are worthy of further evaluation in Stage 2. Stage 1 serves as a screening effort meant to *eliminate* non-competitive options and identify which alternatives merit further considerations based on their practical feasibility. Users should use good engineering judgement in responding to the seven policy questions by selecting "Yes" or "No" in the drop-down boxes. Alternatives should not be summarily eliminated without due consideration, and reasons for eliminating or advancing an alternative should be documented in the "Screening Decision Justification" column.

Stage 2: Alternative Selection Decision Record Stage 2 involves a more detailed and familiar evaluation of the alternatives identified in Stage 1 in order to support the selection of a preferred alternative that may be advanced to detailed design. Stage 2 data entry may require the use of external analysis tools to determine costs, operations and/or safety data that, combined with environmental and stakeholder posture data, form the basis of the ICE evaluation. A separate "CostEst" worksheet tab helps users develop pre-planning-level cost estimates for each Stage 2 alternative evaluated, and a separate Users Guide has been prepared to give guidance on Stage 1 and Stage 2 data entry. Once all data is entered, each alternative is scored and ranked, with the results reported at the bottom of the Stage 2 worksheet to inform on the best of the intersection controls evaluated for project recommendation.

Documentation: A complete ICE document consists of the combination of the outputs from either a completed and signed waiver form or both Stage 1 and Stage 2 worksheets (along with supporting costing and/or environmental documentation), to be included in the approved project Concept Report (or equivalent) or as a stand-alone document.

GDOT ICE STAGE 1: SCREENING DECISION RECORD

ICE Version 2.15 | Revised 07/01/2019

GDOT PI #	N/A
Project Location:	SR 53 @ McEVer Road
Existing Control:	Signal (turn lanes on mainline)
Prepared by:	CHA
Date:	1/27/2022

Answer "Yes" or "No" to each policy question for each control type to identify which alternatives should be evaluated in the Stage 2 Decision Record; enter justification in the rightmost column

Note: Up to 5 alternatives may be selected and evaluated; Use this ICE Stage 1 to screen 5 or fewer alternatives to evaluate in Stage 2

	Intersection Alternative (see "Intersections" tab for detailed description of intersection/interchange type)	1. Does alternative address the project need in a balanced manner and in scale with the project?	2. Does alternative improve safety performance in terms of reducing severe crashes?	3. Does alternative incorporate safety, convenience and accessibility for pedestrians and/or bicyclists?	4. Does alternative improve (or preserve) traffic operations (congestion, delay, reliability, etc.)?	5. Does alternative appear feasible given the site characteristics, constrains & location context?	6. Does alternative appear feasible with respect to other project factors?	7. Overall feasible alternative (select alternative for further evaluation in Stage 2)?	**Screening Decision Justification:**
Unsignalized Intersections	Conventional (Minor Stop)	No	No	No	No	No	No	No	Existing condition is signalized
	Conventional (All-Way Stop)	No	No	No	No	No	No	No	Existing condition is signalized
	Mini Roundabout	No	No	No	No	No	No	No	Existing condition is signalized
	Single Lane Roundabout	No	No	No	No	No	No	No	Existing condition is signalized
	Multilane Roundabout	No	No	No	No	No	No	No	Existing condition is signalized
	RCUT (stop control)	No	No	No	No	No	No	No	Existing condition is signalized
	RIRO w/down stream U-Turn	No	No	No	No	No	No	No	Existing condition is signalized
	High-T (unsignalized)	No	No	No	No	No	No	No	Not a T-intersection
	Offset-T Intersections	No	No	No	No	No	No	No	Not a T-intersection
	Diamond Interch (Stop Control)	No	No	No	No	No	No	No	Not an interchange
	Diamond Interch (RAB Control)	No	No	No	No	No	No	No	Not an interchange
	No LT Lane Improvements No RT Lane Improvements	No	No	No	No	No	No	No	
	Other unsignalized (provide description):	No	No	No	No	No	No	No	Existing condition is signalized
Signalized Intersections	Traffic Signal	**Yes**	**No**	**No**	**Yes**	**Yes**	**Yes**	**Yes**	Optimized Signal in Build Condition
	Median U-Turn (Indirect Left)	No	No	No	No	No	No	No	High LT volumes/inadequate median
	RCUT (signalized)	No	No	No	No	No	No	No	Not appropriate for location
	Displaced Left Turn (CFI)	No	No	No	No	No	No	No	Not appropriate for location
	Continuous Green-T	No	No	No	No	No	No	No	Not a T-intersection
	Jughandle	No	No	No	No	No	No	No	Not appropriate for location
	Quadrant Roadway	No	No	No	No	No	No	No	Not appropriate for location
	Diamond Interch (Signal Control)	No	No	No	No	No	No	No	Not an interchange
	Diverging Diamond	No	No	No	No	No	No	No	Not an interchange
	Single Point Interchange	No	No	No	No	No	No	No	Not an interchange
	No LT Lane Improvements No RT Lane Improvements	No	No	No	No	No	No	No	
		No	No	No	No	No	No	No	

= Intersection type selected for more detailed analysis in Stage 2 Alternative Selection Decision Record

GDOT ICE STAGE 2: ALTERNATIVE SELECTION DECISION RECORD

ICE Version 2.15 | Revised 07/01/2019

GDOT PI # (or N/A)	N/A	GDOT District:	1 - Gainesville	Date:	1/27/2022
County:	Hall	Area Type:	Urban	Agency/Firm:	CHA
Project Location:	SR 53 @ McEVer Road			Analyst:	F Baratian
Existing Intersection Control:	Signal (turn lanes on mainline)			Type of Analysis:	Conventional Non-Safety Funded Project

Opening / Design Year Traffic Operations

Intersection meets signal/AWS warrants?	Meets Signal Warrants	
Traffic Analysis Measure of Effectiveness	Intersection Delay	
Traffic Analysis Software Used	Synchro 10	
Analysis Time Period	AM Peak Hr	PM Peak Hr
2023 Opening Yr No-Build Peak Hr Intersection Delay	68.5 sec	59.0 sec
2023 Opening Yr No-Build Peak Hr Intersection V/C	0.71	0.88
2023 Design Yr No-Build Peak Hr Intersection Delay	68.5 sec	59.0 sec
2023 Design Yr No-Build Peak Hr Intersection V/C	0.71	0.88

Complete Streets Warrants Met?

- ☐ PEDESTRIANS
- ☐ BICYCLES
- ☐ TRANSIT

Crash Type: *Crash Data: Enter most recent 5 years of crash data*	*Crash Severity* PDO	Injury Crash*	Fatal Crash*	
Angle	107	16	0	26%
Head-On	2	1	0	1%
Rear End	227	39	0	57%
Sideswipe - same	54	2	0	12%
Sideswipe - opposite	1	0	0	0%
Not Collision w/Motor Veh	14	2	0	3%
TOTALS:	405	60	0	465

* Number of crashes resulting in injuries / fatalities, not number of persons

Alternatives Analysis:	**Alternative 1**		**Alternative 2**		**Alternative 3**		**Alternative 4**	**Alternative 5**
Proposed Control Type/Improvement:	Traffic Signal		N/A		N/A		N/A	N/A
Project Cost: (From CostEst Worksheet)	*Signal Timing Optimization*		*Use Old Mars Hill Rd*					
Construction Cost	$5,000		$0					
ROW Cost	$0		$0					
Environmental Cost	$0		$0					
Reimbursable Utility Cost	$0		$0					
Design & Contingency Cost	$0		$0					
Cost Adjustment (justification req'd)								
Total Cost	$5,000		$0					
Traffic Operations:								
Traffic Analysis Software Used	Synchro 10		Synchro 10					
Analysis Period	AM Peak Hr	PM Peak Hr	AM Peak Hr	PM Peak Hr				
2023 Design Yr Build Intersection Delay	52.1 sec	52.0 sec						
2023 Design Yr Build Intersection V/C	0.68	0.90						
Safety Analysis:								
Predefined CRF: PDO	0%							
Predefined CRF: Fatal/Inj	0%							
Predefined CRF Source:	N/A		N/A					
User Defined CRF: PDO								
User Defined CRF: Fatal/Inj								
User Defined CRF Source (write in if applicable):								
Environmental Impacts:[1]								
Historic District/Property	None		None					
Archaeology Resources	None		None					
Graveyard	None		None					
Stream	None		None					
Underground Tank/Hazmat	None		None					
Park Land	None		None					
EJ Community	None		None					
Wooded Area	None		None					
Wetland	None		None					
Stakeholder Posture:	*Note: If environmental impact is significant (**RED**), provide justification impact won't jeopardize project delivery using "Env" worksheet*							
	[1] Environmental impacts are only preliminary estimates; detailed environmental impact documentation will be included with project concept report							
Local Community Support	Neutral		Neutral					
GDOT Support	Neutral		Neutral					
Final ICE Stage 2 Score:	3.0		-					
Rank of Control Type Alternatives:	1		-					

Note: Stage 2 score is not given (shown as "-") if signal or AWS is selected as control type but respective warrants are not met

Provide additional comments and/or explain any unique analysis inputs, or results (as necessary):

2023 Opening Year-No Build is the 2023 Background Traffic + existing geometry and Signal control
2023 Opening Year-Build is the 2023 with Project Traffic + existing geometry and Signal control retiming

GDOT INTERSECTION CONTROL EVALUATION (ICE) TOOL

ICE Version 2.15 | Revised 07/01/2019

GDOT PI # (or N/A):	N/A	Request By:	CHA
County:	Hall	GDOT District:	1 - Gainesville
Major (State) Road:	SR 53	Speed Limit:	45 mph
Minor (Crossing) ST:	Beechwood Blvd	Speed Limit:	< 35 mph
Major ST Direction:	North/South	Area Type:	Urban
Intersection Control:	Conventional (Minor Stop)		
Prepared By:	CHA	Analyst:	F Baratian
Date:	1/27/2022	Project ID:	
Project Purpose:	Private Development - Traffic Impact Study		

2021	Existing Data Year
2023	Project Opening Year
2023	Project Design Year

N

Annual Growth Rate: 1.0%

K Factor*: 9%

2021 Existing Year Volumes

1943 (1627) [42400]

			(0)	(4)	(1623)	(0)			
			0	2	1,941	0			
EB Beechwood Blvd		Peds					Peds	0	(0)
32 (30) [1100]	(0)	1		2021 Intersection Daily Entering Volume (est): 44,350				0	(20)
	(0)	0						0	(0)
	(30)	31						0	(0)
	(0)	0	Peds				Peds	WB Beechwood Blvd	
				20	1,097	9	0		
				(69)	(2168)	(77)	(0)		

SB SR 53

0 (20) [1100]

NB SR 53

1126 (2314) [44100]

Peak Hour % Trucks			
EB	WB	NB	SB
6%	0%	8%	3%

Legend:

000 = AM Peak Approach Vol

(000) = PM Peak Approach Vol

[000] = ADT Volume (Estimate)

Approach Splits: SR 53 - 0.97 / Beechwood Blvd - 0.03

2023 Opening Year Volumes

2040 (1737) [44800]

			(0)	(82)	(1655)	(0)			
			0	60	1,980	0			
EB Beechwood Blvd		Peds					Peds	0	(0)
139 (168) [4200]	(0)	0		2023 Intersection Daily Entering Volume (est): 49,000				0	(20)
	(0)	0						0	(0)
	(168)	139						0	(0)
	(0)	0	Peds				Peds	WB Beechwood Blvd	
				66	1,169	9	0		
				(131)	(2276)	(79)	(0)		

SB SR 53

0 (20) [1100]

NB SR 53

1244 (2486) [47900]

2023 Design Year Volumes

1993 (1671) [43400]

			(0)	(21)	(1650)	(0)			
			0	14	1,979	0			
EB Beechwood Blvd		Peds					Peds	0	(0)
85 (93) [2600]	(0)	1		2023 Intersection Daily Entering Volume (est): 46,650				0	(20)
	(0)	0						0	(0)
	(93)	84						0	(0)
	(0)	0	Peds				Peds	WB Beechwood Blvd	
				56	1,120	9	0		
				(119)	(2219)	(79)	(0)		

SB SR 53

0 (20) [1100]

NB SR 53

1185 (2417) [46200]

Introduction: In 2005, SAFETEA-LU established the Highway Safety Improvement Program (HSIP) and mandated that each state prepare a Strategic Highway Safety Plan (SHSP) to prioritize safety funding investments. Intersections quickly became a common component of most states' SHSP emphasis areas and HSIP project lists, including Georgia's SHSP. Intersection Control Evaluation (ICE) policies and procedures represent a traceable and transparent procedure to streamline the evaluation of intersection control alternatives, and further leverage safety advancements for intersection improvements beyond just the safety program. Approximately one-third of all traffic fatalities and roughly seventy five percent of all traffic crashes in Georgia occur at or adjacent to intersections. Accordingly, the Georgia SHSP includes an emphasis on enhancing intersection safety to advance the *Toward Zero Deaths* vision embraced by the Georgia Governor's Office of Highway Safety (GOHS). This ICE tool was developed to support the ICE policy, developed and adopted to help ensure that intersection investments across the entire Georgia highway system are selected, prioritized and implemented with defensible benefits for safety towards those ends.

Tool Goal: The goal of this ICE tool is to provide a simplified and consistent way of importing traffic, safety, cost, environmental impact and stakeholder posture data to assess and quantify intersection control improvement benefits. The tool supports the ICE policy and procedures to provide traceability, transparency, consistency and accountability when identifying and selecting an intersection control solution that both meets project purpose and reflects overall best value in terms of specific performance-based criteria.

Requirements: An ICE is required for any intersection improvement (e.g. new or modified intersection, widening/reconstruction or corridor project, or work accomplished through a driveway or encroachment permit that affects an intersection) where: **1)** the intersection includes at least one roadway designated as a State Route (State Highway System) or as part of the National Highway System; or **2)** the intersection will be designed or constructed using State or Federal funding. In certain circumstances where an ICE would otherwise be required, the requirement may be waived based on appropriate evidence presented with a written request. (See the "**Waiver**" tab to review criteria that may make a project waiver eligible and for instructions to submit a waiver request to the Department). An ICE is not required when the proposed work does not include any changes to the intersection design, involves only routine traffic signal timing and equipment maintenance, or for driveway permits where the driveway is not a new leg to an already existing intersection on either 1) a divided, multi-lane highway with a closed median and only right-in/right-out access or 2) an undivided roadway where the development is not required to construct left and/or right turn lanes (as per the Driveway Manual and District Traffic Engineer).

Two-Stage Process: A complete ICE process consists of two (2) distinct stages, and it is expected that the respective level of effort for completing both stages of ICE will correspond to the magnitude and complexity of the intersection. Prior to starting an ICE, the District Traffic Engineer and/or State Traffic Engineer should be consulted for advice on an appropriate level of effort. The Stage 1 and Stage 2 ICE forms are designed minimize required data inputs using drop-down menu choices and limiting text entry. All fields shaded grey include drop down menu choices and all fields shaded blue require data entry. All other cells in the worksheet are locked.

Stage 1: Screening Decision Record Stage 1 should be conducted early in the project development process and is intended to inform which alternatives are worthy of further evaluation in Stage 2. Stage 1 serves as a screening effort meant to *eliminate* non-competitive options and identify which alternatives merit further considerations based on their practical feasibility. Users should use good engineering judgement in responding to the seven policy questions by selecting "Yes" or "No" in the drop-down boxes. Alternatives should not be summarily eliminated without due consideration, and reasons for eliminating or advancing an alternative should be documented in the "Screening Decision Justification" column.

Stage 2: Alternative Selection Decision Record Stage 2 involves a more detailed and familiar evaluation of the alternatives identified in Stage 1 in order to support the selection of a preferred alternative that may be advanced to detailed design. Stage 2 data entry may require the use of external analysis tools to determine costs, operations and/or safety data that, combined with environmental and stakeholder posture data, form the basis of the ICE evaluation. A separate "CostEst" worksheet tab helps users develop pre-planning-level cost estimates for each Stage 2 alternative evaluated, and a separate Users Guide has been prepared to give guidance on Stage 1 and Stage 2 data entry. Once all data is entered, each alternative is scored and ranked, with the results reported at the bottom of the Stage 2 worksheet to inform on the best of the intersection controls evaluated for project recommendation.

Documentation: A complete ICE document consists of the combination of the outputs from either a completed and signed waiver form or both Stage 1 and Stage 2 worksheets (along with supporting costing and/or environmental documentation), to be included in the approved project Concept Report (or equivalent) or as a stand-alone document.

GDOT ICE STAGE 1: SCREENING DECISION RECORD

ICE Version 2.15 | Revised 07/01/2019

GDOT PI #	N/A
Project Location:	SR 53 @ Beechwood Blvd
Existing Control:	Conventional (Minor Stop)
Prepared by:	CHA
Date:	1/27/2022

Answer "Yes" or "No" to each policy question for each control type to identify which alternatives should be evaluated in the Stage 2 Decision Record; enter justification in the rightmost column

Note: Up to 5 alternatives may be selected and evaluated; Use this ICE Stage 1 to screen 5 or fewer alternatives to evaluate in Stage 2

	Intersection Alternative (see "Intersections" tab for detailed description of intersection/interchange type)	1. Does alternative address the project need in a balanced manner and in scale with the project?	2. Does alternative improve safety performance in terms of reducing severe crashes?	3. Does alternative incorporate safety, convenience and accessibility for pedestrians and/or bicyclists?	4. Does alternative improve (or preserve) traffic operations (congestion, delay, reliability, etc.)?	5. Does alternative appear feasible given the site characteristics, constrains & location context?	6. Does alternative appear feasible with respect to other project factors?	7. Overall feasible alternative (select alternative for further evaluation in Stage 2)?	**Screening Decision Justification:**
Unsignalized Intersections	Conventional (Minor Stop)	**Yes**	**No**	**No**	**Yes**	**Yes**	**Yes**	**Yes**	Existing condition is Stop Controlled
	Conventional (All-Way Stop)	No	No	No	No	No	No	No	Existing condition is Stop Controlled
	Mini Roundabout	No	No	No	No	No	No	No	Existing condition is Stop Controlled
	Single Lane Roundabout	No	No	No	No	No	No	No	Existing condition is Stop Controlled
	Multilane Roundabout	No	No	No	No	No	No	No	Existing condition is Stop Controlled
	RCUT (stop control)	No	No	No	No	No	No	No	No-Build condition
	RIRO w/down stream U-Turn	No	No	No	No	No	No	No	Existing condition is Stop Controlled
	High-T (unsignalized)	No	No	No	No	No	No	No	Not a T-intersection
	Offset-T Intersections	No	No	No	No	No	No	No	Not a T-intersection
	Diamond Interch (Stop Control)	No	No	No	No	No	No	No	Not an interchange
	Diamond Interch (RAB Control)	No	No	No	No	No	No	No	Not an interchange
	No LT Lane Improvements No RT Lane Improvements	No	No	No	No	No	No	No	
	Other unsignalized (provide description):	No	No	No	No	No	No	No	Existing condition is Stop Controlled
Signalized Intersections	Traffic Signal	No	No	No	No	No	No	No	Signal is not warranted
	Median U-Turn (Indirect Left)	No	No	No	No	No	No	No	Signal is not warranted
	RCUT (signalized)	No	No	No	No	No	No	No	Signal is not warranted
	Displaced Left Turn (CFI)	No	No	No	No	No	No	No	Signal is not warranted
	Continuous Green-T	No	No	No	No	No	No	No	Signal is not warranted
	Jughandle	No	No	No	No	No	No	No	Signal is not warranted
	Quadrant Roadway	No	No	No	No	No	No	No	Signal is not warranted
	Diamond Interch (Signal Control)	No	No	No	No	No	No	No	Signal is not warranted
	Diverging Diamond	No	No	No	No	No	No	No	Signal is not warranted
	Single Point Interchange	No	No	No	No	No	No	No	Signal is not warranted
	No LT Lane Improvements No RT Lane Improvements	No	No	No	No	No	No	No	
		No	No	No	No	No	No	No	

☐ = Intersection type selected for more detailed analysis in Stage 2 Alternative Selection Decision Record

GDOT INTERSECTION CONTROL EVALUATION (ICE) WAIVER FORM

ICE Version 2.15 | Revised 07/01/2019

Waiver Request - Level 2 / 3

In certain circumstances where an ICE would otherwise be required, an ICE may be waived based on appropriate evidence presented with a written request. Scenarios in which an ICE waiver request may be considered include:

1. Proposed improvements do not substantially alter the character of the intersection, and are considered minor in nature, such as extending existing turn lane(s) or modifying signal phasing at an existing traffic signal
2. The intersection consists of a public roadway intersecting a divided, multilane roadway where the access will be limited to a closed median with only right-in/right-out access that will operate acceptably; or
3. The intersection is along an undivided, two-lane roadway that will not be widened and meets the following criteria:
   - Low risk in terms of exposure (total intersection entering volume less than 1,000 vehicles /day)
   - Latest 5 years of crash history is not indicative of a crash problem (no discernible crash patterns coupled with low crash frequency and severity)
   - Layout has no unusual or undesirable geometric features (such as restricted sight distance)
   - The proposed changes are not expected to adversely affect safety

If only one alternative is determined to be feasible from the ICE Stage 1, then a waiver may be submitted in lieu of completing ICE Stage 2. The waiver must clearly explain why there is no other feasible alternative. A Waiver Form should also be submitted to document an agreed upon decision to select a preferred alternative other than the highest scoring alternative in Stage 2.

ICE waiver forms with supporting documentation should be submitted for approval to the Office of Traffic Operations or District Engineer (depending on Waiver level). Questions regarding the waiver process should be routed to the State Traffic Engineer.

Project Information:

Location:	SR 53 @ Beechwood Blvd
County:	Hall
GDOT District:	1 - Gainesville
Area Type:	Urban
Existing Intersection Control:	Conventional (Minor Stop)
GDOT PI # (or N/A):	N/A
Requested By:	CHA
Prepared By:	CHA
Analyst:	F Baratian
Date:	1/27/2022
Waiver Request Type:	Driveway Permit

Traffic and Operations Data:[1]

Intersection meets signal/AWS warrants?	None	
Traffic Analysis Type:	Intersection Delay	
Existing Avg Daily Traffic (Major Street):	48,000	
Existing Avg Daily Traffic (Minor Street):	4,200	
Analysis Period:	AM Peak	PM Peak
2023 Opening Yr Peak Hour Intersection Delay:	0.9 sec	1.2 sec
2023 Opening Yr Peak Hour Intersection V/C:	0.52	0.56
2023 Design Yr Peak Hour Intersection Delay:	0.7 sec	0.8 sec
2023 Design Yr Peak Hour Intersection V/C:	0.52	0.55

[1]Crash data required for all existing intersections. ADT's required if available (from data collected or nearest GDOT count station site). Capacity data is optional unless needed to justify basis of the waiver request.

Crash Data (Required):[1]

Crash Type	Crash Data: Enter most recent 5 years of crash data	Crash Severity: PDO	Injury Crash*	Fatal Crash*	
	Angle	17	8	0	<-
	Head-On	0	0	0	
	Rear End	61	12	0	
	Sideswipe - same	13	0	0	
	Sideswipe - opposite	1	0	0	
	Not Collision w/Motor Veh	2	1	0	
	TOTALS:	**94**	**21**	**0**	

* Number of crashes resulting in injuries / fatalities, not number of persons

Description of Work / Justification for Waiver (Required):	An unsignalized RCUT will be constructed at this location in 2023 as proposed in the corridor project PI#0015702 .There will be minimal impact to the intersection operation in the Opening Year due to the new development constrcution. Therefore, a waiver is requested.
Proposed Intersection Control:	RCUT (stop control)

REQUESTED BY: Paul Slone, PE, PTOE Date: 1/12/2022

Title: Southeast Project Team Leader for Traffic/ITS

APPROVED BY: _____ Date: _____

Name: _____

District Engineer or (Approved Delegate)

GDOT INTERSECTION CONTROL EVALUATION (ICE) TOOL

ICE Version 2.15 | Revised 07/01/2019

GDOT PI # (or N/A):	N/A	Request By:	CHA
County:	Hall	GDOT District:	1 - Gainesville
Major (State) Road:	SR 53	Speed Limit:	45 mph
Minor (Crossing) ST:	Sports Academy	Speed Limit:	< 35 mph
Major ST Direction:	North/South	Area Type:	Urban
Intersection Control:	Signal (turn lanes on mainline)		
Prepared By:	CHA	Analyst:	F Baratian
Date:	1/27/2022	Project ID:	
Project Purpose:	Private Development - Traffic Impact Study		

2021	Existing Data Year
2023	Project Opening Year
2023	Project Design Year

Annual Growth Rate:	1.0%
K Factor*:	9%

N

2021 Existing Year Volumes

1930 (1440) [37700]

			(0)	(37)	(1357)	(46)	SB SR 53		
			0	3	1,917	10			
EB Sports Academy			Peds				Peds	0	(0)
13 (76) [2000]	(25)	3		2021 Intersection Daily Entering Volume (est): 44,300				2	(52)
	(8)	0						0	(8)
	(43)	10						16	(224)
	(0)	0	Peds				Peds	WB Sports Academy	18 (284) [6500]
				10	1,044	45	0		
NB SR 53				(59)	(1879)	(250)	(0)		

1099 (2188) [42400]

Peak Hour % Trucks			
EB	WB	NB	SB
0%	0%	8%	3%

Legend:

000 = AM Peak Approach Vol

(000) = PM Peak Approach Vol

[000] = ADT Volume (Estimate)

Approach Splits: SR 53 - 0.9 / Sports Academy - 0.1

2023 Opening Year Volumes

2027 (1549) [40100]

			(0)	(38)	(1463)	(48)	SB SR 53		
			0	3	2,014	10			
EB Sports Academy			Peds				Peds	0	(0)
13 (78) [2100]	(26)	3		2023 Intersection Daily Entering Volume (est): 46,850				2	(53)
	(8)	0						0	(8)
	(44)	10						16	(228)
	(0)	0	Peds				Peds	WB Sports Academy	18 (289) [6700]
				10	1,114	45	0		
NB SR 53				(61)	(1980)	(255)	(0)		

1169 (2296) [44800]

2023 Design Year Volumes

1979 (1481) [38700]

			(0)	(38)	(1395)	(48)	SB SR 53		
			0	3	1,966	10			
EB Sports Academy			Peds				Peds	0	(0)
13 (78) [2100]	(26)	3		2023 Intersection Daily Entering Volume (est): 45,450				2	(53)
	(8)	0						0	(8)
	(44)	10						16	(228)
	(0)	0	Peds				Peds	WB Sports Academy	18 (289) [6700]
				10	1,066	45	0		
NB SR 53				(61)	(1924)	(255)	(0)		

1121 (2240) [43400]

Introduction: In 2005, SAFETEA-LU established the Highway Safety Improvement Program (HSIP) and mandated that each state prepare a Strategic Highway Safety Plan (SHSP) to prioritize safety funding investments. Intersections quickly became a common component of most states' SHSP emphasis areas and HSIP project lists, including Georgia's SHSP. Intersection Control Evaluation (ICE) policies and procedures represent a traceable and transparent procedure to streamline the evaluation of intersection control alternatives, and further leverage safety advancements for intersection improvements beyond just the safety program. Approximately one-third of all traffic fatalities and roughly seventy five percent of all traffic crashes in Georgia occur at or adjacent to intersections. Accordingly, the Georgia SHSP includes an emphasis on enhancing intersection safety to advance the *Toward Zero Deaths* vision embraced by the Georgia Governor's Office of Highway Safety (GOHS). This ICE tool was developed to support the ICE policy, developed and adopted to help ensure that intersection investments across the entire Georgia highway system are selected, prioritized and implemented with defensible benefits for safety towards those ends.

Tool Goal: The goal of this ICE tool is to provide a simplified and consistent way of importing traffic, safety, cost, environmental impact and stakeholder posture data to assess and quantify intersection control improvement benefits. The tool supports the ICE policy and procedures to provide traceability, transparency, consistency and accountability when identifying and selecting an intersection control solution that both meets project purpose and reflects overall best value in terms of specific performance-based criteria.

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Two-Stage Process: A complete ICE process consists of two (2) distinct stages, and it is expected that the respective level of effort for completing both stages of ICE will correspond to the magnitude and complexity of the intersection. Prior to starting an ICE, the District Traffic Engineer and/or State Traffic Engineer should be consulted for advice on an appropriate level of effort. The Stage 1 and Stage 2 ICE forms are designed minimize required data inputs using drop-down menu choices and limiting text entry. All fields shaded grey include drop down menu choices and all fields shaded blue require data entry. All other cells in the worksheet are locked.

Stage 1: Screening Decision Record Stage 1 should be conducted early in the project development process and is intended to inform which alternatives are worthy of further evaluation in Stage 2. Stage 1 serves as a screening effort meant to *eliminate* non-competitive options and identify which alternatives merit further considerations based on their practical feasibility. Users should use good engineering judgement in responding to the seven policy questions by selecting "Yes" or "No" in the drop-down boxes. Alternatives should not be summarily eliminated without due consideration, and reasons for eliminating or advancing an alternative should be documented in the "Screening Decision Justification" column.

Stage 2: Alternative Selection Decision Record Stage 2 involves a more detailed and familiar evaluation of the alternatives identified in Stage 1 in order to support the selection of a preferred alternative that may be advanced to detailed design. Stage 2 data entry may require the use of external analysis tools to determine costs, operations and/or safety data that, combined with environmental and stakeholder posture data, form the basis of the ICE evaluation. A separate "CostEst" worksheet tab helps users develop pre-planning-level cost estimates for each Stage 2 alternative evaluated, and a separate Users Guide has been prepared to give guidance on Stage 1 and Stage 2 data entry. Once all data is entered, each alternative is scored and ranked, with the results reported at the bottom of the Stage 2 worksheet to inform on the best of the intersection controls evaluated for project recommendation.

Documentation: A complete ICE document consists of the combination of the outputs from either a completed and signed waiver form or both Stage 1 and Stage 2 worksheets (along with supporting costing and/or environmental documentation), to be included in the approved project Concept Report (or equivalent) or as a stand-alone document.

GDOT ICE STAGE 1: SCREENING DECISION RECORD

ICE Version 2.15 | Revised 07/01/2019

GDOT PI #	N/A
Project Location:	SR 53 @ Sports Academy
Existing Control:	Signal (turn lanes on mainline)
Prepared by:	CHA
Date:	1/27/2022

Answer "Yes" or "No" to each policy question for each control type to identify which alternatives should be evaluated in the Stage 2 Decision Record; enter justification in the rightmost column

Note: Up to 5 alternatives may be selected and evaluated; Use this ICE Stage 1 to screen 5 or fewer alternatives to evaluate in Stage 2

	Intersection Alternative (see "Intersections" tab for detailed description of intersection/interchange type)	1. Does alternative address the project need in a balanced manner and in scale with the project?	2. Does alternative improve safety performance in terms of reducing severe crashes?	3. Does alternative incorporate safety, convenience and accessibility for pedestrians and/or bicyclists?	4. Does alternative improve (or preserve) traffic operations (congestion, delay, reliability, etc.)?	5. Does alternative appear feasible given the site characteristics, constrains & location context?	6. Does alternative appear feasible with respect to other project factors?	7. Overall feasible alternative (select alternative for further evaluation in Stage 2)?	**Screening Decision Justification:**
Unsignalized Intersections	Conventional (Minor Stop)	No	No	No	No	No	No	No	Existing condition is signalized
	Conventional (All-Way Stop)	No	No	No	No	No	No	No	Existing condition is signalized
	Mini Roundabout	No	No	No	No	No	No	No	Existing condition is signalized
	Single Lane Roundabout	No	No	No	No	No	No	No	Existing condition is signalized
	Multilane Roundabout	No	No	No	No	No	No	No	Existing condition is signalized
	RCUT (stop control)	No	No	No	No	No	No	No	Existing condition is signalized
	RIRO w/down stream U-Turn	No	No	No	No	No	No	No	Existing condition is signalized
	High-T (unsignalized)	No	No	No	No	No	No	No	Not a T-intersection
	Offset-T Intersections	No	No	No	No	No	No	No	Not a T-intersection
	Diamond Interch (Stop Control)	No	No	No	No	No	No	No	Not an interchange
	Diamond Interch (RAB Control)	No	No	No	No	No	No	No	Not an interchange
	No LT Lane Improvements No RT Lane Improvements	No	No	No	No	No	No	No	
	Other unsignalized (provide description):	No	No	No	No	No	No	No	Existing condition is signalized
Signalized Intersections	Traffic Signal	**Yes**	**No**	**No**	**Yes**	**Yes**	**Yes**	**Yes**	Optimized Signal in Build Condition
	Median U-Turn (Indirect Left)	No	No	No	No	No	No	No	High LT volumes/inadequate median
	RCUT (signalized)	No	No	No	No	No	No	No	Not appropriate for location
	Displaced Left Turn (CFI)	No	No	No	No	No	No	No	Not appropriate for location
	Continuous Green-T	No	No	No	No	No	No	No	Not a T-intersection
	Jughandle	No	No	No	No	No	No	No	Not appropriate for location
	Quadrant Roadway	No	No	No	No	No	No	No	Not appropriate for location
	Diamond Interch (Signal Control)	No	No	No	No	No	No	No	Not an interchange
	Diverging Diamond	No	No	No	No	No	No	No	Not an interchange
	Single Point Interchange	No	No	No	No	No	No	No	Not an interchange
	No LT Lane Improvements No RT Lane Improvements	No	No	**Yes**	No	No	No	No	
		No	No	No	No	No	No	No	

= Intersection type selected for more detailed analysis in Stage 2 Alternative Selection Decision Record

GDOT ICE STAGE 2: ALTERNATIVE SELECTION DECISION RECORD

ICE Version 2.15 | Revised 07/01/2019

GDOT PI # (or N/A)	N/A	GDOT District:	1 - Gainesville	Date:	1/27/2022
County:	Hall	Area Type:	Urban	Agency/Firm:	CHA
Project Location:	SR 53 @ Sports Academy			Analyst:	F Baratian
Existing Intersection Control:	Signal (turn lanes on mainline)			Type of Analysis:	Conventional Non-Safety Funded Project

Opening / Design Year Traffic Operations

Intersection meets signal/AWS warrants?	Meets Signal Warrants	
Traffic Analysis Measure of Effectiveness	Intersection Delay	
Traffic Analysis Software Used	Synchro 10	
Analysis Time Period	AM Peak Hr	PM Peak Hr
2023 Opening Yr No-Build Peak Hr Intersection Delay	4.6 sec	19.0 sec
2023 Opening Yr No-Build Peak Hr Intersection V/C	0.50	0.74
2023 Design Yr No-Build Peak Hr Intersection Delay	4.6 sec	19.0 sec
2023 Design Yr No-Build Peak Hr Intersection V/C	0.50	0.74

Complete Streets Warrants Met?

- ☐ PEDESTRIANS
- ☐ BICYCLES
- ☐ TRANSIT

Crash Data: Enter most recent 5 years of crash data (Crash Type)	Crash Severity: PDO	Injury Crash*	Fatal Crash*	
Angle	15	4	0	43%
Head-On	0	0	0	0%
Rear End	20	4	0	55%
Sideswipe - same	0	0	0	0%
Sideswipe - opposite	0	0	0	0%
Not Collision w/Motor Veh	0	1	0	2%
TOTALS:	35	9	0	44

* Number of crashes resulting in injuries / fatalities, not number of persons

Alternatives Analysis:	Alternative 1		Alternative 2		Alternative 3		Alternative 4	Alternative 5
Proposed Control Type/Improvement:	Traffic Signal		N/A		N/A		N/A	N/A
Project Cost: (From CostEst Worksheet)	*Signal Timing Optimization*		*Use Old Mars Hill Rd*					
Construction Cost	$5,000		$0					
ROW Cost	$0		$0					
Environmental Cost	$0		$0					
Reimbursable Utility Cost	$0		$0					
Design & Contingency Cost	$0		$0					
Cost Adjustment (justification req'd)								
Total Cost	$5,000		$0					
Traffic Operations:								
Traffic Analysis Software Used	Synchro 10		Synchro 10					
Analysis Period	AM Peak Hr	PM Peak Hr	AM Peak Hr	PM Peak Hr				
2023 Design Yr Build Intersection Delay	4.7 sec	27.3 sec						
2023 Design Yr Build Intersection V/C	0.52	0.85						
Safety Analysis:								
Predefined CRF: PDO	0%							
Predefined CRF: Fatal/Inj	0%							
Predefined CRF Source:	N/A		N/A					
User Defined CRF: PDO								
User Defined CRF: Fatal/Inj								
User Defined CRF Source (write in if applicable):								
Environmental Impacts:[1]								
Historic District/Property	None		None					
Archaeology Resources	None		None					
Graveyard	None		None					
Stream	None		None					
Underground Tank/Hazmat	None		None					
Park Land	None		None					
EJ Community	None		None					
Wooded Area	None		None					
Wetland	None		None					
Stakeholder Posture:								
Local Community Support	Neutral		Neutral					
GDOT Support	Neutral		Neutral					
Final ICE Stage 2 Score:	3.3		-					
Rank of Control Type Alternatives:	1		-					

*Note: If environmental impact is significant (**RED**), provide justification impact won't jeopardize project delivery using "Env" worksheet*

[1] Environmental impacts are only preliminary estimates; detailed environmental impact documentation will be included with project concept report

Note: Stage 2 score is not given (shown as "**-**") if signal or AWS is selected as control type but respective warrants are not met

Provide additional comments and/or explain any unique analysis inputs, or results (as necessary):

2023 Opening Year-No Build is the 2023 Background Traffic + existing geometry and Signal control
2023 Opening Year-Build is the 2023 with Project Traffic + existing geometry and Signal control retiming

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/4/2022

Presenter: Abb Hayes

Item of Business: Request from **McKinley Homes US, LLC** for a special use on a 7.74± acres tract located on the west side of Florence Drive, across from its intersection with Bentley Park Circle (a/k/a **2920 Florence Drive, SW**), having a zoning of Office and Institutional (O-I). **Ward Number: Four**. Tax Parcel Number(s): 08-015-005-029. Request: **Residential townhomes**.

- Proposed Zoning Resolution 2022-03

Meeting Date: 4/19/2022

Purpose of Request:

To conduct a public hearing regarding the following zoning request initially presented at the February 8, 2022 Planning and Appeals Board Meeting:

The applicant is proposing a special use for the development of 70 fee-simple townhomes. The townhomes are two-story in design with two car garages. The units will range from 1,603 to 1,863 square feet in size. Amenities will include a small pocket park and a dog walk. Access is proposed from Florence Drive. The property contains an older abandoned church building that will be demolished. Surrounding uses include residential townhomes, condominiums, Free Chapel Worship Center and the Hall County Government and Sheriff's office.

History/Background:

By Superior Court Consent Order, the agenda item has been remanded for further consideration by the governing body.

Facts & Issues for Consideration:

Department Recommendation:

Staff and PAB recommended approval with nine conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS

Approval of Resolution ZR-2022-03:
I move to approve the resolution for a special use to allow residential townhomes within Office and Institutional (O-I) zoning district with nine conditions.

Denial of the Request:
I move to deny the request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Legal Ad CC Newspaper Article	Legal Ad
PAB Recommendation Report	Report
Proposed Resolution ZR-2022-03	Resolution
Location Maps	Backup Material
Narrative	Backup Material
Site Plan	Backup Material
Architectural Renderings	Backup Material
Various concept models	Backup Material
Consent Order	Backup Material

Housing Authority is opening its waiting list for affordable housing units funded through HUD's Project Based Rental Assistance program at Walton Harbor. The waiting list will open on April 4th. Rents are based on income. Please go to www.waltonharbor.com to apply for the waiting list. The link to apply will not be available until April 4th. The waiting list is only open for Walton Harbor.
105622 3/9,16,23,30,4/6

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re
GLORIA DENISE RUCKER
CIVIL ACTION
FILE NO.: 2022CV25B
NOTICE OF PETITION FOR NAME CHANGE
Gloria Denise Rucker filed a petition in the Hall County, Superior Court on the 5th day of January 2022 to change the name from Gloria Denise Rucker to Gloria Denise Shields.
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
This 19th day of January 2022.
353C
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Carlos Soto filed a petition in the Superior Court of Hall County on February 2022to change the name from Carlos Soto to Carlos Guzman
Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated 2/28/22
/s/ Carlos Soto
Petitioner, Prose
105432 3/9,16,23,30

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of:
Romel Danilo Regalado Apolo, Petitioner
Civil Action File No: 2022CV160B
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Romel Danilo Regalado Apolo filed a petition in the Superior Court of Hall County on 02/01/2022, to change the name from: Romel Danilo Regalado Apolo to Romel Danilo Apolo.
Any interested party has the right to appear in this said case and file objections within 30

Subject to County Commission on a 30.62± acre tract located on the south side of Hunter Road approximately 1,252 feet from its intersection with Cleveland Highway; a.k.a. 4294 Hunter Road; Zoned AR-IV; Tax Parcel 12023 000010. Proposed use: Farm-style dog daycare, boarding facility and family/community events. ** Commission District 3.
5. Application of Roger Perkins for a Use Subject to County Commission on a .29± acre tract on the south side of Lakeshore Drive approximately 149 feet from its intersection with Oakwood Trail; a.k.a. 6527 Lakeshore Drive; Zoned PRD; Tax Parcel 10011D000105. Proposed use: Personal Single family residence. ** Commission District 2.
6. Application of Highlands Residential, LLC to amend conditions of a Planned Commercial Development (PCD) on a 5.77± acre tract located on the north side of Thompsons Mill Road approximately 1,049 feet from its intersection with Napa Ridge Road; a.k.a. 5596, 5608, 5614, and 0 Thompsons Mill Road;

Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.
**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, May 26, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.
106449 3/30

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP
Notice is hereby given that the Gainesville City Council will conduct a public hearing on Tuesday, April 19, 2022 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:
1) Request from Interface Properties, LLC to rezone a 6.6± acres tract located on the southwest side of the intersection of Dawsonville Highway and Beechwood Boulevard (a/k/a 989

Division, by calling 770-531-6570.
NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})
106368 3/30

NOTICE OF PUBLIC HEARING
Notice is hereby given that a public hearing will be held on behalf of the Housing Authority of the City of Gainesville (the "Issuer") on April 6, 2022 at 10:00 a.m., pursuant to Revenue Procedure 2022-22, the public hearing may be accessed by dialing 1-800-726-5670, Access Code 36421245. This hearing is for the purpose of considering the approval of the

s/Andre M Robertson
ieorgia Bar No.: 521899
64 College Avenue SE
iainesville, Georgia
0501
70-532-7485
ındrerobertson97@
mail.com
105551 3/9,16,23,30

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05865 3/16,23,30,4/6

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022CV343J, seeking a
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days after the Petition
was filed.
Dated: 02/01/2022
105572 3/9,16,23,30

SUPERIOR COURT OF
HALL COUNTY
STATE OF GEORGIA
In re the Name Change
of
Quatrina Lee Jones
Petitioner
CiviLAction Case
Number 22CV367C
Notice of Petition to
Change Name of Adult
Quatrina Lee Jones
filed a petition in the
Superior Court of Hall
County on MArch
02,2022 to change the
name from Quatrina
Lee Jones to Quatrina
Lee Powell
Any interested party
has the right to appear
in this case and file
objections within 30
days after the Petition
was filed.
Dated 03/02/2022
/s/Quatrina Lee Jones
Petitioner Pro se
105764 3/16,23,30,4/6

Public Hearings

NOTICE is hereby given that the Hall County Planning Commission shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 5:15 p.m. on Monday, April 18, 2022 to consider the following:

1. Previously tabled application of Efrain Carrillo to rezone from Agricultural Residential-IV (AR-IV) to Residential-I (R-I) on a 27.29± acre tract located on the west side of Coker Road approximately 171 feet from its intersection with Thousand Oaks Drive; a.k.a. 3504 Coker Road; Zoned AR-IV; Tax Parcel 15015 000131. Proposed Use: 18 lot subdivision. ** Commission District 3.

2. Previously tabled application of James E. and Greg S. Simpson to rezone from Agricultural Residential-IV (AR-IV) to Light Industrial (I-I) on a 37.30± acre tract Zoned PCD; Tax Parcel 15041 000020, 000013, 000056, and 000191. Proposed use: 152 unit senior living facility. ** Commission District 1.

7. Application of D. Barrett Investment Properties, LLC to rezone from Agricultural-Residential-III (AR-III) and Residential-II (R-II) to Planned Commercial Development (PCD) on a 5.7± acre tract located on the east side of Thompson Bridge Road approximately 1,306 feet from its intersection with Mount Vernon Road; a.k.a. 3654 Thompson Bridge Road; Zoned AR-III and R-II; Tax Parcel 10104 000002. Purposed Use: climate controlled storage and medical office facility. ** Commission District 2.

8. Application of Tyrus Brown to rezone from Residential-I (R-I) to Residential-II (R-II) on a 9.65± acre tract located on Meadow Lane at its terminus; a.k.a. 3596 Meadow Lane; Zoned R-I; Tax parcel 10105 004089. Proposed use: 44 unit townhome development. ** Commission District 2.

9. Amend the Official Code of Hall County, Georgia by amending Section 17.20.020. Definitions to change the definition of "Adult Establishments"; by amending Section 17.420.050(A) to amend the list of Prohibited uses in the Gateway Corridors Overlay District (GCOD). The intent of the proposed changes is to update the regulation of Adult establishments in Title 17 to protect the health, safety, and welfare by preventing negative secondary effects, while satisfying constitutional standards for adult establishment regulations.

NOTE: In accordance with Georgia law, anyone who
(a) wishes to express opposition to the proposed rezoning and
(b) has made, within two years immediately preceding the filing of the proposed rezoning, Dawsonville Highway, NW) from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-115-002-002E
Request: Retail, drive-through restaurant and auto service

2) Request from McKinley Homes US, LLC for a special use on a 7.74± acres tract located on the west side of Florence Drive, across from its intersection with Bentley Park Circle (a/k/a 2920 Florence Drive, SW), having a zoning of Office and Institutional (O-I).
Ward Number: Four
Tax Parcel Number(s): 08-015-005-029
Request: Residential townhomes

Additional information is available from the Community and Economic Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})
106479 3/30

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP

Notice is hereby given that the Gainesville City Council will conduct a public hearing on Tuesday, April 19, 2022 at 6:00 p.m. in the Gainesville Justice Center (Municipal

GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION

Applicant ..... McKinley Homes US, LLC
Property Owner ..... America's Home Place, Inc.
Location ..... 2920 Florence Drive, SW
Request ..... Special use within O-I zoning
Total Acres ..... 7.74± acres
Ward ..... Four
Proposed Use ..... 70 residential townhomes
Planning Division Staff Recommendation ..... **Approval, with conditions**
Planning & Appeals Board Recommendation ..... **Approval, with conditions**
Date ..... February 8, 2022

- ***Applicant's Proposal and Background Information***

The applicant is proposing a special use for the development of 70 fee-simple townhomes. The proposed residential density for the property is 9.04 dwelling units per acre. The townhomes are two-story in design ranging from 1,603 to 1,863 square feet in size, with two car garages. Exterior materials include a mixture of brick, cementitious siding, shakes and board & batten. Two driveways are proposed from Florence Drive and 18 guest parking spaces will be provided in the community. Amenities are to include a small pocket park, children's play area, dog walk and community mailbox. Stormwater detention will be located to the rear of the development.

The property contains a church building, parking lot and two driveways that will be demolished. The property is heavily wooded and includes a Georgia Power easement.

- ***Adjacent Land Use and Zoning***

Location	Use	Zoning
North	Richmond Gardens Townhomes	Office and Institutional (O-I)
South	Cellular Tower	Office and Institutional (O-I)
East	Bentley Park Condominiums Single-family home	Office and Institutional (O-I) Agricultural Residential-III (AR-III) -County
West	Free Chapel Campus	Neighborhood Business (N-B)

- ***Other Departmental Comments***

There were no other departmental comments for this request.

- ***Zoning History***

The following zoning actions have taken place in the immediate area during the last ten years:

2021 - A request by Adventures Real Estate, LLC to rezone a 17.028± acres tract located at 2520 Browns Bridge Road from Residential-I-A (R-I-A) to General Business (G-B) was conditionally approved for an automotive related facility.

2021 – A request by Pamela Eagar to annex a 0.15± acre tract located at 2834 Browns Bridge Road with a zoning of General Business (G-B) was conditionally approved for no proposed use.

2020 – A request by CenterPoint Integrated Solutions to annex a 7.81± acres tract located at 2602 Browns Bridge Road with a zoning of General Business (G-B) was conditionally approved for a CarMax Auto Superstore.

2020 – A request by Gainesville City Board of Education to rezone a 16.67± acres tract located at 1263 and 1279 McEver Road, SW from Residential-I (R-I) to Office and Institutional (O-I) was conditionally approved for a new middle school.

2020 – A request by Gainesville City Board of Education to annex a 5.931± acres tract located at 2550 and 2560 Gould Drive with Office and Institutional (O-I) zoning with a special use was conditionally approved for a new middle school and existing single-family home.

2020 – A request by Mauricio Ortega to annex a 0.51± acre tract located at 23 Cherrywood Drive with Residential-I (R-I) zoning was approved for sewer for a single-family home.

2018 – A request by Tyler Land Holdings to amend a 2.98± acres tract located at 1209 and 1229 Hillside Gardens Lane zoned Planned Unit Development (P-U-D) was conditionally approved for a boat sales dealership.

2017 – A request by Pro Building Systems to annex a 0.516± acre tract located at 2431 S Smith Road was approved with conditional General Business (G-B) zoning for an auto collision center.

2017 – A request by Manor Lake Development, LLC for a special use on a 9.24± acres tract located at 2900 McEver Road was approved with conditional Office and Institutional (O-I) zoning for an assisted living facility.

2015 – A request by the Roman Catholic Archdiocese of Atlanta to amend a 14.233± acres tract located at 2436 S. Smith Road and zoned Planned Unit Development (P-U-D) was conditionally approved for a church.

2015 – A request by the Roman Catholic Archdiocese of Atlanta to amend and rezone a 4.899± acres tract located at 0 S Smith Road from Residential-I (R-I) to Planned Unit Development (P-U-D) was conditionally approved for a church.

2013 – A request by Foote & Miller Properties, LLC to annex a 2.72± acres tract located at 2420 Browns Bridge Road was approved with General Business (G-B) zoning for sewer for an existing auto dealership.

2012 – A request by Rescate 2000, Inc. for a special use on an 8.19± acres tract located at 2920 Florence Drive (Subject Property) was approved with conditional Office and Institutional (O-I) zoning for a daycare center.

- ***Staff Analysis***

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The property is located at the southern end of Florence Drive which is a public street that extends from Browns Bridge Road to the Free Chapel Worship Center campus. The surrounding uses include a mixture of public and private property which includes the Hall County Administrative and Sherriff's office, 42-unit Bentley Park condominiums, 52-unit Richmond Gardens condominiums, 47-unit Richmond townhomes, 26-unit Fox Hollow condominiums, two residential homes, cellular tower, The Furniture Store and the Auto Gallery car sales/rental facility. These properties are zoned Office and Institutional (O-I), Neighborhood Business (N-B) Residential-II (R-II), Agricultural Residential-III (AR-III) and General Business (G-B). It appears the proposed use is suitable given the adjacent and nearby uses.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The proposed townhome development will function in a similar manner as the surrounding residential communities. There are 169 existing residential housing units located off of Florence Drive not including the 70 proposed townhome units. The additional units will increase traffic and turning movements at the intersection of Browns Bridge Road and Florence Drive.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The Future Development Map for the City of Gainesville places the subject property within the Public / *Institutional / Transportation / Utility* land use category which includes areas planned for public and institutional uses including governmental, educational, medical, houses of worship, major transportation, utilities or communication facilities.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Suburban Residential* Character Area. The vision for this area is to preserve older, stable residential subdivisions and encourage newer projects with smaller lot sizes, pedestrian infrastructure, and buildings patterned after traditional local housing, possibly containing a small neighborhood-serving "village center".

As well, the quality community objectives state that housing choices should continue to be diversified to support a range of household incomes, sizes, types, but consist mostly of traditional single-family detached lots. In areas where natural features or sensitive environments are important, cluster housing or conservation subdivision design may be appropriate. Land uses allowed in the *Suburban Residential Character Area* include low-density residential, medium-high density residential, multifamily residential, public / institutional, commercial, and parks / recreation / conservation, mixed-use.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The applicant desires to keep the zoning as O-I which requires special use approval for the proposed residential townhomes. A zoning of O-I could allow for the property to be redeveloped for an office complex, bank, club, lodge, custom order shop, daycare, public use, school and a church. It appears the proposal is more suitable given the adjacent and nearby residential uses.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Public water, sewer and public safety currently serve the subject property and are sufficient. Existing public safety services currently respond to the adjacent and nearby properties. Gainesville Fire Station #4 is located approximately 1.97± miles away off of Memorial Park Drive.

The proposed townhomes will increase traffic turning movements onto Browns Bridge Road. Left turning movements are especially difficult during peak hour traffic. Secondary access is available through the adjacent Free Chapel campus and the Hall County Sherriff's office when the gates are open. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the 65 residential townhomes on average could generate 406± new trips per weekday (50% entering, 50% exiting), 31± A.M. peak hour trips (19% entering, 81% exiting) and 36± P.M. peak hour trips (64% entering, 36% exiting).

The proposed development is not an age-restricted community. The projected number of students that would attend public schools within the proposed development is unknown at this time. The City of Gainesville currently provides bus service within the immediate area.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The property has functioned as a church for over 40+ years. Much of the neighboring land was undeveloped until the neighboring Richmond Townhomes and Richmond Garden Condominiums were developed in the mid 1990's which changed the growth pattern from potentially office and institutional to high density residential which is consistent with the proposed townhome use.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Based on the Comprehensive Plan and the adjacent attached residential uses, the proposed special use request appears to reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property.

<u>Special Use Criteria</u>

(1) The type of street providing access to the subject property is adequate to serve the proposed Special Use.

Florence Drive is a two lane asphalt road with no curb / gutter / sidewalks and is maintained by the City of Gainesville. The proposed 70-unit townhome development will moderately increase vehicular traffic on the road but it appears the existing road is sufficient for the proposal.

(2) Access into and out of the property adequately provides for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.

The development proposes two driveways off of Florence Drive which are sufficient. Internal 5-foot wide sidewalks are proposed on both sides of the internal roads to provide the community walkability to all common areas. There are no sidewalks on Florence Drive except for a small segment which fronts the Auto Gallery car dealership property on the east side of Florence Drive.

(3) Public facilities such as schools, water or sewer utilities, and police or fire protection are adequate to serve the Special Use.

Existing public facilities are adequate to serve the proposed use. Police and Fire facilities are located within 1.97 miles of the property. It is unknown the number of school aged

children that will be living in the development. Gainesville Elementary School and the new Gainesville Middle School are located in close proximity off of McEver Road.

(4) Refuse, service, parking and loading areas on the property are located and screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.

The townhomes are designed with two-car garages, driveway parking for two additional vehicles and 18 additional guest parking spaces within the development. Garbage pickup will be provided by the City of Gainesville. The proposed use should not create noise, light, glare or odor which are regulated by City codes.

(5) The hours and manner of operation of the Special Use have no adverse effects on other properties in the area.

The proposed townhome development will function similar to the adjacent and nearby residential townhome and condominium communities located off of Florence Drive. No hours of operation are proposed.

(6) The height, size and location of the buildings or other structures proposed on the property are compatible with the height, size or location of buildings or other structures on neighboring properties.

The proposed townhomes are two-story in design and include a total of 13 buildings with each building having no more than 6-townhome units. The proposed scale and quality of the development appears to be compatible with the other residential developments along Florence Drive.

- ***Staff Recommendation***

The Planning Division staff is recommending **approval** of special use request based on the Comprehensive Plan and the adjacent attached residential uses.

Conditions

1. **The proposal shall be generally consistent with the concept plan and architectural elevations provided with this application per the review and approval of the Community and Economic Development Director.**
2. **The proposed townhome development shall adhere to the development standards stated within Section 9-10-2-5 of the Unified Land Development Code entitled "Single-Family Attached Dwelling (Fee-Simple Townhouse)."**
3. **Each townhome unit shall provide a two car garage.**
4. **The rear and sides of each townhome building shall be constructed with a minimum 3-foot high watermark of brick or stone material. In addition, all roof structures shall be constructed with architectural shingles.**
5. **All proposed privacy fencing shall be decorative in nature and shall consist of wrought iron, aluminum or vinyl material.**
6. **A minimum 20-foot wide planted landscape buffer shall be required along Florence Drive. The landscape buffer shall include a minimum 3-foot high landscaped berm. In addition, a minimum 10-foot wide landscape buffer shall be required along the northerly property line to help screen the rear and side of the proposed townhomes, pocket park and dog walk.**

7. **All stormwater detention ponds shall be properly fenced and screened with a mixture of evergreen trees. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.**
8. **The developer/property owner shall construct 5-foot (5') wide sidewalks on both sides of the proposed interior private streets.**
9. **All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

Excerpts from the February 8, 2022 PAB Meeting Minutes

Applicant Presentation: Bill Schimdt, 9915 Buice Road, Alpharetta with McKinley Homes explained there will be 70 fee-simple units with prices from high 200's to low 300's which fits with the surrounding neighborhood. There will be a buffer in the back between the utility easement and in the front with a 20-foot landscape buffer.

FAVOR: None

OPPOSE: Andrea Crozier, 641 Ridgewood Avenue, asked if the project was in the city limits or in the county and Chairman Carter answered it would be in the city limits.

Betty Lou Pfister, 3012 Bentley Park Circle, stated she doesn't like idea of the project at that location. Florence Drive is a dead-end street which goes to the church property with a gate and is a small road with older folks in the area. She stated the gate is open on Sundays but closed otherwise. Ms. Pfister stated the density proposed is too much for the area and while developing it there would be large trucks and stated the street isn't very wide. She expressed concern with entering into Browns Bridge Road with making left turns and with the amount of additional vehicles along with additional children. The communities are quite, not against growth but such a tight area that it's not a wise decision.

Douglas Young, 2890 Florence Drive in the Richmond Townhomes community stated he attended the monthly meeting of the HOA board and they strongly oppose the proposal. He stated they are not opposed to new townhomes but 70 townhomes is a shockingly large number. He agreed with all said by Ms. Pfister along with there being no sidewalks. There are 169 residences presently and traffic is too heavy for the small road. Sunday traffic is heavy or any time there is a service at the church. He said a large number of people walk along with elderly residents and children. He stated they are very concerned with an already overcrowded street to add 70 townhomes it will create a traffic hazard but with a smaller development they would not be so opposed. The other concern was with both exits being onto Florence Drive making traffic worse. He asked the board to consider opposing the project or at least 70 townhomes.

Nora Nelson, 2888 Florence Drive stated she agrees with Betty and Douglas, traffic on Sundays is overwhelming with police directing traffic at Browns Bridge Road and Florence Drive. She stated with a large amount of elderly and young people, there is no place to walk or play, no sidewalks and no street lights. Ms. Nelson said the way the road is configured it doesn't lend itself to having an additional 70 townhomes and would like the property to be developed. She suggested infrastructure should be first, safety of the children and current residents and is opposed unless some of the issues be rectified.

Robert Martin, 2963 Bentley Park, stated he is not totally against the development. He said the townhomes look nice which could increase property values but is concerned with the amount of townhomes. He stated if approved would like to see the number reduced or a solution to the issues. He agrees there are elderly people that walk down street, no traffic issues except on Sunday with hundreds of vehicles using the road and hopes some improvement and adjustments with making it a dead-end street again. He agrees the property is an eye sore and sees the value in developing it but Florence Drive is a very small street with no dividing line on it.

PLANNING AND APPEALS BOARD COMMENTS: Chairman Carter asked Mr. Tate the number of units that could be developed and he answered 12 units per acre. Chairman Carter stated the request is under what could be allowed.

There was a motion to recommend conditional approval the special use for residential townhomes having a zoning of Office and Institutional (O-I) with the following conditions:

<u>Conditions</u>

1. **The proposal shall be generally consistent with the concept plan and architectural elevations provided with this application per the review and approval of the Community and Economic Development Director.**
2. **The proposed townhome development shall adhere to the development standards stated within Section 9-10-2-5 of the Unified Land Development Code entitled "Single-Family Attached Dwelling (Fee-Simple Townhouse)."**
3. **Each townhome unit shall provide a two car garage.**
4. **The rear and sides of each townhome building shall be constructed with a minimum 3-foot high watermark of brick or stone material. In addition, all roof structures shall be constructed with architectural shingles.**
5. **All proposed privacy fencing shall be decorative in nature and shall consist of wrought iron, aluminum or vinyl material.**
6. **A minimum 20-foot wide planted landscape buffer shall be required along Florence Drive. The landscape buffer shall include a minimum 3-foot high landscaped berm. In addition, a minimum 10-foot wide landscape buffer shall be required along the northerly property line to help screen the rear and side of the proposed townhomes, pocket park and dog walk.**
7. **All stormwater detention ponds shall be properly fenced and screened with a mixture of evergreen trees. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.**
8. **The developer/property owner shall construct 5-foot (5') wide sidewalks on both sides of the proposed interior private streets.**
9. **All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

Motion made by Board Member Martin
Motion seconded by Board Member White
Vote – 5 favor, 2 absent (Delgado, Thompson)

RESOLUTION ZR-2022-03

APPROVAL OF A REQUEST FOR A SPECIAL USE
SUBJECT TO APPROVAL BY THE CITY COUNCIL

WHEREAS, under **Chapter 9-6-2 Office and Institutional (O-I)** zoning district of the Unified Land Development Code of the City of Gainesville, Georgia; **Section 9-6-2-2 Permitted and Special Uses** allows for *residential townhomes* subject to City Council approval after review and recommendation by the Gainesville Planning and Appeals Board; and

WHEREAS, an application has been received from **McKinley Homes US, LLC** to allow *residential townhomes* within an Office and Institutional (O-I) zoning district identified as follows:

08-015-005-029
2920 Florence Drive, SW
Ward Four

WHEREAS, the application has been evaluated under any criteria specified in the aforesaid section; and

WHEREAS, the **Gainesville Planning and Appeals Board,** held a public hearing regarding this matter on **February 8, 2022.**

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the applicant's request for a special use permit as stated above and subject to all the terms of the Unified Land Development Code with the following conditions:

Conditions

1. **The proposal shall be generally consistent with the concept plan and architectural elevations provided with this application per the review and approval of the Community and Economic Development Director.**
2. **The proposed townhome development shall adhere to the development standards stated within Section 9-10-2-5 of the Unified Land Development Code entitled "Single-Family Attached Dwelling (Fee-Simple Townhouse)."**
3. **Each townhome unit shall provide a two car garage.**
4. **The rear and sides of each townhome building shall be constructed with a minimum 3-foot high watermark of brick or stone material. In addition, all roof structures shall be constructed with architectural shingles.**
5. **All proposed privacy fencing shall be decorative in nature and shall consist of wrought iron, aluminum or vinyl material.**
6. **A minimum 20-foot wide planted landscape buffer shall be required along Florence Drive. The landscape buffer shall include a minimum 3-foot high landscaped berm. In**

addition, a minimum 10-foot wide landscape buffer shall be required along the northerly property line to help screen the rear and side of the proposed townhomes, pocket park and dog walk.

7. **All stormwater detention ponds shall be properly fenced and screened with a mixture of evergreen trees. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.**
8. **The developer/property owner shall construct 5-foot (5') wide sidewalks on both sides of the proposed interior private streets.**
9. **All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the applicant's request for a special use permit as stated above and subject to all the terms of the Unified Land Development Code.

Adopted this _____ day of _____, 2022.

_____

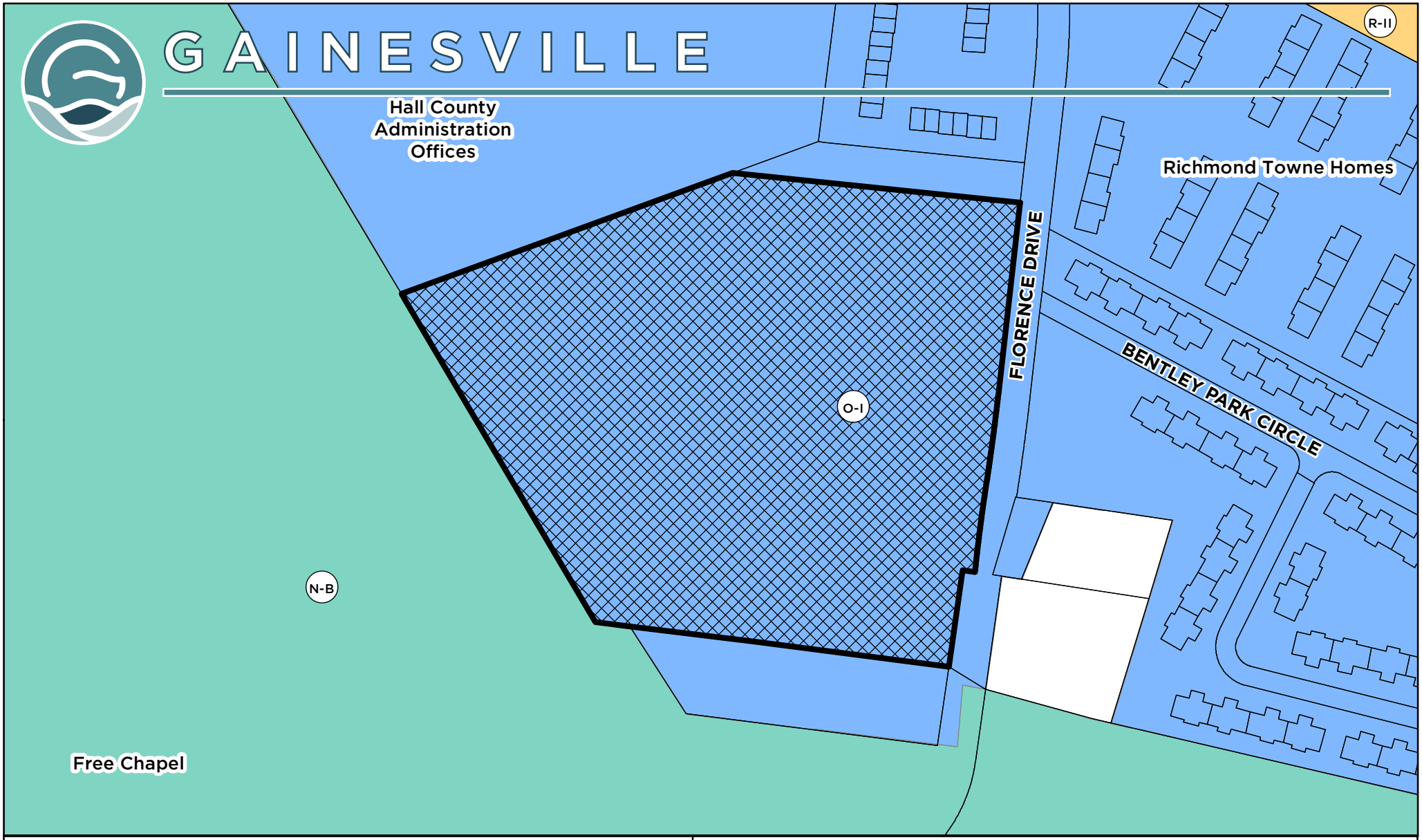
W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk



Applicant: MCKINLEY HOMES US, LLC

SPECIAL USE REQUEST

Request:

Special use on a 7.74+/- acres tract within Office and Institutional (O-I) zoning for residential townhomes.

Subject Property Address: 2920 Florence Drive, SW

Tax Parcel: 08-015-005-029

Subject Property

Meeting Date: 02/08/2022

Map Prepared: 01/18/2022

0 90 180 360 Feet

SCALE: 1 " = 167 '

N W E S

Applicant: MCKINLEY HOMES US, LLC

SPECIAL USE REQUEST

Request:

Special use on a 7.74+/- acres tract within Office and Institutional (O-I) zoning for residential townhomes.

Subject Property Address:	Tax Parcel:
2920 Florence Drive, SW	08-015-005-029

Subject Property

Aerial from 2021

Meeting Date: 02/08/2022

Map Prepared: 01/18/2022

0 90 180 360 Feet

SCALE: 1 " = 167 '

N W E S

City of Gainesville
Planning and Appeals Board.
300 Henry Ward Way
Gainesville, GA 30501

RE: Project Narrative for 2920 SW Florence Dr. Special Use Application of McKinley Homes US, LLC.

McKinley Homes US, LLC (the "Applicant"). Submits this Narrative and the attached zoning Application for the purpose of Special Use within the existing O-I zoning. The 7.74 acre site is located at 2924 SW Florence Dr., Gainesville, GA. The proposed community will include 70 fee simple townhomes. We believe the proposed townhome community and location provides for the housing needs of a growing, diverse population with attractive attached, pedestrian scaled townhomes.

The 7.74 acre site is located on Florence Dr, just south of Browns Bridge Rd. The property is adjacent to other townhome communities and the Hall County Sheriffs Office. The site currently has a vacant church on the property that will be removed. There will be 2 entries into the community from Florence Dr. Our main entry will be lined up across the street from Bentley Park Circle, a second entry is proposed approximately 300' south of the main entry. Florence Dr. provides convenient access to Brown Bridge Rd.. Browns Bridge Rd will provide easy access to shopping, employment centers, schools, and I-985. The site is walkable to the nearby Walmart Neighborhood Market, Walgreens and other nearby retail located at the Browns Bridge Rd/ McEver intersection.

The site is currently zoned O-I. We are proposing a Special Use within the existing O-I zoning. The proposed Special Use is in keeping with the surrounding townhome communities and will not adversely impact their uses or values.

The homes in the proposed community will include 70 front load townhomes. The 6 proposed townhome plans will range in size from 1603sf to 1863sf. The attractive townhome exteriors will include Brick, Cementious Siding, Shakes and Board & Batten. Each home will include a 2 car garage and additional 2 spaces provided on the driveway for guest. There will be 18 additional guest parking spaces provided in the community.

The community will have an amenity area that will include a small pocket park with children's play area, community mailbox, and dog walk.

We plan to build at one furnished model home which will include a sales office in the garage.

We welcome the opportunity to meet with the staff of The City of Gainesville Planning and Development Department to answer or address any questions or concerns relating to the matters set forth in this letter or in our application.

Respectfully submitted this 29th day of December, 2021.

McKinley Homes

Bill Schmidt
VP of Land Acquisition

DEVELOPMENT SUMMARY

PARCEL ID: 08015 005029
ADDRESS: 2920 FLORENCE DRIVE SW
SITE AREA: 7.74 AC (337,088 SF)
OWNER: AMERICA'S HOME PLACE, INC

LOCAL JURISDICTION:	CITY OF GAINESVILLE, GEORGIA
EXISTING ZONING:	O-I
PROPOSED CONDITION:	O-I SPECIAL USE
OVERLAY:	AIRPORT ZONE (CONICAL)
CHARACTER AREA:	SUBURBAN RESIDENTIAL
FUTURE LAND USE:	PUBLIC / INSTITUTIONAL / TRANSPORTATION / UTILITY
EXISTING LAND USE:	CHURCH & GYMNASIUM BUILDING
PROPOSED LAND USE:	MEDIUM-DENSITY RESIDENTIAL 70 TOWNHOME UNITS
MAX RES. DENSITY:	12.0 DU/AC
PROPOSED DENSITY:	9.0 DU/AC
MAX BLDG COVERAGE:	35% (117,980 SF)
PROP. BLDG COVERAGE:	24% (81,573 SF)
MAX BLDG HEIGHT:	60' (4 STORIES)
MIN BLDG SEPARATION:	20'
BLDG UNIT OFFSETS:	MIN 3' FOR BLDG CONTAINING MORE THAN 3 UNITS WITH COMMON WALLS; NO MORE THAN 6 UNITS MAY HAVE COMMON WALLS

MAX IMPERVIOUS SURFACE COVERAGE: 60% (202,252 SF)
EXISTING IMPERVIOUS AREA: 14% (48,151 SF)
PROPOSED IMPERVIOUS AREA: 52% (174,225 SF)

MINIMUM SETBACKS

FRONT YARD:	30' (FROM PUBLIC STREET R/W)
	15' (FROM PRIVATE STREET R/W)
SIDE YARD:	0' (FROM PERIMETER BOUNDARY)
REAR YARD:	0' (FROM PERIMETER BOUNDARY)

REQUIRED PARKING
USE: SINGLE-FAMILY ATTACHED
MIN PARKING: 2 SPACES PER UNIT X 70 UNITS = 140 SPACES
MAX PARKING: 4 SPACES PER UNIT X 70 UNITS = 280 SPACES

PROVIDED PARKING
2 GARAGE SPACE PER UNIT X 70 UNITS = 140 SPACES
GUEST/SURFACE PARKING = 18 SPACES
TOTAL PARKING PROVIDED = 158 SPACES

- ALL INTERIOR STREETS ARE PRIVATE WITH 50' R/W
- WATER AND SEWER SERVICE BY CITY OF GAINESVILLE

0 40 80 120 160 feet
1"=40'

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2920 FLORENCE DRIVE

ZONING SITE PLAN

CITY OF GAINESVILLE, GEORGIA 1/13/2022 #21.103 SHEET 1 OF 1

OWNER: McKINLEY HOMES
WHERE DREAMS COME HOME
655 ENGINEERING DRIVE, STE 208
PEACHTREE CORNERS, GA 30092

ENGINEER: paradigm Engineering Services, Inc.

Brunson & Company
LANDSCAPE ARCHITECTS

THE SINCLAIR

THE HARTWELL

THE OCONEE

THE BURTON

THE LANIER

THE RABUN

IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA

MCKINLEY HOMES US, LLC and AMERICA'S HOME PLACE, INC.,	)	
Petitioners,	)	
v.	)	Civil Action File No.2022CV460C
GAINESVILLE, GEORGIA CITY COUNCIL; DANNY DUNAGAN, ZACK THOMPSON, BARBARA B. BROOKS, GEORGE WANGEMANN, and JULI CLAY, in their official capacities as Councilmembers of the Gainesville, Georgia City Council; and SAM COUVILLON in his official capacity as Mayor of Gainesville, Georgia	)	
Respondents.	)	

CONSENT ORDER

This matter having come before the Court upon the consent of the parties, it is **HEREBY ORDERED** that this matter be remanded for further consideration by the governing body of the City of Gainesville, Georgia, of Petitioners' Application for Zoning Action that is referenced in the Petition filed in the above-referenced action. If the Application for Zoning Action is approved, Petitioners will dismiss this action with each party to bear its own fees and expenses. If the Application for Zoning Action is not approved, this action will resume. The parties will report the decision of the governing body of the City to the Court within five (5) days following the decision on the Application for Zoning Action. The Respondents' time to respond to Petitioners' Petition and the Writ of Certiorari issued by the Clerk of Court shall be extended

until thirty (30) days following the parties' report to the Court as to the decision of the governing body of the City on the Application for Zoning Action.

IT IS SO ORDERED this 25 day of March, 2022.

Honorable Jason J. Deal
Judge, Superior Court of Hall County

Prepared by:

SMITH, GILLIAM, WILLIAMS & MILES, P.A.
Attorneys for Petitioners
Steven P. Gilliam
Georgia Bar No. 294950
sgilliam@sgwmfirm.com
Keith J. Whitaker
Georgia Bar No. 435128
kwhitaker@sgwmfirm.com
P.O. Box 1098
Gainesville, GA 30503
(T) 770-536-3381

Consented by:

HULSEY, OLIVER & MAHAR, LLP
Attorneys for Respondents
Abbott S. Hayes, Jr.
Georgia Bar No. 399749
ash@homlaw.com
P.O. Box 1457
Gainesville, GA 30503
(T) 770-532-6312

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 4/4/2022

Presenter: Abb Hayes

Item of Business: **(Tabled at the March 15, 2022 Council Meeting)**
Request from **Clayton Properties Group, Inc. d/b/a Chafin Development** for a permit to relocate an abandoned cemetery located on real property owned by Butler Property, LLC, which real property is more particularly described in a Limited Warranty Deed dated September 29,. 2010, recorded at Deed Book 6749, Pages 226-241, Hall County, Georgia Deed Records, from said real property to Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia 30504.

- Proposed Resolution BR-2022-12

Meeting Date: 4/19/2022

Purpose of Request:

To conduct a public hearing regarding the following information as it pertains to a permit request:

Chafin Development is proposing to relocate an abandoned cemetery containing approximately 12 gravesites. The gravesites are located within an undeveloped 22 acres tract within the Mundy Mill subdivision located at the northwest side of Old Oakwood Road and Millside Parkway.

History/Background:

Chafin Development proposes to develop the property for 185 townhomes previously approved as part of the Mundy Mill development. The abandoned gravesite was discovered while surveying the property.

Facts & Issues for Consideration:

The agenda item was previously tabled at the March 15, 2022 City Council meeting.

Department Recommendation:

Information submitted for consideration.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Public Notice	Legal Ad
4-6-2022 Public Notice	Legal Ad
4-13-2022 Public Notice	Legal Ad
Proposed Resolution BR-2022-12	Resolution
Location Map 1	Backup Material
Location Map 2	Backup Material
Cemetery Abandonment Application	Backup Material
Chafin 2.22.22 Letter to Property Owners	Backup Material
Chafin 3.16.22 Letter to Property Owners	Backup Material
PowerPoint	Backup Material

PUBLIC NOTICE

In accordance with O.C.G.A. § 36-72-7(a), public notice is hereby given that the governing body of the City of Gainesville will hold a public hearing regarding the application of Clayton Properties Group, Inc. d/b/a Chafin Development to relocate an abandoned cemetery. The abandoned cemetery is located within Hall County, Georgia tax parcel number 08024 005008A, in Land Lot 25, 8th District of Hall County, Georgia. The abandoned cemetery is located on real property owned by Butler Property, LLC, which real property is more particularly described in a Limited Warranty Deed dated September 29, 2010, recorded at Deed Book 6749, Pages 226-241, Hall County, Georgia Deed Records. The applicant proposes to relocate the abandoned cemetery to Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia 30504. The purpose of the hearing is to receive input from any interested party or citizen on the proposed relocation of the abandoned cemetery. The hearing will be held on Tuesday, April 19, 2022 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway, Gainesville, Georgia 30501.

M-1
ADDRESS: 6655 MCEVER RD
All that tract or parcel of land lying in and being in Land lot 160 and 150 of the 8th District, Hall County, Georgia, and being more particularly described as follows:
Commencing at a point where the common line of Land Lots 160 and 150 intersects the eastern right of way of McEver Road (having a 80 foot wide publicly dedicated right of way), said point being the TRUE POINT OF BEGINNING.
Thence continuing along said right of way of McEver Road the following courses and distances: along a curve to the left with an arc distance of 197.43 feet, with a radius of 1055.26 feet, with a chord bearing of North 22 degrees 06 minutes 53 seconds East and a chord length of 197.15 feet to a 5/8-inch capped rebar set; North 16 degrees 45 minutes 18 seconds East a distance of 172.09 feet to a 5/8-inch rebar found; Thence leaving said right of way of McEver Road South 37 degrees 27 minutes 21 seconds East a distance of 850.46 feet to a 5/8-inch rebar found on the northwesterly right of way of Norfolk Southern (having a 400-foot right of way); Thence continuing along said Norfolk Southern right of way along a curve to the right with an arc distance of 99.77 feet, with a radius of 14660.13 feet, with a chord bearing of South 37 degrees 37 minutes 20 seconds West and a chord length of 99.77 feet, to a 5/8-inch rebar found; Thence leaving said Norfolk Southern right of way North 74 degrees 04 minutes 23 seconds West a distance of 714.68 feet to an angle iron found; Thence North 31 degrees 06 minutes 06 seconds West a distance of 29.84 feet to a 1-inch open top pipe found on the eastern right of way of McEver Road; Thence continuing along said right of way of McEver Road along a curve to the left with an arc distance of 222.34 feet, with a radius of 1055.26 feet, with a chord bearing of North 33 degrees 30 minutes 39 seconds East and a chord length of 221.93 feet to a point, said point being the TRUE POINT OF BEGINNING.
Said tract of land contains 5.734 acres (249,760 square feet).
OWNER: GREGORY BOSTWICK
CURRENTLY ZONED: AR-III
PROPOSED ZONING: M-1
ADDRESS: 6633 MCEVER RD
All that tract or parcel of land lying in and being in Land Lot 160 and 150 of the 8th District, Hall County, Georgia, and being more particularly described as follows:
Commencing at a point where the common line of Land Lots 160 and 150 intersects the eastern right of way of Mc Ever Road (having a 80 foot wide publicly dedicated right of way), thence continuing along said right of way of McEver Road the following courses and distances: along a curve to the left, with an arc distance of 197.43 feet, with a radius of 1055.26 feet, with a chord bearing of North 22 degrees 06 minutes 53 seconds East and a chord length of 197.15 feet to a 5/8-inch capped rebar set; North 16 degrees 45 minutes 18 seconds East a distance of 172.09 feet to a 5/8-inch rebar found, said rebar being the TRUE POINT OF BEGINNING.
Thence continuing along said right of way of McEver Road North 16 degrees 45 minutes 18 seconds East a distance of 408.54 feet to a 5/8-inch rebar found; Thence leaving said right of way of McEver Road South 30 degrees 27 minutes 11 seconds East a distance of 1040.28 feet to a 5/8-inch rebar found on the northwesterly right of way of Norfolk Southern (having a 400-foot right of way); Thence continuing along said Norfolk Southern right of way along a curve to the right with an arc distance of 212.33 feet, with a radius of 14660.13 feet, with a chord bearing of South 37 degrees 13 minutes 48 seconds West and a chord length of 213.78 feet to a 5/8-inch rebar found; Thence leaving said Norfolk Southern right of way North 37 degrees 27 minutes 21 seconds West a distance of 850.46 feet to a 5/8-inch rebar found on the eastern right of way of McEver Road, said rebar being the TRUE POINT OF BEGINNING.
Said tract of land contains 5.578 acres (242,981 square feet).
OWNER: GREGORY BOSTWICK
CURRENTLY ZONED: VC
PROPOSED ZONING: M-1
ADDRESS: 6611 MCEVER RD
All that tract or parcel of land lying In and being In Land Lot 160 and 150 of the 8th District, Hall County, Georgia, and being more particularly described as follows:
Commencing at a point where the common line of Land Lots 160 and 150 intersects the eastern right of way of McEver Road (having a 80 foot wide publicly dedicated right of way), thence continuing along said right of way of McEver Road the following courses and distances: along a curve to the left, with an arc distance of 197.43 feet, with a radius of 1055.26 feet, with a chord bearing of North 22 degrees 06 minutes 53 seconds East and a chord length of 197.15 feet to a 5/8-inch capped rebar set; North 16 degrees 45 minutes 18 seconds East a distance of 172.09 feet to a 5/8-Inch rebar found; North 16 degrees 45 minutes 18 seconds East a distance of 408.54 feet to a 5/8-Inch rebar found, said rebar being the TRUE POINT OF BEGINNING.
Thence continuing along said right of way of McEver Road North 16 degrees 23 minutes 46 seconds East a distance of 412.03 feet to a 5/8-Inch rebar found; Thence leaving said right of way of McEver Road South 30 degrees 45 minutes 27 seconds East a distance of 1190.99 feet to a 5/8-Inch capped rebar set on the northwesterly right of way of Norfolk Southern (having a 400-foot right of way); Thence continuing along said Norfolk Southern right of way the following courses and distances: South 36 degrees 42 minutes 57 seconds West a distance of 136.19 feet to a 5/8-inch capped rebar set; along a curve to the right, with an arc distance of 197.57 feet, with a radius of 14660.13 feet, with a chord bearing of South 36 degrees 12 minutes 41 seconds West and a chord length of 197.57 feet to a point; Thence North 30 degrees 27 minutes 11 seconds West a distance of 1040.28 feet to a 5/8-inch rebar found on the eastern right of way of McEver Road, said rebar being the TRUE POINT OF BEGINNING.
Said tract of land contains 7.793 acres (339,466 square feet).
106007 3/23,30, 4/6,13,20,27

NOTICE OF PUBLIC HEARING
UPON APPLICATION FOR ANNEXATION AND REZONING
Pursuant to O.C.G.A. § 36-36-1 et seq. and O.C.G.A. § 36-36-20 et seq., notice is hereby given that the City of Buford, a Georgia Municipal Corporation, will hold a public hearing to evaluate the applications of certain landowners, more fully set forth on Exhibit "A", to annex and zone property to the corporate limits of the City of Buford as provided in O.C.G.A. § 36-36-20 which is contiguous to the existing limits. The property proposed for annexation and rezoning is contiguous to the present corporate limits of the City of Buford and is more particularly described in Exhibit "A" attached hereto.
The City of Buford Planning Commission will hold a public hearing and make recommendation on such application for annexation and rezoning on Tuesday, April 12, 2022, at 7:00 pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518.
The Buford City Commission will hold a public hearing to discuss and pass upon the proposed applications for annexation and rezoning on Monday, May 2, 2022 at 7:00 p.m., Buford City Arena, 2795 Sawnee Avenue, Buford, Gwinnett County, Georgia 30518.
Please note that this is a change in location from the regular monthly City Commission meeting.
This 15th day of March, 2021.
CHANDLER, BRITT & JAY, LLC
City Attorneys
EXHIBIT "A"
OWNER: 713 HOLDINGS, LLC
CURRENTLY ZONED: AR-IV
PROPOSED ZONING: R-100
ADDRESS: 6200 New Bethany Road
All that tract or parcel of land lying and being in Land Lot 328 of the 7th Land District, Hall County, Georgia and being more particularly described as follows;
To find the true point of beginning, commence at the intersection of Land Lots 328, 329, 330 and 331; THENCE traveling on the Land Lot Line common to Land Lots 328 and 331 in a southwesterly direction for a distance of 618.72' to a point on the easterly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch crimp top pipe found; THENCE continuing on said Land Lot Line South 60 Degrees 03 Minutes 26 Seconds West for a distance of 60.66 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.
THENCE from said point as thus established, traveling on said westerly right of way of New Bethany Road the following three (3) courses and distances:
South 21 Degrees 15 Minutes 12 Seconds East for a distance of 168.04 feet to a point; THENCE South 22 Degrees 26 Minutes 09 Seconds East for a distance of 147.49 feet to a point; THENCE South 24 Degrees 39 Minutes 50 Seconds East for a distance of 67.77 feet to a point, said point marked by a ½ inch rebar pin set;
THENCE leaving said right of way and traveling South 59 Degrees 52 Minutes 43 Seconds West for a distance of 586.50 feet to a point, said point marked by a ½ inch rebar pin set; THENCE North 30 Degrees 24 Minutes 09 Seconds West for a distance of 381.61 feet to a point, said point marked by a 1 inch square bar found; THENCE North 60 Degrees 03 Minutes 09 Seconds East for a distance of 640.45 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.
Said property contains 5.343 Acres.
EXHIBIT "A"
OWNER: 713 HOLDINGS, LLC
CURRENTLY ZONED: AR-IV
PROPOSED ZONING: R-100
ADDRESS: 6180 New Bethany Road
All that tract or parcel of land lying and being in Land Lot 328 of the 7th Land District, Hall County, Georgia and being more particularly described as follows;
To find the true point of beginning, commence at the intersection of Land Lots 328, 329, 330 and 331; THENCE traveling on the Land Lot Line common to Land Lots 328 and 331 in a southwesterly direction for a distance of 618.72' to a point on the easterly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch crimp top pipe found; THENCE continuing on said Land Lot Line South 60 Degrees 03 Minutes 26 Seconds West for a distance of 60.66 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.
THENCE from said point as thus established, continuing on said westerly right of way of New Bethany Road South 24 Degrees 39 Minutes 50 Seconds East for a distance of 73.66 feet to a point; THENCE South 26 Degrees 01 Minutes 50 Seconds East for a distance of 186.36 feet to a point; THENCE South 25 Degrees 25 Minutes 00 Seconds East for a distance of 219.13 feet to a point, said point marked by a 5/8 inch rebar pin found; THENCE leaving said right of way and traveling South 59 Degrees 56 Minutes 51 Seconds West for a distance of 545.89 feet to a point, said point marked by a 1 inch square bar found; THENCE North 30 Degrees 24 Minutes 09 Seconds West for a distance of 476.95 feet to a point, said point marked by a½ inch rebar pin set; THENCE North 59 Degrees 52 Minutes 43 Seconds East for a distance of 586.50 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a½ inch rebar pin set, said point being THE TRUE POINT OF BEGINNING.
Said property contains 6.202 Acres
106022 3/23,30, 4/6,13,20,27

Please take notice that the City of Buford's regularly scheduled Commission meeting for the month of April will take place on Monday, April 11, 2022, at 7:00 p.m. at Buford City Arena, 2795 Sawnee Avenue, Buford, Georgia 30518.
106008 3/23,30,4/6

PUBLIC NOTICE
In accordance with O.C.G.A. § 36-72-7(a), public notice is hereby given that the governing body of the City of Gainesville will hold a public hearing regarding the application of Clayton Properties Group, Inc. d/b/a Chafin Development to relocate an abandoned cemetery. The abandoned cemetery is located within Hall County, Georgia tax parcel number 08024 005008A, in Land Lot 25, 8th District of Hall County, Georgia. The abandoned cemetery is located on real property owned by Butler Property, LLC, which real property is more particularly described in a Limited Warranty Deed dated September 29, 2010, recorded at Deed Book 6749, Pages 226-241, Hall County, Georgia Deed Records. The applicant proposes to relocate the abandoned cemetery to Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia 30504. The purpose of the hearing is to receive input from any interested party or citizen on the proposed relocation of the abandoned cemetery. The hearing will be held on Tuesday, April 19, 2022 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway, Gainesville, Georgia 30501.
106055 4/6,13

PUBLIC NOTICE
The Braselton Planning Commission will hold a Public Hearing on Monday, April 25, 2022, at 7 p.m. and the Braselton Mayor and Council will hold a Public Hearing on Thursday, May 5, 2022, at 4 p.m. on the following items:
Application # 22-01-CU
Application for a conditional use approval from Ed Merchant. The property is identified as Jackson County Tax Parcel 118 001C (corner of S.R. 53 and Jackson Avenue). The property is approximately 6.75 acres. The property owner is Friendship Road Properties LLC. The property is currently zoned General Commercial with conditions and located in the SR 53 Overlay District. The applicant requests a Conditional Use approval to permit a Convenience Store/ Gas Station.
Application # 22-02-CU
Application for a conditional use approval from North Metro First Baptist Church of Gwinnett c/o Mahaffey Pickens Tucker, LLC. The property is identified as Barrow County Tax Parcel BR023 018, 019, 019A (two parcels have assigned addresses of 1041 and 1049 Hwy. 124). The property is approximately 33.94 acres. The property owner is White Charitable Trust. The property is currently zoned General Commercial and located in the SR 211 Overlay District. The applicant requests a Conditional Use approval to permit a Church or Place of Worship.
COPIES OF THE APPLICATION MAY BE VIEWED OR DOWNLOADED AT: https://www.braselton.net/government/town_officials/planning_commission.php
FOR MORE INFORMATION CONTACT KEVIN KELLER AT: kdkeller@braselton.net
*ALL BRASELTON PLANNING COMMISSION AND MAYOR AND COUNCIL PUBLIC HEARINGS ARE HELD AT THE FOLLOWING LOCATION: BRASELTON POLICE AND MUNICIPAL COURT BUILDING 5040 S.R. 53 BRASELTON, GA 30517
106563 4/6

The City of Buford Planning and Zoning Board will meet on Tuesday, April 12, 2022 at 7:00 p.m. at Buford City Hall, 2300 Buford Highway, Buford, Georgia 30518 and the Buford City Commission will meet on Monday, May 2, 2022 at 7:00 p.m. at Buford City Arena, 2795 Sawnee Avenue, Buford, Georgia 30518 to consider a special use permit at 4996 Lanier Islands Parkway, 08-157-000001, for Theo Stone, Atwell, LLC. The special use permit requested is to allow an automotive repair minor, with a parking count of 30 spaces with retail tire sales.
106031 3/23,30, 4/6,13,20,27

Public Sales/Auctions

1625 MLK Jr Blvd Storage Units Gainesville, GA will be auctioning off contents in two units on April 23, 2022 at 10:00 a.m.
106567 4/6,13

Key Storage located at 3719 Winder Hwy, Flowery Branch, GA 30542 will hold
an online public sale to enforce a lien imposed on said property, as described below, pursuant to the Georgia Self Storage Facility Act, Georgia Code 10-4-210 to 10-4-215. The auction will be held on websitewww.storageauctions.com(http://www.storageauctions.com) and will end
at 3:00 PM on Thursday, April 21, 2022
Management reserves the right to withdraw any unit from sale. Registered or motor vehicles are sold "As Is/ Parts Only," no titles or registration.
Tenant Name, Unit #, Stored Items
Ashley Rogers 4035 HHG, FURN BOXES
Angelica Bailey 6044 HHG, FURN BOXES
106568 4/6,13

Notice is hereby given that on 19 April, 2022 at 5140 McEver Road Self Storage Oakwood, Ga the undersigned will sell at public auction by competitive bidding on sorragestreasures.com at 2:30pm the following personal items stored with this facility. All sales are cash only and all items must be removed form the unit within 72 hours.
Unit 660
Mason Walker
Bags of clothes, coffee table, mirror, grill, garbage can, cooler, storage bins, golf clubs, shelves
Unit 725
Joye Brown
Bags of clothes, suit case, framed pictures, dart board, uke, tote boxes, foot stool
Unit 810
Brett Davis
Boxes, big screen tv, lamp, guitar, mattress, misc. house hold goods, shelving, photon, Christmas tree, canvas pictures, exercising machine, coat rack , brooms
Unit 866
Brett Davis
Couches, rack of clothes, pictures, shelves, bedroom set, more furniture, office chairs, book cases, chandler, lots of boxes
Unit 714
Christien Colbaugh
Mattress, boxes, piano, sofa, tv screen, Christmas items, bags of clothes, filing cabinet, dollies, tote boxes, garbage cans,
106578 4/6,13

NOTICE OF PUBLIC SALE
To satisfy the owner's storage lien, PS Orange Co. Inc. will sell at public lien sale on April 14, 2022, the personal property in the below-listed units, which may include but are not limited to: household and personal items, office and other equipment. The public sale of these items will begin at 09:30 AM and continue until all units are sold. Lien sale to be held at the online auction website, www.storagetreasures.com, where indicated. For online lien sales, bids will be accepted until 2 hours after the time of the sale specified.
PUBLIC STORAGE # 26961, 7366 Friendship Springs Blvd, Flowery Branch, GA 30542, (678) 693-2587
Time: 10:30 AM
Sale to be held at www.storagetreasures.com.
1024 - Sarver, James; 1127 - Jr, Douglas Wright; 1136 - Miller, Susan; 1175 - Alvarez, Miguel; 2027 - Simms, Lyvelle; 2042 - Rutland, Melissa; 2149 - Harper, Jeffrey; 2177 - Okanovic, Sanjin; 3008 - Claek, Julissa; 3015 - Alvarez, Miguel; 3240 - Jones, Thomas
Public sale terms, rules, and regulations will be made available prior to the sale. All sales are subject to cancellation. We reserve the right to refuse any bid. Payment must be in cash or credit card-no checks. Buyers must secure the units with their own personal locks. To claim tax-exempt status, original RESALE certificates for each space purchased is required. By PS Orangeco, Inc., 701 Western Avenue, Glendale, CA 91201. (818) 244-8080.
106226 3/30,4/6

Notice of Self Storage Sale
Please take notice FreeUp Storage - Murrayville located at 5162 Thompson Bridge Rd., Murrayville, GA 30564 intends to hold a public sale to sell the property stored in the following units stored at the Facility. The public sale to the highest bidder will occur at an online auction via www.selfstorageauction.com on 4/19/2022 at 10:00am. Unless stated otherwise the description of the contents are household goods and furnishings. Catherine Moss unit #138; Rosemary Wellborn unit #1423; Emily Jack Thompson unit #1622; Chad Rogers unit #1720; Matt Suggs unit #1912; Whitney Anderson unit #2103B; Andrew Phagan unit #2206; Kasie Heafner unit #2221; Daffney Sapp unit #317; Howard Oglesby unit #319; Sandy Green unit #511; Christy Wheeler unit #517; Sherrie Bryant unit #524; Joey Dunagan unit #702; John McDougald unit #723. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details.
106342 3/30,4/6

Notice of Self Storage Sale
Please take notice StoreEase - Gainesville Hilton at 2445 Hilton Dr., Gainesville, GA 30501 intends to hold a public sale to sell the property stored in the following units stored at the Facility. The public sale to the highest bidder will occur at an online auction via www.lockerfox.com on 4/20/2022 at 10:00am. Unless stated otherwise the description of the contents are household goods and furnishings. Edgar Medina unit #202; Yesica Galvan units #252 & #307; Jerry R Ober unit #305; Chelsea Estrada unit #313. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details.
106452 3/30,4/6

Pursuant to the Georgia Self-Service Storage Facility Act, notice is hereby given that SS Flowery Branch, LLC d/b/a Simply Self Storage at 6121 Spout Springs Road, Flowery Branch GA 30542 will sell at public auction the personal property in the below-listed occupants' leased unit(s) to satisfy the owner's lien. The personal property stored therein by the following occupants may include but is not limited to general household, office and personal items, furniture, boxes, clothes, and appliances. The unit(s) will be sold at public auction through online auction services of
www.storagetreasures.com with bids opening at 12:00 PM on 4/14/22 and closing at 12:00 PM on 4/21/22. Unit 330 London Madison – Toys, Mattress, furniture, electronics, boxes,Unit 138 Jennifer Segraves-Furniture, boxes, totes, Fan, electronics, toys
105968 3/30,4/6

WILL BE Sold Online at Storageauctions.com
Notice is hereby given that on Auction Date: April 18, 2022 U-Haul Company of Northeast Georgia will Sell under the contractual landlords lien process by Online auction the following storage units. The goods to be sold are generally described as household goods.
Gainesville:
Oakwood:
2175 Maria Ruvalcaba-Rosado
O71 Rashaam Georgetown
106535 4/6,13

Probate Notices

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF
BOBBY GARNER ADAMS
DECEASED
ESTATE NO. E-21-750
NOTICE
IN RE: The Petition to Probate Will in Solemn Form in the above referenced estate having been duly filed,
TO: Shane Long and Jake Long
This is to notify you to file objection, if there is any, to the above-referenced Petition, in this court on or before 10:00 a.m. May 6th 2022
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required

§ 36-36-1 et seq. and O.C.G.A. § 36-36-20 et seq., notice is hereby given that the City of Buford, a Georgia Municipal Corporation, will hold a public hearing to evaluate the applications of certain landowners, more fully set forth on Exhibit "A", to annex and zone property to the corporate limits of the City of Buford as provided in O.C.G.A. § 36-36-20 which is contiguous to the existing limits. The property proposed for annexation and rezoning is contiguous to the present corporate limits of the City of Buford and is more particularly described in Exhibit "A" attached hereto.

The City of Buford Planning Commission will hold a public hearing and make recommendation on such application for annexation and rezoning on Tuesday, April 12, 2022, at 7:00 pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518.

The Buford City Commission will hold a public hearing to discuss and pass upon the proposed applications for annexation and rezoning on Monday, May 2, 2022 at 7:00 p.m., Buford City Arena, 2795 Sawnee Avenue, Buford, Gwinnett County, Georgia 30518. Please note that this is a change in location from the regular monthly City Commission meeting.

This 15th day of March, 2021.

CHANDLER, BRITT & JAY, LLC
City Attorneys

EXHIBIT "A"
OWNER: 713 HOLDINGS, LLC
CURRENTLY ZONED: AR-IV
PROPOSED ZONING: R-100
ADDRESS: 6200 New Bethany Road

All that tract or parcel of land lying and being in Land Lot 328 of the 7th Land District, Hall County, Georgia and being more particularly described as follows;

To find the true point of beginning, commence at the intersection of Land Lots 328, 329, 330 and 331; THENCE traveling on the Land Lot Line common to Land Lots 328 and 331 in a southwesterly direction for a distance of 618.72' to a point on the easterly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch crimp top pipe found; THENCE continuing on said Land Lot Line South 60 Degrees 03 Minutes 26 Seconds West for a distance of 60.66 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, traveling on said westerly right of way of New Bethany Road the following three (3) courses and distances:

South 21 Degrees 15 Minutes 12 Seconds East for a distance of 168.04 feet to a point; THENCE South 22 Degrees 26 Minutes 09 Seconds East for a distance of 147.49 feet to a point; THENCE South 24 Degrees 39 Minutes 50 Seconds East for a distance of 67.77 feet to a point, said point marked by a ½ inch rebar pin set;

THENCE leaving said right of way and traveling South 59 Degrees 52 Minutes 43 Seconds West for a distance of 586.50 feet to a point, said point marked by a ½ inch rebar pin set; THENCE North 30 Degrees 24 Minutes 09 Seconds West for a distance of 381.61 feet to a point, said point marked by a 1 inch square bar found; THENCE North 60 Degrees 03 Minutes 09 Seconds East for a distance of 640.45 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.

Said property contains 5.343 Acres.

EXHIBIT "A"
OWNER: 713 HOLDINGS, LLC
CURRENTLY ZONED: AR-IV
PROPOSED ZONING: R-100
ADDRESS: 6180 New Bethany Road

All that tract or parcel of land lying and being in Land Lot 328 of the 7th Land District, Hall County, Georgia and being more particularly described as follows;

To find the true point of beginning, commence at the intersection of Land Lots 328, 329, 330 and 331; THENCE traveling on the Land Lot Line common to Land Lots 328 and 331 in a southwesterly direction for a distance of 618.72' to a point on the easterly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch crimp top pipe found; THENCE continuing on said Land Lot Line South 60 Degrees 03 Minutes 26 Seconds West for a distance of 60.66 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a 1 inch open top pipe found; THENCE traveling on said westerly right of way of New Bethany Road the following three (3) courses and distances:

South 21 Degrees 15 Minutes 12 Seconds East for a distance of 168.04 feet to a point; THENCE South 22 Degrees 26 Minutes 09 Seconds East for a distance of 147.49 feet to a point; THENCE South 24 Degrees 39 Minutes 50 Seconds East for a distance of 67.77 feet to a point, said point marked by a ½ inch rebar pin set, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, continuing on said westerly right of way of New Bethany Road South 24 Degrees 39 Minutes 50 Seconds East for a distance of 73.66 feet to a point; THENCE South 26 Degrees 01 Minutes 50 Seconds East for a distance of 186.36 feet to a point; THENCE South 25 Degrees 25 Minutes 00 Seconds East for a distance of 219.13 feet to a point, said point marked by a 5/8 inch rebar pin found; THENCE leaving said right of way and traveling South 59 Degrees 56 Minutes 51 Seconds West for a distance of 545.89 feet to a point, said point marked by a 1 inch square bar found; THENCE North 30 Degrees 24 Minutes 09 Seconds West for a distance of 476.95 feet to a point, said point marked by a½ inch rebar pin set; THENCE North 59 Degrees 52 Minutes 43 Seconds East for a distance of 586.50 feet to a point on the westerly right of way of New Bethany Road (60' right of way), said point marked by a½ inch rebar pin set, said point being THE TRUE POINT OF BEGINNING.

Said property contains 6.202 Acres

106022 3/23,30, 4/6,13,20,27

PUBLIC NOTICE

In accordance with O.C.G.A. § 36-72-7(a), public notice is hereby given that the governing body of the City of Gainesville will hold a public hearing regarding the application of Clayton Properties Group, Inc. d/b/a Chafin Development to relocate an abandoned cemetery. The abandoned cemetery is located within Hall County, Georgia tax parcel number 08024 005008A, in Land Lot 25, 8th District of Hall County, Georgia. The abandoned cemetery is located on real property owned by Butler Property, LLC, which real property is more particularly described in a Limited Warranty Deed dated September 29, 2010, recorded at Deed Book 6749, Pages 226-241, Hall County, Georgia Deed Records. The applicant proposes to relocate the abandoned cemetery to Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia 30504. The purpose of the hearing is to receive input from any interested party or citizen on the proposed relocation of the abandoned cemetery. The hearing will be held on Tuesday, April 19, 2022 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway, Gainesville, Georgia 30501.

106055 4/6,13

PUBLIC NOTICE

The Braselton Zoning Board of Appeals will hold a Public Hearing on Thursday, April 28, 2022 at 7:00 pm on the following items:

22-01-VAR
Application for a stream buffer and impervious surface variance from RG Jesse Chronic, LLC on property owned by them identified as Jackson County Tax Parcel 119 004J4. The property is approximately 39.07 acres. The property is zoned M-D (Manufacturing-Distribution). The applicable Development Code section for which the applicant and owner is seeking relief is 15.5 (Stream Buffer Protection).

22-02-VAR
Application for a variance from Zachary Hoxie on property owned by him identified as 2157 Crimson King Drive. The property is approximately 1.16 acres. The property is zoned PUD (Planned Unit Development). The applicable Development Code section for which the variance is being sought is section 9.1.0 (Requirements for Accessory Buildings, Fences, and Ancillary Uses) Paragraph A. of the Braselton Development Code. The applicant requests relief from the requirement that pools, and pool decking be no closer to the side property line than the residential structure itself.

22-03-VAR
Application for a variance from Jordan Koepke and Shivali Naik on property owned by Scott Puckett identified as 5473 Lula Bridge Court. The property is approximately .711 acres. The property is zoned PUD (Planned Unit Development). The applicable Development Code section for which the variance is being sought is section 9.1.0 (Requirements for Accessory Buildings, Fences, and Ancillary Uses) Paragraph A. of the Braselton Development Code. The applicant requests relief from the requirement that pools, and pool decking be no closer to the side property line than the residential structure itself.

COPIES OF THE APPLICATION MAY BE VIEWED OR DOWNLOADED AT: https://www.braselton.net/government/town_officials/zoning_board_of_appeals.php

FOR MORE INFORMATION CONTACT KEVIN KELLER AT: kdkeller@braselton.net

ALL BRASELTON ZONING BOARD OF APPEALS PUBLIC HEARINGS ARE HELD AT THE FOLLOWING LOCATION:
BRASELTON POLICE AND MUNICIPAL COURT BUILDING
5040 S.R. 53
BRASELTON, GA 30517

106786 4/13

The City of Buford Planning and Zoning Board will meet on Tuesday, April 12, 2022 at 7:00 p.m. at Buford City Hall, 2300 Buford Highway, Buford, Georgia 30518 and the Buford City Commission will meet on Monday, May 2, 2022 at 7:00 p.m. at Buford City Arena, 2795 Sawnee Avenue, Buford, Georgia 30518 to consider a special use permit at 4996 Lanier Islands Parkway, 08-157-000001, for Theo Stone, Atwell, LLC. The special use permit requested is to allow an automotive repair minor, with a parking count of 30 spaces with retail tire sales.

106031 3/23,30, 4/6,13,20,27

Public Sales/Auctions

1625 MLK Jr Blvd Storage Units Gainesville, GA will be auctioning off contents in two units on April 23, 2022 at 10:00 a.m.

106567 4/6,13

FIRST PLACE SELF STORAGE
912 GAINESVILLE HWY SUITE A BUFORD GA 30518
770-614-8804 FAX:770-831-3625

Request a Notice of Lien Sale be published on the following listed unit.
Unit No: B021
Name: MICHAEL SMOCK
Address: 6A STONEHENGE DRIVE BUFORD, GEORGIA 30518
General description of goods: Household and miscellaneous items
LIEN SALE WILL BE HELD
Date: 04/22/2022 TIME: 10:00 AM
Location: WWW.BID13.COM

106840 4/13,20

Key Storage located at 3719 Winder Hwy, Flowery Branch, GA 30542 will hold an online public sale to enforce a lien imposed on said property, as described below, pursuant to the Georgia Self Storage Facility Act, Georgia Code 10-4-210 to 10-4-215. The auction will be held on websitewww.storageauctions.com(http://www.storageauctions.com) and will end at 3:00 PM on Thursday, April 21, 2022 Management reserves the right to withdraw any unit from sale. Registered or motor vehicles are sold "As Is/Parts Only," no titles or registration.

Tenant Name, Unit #, Stored Items
Ashley Rogers 4035 HHG, FURN BOXES
Angelica Bailey 6044 HHG, FURN BOXES

106568 4/6,13

Notice is hereby given that on 19 April, 2022 at 5140 McEver Road Self Storage Oakwood, Ga the undersigned will sell at public auction by competitive bidding on sorragestreasures.com at 2:30pm the following personal items stored with this facility. All sales are cash only and all items must be removed form the unit within 72 hours.

Unit 660
Mason Walker
Bags of clothes, coffee table, mirror, grill, garbage can, cooler, storage bins, golf clubs, shelves
Unit 725
Joye Brown
Bags of clothes, suit case, framed pictures, dart board, uke, tote boxes, foot stool
Unit 810
Brett Davis
Boxes, big screen tv, lamp, guitar, mattress, misc. house hold goods, shelving, photon, Christmas tree, canvas pictures, exercising machine, coat rack , brooms
Unit 866
Brett Davis
Couches, rack of clothes, pictures, shelves, bedroom set, more furniture, office chairs, book cases, chandler, lots of boxes
Unit 714
Christien Colbaugh
Mattress, boxes, piano, sofa, tv screen, Christmas items, bags of clothes, filing cabinet, dollies, tote boxes, garbage cans,

106578 4/6,13

WILL BE Sold Online at Storageauctions.com

Notice is hereby given that on Auction Date: April 18, 2022 U-Haul Company of Northeast Georgia will Sell under the contractual landlords lien process by Online auction the following storage units. The goods to be sold are generally described as household goods.

Gainesville:
Oakwood:
2175 Maria Ruvalcaba-Rosado
O71 Rashaam
Georgetown

106535 4/6,13

Probate Notices

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF
BOBBY GARNER ADAMS
DECEASED
ESTATE NO. E-21-750
NOTICE

IN RE: The Petition to Probate Will in Solemn Form in the above referenced estate having been duly filed,
TO: Shane Long and Jake Long
This is to notify you to file objection, if there is any, to the above-referenced Petition, in this court on or before 10:00 a.m. May 6th 2022
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
Patty Walters Laine
Probate Judge
S. Carley
CLERK/DEPUTY CLERK OF THE PROBATE COURT
116 SPRING STREET, 1ST FLOOR, Gainesville, GA 30501
770-533-7828

106646 4/6, 13, 20, 27, 2022

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF
JOHN TERRY JACKSON
DECEASED
ESTATE NO. E-21-552
NOTICE

The Petition of Personal Representative for Leave to Sell Property in the above-referenced estate having been duly filed,
TO: Desmond Chance Scott; Dominick Lamar Andre McDonald; Robert Wayne Mitchell, II; John Mitchell This is to notify you to file objection, if there is any, to the above referenced Petition in this court on or before 10:00 AM MAY 6, 2022.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
Patty Walters Laine
Probate Judge
Melissa Phillips
CLERK/DEPUTY CLERK OF THE PROBATE COURT
116 Spring Street, 1st Floor, Gainesville, GA 30501
770-533-7828

106648 4/6, 13, 20, 27

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF
JUANITA MARGARET RICKERSON
DECEASED
ESTATE NO. E-21-211
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: WHOM IT MAY CONCERN:
PATRICK JAMES MARTIN has petitioned to be appointed Administrator(s) of the estate JUANITA MARGARET RICKERSON deceased, of said County. (The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. 53-12-261.) All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the court on or before MAY 9TH 2022
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
Patty Walters Laine
Probate Judge
Melissa Phillips
CLERK/DEPUTY CLERK OF THE PROBATE COURT
116 SPRING STREET, FIRST FLOOR, Gainesville, GA 30501
770-533-7828

106623 4/6, 13, 20, 27

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF CAROL
BRADLEY MORRIS
DECEASED
ESTATE NO. E-22-290
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: WHOM IT MAY CONCERN:
Texys Virginia Morris has petitioned to be appointed Administrator(s) of the estate of deceased CAROL BRADLEY MORRIS, of said County. (The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. 53-12-261.) All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the court on or before 10:00 a.m. MAY 6TH 2022 BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing. Patty Walters Laine Probate Judge Melissa Phillips
CLERK/DEPUTY CLERK OF THE PROBATE COURT
116 SPRING STREET, FIRST FLOOR, Gainesville, GA 30501
770-533-7828

106645 4/6, 13, 20, 27

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF CHARLES LAYNE
DECEASED
ESTATE NO. E-22-253
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: WHOM IT MAY CONCERN:
Evelyn Torres has petitioned to be appointed Administrator(s) of the estate of deceased CHARLES LAYNE, of said County. (The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. 53-12-261.) All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the court on or before 10:00 a.m. MAY 6TH 2022

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
Patty Walters Laine
Probate Judge
Melissa Phillips
CLERK/DEPUTY CLERK OF THE PROBATE COURT
116 SPRING STREET, FIRST FLOOR, Gainesville, GA 30501
770-533-7828

106636 4/6, 13, 20, 27

IN THE PROBATE COURT
COUNTY OF HALL
STATE OF GEORGIA
IN RE: ESTATE OF
DONALD MILTON DAVIS, SR.
DECEASED
ESTATE NO. E-22-117
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: WHOM IT MAY CONCERN:

RESOLUTION BR-2022-12

Clayton Properties Group, Inc. d/b/a Chafin Development Application for Permit to Relocate Abandoned Cemetery

WHEREAS, on or about February 11, 2022, Clayton Properties Group, Inc., d/b/a Chafin Development ("Applicant") submitted an application to relocate an abandoned cemetery pursuant to O.C.G.A. Section 36-72-1, et seq ("Application"); and

WHEREAS, notice has been given to any potential descendant pursuant to O.C.G.A. Section 36-72-6; and

WHEREAS, the governing body of the City of Gainesville conducted a public hearing on the Application for a permit on April 19, 2022, after publication of notice of the public hearing in the Gainesville Times once a week for two consecutive weeks immediately preceding the week in which the hearing was held.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Gainesville, after considering the factors set forth in O.C.G.A. Section 36-72-8, does hereby: (1) adopt the Application in whole; (2) issue a permit allowing Applicant to relocate the abandoned cemetery as set forth in the Application; (3) adopt the Applicant's proposal for mitigation; (4) allow the Applicant to begin activities relating to the relocation after the expiration of the time for appeal as set forth in O.C.G.A. Section 36-72-11; and (5) authorize the Mayor, City Manager and City Attorney to execute such documents as may be necessary to effectuate the terms of this Resolution.

Adopted this _____ day of _____, 2022.

_____
W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____
Denise O. Jordan, City Clerk

CEMETERY LOCATION
Legend
Gainesville City Limit
MCEVER ROAD
GREENVIEW DRIVE
HILLDALE ROAD
WOODS DRIVE
BYERS RIDGE
WHITING ROAD
MAPLE FORGE LANE
WESTGATE DRIVE
MABRY ROAD
DENNIS DRIVE
HOLCOMB ROAD
DOGWOOD DRIVE
DOGWOOD WALK
HOLIDAY LANE
PLEASANT HILL DRIVE
MOUNTAIN VIEW ROAD
BAGWELL DRIVE
WILSHIRE COURT
BRAIDEN DRIVE
PLEASANT GARDEN DRIVE
MOONEY DRIVE
ROPER LANE
BUICE CIRCLE
BUICE LANE
BOX ELDER PATH
OLD FLOWERY BRANCH ROAD
MEEKS DRIVE
HIDDEN CREEK DRIVE
LOST CREEK DRIVE
SWEETWATER DRIVE
BANSHIRE CIRCLE
CLUBSIDE DRIVE
GREEN WAY
ROCKROSE
WINDSCAPE WAY
PEARHAVEN LANE
BEECHNUT VIEW
BIRCH MEADOW
TRAIL
MILLSIDE PARKWAY
WHISPER CREEK COURT
COTTONWOOD TRAIL
HUDSON DRIVE
CREEKSIDE PLACE
FAIRBANKS DRIVE
TIMBERHILL PLACE
APACHE CIRCLE
OLD OAKWOOD ROAD
TUMBLING CREEK ROAD
WEST PARK DRIVE
A BAGWELL ROAD
BRISKOWAY
MUNDY MILL ROAD
CONTINENTAL DRIVE
EXECUTIVE DRIVE
WOOD ACRES ROAD
CRAWFORD OAKS DRIVE
CAMPUS POINTE CIRCLE
FACILITIES DRIVE
NIGHTHAWKS WAY
OAKWOOD HILLS DRIVE
BROCK DRIVE
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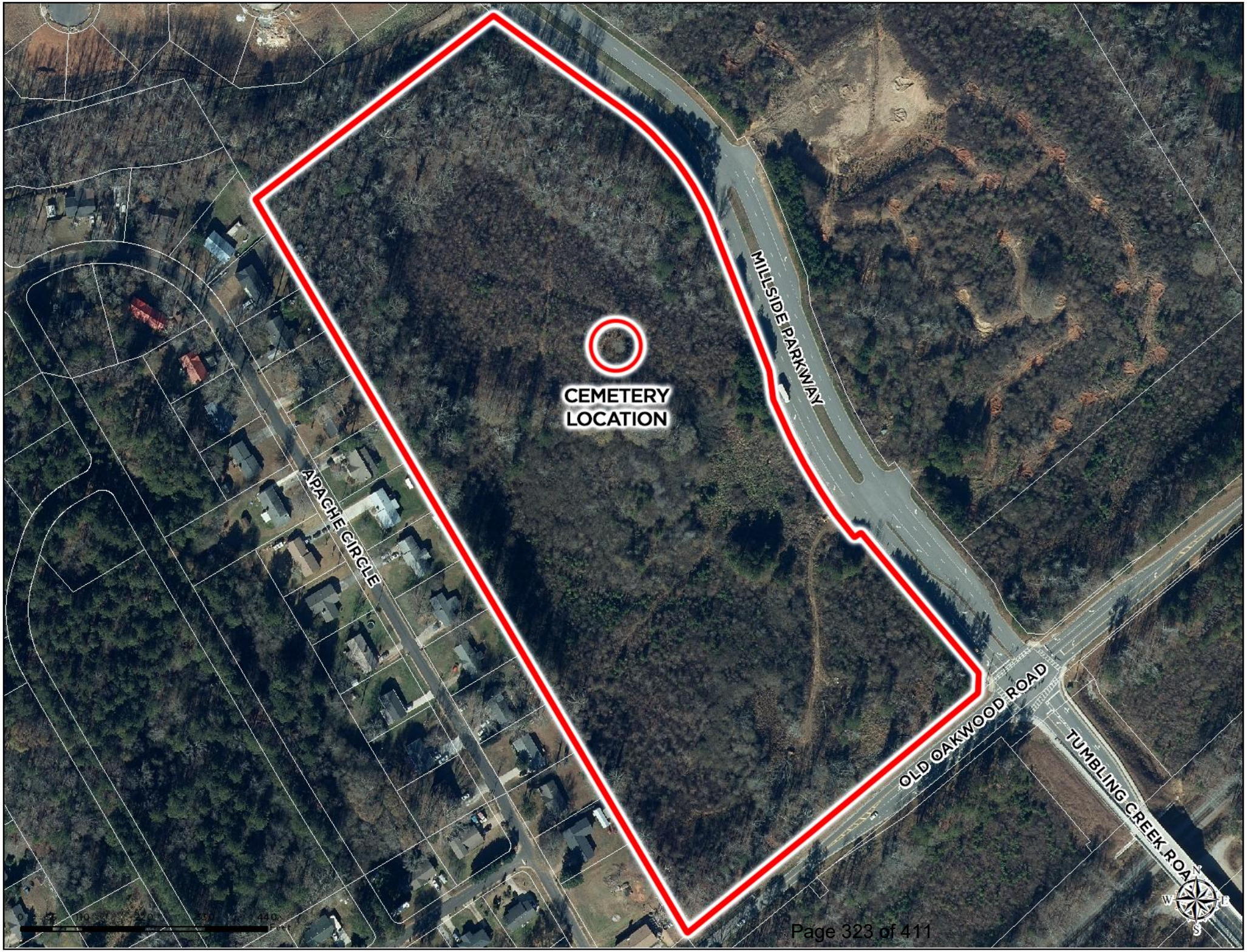
CEMETERY LOCATION
MILLSIDE PARKWAY
APACHE CIRCLE
OLD OAKWOOD ROAD
TUMBLING CREEK ROA
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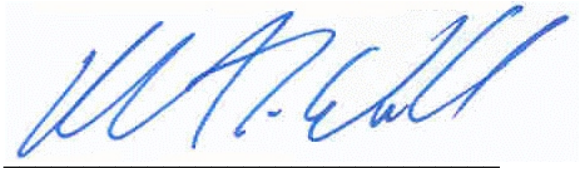
APPLICATION FOR A PERMIT
TO RELOCATE
AN ABANDONED CEMETERY
MUNDY MILL DEVELOPMENT TRACT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

February 11, 2022

APPLICATION FOR A PERMIT
TO RELOCATE
AN ABANDONED CEMETERY
MUNDY MILL DEVELOPMENT TRACT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

February 11, 2022



Robert S. Webb
Senior Principal Archeologist/Physical Anthropologist

Prepared for:
Chafin Land Development, LLC
5230 Belle Wood Court, Suite A
Buford, Georgia 30518

Prepared by:
R.S. Webb & Associates, Inc.
2800 Holly Springs Parkway, Suite 200
Holly Springs, Georgia 30142

PERMIT APPLICATION CONTENTS

1) Evidence of ownership of the land on which the subject cemetery (Cemetery) is located: Enclosure No. 1 contains a document indicating ownership of the parcel containing the Cemetery by Butler Property, LLC, and that the owner has granted Chafin Development, LLC permission to relocate the Cemetery upon approval of the relocation permit. A deed is provided that confirms land ownership by Butler Property, LLC.

2) A report prepared by an archeologist stating the number of graves believed to be present and their locations: Enclosure No. 2 includes a delineation report for the Cemetery (dated February 15, 2018 and a grave estimate update (dated February 1, 2022) prepared by R.S. Webb & Associates, Inc., an archeological consulting firm.

3) A survey prepared by or under the direction of a registered surveyor showing the location and boundaries of the Cemetery: A survey of the Cemetery (dated February 8, 2018) by Patton Land Survey, LLC is included in Enclosure No. 3. Also included in this enclosure is an aerial photograph showing the location of the reinterment site, Hillside Gardens, in relation to the original cemetery location. A letter from Hillside Memorial Gardens (received January 25, 2022) agreeing to accept the burials from the Cemetery is attached.

4) Identifying and notifying descendants: The procedure for identifying and notifying possible descendants is outlined in Enclosure No. 4; this is an ongoing process. The identification process was initiated on September 9, 2021. The notification process began on January 12, 2022 for public notice, and on January 19, 2022 for notices mailed/emailed to individuals.

5) *A proposal for the mitigation of the effects of the planned activity on the Cemetery:* A plan for the removal and reinterment of the Cemetery is included in Enclosure No. 5.

6) *Public/Legal Notices:* Enclosure No. 6 include examples of the weekly public notices placed in *The Gainesville Times* (legal organ) by R.S. Webb & Associates beginning on January 13, 2022. The purpose of this notice is to identify possible descendants and notices are scheduled to run for at least four consecutive weeks.

At the appropriate time, the City of Gainesville will schedule a public hearing for interested parties. A notice of public hearing will be advertised in *The Gainesville Times* once a week for the two consecutive weeks immediately preceding the week of the public hearing to provide the community an opportunity to comment on the proposed cemetery relocation project.

ENCLOSURE NO. 1

Evidence of Ownership of the Land on Which the Cemetery Is Located (Butler Property, LLC) and Permission from Owner to Chafin Development, LLC to Relocate the Abandoned Cemetery (Letter and Deed)

CLAYTON PROPERTIES GROUP, INC.

City of Gainesville Georgia
Mayor and City Council Members
P.O. Box 2496
Gainesville, Georgia 30503

Re: **Permit to Relocate a Cemetery, lying in Land Lot 25 of the 8th District, City of GAINESVILLE, HALL County, Georgia (the "Property")**

Dear Mayor and Council Members,

Clayton Properties Group, Inc. DBA Chafin Development (the "Applicant") with consent of the owner Butler Property, LLC (the "Owner") does hereby request that the City of Gainesville approve the relocation of gravesites from a cemetery on the above referenced Property as described herein.

The cemetery has a number of gravesites, possibly unmarked, scattered over less than a ¼ of an acre of land within the Property. It appears as though the cemetery has been in a state of abandonment for many years. The gravesites are within an area proposed for a future development by Chafin Properties Group, Inc. and affiliates. It is the intent of the Applicant to relocate what may be approximately 12 gravesites to the Hillside Gardens Cemetery located in Gainesville, Georgia.

These statements by the Applicant are being provided to the City of Gainesville, Georgia in conjunction with the formal application for a permit to relocate the above referenced gravesites being submitted by Clayton Properties Group, Inc.

Respectfully Submitted,

Clayton Properties Group, Inc.

By: _____

Title: Vice President

Signed, sealed and delivered in the presence of:

_____
Notary Public

My commission expires: 12/12/23

ADRIENNE L. NUNNALLY
Notary Public, Georgia
Fulton County
My Commission Expires
December 12, 2023

(Notary Seal)

See attached page 2 for acknowledgement and consent by Butler Property, LLC

Butler Property, LLC does hereby consent to the application by Chafin Properties Group, Inc. to relocate gravesites currently located on Property owned by Butler as described on page 1 of this letter.

Butler Property, LLC

By: Kent A Starke
KENT A. STARKE
Title: MANAGER

Signed, sealed and delivered in the presence of:

Rhonda J. Wright
Notary Public

My commission expires: April 11, 2022

(Notary Seal)

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT
Filed in office, this 30 day of September
20 10 at 2:53 Pm. Recorded in Deed
Book 6749 Page(s) 226-241
Charles Baker, Clerk By JW

017828

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 5500.00
Date 09-30-10
Charles Baker
Superior Court Clerk
By JW

PT61 069- 2010-006339

File:

After recording return to:
T. Wesley Robinson
Hulsey, Oliver & Mahar, LLP
P.O. Box 1457
Gainesville, GA 30503

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HALL.

THIS INDENTURE is made as of September 29, 2010, between Regions Bank whose address is One Glenlake Parkway, Suite 400, Atlanta, GA 30328 (hereinafter referred to as "Grantor") and Butler Property, LLC, whose address is 4038 Chestatee Road, Gainesville, GA 30506 (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR, 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, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land lying and being in Land Lots 24,25,26,30,31,42, & 43 of the 8th District of Hall County, Georgia (hereinafter referred to as the "Land") as more particularly described in the attached Exhibit "A", which Exhibit is incorporated herein.

TO HAVE AND TO HOLD the Land, 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**; subject only to the matters (hereinafter referred to as "Permitted Exceptions") set out in the attached Exhibit "B", which Exhibit is incorporated herein.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor, except for claims arising under or by virtue of the Permitted Exceptions.

EXECUTED under seal as of the date above.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public
My Commission Expires: 5/20/12

NOTARY PUBLIC

TWR/vm/75958/W124927

SELLER:
Regions Bank

By:
Name: Thomas A. Neely
Title: EVP

Attest:
Name: Gwen Wambles
Title: VP

(AFFIX BANK SEAL)

REGIONS BANK
AN ALABAMA BANKING CORPORATION
SEAL
57

Exhibit "A"

Tract 4

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 30, 31, & 43 of the 8th District of Hall County, Georgia and being designated as Tract 4, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

Commencing at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31; thence South 43 degrees 48 minutes 33 seconds West a distance of 3,589.21 feet to a 1/2" rebar set on the Northeasterly right-of-way line of Mundy Mill Road (Variable width right-of-way); said point being shown as POB "E" on the plat of survey, and being the POINT OF BEGINNING; thence following the Northeasterly right-of-way line of Mundy Mill Road North 42 degrees 04 minutes 15 seconds West a distance of 700.67 feet to a point; thence continuing along said right-of-way line North 47 degrees 55 minutes 45 seconds East a distance of 5.00 feet to a point; thence continuing along said right-of-way line North 42 degrees 04 minutes 15 seconds West a distance of 194.39 feet to a point; thence continuing along said right-of-way line North 47 degrees 55 minutes 45 seconds East a distance of 5.69 feet to a point; thence continuing along said right-of-way line North 42 degrees 04 minutes 15 seconds West a distance of 116.66 feet to a point on a line parallel to and 50 feet from the centerline of Balus Creek; thence leaving said right-of-way line and following said 50 foot offset of Balus Creek centerline the following courses and distances: North 75 degrees 58 minutes 10 seconds East a distance of 49.80 feet to a point; North 62 degrees 02 minutes 52 seconds Fast a distance of 65.66 feet to a point; North 56 degrees 06 minutes 00 seconds East a distance of 53.71 feet to a point; North 49 degrees 59 minutes 07 seconds East a distance of 15.76 feet to a point; South 45 degrees 44 minutes 47 seconds East a distance of 7.96 feet to a point; South 38 degrees 52 minutes 56 seconds East a distance of 64.03 feet to a point; South 65 degrees 40 minutes 42 seconds East a distance of 53.96 feet to a point; South 86 degrees 04 minutes 57 seconds East a distance of 53.14 feet to a point; North 75 degrees 56 minutes 17 seconds East a distance of 91.51 feet to a point; North 63 degrees 24 minutes 59 seconds East a distance of 42.46 feet to a point; North 63 degrees 24 minutes 59 seconds East 27.05 feet; North 69 degrees 28 minutes 22 seconds East a distance of 52.36 feet to a point; North 65 degrees 24 minutes 06 seconds East a distance of 42.52 feet to a point; North 70 degrees 07 minutes 10 seconds East a distance of 57.31 feet to a point; North 62 degrees 38 minutes 37 seconds East a distance of 50.23 feet to a point; North 48 degrees 49 minutes 35 seconds East a distance of 82.66 feet to a point; North 18 degrees 56 minutes 22 seconds East a distance of 44 .73 feet to a point; North 31 degrees 02 minutes 46 seconds East a distance of 9.15 feet to a point; North 47 degrees 35 minutes 22 seconds East a distance of 1.84 feet to a point; North 65 degrees 08 minutes 40 seconds East a distance of 50.20 feet to a point;. North 32 degrees 29 minutes 37 seconds East a distance of 68.56 feet to a point; North 05 degrees 26 minutes 19 seconds East a distance of 85.01feet to a point; North 43 degrees 14 minutes 26 seconds West a distance of 58.95 feet to a point; North 40 degrees 02 minutes 25 seconds West a distance of 31 .57 feet to a point; North 38 degrees 35 minutes 15 seconds East a distance of 24.07 feet to a point; North 11 degrees 01 minutes 45 seconds East a distance of 30.40 feet to a point; North 31 degrees 51 minutes 06 seconds East a distance of 7.20 feet to a point; South 84 degrees 45 minutes 30 seconds East a distance of 13.44 feet to a point; South 71 degrees 37 minutes 55 seconds East a distance of 12.33 feet to a point; South 50 degrees 40 minutes 20 seconds East a distance of 48.79 feet to a point; South 45 degrees 38 minutes 20 seconds East a distance of 37.23 feet to a point; South 30 degrees 36 minutes 06 seconds East a distance of 45.00 feet to a point; South 29 degrees 43 minutes 16 seconds East a distance of 44.22 feet to a point; South 21 degrees 36 minutes 26 seconds East a distance of 51.53 feet to a point; South 24 degrees 14 minutes 04 seconds East a distance of 45.54 feet to a point; South 22 degrees 51 minutes 52 seconds East a distance of 41.94 feet to a point; South 14 degrees 12 minutes 10 seconds East a distance of 53.92 feet to a point; South 11 degrees 05 minutes 41 seconds East a distance of 20.20 feet to a point; South 12 degrees 54 minutes 49 seconds East a distance of 62.48 feet to a point; South 28 degrees 38 minutes 21 seconds East a distance of 65.64 feet to a point; South 56 degrees 07 minutes 12 seconds East a distance of 61.96 feet to a point; South 64 degrees 58 minutes 13 seconds East a distance of 76.57 feet to a point; South 56 degrees 10 minutes 44 seconds East a distance of 50.60 feet to a point; South 55 degrees 52 minutes 32 seconds East a distance of 61.14 feet to a point; South 89 degrees 05 minutes 17

seconds East a distance of 77.57 feet to a point; North 75 degrees 30 minutes 20 seconds East a distance of 78.45 feet to a point; North 64 degrees 43 minutes 34 seconds East a distance of 41.16 feet to a point; North 69 degrees 56 minutes 13 seconds East a distance of 47.28 feet to a point; North 63 degrees 36 minutes 43 seconds East a distance of 55.58 feet to a point; North 52 degrees 37 minutes 46 seconds East a distance of 86.80 feet to a point; North 40 degrees 36 minutes 27 seconds East a distance of 62.11 feet to a point; North 29 degrees 50 minutes 17 seconds East a distance of 35.14 feet to a point; North 41 degrees 28 minutes 30 seconds East a distance of 2.91 feet to a point; North 84 degrees 47 minutes 03 seconds East a distance of 32.85 feet to a point; South 88 degrees 16 minutes 51 seconds East a distance of 50.89 feet to a point; South 88 degrees 05 minutes 26 seconds East a distance of 44.67 feet to a point; South 76 degrees 55 minutes 08 seconds East a distance of 72.32 feet to a point; South 64 degrees 24 minutes 18 seconds East a distance of 55.57 feet to a point; South 60 degrees 46 minutes 33 seconds East a distance of 82.36 feet to a point; North 72 degrees 36 minutes 43 seconds East a distance of 77.14 feet to a point; North 82 degrees 55 minutes 55 seconds East a distance of 66.40 feet to a point; North 75 degrees 25 minutes 26 seconds East a distance of 48.01 feet to a point; North 84 degrees 05 minutes 27 seconds East a distance of 37.33 feet to a point; North 79 degrees 39 minutes 05 seconds East a distance of 76.55 feet to a point; North 59 degrees 19 minutes 27 seconds East a distance of 61.91 feet to a point; North 33 degrees 34 minutes 21 seconds East a distance of 34.02 feet to a point; North 85 degrees 19 minutes 46 seconds East a distance of 27.82 feet to a point; South 85 degrees 43 minutes 44 seconds East a distance of 49.50 feet to a point; South 75 degrees 56 minutes 12 seconds East a distance of 68.29 feet to a point; South 80 degrees 46 minutes 45 seconds East a distance of 49.26 feet to a point; South 69 degrees 18 minutes 34 seconds East a distance of 63.79 feet to a point; South 80 degrees 41 minutes 57 seconds East a distance of 58.44 feet to a point; South 79 degrees 41 minutes 28 seconds East a distance of 52.57 feet to a point; South 82 degrees 37 minutes 10 seconds East a distance of 37.44 feet to a point; South 71 degrees 03 minutes 59 seconds East a distance of 36.04 feet to a point; South 71 degrees 56 minutes 45 seconds East a distance of 47.43 feet to a point; South 86 degrees 06 minutes 37 seconds East a distance of 49.04 feet to a point; South 89 degrees 19 minutes 46 seconds East a distance of 62.98 feet to a point; South 88 degrees 02 minutes 31 seconds East a distance of 16.65 feet to a point; South 59 degrees 58 minutes 08 seconds East a distance of 37.28 feet to a point; South 58 degrees 42 minutes 30 seconds East a distance of 53.95 feet to a point; South 58 degrees 12 minutes 14 seconds East a distance of 43.22 feet to a point; South 57 degrees 01 minute 03 seconds East a distance of 37.90 feet to a 1/2" rebar set; thence leaving said 50 foot offset of Balus Creek centerline South 44 degrees 39 minutes 34 seconds West a distance of 1,125.31 feet to the centerline of a creek; thence following said creek centerline the following courses and distances: North 22 degrees 41 minutes 59 seconds West a distance of 30.26 feet to a point; North 09 degrees 19 minutes 27 seconds West a distance of 57.67 feet to a point; North 18 degrees 20 minutes 56 seconds West a distance of 56.07 feet to a point; North 07 degrees 03 minutes 19 seconds West a distance of 72.78 feet to a point; North 04 degrees 57 minutes 23 seconds West a distance of 45.48 feet to a point; North 28 degrees 38 minutes 49 seconds West a distance of 48.08 feet to a point; North 30 degrees 31 minutes 37 seconds West a distance of 31.24feet to a point; North 07 degrees 48 minutes 07 seconds East a distance of 38.80 feet to a point; North 05 degrees 06 minutes 46 seconds West a distance of 22 .71 feet to a point; North 27 degrees 29 minutes 35 seconds West a distance of 56.40 feet to a point; North 16 degrees 46 minutes 55 seconds West a distance of 20.43 feet to a point; North 26 degrees 25 minutes 11 seconds West a distance of 15.39 feet to a point; North 66 degrees 35 minutes 19 seconds East a distance of 18.12 feet to a point; North 15 degrees 31 minutes 14 seconds West a distance of 20.56feet to a point; North 01 degree 55 minutes 54 seconds West a distance of 34.52 feet to a 1/2" rebar set; thence leaving the centerline of said creek and running South 69 degrees 20 minutes 35 seconds West a distance of 495.20 feet to a 1/4" rebar found; thence South 69 degrees 53 minutes 30 seconds West a distance of 228 .46 feet to a 1/2" rebar set; thence along a curve to the right an arc distance of 48.47 feet, said are having a radius of 275.00 feet and a chord which bears South 74 degrees 56 minutes 30 seconds West a distance of 48.41 feet to a 1/2 " rebar set; thence South 79 degrees 59 minutes 30 seconds West a distance of 634.97 feet to a 1/2" rebar set; thence South 78 degrees 36 minutes 00 seconds West a distance of 13.35 feet to a 1/2" rebar set; thence along a curve to the left an arc distance of 139.91 feet, said arc having a radius of 275.00 feet and a chord which bears South 62 degrees 38 minutes 01 second West a distance of 138.41 feet to a 1/2" rebar set; thence South 47 degrees 59 minutes 30 seconds West a distance of 59.70 feet to the POINT OF BEGINNING

Said Tract containing 40.2567 acres of land.

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

Tract 5

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 25, 30, & 31 of the 8th District of Hall County, Georgia and being designated as Tract 5, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

BEGINNING at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31, said point being shown as POB "A" on the plat of survey; thence following the line common to Land Lots 25 & 30 South 29 degrees 47 minutes 42 seconds East a distance of 1,023.19 feet to a 1" open top pipe found; thence leaving said Land Lot Line and running North 71 degrees 58 minutes 13 seconds East a distance of 512.77 feet to a 1/2" rebar set; thence South 18 degrees 01 minutes 45 seconds East a distance of 9.27 feet to a 1/2" rebar set; thence South 69 degrees 22 minutes 48 seconds East a distance of 134.32 feet to a point in the centerline of a creek; thence following the meanderings of said creek centerline the following courses and distances: South 66 degrees 03 minutes 33 seconds West a distance of 40.46 feet to a point; South 52 degrees 59 minutes 15 seconds West a distance of 88.39 feet to a point; South 51 degrees 39 minutes 15 seconds West a distance of 58.60 feet to a point; South 42 degrees 10 minutes 33 seconds West a distance of 63.01 feet to a point; South 27 degrees 48 minutes 31 seconds West a distance of 97.24 feet to a point; South 02 degrees 52 minutes 23 seconds West a distance of 25.34 feet to a point; South 61 degrees 10 minutes 22 seconds West a distance of 62.75 feet to a point; South 61 degrees 57 minutes 11 seconds West a distance of 28.26 feet to a point; South 36 degrees 13 minutes 33 seconds West a distance of 55.10 feet to a point; South 06 degrees 29 minutes 06 seconds West a distance of 37.93 feet to a point; South 15 degrees 05 minutes 25 seconds West a distance of 30.17 feet to a point; South 09 degrees 51 minutes 47 seconds West a distance of 61.69 feet to a point; South 02 degrees 02 minutes 16 seconds West a distance of 42.61 feet to a point; South 09 degrees 19 minutes 37 seconds West a distance of 65.78 feet to a point; South 07 degrees 42 minutes 26 seconds West a distance of 37.99 feet to a point; South 06 degrees 49 minutes 16 seconds West a distance of 66.71 feet to a point; South 23 degrees 12 minutes 41 seconds West a distance of 44.21 feet to a point; South 12 degrees 31 minutes 43 seconds West a distance of 119.43 feet to a point; thence leaving the centerline of said creek and running North 30 degrees 22 minutes 57 seconds West a distance of 385.60 feet to a point; thence South 44 degrees 39 minutes 34 seconds West a distance of 24.08 feet to a ¾" crimp top pipe; thence South 44 degrees 39 minutes 34 seconds West a distance of 628.89 feet to a point on a line that is parallel to and 50 feet from the centerline of Balus Creek; thence following said 50 foot offset of Balus Creek centerline the following courses and distances: North 57 degrees 01 minute 03 seconds West a distance of 59.60 feet to a point; North 58 degrees 12 minutes 14 seconds West a distance of 44.70 feet to a point; North 58 degrees 42 minutes 30 seconds West a distance of 55.49 feet to a point; North 59 degrees 58 minutes 08 seconds West a distance of 63.38 feet to a point; North 88 degrees 02 minutes 31 seconds West a distance of 42.77 feet to a point; North 89 degrees 19 minutes 46 seconds West a distance of 61.29 feet to a point; North 86 degrees 06 minutes 37 seconds West a distance of 33.81 feet to a point; North 71 degrees 56 minutes 45 seconds West a distance of 34.23 feet to a point; North 71 degrees 03 minutes 59 seconds West a distance of 45.39 feet to a point; North 82 degrees 37 minutes 10 seconds West a distance of 45.00 feet to a point; North 79 degrees 41 minutes 28 seconds West a distance of 50.89 feet to a point; North 80 degrees 41 minutes 57 seconds West a distance of 49.35 feet to a point; North 69 degrees 18 minutes 34 seconds West a distance of 63.86 feet to a point; North 80 degrees 46 minutes 45 seconds West a distance of 55.08 feet to a point; North 75 degrees 56 minutes 12 seconds West a distance of 72.63 feet to a point; North 85 degrees 43 minutes 44 seconds West a distance of 65.89 feet to a point; South 85 degrees 19 minutes 46 seconds West a distance of 84.15 feet to a point; South 33 degrees 34 minutes 21 seconds West a distance of 59.68 feet to a point; South 59 degrees 19 minutes 27 seconds West a distance of 21.13 feet to a point; South 79 degrees 39 minutes 05 seconds West a distance of 54.74 feet to a point; South 84 degrees 05 minutes 27 seconds West a distance of 41.04 feet to a point; South 75 degrees 25 minutes 26 seconds West a distance of 49.02 feet to a point; South 82 degrees 55 minutes 55 seconds West a distance of 68.87 feet to a point; South 72 degrees 36 minutes 43 seconds West a distance of

43.09 feet to a point; North 60 degrees 46 minutes 33 seconds West a distance of 42.45 feet to a point; North 64 degrees 24 minutes 18 seconds West a distance of 69.70 feet to a point; North 76 degrees 55 minutes 08 seconds West a distance of 93.07 feet to a point; North 88 degrees 05 minutes 26 seconds West a distance of 54.61 feet to a point; North 88 degrees 16 minutes 51 seconds West a distance of 57.11 feet to a point; South 84 degrees 47 minutes 03 seconds West a distance of 78.61 feet to a point; South 41 degrees 28 minutes 30 seconds West a distance of 52.81 feet to a point; South 29 degrees 50 minutes 17 seconds West a distance of 35.90 feet to a point; South 40 degrees 36 minutes 27 seconds West a distance of 42.15 feet to a point; South 52 degrees 37 minutes 46 seconds West a distance of 66.71 feet to a point; South 63 degrees 32 minutes 46 seconds West a distance of 39.87 feet to a point; South 69 degrees 56 minutes 13 seconds West a distance of 46.82 feet to a point; South 64 degrees 43 minutes 34 seconds West a distance of 36.27 feet to a point; South 75 degrees 30 minutes 20 seconds West a distance of 55.49 feet to a point; North 89 degrees 05 minutes 17 seconds West a distance of 34.22 feet to a point; North 55 degrees 52 minutes 32 seconds West a distance of 31.58 feet to a point; North 56 degrees 10 minutes 44 seconds West a distance of 58.55 feet to a point; North 64 degrees 58 minutes 13 seconds West a distance of 76.51 feet to a point; North 56 degrees 07 minutes 12 seconds West a distance of 29.77 feet to a point; North 28 degrees 38 minutes 21 seconds West a distance of 27.38 feet to a point; North 12 degrees 54 minutes 49 seconds West a distance of 47.08 feet to a point; North 11 degrees 05 minutes 41 seconds West a distance of 21.32 feet to a point; North 14 degrees 12 minutes 10 seconds West a distance of 64.21 feet to a point; North 22 degrees 51 minutes 52 seconds West a distance of 50.71 feet to a point; North 24 degrees 14 minutes 04 seconds West a distance of 44.44 feet to a point; North 21 degrees 36 minutes 26 seconds West a distance of 56.33 feet to a point; North 29 degrees 43 minutes 16 seconds West a distance of 52.08 feet to a point; North 30 degrees 36 minutes 06 seconds West a distance of 58.97 feet to a point; North 45 degrees 38 minutes 20 seconds West a distance of 54.82 feet to a point; North 50 degrees 40 minutes 20 seconds West a distance of 71.69 feet to a point; North 71 degrees 37 minutes 55 seconds West a distance of 42.34 feet to a point; North 84 degrees 45 minutes 30 seconds West a distance of 86.70 feet to a point; South 31 degrees 51 minutes 06 seconds West a distance of 87.33 feet to a point; South 11 degrees 01 minute 45 seconds West a distance of 24.25 feet to a point; South 38 degrees 35 minutes 15 seconds West a distance of 35.09 feet to a point; South 17 degrees 04 minutes 06 seconds West a distance of 76.35 feet to a point; South 58 degrees 37 minutes 31 seconds East a distance of 58.59 feet to a point; South 41 degrees 13 minutes 01 second East a distance of 44.89 feet to a point; South 05 degrees 26 minutes 19 seconds West a distance of 15.71 feet so a point; South 32 degrees 29 minutes 37 seconds West a distance of 15.21 feet to a point; South 65 degrees 08 minutes 40 seconds West a distance of 36.35 feet to a point; South 47 degrees 35 minutes 22 seconds West a distance of 31.82 82 feet to a point; South 31 degrees 02 minutes 46 seconds West a distance of 34.29 feet to a point; South 18 degrees 56 minutes 22 seconds West a distance of 24.56 feet to a 1/2" rebar set; thence leaving the 50 foot offset of the centerline of Balus Creek and running North 62 degrees 11 minutes 09 seconds West a distance of 551.28 feet to a ½" rebar set on the Easterly right-of-way line of Meeks Road (80' R/W); thence following said right-of-way line North 28 degrees 47 minutes 08 seconds East a distance of 435.92 feet to a point; thence continuing along said right-of-way line along a curve to the left an arc distance of 43.84 feet, said arc having a radius of 293.69 feet and a chord which bears North 33 degrees 38 minutes 30 seconds East a distance of 43.80 feet to a point; thence continuing along said right-of-way line North 29 degrees 21 minutes 55 seconds East a distance of 36.98 feet to a point; thence continuing along said right-of-way line along a curve to the left an arc distance of 170.07 feet, said arc having a radius of 1,680.42 feet and a chord which bears North 26 degrees 27 minutes 57 seconds East a distance of 170.00 feet to a point; thence continuing along said right-of-way line North 23 degrees 33 minutes 59 seconds East a distance of 83.55 feet to a point; thence continuing along said right-of-way line along a curve to the right an arc distance of 502.09 feet, said arc having a radius of 1,272.34 feet and a chord which bears North 34 degrees 52 minutes 18 seconds East a distance of 498.84 feet to a point; thence continuing along said right-of-way line North 46 degrees 10 minutes 36 seconds East a distance of 324.30 feet to a point; thence continuing along said right-of-way line along a curve to the left an arc distance of 375.52 feet, said arc having a radius of 1,670.40 feet and a chord which bears North 39 degrees 50 minutes 35 seconds East a distance of 374.73 feet to a point; thence continuing along said right-of-way line along a curve to the left an arc distance of 53.46 feet, said arc having a radius of 868.10 feet and a chord which bears North 31 degrees 40 minutes 17 seconds East a distance of 53.45 feet to a point; thence leaving said right-of-way line and running South 52 degrees 24 minutes 41 seconds East a distance of 690.73 feet to a point; thence South 89 degrees 20 minutes 29 seconds East a distance of 1,125.17 feet to a 3/4" crimped top pipe found on the line common to Land Lots 30 & 31; thence following said Land

Lot Line North 59 degrees 58 minutes 24 seconds East a distance of 225.43 feet to the POINT OF BEGINNING.

Said Tract containing 113.7797 acres of land

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

LESS & EXCEPT from Tract 5, property described in the following:

a. Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, LLC, dated February 6, 2006, filed February 8, 2006, recorded in Deed Book 5589, page 61, Hall County. Georgia records;

b. Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, LLC, dated May 25, 2006, filed June 1, 2006, recorded in Deed Book 5703, page 465, aforesaid records;

c. Warranty Deed from Mundy Mill Development, LLC to Regions Bank dated February 2, 2010, recorded in Deed Book 6666, Page 336, aforesaid records.

Tract 6

ALL THAT TRACT OR PARCEL Of LAND lying and being in Land Lots 24 & 31 of the 8th District of Hall County, Georgia and being designated as Tract 6, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

BEGINNING at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31, said point being shown as POB "A" on the plat of survey; thence following the line common to Land Lots 30 &. 31 South 59 degrees 58 minutes 24 seconds West a distance of 225.43 feet to a 3/4" crimped top pipe found at the beginning of a fence line; thence following said fence line North 04 degrees 44 minutes 21 seconds East a distance of 104.45 feet to a point; thence continuing along said fence line North 26 degrees 03 minutes 37 seconds East a distance of 134.55 feet to a point; thence continuing along said fence line North 05 degrees 48 minutes 03 seconds East a distance of 33.55 feet to a point; thence continuing along said fence line North 04 degrees 16 minutes 56 seconds West a distance of 21.83 feet to a point; thence continuing along said fence line North 29 degrees 59 minutes 35 seconds West a distance of 504.34 feet to a point; thence continuing along said fence line North 27 degrees 47 minutes 30 seconds West a distance of 294.46 feet to a point in the centerline of an old road bed; thence continuing along said road centerline North 30 degrees 29 minutes 06 seconds West a distance of 137.77 feet to a point; thence continuing along said road centerline North 34 degrees 10 minutes 35 seconds West a distance of 141.91 feet to a point; thence continuing along said road centerline North 28 degrees 45 minutes 27 seconds West a distance of 678.31 feet to a point; thence continuing along said road centerline North 28 degrees 21 minutes 40 seconds West a distance of 183.52 feet to a point; thence continuing along said road centerline North 32 degrees 23 minutes 14 seconds West a distance of 258.66 feet to a point; thence continuing along said road centerline North 25 degrees 41 minutes 31 seconds West a distance of 292.38 feet to a point on the Southerly right-of-way line of Mountain View Road (60' R/W); thence leaving said road centerline and following the Southerly right-of-way line of Mountain View Road North 82 degrees 27 minutes 45 seconds East a distance of 142.67 feet to a point; thence continuing along said right-of-way line North 84 degrees 45 minutes 35 seconds East a distance of 128.30 feet to a point; thence continuing along said right-of way line North 86 degrees 06 minutes 12 seconds East a distance of 125.72 feet to a point; thence continuing along said right-of-way line North 86 degrees 14 minutes 28 seconds East a distance of 251.12 feet to a point; thence continuing along said right-of-way line North 87 degrees 13 minutes 18 seconds East a distance of 147.82 feet to a point; thence continuing along said right-of-way line North 88 degrees 11 minutes 05 seconds East a distance of 187.81 feet to a point; thence continuing along said right-of-way line North 89 degrees 49 minutes 03 seconds East a distance of 79.42 feet to a point; thence leaving said right-of-way line and running South 03 degrees 40 minutes 25 seconds West a distance of 720.00 feet

to a point; thence North 85 degrees 11 minutes 21 seconds East a distance of 370.00 feet to a point; thence North 06 degrees 01 minute 05 seconds West a distance of 692.10 feet to a point on the Southerly right-of-way line of Mountain View Road (60' R/W); thence following said right-of-way line North 89 degrees 49 minutes 03 seconds East a distance of 95.89 feet to a point; thence continuing along said right-of-way line North 89 degrees 41 minutes 46 seconds East a distance of 497.51 feet to a 1/4" rebar found; thence leaving said right-of-way line and running South 18 degrees 23 minutes 37 seconds East a distance of 903.50 feet to a point; thence South 00 degrees 13 minutes 35 seconds East a distance of 320.54 feet to a point; thence South 42 degrees 41 minutes 16 seconds West a distance of 141.28 feet to a point; thence South 48 degrees 57 minutes 50 seconds West a distance of 58.98 feet to a point; thence South 14 degrees 40 minutes 55 seconds East a distance of 76.27 feet to a point; thence South 23 degrees 04 minutes 21 seconds East a distance of 431.95 feet to a point; thence South 16 degrees 11 minutes 19 seconds East a distance of 100.10 feet to a point on the line common to Land Lots 24 & 25; thence following said Land Lot Line South 60 degrees 25 minutes 23 seconds West a distance of 1,060.70 feet to the POINT OF BEGINNING

Said Tract containing 73.0703 acres of land.

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

LESS & EXCEPT from Tract 6, property described in the following:

a Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, L.LC, dated September 16, 2005, filed September 21, 2005, recorded in Deed Book 5448, page 371, Hall County, Georgia records;

b. Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, LL.C, dated April 20, 2006, filed April 24, 2006, recorded in Deed Book 5663, Page 644, aforesaid records; and

c. Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, L.LC, dated May 25, 2006, filed May 31, 2006, recorded in Deed Book 5702, Page 154, aforesaid records

Tract 6A

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 24 of the 8th District of Hall County, Georgia and being designated as Tract 6A, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

Commencing at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31; thence North 06 degrees 42 minutes 58 seconds West a distance of 2,424 21 feet to a point on the Southerly right-of-way line of Mountain View Road (60' R/W), said point being shown as POB "F" on the plat of survey and being the POINT OF BEGINNING; thence following said right-of-way line North 89 degrees 49 minutes 03 seconds East a distance of 250.00 feet to a point; thence leaving said right-of-way line and running South 06 degrees 01 minute 05 seconds East a distance of 692.10 feet to a point; thence South 85 degrees 11 minutes 21 seconds West a distance of 370.00 feet to a point; thence North 03 degrees 40 minutes 25 seconds East a distance of 720.00 feet to the POINT OF BEGINNING

Said Tract containing 5.0000 acres of land

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

Tract 7

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 24 & 31 of the 8th District of Hall County, Georgia, and being designated as Tract 7, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

Commencing at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31; thence following the line common to Land Lots 30 & 31 South 59 degrees 58 minutes 24 seconds West a distance of 225.43 feet to a 3/4" crimped top pipe shown as POB "G" on the plat of survey, said point being the POINT OF BEGINNING; thence leaving said Land Lot Line and running North 89 degrees 20 minutes 29 seconds West a distance of 1,125 17 feet to a point; thence North 52 degrees 24 minutes 41 seconds West a distance of 690.73 feet to a point on the Easterly right-of-way line of Meeks Road (80' R/W); thence following said right-of-way line in a Northeasterly direction along a curve to the left an arc distance of 208.04 feet, said arc having a radius of 868.10 feet and a chord which bears North 23 degrees 02 minutes 30 seconds East a distance of 207.54 feet to a point; thence continuing along said right-of-way line North 14 degrees 22 minutes 31 seconds East a distance of 1,059.25 feet to a point; thence continuing along said right-of-way line along a curve to the left an arc distance of 382.56 feet, said arc having a radius of 696.15 feet and a chord which bears North 01 degree 22 minutes 00 seconds West a distance of 377.77 feet to a point; thence continuing along said right-of-way line North 17 degrees 06 minutes 36 seconds West a distance of 220.46 feet to a point; thence continuing along said right-of-way line along a curve to the right an arc distance of 48.78 feet, said arc having a radius of 944.16 feet and a chord which bears North 15 degrees 37 minutes 47 seconds West a distance of 48.78 feet to a point; thence continuing along said right-of-way line North 14 degrees 08 minutes 59 seconds West a distance of 66.42 feet to a point; thence continuing along said right-of-way line North 26 degrees 48 minutes 57 seconds East a distance of 30.05 feet to a point on the Southerly right-of-way line of Mountain View Road (60' R/W); thence following said Southerly right-of-way line of Mountain View Road North 73 degrees 00 minutes 12 seconds East a distance of 113. 70 feet to a point; thence continuing along said right-of-way line North 74 degrees 16 minutes 35 seconds East a distance of 102.62 feet to a point; thence continuing along said right-of way line North 78 degrees 29 minutes 43 seconds East a distance of 63.34 feet to a point on the centerline of an old road; thence leaving said Southerly right-of-way line of Mountain View Road and following said center line of old road South 25 degrees 41 minutes 31 seconds East a distance of 292.38 feet to a point; thence continuing along said road centerline South 32 degrees 23 minutes 14 seconds East a distance of 258.66 feet to a point; thence continuing along said road centerline South 28 degrees 21 minutes 40 seconds East a distance of 183.52 feet to a point; thence continuing along said road centerline South 28 degrees 45 minutes 27 seconds East a distance of 678.31 feet to a point; thence continuing along said road centerline South 34 degrees 10 minutes 35 seconds East a distance of 141.91 feet to a point; thence continuing along said road centerline South 30 degrees 29 minutes 06 seconds East a distance of 137.77 feet to a point on a fence line; thence leaving said road centerline and following said fence line South 27 degrees 47 minutes 30 seconds East a distance of 294.46 feet to a point; thence continuing along said fence line South 29 degrees 59 minutes 35 seconds East a distance of 504.34 feet to a point; thence continuing along said fence line South 04 degrees 16 minutes 56 seconds East a distance of 21.83 feet to a point; thence continuing along said fence line South 05 degrees 48 minutes 03 seconds West a distance of 33.55 feet to a point; thence continuing along said fence line South 26 degrees 03 minutes 37 seconds West a distance of 134.55 feet to a point; thence continuing along said fence line South 04 degrees 44 minutes 21 seconds West a distance of 104.45 feet to the POINT OF BEGINNING

Said Tract containing 52.8545 acres of land

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

LESS & EXCEPT from Tract 7, property described in the following:

a. Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, LLC, dated September 16, 2005, filed September 21, 2005, recorded in Deed

Book 5448, Page 371, Hall County, Georgia records;

b. Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, LLC, dated April 20, 2006, filed April 24, 2006, recorded in Deed Book 5663, page 644, aforesaid records; and

c Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential, LLC dated May 25 2006, filed May 31, 2006, recorded in Deed Book 5702, Page 154, aforesaid records

Tract 9

All that tract or parcel of land lying and being in land Lots 25 and 26 of the 8th District of Hall County, Georgia, and being designated as Tract 9, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

BEGINNING at a point formed by the intersection of the Northeasterly right-of-way line of Tumbling Circle (40' R/W) and the Southwesterly right-of-way line of Old Oakwood Road (30' from the centerline to R/W line on South side of road); thence following the Southeasterly right-of-way line of Old Oakwood Road the following courses and distances: North 50 degrees 34 minutes 44 seconds East a distance of 548 56 feet to a point; thence North 50 degrees 05 minutes 44 seconds East a distance of 617.12 feet to a point; thence North 50 degrees 28 minutes 44 seconds East a distance of 293.66 feet to a point; thence leaving said right-of-way and running South 31 degrees 56 minutes 16 seconds East a distance of 233.38 feet to a point; thence South 46 degrees 45 minutes 44 seconds West a distance of 1422.08 feet to a point; thence North 43 degrees 46 minutes 16 seconds West a distance of 185.32 feet to a point; thence North 37 degrees 42 minutes 16 seconds West a distance of 135.61 feet to the POINT OF BEGINNING.

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

TOGETHER WITH:
Tract 8

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 12 and 25 of the 8th District of Hall County, Georgia, and being designated as Tract 8, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

BEGINNING at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31 of the 8th District of Hall County, Georgia, said point being the POINT OF BEGINNING; thence running North 60 degrees 25 minutes 23 seconds East a distance of 2,152.88 feet to an iron pin set; thence continue Northeasterly along said line, a distance of 297.79 feet to an one inch solid iron pin found; thence running North 60 degrees 45 minutes 44 seconds East a distance of 722.47 feet to a 1/2 inch rebar set; thence running North 61 degrees 06 minutes 11 seconds East a distance of 412.46 feet to a 1 inch open top pipe found; thence running North 59 degrees 38 minutes 20 seconds East a distance of 166.51 feet to a point on the Westerly right-of-way of Mountain View Road the following courses and distance: South 59 degrees 42 minutes 58 seconds East a distance of 104.62 feet to a point; thence running South 57 degrees 12 minutes 51 seconds East a distance of 76.26 feet to a point; thence running South 53 degrees 42 minutes 34 seconds East a distance of 50.64 feet to a point: thence running South 49 degrees 56 minutes 37 seconds East a distance of 113.77 feet to a point; thence running South 48 degrees 29 minutes 03 seconds East a distance of 276.32 feet to a point; thence running South 49 degrees 06 minutes 55 seconds East 51.99 feet; thence running South 50 degrees 28 minutes 01seconds East a distance of 121.50 feet to a point; thence running South 52 degrees 53 minutes 43 seconds East a distance of 52 16 feet to a point; thence running South 54 degrees 25 minutes 41 seconds East a distance of 52 96 feet to a point; thence running South 57 degrees 13 minutes 27 seconds East a distance

of 92.13 feet to a point; thence running South 58 degrees 50 minutes 01 seconds East a distance of 28.41 feet to a point; thence running South 60 degrees 42 minutes 52 seconds East a distance of 67.02 feet to a point; thence running South 61 degrees 41 minutes 08 seconds East a distance of 50.15 feet to a point; thence running South 63 degrees 11 minutes 19 seconds East a distance of 68.83 feet to a point; thence running South 64 degrees 45 minutes 06 seconds East a distance of 58.24 feet to a point; thence running South 66 degrees 51 minutes 50 seconds East a distance of 41.42 feet to a point; thence leaving said right-of-way and running South 17 degrees 49 minutes 25 seconds East a distance of 54.72 feet to a point; thence running South 17 degrees 20 minutes 05 seconds East a distance of 30.67 feet to a point; thence running South 13 degrees 30 minutes 34 seconds East a distance of 112.07 feet to a point; thence running South 16 degrees 43 minutes 48 seconds East a distance of 80.77 feet to a point; thence running South 16 degrees 18 minutes 49 seconds East a distance of 62.06 feet to a point; thence running South 04 degrees 46 minutes 21 seconds East a distance of 53.08 feet to a point; thence running South 05 degrees 17 minutes 02 seconds West a distance of 54.63 feet to a point; thence running South 05 degrees 56 minutes 42 seconds East a distance of 117.63 feet to a point; thence running South 11 degrees 57 minutes 36 seconds East a distance of 43.66 feet to a point; thence running South 26 degrees 52 minutes 09 seconds East a distance of 44.34 feet to a point on the Northwesterly right-of-way of Old Oakwood Road; thence running along the Northwesterly right-of-way of Old Oakwood Road the following courses and distances: South 18 degrees 53 minutes 05 seconds West a distance of 32.58 feet to a point; thence running South 11 degrees 54 minutes 21 seconds West a distance of 78.52 feet to a point; thence running South 09 degrees 54 minutes 57 seconds West a distance of 59.61 feet to a point; thence running South 10 degrees 34 minutes 21 seconds West a distance of 63 69 feet to a point; thence running South 12 degrees 13 minutes 48 seconds West a distance of 69.86 feet to a point; thence running South 15 degrees 00 minutes 42 seconds West a distance of 55.40 feet to a point; thence running South 18 degrees 19 minutes 43 seconds West a distance of 69.79 feet to a point; thence running South 21 degrees 17 minutes 18 seconds West a distance of 58.69 feet to a point; thence running South 23 degrees 26 minutes 57 seconds West a distance of 65.31 feet to a point; thence running South 23 degrees 35 minutes 14 seconds West a distance of 67.62 feet to a point; thence running South 23 degrees 23 minutes 47 seconds West a distance of 63.25 feet to a point; thence running South 21 degrees 59 minutes 29 seconds West a distance of 58.01 feet to a ½" rebar found; thence leaving said right-of-way and running North 31 degrees 11 minutes 49 seconds West a distance of 1,214.72 feet to a 4" pipe found; thence running South 51 degrees 00 minutes 17 seconds West a distance of 1,074.99 feet to a ½" rebar found; thence running South 30 degrees 57 minutes 45 seconds East a distance of 1,488.76 feet to a point on the Northwesterly right-of-way of Old Oakwood Road; thence running along Old Oakwood Road the following courses and distances: South 50 degrees 30 minutes 20 seconds West a distance of 385.68 feet to a point; thence running South 50 degrees 17 minutes 13 seconds West a distance of 204.35 feet to a point; thence running South 49 degrees 44 minutes 00 seconds West a distance of 266.86 feet to a point; thence running South 50 degrees 09 minutes 28 seconds West a distance of 256.20 feet to a point; thence running South 50 degrees 41 minutes 47 seconds West a distance of' 351.68 feet to a ½" rebar set; thence leaving said right-of-way and running North 30 degrees 16 minutes 02 seconds West a distance of 379.38 feet to a ½" rebar found; thence running North 30 degrees 30 minutes 20 seconds West a distance of 1,395.62 feet to a 1" open top pipe found; thence running South 71 degrees 58 Minutes 13 seconds West a distance of 547.65 feet to a ½" rebar set; thence continue Westerly along said line, a distance of 512.77 feet to a 1" open top pipe found; thence running North 29 degrees 47 minutes 42 seconds West a distance of 1,023.19 feet to the POINT Of BEGINNING

Said tract or parcel containing 176.2887 acres

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1"

LESS & EXCEPT from Tract 8, property described in Limited Warranty Deed from Mundy Mill Development, LLC to Mundy Mill Residential LLC, dated April 4, 2006, filed April 7, 2006, recorded in Deed Book 5649, page 281, Hall County, Georgia records.

Tract 10

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 24 of the 8th District of Hall County, Georgia and being designated as Tract 10, as shown on that plat of survey for Mundy Mill Development, LLC, Lawyers Title Insurance Corporation & Regions Bank, dated

March 26, 2004, and last revised January 17, 2005, prepared by Clark Design Group, P.C., H. Lanier Dunn, Georgia Registered Land Surveyor 2243, and being more particularly described as follows:

Commencing at an iron pin found at a rock at the intersection of Land Lots 24, 25, 30 and 31; thence following the line common to Land Lots 24 & 25 North 60 degrees 25 minutes 23 seconds East a distance of 1,060.70 feet to a point shown as POB "I" on the plat of survey, said point being the POINT OF BEGINNING; thence leaving said Land Lot Line and running North 16 degrees 11 minutes 19 seconds West a distance of 100.10 feet to a point; thence North 23 degrees 04 minutes 21 seconds West a distance of 431.95 feet to a point; thence North 14 degrees 40 minutes 55 seconds West a distance of 76.27 feet to a point; thence North 48 degrees 57 minutes 50 seconds East a distance of 58.98 feet to a point; thence North 42 degrees 41 minutes 16 seconds East a distance of 141.28 feet to a point; thence North 00 degrees 13 minutes 35 seconds West a distance of 320.54 feet to a point; thence North 18 degrees 23 minutes 37 seconds West a distance of 903.50 feet to a 1/4" rebar found on the Southerly right-of-way line of Mountain View Road (60' R/W); thence following said right-of-way line North 89 degrees 11 minutes 36 seconds East a distance of 213.86 feet to a point; thence leaving said right-of-way line and running South 05 degrees 04 minutes 45 seconds West a distance of 229.85 feet to a point; thence South 86 degrees 56 minutes 59 seconds East a distance of 507.44 feet to a point; thence South 28 degrees 38 minutes 15 seconds East a distance of 427.53 feet to a 1/2" rebar found; thence South 29 degrees 23 minutes 02 seconds East a distance of 626.45 feet to a 1/4" rod found; thence South 29 degrees 47 minutes 33 seconds East a distance of 201.23 feet to a ½" rebar set on the line common to Land Lots 24 & 25; thence following said Land Lot Line South 60 degrees 25 minutes 23 seconds West a distance of 1,092.18 feet to the POINT OF BEGINNING.

Said Tract containing 28.0080 acres of land

Said plat is incorporated herein by reference for a more complete and accurate description of said property. A copy of said plat is attached hereto as Exhibit "A-1".

SCHOOL SITE TRACT

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Gainesville, Land Lot 30 of the 8th District of Hall County, Georgia and being more particularly described as follows:

TO FIND THE POINT OP BEGINNING, commence at the intersection formed by the Northerly R/W line of Mundy Mill Road (aka Georgia State Route No. 53) (variable width R/W) with the Easterly R/W line of Mundy Mill Parkway A (variable width R/W); thence running in a Northeasterly direction along said R/W line of Mundy Mill Parkway A a distance of 2,506.71 feet to an iron pin set at the POINT OF BEGINNING, thence running along said R/W line the following courses and distances: along a curve to the right an arc distance of 81.05 feet said arc having a radius of 945.00 feet and a chord bearing North 50 degrees 30 minutes 07 seconds East a distance of 81.03 feet to a point; thence running North 52 degrees 57 minutes 33 seconds East a distance of 368.95 feet to a point; thence running along a curve to the right an arc distance of 127. 37 feet, said arc having a radius of 3945.00 feet and a chord which bears North 53 degrees 53 minutes 03 seconds East a distance of 127.37 feet to a point; thence running along a curve to the right an arc distance of 7.28 feet, said arc having a radius of 25.00 feet and a chord which bears North 63 degrees 09 minutes 16 seconds East a distance of 7.26 feet to a point; thence running North 71 degrees 29 minutes 59 seconds East a distance of 42.76 feet to a point; thence running along a curve to the left an arc distance of 6.93 feet, said arc having a radius of 25.00 feet and a chord which bears North 63 degrees 33 minutes 18 seconds East a distance of 6.91 feet to a point; thence running along a curve to the right an arc distance of 252.18 feet, said arc having a radius of 3,931.00 feet and a chord which bears North 57 degrees 26 minutes 53 seconds East a distance of 252.14 feet to a point; thence leaving said R/W line South 31 degrees 57 minutes 32 seconds East a distance of 938.69 feet to an iron pin set; thence running South 44 degrees 39 minutes 34 seconds West a distance of 354.84 feet to an iron pin set; thence running North 51 degrees 22 minutes 21 seconds West a distance of 2.25 feet to a point; thence running North 35 degrees 38 minutes 20 seconds West a distance of 23.49 feet to a point: thence running

North 86 degrees 16 minutes 45 seconds West a distance of 31.85 feet to a point: thence running North 79 degrees 37 minutes 06 seconds West a distance of 86.11 feet to a point; thence running North 75 degrees 00 minutes 43 seconds West a distance of 54.25 feet to a point; thence running North 79 degrees 24 minutes 41 seconds West a distance of 35.37 feet to a point: thence running South 83 degrees 16 minutes 32 seconds West a distance of 36.91 feet to a point: thence running North 82 degrees 43 minutes 35 seconds West a distance of 24.19 feet to a point; thence running South 86 degrees 11 minutes 11 seconds West a distance of 88.18 feet to a point; thence running South 88 degrees 33 minutes 58 seconds West a distance of 56.01 feet to a point; thence running North 89 degrees 11 minutes 36 seconds West a distance of 47.38 feet to a point; thence running North 74 degrees 54 minutes 47 seconds West a distance of 77.42 feet to a point; thence running North 74 degrees 12 minutes 57 seconds West a distance of 32.02 feet to a point; thence running North 73 degrees 21 minutes 56 seconds West a distance of 63.48 feet to a point; thence running South 79 degrees 19 minutes 17 seconds West a distance of 3.94 feet to an iron pin set; thence running North 36 degrees 33 minutes 37 seconds West a distance of 556.90 feet an iron pin set on the Easterly R/W line of Mundy Mill Parkway A and the POINT OF BEGINNING

Said Tract or Parcel containing 17.000 acres of land as shown on that certain Plat of Survey for Proposed City of Gainesville School Site prepared by Clark Design Group and certified by H Lamer Dunn dated April 4 2007 said Survey being a part hereof by reference

TWR/vmt/T5938/W124927

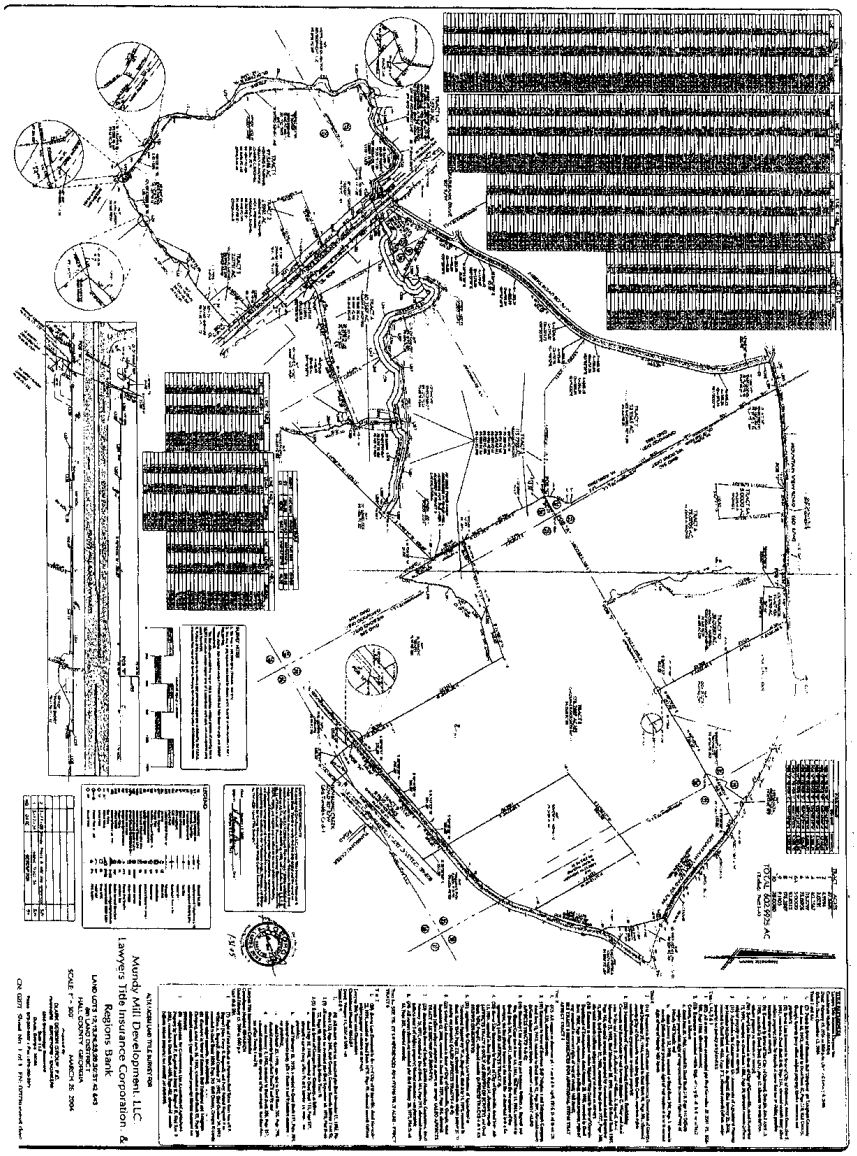

Mundy Mill Development, LLC
Lawyers Title Insurance Corporation &
Regions Bank

EXHIBIT A-1

Exhibit "B"
Permitted Exceptions

Affects all of the following tracts:

1. Easement in favor of Bellsouth Telecommunications, Inc., dated February 26, 2008, filed March 4, 2008, recorded in Deed Book 6284, page 324, Hall County, Georgia Deed Records.

As to Tract 4 only:

1. Memorandum of Agreement Creating Easements, Establishing Covenants and Restrictions between Johnnie C. Wiley and Annie May Wiley and Montine B. McDaniel and William A. Bagwell, dated November 25, 1992, filed November 30, 1992, recorded in Deed Book 1868, page 156, Hall County, Georgia Deed Records; as amended by Amendment dated September 12, 2000, filed September 13, 2000, recorded in Deed Book 3737, page 360, aforesaid records.

2. Easement as contained within Right of Way Deed in favor of Georgia Department of Transportation, dated January 23, 1993, recorded in Deed Book 1896, page 344, Hall County, Georgia Deed Records.

3. Plat of Survey for Mundy Mill Development, LLC, Lawyer's Title Insurance Corporation, & Regions Bank dated March 26, 2004, last revised January 17, 2005 reveals a 30' sanitary sewer easement.

As to Tracts 4 and 5:

1. All matters shown on plat recorded April, 1916, Deed Book 29, page 230, Hall County records.

2. Easement in favor of Southern Bell Telephone and Telegraph Company, dated June 16, 1943, recorded in Deed Book 92, page 209, aforesaid records.

3. Boundary Line Agreement by and between William A. Bagwell and Wm. Grover Goss, dated June 16, 1981, filed June 17, 1981, recorded in Deed Book 744, page 443, aforesaid records.

4. Sewer Line Easements in favor of City of Gainesville, dated November 13, 1991, recorded in Deed Book 1676, pages 54 and 61, aforesaid records.

5. Sewer Line Easement in favor of City of Gainesville, Georgia, dated September 12, 2000, recorded in Deed Book 3737, page 358, aforesaid records.

As to Tract 5 only:

1. Plat of Survey for Mundy Mill Development, LLC, Lawyer's Title Insurance Corporation, & Regions Bank dated March 26, 2004, last revised January 17, 2005 reveals the following:
   a) 40' sanitary sewer easement;
   b) a portion of property lies within 100 year flood limits.

As to Tracts 5, 6 & 6-A:

1. Easement in favor of Jackson County Electric Membership Corporation, dated February 25, 1971, recorded in Deed Book 444, page 245, aforesaid records.

2. All matters shown on recorded plat filed February 20, 1975, Plat Book 58, page 202, Hall County records.

As to Tracts 6 & 7:

1. Plat of Survey for Mundy Mill Development, LLC, Lawyer's Title Insurance

Corporation, & Regions Bank dated March 26, 2004, last revised January 17, 2005 reveals an old road running between boundary line of Tract 6 and 7.

2. Easement in favor of Jackson Electric Membership Corporation, dated January 30, 2006, recorded in Deed Book 5986, page 664, aforesaid records.

As to Tract 7:

1. Sewer Line Easement in favor of City of Gainesville, dated November 22, 1991, recorded in Deed Book 1679, page 49, aforesaid records.

As to Tract 8:

1. Plat of Survey for Mundy Mill Development, LLC, Lawyer's Title Insurance Corporation, & Regions Bank dated March 26, 2004, last revised January 17, 2005 reveals the following:
   a) Cemetery
   b) Rights of upper and lower riparian owners in and to the waters of creeks crossing or adjoining the property, and the natural flow thereof, free from diminution or pollution.

2. Perpetual Easement in favor of City of Gainesville, Georgia, and Hall County, Georgia dated January 3, 2008, recorded in Deed Book 6252, page 84, aforesaid records.

As to Tracts 8 & 9:

1. All matters shown on recorded plat filed November 11, 1988, Plat Book 132, page 206, Hall County records.

2. All matters shown on recorded plat filed September 10, 1978, Plat Book 72, page 90, Hall County records.

3. Easements in favor of Georgia Power Company, as follows:
   a) dated May 18, 1948, recorded in Deed Book 113, page 537 (affects Tract 8)
   b) dated February 12, 1953, recorded in Deed Book 137, page 504 (affects Tracts 8 & 9); and
   c) dated March 25, 1959, recorded in Deed Book 200, page 298 (affects Tracts 8 & 9), aforesaid records.

As to Tract 9 only:

1. Perpetual Easement in favor of the City of Gainesville, Georgia and Hall County, Georgia dated January 3, 2008, recorded in Deed Book 6252, page 67, aforesaid records.

As to Tract 10:

1. Easement in favor of Southern Bell Telephone and Telegraph Company, dated June 16, 1943, recorded in Deed Book 92, aforesaid records.

CERTIFICATE OF NON-FOREIGN STATUS

Section 1445 of the Internal Revenue Code provides that a transferee of a U.S. real property interest must withhold tax if the transferor is a foreign person. To inform the transferee that withholding of tax is not required upon the disposition of a U.S. real property interest by Regions Bank (the "Grantor"), the undersigned hereby certifies on behalf of the Grantor:

1. The Grantor is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);

2. The Grantor's U.S. employer identification number is 63-0371391; and

3. The Grantor's address is One Grenlake Parkway, Suite 400, Atlanta, GA 30328.

The undersigned understands that this Certificate may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalties of perjury I declare that I have examined this Certificate and to the best of my knowledge and belief, it is true, correct, and complete, and I further declare that I have authority to sign this document on behalf of the Grantor.

Date: September 29, 2010

Regions Bank

By: Thomas A. Neely

Name: Thomas A. Neely

Title: EVP

THIS CERTIFICATE MUST BE RETAINED UNTIL THE END OF THE FIFTH TAXABLE YEAR FOLLOWING THE TAXABLE YEAR IN WHICH THE TRANSFER TAKES PLACE.

TWR/vnir/T5938/W124927

ENCLOSURE NO. 2

Archeologist's Delineation Report on the Cemetery (dated February 15, 2018) and February 1, 2022 Update

R.S. Webb & Associates

Cultural Resource Management Consultants
2800 Holly Springs Parkway, Suite 200 • P.O. Drawer 1319
Holly Springs, Georgia 30142
Phone: 770-345-0706 • Fax: 770-345-0707

February 15, 2018

Mr. Jonathan Collins
Capstone Property Group
1485 Jesse Jewell Parkway
Gainesville, Georgia 30501

Subject: Boundary Delineation of an Abandoned Cemetery
Mundy Mill Development Tract, Gainesville, Hall County, Georgia
R.S. Webb & Associates No. 18-786-001

Dear Mr. Collins:

Background

On February 2, 2018, Mr. Steve Webb, Senior Principal Archeologist and Physical Anthropologist with R.S. Webb & Associates (RSWA), delineated an abandoned cemetery (hereafter referred to as the Cemetery) located on the Mundy Mill development tract in Gainesville, Georgia (Figures 1 and 2). The delineation was conducted in accordance with state law governing the treatment of historic cemeteries prior to the development of the property containing the Cemetery (Georgia Code Title 36, Chapter 72).

Methods

The Cemetery and surrounding area were carefully cleared by hand prior to Mr. Webb's field visit. Cemetery boundaries were delineated through a combination of systematic subsurface probing and surface inspection for evidence of human graves. Probing involves inserting a 4.0-foot metal rod into the ground at intervals of 1.0 to 3.0 feet searching for loose soil deposits typical of human graves. Surface inspection includes a careful scan of the ground, looking for overturned or partially buried head/foot stones, oblong depressions, ornamental vegetation, and border stones. These techniques were employed as needed within a 20-foot zone beyond a fence surrounding the Cemetery. Once the outermost graves were confirmed, the cemetery boundaries were marked with white pin flags bearing "Cemetery Boundary." A professional surveyor then field-located the partially delineated cemetery boundaries and supplied RSWA with a copy of the survey, which is attached to this report.

RESULTS

The Cemetery is located on a prominent knoll in the central part of the development tract, approximately 250 feet west of Millside Parkway (Figure 2). The Cemetery and surrounding area have been cleared, but areas beyond are in heavy undergrowth (Figure 3). Given its overgrown nature prior to clearing and the degree of neglect, the Cemetery is in a state of abandonment.

A 3-foot wrought iron bow-and-picket fence surrounds at least six graves and each fence picket/ corner post has a fleur de lis finial (Figure 4). The fence gate bears the Stewart Ironworks shield, indicating that the fence was manufactured in Cincinnati, Ohio by Stewart between 1903 and 1915.

No graves were detected during probing and surface inspection beyond the fence. Within the Cemetery, no inscribed gravestones were observed, so the names of decedents are not known. Graves are roughly aligned in two rows and are oriented east-west, which is the traditional orientation of historic Christian burials with the decedent's head at the west end of the grave. Based on the extent of the fence surrounding the graves, the cemetery boundaries measure approximately 20 feet east-west by 15 feet north-south or less than 0.01 acre (see red bound area in Figure 5). The small size of the Cemetery and the fence around it strongly suggest a single-family cemetery.

CONCLUSIONS AND RECOMMENDATIONS

It is the opinion of the Principal Archeologist that it is unlikely that additional human graves lie beyond the delineated boundaries of the Cemetery as depicted in Figure 5. However unlikely, it is always possible that small graves or graves in heavily disturbed areas may not be detected through probing and surface inspection techniques. If you encounter what you think may be human remains, please contact RSWA for assistance.

RSWA's cemetery boundary does not include a buffer zone because buffer requirements vary from one local governing authority to another. Once the appropriate buffer zone is determined, and if ground-disturbing activity is planned within 100 feet of the Cemetery, it is recommended that the outer edge of the buffer zone be marked with tree-save fencing or a similar brightly colored barrier so that incidental damage to the Cemetery might be avoided during construction.

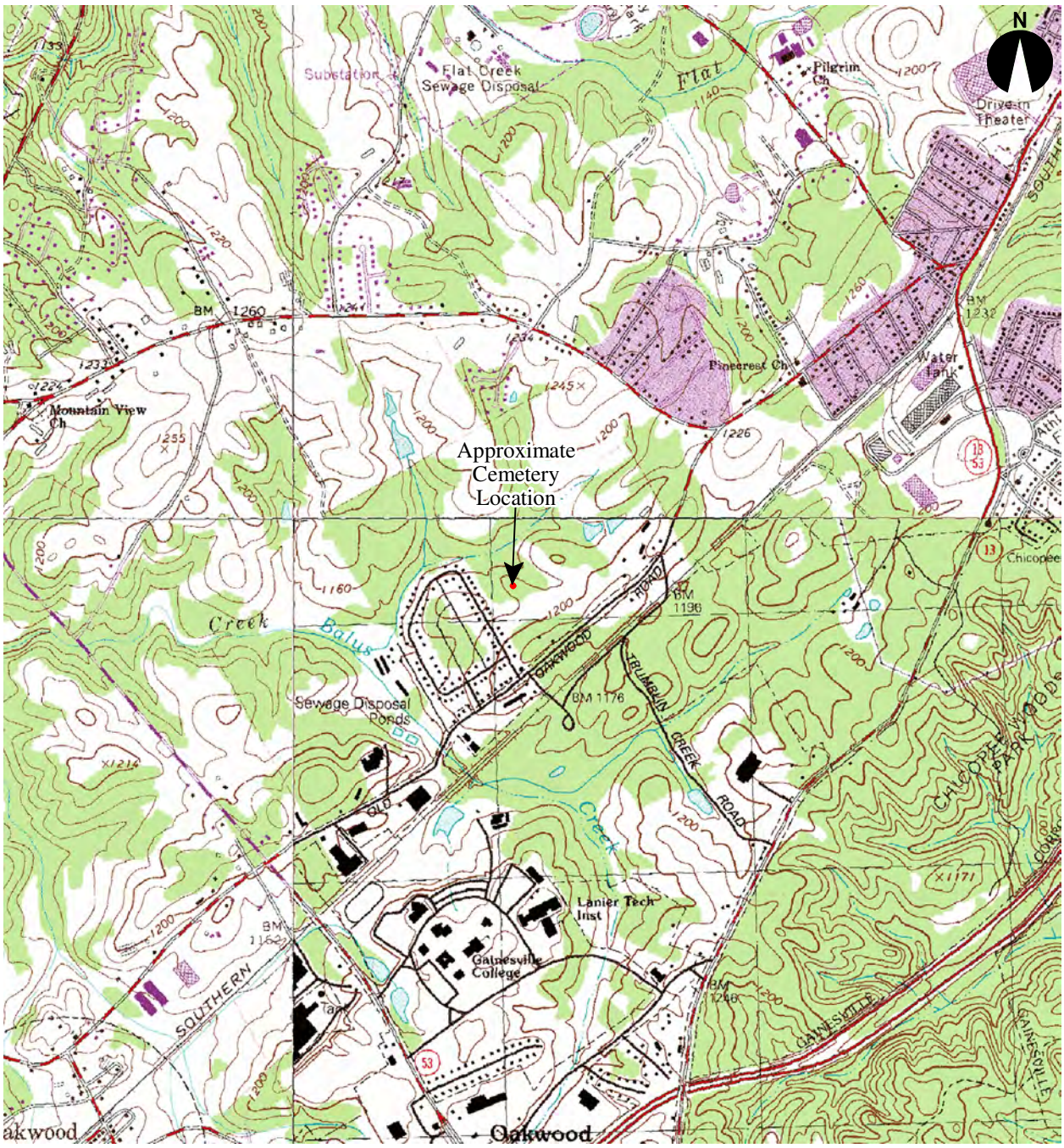
CLOSING COMMENTS

Mr. Collins, we appreciate the opportunity to work with Capstone Property Group on this project. If you have questions or comments regarding our findings, please contact me at 770-345-0706.

Sincerely,
R.S. WEBB & ASSOCIATES

Robert S. Webb
President and Senior Principal Archeologist

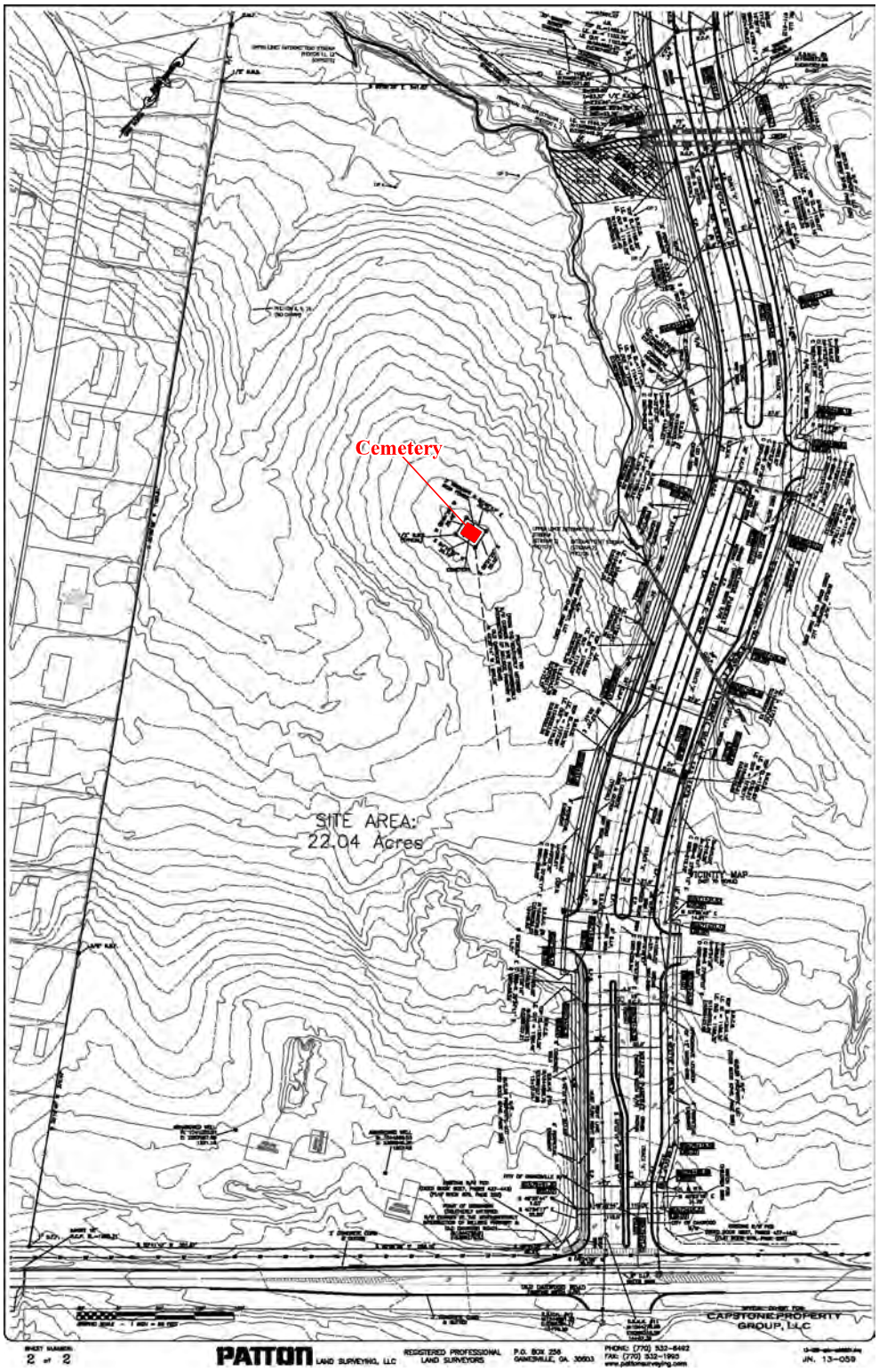
Attachments: Figures 1-5



Map Reference: 7.5-Minute USGS Quadrangles
Chestnut Mountain (1992), Gainesville (1964, PR 1985),
Chestatee (1964, PR 1973), and
Flowery Branch (1964, PR 1973), Georgia

Scale
0 610 meters
0 2000 feet

Figure 1 Cemetery Location Map



Map Reference: Patton Land Surveying, LLC (2018)

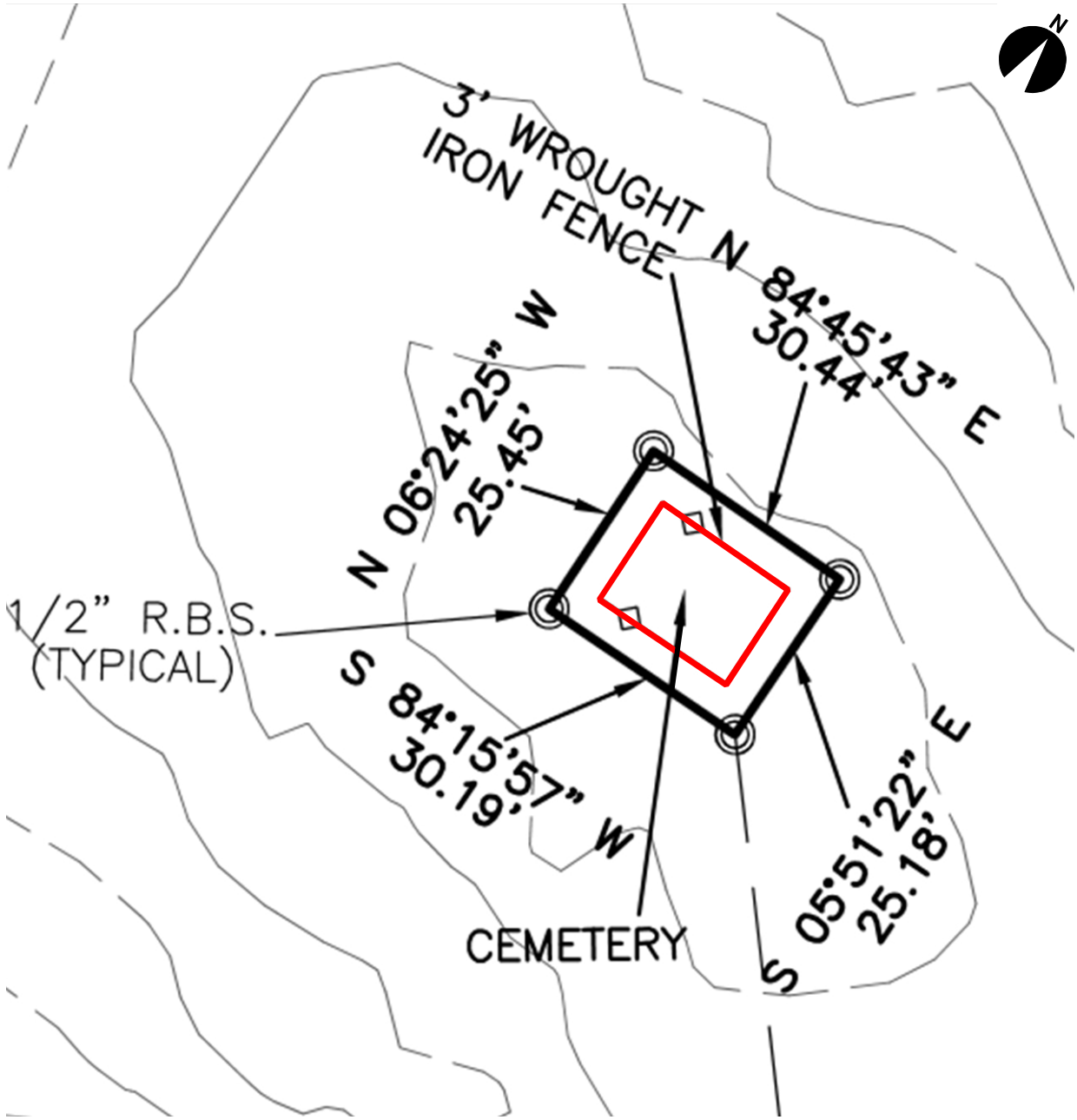
Figure 2 Professional Land Surveyor's Plat of Cemetery and Environs

Figure 3 Cemetery and Setting, Facing Southwest

Cemetery, Facing Southwest

Cemetery, Facing Northeast (Note Insert Showing Stewart Ironworks Shield)

Figure 4 Selected Views of Cemetery



Map Reference: Patton Land Surveying, LLC (2018)

Scale

0 7 meters

0 22 feet

Figure 5 Professional Survey of Cemetery

Boundary Delineation and Grave Number Estimation
Abandoned Cemetery, Mundy Mill Development Tract, Gainesville, Hall County, Georgia
FEBRUARY 1, 2022 UPDATE

On January 31, 2022, Mr. Steve Webb, Senior Principal Archeologist and Physical Anthropologist with RSWA, and Mr. Len Strozier of Omega Mapping, LLC revisited the Cemetery located on the Mundy Mill development tract in Gainesville, Georgia. The purpose of this visit was to estimate the number of graves present, in anticipation of the Cemetery being relocated.

Using the traditional probing and surface inspection methods described in the February 15, 2018 delineation letter, Mr. Webb found and individually marked five human graves, all located within the wrought iron fence; a portion of the wrought iron fence had been removed since the original February 2018 delineation. Mr. Webb also rechecked areas around the fence lines for graves with negative results.

Concurrent with Mr. Webb's surface/probe delineation, Mr. Strozier conducted a ground penetrating radar (GPR) survey within the Cemetery fence line and within 15 to 20 feet beyond the fence line. When the GPR unit detected a subsurface anomaly typical of a human grave, Mr. Strozier flagged the anomaly and Mr. Webb confirmed presence/absence of a grave through probing and surface inspection. Two additional graves were found in this manner, bringing the estimated total number of graves to seven.

Figures 1, 2 and 3 show the locations and orientation of the seven graves and the sections of the fence still standing. All delineated graves are within the cemetery fence line. The land around the Cemetery has been moderately to significantly disturbed by earlier timbering/clearing activities and is rocky and root-laden by nature; likewise the Cemetery is rocky and root-laden (Figures 2 and 3). Under such conditions, it is possible that small and/or heavily disturbed graves may not be detected through probing, surface inspection and/or geophysical (i.e., ground penetrating radar) techniques. For this reason, RSWA's estimate of seven graves may not be the actual number of graves present; the actual number is however, expected to be close.

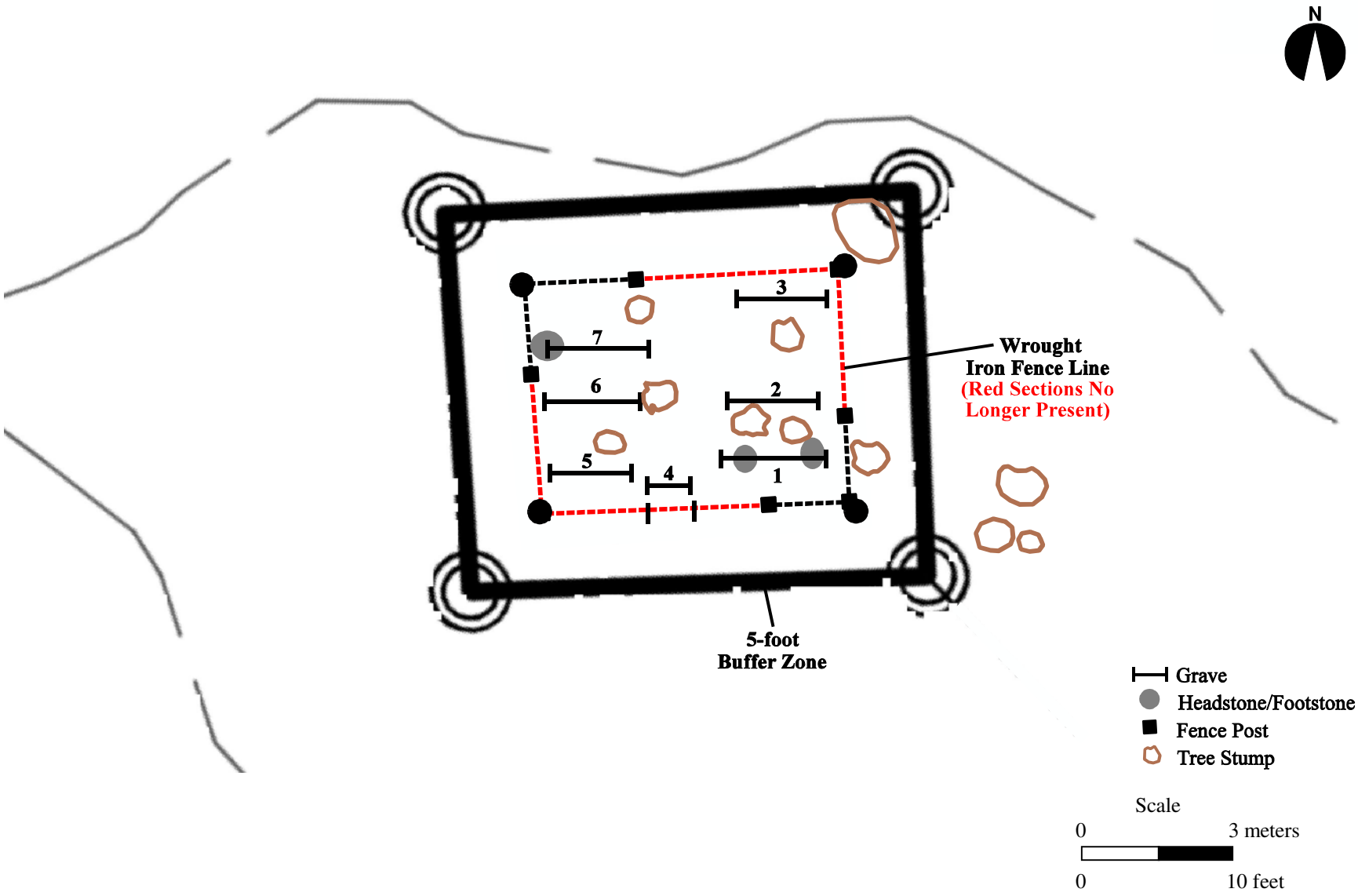


Figure 1 Professional Survey Showing Delineated Graves and Remnants of Wrought Iron Fence as of January 31, 2022 Revisit by RSWA

From Northwestern Corner, Facing South

Northwest-Central Section, Facing South

Figure 2 Selected Views of Cemetery (January 31, 2022)

Northeast-Central Section, Facing South

From Northeastern Corner, Facing South

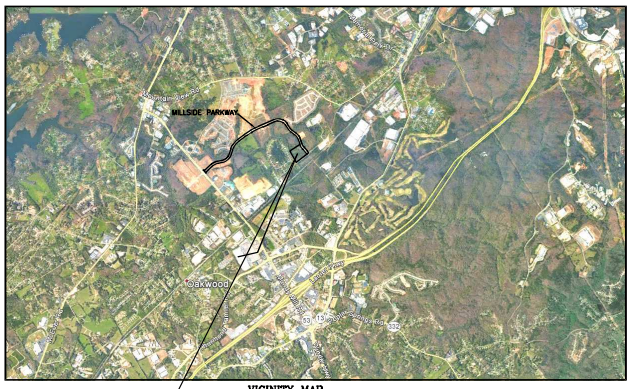
Figure 3 Selected Views of Cemetery (January 31, 2022)

ENCLOSURE NO. 3

**Professional Surveys of the Cemetery and Surrounding Tract,
Aerial Photograph Showing Original Cemetery Location and the Relocation Site (Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia) and
Letter from Hillside Memorial Gardens (received January 25, 2022) Agreeing to Accept Graves from the Subject Cemetery**

SPECIAL EXHIBIT FOR:
CAPSTONE PROPERTY GROUP, LLC

LYING IN LAND LOTS 25, 8TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA
(BEING A PORTION OF PARCEL: 08024 005008A)



VICINITY MAP
(NOT TO SCALE)

NORTH

SURVEYOR'S NOTES:

1. THIS EXHIBIT WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999087851. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

3. THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). CONTOURS WERE COMPUTED BASED ON FIELD LOCATED SPOT ELEVATIONS AND ARE SHOWN AT 2-FOOT INTERVALS.

4. THIS EXHIBIT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 292,205 FEET.

5. THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- X.F. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET WITH CAP
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- P.M. – POWER METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- OAK – OAK TREE
- P.T. – PINE TREE
- POP. – POPLAR TREE
- SG. – SWEETGUM TREE
- W.O. – WHITE OAK TREE
- R.O. – RED OAK
- HIC. – HICKORY TREE
- MAP. – MAPLE TREE
- W.O. – WATER OAK TREE
- ELM – ELM TREE
- M.T. – MISCELLANEOUS TYPE TREE
- B.E. – BEECH TREE
- S.T. – SYCAMORE TREE
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.U. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —□— – CHAIN LINK FENCE
- —O— – WOOD FENCE
- —x— – WIRE FENCE
- —o— – WROUGHT IRON FENCE
- —OHP— – OVERHEAD POWER LINES
- —●— – TRAFFIC SIGNAL LINE
- – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- SQ. FT. – SQUARE FEET
- – CONTINUOUS OWNERSHIP
- – BUILDING HEIGHT LOCATION
- 25.0 – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- 252 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SHEET NUMBER:
1 of 2
SCALE: N/A
SURVEY DATE: 02/08/2018
PLAT DATE: 02/13/2018
13-059-apts-exhibit01.dwg
JN. 13-059

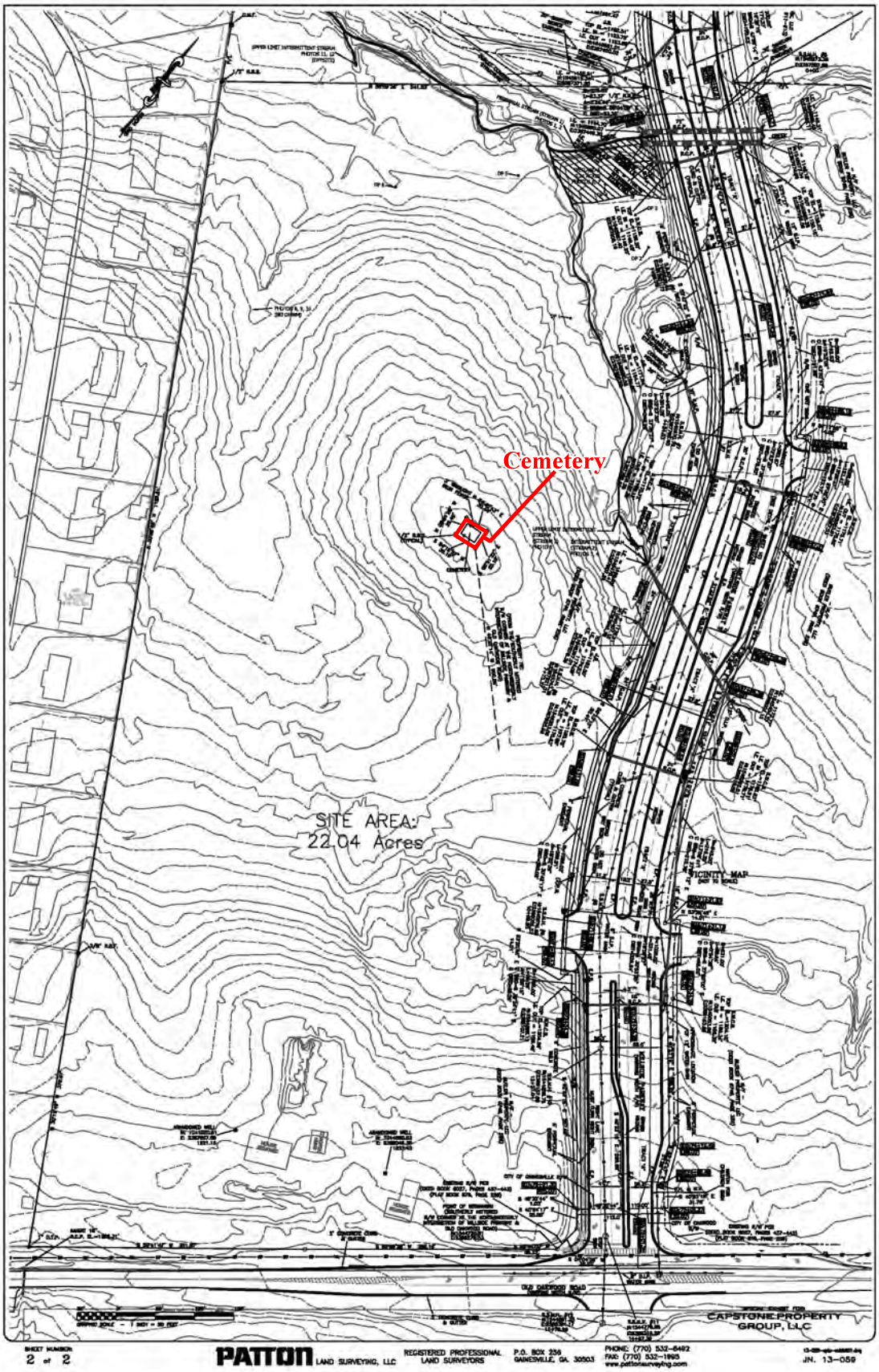
No.	DATE	DESCRIPTION

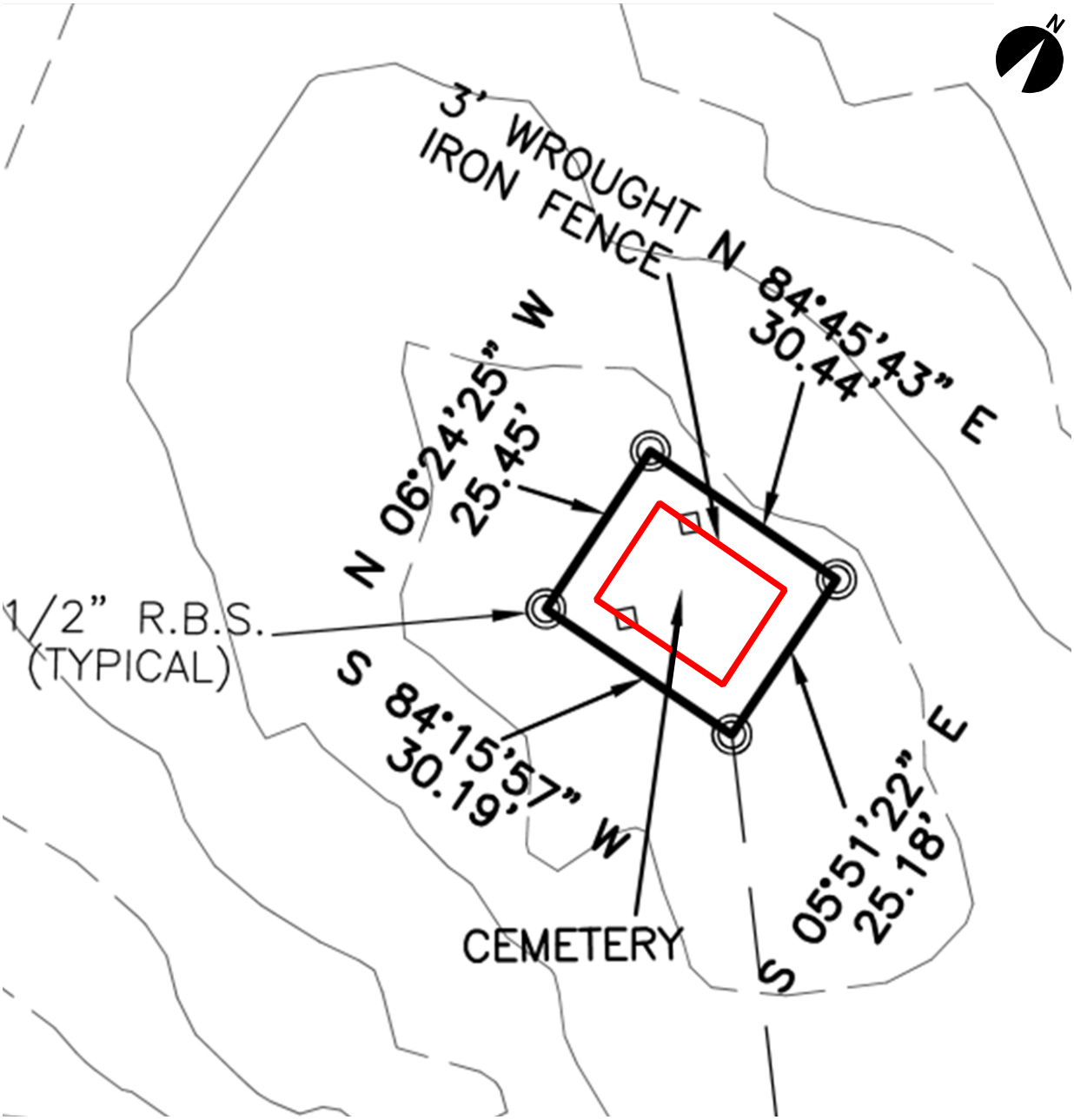
REVISIONS

SPECIAL EXHIBIT FOR:
CAPSTONE PROPERTY GROUP, LLC
-LOCATED IN-
LAND LOT 25
8TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

COMPUTATIONS BY: CHK
SURVEYED BY: J.J. & W.H.
DRAFTED BY: C.H.K.
CHECKED BY: C.M.P.

PATTON
LAND SURVEYING, LLC
REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
FAX: (770) 532-0105
www.pattonsurveying.com


Cemetery
SITE AREA:
22.04 Acres
VICINITY MAP
CAPSTONE PROPERTY
GROUP, LLC
SHEET NUMBER
2 of 2
PATTON LAND SURVEYING, LLC
REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 236
GAINESVILLE, GA. 30503
PHONE: (770) 532-8492
FAX: (770) 532-1895
www.pattonsurveying.com
JN. 13-059



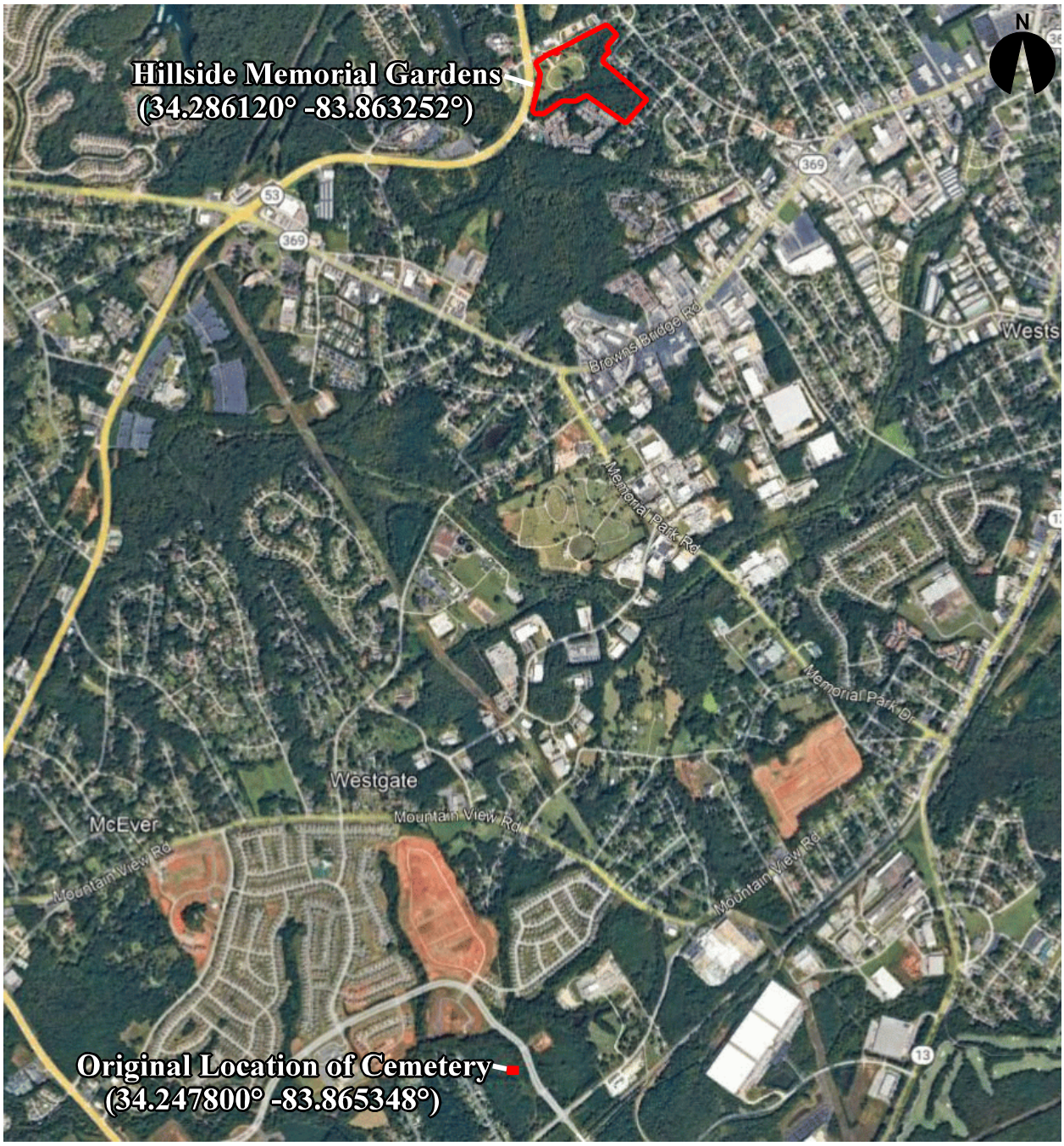
Map Reference: Patton Land Surveying, LLC (2018)

Scale

0 7 meters

0 22 feet

Detail of Professional Cemetery Survey



Reference: Google Earth (2020)

Scale

0 687 meters

0 2255 feet

Google Earth Aerial Photograph Showing Original Location of Cemetery and Location of Hillside Memorial Gardens (Relocation Cemetery)

Hillside Memorial Gardens

Your Perpetual Care Cemetry
1212 Hillside Gardens Lane
Gainesville, Georgia 30504
770-718-9494

Mr. Brandon Webb
Chafin Builders
5230 Belle Wood Court, Suite A
Buford, GA 30518

Dear Mr. Webb,

This letter is to confirm our agreement to accept and inter remains moved from a cemetery near Oakwood, Georgia to our cemetery located at 1212 Hillside Garden Lane Gainesville, Georgia 30504. Advance notice of the planned moving date is required. Please contact me with any concerns that may arise. We stand ready to help in any way we can.

Best Regards,

Ken

Ken Barrett
Hillside Memorial Gardens

ENCLOSURE NO. 4

Identification and Notification of Possible Living Descendants

Living Descendant Identification

Grave Markers and Positive Identification of Decedents: The most logical place to begin descendant identification is by inspecting grave stones for names. As a result of the 2018 cemetery delineation and the 2022 revisit, seven graves were found through probing, surface inspection, the presence of grave-related fieldstones and a GPR survey; none of the grave-related stones have inscriptions. Since no surnames can be assigned to specific graves in the Cemetery, decedent identification will never be certain. Individuals buried in the Cemetery may not be related to specific landowners or other individuals identified during research efforts. That is, the decedents may have lived on the property but did not own it; therefore, they would not be named in deeds or other legal instruments. In such cases, deed research, genealogical research, review of available cemetery records and interviews with landowner descendants are part of a reasonable effort to identify descendants. Such efforts may lead to the identification of a family name, church name, and/or ethnic group associated with the Cemetery.

Hall County Cemetery Print References: Self-published in 1971 by Sybil Wood McRay, *Tombstone Inscriptions of Hall County, Georgia* does not list the Cemetery.

Online Cemetery Databases: The following online cemetery databases do not list a cemetery at or near the location of the Cemetery: BillionGraves.com, FindaGrave.com, GenealogyTrails.com Idsgenealogy.com and Peoplelegacy.com.

Strickland Scene Publications: Volumes of *Strickland Scene*, self-published by Strickland Research, Inc., were reviewed at ncgenweb.us/nash/family/strickland_scene/. While Irvin Strickland, early landowner of the property containing the Cemetery, is mentioned in this publication (census records, ancestor files, etc.), there is no mention of where he lived or where he was buried.

Northeast Georgia History Center: R.S. Webb & Associates contacted Mr. Glen Kyle, Executive Director of the Northeast Georgia Historic Center to inquire about the subject Cemetery. The Center maintains no information on genealogy or cemeteries.

Hall County Historical Society: R.S. Webb & Associates attempted contact the Hall County Historic Society, but the Society is no longer an active organization.

Chain-of-Title: The Cemetery is located in Parcel No. 08024 005008A, between Apache Circle and Millside Parkway in Land Lot 25, 8th District of Hall County, Georgia. This abandoned burial property is located approximately 580 feet east of Apache Circle and abut 870 feet northeast of that road's intersection with Old Oakwood Road. Hall County was formed in 1818 and the portion of the County containing Land Lot 25 was surveyed in 1818 and distributed in the third (1820) Georgia Land Lottery.

Mr. Neil Bowen (R.S. Webb & Associates historian/genealogical researcher) conducted a chain-of-title for the property containing the Cemetery for the period 1839 through 2010, the relevant period of which is 1820 to 1992 (Table 1). The chain-of-title has two title gaps: 1820 to 1839; and 1849 to 1868. These gaps may be due to the fact that some early family land transactions were not formalized in written deeds. There is one reference to the subject cemetery in the deeds reviewed; a 2005 deed

references a cemetery as an exception in the transaction between Mundy Mill Development, LLC and Regions Bank (Hall County Deed 5216, Page 471).

The Cemetery was likely used some time after the 1820 land lottery and perhaps no later than the 1920s. Based on language in the deeds, it appears that the Clemmons and Wilson families owned land in Land Lot 25, but did not own the property containing the Cemetery. On this basis, Clemmons and Wilson genealogical research was not conducted. B.F. Hanie (M.D.) owned property in the middle 19th century that might have contained the Cemetery; however, during this time, Hanie lived in Pickens County, then entered the Civil War and afterwards lived in Gainesville no where near the Cemetery. On this basis, Haine family genealogy was not researched.

Table 1 Chain of Title, 1839-2010

Date	Deed Book/ Page	Grantee	Grantor	Sale Amount	Description
September 29, 2010	6749/226	Butler Properties, LLC	Regions Bank	$10	Approximately 501.25 acres, minus various exceptions, in eight tracts that included tracts 4-9 of former Mundy Mill Development, LLC Property (with Tracts I and II of the former Smith property). Record includes copy of 2004 survey for REL Properties with cemetery marked.
July 6, 2010	6719/178	Regions Bank	Regions Bank as agent/ attorney-in-fact for Mundy Mill Development, LLC	$0	Deed Under Power of Sale. Ref. to modifications to 5216/471 recorded at 5254/5 (February 8, 2005) and 6085/471 (May 23, 2007). Default of terms, public auction, highest bidder was Regions Bank at $6,500,000.00.
January 31, 2005	5216/471	Mundy Mill Development, LLC	Regions Bank	$10	Deed to Secure Debt and Security Agreement for loan on 9 tracts of land in the amount of $39,452,000.00. Compilation of former Bagwell (1-7) and Smith (8 and 9) properties. Reference to cemetery on Tract 8 and survey for REL properties, but no plat location cited.
January 31, 2005	5216/417	Mundy Mill Development, LLC	W. A. Bagwell, M. B. McDaniel, J. L. McDaniel, and J. C. Bagwell	$1	Seven parcels of land north and west of cemetery site.
September 14, 2004	5092/98 (Quit Claim)	Mundy Mill Development, LLC	Carolyn Pierce Smith Bryan (aka Carolyn Smith Bryan	$1	176.324 acres in LLs 12 and 25, 8th District (Tract 8) together with land in LLs 25 and 26 (Tract 9).

September 14, 2004	5092/95 (Warranty Deed)	Mundy Mill Development, LLC	Carolyn Pierce Smith Bryan (aka Carolyn Smith Bryan	$10 and other considerations	176.324 acres in LLs 12 and 25, 8th District (Tract I) as depicted on Plat 132/206-207 together with land in LLs 25 and 26 (Tract II) as depicted in Plat 72/90
October 2, 1899	6/246	Arthur E. Smith	Russell Smith	Love and Affection Plus $1	260 acres, same from Tumlin to Smith December 1898
December 2, 1898	5/398	Russell Smith	F.M. Tumlin	$3,000	269 acres in LLs 12 and 25; east of Lewis Tumlin Line
November 10, 1876	P/596	F.M. Tumlin	Martha Strickland	$170	43.5 acres in LL 25 adjoining Mrs. Martha Strickland and Mrs. Seathers
October 2, 1875	S/135	F.M. Mooney	Daniel Bagwell	$400	75 acres of LL 25
June 3, 1873	S/134	Daniel Bagwell	Asberry(Berry) Bagwell, Administrator of the Estate of Irvin Strickland	$96	75 acres of LL 25 purchased at public auction
August 3, 1868	W/275	Lewis Tumlin	Benjamin F. Hanie	$225	100 acres in LL 25, 8th District, same from Irvin Strickland Sr. to Irvin Strickland, Jr. (G/240)
May 19, 1849	G/240	Ervin Stricklin (sic.), Jr.	Ervin Stricklin (Sic), Sr.	Natural Love and Affection Plus $1	100 acres of LL 25, "It Being the Place Whereon the Said Ervin Stricklin now lives" along line of William Wilson to the branch dividing the plantations of Ervin, Sr. and Ervin, Jr.
December 4, 1843	F/199	Erwin (sic.) Strickland	Godfrey Luther	$300	150 acres in LL 25, "It Being the Place Whereon the Said Godfrey Luther now lives"
December 9, 1840	E/460	William Wilson	George B. Clemmons	$100	60 2/3 acres in LL 25 adjoining Luther, Redwine, and others "it being the place whereon George Clemmons now lives"
October 8, 1839	E/459	William Wilson	George B. Clemmons	$225	100 acres in southwest corner of LL 25.

Family Genealogies: Given surname information from the chain-of-title research, landowner descendant identification/genealogical research is focusing on descendants within the Godfrey Luther, Irwin Strickland, Daniel and Asberry Bagwell, Lewis Tumlin (including F.M. Tumlin), Francis Mooney and Russell Smith (including Arthur E. Smith) family lines. These families owned or likely owned the land containing the Cemetery during the period of 1840s to 2004.

It bears repeating that research continues on the origin of the Cemetery, relevant landowners, and on the individuals possibly buried in the Cemetery. To date, no individuals have been identified who have family-specific, historic knowledge of the Cemetery. R.S. Webb & Associates has identified and notified some descendants of those who owned the land containing the Cemetery, and will probably be notifying others in the future. No visible/surface-level inscribed markers were found at the Cemetery during delineation efforts, making positive identification of specific decedents in the Cemetery very difficult. Genealogical information gathered to date follows.

Godfrey Luther Family

Sources: base tree from **Beatrice Allen** at Ancestry.com; see also tree of **Pierceresearcher** or **David Orr** at Ancestry.com

Godfrey Luther (1797-1860) m. Mary Margaret "Polly" Wilson in 1820. Gold mining on Wilson's Branch, Wilson's District, Hall County in 1841 per New York Times article from 1881. Drew land in 1832 lottery while resident of Hall County (in Cass/Bartow County, 16/3), lived in Cass/Bartow County by 1850.

1. Parthenia Luther (born about 1821 in NC) m. Joseph Allen (b. 1823)
    2. Robert Osborne Allen (1839-1926) m. Sara A. Bauer, died in Trenton, New Jersey
        3. Joseph Byers Allen (1873-1946)
        3. Alfred Walter Allen (1877-1939)
        3. Emily May Allen (1884-1975)
        3. Lavania Parthenia Allen (1877-1944)
    2. John Francis Marion Allen (1844-1929) born in Gainesville and died in Micaville, Cleburne, AL; m. Martha Elizabeth York (1844-1918)
        3. William Robert Allen (1870-1952)
        3. Joseph Marion Allen (1871-1939)
        3. Henry Mack Allen (1878-1968)
        3. William H. "Will" Allen (1884-unknown)
        3. Thomas Lee Allen (1887-1966)
    2. Agrippa Perinola Allen (1848 in Georgia-1927 in Heflin, Cleburne Co., AL) m1. Melissa Brotherton, m2. Mary Carter
        3. Sarah Hall (b. 1881 in TN) m. James Thompson (b. 1859)
    2. Sarah Allen (1850-1931)
1. John M. Luther (1822 in NC-1864 at camp Douglas, Chicago, IL)
1. Elbert S. Luther (1825 in NC-1872)
1. Nancy Luther (born 1828 in NC) m. John Allbright
1. Caleb Luther (born 1830 in Hall Co., GA) m. Emeline Anderson in 1848
1. Wiley W. Luther (born 1831 in AL) m1. Nancy Caroline Gregory (1835-unknown) one child; m2. unknown spouse; lived in Randolf, AL by 1860 with three members of the Allen family aged 7-14 years (3rd Cpl Company I, 44th Alabama Regt.) **georgiasgirl2**
    2. James Godfrey Luther (1853-1921) m. Maggie Jane Breeden (1871-1964) and died in Brushy Twp, Saline Co. IL per **Susan Mollenkopf Hayse** at Ancestry.com.
        3. Martha Luther (1891-1892)
        3. James Cleveland Luther (1891-1936) m. Emma Irene Miller (1896-unknown)

4. Vivian Luther (1915-1986)
4. Ethel Irene Luther (1916-1996) m. Emyl Edward Rose (1911-1992)
5. Private Male
4. Albert L. Luther (1917-1987 in Indiana) m. Effie Frazier (1919-2004)
5. Betty R. Luther (1939-2003)
5. Private Female
5. Private Female
5. Private Female
4. Orville Luther (1919)
4. James C. "Jake" Luther (1922-1993) m. Private Female
5. Private Female
3. Ruby Jane Luther (1896-1986)
3. Infant Girl Luther (1900-1900)
3. Eddie Luther (1901-1977) m. Katherine Donley (1903-1993) per **reginabailey65** at Ancestry.com
4. Irene Luther (1922-2011)
4. Private Female
3. Beulah Luther (1904-1980)
3. Robert Luther (1906-1974) m. Essie Pearl Lollar (1909-1946) per **reginabailey65** at Ancestry.com
4. Private Female
4. Private Female
4. Private Female
3. Dorothy Pearl Luther (1909-1991) m. Earl James Hatcher (1903-) per **reginabailey65** at Ancestry.com
4. George Earl Hatcher (1928-1987) m. Mary Ruth Smith (1933-2001)
3. Gladys Luther (1913-1967)
3. George Wright Luther (1915-1979) m. Georgia May Cole per **reginabailey65** at Ancestry.com
4. Carolyn Laverne Luther (1937-2011)
4. Elizabeth Earlene "Cookie" Luther (1943-2013)
4. David Keith Luther (1954-2005)
2. Thomas Wiley Luther (b. 1856 in GA)
2. T.L. Luther (b. 1857 in GA)
1. Annie Amy Luther (1834-1891) m Archibald B. Holland (1823-1891)
1. Thomas H. Luther (1835 in Hall Co., GA-1862)
1. Calvin Godfrey Luther (1837-1874 in Hopkins, TX) m. Martha Emma (Ella) Ramsey (1845-1929), per **Michelle Greaves Jarrett**
2. Mary Parthenia (Fennie) Luther (1872-1955) m. Thaddeus Isaac or Israel Conner
3. Essie Alma Conner (1889-1955)
3. Beulah Lee Conner (1894-1894)
3. Bessie B. Conner (1896-1967)
3. Ira Allen Conner (1898-1941)
3. Ruby Dee Conner (1900-1982)
3. James Dayton Conner (1903-1976)
3. Claude Vester Conner (1905-1977)

3. Fransie Mosley ? (1907-unknown)
3. Martha Mae Conner (1907-1909)
3. Anthony Fred Conner (1909-1967)
3. Dorothy Mosley ? (1910-unknown)
3. Jay Mosley ? (1914-unknown)
2. John Wylie Luther (1874-1949) m. Lula Adella Brown per **Debra Burke Farinelli** at Ancestry.com
3. Claudie D. Luther (1903-1989)
3. Gladys Mattie Luther (1906-1981) m. John Clyde Renshaw (1904-1957)
1. Mary M. Luther (b. 1837) listed with family in Cass/Bartow Co. GA in 1850
1. Abraham Luther (b. 1839 in Cass Co., GA, per **Beatrice Allen**) listed with family in Cass/Bartow Co. GA in 1850
1. Sarah E. Luther (1844 in Gainesville, Hall Co., GA-1882 in TX) m. Seaborn Henderson Duncan (1840-1885)
2. Ellen Duncan (1866-1949)
2. M.E.A. "Lizzie" Duncan (1868-1888)
2. Elburtus Elbert Lee Duncan (1871-unknown)
2. James William Godfrey Duncan (1872-1954)
2. John Thomas Duncan (1875-1937)
2. Burl Thomas Duncan (1877-1955)
2. Wiley J. Duncan (1878-1916)
2. S.J. Duncan (1880-unknown)
2. Sidney Henderson Duncan (1881-1964)

Ervin (Irvin) Strickland Family/Daniel and Asberry Bagwell Familes

Sources: base tree from **ajcstan** at Ancestry.com; William A. Bagwell, Gainesville, GA (770) 532-7211 or (770) 535-4001 or wab@wbagwelllaw.com; *Strickland Scene*, Volumes 1 thorough 10 (1980-1992), http://www.ncgenweb.us/nash/family/stickland-scene

1. Ervin (Irvin) Strickland (1781-1850) b. Nash Co., NC m. Martha Patsy Crowe (1785-1870 - b. South Carolina) on Nov, 1, 1807 in Jackson County. Served in Captain Nehemiah Garrison's Company (4th Regiment of Booth's) Georgia Militia 1812 (pension records, but not listed on roll of Nov. 1814).
2. Isaac Strickland (1810-1852)
2. John Milledge Strickland (1811-1895)
2. William Obediah Strickland (1813-1860)
2. Henry Strickland (1813-1864)
2. Berry P. Strickland (1816-1886)
2. Ann Strickland (1819-1895) m. Myles
2. Francis Strickland (1820-1860) m. Emily Sears
2. Delaney Strickland (1822-1905) m. Daniel Bagwell (1820-1901)
3. Alexander Ervin/Irvin Bagwell (1846-unknown)
3..Martha A. Bagwell (1850-1928) m. Jasper Perno Wingo (1851-1947) per **lwwhite6** at Ancestry.com
4. Candy Duffy Wingo (1875-1954) m. Sallie Voss (1879-unknown)
4. Jane Wingo (1877-1950) m. John W. Pollard (1885-unknown) died in Carroll Co., GA
4. Eldorado Wingo (1881-1963) m. Edmond Franklin Kiker (1873-

1954) died in Buford, GA
5. Claude Henry Kiker (1904-1968)
5. Charley Lee Kiker (1907-1977) m. Gloyce Kiker (1914-1984)
6. Cranford F. Kiker (1930-2013)
6. Eugene Z. Kiker (1935-1995)
6. Bobbie Nell Kiker (1937-1993)
6. Donald Lee Kiker (1947-2015)
5. Dewey Z. Kiker (1918-2002) m. Vonie Lee Wilkes (1923-2003)
6. Dewey Wayne Kiker (1947-1954)
4. Henry Edward Wingo (1883-1967) m. Mattie Frances Whitaker (1888-1955)
5. Beulah Estella Wingo (1911-1949) m. Oscar Lee Pitts (1908-1964) died in Haralson Co., GA
6. Sandra Pitts (1937-2013)
6. Oscar Levern Pitts (1943-1999)
6. Thomas Henry Pitts (1947-2010)
5. Lola Irene Wingo (1913-2004) m. John William Key (1914-1987)
6. Bobby Lee Key (1935-1987)
6. Private Female
5. Flora May Wingo (1917-1971)
5. Euell Lindsay Wingo (1919-2001) m. Audrey Bailey (1934-1998) died in Tallapoosa, Haralson Co. GA
5. Melvin Edward Wingo (1921-1994) died in Tallapoosa, GA
5. Clara Vestibule Wingo (1923-2016) m. Private Key died in Buchanon, GA
5. Cleo Edward Wingo (1926-1972)
4. Lena Wingo (1892-unknown)
4. Lula Wingo (1985-1986)
3. Frances E. Bagwell (1859-unknown) m. James M. Chastain
3. Adeline L. Bagwell (1861-1938) m. Hunphery Posey Roberts (1883-1959)
3. Sarah M. Bagwell (1863-1903) m. Noah R. Brogden (1862-1943)
2. Irvin Strickland (1823-1891) m. Susan Reed (1820-1898) from **carolemadden77** and **jtanner42** at Ancestry.com
3. Isaac Frank Strickland (1846-1934) m. Sarah Albra "Allie" Reed (1856-1933) per **RubySturdevantPender** at Ancestry.com
4. Lanie D. Ewing (1897-unknown)
4. Lula Strickland (1898-unknown)
3. Leroy Langford Strickland (1847-1929) m. Sarah E. "Sallie" Tanner
4. Florida S. Strickland (1875-1968) m. John Robert Pirkle (1877-1966)
5. Golden Pirkle (1904-unknown)
5. Clyde Pirkle (1905-unknown)
5. Garnett Pirkle (1907-unknown)
4. Walter Taylor Strickland (1878-1973) m. Ophelia Waters (1869-unknown); died at Flowery Branch, Hall Co., GA
5. Unknown

4. David Arthur Strickland (1880-1968) m. Elizabeth Errican; died in Menphis, TN
    5 Unknown
4. William Daniel Strickland (1882-1963) m. Ida Jane McDonald (1882-1973) on Jan 13, 1907; died in Hall Co., GA
    5. Maudine Strickland (1909-2001)
    5. Ernestine Strickland (1913-unknown)
    5. Blondine Strickland (1915-unknown)
4. Elbert Wiley Strickland (1884-1967) m1. Ever Luther aka Eva Strickland (1891-1984) on January 8, 1913; d. in Hall Co., GA
    5. Irene Cornelia Strickland (1913-1925)
    5. Wiley Lee Strickland (1920-1998) m Virginia Irvin Strickland (per obituary originally posted by **johnairvin** at Ancestry.com)
        6. Terrell Strickland
        6. Mark Strickland
    5. Loyd Franklin Strickland (1925-2013) m1. Katherine Rose Laws (1924-1998) on August 27, 1947, m2. Pamela K. Raymond
        6. Diane Strickland m. Doug Magnus
            7 Matt Magnus
        6. Matthew Strickland
4. Buford Talie Strickland (1887-1967) m. Willie Mae (unknown surname) (1893-unknown), February 20, 1909
    5. Gladys Strickland (1912-unknown)
    5. Grace Strickland (1916-unknown)
    5. Private Female
    5. Private Male
4. Susan Ethel Strickland (1889-1967) m. John Mashburn Small (1881-1925)
    5. Horace M. Small (1907-1976) d. at Daytona Beach, FL
    5. Nina Euline Small (1909-1997) m1. Leonard Reed; m2, Russell L. Mills (1901-1965)
    5. Lillie Mae Small (1912-1997) m. Frederick Harold Madden (1915-2002), December 9, 1944; died in Arlington, MA
        6. Private Male
        6. Private Female
    5 Fannie Lee Small (1914-1996) m. Henry Robert Miller (1910-2005); d. Lula, Hall Co., GA
        6. Private Female
        6. Private Female
        6. Private Male
    5. Ethel Inez Small (1917-1981) m. Robert Phillip Schwab, May 22, 1946; died in Houston, TX
        6. Robert P. Schwab II (1957-1996)
    5. Laura Launette Small (1919-1986) m. John T. Stone (1914-1982); died in Los Alamos, NM

5. John Mashburn Small, Jr. (1923-1926)
4. Frances Leola Strickland (1892-1987)
3. Worth Strickland (1849-1884)
3. Martha Elizabeth Kennedy (1853-1929)
3. Martha E. Strickland (1854-1929)
3. William B. Strickland (1863-unknown)
2. Catherine Strickland (1824-unknown)
2. Frances Matthew Strickland (1827-1861)
2. Fereby or Phereby Strickland (1827-1904) m. Asberry "Berry" Bagwell (1817 - 1901) on Dec 22, 1842
3. John Daniel Bagwell (1844-1905) m. Preanis Ann Prather (1848-1914) per **dwshull_1** at Ancestry.com
4. Martha E. Bagwell (1868-1914)
4. William A. Bagwell (1870-1955)
4. Robert D. Bagwell (1872-1954)
4. Addie Bagwell (1887-1953)
4. George Bagwell (1889-1941)
3. Martha Jane Bagwell (1846-1912)
3. Delaney A. Bagwell (1848-1952)
3. Sarah Emaline Bagwell (1850-1939) m. Allen Jefferson Gunter on March 8, 1866; died in Cleveland, White Co., GA
4. Emeline Gunter (1868-unknown)
4. Florence Jane Gunter (1868-1948) m. C.H. Floyd on Sept 23, 1908
4. Priscilla Emma Gunter (1868-1920)
4. Ella Luduska Gunter (1870-1961) m. George Harris Bell (1866-1950) on March 1, 1893
4. William Willis Booth or Boone Gunter (1872-1958) m. Lizzie Elliot on Dec. 21, 1892; died in Fulton Co., GA per **cgcmmc1** at Ancestry.com
5. Mercer Allen Gunter (1900-1964) m. Artie Delphia Bagwell (1901-1978); died in Greenville Co., SC
6. Mercer Allen Gunter, Jr. (1919-1993) m. Helen N. Fowler (1919-1994); died in Union Co., SC
6. Robert Lee "Bobbie" Gunter (1925-1995) m. Private; died in Charleston Co., SC
7 Private Male
6. Private Male
5. Lee Gunter (1902-1967)
5. Julia Faye Gunter (1909-unknown)
4. James Madison Gunter (1875-1929) m. Rose Owen on Oct. 27, 1895
4. Mary Callie Gunter (1877-1911)
4. John Claude Gunter (1881-1962) m. Mary Etta Satterfield (1888-1979)
4. Ida Clarice Gunter (1884-1977) m. Jerry Hall Broome (1875-1945)
4. Elmer Bunion Gunter (1888-1969) m. Avie Boggs on March 26, 1909?
4. Fannie Gunter (1888-1908) m. S. Lyle on Aug. 19, 1906

3. William Ervin (Irvin) Bagwell (1853-1924) m. Ellender (Ella) Amberillis Wingo (1852-1919) on Jan 8, 1874; died in Gainesville, GA
3. James Madison Bagwell (1856-1924) m. Julia E. Phillips (1860-1952)
4. Martha Avarilla "Mattie" Bagwell (1881-1924) m. William Henry Fraser (1869-1953)
5. Martha Florine Fraser (1907-2000) m. Welcome Washington Camp (1904-1961)
6. Private Female
6. Private Male
6. Private Female
5. James Jefferson Frazier (Fraser) (1909-1983)
5. Wynelle Fraser (1911-2005)
5. Carroll Marcel Fraser (1914-1968)
5. Sarah Elizabeth Fraser (1917-1997)
5. William Harold Fraser (1919-2005)
4. James Alex Bagwell (1884-1943)
4. Minnie Bagwell (1886-1956)
4. Levada Bagwell (1892-1984)
4. Emory Watson Bagwell (1897-1974)
3. Alfred Asbury Bagwell (1863-1913)
3. Mary A. Bagwell (1866-unknown)
3. Albert Phillips Bagwell (1869-1942)
3. Ida C. Bagwell (1872-1941)
2. John Strickland (1827-1870)
2. Martha E. Strickland (1834-1900 or 1833-1907 per **Druscilla50** at Ancestry.com) died in Seqouyah, OK m. Denison Duncan Mayfield (1831-1882)
3. Octavia Mayfield (1854-1875)
3. Elizabeth H. Mayfield (1957-unknown)
3. Mary Mayfield (1859-1918)
3. William I. Mayfield (1862-1937)
3. Martha Mayfield (1869-1897)
3. Ida Mae Mayfield (1872-1931)
3. Barry Burson Mayfield (1874-1891)
3. Samuel Emmett Mayfield (1878-1951)

<u>Lewis Tumlin Family</u>
Sources: Base tree from **Karen Burton** and **wheelerdavid15** at Ancestry.com

Lewis Green Tumlin, Sr. (1825-1904) m. Sarah Ann Elizabeth Davis (1834-1926); both buried at Redwine UMC, Gainesville, GA. Resident of District 565 (Wilson's) Hall Co., GA 1860-1900; owned 70 acres in LL 28 or 100 acres in LL 25 per 1870s tax digest and 50 acres in LL 25 in 1880s.
1. James Washington Tumlin (1852-1853)
1. Francis Marion (Jape) Tumlin (1854-1930) m. Mary Eugenia (Genie) Hawkins (1863-1938) owned 150 acres in LL 25, 26 and 28 in 1880s; both buried at Alta Vista
2. Garnett Garfield Tumlin (1881-1959) m. Cora Ella Hunt (1877-1972) in Hall Co., GA 1906 per **KayTurner61, rdnewbold, and williamsfrank_1** at

Ancestry.com; died in Gainesville, GA.; listed in Ward 2, Gainesville, GA in 1910 (listed as having one surviving child in 1910, but none listed within household in 1910 or 1920)

2. Arnold Baxter Tumlin (1883-1961) Apparently never married; buried at Alta Vista
2. Garland Howard Tumlin (1895-1938) m. Elizabeth Day (1901-Unknown); lived on Broad Street, Gainesville, GA at enlistment in 1917; lived in Jones Co., TX with wife in 1930 (married 9 years, no children in household); buried at Alta Vista.
2. Infant Tumlin (1897-1897) buried at Redwine UMC
2. Ione Tumlin (1898-1987) m. Jesse Littleton Meeks (1888-1963) in Hall Co., GA 1922
3. Marion Littleton Meeks (1923-2013) m1. Bennie Scurry Stone, m2. Louise Ann Vogt; died in Middlesex, MA
3. Mary Eugenia "Jean" Meeks (1928-2013)
3. Private Female

1. Andrew Jackson Tumlin (1856-1926) m. Dalton Octavia Aderhold (1868-1953) in Haralson Co., GA 1880, d. in Haralson Co., GA per **CarlaSchuetze** at Ancestry.com
2. Naomi "Nannie" T. Tumlin (1885-1967) m. Green Bernard Evans, Sr. August 7, 1912 in Haralson Co., GA
3. Green "GB" Bernard Evans, Jr. (1914-1976) m. Core Elizabeth Head (1917-2002)
4. Nancy Elizabeth Evans (Stelljes) (1944-2016) m. Private Male
5. Private Male
5. Private Female
4. Private Female
4. Private Female
3. Blanche Naomi Evans (Campbell)
3. Thomas Jackson Evans (1918-1921)
2. Maud Tumlin (1889-1939)
2. Bernice Tumlin (Cambron)
2. Claud Jackson Tumlin (1898-1956)

1. Louis Green Tumlin (1858-1927)
1. Allis L. Bryant (1862-1934)
1. Walter Franklin Tumlin (1862-1937)
1. Ella Margaret Tumin (1865-1943)
1. Sarah Emma Tumlin (1868-1953)
1. Jasper Newton (Jake) Tumlin (1871-1961)
1. Mary Indiana (Mollie) Tumlin (1874-1973)

<u>Francis M. Mooney, Sr. Family</u>
Sources: Base tree from **Jennifer BALES** and **stephanydgray1960** at Ancestry.com

Francis Mooney (1810-1880) m1. Jane Wilson (1820-1854) on January 14, 1836; m2. Cynthia Elizabeth Hemphill (1833-1911) on November 14, 1854 in Hall Co.; m3 Drucilla Jones (1838-1912). Lived in District 565 (Wilson's) Hall Co. GA 1860; Took Reconstruction Oath in Lumpkin Co. GA 1867; lived in Lumpkin Co. by 1870; "The first man buried in Mill Creek Cemetery" (Dahlonega, Lumpkin County).

1. Cynthia Adline Mooney (1844-1921)

1. Francis Marion "Bud" Mooney (1847-1915) m. Hannah Clara Davis (1845-1927) Lived in Wilson's District, Hall Co. GA through 1880; owned land in District 569 Hall Co. GA 1883-1887; recorded in DeKalb Co., AL in 1910. Paid tax on 75 acres in LL 25 1873-1882; acted as agent for Francis M. Tumlin's 42 acres in LL 25 1873-1877, per tax records.
    2. Joanna J. Mooney (1873-Unknown)
    2. Charles F. Mooney (1875-1892)
    2. Ruford or Rufus "Babe" B. Mooney (1878-1935) m. Ida Cain or Cane (1883-Unknown) per trees of **John Michael Coates, sunflowerwoman99 and meerbotdin1981** all at Ancestry.com; lived in father's household (married 1 year) in 1910; own household on Lathantown Road in DeKalb Co., AL in 1920.
        3. Lula Bell Mooney (1902-1919) born Georgia and died in DeKalb County, AL.
        3. Lucile Mooney (1904-1984) born in Geogia.
    2. James Charlton Mooney (1880-Unknown)
    2. William Hillard Mooney (1882-1933) born in Georgia m. Bertha Mozelle Gilley (1893-1982) January 17, 1915 per **Edward Smith** at Ancestry.com
        3. John William Mooney (1918-1990)
        3. Juanita Mooney (1827-2013)
    2. Roscoe Conklin Mooney (1884-1931) born in DeKalb, AL and m. Mertie Eva Griggs (1899-1928) at Fort Payne, AL October 9, 1919 per **Edward Smith** at Ancestry.com
        3. Opal Inez Mooney (1920-2003) m1. Elbert Asberry Green (1915-1975); m2. Unknown
            4 <u>Four Private Female and Four Private Male Descendants Listed</u>
        3. Emma Frances Mooney (1922-2003)
        3. Nora Mooney (1928-2019)

1. Narcissa Emaline Mooney (1855-1924)

1. Cincinnatus Mooney (1858-1933) or (?) Harrison Columbus "Dock" Mooney (1858-1933) m. Hannah Barron (1955-1915) per **JudyBanks1950** at Ancestry.com
    2. Alma Telitha Mooney (1887-1957) m. Ward F. Bryson (1880-Unknown)
        3. Clara V. Bryson (1907-1997)
        3. Cleo Lela Bryson (1908-1992)
        3. Howard Luther Bryson (1912-1993) m. Betty Hollis (1931-1982)
    2. Edgar Alonzo Mooney (1887-1941)
    2. Joe Mooney (1889-Unknown)
    2. Luther Mooney (1893-1950) m. Sallie J. Arrendale (1893-1976)
        3. Mona V. Mooney (1924-2007)
        3. Hoyt Columbus Mooney (1927-1999)
        3. Homer Mooney (1928-2009)
        3. Herschel Mooney (1930-2017) m. Betty Jo
        3. Blanche Mooney (1932-2006)
    2. Martha Jane Mooney (1896-1970)

1 Eliza Jane Mooney (1859-1931)

Russell Smith Family

Sources: base tree from **sbradford74_1**, **lefevreal**, and **lsmith_tx_nc** at Ancestry.com

Russell J. Smith (1839-1920) m. Carrie Pierce (1839-1921); lived at Lithonia, GA in 1880, merchant in Gainesville, GA 1900, both buried at Alta Vista, Gainesville, GA

1. Luther D. Smith (1871-1908), bookkeeper/dry goods, married 0 years in 1900 (wife not listed with him in father's household); widowed boarder in Marion Co. GA circa 1910; buried at Alta Vista
2. Arthur Eli Smith (1875-1966) m. Elma Matthews (1893-1980); Arthur unmarried with parents on Academy Street, Gainesville. GA in 1900 and 1910 (listed as farmer in 1900, he and father both listed as merchants/grocery in 1910); married living with parents on Academy Street with wife and daughter Carolyn (4 5/12) in 1920, listed as real estate dealer; still on Academy Street in 1940 with wife, listed as salesman/real estate; postal address was 429 Academy Street, Gainesville, GA in 1953 deed (HCDB 258/237); both buried at Alta Vista
    3. Carolyn Smith (1915-2017) m. Milton M. Bryan (1909-2000)
        4. William A. Bryan (1939).

Notification of Known or Possible Living Descendants

Known or Possible Descendants Notified as of February 10, 2022

Luther Family
Ancestry.com: Beatrice Allen
Piercesearcher
David Orr
Susan Mollenkopf Hayse
reginabailey65
Michelle Graves Jarrett
Debra Burke Farinelli
georgiasgirl2

Strickland-Bagwell Families
Ancestry.com: carolemadden77
jtanner42
dwshull_1
cgcmmc1
johnairvin
ajcstan and/or ajcstan789
Druscilla50
clyde_1937 (Susan Taylor)
RubySturdevantPender
lwwhite6
Other: William A. Bagwell - wab@wbagwelllaw.com (770) 722-7565

Tumlin Family
Ancestry.com: Karen Burton
wheelerdavid15
CarlaSchuetze
KayTurner61
rdnewbold

Mooney Family
Ancestry.com: Jennifer BALES
stephanydgray1960
John Michael Coates
sunflowerwoman99
meerbotdin1981
Edward Smith

Smith Family
Ancestry.com: sbradford74_1
lefevreal
lsmith_tx_nc

Known or Possible Descendant Notifications in Progress

Strickland-Bagwell Families
William Gary Bagwell - 4434 T. Moore Road, Oakwood, Georgia, H-770-532-9421 C-770-287-4460

Three Descendants of Loyd Strickland: Diane S. Magnus, Baya Pruitt and Andy Kalinauskas. Phone messages left at office (770-534-5121), but no response; contact will be made via mail to Conditioned Air Systems, 2410 Hilton Way, Gainesville, Georgia 30501

Smith Family
William A. Bryan

Individual Notices
Beginning on January 19, 2022, R.S. Webb & Associates began attempts to individually notify possible living descendants of the applicant's intention to relocate the Cemetery. These individual notices include a summary of the rights of descendants as laid out in the Official Code of Georgia Annotated, Title 36, Chapter 72 and provide the addresses and phone numbers of the permit applicant's representative (R.S. Webb & Associates), and the point of contact at the City of Gainesville (local governing authority). The first notice reads as follows:

Notification of Intent to Relocate an Abandoned Cemetery
(Possible Luther-Strickland-Bagwell Families)
Located north of Old Oakwood Road
City of Gainesville, Hall County, Georgia
January 19, 2022

This Notification is being sent to you in accordance with the Official Code of Georgia Annotated (OCGA), Title 36, Chapter 72. Chafin Land Development, LLC is filing an application for a cemetery relocation permit with the City of Gainesville, Georgia. The permit is for the relocation of an abandoned cemetery (hereafter referred to as the Cemetery). There is reason to believe that members of the Luther, Strickland, and/or Bagwell families are buried in the Cemetery (possibly others), and that you may be a descendant of one or more individuals buried in the Cemetery.

The Cemetery is located north of Old Oakwood Road, between Apache Circle and Millside Parkway in Land Lot 25, 8th District of Hall County, Georgia and is on Parcel No. 08024 005008A, a tract of land owned by Butler Property, LLC (Deed Book 6749, Page 226, Clerk of Superior Court, Hall County, Georgia). Residential development is proposed for the above-referenced parcel and, given the nature of the planned development, it is not feasible to avoid the Cemetery. The proposed relocation site for the exhumed burials is Hillside Gardens in Gainesville.

If you are a member of the Luther, Strickland, Bagwell or other families, and you are a descendant of individuals buried in the Cemetery, you have certain rights under Georgia's 1991 Abandoned Cemetery Act (OCGA Title 36, Chapter 72). Descendants who indicate an interest in the disposition of the individuals and/or burial objects in the Cemetery shall be promptly identified by the local governing authority, regarding any proposals for mitigation/relocation, any terms issued, the time and place of any scheduled hearings, and appeal procedures/events.

If you believe you are a descendant of individuals buried in the Cemetery, or know of someone who may be, please convey this information to them and/or contact (within 15 business days of receipt of this notice):

Mr. Neil Bowen
R.S. Webb & Associates
P.O. Drawer 1319
Holly Springs, Georgia 30142
770-345-0706
nbowen.rswa@gmail.com

If you would like to express your interest to the local governing authority regarding the proposed relocation of the Cemetery, please contact (within 15 business days of receipt of this notice):

City of Gainesville
Planning and Economic Development
P.O. Box 2496
Gainesville, GA 30503
Phone: 770-535-6570
Fax: 770-297-7826

You can also contact Matt Tate with the City of Gainesville regarding this matter through the City website at: https://www.gainesville.org/formcenter/Contact-Us-Forms-10/Contact-Us-Community-Economic-Developmen-82

Based on ongoing genealogical research, R.S. Webb & Associates issued a second notice on February 10, 2022 to possible living descendants of the applicant's intention to relocate the Cemetery. The revised notice added Tumlin, Mooney and Smith to the descendant surname search list.

Descendant identification is an ongoing process. If, or when, living descendants are identified, notices are being sent to these individuals. Depending on the contact information available, individual notices will be sent via email/messaging or certified mail to individuals considered to be direct descendants, possible descendants or family contacts.

Public Legal Notices

In addition to sending individual notices, weekly legal notices have or will be placed in *The Gainesville Times* on at least: January 12, 19 and 26, 2022; February 2, 9, 16 and 23, 2022; March 2, 2022 (see Enclosure No. 6). The purpose of this notice is to make additional efforts to identify possible descendants and notify them of the intention to relocate the Cemetery.

Notice of Public Hearing

The City of Gainesville will advertise a notice of public hearing on the proposed relocation of the Cemetery. The notice will be advertised in *The Gainesville Times* once a week for two consecutive weeks prior to the public hearing before the City of Gainesville.

ENCLOSURE NO. 5

Plan for the Relocation of the Abandoned Cemetery on the Mundy Mill Development Tract

PLAN FOR THE RELOCATION OF AN ABANDONED CEMETERY
MUNDY MILL DEVELOPMENT TRACT

Background: This cemetery relocation project will be conducted as required under Georgia state law (Official Code of Georgia Annotated, Title 36, Chapter 72). It is believed that up to 12 graves are within the Cemetery, which covers an estimated area of approximately 20 (east-west) by 15 feet (north-south). The following procedures will be implemented to check for unknown graves, expose and exhume known graves, and deliver the burial boxes to the receiving cemetery.

Procedures: Once relocation is approved, RSWA will re-map the Cemetery to reflect cemetery state at the time of the relocation. This will include photographing the Cemetery and mapping the wrought iron fence remnants, fieldstone markers, numbered grave pin flags, cemetery boundary pin flags and the locations of tree roots/stumps. The remnants of the fence and fieldstone markers will then be removed and stockpiled at a safe distance from the exhumation area. How grave stones are used at the relocation site will depend on the requirements of the receiving cemetery, wishes of the descendants and/or directives from the City of Gainesville. If present and allowed, small cut or natural grave markers (i.e., head/foot stones) will be transported to the reinterment plot by RSWA. It appears unlikely that large markers (e.g., table/box grave stones, ledgers) are present; if such markers are found underground, then they may require relocation (if allowed by the receiving cemetery) by a mortuary monument expert.

Once the markers and fencing are removed, a backhoe with a smooth-edged digging bucket will set up facing west at the southeastern corner of the exhumation area, approximately 20 feet southeast of the southeastern corner of the Cemetery. Moving south to north, RSWA will systematically strip the surface of undergrowth vegetation and topsoil until subsoil is clearly exposed. Backhoe trenches will be 8.0 to 10.0 feet long and 3.0 or 4.0 feet wide, the latter depending on the width on the backhoe digging bucket. When a grave shaft is encountered, that grave will be excavated completely before moving north to the next grave. If buried/fallen gravestones and/or other grave-related items are uncovered during excavation, they will be mapped onto the existing cemetery plan and numbered according to the existing grave numbering system. If a previously undetected grave is identified, it will be given a new grave number. Once all graves on a row are exhumed. The backhoe will begin a new row moving south to north.

Grave shaft excavation and burial exhumation will proceed as follows. After removing the topsoil and exposing the grave shaft, the edge of the grave shaft will be probed with a four-foot tile probe to determine the depth of the shaft. The backhoe will be used to excavate grave shaft soils to within approximately 1.0 foot above the floor of the grave shaft. The grave shaft will be probed again to determine the presence, outline and depth of a burial chamber. If a chamber is not present, then the soils remaining in the shaft will be hand excavated with shovel and trowel. If a chamber is present, the shaft and upper chamber fill will be mechanically removed. Chamber soils immediately overlying the coffin/body will be removed by hand.

Skeletal and/or funerary remains will be generally exposed and described on a burial form. The Principal Physical Anthropologist/Archeologist will examine the remains abnormalities, pathologies and/or trauma. General age and sex estimates will be made if the appropriate skeletal remains are available. Skeletal remains, personal items, and coffin hardware will be removed and boxed for transport to the reinterment site. If no skeletal materials or coffin remains are present, organic material at the base of the chamber will be boxed for reinterment. Typically human remains, grave

goods, and/or other grave inclusions are not photographed out of respect for the decedent. Very rarely, photographs are taken if such documentation might assist in the positive identification of a specific decedent or provide evidence of gender and/or ethnicity. Once grave exhumation is complete, the excavated grave will be photographed as evidence that the human remains were removed.

The burial remains from each grave will be placed in one or more wooden reburial boxes (12 by 16 by 22 inches) marked with the appropriate grave number. Funerary objects, such as coffin remains and personal effects, will be placed with the corresponding human remains and reinterred together. The boxed skeletal remains and/or funerary objects will be transported to the receiving cemetery where the cemetery's grave team will reinter the decedents per cemetery policy. RSWA will record the plot locations where the decedents are buried. The use of existing headstones and/or other markers at the receiving cemetery will be determined by receiving cemetery policies and/or descendant wishes. RSWA will prepare a grave plot map showing the plot location(s) within the receiving cemetery and which grave(s) are interred in each plot. Each reinterment plot will be photographed to document completion of the relocation project.

Reporting: A report of the findings (approximately 15 to 20 pages) will be prepared and submitted to the permit applicant for appropriate dissemination. The report will summarize the methods employed and the findings. This document will contain a plan of the original Cemetery and a map/plan of the reinterment plot(s). Any legal documentation beyond what is described in this relocation plan will be prepared and submitted to the appropriate state and/or local agencies by the applicant's attorney or representative. If such documentation is required, RSWA will append copies of this legal documentation to RSWA's report.

PROJECT MANAGEMENT AND PERSONNEL

Mr. Steve Webb, Senior Principal at RSWA, will serve as Principal Physical Anthropologist and Archeologist. Mr. Webb will provide overall project management and directly supervise the relocation of each grave and confirm complete exhumation of human remains and funerary materials (e.g., coffin hardware and personal items). One or two technicians and a backhoe operator will assist Mr. Webb during the relocation. Mr. Webb's resume of cemetery experience is attached.

SCHEDULE

RSWA will initiate the proposed services within approximately 10 working days after authorization to proceed with this relocation project. It is estimated that approximately three to five working days will be required to complete the fieldwork (i.e., re-map the cemetery, exhume the graves and transport the graves to the receiving cemetery). Approximately 15 to 20 working days will be required to prepare the report of findings. The project schedule is based on the estimation that no more than 12 graves are present, and that weather conditions are dry and favorable for removal and delivery to the receiving cemetery. It is important to stress that the actual number of graves will not be confirmed until exhumation is complete. <u>The actual grave count will ultimately determine the project schedule and cost.</u>

ESTIMATED RELOCATION COSTS

All costs for the relocation of the Cemetery will be the responsibility of the cemetery relocation permit applicant. Based on current data, R.S. Webb & Associates relocation fees could range from approximately $25,000 to $50,000, depending on the number of surnames requiring research and the number of graves actually present.

ROBERT S. WEBB

President
Senior Principal Archeologist/Physical Anthropologist

EDUCATION: M.A., Anthropology, University of Tennessee
B.A., Anthropology, University of Tennessee

PROFESSIONAL MEMBERSHIPS: Southeastern Archeological Conference, Georgia Council of Professional Archeologists, The Society for Georgia Archaeology, Society for American Archaeology, Tennessee Council for Professional Archaeology, Archaeological Society of South Carolina

CAREER SUMMARY

Mr. Webb has over 30 years of professional experience in cultural resource management studies. He is the president and principal archeologist of the firm. Mr. Webb has expertise in cultural resources identification, evaluation, data recovery and other areas of resource management. He is also a trained physical anthropologist and bio-statistician. Prior to forming R.S. Webb & Associates in 1994, Mr. Webb served as senior archeologist and cultural resources assessment department manager at Law Environmental, Inc. from 1990 through 1993. He owned a cultural resources management firm from 1985 until joining Law Environmental, Inc. in 1990.

Selected Historic Cemetery Relocations

Archival research and relocation of the Stegall Cemetery, City of Emerson, Bartow County, Georgia

Archival research and relocation of the Fannin-Truitt-Long Cemetery, City of LaGrange, Troup County, Georgia

Archival research and relocation of the Leach Cemetery, Haile Gold Mine, Lancaster County, South Carolina

Delineation and relocation of the Truitt Cemetery, City of LaGrange, Troup County, Georgia

Delineation and relocation of the Goodwin Cemetery, Dekalb County, Georgia

Archival research, delineation and relocation of the Harrison-Addington Cemetery, City of Jefferson, Georgia

Archival research, delineation and relocation of the William Bell grave site, Jackson County, Georgia

Archival research, delineation and relocation of the Wood-Hudson Cemetery, City of Atlanta, Georgia

Delineation and relocation of the Jones-Partain Cemetery, Pickens County, Georgia

Delineation and relocation of two abandoned cemeteries, Allendale County, South Carolina

Archival research, delineation and relocation of an abandoned cemetery, Lowe's Motor Speedway, Cabarrus County, North Carolina

Archival research, delineation and relocation of an abandoned cemetery, Guilford County, North Carolina

Archival research, delineation and relocation of the Harris and McClure Cemeteries, Cabarrus County, North Carolina

Archival research, delineation and relocation of the Freshwater Resort Cemetery, Calhoun Falls, South Carolina

Archival research, delineation and relocation of the Miles Cemetery, Springhill Regional Landfill expansion site, Jackson County, Florida

Archival research, delineation and relocation of two 19th century cemeteries, BMW automobile manufacturing facility site, Spartanburg County, South Carolina.

Selected Historic Cemetery Delineations

Delineation of numerous small cemeteries in Newton County, Georgia as the county archeological consultant

Archival research and delineation of the Farmer Street Cemetery, Newnan, Georgia

Delineation and supervision of debris removal, Crest Hill Cemetery, Cobb County, Georgia

Archival research and delineation at Bethel Baptist Church Cemetery, Cobb County, Georgia

Delineation of New Salem Cemetery, Cobb County, Georgia

Archival research and delineation of the Franklin-Hamilton Cemetery, Cobb County, Georgia

Delineation of the Blackwell Cemetery, Cobb County, Georgia

Archival research and delineation of the Lost Mountain Baptist Church Cemetery, Cobb County, Georgia

Archival research and delineation of the Shiloh Church Cemetery, Cobb County, Georgia

Archival research and delineation of the Turner-Sewell Cemetery, Cobb County, Georgia

Archival research and delineation of the Moon Cemetery, Cobb County, Georgia

Archival research and delineation of the Hiram Road Cemetery, Cobb County, Georgia

Delineation of the Evans Cemetery in Richmond County, Georgia

Delineation of two abandoned cemeteries in Jackson and Hall Counties, Georgia

Delineation of the Cason Cemetery, Warren County, Georgia

Delineation of the Wheeler Road Cemetery, Jackson County, Georgia

Delineation of two abandoned cemeteries on Foxhall Farm, Douglas County, Georgia

Archival research and delineation of the Shepherd of the Hills Church Cemetery, Douglas County, Georgia

Archival research and delineation of the Hardy Strickland Cemetery, Forsyth County, Georgia

Archival research and delineation of the Morris Cemetery and Sarah Webb grave site, Fulton County, Georgia

Archival research and delineation of Thompson Cemetery, Fulton County, Georgia

Archival research and delineation of the Matthew Strickland grave site, Gwinnett County, Georgia

Archival research and delineation of the Harmony Cemetery, Gwinnett County, Georgia

Archival research and delineation of the McCurdy-Rawlins-Boring Cemetery, Gwinnett County, Georgia

Archival research and delineation of the Barham Cemetery, Henry County, Georgia

Archival research and delineation of the Adams-Adkins Cemetery, Henry County, Georgia

Archival research and delineation of the Woodward-Puch Cemetery, Henry County, Georgia

Archival research and delineation of the Grice Cemetery, Henry County, Georgia

Archival research and delineation of an abandoned 19th century cemetery, Madison County, Alabama

Archival research and delineation of an abandoned cemetery, Anderson County, South Carolina

Archival research and delineation of a late 18th century cemetery, Spartanburg, South Carolina

Archival research and delineation of the Alexander Family Cemetery, Mecklenburg County, North Carolina

ENCLOSURE NO. 6

Public Notices

Public Notice to Identify Descendants of Individuals Buried in the Cemetery

In an attempt to identify possible descendants of individuals buried in the Cemetery, notices have been advertised weekly in *The Gainesville Times*. On January 12, 19 and 26, 2022, the following (first) notice ran:

LEGAL AND PUBLIC NOTICE

Chafin Land Development, LLC is filing an application for a cemetery relocation permit with the City of Gainesville, Georgia. The cemetery is located within tax parcel 08024 005008A, in Land Lot 25, 8th District, Oakwood, Hall County, Georgia, and is approximately 580 feet east of Apache Circle or 870 feet northeast of its intersection with Old Oakwood Road. The cemetery is on a tract of land owned by Butler Property, LLC (Deed Book 6749, Page 226, Clerk of Superior Court, Hall County, Georgia). Based on ongoing research, it is possible that members of the Godfrey Luther and Ervin (Irvin) Strickland, Sr. families were interred at this place. The subject property was owned by descendants of the Stricklands (two Bagwell families) into the 20th century. Members of other families may be buried here as well. If you are a descendant of individuals buried in the subject cemetery or if you know someone who may be, please contact Mr. Neil Bowen at: 770-345-0706; by e-mail at: nbowen.rswa@gmail.com; or by mail at: R.S. Webb & Associates, P.O. Drawer 1319, Holly Springs, Ga., 30142

A second notice ran in *The Gainesville Times* on February 2 and 9, 2022. This notice made modifications to 20th century ownership and added Tumlin and Smith to the possible descendant surnames list and reads:

LEGAL AND PUBLIC NOTICE

Chafin Land Development, LLC is filing an application for a cemetery relocation permit with the City of Gainesville, Georgia. The cemetery is located within tax parcel 08024 005008A, in Land Lot 25, 8th District, Oakwood, Hall County, Georgia, and is approximately 580 feet east of Apache Circle or 870 feet northeast of its intersection with Old Oakwood Road. The cemetery is on a tract of land owned by Butler Property, LLC (Deed Book 6749, Page 226, Clerk of Superior Court, Hall County, Georgia). Based on ongoing research, it is possible that members of the Godfrey Luther, Ervin (Irvin) Strickland, Sr., Lewis Tumlin, and/or Russell Smith families were interred at this place. The subject property was owned by the Arthur E. Smith family throughout the 20th century. Members of other families may be buried here as well. If you are a descendant of individuals buried in the subject cemetery or if you know someone who may be, please contact Mr. Neil Bowen at: 770-345-0706; by e-mail at: nbowen.rswa@gmail.com; or by mail at: R.S. Webb & Associates, P.O. Drawer 1319, Holly Springs, Ga., 30142.

A third notice will run in *The Gainesville Times* on at least February 16 and 23, and March 2, 2022. Based on ongoing research, this notice added Mooney and Bagwell to the possible descendant surnames list and reads:

LEGAL AND PUBLIC NOTICE

Chafin Land Development, LLC is filing an application for a cemetery relocation permit with the City of Gainesville, Georgia. The cemetery is located within tax parcel 08024 005008A, in Land Lot 25, 8th District, Oakwood, Hall County, Georgia, and is approximately 580 feet east of Apache Circle or 870 feet northeast of its intersection with Old Oakwood Road. The cemetery is on a tract of land owned by Butler Property, LLC (Deed Book 6749, Page 226, Clerk of Superior Court, Hall County, Georgia). Based on ongoing research, it is possible that members of the Godfrey Luther, Ervin (Irvin) Strickland, Sr., Lewis Tumlin, Francis Mooney, Daniel and Asberry Bagwell and/or Russell Smith families were interred at this place. The subject property was owned by the Arthur E. Smith family throughout the 20th century. Members of other families may be buried here as well. If you are a descendant of individuals buried in the subject cemetery or if you know someone who may be, please contact Mr. Neil Bowen at: 770-345-0706; by e-mail at: nbowen.rswa@gmail.com; or by mail at: R.S. Webb & Associates, P.O. Drawer 1319, Holly Springs, Ga., 30142.

Legal Notice of Public Hearing Regarding Intention to Relocate the Cemetery

A legal notice will be advertised in *The Gainesville Times* once a week during the two consecutive weeks prior to a public hearing before the City of Gainesville. The City will prepare and run this advertisement.

HULSEY, OLIVER & MAHAR, LLP

EST. 1914

JULIUS M. HULSEY
R. DAVID SYFAN
THOMAS L. FITZGERALD
THOMAS D. CALKINS
ABBOTT S. HAYES, JR.
PAUL B. SMART
JASON A. DEAN
T. WESLEY ROBINSON
JASON E. VOYLES
JESSICA M. LUND
VANESSA E. SYKES
MONICA B. HATFIELD
KASSANDRA M. LAWSON

ATTORNEYS AT LAW

E.D. KENYON
(1890-1981)
SAMUEL L. OLIVER
(1942-2011)

OF COUNSEL

JAMES E. MAHAR, JR.
(Practice Limited to
Mediation and Arbitration)
JANE A. RANGE
CHRISTOPHER J. WALKER, III

February 22, 2022

VIA EMAIL TO AMY STANTON (AJCStan@aol.com)

VIA EMAIL TO PATTI CATO (Patti.Cato@gmail.com)

Dear Ms. Stanton and Ms. Cato:

I am a lawyer for the City of Gainesville ("the City"). The City has received an application from Clayton Properties Group, Inc. d/b/a Chafin Development to relocate an abandoned cemetery. I am sending you this letter, as the City received comments from you, which comments are attached for your reference. I am sending this letter to you pursuant to O.C.G.A. Section 36-72-6. In the event that you wish to contact the governing authority of the City, please feel free to direct emails to Matt Tate at MTate@gainesvillega.gov. Enclosed please find the Public Notice that will be published in the Gainesville Times relating to the City's hearing on the application, which hearing will take place on March 15, 2022, at 5:30 p.m. Pursuant to O.C.G.A. Section 36-72-7 (a), you and any other interested party or citizen may appear at the hearing, and you will be given an opportunity to be heard. At the hearing, the governing body of the City will make a decision, pursuant to Georgia Law, on whether the application for the permit should be granted.

Sincerely,

Abbott S. Hayes, Jr.

Enclosures
cc: Matt Tate (via email MTate@gainesvillega.gov)

ASH/ois/15100/263325

200 E. E. Butler Parkway | Post Office Box 1457 | Gainesville, Georgia 30503
Telephone: (770) 532-6312 | Fax: (770) 531-9230 OR (770) 532-6822 | www.homlaw.com

PUBLIC NOTICE

In accordance with O.C.G.A. § 36-72-7(a), public notice is hereby given that the governing body of the City of Gainesville will hold a public hearing regarding the application of Clayton Properties Group, Inc. d/b/a Chafin Development to relocate an abandoned cemetery. The abandoned cemetery is located within Hall County, Georgia tax parcel number 08024 005008A, in Land Lot 25, 8th District of Hall County, Georgia. The abandoned cemetery is located on real property owned by Butler Property, LLC, which real property is more particularly described in a Limited Warranty Deed dated September 29, 2010, recorded at Deed Book 6749, Pages 226-241, Hall County, Georgia Deed Records. The applicant proposes to relocate the abandoned cemetery to Hillside Memorial Gardens, 1212 Hillside Gardens Lane, Gainesville, Georgia 30504. The purpose of the hearing is to receive input from any interested party or citizen on the proposed relocation of the abandoned cemetery. The hearing will be held on Tuesday, March 15, 2022 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway, Gainesville, Georgia 30501.

Olivia I. Still

From: Olivia I. Still
Sent: Tuesday, February 22, 2022 2:17 PM
To: Olivia I. Still
Subject: FW: Chafin abandoned cemetery relocation

Contact Us - Community & Economic Development

Name	Amy Stanton
Email Address	
Phone Number	
Choose who will receive your comments	Matt Tate, Deputy Director
Comments / Questions	Hello Matt, I received a message from Neil Bowen at RS Webb & Assoc via Ancestry.com. He forwarded me a notice on 01/19/2022 regarding a proposed residential development. The developer (Chafin) has indicated they would like to relocate the graves of Luther/Strickland/Bagwell Cemetery. As a Bagwell and Strickland descendant I would like to request that the cemetery be left intact. I have two other local family cemeteries that have been affected by development, but have remained as is and fenced/will be fenced by the developer. I posed several questions to Neil Bowen at RS Webb, he requested that I direct the questions to the City of Gainesville. Mainly, why does the developer feel they need to relocate the cemetery? I am a member of the Gwinnett Historical Society. The cemetery preservationist at the GHS has been educating me in this process. As I mentioned the two other family cemeteries were fenced (one will be fenced), but I did not have to ask for this. So this is new to me, that the developer wants to move it. Mr Bowen said the final study will be available within a few weeks. Please let me know how to proceed and what the time line is. I appreciate your help in this matter. Best, Amy Camp Stanton

Contact Us - Community & Economic Development

Name	Patti Cato
Email Address	
Phone Number	
Choose who will receive your comments	Matt Tate, Deputy Director
Comments / Questions	Dear Matt I am contacting you regarding the Chafin development project in Mundy Mill development. There is an old cemetery located there that is associated with the Bagwell family, and we would like that protected if possible. I believe my friend/relative Amy Stanton has also contacted you regarding this matter. Please let me know what else we should to to protect this site. Thank you,

Email not displaying correctly? View it in your browser.

HULSEY, OLIVER & MAHAR, LLP

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OF COUNSEL

JAMES E. MAHAR, JR.
(Practice Limited to
Mediation and Arbitration)
JANE A. RANGE
CHRISTOPHER J. WALKER, III

March 16, 2022

VIA EMAIL TO AMY STANTON (AJCStan@aol.com)

VIA EMAIL TO PATTI CATO (Patti.Cato@gmail.com)

Dear Ms. Stanton and Ms. Cato:

I am a lawyer for the City of Gainesville ("the City"). The City has received an application from Clayton Properties Group, Inc. d/b/a Chafin Development to relocate an abandoned cemetery. I am sending you this letter, as the City received comments from you, which comments are attached for your reference. I am sending this letter to you pursuant to O.C.G.A. Section 36-72-6. In the event that you wish to contact the governing authority of the City, please feel free to direct emails to Matt Tate at MTate@gainesvillega.gov. Enclosed please find the Public Notice that will be published in the Gainesville Times relating to the City's hearing on the application, which hearing will take place on April 19, 2022, at 5:30 p.m. Pursuant to O.C.G.A. Section 36-72-7 (a), you and any other interested party or citizen may appear at the hearing, and you will be given an opportunity to be heard. At the hearing, the governing body of the City will make a decision, pursuant to Georgia Law, on whether the application for the permit should be granted.

Sincerely,

Abbott S. Hayes, Jr.

Enclosures
cc: Matt Tate (via email MTate@gainesvillega.gov)

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Name	Amy Stanton
Email Address	
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Choose who will receive your comments	Matt Tate, Deputy Director
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Email not displaying correctly? View it in your browser.

Clayton Properties Group, Inc.
d/b/a Chafin Development

- Application to permit the relocation of approximately 12 gravesites from an abandoned cemetery.
- Cemetery area is 750± square feet in size and is located within the Mundy Mill development.
- Relocate gravesites to Hillside Gardens Cemetery located off McEver Road and Hillside Gardens Lane.

Clayton Properties Group, Inc.
d/b/a Chafin Development

- 185 Townhomes planned for the subject 22 acres approved as part the Mundy Mill Development.
- Start date for land disturbance is this Summer.
- Final plat the 1st quarter of 2023.

APPLICATION FOR A PERMIT
TO RELOCATE
AN ABANDONED CEMETERY
MUNDY MILL DEVELOPMENT TRACT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

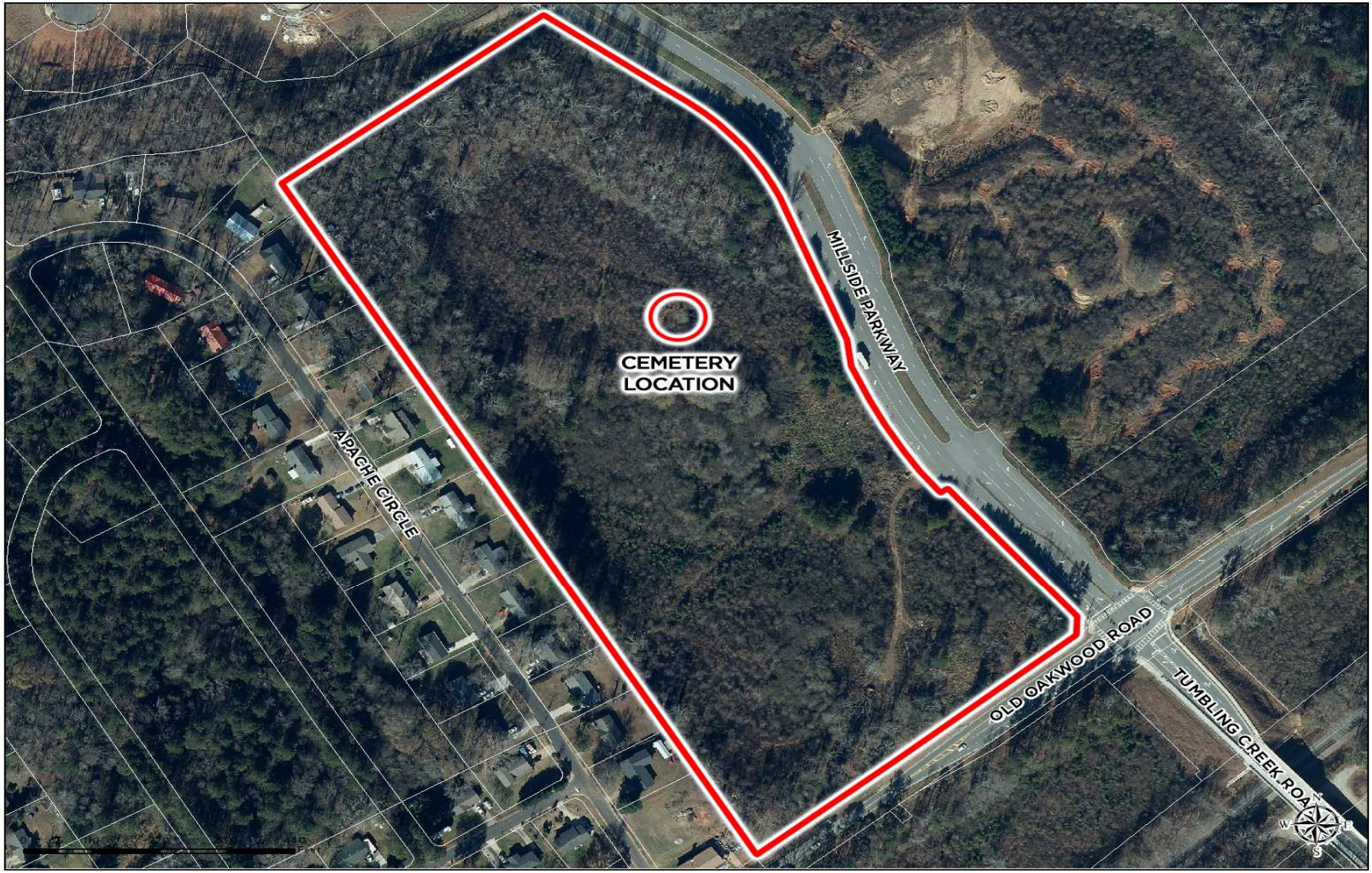
February 11, 2022

Robert S. Webb
Senior Principal Archeologist/Physical Anthropologist

Prepared for:
Chafin Land Development, LLC
5230 Belle Wood Court, Suite A
Buford, Georgia 30518

Prepared by:
R.S. Webb & Associates, Inc.
2800 Holly Springs Parkway, Suite 200
Holly Springs, Georgia 30142

CEMETERY LOCATION
Legend
Gainesville City Limit
MOUNTAIN VIEW ROAD
OLD FLOWERY BRANCH ROAD
HOLIDAY LANE
GREENVIEW DRIVE
HILLDALE ROAD
BYERS RIDGE
WHITING ROAD
BAGWELL DRIVE
BRADEN DRIVE
MOONEY DRIVE
HOLCOMB ROAD
DOGWOOD DRIVE
ROPER LANE
BUICE CIRCLE
BUICE LANE
BOX ELDER PATH
PEARHAVEN LANE
MEEKS DRIVE
HIDDEN CREEK DRIVE
SWEETWATER DRIVE
LOST CREEK DRIVE
CLUBSIDE DRIVE
ROCKROSE
MILLSIDE PARKWAY
TRAIL
APACHE CIRCLE
OLD OAKWOOD ROAD
TUMBLING CREEK ROAD
WEST PARK DRIVE
A BAGWELL ROAD
MUNDY MILL ROAD
CONTINENTAL DRIVE
EXECUTIVE DRIVE
WOODACRES ROAD
NIGHTHAWKS WAY
FACILITIES DRIVE
FAIRBANKS DRIVE
COTTONWOOD TRAIL
WHISPER CREEK COURT
CREEKSIDE PLACE
HIDDEN DRIVE
BEECHNUT VIEW
BIRCH MEADOW
WINDSCAPE WAY
PLEASANT GARDEN DRIVE
BANSHIRE CIRCLE
MABRY ROAD
WOODS DRIVE
MCEVER ROAD


CEMETERY
LOCATION
MILLSIDE PARKWAY
APACHE CIRCLE
OLD OAKWOOD ROAD
TUMBLING CREEK ROA

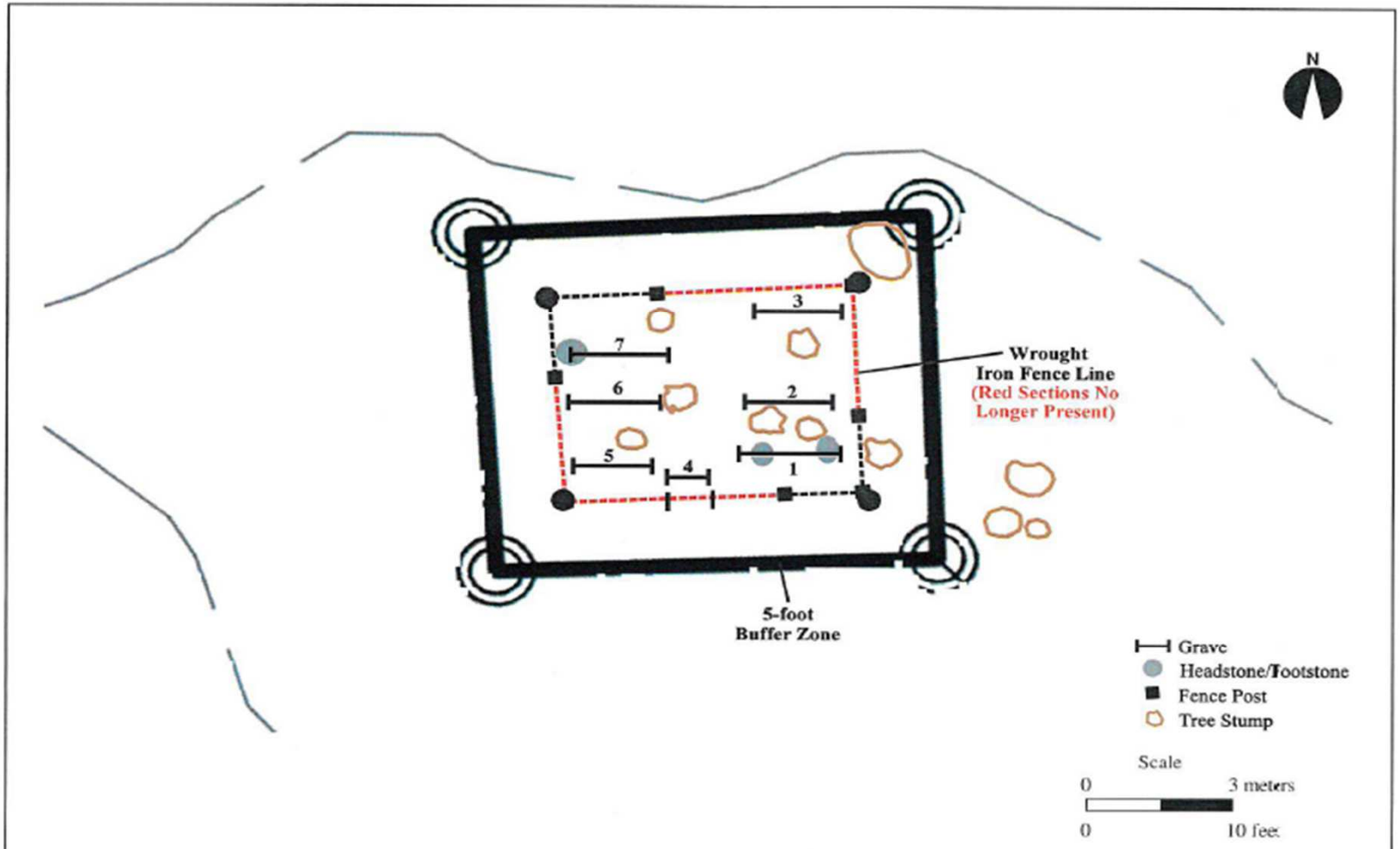


Figure 1 Professional Survey Showing Delineated Graves and Remnants of Wrought Iron Fence as of January 31, 2022 Revisit by RSWA

Notification of Known or Possible Living Descendants

Known or Possible Descendants Notified as of February 10, 2022

Luther Family
Ancestry.com: Beatrice Allen
Piercesearcher
David Orr
Susan Mollenkopf Hayse
reginabailey65
Michelle Graves Jarrett
Debra Burke Farinelli
georgiasgirl2

Strickland-Bagwell Families
Ancestry.com: carolemadden77
jtanner42
dwshull_1
cgcmmc1
johnairvin
ajcstan and/or ajcstan789
Druscilla50
clyde_1937 (Susan Taylor)
RubySturdevantPender
lwwhite6
Other: William A. Bagwell - wab@wbagwelllaw.com (770) 722-7565

Tumlin Family
Ancestry.com: Karen Burton
wheelerdavid15
CarlaSchuetze
KayTurner61
rdnewbold

Mooney Family
Ancestry.com: Jennifer BALES
stephanydgray1960
John Michael Coates
sunflowerwoman99
meerbotdin1981
Edward Smith

Smith Family
Ancestry.com: sbradford74_1
lefevreal
lsmith_tx_nc

Known or Possible Descendant Notifications in Progress

Strickland-Bagwell Families
William Gary Bagwell - 4434 T. Moore Road, Oakwood, Georgia, H-770-532-9421 C-770-287-4460

Three Descendants of Loyd Strickland: Diane S. Magnus, Baya Pruitt and Andy Kalinauskas. Phone messages left at office (770-534-5121), but no response; contact will be made via mail to Conditioned Air Systems, 2410 Hilton Way, Gainesville, Georgia 30501

Smith Family
William A. Bryan

Individual Notices

Beginning on January 19, 2022, R.S. Webb & Associates began attempts to individually notify possible living descendants of the applicant's intention to relocate the Cemetery. These individual notices include a summary of the rights of descendants as laid out in the Official Code of Georgia Annotated, Title 36, Chapter 72 and provide the addresses and phone numbers of the permit applicant's representative (R.S. Webb & Associates), and the point of contact at the City of Gainesville (local governing authority). The first notice reads as follows:

Notification of Intent to Relocate an Abandoned Cemetery
(Possible Luther-Strickland-Bagwell Families)
Located north of Old Oakwood Road
City of Gainesville, Hall County, Georgia
January 19, 2022

This Notification is being sent to you in accordance with the Official Code of Georgia Annotated (OCGA), Title 36, Chapter 72. Chafin Land Development, LLC is filing an application for a cemetery relocation permit with the City of Gainesville, Georgia. The permit is for the relocation of an abandoned cemetery (hereafter referred to as the Cemetery). There is reason to believe that members of the Luther, Strickland, and/or Bagwell families are buried in the Cemetery (possibly others), and that you may be a descendant of one or more individuals buried in the Cemetery.

The Cemetery is located north of Old Oakwood Road, between Apache Circle and Millside Parkway in Land Lot 25, 8th District of Hall County, Georgia and is on Parcel No. 08024 005008A, a tract of land owned by Butler Property, LLC (Deed Book 6749, Page 226, Clerk of Superior Court, Hall County, Georgia). Residential development is proposed for the above-referenced parcel and, given the nature of the planned development, it is not feasible to avoid the Cemetery. The proposed relocation site for the exhumed burials is Hillside Gardens in Gainesville.

If you are a member of the Luther, Strickland, Bagwell or other families, and you are a descendant of individuals buried in the Cemetery, you have certain rights under Georgia's 1991 Abandoned Cemetery Act (OCGA Title 36, Chapter 72). Descendants who indicate an interest in the disposition of the individuals and/or burial objects in the Cemetery shall be promptly identified by the local governing authority, regarding any proposals for mitigation/relocation, any terms issued, the time and place of any scheduled hearings, and appeal procedures/events.

If you believe you are a descendant of individuals buried in the Cemetery, or know of someone who may be, please convey this information to them and/or contact (within 15 business days of receipt of this notice):

Mr. Neil Bowen
R.S. Webb & Associates
P.O. Drawer 1319
Holly Springs, Georgia 30142
770-345-0706
nbowen.rswa@gmail.com

If you would like to express your interest to the local governing authority regarding the proposed relocation of the Cemetery, please contact (within 15 business days of receipt of this notice):

City of Gainesville
Planning and Economic Development
P.O. Box 2496
Gainesville, GA 30503
Phone: 770-535-6570
Fax: 770-297-7826

You can also contact Matt Tate with the City of Gainesville regarding this matter through the City website at: https://www.gainesville.org/formcenter/Contact-Us-Forms-10/Contact-Us-Community-Economic-Developmen-82

Based on ongoing genealogical research, R.S. Webb & Associates issued a second notice on February 10, 2022 to possible living descendants of the applicant's intention to relocate the Cemetery. The revised notice added Tumlin, Mooney and Smith to the descendant surname search list.

Descendant identification is an ongoing process. If, or when, living descendants are identified, notices are being sent to these individuals. Depending on the contact information available, individual notices will be sent via email/messaging or certified mail to individuals considered to be direct descendants, possible descendants or family contacts.

Public Legal Notices

In addition to sending individual notices, weekly legal notices have or will be placed in *The Gainesville Times* on at least: January 12, 19 and 26, 2022; February 2, 9, 16 and 23, 2022; March 2, 2022 (see Enclosure No. 6). The purpose of this notice is to make additional efforts to identify possible descendants and notify them of the intention to relocate the Cemetery.

Notice of Public Hearing

The City of Gainesville will advertise a notice of public hearing on the proposed relocation of the Cemetery. The notice will be advertised in *The Gainesville Times* once a week for two consecutive weeks prior to the public hearing before the City of Gainesville.

Hillside Memorial Gardens

Your Perpetual Care Cemetry
1212 Hillside Gardens Lane
Gainesville, Georgia 30504
770-718-9494

Mr. Brandon Webb
Chafin Builders
5230 Belle Wood Court, Suite A
Buford, GA 30518

Dear Mr. Webb,

This letter is to confirm our agreement to accept and inter remains moved from a cemetery near Oakwood, Georgia to our cemetery located at 1212 Hillside Garden Lane Gainesville, Georgia 30504. Advance notice of the planned moving date is required. Please contact me with any concerns that may arise. We stand ready to help in any way we can.

Best Regards,

Ken

Ken Barrett
Hillside Memorial Gardens

Cemetery, Facing Southwest

Cemetery, Facing Northeast (Note Insert Showing Stewart Ironworks Shield)

From Northwestern Corner, Facing South

From Northeastern Corner, Facing South

Governing Authority shall have the authority to:

- Deny the application with written reasons.
- Issue a permit adopting the application in whole or in part.
- Issue a permit with additional mitigation requirements.

Governing Authority shall consider the following:

1. The presumption in favor of leaving the cemetery or burial ground undisturbed;

2. The concerns and comments of descendants and any other interested parties of those buried;

3. The economic and other costs of mitigation;

4. The adequacy of the applicant's plans for disinterment and proper disposition of any human remains or burial objects;

5. The balancing of the applicant's interest in the value of the undisturbed cultural and natural environment; and

6. Any other compelling factors deemed relevant.

RESOLUTION BR-2022 - ___

Clayton Properties Group, Inc. d/b/a Chafin Development Application for Permit to Relocate Abandoned Cemetery

WHEREAS, on or about February 11, 2022, Clayton Properties Group, Inc., d/b/a Chafin Development ("Applicant") submitted an application to relocate an abandoned cemetery pursuant to O.C.G.A. Section 36-72-1, et seq ("Application"); and

WHEREAS, notice has been given to any potential descendant pursuant to O.C.G.A. Section 36-72-6; and

WHEREAS, the governing body of the City of Gainesville conducted a public hearing on the Application for a permit on April 19, 2022, after publication of notice of the public hearing in the Gainesville Times once a week for two consecutive weeks immediately preceding the week in which the hearing was held.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Gainesville, after considering the factors set forth in O.C.G.A. Section 36-72-8, does hereby: (1) adopt the Application in whole; (2) issue a permit allowing Applicant to relocate the abandoned cemetery as set forth in the Application; (3) adopt the Applicant's proposal for mitigation; (4) allow the Applicant to begin activities relating to the relocation after the expiration of the time for appeal as set forth in O.C.G.A. Section 36-72-11; and (5) authorize the Mayor, City Manager and City Attorney to execute such documents as may be necessary to effectuate the terms of this Resolution.

Adopted this _____ day of _____, 2022.

_____
W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____
Denise O. Jordan, City Clerk