GAINESVILLE

**Mayor/Council Meeting Agenda**
**Tuesday, November 15, 2022, 5:30 PM**
**Public Safety Complex, Municipal Court Room**
**701 Queen City Parkway, Gainesville, GA 30501**
**Mayor or Mayor Pro Tem Presides**

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**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**COUNCIL ANNOUNCEMENTS:**

**PUBLIC COMMENTS: (20 minutes maximum)**

**CONSENT AGENDA:**

### Minutes

A. October 27, 2022 Work Session

B. November 1, 2022 Mayor/Council Meeting

### Resolutions

A. BR-2022-64 Intergovernmental Agreement with Hall County School District Board of Education Regarding the Coop, White Sulphur Elementary School and Property Located Off of Old Cornelia Highway and Parkside Way

B. BR-2022-65 PNC Bank, National Association - Master Lease Purchase Agreement

C. BR-2022-66 Sardis Road Utility Relocation Project Acquisition of Easements

D. BR-2022-67 Tax Allocation District (TAD) Funding for 300 Spring Street SW, Ryals Brothers Properties

E. BR-2022-68 Tax Allocation District (TAD) Funding for 434 High Street SE, NoFo Brewing LLC

F. BR-2022-69 Transfer of Property to Mack and Staci Vinton, Candler Members Association, Inc. and M. Frank Powell

G. BR-2022-70 United Way of Hall County Service Contract & Funding for the Gainesville to Hometown Program

H. GR-2022-13 Authorization to Apply for and Accept an Improving Neighborhood Outcomes in Disproportionally Impacted Communities Grant

**CITY MANAGER ISSUES:**

**CITY ATTORNEY ISSUES:**

**CITY CLERK ISSUES**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

Final: Thursday, November 10, 2022, 4:25 PM

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

**Item Created:** October 26, 2022

**Date Submitted:** November 4, 2022

**Final Approval Date:** November 10, 2022

**Presenter:** Denise Jordan, City Clerk

**Item of Business:** October 27, 2022 Work Session

**Meeting Date:** November 15, 2022

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

**Facts & Issues / History & Background:**
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?** No

**Amount Requested:** **Sources of Funds:**

**Finance Comments:**

**Administrative Comments:**

**Attachments:**
None

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

**Item Created:** October 26, 2022

**Date Submitted:** November 10, 2022

**Final Approval Date:** November 10, 2022

**Presenter:** Denise Jordan, City Clerk

**Item of Business:** November 1, 2022 Mayor/Council Meeting

**Meeting Date:** November 15, 2022

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

**Facts & Issues / History & Background:**
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?** No

**Amount Requested:** **Sources of Funds:**

**Finance Comments:**

**Administrative Comments:**

**Attachments:**
None

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

| | |
|---|---|
| **Item Created:** | November 10, 2022 |
| **Date Submitted:** | November 10, 2022 |
| **Final Approval Date:** | November 10, 2022 |
| **Presenter:** | Bryan Lackey, City Manager |
| **Item of Business:** | BR-2022-64 Intergovernmental Agreement with Hall County School District Board of Education Regarding the Coop, White Sulphur Elementary School and Property Located Off of Old Cornelia Highway and Parkside Way |
| **Meeting Date:** | November 15, 2022 |

**Purpose of Request:**
The purpose of this request is to authorize an intergovernmental agreement for the purpose of establishing rights and responsibilities relating to the Coop and White Sulphur Elementary School.

**Facts & Issues / History & Background:**

**Department Recommendation:**
Approve the resolution.

**Department Director:**
Abb Hayes

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:** **Sources of Funds:**

**Finance Comments:**

**Administrative Comments:**

**Attachments:**

1. BR-2022-64 IGA with HC School Board re the Coop - White Sulfur Elementary School - Property Located Off Old Cornial Hwy & Parkside Way
2. Agreement: Gainesville Hall County School IGA Coop White Sulphur Elementary School
3. Attachment: Exhibit A Access Drive Plans with original school parking lot 10-10-22
4. Attachment: Exhibit B Rights and Responsibilities of the IGA

**RESOLUTION BR-2022-64**

**INTERGOVERNMENTAL AGREEMENT WITH HALL COUNTY SCHOOL DISTRICT BOARD OF EDUCATION REGARDING THE COOP, WHITE SULPHUR ELEMENTARY SCHOOL, AND PROPERTY LOCATED OFF OF OLD CORNELIA HIGHWAY AND PARKSIDE WAY**

**WHEREAS,** the City of Gainesville, Georgia ("City") owns real property identified as Hall County tax parcel 15033 000003, located at 2500 SE Parkside Way in Gainesville, Georgia, upon which real property the City is in the process of developing a youth sports complex to be known as "the Coop;" and

**WHEREAS**, the Hall County School District Board of Education ("School") owns real property identified as Hall County tax parcel 15021 000058, located at 2480 Old Cornelia Highway in Gainesville, Georgia, upon which real property the School operates White Sulphur Elementary School (hereinafter called "WSEM"); and

**WHEREAS**, pursuant to Article IX, Section III, Par. I of the Georgia Constitution, the City and the School have the power and desire to enter into the attached Intergovernmental Agreement for the purpose of establishing rights and responsibilities relating to the Coop and White Sulphur Elementary School as set forth therein.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager and/or City Attorney to execute the attached Intergovernmental Agreement by and between the City and the School and any other documents necessary to effectuate the provisions of said 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 AGREEMENT BY AND BETWEEN CITY OF GAINESVILLE, GEORGIA AND HALL COUNTY SCHOOL DISTRICT REGARDING THE COOP, WHITE SULPHUR ELEMENTARY SCHOOOL, AND PROPERTY LOCATED OFF OF OLD CORNELIA HIGHWAY AND PARKSIDE WAY**

This Agreement is made and entered into as of the __ day of _____, 2022, by and between the City of Gainesville, Georgia (hereinafter called "the City") and the Hall County School District (hereinafter called "the School") for the purpose of establishing rights and responsibilities of the City and the School in real property located off of Old Cornelia Highway and Parkside Way.

**WHEREAS,** the City owns real property identified as Hall County tax parcel 15033 000003, located at 2500 SE Parkside Way in Gainesville, Georgia, upon which real property the City is in the process of developing a youth sports complex to be known as "the Coop;" and

**WHEREAS**, the School owns real property identified as Hall County tax parcel 15021 000058, located at 2480 Old Cornelia Highway in Gainesville, Georgia, upon which real property the School operates White Sulphur Elementary School (hereinafter called "WSEM"); and

**WHEREAS**, pursuant to Article IX, Section III, Par. I of the Georgia Constitution, the City and the School have the power and desire to enter into this Intergovernmental Agreement for the purpose of establishing rights and responsibilities relating to the Coop and White Sulphur Elementary School as set forth herein.

**NOW THEREFORE**, the City and the School agree to the following:

A. In order to provide the public better access to the Coop and WSEM, the City will construct a new road as shown on the attached Exhibit "A" (hereinafter referred to as "the Road"). The School agrees to provide access to the City onto the School's property for the purposes of the City's construction of the Road. The City shall be entitled to access that portion of the School's property as shown on the drawing attached hereto as Exhibit "A" for all purposes necessary to construct the Road, including but not limited to grading, staging and use of equipment, and other purposes reasonably related to the construction. Attached as Exhibit "B" is a document outlining rights and responsibilities under this Agreement.

B. The current entrance to WSEM is shown in black crosshatch on Exhibit "A" (hereinafter referred to as "the Current Entrance." The City shall be entitled to access that portion of the School's property as shown on the drawing attached hereto as Exhibit "A" for all purposes necessary to construct a new entrance to WSEM, as shown on Exhibit "A" (hereinafter referred to as "the New Entrance," including but not limited to grading, staging and use of equipment, and other purposes reasonably related to the construction. The City agrees to perform construction activities within the Current Entrance during the summer break for WSEM, which begins on May 31, 2023, and ends on the first day that classes resume at WSEM for the 2023-2024 academic year. Upon completion of construction of the New Entrance, the City agrees to replace any signage or utilities disturbed during the construction, grass all areas disturbed during the construction, replace any paving disturbed by the City's actions, and relocate any utilities disturbed by the City's actions at the City's expense.

C. The City will cause the installation of a traffic signal at the intersection of Old Cornelia Highway and the Road (hereinafter referred to as "the Traffic Signal").

D. The School agrees to close the current entrance to WSEM, located on Old Cornelia Highway and shown in black crosshatch on the drawing attached hereto as Exhibit "A," to all traffic whatsoever no later than the date that the Traffic Signal is installed and operational.

E. Caballero Holdings, LLC (hereinafter referred to as "Caballero") has agreed to make a payment of $100,000.00 to the School (hereinafter referred to as "the Payment") prior to the recording of any final plat relating to the Gainesville Township project, a residential development located near the Coop and WSEM. The Payment is a key component of the duties and responsibilities assumed by Caballero relating to the Gainesville Township project. The City agrees that it shall not approve the recording of any final plat relating to the Gainesville Township project until the Payment is made to the School. Caballero will be landscaping the entrance to the Coop. The City will work with Caballero on landscaping and fencing along the frontage of WSEM consistent with the remainder of the entrance.

F. Pursuant to O.C.G.A. Section 36-37-6(e)(2)(D), upon completion of construction of the Road and the New Entrance, installation of the Traffic Signal, closing of the Current Entrance, and payment of the Payment to the School, the City agrees to transfer by quitclaim deed that portion of real property shown in green crosshatch on the drawing attached hereto as Exhibit "A" to the School, such that the School can use said real property for public purposes.

G. Pursuant to O.C.G.A. Section 36-37-6(e)(2)(D), upon completion of construction of the Road and the New Entrance, installation of the Traffic Signal, closing of the Current Entrance, and payment of the Payment to the School, the School agrees to transfer by quitclaim deed that portion of real property shown in purple crosshatch on the drawing attached hereto as Exhibit "A" to the City, such that the City can use said real property for public purposes.

H. All notices under this Agreement shall be in writing and shall be deemed to have been given by delivering it to person or by certified mail:

As to the School:

Hall County School District Board of Education
711 Green Street
Gainesville, GA 30501

As to the City

City of Gainesville
Attn: City Manager
PO Box 2496
Gainesville, GA 30503

I. The failure of any party to exercise any right given hereunder or to insist upon strict compliance with any term, condition or covenant specified herein shall not constitute a waiver of such party's right to exercise such right or to demand strict compliance with any such term, condition or covenant under this Agreement.

J. This Agreement contains the sole and entire agreement of the parties with respect to the subject matter contemplated hereunder and no representation, inducement, promise or agreement, parole or written, between the parties and not incorporated herein shall be of any force of effect. Any amendment to this Agreement shall be in writing and executed by the parties.

K. This Agreement may not be assigned or transferred by either party without the written consent of the other party. The provisions of this Agreement shall inure to the benefit or and be binding upon the parties hereto and the respective success and assigns.

L. Time is of the essence with respect to this Agreement.

M. This Agreement and all amendments hereto shall be governed and construed under the laws of the State of Georgia.

N. If any term, covenant or condition of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, such provision, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall be deemed severable, and the remainder hereof shall not be affected thereby, and each term, covenant, or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

O. This Agreement may be executed in several counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument. The Mayor, Clerk, City Manager, and City Attorney of the City are hereby authorized to sign such documents as are necessary to effectuate the provisions of this Agreement. The Superintendent and Chairman of the School are hereby authorized to sign such documents as are necessary to effectuate the provisions of this Agreement.

IN WITNESS THEREOF, the parties have set their hand and seal as of the day and year first above written.

**HALL COUNTY SCHOOL DISTRICT BOARD OF EDUCATION**

By:_____
Craig Herrington, Chairman

**CITY OF GAINESVILLE**

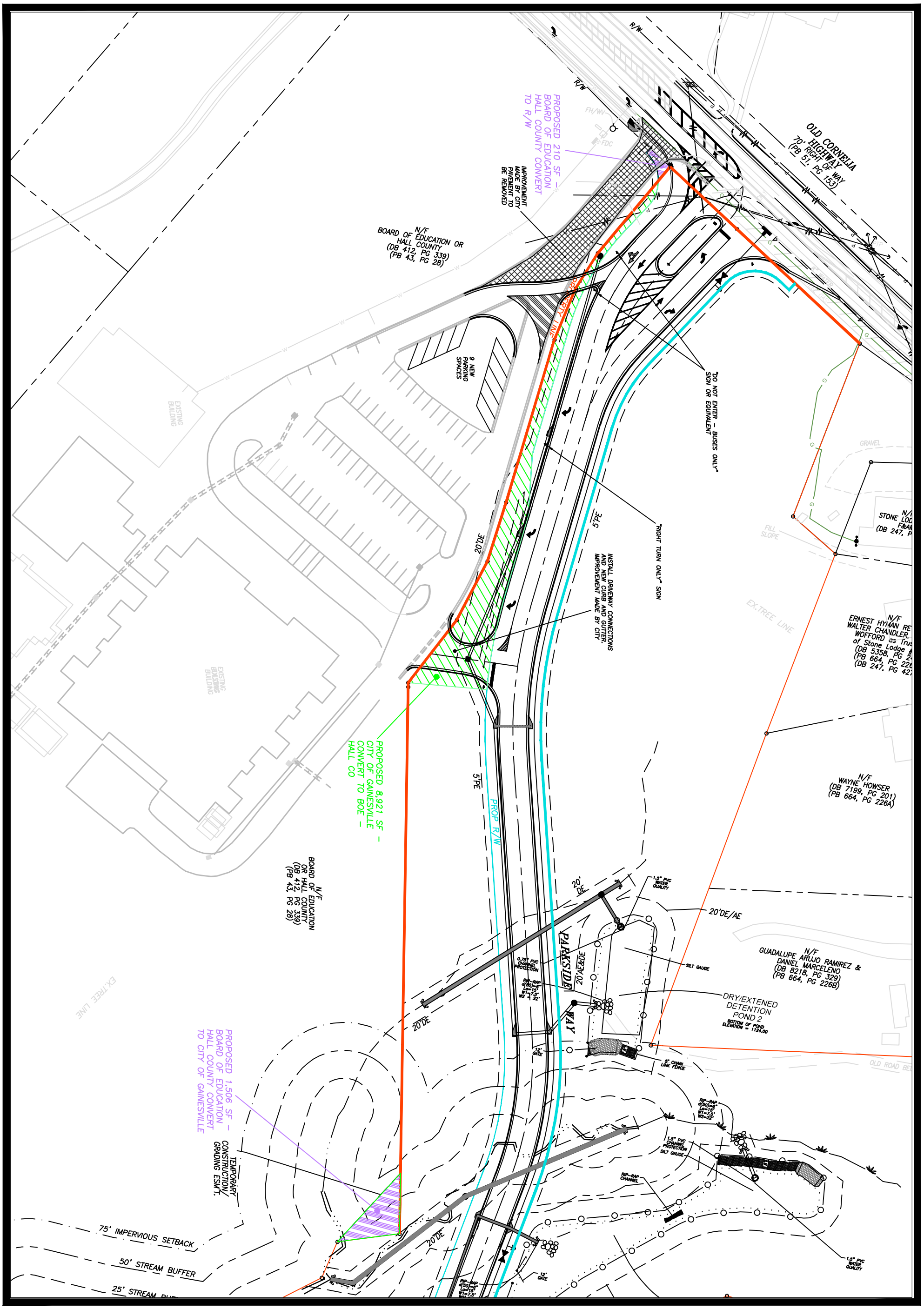
By:_____
W. Samuel Couvillon, Mayor

ATTEST: _____
Denise O. Jordan, City Clerk

APPROVED AS TO FORM

_____
Abbott S. Hayes, Jr., City Attorney

EXHIBIT A




DATE: 10/10/22
SCALE: 1"=80'
JOB# G216038.COG
FILE#*.DWG
DRAWN BY: JDF

SHEET 1 OF 1

PROPERTY LINE & VEHICLE TRACKING EXHIBIT
FOR :

**THE COOP**
**ENTRANCE DRIVE**

LOCATED IN
CITY OF GAINESVILLE

HALL COUNTY, GEORGIA


Rochester | DCCM

425 Oak St NW, Gainesville, GA 30501
770.718.0600 p | www.rochester-assoc.com

EXHIBIT “B”

This Exhibit is intended to summarize key items of the Agreement related to construction activities. Any conflict between this Exhibit and the Agreement shall be governed by the Agreement.

Key Activity Items of Agreement:

A. City shall construct, at its sole cost, the entrance to the Coop.
B. City agrees to construct entrance to WSEM from the Road and additional improvements as shown on Exhibit A. All improvements on WSEM property will be constructed during summer break of 2023. City agrees to replace any signage or utilities disturbed during construction. City will grass all disturbed areas and replace any paving disturbed by City’s action. All work of this work will be done at City’s expense.
C. City will cause the installation of a traffic signal at the intersection of Old Cornelia Highway and the Road.
D. School agrees to close the current entrance to WSEM on Old Cornelia Highway.
E. City will not approve recording of final plat of Caballero development until Caballero has made payment of $100,000 to School. City will also work with Caballero to ensure WSEM frontage along new road will be landscaped and fenced consistent with remainder of the entrance.
F. Following completion of items A-E, City agrees to transfer property shown on Exhibit “A” to School.
G. Following completion of items A-E, School agrees to transfer property shown on Exhibit “A” to City.

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

**Item Created:** November 10, 2022

**Date Submitted:** November 10, 2022

**Final Approval Date:** November 10, 2022

**Presenter:** Bryan Lackey, City Manager

**Item of Business:** BR-2022-65 PNC Bank, National Association - Master Lease Purchase Agreement

**Meeting Date:** November 15, 2022

**Purpose of Request:**
To begin the process of purchasing one Pierce Arrow XT Tandem axle Heavy Rescue and one Pierce Arrow XT Pumper for the Gainesville Fire Department. Due to the amount of funding that is required, along with the useful life of the rescue and pumper, entering into a master lease purchase agreement would allow for other capital projects to be purchased in conjunction with the rescue and pumper.

**Facts & Issues / History & Background:**
The rescue will replace an existing front line emergency response rescue. Age and continued wear and tear continues to increase maintenance and repair costs. The pumper will be placed at the future station five. With the buildout of the pumper estimated to be 32-36 months, it is crucial that the City orders this now so it can be placed into service when the station opens.

This will be the third lease with PNC Bank.

The Master Lease Purchase Agreement is for five years. The estimated amount to be financed is $2,139,188. Loose equipment to be added to the rescue and pumper will be budgeted during the FY2024 budget process.

**Department Recommendation:**
Gainesville Fire Department, along with Financial Services, recommends the City of Gainesville enter into a five year master lease purchase agreement with PNC Bank, National Association.

**Department Director:**
Jeremy Perry

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

Less than $2,200,000

**Sources of Funds:**
**Fire Services Fund (Paid from Debt Service Fund)**

**Finance Comments:**

**Administrative Comments:**

**Attachments:**
1. BR-2022-65 PNC Bank, National Association - Master Lease Purchase Agreement

**RESOLUTION BR-2022-65**

**PNC Bank, National Association – Master Lease Purchase Agreement**

**WHEREAS,** the City of Gainesville ("Municipality/Lessee") enters into a Master Lease Purchase Agreement with PNC Equipment Finance, LLC for a principal amount not exceeding $2,200,000; and

**WHEREAS,** the Municipality is a political subdivision of the State in which the Municipality is located ("State") and is duly organized and existing pursuant to the Constitution and laws of the State; and

**WHEREAS,** pursuant to applicable law, the governing body of the Municipality ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Municipality; and

**WHEREAS,** the Governing Body hereby finds and determines that the execution of one or more Master Lease Purchase Agreements ("Lease") in the principal amount not exceeding the amount stated above for the purpose of acquiring the property ("Equipment") to be described in the Lease is appropriate and necessary to the functions and operations of the Municipality; and

**WHEREAS,** PNC Bank, National Association ("Lessor") shall act as Lessor under said Lease.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Governing Body for the Municipality:

Section 1. Either one of the Mayor OR City Manager (each an "Authorized Representative") acting on behalf of the Municipality, is hereby authorized to negotiate, enter into, execute, and deliver one Lease in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Municipality. Each Authorized Representative acting on behalf of the Municipality is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Lease is hereby authorized.

Section 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Municipality to execute and deliver agreements and documents relating to the Lease on behalf of the Municipality.

Section 3. The aggregate original principal amount of the Lease shall not exceed the amount stated above and shall bear interest as set forth in the Leases and the Leases shall contain such options to purchase by the Municipality as set forth therein.

Section 4. The Municipality's obligations under the Lease shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Lease and the Municipality's obligations under the Lease shall not constitute general obligations of the Municipality or indebtedness under the Constitution or laws of the State.

Section 5. As to the Lease, the Municipality reasonably anticipates to issue not more than $10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the current calendar year in which each such Lease is issued and hereby designates each Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 6. This resolution shall take effect immediately upon its adoption and approval.

**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**

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

| | |
|---|---|
| **Item Created:** | November 10, 2022 |
| **Date Submitted:** | November 10, 2022 |
| **Final Approval Date:** | November 10, 2022 |
| **Presenter:** | Bryan Lackey, City Manager |
| **Item of Business:** | BR-2022-66 Sardis Road Utility Relocation Project Acquisition of Easements |
| **Meeting Date:** | November 15, 2022 |

**Purpose of Request:**
The purpose of this request is to authorize the use of eminent domain to acquire property rights through condemnation and to authorize the execution of necessary documents to complete the acquisition(s).

**Facts & Issues / History & Background:**
Acquisition of land and easements is required to relocate and install sewer infrastructure. The relocation will be addressed in conjunction with the Sardis Road Connector Project.

**Department Recommendation:**
Adopt the resolution.

**Department Director:**
Bryan Lackey

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:** **Sources of Funds:**

**Finance Comments:**

**Administrative Comments:**

**Attachments:**
1. BR-2022-66 Sardis Road Utility Relocation Acquisition of Easements

**RESOLUTION BR-2022-66**

**SARDIS ROAD UTILITY RELOCATION PROJECT ACQUISITION OF EASEMENTS**

**WHEREAS**, the City of Gainesville Department of Water Resources operates a sewage collection, treatment, and disposal system that serves the general public; and

**WHEREAS**, Hall County, Georgia, by and through its Board of Commissioners of Hall County, Georgia has authorized the acquisition of land and easements for the construction of the Sardis Road Connector Project (the "Road Project"); and

**WHEREAS**, the acquisition of the land and easements for the Road Project by Hall County has caused it to be necessary that the City of Gainesville acquire easements for the relocation and installation of sewer infrastructure; and

**WHEREAS**, the City of Gainesville Department of Water Resources has determined to design and construct the Sardis Road Utility Relocation Project so that the City of Gainesville Department of Water Resources can continue to provide sewage collection, treatment, and disposal services, which services would otherwise be terminated by the acquisition and construction of the Hall County Road Project; and

**WHEREAS**, in order to maintain the projected schedule of construction of the Sardis Road Utility Relocation Project, the City of Gainesville has determined that it is necessary to acquire certain land and easements immediately and without delay, such project being in the public interest of the citizens of the City of Gainesville and Hall County; and

**WHEREAS**, Article 9, Section 2, Paragraph 5 of the Georgia Constitution authorizes municipalities to exercise the power of eminent domain for any public purpose; and

**WHEREAS,** pursuant to Section 22-13-140 of the Official Code of Georgia, the City of Gainesville is authorized to acquire land, in fee simple, or in any lesser interest, under the procedures set forth in Article 1 of Chapter 3 of Title 32 of the Official Code of Georgia; and

**WHEREAS,** the Sardis Road Utility Relocation Project does not involve the location, construction, or improvement of a highway or highways in the City of Gainesville.

**NOW, THEREFORE, BE IT RESOLVED**, and it is resolved, the City of Gainesville finds that the Sardis Road Utility Relocation Project is necessary to serve a public purpose, and in furtherance of that public purpose the City of Gainesville has determined to use its power of eminent domain to acquire certain property rights through the condemnation process, in the event that clear title to the necessary property rights cannot be timely acquired by voluntary negotiation and sale. The acquisition procedure shall proceed under Title 32 of the Official Code of Georgia, as the project schedule of completion requires acquisition of all parcels quickly, and without delay. Time is of the essence.

**IT IS FURTHER RESOLVED**, that the Mayor, City Manager, and City Attorney may acquire the property needed for the Project by gift, sale, or condemnation, and that the Mayor, City Manager, and City Attorney, are hereby directed to prepare the necessary deeds, easements, closing documents, petitions, declarations of taking, orders, and any other documents required to effectuate the foregoing.

**IT IS FURTHER RESOLVED**, that the Mayor, City Manager, and City Attorney are authorized to sign any of the documents referenced in the preceding paragraph on behalf of the City of Gainesville, Georgia to complete the acquisition of the property required for this project.

**RESOLUTION BR-2022-66**

**SARDIS ROAD UTILITY RELOCATION PROJECT ACQUISITION OF EASEMENTS**

**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**

W223985

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

| | |
|---|---|
| **Item Created:** | November 10, 2022 |
| **Date Submitted:** | November 10, 2022 |
| **Final Approval Date:** | November 10, 2022 |
| **Presenter:** | Bryan Lackey, City Manager |
| **Item of Business:** | BR-2022-67 Tax Allocation District (TAD) Funding for 300 Spring Street SW, Ryals Brothers Properties |
| **Meeting Date:** | November 15, 2022 |

**Purpose of Request:**
To consider TAD Funding for 300 Spring Street SW.

**Facts & Issues / History & Background:**
The TAD Advisory Committee met on October 26th to hear the application and made the funding recommendation as presented.

**Department Recommendation:**
Approve the resolution.

**Department Director:**
Bryan Lackey

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

**Amount Requested:** **Sources of Funds: TAD**

$54,780

**Finance Comments:**

**Administrative Comments:**

**Attachments:**

1. BR-2022-67 TAD Funding for 300 Spring Street_Ryals Brothers Properties

**RESOLUTION BR-2022-67**

**TAX ALLOCATION DISTRICT (TAD) FUNDING FOR 300 SPRING STREET SW, RYALS BROTHERS PROPERTIES**

**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 renovation of an office building located at 300 Spring Street SW, hereinafter "project," was reviewed by the TAD Advisory Committee and determined to achieve the TAD criteria; and

**WHEREAS**, the TAD Advisory Committee recommended approval of the TAD funding request of up to $54,780 for the following uses with the following conditions and payment schedule:

**Use relating to the project:**

- **Storefront Glass**
- **Exterior Siding**
- **Exterior Waterproofing**
- **Clay Caps**
- **Widening Windows**
- **Awning**
- **Gas Lights**

**Conditions:**

- **Permitted project must be in substantial conformance with the architectural renderings and budget submitted with the TAD application.**

**Payment Schedule:**

- **Up to $54,780 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.**

**RESOLUTION BR-2022-67**

**TAX ALLOCATION DISTRICT (TAD) FUNDING FOR 300 SPRING STREET SW, RYALS BROTHERS PROPERTIES**

- **Reimbursement will not begin until the calendar year after the calendar year in which the first Certificate of Occupancy is obtained for the project.**
- **The total period of reimbursement of up to a maximum of $54,780 shall not exceed a period of 12 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 $54,780 for 300 Spring Street SW, Ryals Brothers Properties.

**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 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**

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

| | |
|---|---|
| **Item Created:** | November 10, 2022 |
| **Date Submitted:** | November 10, 2022 |
| **Final Approval Date:** | November 10, 2022 |
| **Presenter:** | Bryan Lackey, City Manager |
| **Item of Business:** | BR-2022-68 Tax Allocation District (TAD) Funding for 434 High Street SE, NoFo Brewing LLC |
| **Meeting Date:** | November 15, 2022 |

**Purpose of Request:**
To consider a TAD Funding request from NoFo Brewing LLC.

**Facts & Issues / History & Background:**
The TAD Advisory Committee met on October 26th to consider the application and made the recommendation that is presented.

**Department Recommendation:**
Approve the Resolution.

**Department Director:**
Bryan Lackey

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

**Amount Requested:** **Sources of Funds: TAD**

$700,000

**Finance Comments:**

**Administrative Comments:**

**Attachments:**

1. BR-2022-68 TAD Funding for 434 High Street - NoFo Brew Co.

**RESOLUTION BR-2022-68**

**TAX ALLOCATION DISTRICT (TAD) FUNDING FOR 434 HIGH STREET SE, NOFO BREWING LLC**

**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 renovation of an industrial warehouse located at 434 High Street SE into a brewery and distillery to include a tasting room, event space and potential restaurant, known as NoFo Brew Co., hereinafter "project," was reviewed by the TAD Advisory Committee and determined to achieve the TAD criteria; and

**WHEREAS**, the TAD Advisory Committee recommended approval of the TAD funding request of up to $700,000 for the following uses with the following conditions and payment schedule:

**Use relating to the project:**

- **Erosion Control**
- **Grading/Earthwork**
- **Parking/Roadway**
- **Roofing**
- **Electrical**
- **Exterior Painting**
- **Site Demolition**
- **Landscaping**
- **General Conditions**
- **Windows, Doors, Entry & Awnings**
- **Patio & Railings**
- **Exterior Enhancements**
- **Decorative Tank**

**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 brewery with a tasting room.**

**RESOLUTION BR-2022-68**

**TAX ALLOCATION DISTRICT (TAD) FUNDING FOR 434 HIGH STREET SE, NOFO BREWING LLC**

**Payment Schedule:**

- **Up to $700,000 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 for the Roofing and Exterior Enhancements will be distributed in two annual payments of $92,500 for Year 1 and Year 2.**
  - **Reimbursement for Years 3-12 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 a Certificate of Occupancy is obtained for the project.**
  - **The total period of reimbursement of up to a maximum of $700,000 shall not exceed a period of 12 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 $700,000 for "NoFo Brew Co."

**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 project and that is deposited into the Tax Allocation District Fund as well as from the fund balance of the Tax Allocation District Special 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**

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

| | |
|---|---|
| **Item Created:** | November 10, 2022 |
| **Date Submitted:** | November 10, 2022 |
| **Final Approval Date:** | November 10, 2022 |
| **Presenter:** | Bryan Lackey, City Manager |
| **Item of Business:** | BR-2022-69 Transfer of Property to Mack and Staci Vinton, Candler Members Association, Inc. and M. Frank Powell |
| **Meeting Date:** | November 15, 2022 |

**Purpose of Request:**
The purpose of this request is to authorize the transfer of land in accordance with the narrow strip ordinance.

**Facts & Issues / History & Background:**
A narrow strip of land, approximately 1.81-acres, is incapable of use. Abutting property owners were notified of the opportunity to purchase the property. The City Manager signed a Determination Letter recommending the sale of the property to those identified in the resolution for the total sum of $13,000.

**Department Recommendation:**
Adopt the resolution.

**Department Director:**
Bryan Lackey

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:** **Sources of Funds:**

**Finance Comments:**

**Administrative Comments:**

**Attachments:**

1. BR-2022-69 Land Transfer to Mack & Staci Vinton Candler Park Members Association and FrankPowell
2. City Manager Determinations
3. Notice to Abbutting Property Owners
4. Appraisal - Mulberry Lane
5. Land Survey JN 22-128 (557 Mulberry Lane)
6. Land Survey JN 22-127 (Candler Park)
7. Land Survey JN 22-077 (631 Park Street Place)

**RESOLUTION BR-2022-69**

**TRANSFER OF PROPERTY TO MACK AND STACI VINTON, CANDLER PARK MEMBERS ASSOCIATION, INC., AND M. FRANK POWELL**

**WHEREAS**, the City of Gainesville owns the approximately 1.81-acre tract of real property shown on Exhibit "A" (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 the transfer of the Property to the abutting property owners 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 November, 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**

## 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 approximately 1.81-acre tract of real property shown on the attached Exhibit "A" (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 sale of the Property to abutting property owners will facilitate the enjoyment of the highest and best use of the abutting owners' property. 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 $13,000.00.

Based on the aforementioned determinations, the abutting property owners have been notified of the availability of the Property for purchase at the fair market value of $13,000.00. Abutting property owners have expressed their desire to buy portions of the Property as follows:

(1) Mack and Staci Vinton wish to purchase that 1.07-acre tract shown as "Parcel A" on that Combination Survey for Mack Vinton & Staci Vinton identified as JN. 22-077 and dated October 18, 2022, by Chris M. Patton, GRLS #2647, for the total sum of $7,410.00.

(2) Candler Park Members Association, Inc. wishes to purchase that 0.50-acre tract shown as "Parcel A" on that survey identified as JN. 22-127 and dated October 18, 2022, by Chris M. Patton, GRLS #2647, for the total sum of $3,380.00. The City's deed to said tract shall contain a restriction limiting the use on said tract to green space.

(3) M. Frank Powell wishes to purchase that 0.33-acre tract shown as "Parcel A" on that survey identified as JN. 22-128 and dated October 18, 2022, by Chris M. Patton, GRLS #2647, for the total sum of $2,210.00. The City's deed to that 0.18-acre portion of said tract shown on said survey shall contain a restriction limiting the use on said tract to green space.

I hereby recommend that the governing body of the City of Gainesville authorize the sale of the Property as set forth herein for the total sum of $13,000.00.

This 10th day of November, 2022.

Bryan Lackey, City Manager

ASH/w266633

# qPublic.net™ Hall County, GA

## Summary

| | |
|---|---|
| Parcel Number | 01038 004028 |
| Location Address | 569 NE MULBERRY LN |
| Legal Description | LOTS 15 & 16, PARK GROVE S/D<br>(Note: Not to be used on legal documents) |
| Class | E1-Exempt<br>(Note: This is for tax purposes only. Not to be used for zoning.) |
| Zoning | R-I<br>Note: Refer to map zoning layer for official zoning. |
| Tax District | GAINESVILLE 1 (District 04) |
| Millage Rate | 16.235 |
| Acres | 1.81 |
| Neighborhood | 00003 Exempt properties (00003) |
| Homestead Exemption | No (S0-) |
| Landlot/District | N/A |

View Map

## Owner

GAINESVILLE CITY OF
P.O. Box 2496
GAINESVILLE, GA 30503

## Land

| Type | Description | Calculation Method | Square Footage | Frontage | Depth | Acres | Lots |
|---|---|---|---|---|---|---|---|
| Exempt | Comm-Brenau campus | Square Feet | 78,844 | 0 | 0 | 1.81 | 1 |

## Valuation

| | | 2022 | 2021 | 2020 |
|---|---|---|---|---|
| | Previous Value | $272,400 | $272,400 | $272,400 |
| | Land Value | $272,400 | $272,400 | $272,400 |
| + | Improvement Value | $0 | $0 | $0 |
| + | Accessory Value | $0 | $0 | $0 |
| = | Current Value | $272,400 | $272,400 | $272,400 |

No data available for the following modules: Assessment Appeals Process, Linked Personal Property, Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Accessory Information, Prebill Mobile Homes, Permits, Sales, Assessment Notice, Photos, Sketches.

NOTICE TO PROPERTY OWNERS AND OCCUPANTS In accordance with Georgia law (OCGA 48-5-264.1) please be advised that the properties located in Hall County may be visited by our appraisal staff concerning an appeal filed, return filed, construction of new improvements or additions and /or conservation use applications or during the course of the normal property appraisal process. The Appraiser/Data Collector will have a photo identification badge and will be driving an appropriately marked vehicle. If

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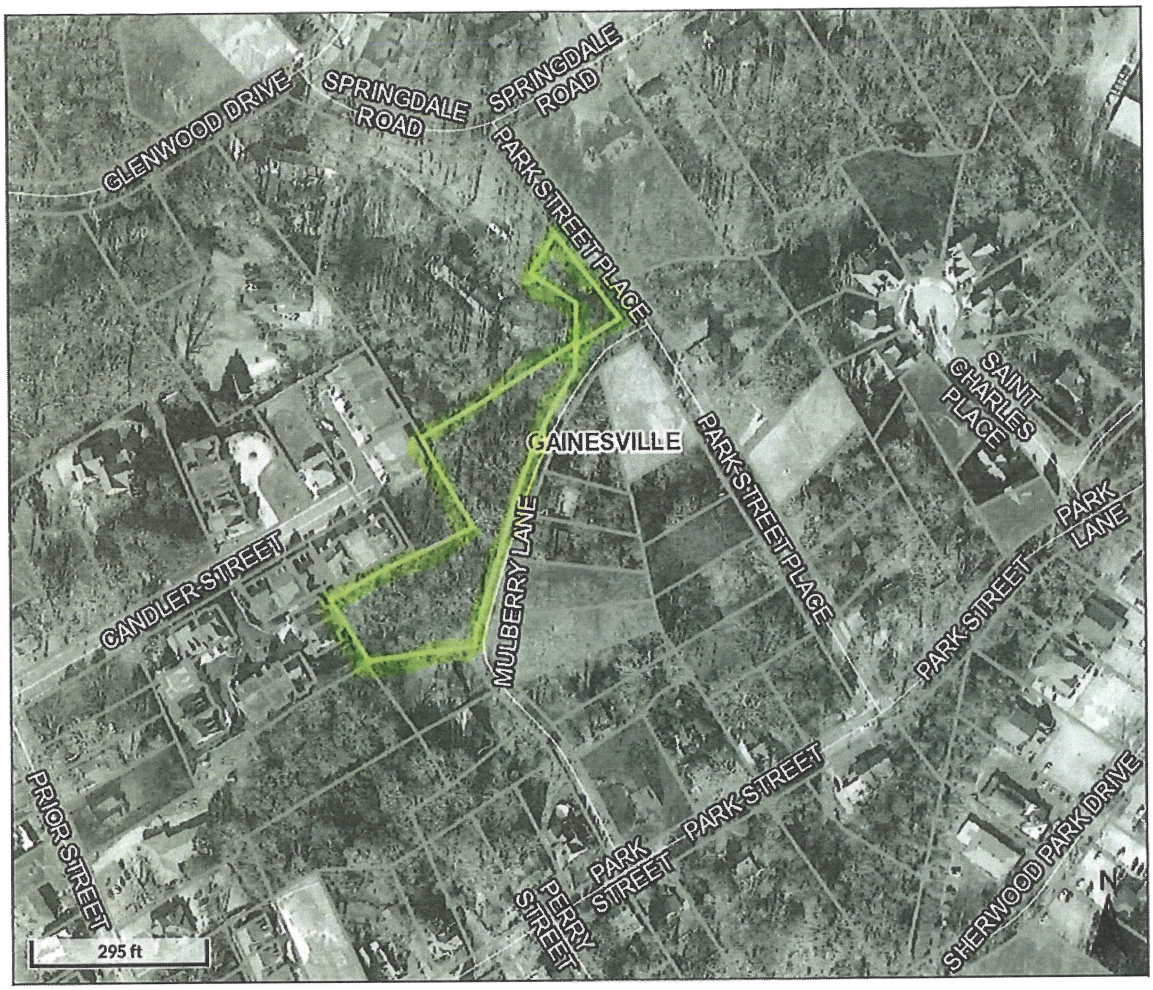
Version 2.3.194

EXHIBIT A

# qPublic.net™ Hall County, GA




Overview

Legend

- Parcels
- Qualified Sales
  - 2018
  - 2019
  - 2020
  - 2021
  - 2022
- Roads
- Cities
  - BRASELTON
  - BUFORD
  - CLERMONT
  - FLOWERY BRANC
  - GAINESVILLE
  - GILLSVILLE
  - LULA
  - OAKWOOD
  - RESTHAVEN

| | |
|---|---|
| Parcel ID | 01038 004028 |
| Class Code | Exempt |
| Taxing District | GAINESVILLE 1 |
| Acres | 1.81 |

(Note: Not to be used on legal documents)

| | |
|---|---|
| Owner | GAINESVILLE CITY OF<br>P.O. Box 2496<br>GAINESVILLE, GA 30503 |
| Physical Address | 569 NE MULBERRY LN |
| Assessed Value | Value $272400 |

Last 2 Sales

| Date | Price | Reason | Qual |
|---|---|---|---|
| n/a | 0 | n/a | n/a |
| n/a | 0 | n/a | n/a |

Date created: 5/10/2022
Last Data Uploaded: 5/9/2022 10:29:10 PM

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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
T. BURNS MARLOW
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
MADELINE S. WIRT

May 16, 2022

**VIA CERTIFIED/RETURN RECEIPT REQUESTED**
**AND REGULAR U.S. MAIL**

Jason and Heather Anne Konzelmann
1120 Springdale Rd.
Gainesville, GA 30501

Mulberry Oak, LLC
3734 Timber Walk Dr.
Gainesville, GA 30506-3667

Sarah Sewell
590 Park Street Place NE
Gainesville, GA 30501

Maria L. Serrato Diaz
554 Mulberry Lane
Gainesville, GA 30501

David L. Gaddy
589 Park Street Place
Gainesville, GA 30501

M. Frank Powell
1970 Mattox Creek Dr.
Thomson, GA 30824

Julia E. Carlton
592 Mulberry Lane
Gainesville, GA 30501

Arbendette, LLC
3330 Ivey Ridge Rd.
Buford, GA 30519

Black Bear Holdings, LLC
7804 Covington Pkwy
Amarillo, TX 79121

Candler Park Members Association, LLC
900 Candler St.
Gainesville, GA 30501

Susan E. Wigginton
572 Mulberry Lane
Gainesville, GA 30501

Eugene D. and Carol V. Weschler
900 Candler St.
Gainesville, GA 30501

Stephen and Katherine W. Moore
930 Candler St.
Gainesville, GA 30501

Clinton E. and Kaye Cooper Branch
910 Candler St.
Gainesville, GA 30501

Mack and Staci Vinton
631 Park Street Place
Gainesville, GA 30501

John Clifton and Donna Gilstrap Hastings
920 Candler St.
Gainesville, GA 30501

Dear Property Owners:

I am an attorney for the City of Gainesville. I am writing to you regarding the 1.81 acre tract of real property shown on the attached Exhibit A (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 sale of the Property to abutting property owners will facilitate the enjoyment of the highest and best use of the abutting owners' property. 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 $13,000.00. Please accept this as notification, pursuant to Section 2-3-2 of the Gainesville Code of Ordinances, that the Property is available for purchase. I am offering you the opportunity, as abutting property owners, to purchase the Property. For your information, Mack and Staci Vinton have expressed a desire to purchase the Property. You have thirty (30) days from the date of this letter to express your desire in writing to purchase the Property. In the event that you wish to purchase the Property, please respond in writing to me, expressing your desire to purchase the Property and informing me of the price you are willing to pay.

Sincerely,

Abbott S. Hayes, Jr.

Enclosures
cc: Bryan Lackey (via email)

ASH/ois/15100/11401/W266637

# qPublic.net™ Hall County, GA

## Summary

| | |
|---|---|
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| Location Address | 569 NE MULBERRY LN |
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| Acres | 1.81 |
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| Landlot/District | N/A |

View Map

## Owner

GAINESVILLE CITY OF
P.O. Box 2496
GAINESVILLE, GA 30503

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| Type | Description | Calculation Method | Square Footage | Frontage | Depth | Acres | Lots |
|---|---|---|---|---|---|---|---|
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| | | 2022 | 2021 | 2020 |
|---|---|---|---|---|
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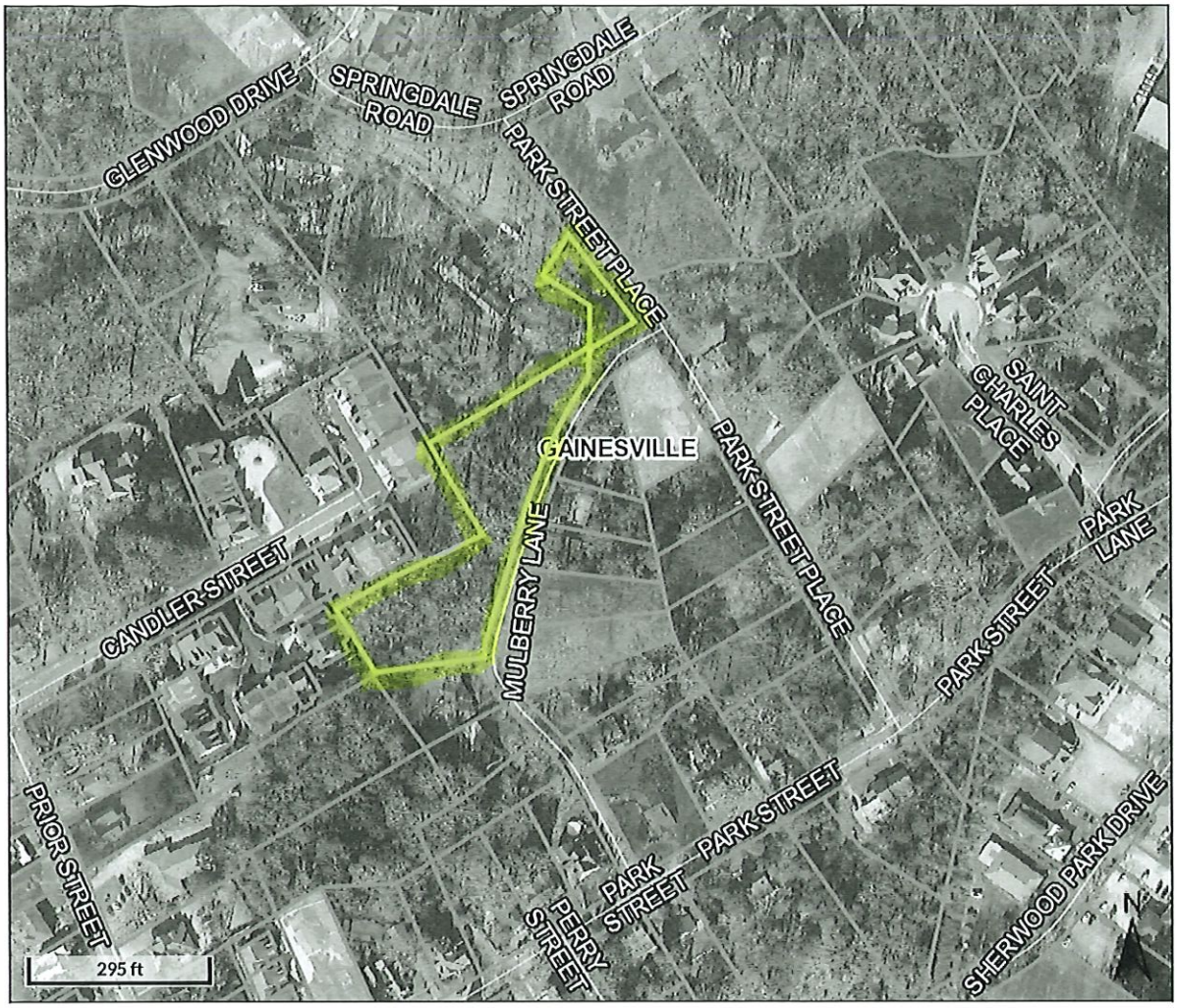
EXHIBIT A

# qPublic.net™ Hall County, GA




Overview

Legend

- Parcels

Qualified Sales

- 2018
- 2019
- 2020
- 2021
- 2022

Roads

Cities

- BRASELTON
- BUFORD
- CLERMONT
- FLOWERY BRANC
- GAINESVILLE
- GILLSVILLE
- LULA
- OAKWOOD
- RESTHAVEN

| | | | | Last 2 Sales | | | |
|---|---|---|---|---|---|---|---|
| Parcel ID | 01038 004028 | Owner | GAINESVILLE CITY OF | Date | Price | Reason | Qual |
| Class Code | Exempt | | P.O. Box 2496 | | | | |
| Taxing District | GAINESVILLE 1 | | GAINESVILLE, GA 30503 | n/a | 0 | n/a | n/a |
| Acres | 1.81 | Physical Address | 569 NE MULBERRY LN | n/a | 0 | n/a | n/a |
| | | Assessed Value | Value $272400 | | | | |

(Note: Not to be used on legal documents)

Date created: 5/10/2022
Last Data Uploaded: 5/9/2022 10:29:10 PM

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**APPRAISAL REPORT OF:**

Uneconomic Remnant
Located at 569 Mulberry Lane
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**

April 5, 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
City Attorney
City of Gainesville, Georgia

April 5, 2022

RE: Uneconomic Remnant
Located 569 Mulberry Lane
Gainesville, Hall County, Georgia

Dear Mr. Hayes:

Regarding your request for a valuation and analysis of the sale of an Uneconomic Remnant located at 569 Mulberry Lane, 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 a tract of uneconomic remnant to the adjoining owners. This will allow the land to be utilized at its Highest and Best Use as assemblage. The remnant is a 1.80 acre tract that is highly irregular in shape with severe terrain characteristics and contains an underground sewer easement in favor of the City of Gainesville. The site is unbuildable as a stand alone parcel.

The adjoining property owners of 561 Park Street Place are Mark C. Venton and Staci B. Venton. The use of this property by these owners would allow them to utilize the uneconomic remnant as additional property to their primary residence.

**It is my opinion that the subject property has a current Fair Market Value of $ 13,000.**

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

Uneconomic Remnant
Located 569 Mulberry Lane
Tax ID: 01038 004028
Gainesville, Hall County, Georgia

## Section 2 - Parcel Identification

Parcel Owner: City of Gainesville

Adjoining Owners:

| | | |
|---|---|---|
| Parcel 01039 002015: | Mark C. & Staci B. Venton | 3.25 acres |
| Parcel 01038 0004001: | Candler Park Members Association, LLC | |

## 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 April 5, 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

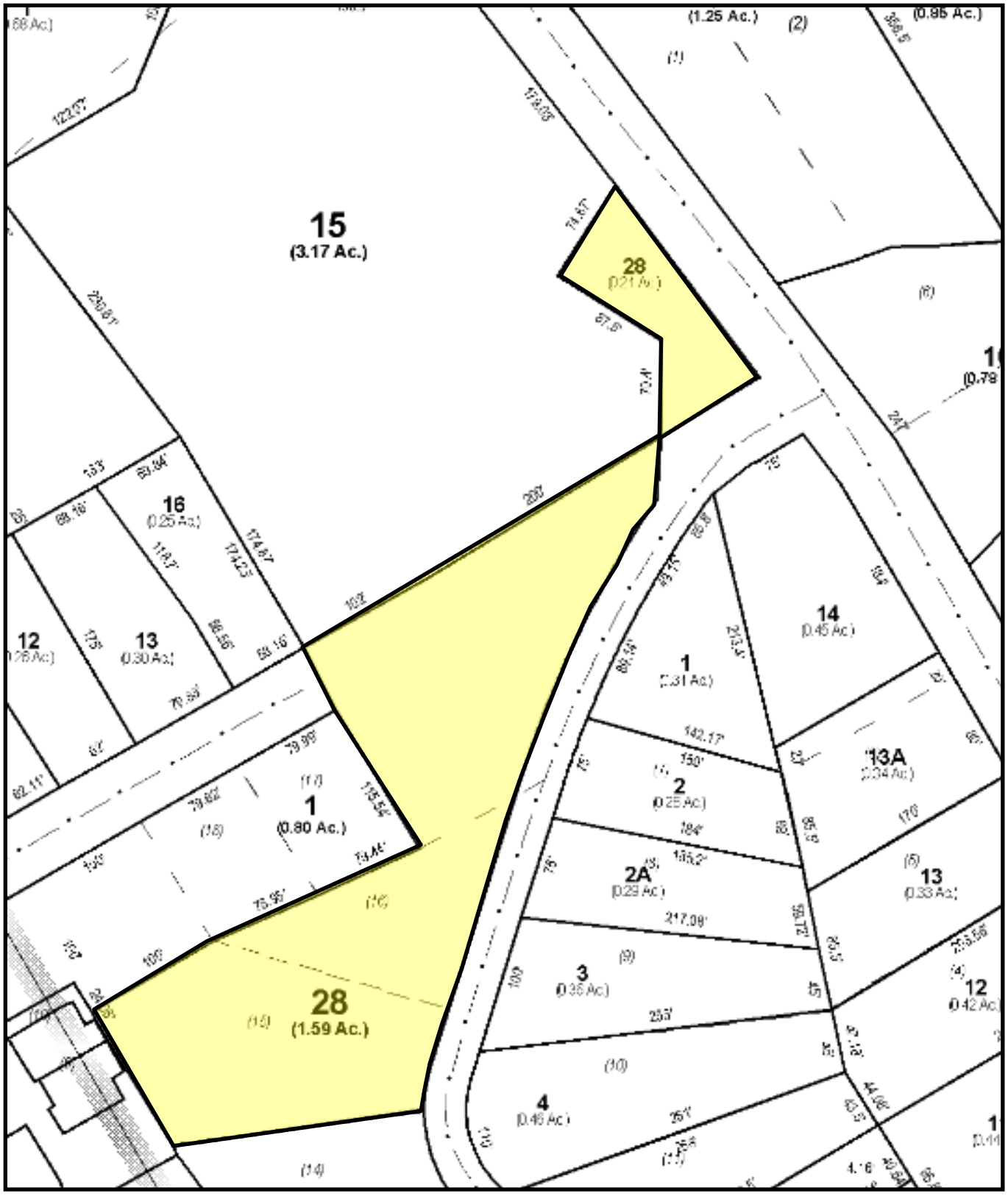
| | |
|---|---|
| Classification: | R-1 (Residential Single Family) |
| Governmental Jurisdiction: | City of Gainesville |
| Permitted Uses: | Access to Adjoining Properties |
| Restrictions: | Public Right of Way |

## Section 6 - Property Description

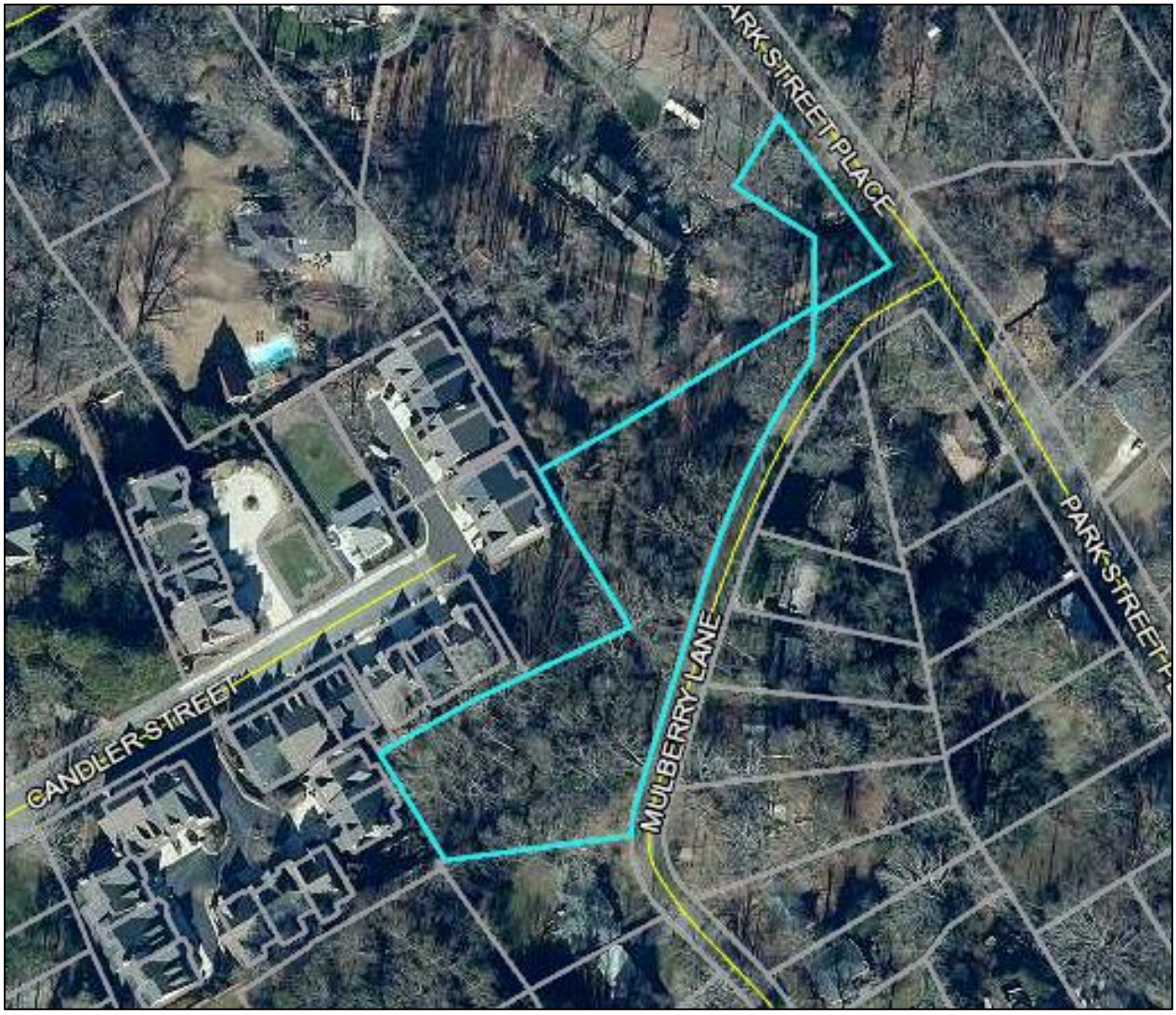
The subject property is a highly irregular remnant tract containing 1.80 acres and commonly known as 569 Mulberry Lane. It fronts on Mulberry Lane and Park Street Place. The terrain is severe and when combined with the highly irregular shape and utility easements, renders the property unbuildable. It has value only as it would contribute to the adjoining owner.

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

# Plat and Description of Subject Property

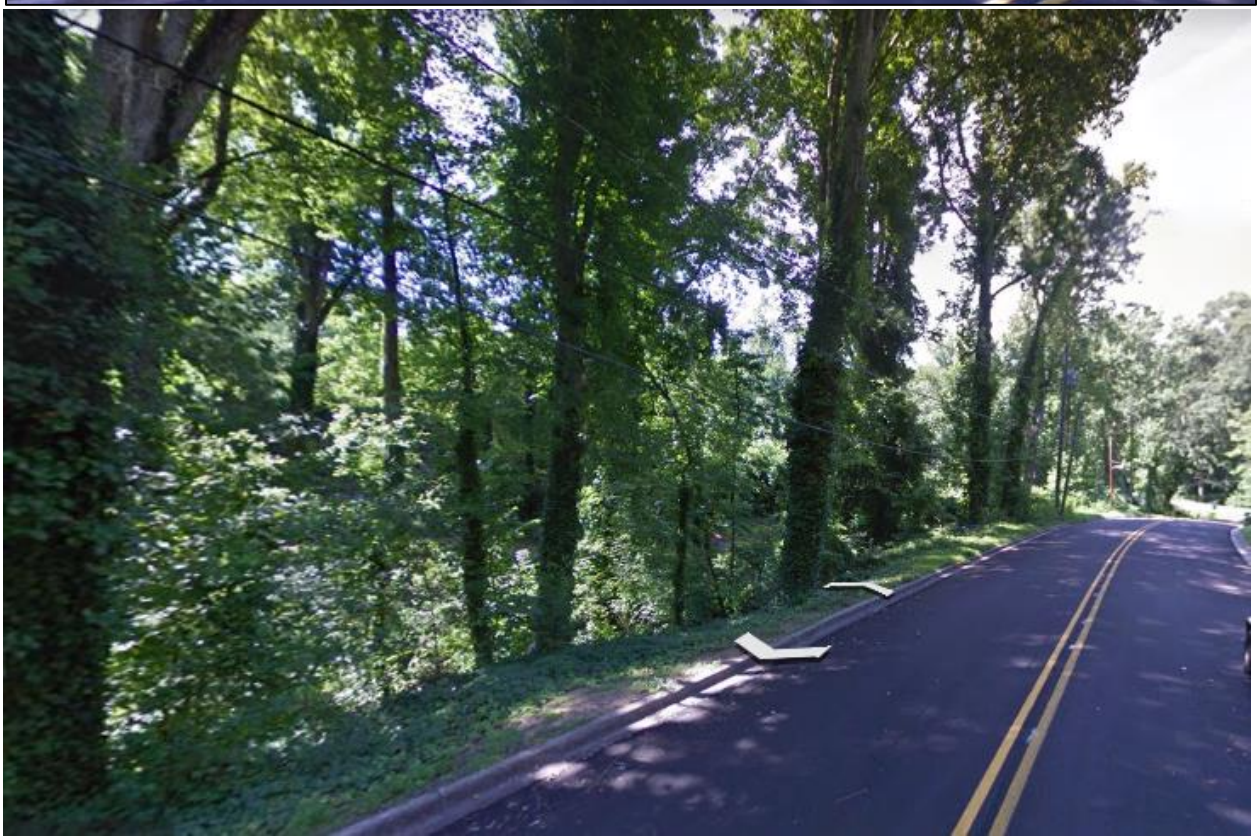


# Identification of Project and Area



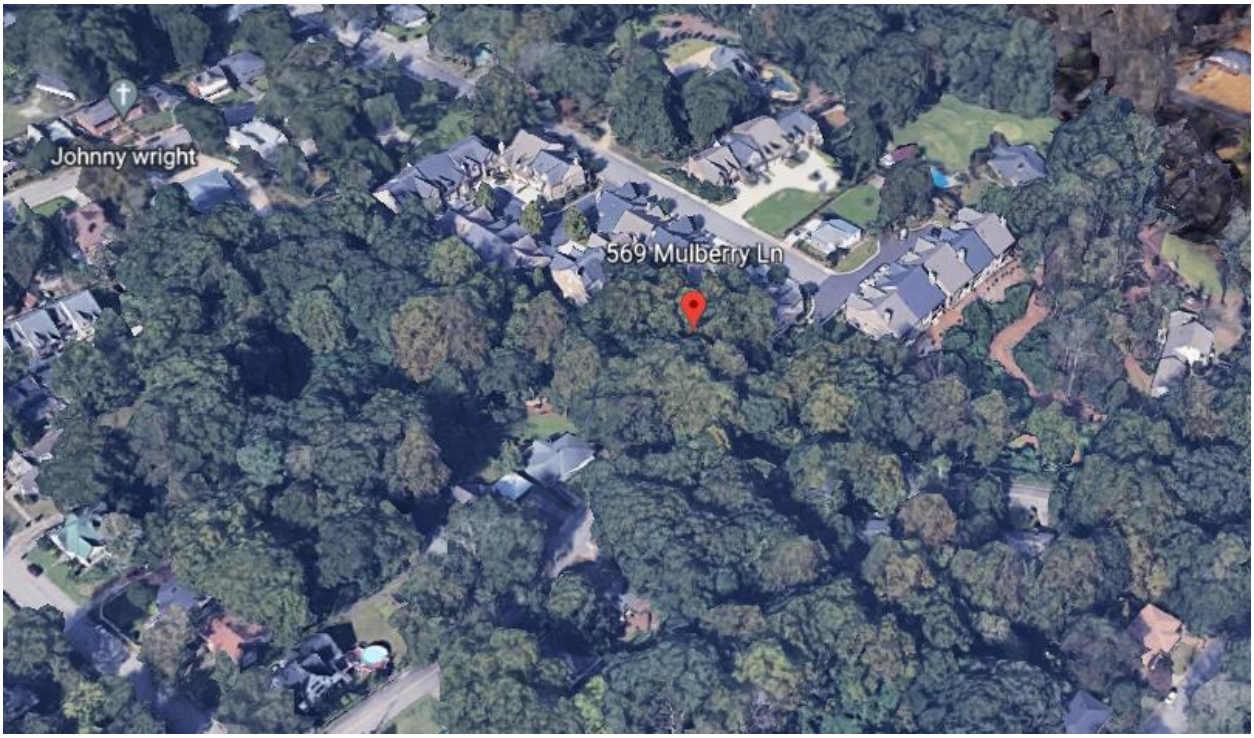

*Subject-* *Blue - Uneconomic Remnant*

**Street Photos**

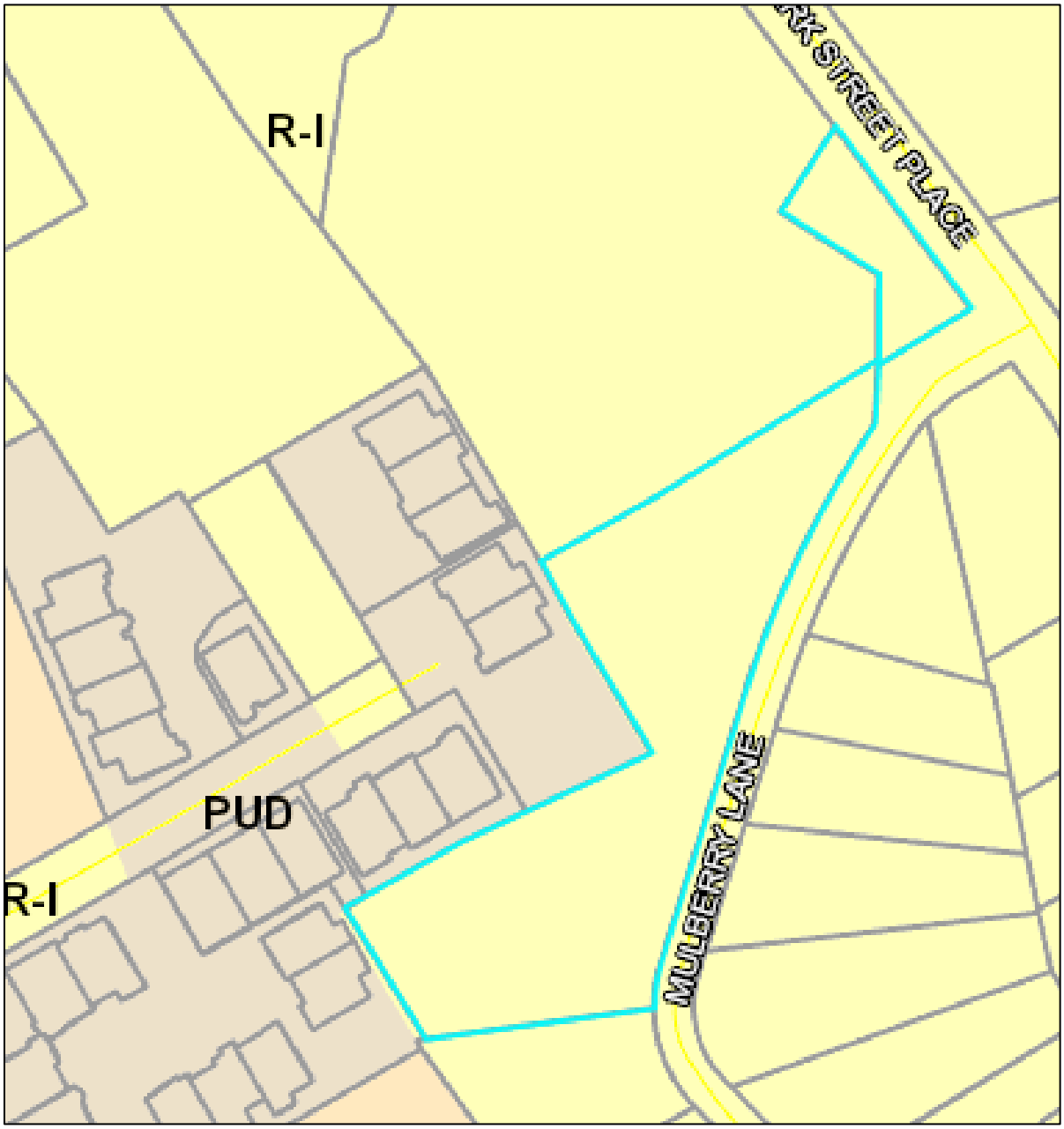


SPEED
LIMIT
25

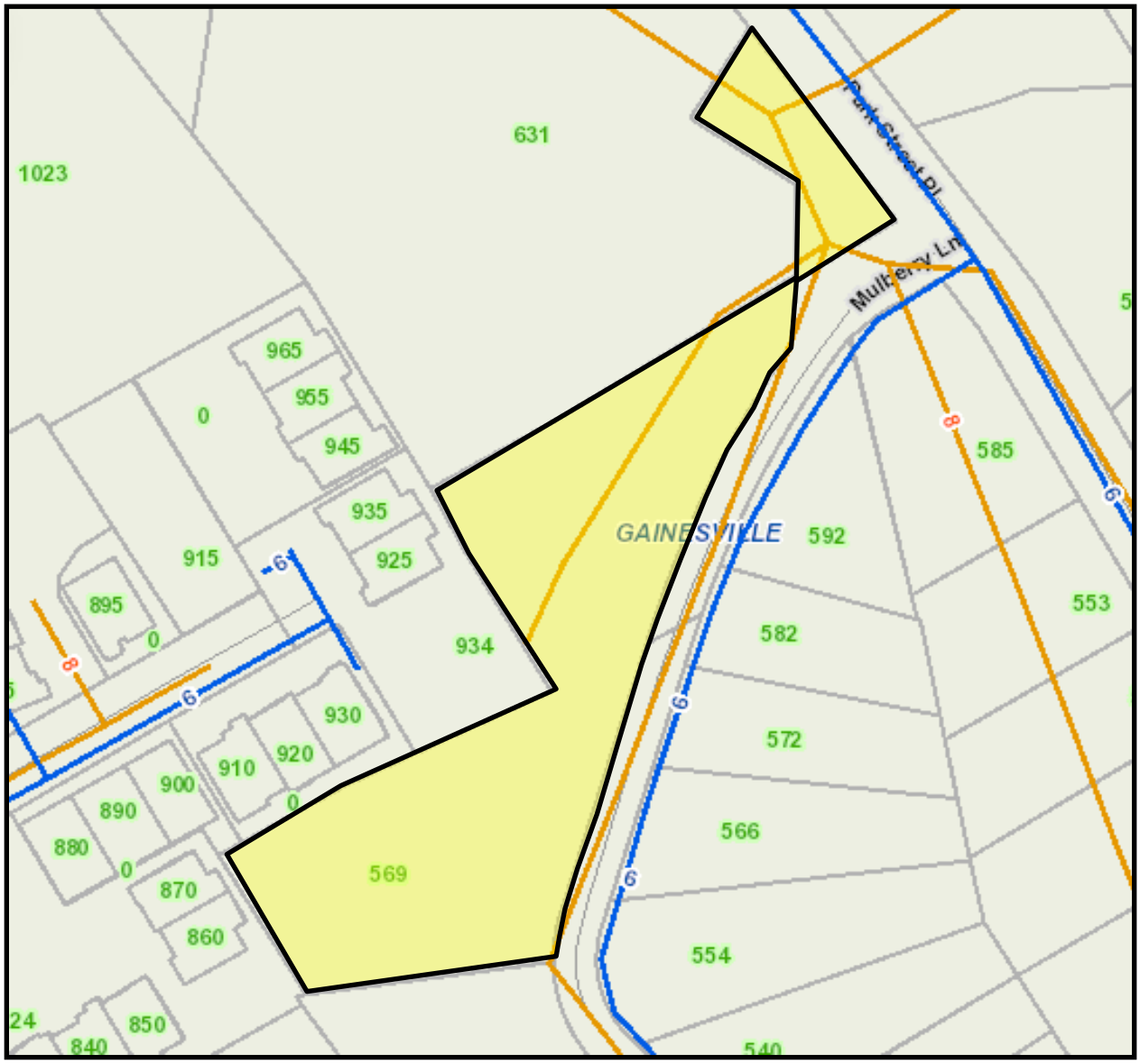
## Aerial Photos



**Zoning Map**

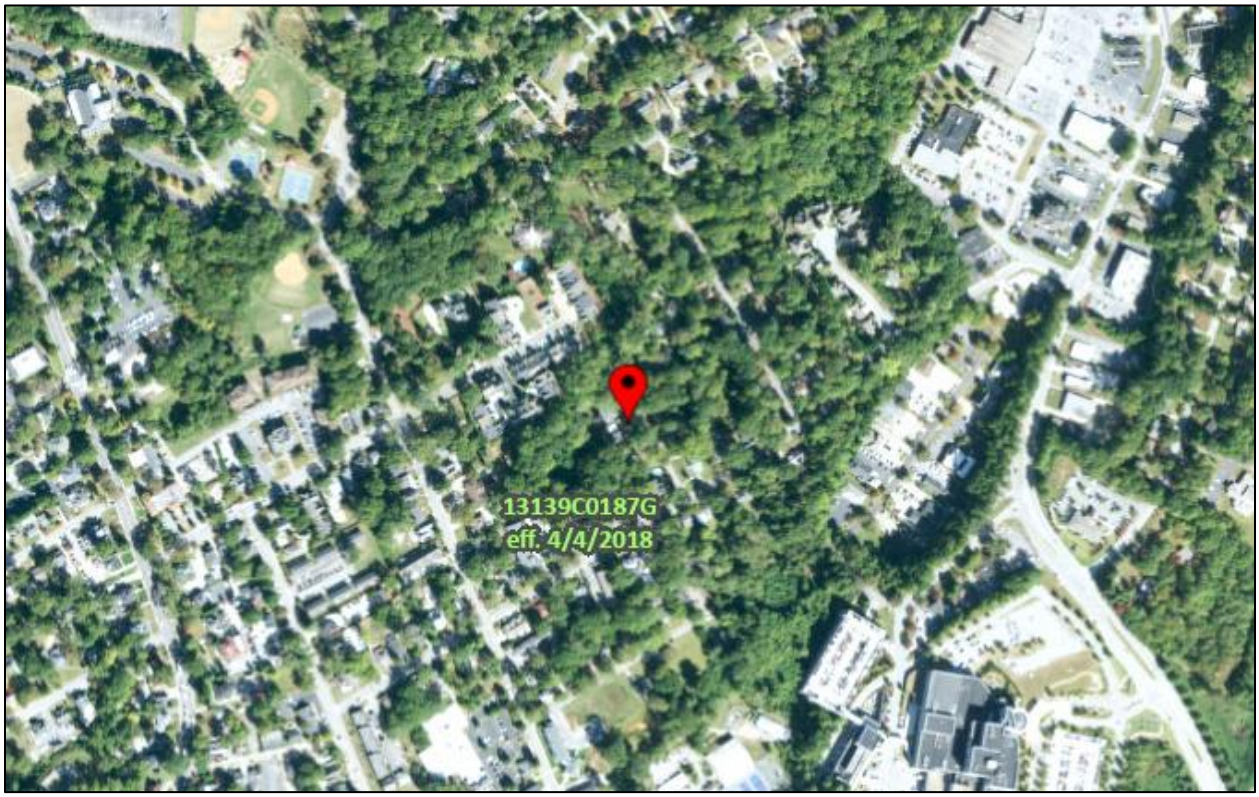


## Utility Map

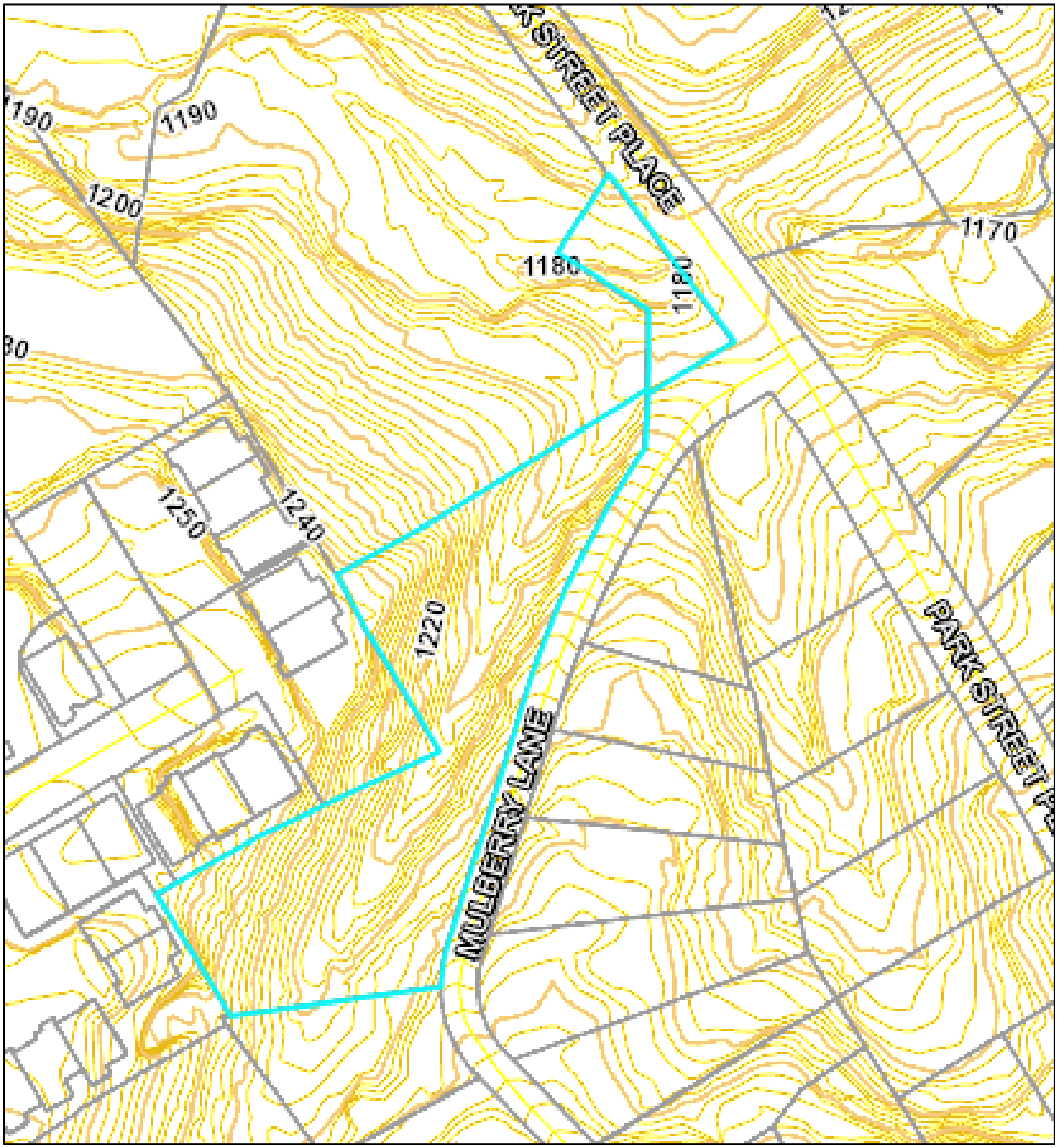



*Gold Line – Public Sewer*
*Blue Line – Public Water*

## Flood Map



**Topo Map**


PARK STREET PLACE
1190
1190
1200
1180
1180
1170
1250
1240
1220
MULBERRY LANE
PARK 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 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.

# Valuation Summary

## COMPARABLE SALES SUMMARY

| No. | Address | Sales Date | Size/Acres | Price | Price/Acre |
|---|---|---|---|---|---|
| 1 | Laurel Lane | 12/15/2020 | 0.32 | $95,000 | $30,400 |
| 2 | 896 Cherokee Rd | 3/20/2018 | 0.42 | $110,000 | $46,200 |
| 3 | 1153 Parkhill Dr (2 building lots) | 7/31/2020 | 1.14 | $225,000 | $197,368 |
| 4 | Riverside Dr (6 individual sales) | 1/22/2022 | 0.49 | $150,000 | $73,500 |
| 5 | Summer Lane (unbuildable) | 3/26/2021 | 0.20 | $28,300 | $5,660 |
| 6 | 1080 Springdale Rd (unbuildable) | 7/30/2019 | 0.11 | $7,500 | $825 |

The comparable sales as summarized above, are similar to the subject property due to size and location. Based on these considerations, it is our opinion that the Fair Market Value of the subject property "as if unencumbered with suitable topography to reasonably be developed" is estimated to be based on $ 70,000 per acre. For assemblage, it is estimated that it would contribute 50% of the indicated value of Tract 1 or $35,000 per acre. Also, it is estimated that it would only contribute a minimal amount of 10% of the assemblage value for Tract 2.

The subject property is a 1.80 acre tract that is highly irregular in shape. There are two areas within this tract. One containing 0.21 acres along the frontage of the adjoining property that would contribute value due to the location. It however is not a stand-alone parcel and would be valued as discounted for assemblage. The remaining tract containing 1.59 acres has severe terrain characteristics, a sewer line easement, and highly irregular shape. It has little value in the market with use only as a buffer between existing properties. It only has nominal value as a percentage of the normal assemblage estimate.

Tract 1

0.21 acres @ $35,000/acre = $ 7,350

Tract 2

1.59 acres @ $ 3,500/acre = $ 5,565

$ 12,915 or **$ 13,000**

## 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 April 5, 2022 is $13,000and is 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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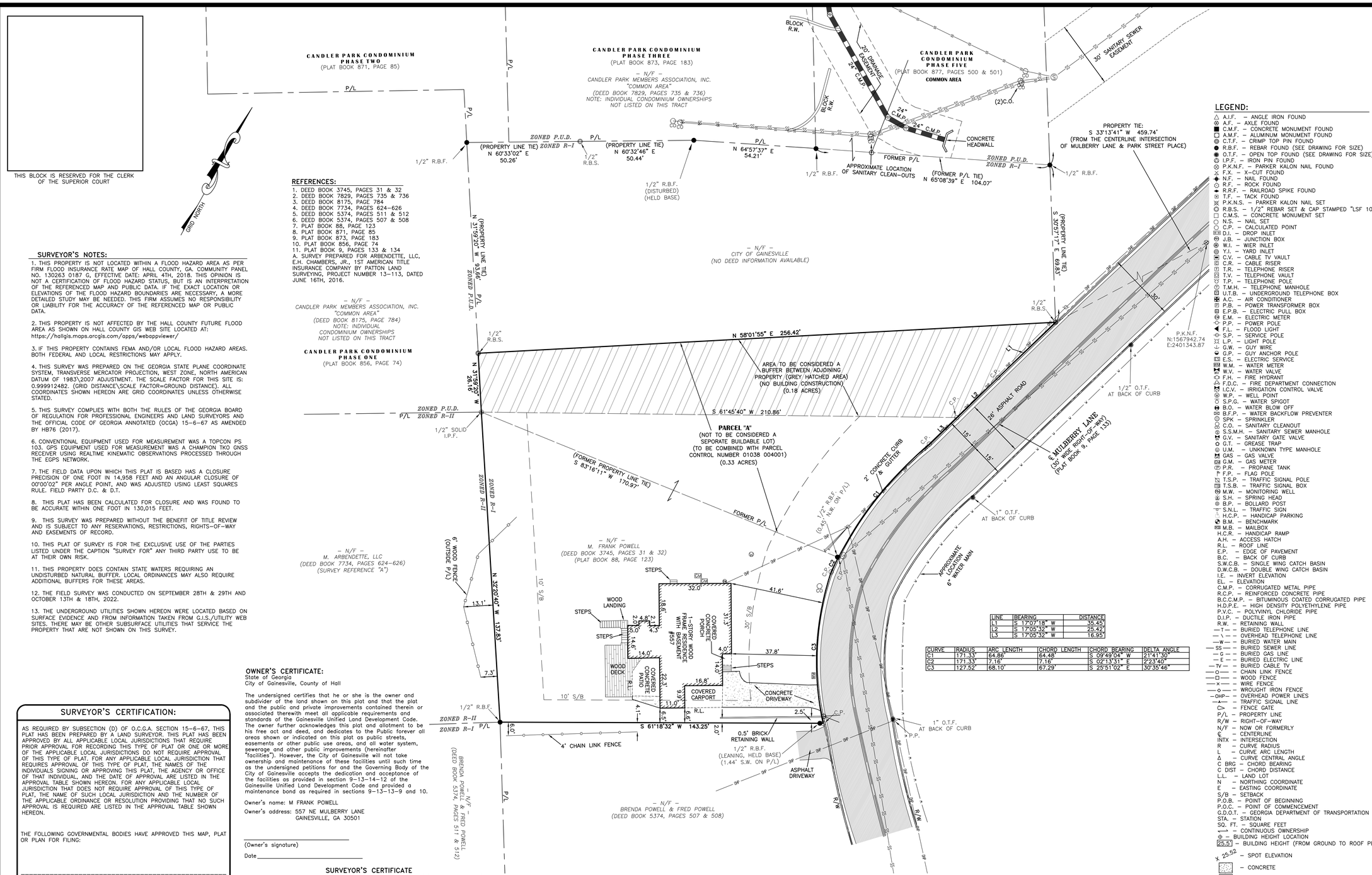


## REFERENCES:

1. DEED BOOK 3745, PAGES 31 & 32
2. DEED BOOK 7829, PAGES 735 & 736
3. DEED BOOK 8175, PAGE 784
4. DEED BOOK 7734, PAGES 624–626
5. DEED BOOK 5374, PAGES 511 & 512
6. DEED BOOK 5374, PAGES 507 & 508
7. PLAT BOOK 88, PAGE 123
8. PLAT BOOK 871, PAGE 85
9. PLAT BOOK 873, PAGE 183
10. PLAT BOOK 856, PAGE 74
11. PLAT BOOK 9, PAGES 133 & 134

A. SURVEY PREPARED FOR ARBENDETTE, LLC, E.H. CHAMBERS, JR., 1ST AMERICAN TITLE INSURANCE COMPANY BY PATTON LAND SURVEYING, PROJECT NUMBER 13–113, DATED JUNE 16TH, 2016.

## SURVEYOR'S NOTES:

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13263 0187 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATION OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

2. THIS PROPERTY IS NOT AFFECTED BY THE HALL COUNTY FUTURE FLOOD AREA AS SHOWN ON HALL COUNTY GIS WEB SITE LOCATED AT: https://hallgis.maps.arcgis.com/apps/webappviewer/

3. IF THIS PROPERTY CONTAINS FEMA AND/OR LOCAL FLOOD HAZARD AREAS. BOTH FEDERAL AND LOCAL RESTRICTIONS MAY APPLY.

4. THIS SURVEY 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: 0.999912482. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15–6–67 AS AMENDED BY HB76 (2017).

6. 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.

7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 14,958 FEET AND AN ANGULAR CLOSURE OF 00°00'02" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

8. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 130,015 FEET.

9. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS–OF–WAY AND EASEMENTS OF RECORD.

10. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

11. THIS PROPERTY DOES CONTAIN STATE WATERS REQUIRING AN UNDISTURBED NATURAL BUFFER. LOCAL ORDINANCES MAY ALSO REQUIRE ADDITIONAL BUFFERS FOR THESE AREAS.

12. THE FIELD SURVEY WAS CONDUCTED ON SEPTEMBER 28TH & 29TH AND OCTOBER 13TH & 18TH, 2022.

13. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.

## SURVEYOR'S CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15–6–67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR. THIS PLAT HAS BEEN APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS THAT REQUIRE PRIOR APPROVAL FOR RECORDING THIS TYPE OF PLAT OR ONE OR MORE OF THE APPLICABLE LOCAL JURISDICTIONS DO NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT. FOR ANY APPLICABLE LOCAL JURISDICTION THAT REQUIRES APPROVAL OF THIS TYPE OF PLAT, THE NAMES OF THE INDIVIDUALS SIGNING OR APPROVING THIS PLAT, THE AGENCY OR OFFICE OF THAT INDIVIDUAL, AND THE DATE OF APPROVAL ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON. FOR ANY APPLICABLE LOCAL JURISDICTION THAT DOES NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT, THE NAME OF SUCH LOCAL JURISDICTION AND THE NUMBER OF THE APPLICABLE ORDINANCE OR RESOLUTION PROVIDING THAT NO SUCH APPROVAL IS REQUIRED ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON.

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING:

CITY OF GAINESVILLE COMMUNITY DEVELOPMENT DEPARTMENT DATE:

SUCH APPROVALS, AFFIRMATIONS, OR ORDINANCE OR RESOLUTION NUMBERS 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.

10/18/2022

CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

## OWNER'S CERTIFICATE:

State of Georgia
City of Gainesville, County of Hall

The undersigned certifies that he or she is the owner and subdivider of the land shown on this plat and that the plat and the public and private improvements contained therein or associated therewith meet all applicable requirements and standards of the Gainesville Unified Land Development Code. The owner further acknowledges this plat and allotment to be his free act and deed, and dedicates to the Public forever all areas shown or indicated on this plat as public streets, easements or other public use areas, and all water system, sewerage and other public improvements (hereinafter "facilities"). However, the City of Gainesville will not take ownership and maintenance of these facilities until such time as the undersigned petitions for and the Governing Body of the City of Gainesville accepts the dedication and acceptance of the facilities as provided in section 9–13–14–12 of the Gainesville Unified Land Development Code and provided a maintenance bond as required in sections 9–13–13–9 and 10.

Owner's name: M FRANK POWELL

Owner's address: 557 NE MULBERRY LANE GAINESVILLE, GA 30501

(Owner's signature)

Date

## SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist. The field data upon which this plat is based has a closure precision of one foot in 14,958 feet, and an angular error of 00°00'02" per angle point, and was adjusted using Crandalls rule. This plat has been calculated for closure and is found to be accurate within one foot in 130,015 feet.

By: CHRIS M. PATTON
Registered Georgia Land Surveyor No. 2647

Patton Land Surveying
P.O. Box 256 Gainesville, GA. 30503
Phone: (770) 532–6492
Fax: (770) 532–1995
E–Mail: cpatton@pattonsurveying.com
Date: OCTOBER 18TH, 2022

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

WATER SERVICE BY:
CITY OF GAINESVILLE

SEWER SERVICE BY:
CITY OF GAINESVILLE

AREA (PARCEL "A"): 0.33 ACRES
TOTAL COMBINED AREA: 0.69 ACRES

## STATE WATERS BUFFER:

AN UNDISTURBED VEGETATIVE BUFFER MEETING CITY OR COUNTY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. THERE SHALL BE A 50–FOOT UNDISTURBED BUFFER AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION. THERE SHALL BE A 75–FOOT IMPERVIOUS SET–BACK AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION.

## ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S. WEB SITE LOCATED AT: https://hallgis.maps.arcgis.com/apps/webappviewer/

CURRENT CITY OF GAINESVILLE ZONING: R–I – RESIDENTIAL DISTRICT

BUILDING SETBACKS:
FRONT: 30' FROM RIGHT–OF–WAY LINE
SIDE: 10' FROM PROPERTY LINE
REAR: 20' FROM PROPERTY LINE
MAX BUILDING HEIGHT: 50'
MAX BUILDING COVERAGE: 25% OF LOT AREA

| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S 17°07'18" W | 35.45' |
| L2 | S 17°05'32" W | 25.42' |
| L3 | S 17°05'32" W | 16.95' |

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|---|---|---|---|---|---|
| C1 | 171.33' | 64.86' | 64.48' | S 09°49'04" W | 21°41'30" |
| C2 | 171.33' | 7.16' | 7.16' | S 02°13'31" E | 2°23'40" |
| C3 | 127.52' | 68.10' | 67.29' | S 25°51'02" E | 30°35'46" |

## 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
- ⚔ F.X. – 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 & CAP STAMPED "LSF 1029"
- ▣ 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
- ⓔ E.M. – ELECTRIC 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
- SPK – SPRINKLER
- ⓒ C.O. – SANITARY CLEANOUT
- ⓢ S.S.M.H. – SANITARY SEWER MANHOLE
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- ⓤ U.M. – UNKNOWN TYPE MANHOLE
- ⋈ GAS – GAS VALVE
- ▥ G.M. – GAS METER
- ⛽ P.R. – PROPANE TANK
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- ▥ 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.L. – TRAFFIC SIGN
- ♿ H.C.P. – HANDICAP PARKING
- ◆ B.M. – BENCHMARK
- ✉ M.B. – MAILBOX
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- —□— – WOOD FENCE
- —x— – WIRE FENCE
- —◇— – 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
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- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⊕ – BUILDING HEIGHT LOCATION
- 25.5 – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- × 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

20' 0' 20' 40' 60'
GRAPHIC SCALE – 1 INCH = 20 FEET


REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532–6492
www.pattonsurveying.com
LAND SURVEYING FIRM CERTIFICATE OF AUTHORIZATION NUMBER LSF 001029
PATTON LAND SURVEYING, LLC


COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.T.
DRAFTED BY: C.K.
CHECKED BY: C.P.

COMBINATION SURVEY FOR:
M. FRANK POWELL
– LOCATED IN –
LAND LOT 138
9TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

REVISIONS

| No. | DATE | DESCRIPTION |
|---|---|---|

SHEET NUMBER: 1 of 1
SCALE: 1" = 20'
SURVEY DATE: 10/17/2022
PLAT DATE: 10/18/2022
22–128.dwg
JN. 22–128

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

## SURVEYOR'S NOTES:

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 130263 0187 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

2. THIS PROPERTY IS NOT AFFECTED BY THE HALL COUNTY FUTURE FLOOD AREA AS SHOWN ON HALL COUNTY GIS WEB SITE LOCATED AT: https://hallgis.maps.arcgis.com/apps/webappviewer/

3. IF THIS PROPERTY CONTAINS FEMA AND/OR LOCAL FLOOD HAZARD AREAS. BOTH FEDERAL AND LOCAL RESTRICTIONS MAY APPLY.

4. THIS SURVEY 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: 0.99991248 (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

6. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TWO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 14,958 FEET AND AN ANGULAR CLOSURE OF 00°00'02" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

8. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 243,364 FEET.

9. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

10. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

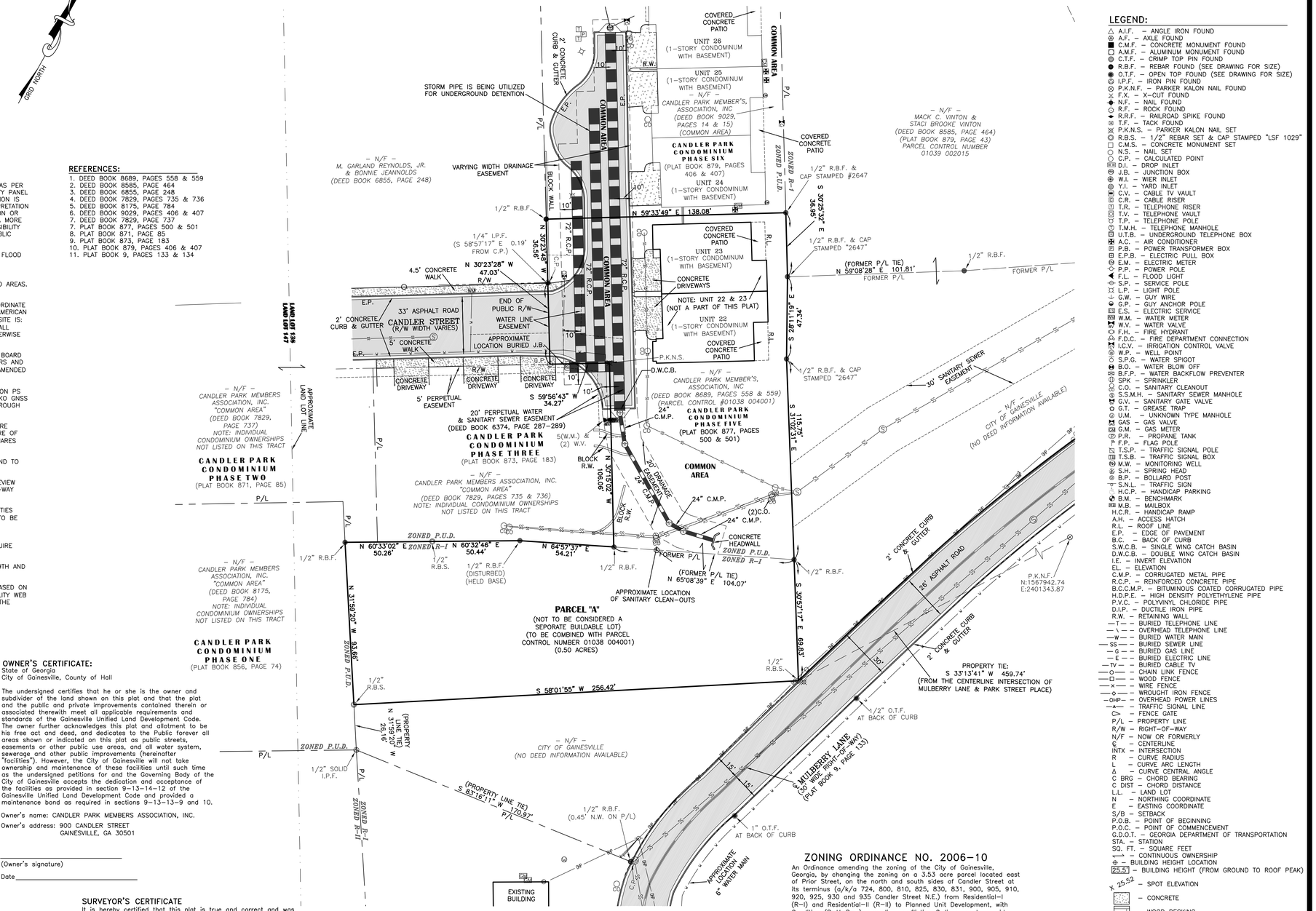
11. THIS PROPERTY DOES CONTAIN STATE WATERS REQUIRING AN UNDISTURBED NATURAL BUFFER. LOCAL ORDINANCES MAY ALSO REQUIRE ADDITIONAL BUFFERS FOR THESE AREAS.

12. THE FIELD SURVEY WAS CONDUCTED ON SEPTEMBER 28TH & 29TH AND OCTOBER 13TH & 17TH, 2022.

13. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.

## REFERENCES:

1. DEED BOOK 8689, PAGES 558 & 559
2. DEED BOOK 8585, PAGE 464
3. DEED BOOK 6855, PAGE 248
4. DEED BOOK 7829, PAGES 735 & 736
5. DEED BOOK 8175, PAGE 784
6. DEED BOOK 9029, PAGES 406 & 407
7. DEED BOOK 7829, PAGE 737
7. PLAT BOOK 877, PAGES 500 & 501
8. PLAT BOOK 871, PAGE 85
9. PLAT BOOK 873, PAGE 183
10. PLAT BOOK 879, PAGES 406 & 407
11. PLAT BOOK 9, PAGES 133 & 134




## 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
- F.X. – 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 & CAP STAMPED "LSF 1029"
- 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
- E.M. – ELECTRIC 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
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- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟶ – CONTINUOUS OWNERSHIP
- ⊕ – BUILDING HEIGHT LOCATION
- 25.5' – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

30' 0' 30' 60' 90'
GRAPHIC SCALE – 1 INCH = 30 FEET

## SURVEYOR'S CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR. THIS PLAT HAS BEEN APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS THAT REQUIRE PRIOR APPROVAL FOR RECORDING THIS TYPE OF PLAT OR ONE OR MORE OF THE APPLICABLE LOCAL JURISDICTIONS DO NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT. FOR ANY APPLICABLE LOCAL JURISDICTION THAT REQUIRES APPROVAL OF THIS TYPE OF PLAT, THE NAMES OF THE INDIVIDUALS APPROVING THIS PLAT, THE AGENCY OR OFFICE OF THAT INDIVIDUAL, AND THE DATE OF APPROVAL ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON. FOR ANY APPLICABLE LOCAL JURISDICTION THAT DOES NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT, THE NAME OF SUCH LOCAL JURISDICTION AND THE NUMBER OF THE APPLICABLE ORDINANCE OR RESOLUTION PROVIDING THAT NO SUCH APPROVAL IS REQUIRED ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON.

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING:

CITY OF GAINESVILLE COMMUNITY DEVELOPMENT DEPARTMENT DATE:

SUCH APPROVALS, AFFIRMATIONS, OR ORDINANCE OR RESOLUTION NUMBERS 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.

10/18/2022
CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

## OWNER'S CERTIFICATE:

State of Georgia
City of Gainesville, County of Hall

The undersigned certifies that he or she is the owner and subdivider of the land shown on this plat and that the plat and the public and private improvements contained therein or associated therewith meet all applicable requirements and standards of the Gainesville Unified Land Development Code. The owner further acknowledges this plat and allotment to be his free act and deed, and dedicates to the Public forever all areas shown or indicated on this plat as public streets, easements or other public use areas, and all water system, sewerage and other public improvements (hereinafter "facilities"). However, the City of Gainesville will not take ownership and maintenance of these facilities until such time as the undersigned petitions for and the Governing Body of the City of Gainesville accepts the dedication and acceptance of the facilities as provided in section 9-13-14-12 of the Gainesville Unified Land Development Code and provided a maintenance bond as required in sections 9-13-13-9 and 10.

Owner's name: CANDLER PARK MEMBERS ASSOCIATION, INC.

Owner's address: 900 CANDLER STREET GAINESVILLE, GA 30501

(Owner's signature)

Date

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON
HALL COUNTY SURVEYOR

## SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist. The field data upon which this plat is based has a closure precision of one foot in 14,958 feet, and an angular error of 00°00'02" per angle point, and was adjusted using Crandalls rule. This plat has been calculated for closure and is found to be accurate within one foot in 243,364 feet.

By: CHRIS M. PATTON
Registered Georgia Land Surveyor No. 2647

Patton Land Surveying
P.O. Box 256 Gainesville, GA. 30503
Phone: (770) 532-6492
Fax: (770) 532-1995
E-Mail: cpatton@pattonsurveying.com
Date: OCTOBER 18TH, 2022

WATER SERVICE BY:
CITY OF GAINESVILLE

SEWER SERVICE BY:
CITY OF GAINESVILLE

AREA (PARCEL "A"): 0.50 ACRES
TOTAL COMBINED AREA: 0.91 ACRES
(NOTE: THE TOTAL AREA DOES NOT INCLUDE THE AREAS FOR CONDOMINIUM UNITS 22 & 23 WHICH IS 0.11 ACRES)

## STATE WATERS BUFFER:

AN UNDISTURBED VEGETATIVE BUFFER MEETING CITY OR COUNTY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. THERE SHALL BE A 50-FOOT UNDISTURBED BUFFER AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION. THERE SHALL BE A 75-FOOT IMPERVIOUS SET-BACK AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION.

## ZONING ORDINANCE NO. 2006-10

An Ordinance amending the zoning of the City of Gainesville, Georgia, by changing the zoning on a 3.53 acre parcel located east of Prior Street, on the north and south sides of Candler Street at its terminus (a/k/a 724, 800, 810, 825, 830, 831, 900, 905, 910, 920, 925, 930 and 935 Candler Street N.E.) from Residential-I (R-I) and Residential-II (R-II) to Planned Unit Development, with Condition (P-U-D-c); repealing conflicting Ordinances; to provide for Severability; to provide for an Effective Date; and for Other Purposes.

(Amendment to Zoning Map)

Be it Ordained by the City Counsel of the City of Gainesville, Georgia as follows:

Section 1
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 Planned Unit Development with Condition (P-U-D-c).

Condition
A 20-foot Perpetual Water Main Easement shall be retained to the City of Gainesville Public Utilities Department within the abandoned portion of right-of-way for future operation and maintenance of the water main.


REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com
LAND SURVEYING FIRM CERTIFICATE OF AUTHORIZATION NUMBER LSF 001029
PATTON LAND SURVEYING, LLC


| | COMPUTATIONS BY: C.K. |
|---|---|
| | SURVEYED BY: D.C. & D.T. |
| | DRAFTED BY: C.K. |
| | CHECKED BY: C.P. |

COMBINATION SURVEY FOR:
**CANDLER PARK MEMBER'S ASSOCIATION, INC.**
– LOCATED IN –
LAND LOT 138
9TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

REVISIONS

| No. | DATE | DESCRIPTION |
|---|---|---|
| | | |

SHEET NUMBER: 1 of 1
SCALE: 1" = 30'
SURVEY DATE: 10/17/2022
PLAT DATE: 10/18/2022
22-127.dwg
JN. 22-127

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|---|---|---|---|---|---|
| C1 | 196.97' | 40.98' | 40.91' | S 54°27'52" W | 11°55'15" |
| C2 | 230.94' | 55.67' | 55.54' | S 38°00'18" W | 13°48'41" |
| C3 | 1085.37' | 60.61' | 60.60' | S 32°06'17" W | 3°11'58" |
| C4 | 849.27' | 63.74' | 63.72' | S 27°34'53" W | 4°18'00" |
| C5 | 1087.19' | 69.08' | 69.07' | S 23°03'58" W | 3°38'26" |
| C6 | 970.48' | 33.26' | 33.26' | S 20°09'18" W | 1°57'49" |
| C7 | 296.26' | 157.41' | 155.56' | S 89°14'05" E | 30°26'33" |

## SURVEYOR'S NOTES:

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 130263 0187 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

2. THIS PROPERTY IS AFFECTED BY THE HALL COUNTY FUTURE FLOOD AREA AS SHOWN ON HALL COUNTY GIS WEB SITE LOCATED AT:
https://hallgis.maps.arcgis.com/apps/webappviewer/

3. IF THIS PROPERTY CONTAINS FEMA AND/OR LOCAL FLOOD HAZARD AREAS. BOTH FEDERAL AND LOCAL RESTRICTIONS MAY APPLY.

4. THIS SURVEY 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: 0.999912482. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

6. 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.

7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 14,958 FEET AND AN ANGULAR CLOSURE OF 00°00'02" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

8. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 119,076 FEET.

9. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

10. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

11. THIS PROPERTY DOES CONTAIN STATE WATERS REQUIRING AN UNDISTURBED NATURAL BUFFER. LOCAL ORDINANCES MAY ALSO REQUIRE ADDITIONAL BUFFERS FOR THESE AREAS.

12. THE FIELD SURVEY WAS CONDUCTED ON SEPTEMBER 28TH & 29TH AND OCTOBER 13TH & 17TH, 2022.

13. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.

## ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S. WEB SITE LOCATED AT:
https://hallgis.maps.arcgis.com/apps/webappviewer/

CURRENT CITY OF GAINESVILLE ZONING:
R-1 - RESIDENTIAL DISTRICT

BUILDING SETBACKS:
FRONT: 30' FROM RIGHT-OF-WAY LINE
SIDE: 10' FROM PROPERTY LINE
REAR: 20' FROM PROPERTY LINE
MAX BUILDING HEIGHT: 50'
MAX BUILDING COVERAGE: 25% OF LOT AREA

## STATE WATERS BUFFER:

AN UNDISTURBED VEGETATIVE BUFFER MEETING CITY OR COUNTY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. THERE SHALL BE A 50-FOOT UNDISTURBED BUFFER AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION. THERE SHALL BE A 75-FOOT IMPERVIOUS SET-BACK AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION.

## WATER SERVICE BY:

CITY OF GAINESVILLE

## SEWER SERVICE BY:

CITY OF GAINESVILLE

**AREA (PARCEL "A"): 1.07 ACRES**
**TOTAL COMBINED AREA: 4.17 ACRES**

## REFERENCES:

1. DEED BOOK 8585, PAGE 464
2. DEED BOOK 8689, PAGES 558 & 559
3. DEED BOOK 8542, PAGES 784 & 785
4. DEED BOOK 8624, PAGE 436
5. DEED BOOK 7602, PAGE 622
6. DEED BOOK 9029, PAGES 406 & 407
7. PLAT BOOK 877, PAGES 500 & 501
8. PLAT SLIDE 453, PAGE 112A
9. PLAT BOOK 133, PAGE 185
10. PLAT BOOK 879, PAGES 406 & 407
11. PLAT BOOK 9, PAGES 133 & 134

## SURVEYOR'S CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR. THIS PLAT HAS BEEN APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS THAT REQUIRE PRIOR APPROVAL FOR RECORDING THIS TYPE OF PLAT OR ONE OR MORE OF THE APPLICABLE LOCAL JURISDICTIONS DO NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT. FOR ANY APPLICABLE LOCAL JURISDICTION THAT REQUIRES APPROVAL OF THIS TYPE OF PLAT, THE NAMES OF THE INDIVIDUALS SIGNING OR APPROVING THIS PLAT, THE AGENCY OR OFFICE OF THAT INDIVIDUAL, AND THE DATE OF APPROVAL ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON. FOR ANY APPLICABLE LOCAL JURISDICTION THAT DOES NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT, THE NAME OF SUCH LOCAL JURISDICTION AND THE NUMBER OF THE APPLICABLE ORDINANCE OR RESOLUTION PROVIDING THAT NO SUCH APPROVAL IS REQUIRED ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON.

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING:

CITY OF GAINESVILLE COMMUNITY DEVELOPMENT DEPARTMENT DATE:

SUCH APPROVALS, AFFIRMATIONS, OR ORDINANCE OR RESOLUTION NUMBERS 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.

10/18/2022
CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

## SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist. The field data upon which this plat is based has a closure precision of one foot in 14,958 feet, and an angular error of 00°00'02" per angle point, and was adjusted using Crandalls rule. This plat has been calculated for closure and is found to be accurate within one foot in 119,076 feet.

By: CHRIS M. PATTON
Registered Georgia Land Surveyor No. 2647

Patton Land Surveying
P.O. Box 256 Gainesville, GA. 30503
Phone: (770) 532-6492
Fax: (770) 532-1995
E-Mail: cpatton@pattonsurveying.com
Date: OCTOBER 18TH, 2022

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

## OWNER'S CERTIFICATE:

State of Georgia
City of Gainesville, County of Hall

The undersigned certifies that he or she is the owner and subdivider of the land shown on this plat and that the plat and the public and private improvements contained therein or associated therewith meet all applicable requirements and standards of the Gainesville Unified Land Development Code. The owner further acknowledges this plat and allotment to be his free act and deed, and dedicates to the Public forever all areas shown or indicated on this plat as public streets, easements or other public use areas, and all water system, sewerage and other public improvements (hereinafter "facilities"). However, the City of Gainesville will not take ownership and maintenance of these facilities until such time as the undersigned petitions for and the Governing Body of the City of Gainesville accepts the dedication and acceptance of the facilities as provided in section 9-13-14-12 of the Gainesville Unified Land Development Code and provided a maintenance bond as required in sections 9-13-13-9 and 10.

Owner's name: MACK VINTON

Owner's address: 631 PARK STREET PLACE N.E.
GAINESVILLE, GA 30501

(Owner's signature)

Date

| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S 38°30'48" E | 30.34' |
| L2 | S 36°30'03" E | 45.10' |
| L3 | S 34°28'56" E | 20.88' |
| L4 | S 61°39'34" W | 23.41' |
| L5 | S 18°14'49" W | 55.28' |
| L6 | S 17°23'46" W | 37.63' |
| L7 | S 17°07'18" W | 15.73' |
| L8 | S 73°52'30" E | 30.13' |

## 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
- F.X. - 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 & CAP STAMPED "LSF 1029"
- 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
- E.M. - ELECTRIC 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
- SPK - SPRINKLER
- C.O. - SANITARY CLEANOUT
- S.S.M.H. - SANITARY SEWER MANHOLE
- G.V. - SANITARY GATE VALVE
- G.T. - GREASE TRAP
- U.M. - UNKNOWN TYPE MANHOLE
- MB - MAILBOX
- 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.L. - 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
- —O— - CHAIN LINK FENCE
- —□— - WOOD FENCE
- —x— - WIRE FENCE
- —◇— - 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
- G.D.O.T. - GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. - STATION
- SQ. FT. - SQUARE FEET
- ←→ - CONTINUOUS OWNERSHIP
- ⊕ - BUILDING HEIGHT LOCATION
- 25.5 - BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- x 25.52 - SPOT ELEVATION

- CONCRETE
- WOOD DECKING
- GRAVEL
- ASPHALT
- PAVERBRICK

GRAPHIC SCALE - 1 INCH = 30 FEET (30' 0' 30' 60' 90')

SHEET NUMBER: 1 of 1
SCALE: 1" = 30'
SURVEY DATE: 10/17/2022
PLAT DATE: 10/18/2022
22-077.01.dwg
JN. 22-077

| No. | DATE | DESCRIPTION |
|---|---|---|
| | | |

REVISIONS

COMBINATION SURVEY FOR:

# MACK VINTON & STACI VINTON

- LOCATED IN -

LAND LOT 138
9TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.T.
DRAFTED BY: C.K.
CHECKED BY: C.P.


PATTON LAND SURVEYING, LLC

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF AUTHORIZATION NUMBER LSF 001029

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

**Item Created:** November 10, 2022

**Date Submitted:** November 10, 2022

**Final Approval Date:** November 10, 2022

**Presenter:** Bryan Lackey, City Manager

**Item of Business:** BR-2022-70 United Way of Hall County Service Contract & Funding for the Gainesville to Hometown Program

**Meeting Date:** November 15, 2022

**Purpose of Request:**
To establish the contract with the United Way of Hall County and funding for the Gainesville to Hometown Program.

**Facts & Issues / History & Background:**

**Department Recommendation:**
Adopt the resolution.

**Department Director:**
Bryan Lackey

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

**Amount Requested:** **Sources of Funds:**

$100,000

**Finance Comments:**

**Administrative Comments:**

**Attachments:**

1. BR-2022-70 United Way of Hall County Service Contract and Funding for Gainesville to Hometown Program
2. Contract/Agreement: Gainesville United Way Hometown Agreement
3. Attachment: Exhibit A - Contract Attachment A Gainesville to Hometown Program Information (1)

**RESOLUTION BR-2022-70**

**APPROVAL OF UNITED WAY OF HALL COUNTY SERVICE CONTRACT & FUNDING FOR THE GAINESVILLE TO HOMETOWN PROGRAM**

**WHEREAS,** the City of Gainesville wishes to partner with the United Way of Hall County to address issues relating to homeless persons in the City; and

**WHEREAS**, the City of Gainesville desires to partner with the United Way of Hall County for the implementation of the Gainesville to Hometown initiative.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby approves the attached United Way of Hall County Service Contract and authorizes funding in the amount of $100,000.00 from the FY2023 General Fund Contingency.

**BE IT FURTHER RESOLVED THAT** the City of Gainesville Mayor, City Manager, and/or City Attorney are authorized to execute the attached Contract and any other documents necessary to effectuate the provisions of said Contract.

**Adopted this _____ day of November, 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**

# UNITED WAY OF HALL COUNTY
# SERVICE CONTRACT

**GEORGIA, HALL COUNTY.**

**THIS AGREEMENT (hereinafter referred to as "this Agreement" or "this Contract")**, made and entered into this _____ day of _____, 2022 by and between the **CITY OF GAINESVILLE, GEORGIA** (hereinafter referred to as the "City"), party of the first part and **United Way of Hall County**, Inc. (hereinafter referred to as the "United Way of Hall County"), party of the second part,

**WHEREAS**, the City wishes to partner with the United Way of Hall County to address issues relating to homeless persons in the City.

**NOW THEREFORE**, for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed as follows:

1. The City shall provide $ 100,000 to the **United Way of Hall County** for the purpose set forth in this Contract.

2. The **United Way of Hall County** shall have the following responsibilities:

   A. The Gainesville to Hometown program Case Statement & Evaluations/Outcomes, a copy of which is attached hereto as Exhibit "A," will be the basis for project activities related to this Contract.

3. Financial Provisions

   A. Funding shall initially be provided in November of 2022, and thereafter be provided by the City to the **United Way of Hall County** on a fiscal year basis with the year beginning on July 1, 2022 and ending on the following June 30, 2023.

   B. The **United Way of Hall County** shall prepare an annual budget of all estimated revenue (including any fund balance carryovers in excess of 30 days working capital) and all proposed expenditures by line item category. Such budget shall be prepared in accordance with the budget schedule and budget regulations established by the City of Gainesville Budget Officer. Included with, and as part of the budget proposal shall be appropriate information regarding mission statement, goals and objectives, performance indicators and/or such other information as shall be reasonably requested by the City. The budget shall be inclusive of all funding sources and shall be balanced with respect to revenues and expenditures, and shall be subject to the review and approval of the City. Once approved, any adjustments to the annual budget shall likewise be subject to the review and approval of the City.

C. The budget shall include an itemization of any requests for major equipment, furniture, fixtures, or improvements with a cost of $500 or more, purchased with funds provided by the City. Any such purchases from the **United Way of Hall County** budget shall be for the exclusive use of the **United Way of Hall County.**, unless otherwise authorized. The **United Way of Hall County** shall maintain fixed assets records, which shall include at minimum a listing of fixed assets, date acquired, vendor, and cost. If the **United Way of Hall County** ceases to exist, then such fixed assets shall become the property of the City.

D. The **United Way of Hall County** shall submit a financial and performance report to the City of Gainesville after the end of each fiscal year. This report shall be in a format approved by the City, and shall include a balance sheet, all fiscal year revenues, and expenditures to date and a comparison of actual revenue and expenditures to the budget.

E. At the conclusion of each fiscal year, the **United Way of Hall County** shall have prepared, at its own expense, an audit by a reputable Certified Public Accounting firm. Such audit shall be prepared in compliance with generally accepted accounting principles. Such audit shall be completed within 60 days after the end of the fiscal year, and one copy of the audit and management letter shall be immediately sent to the City of Gainesville's Office of Financial Services.

F. The City shall make quarterly payments based on expenses to the **United Way of Hall County** on a reimbursement basis (expenses must be related to the program goals and objectives as stated in Section 2A of this Agreement). Remittance shall be made upon request of **United Way of Hall County.**, submitted to the City of Gainesville Financial Services Department, Attention of Deputy CFO-Budget and Purchasing. Forms are provided by the City to be used by the **United Way of Hall County** to request quarterly allocations.

- Copies of the **United Way of Hall County** most recent quarterly financial reports must be provided for payment to be processed.

- **United Way of Hall County**, will submit a performance report to the City with each payment request. The performance report should include a summary of activities during the year and address the following questions: How are your goals meeting your mission? How does the City's funds play a role in meeting your goals/mission?

4. If the **United Way of Hall County:** (a) fails to make a reasonable effort to fulfill its obligations under this Agreement; or (b) fails to retain competent staff to carry out its responsibilities hereunder, then the City at its option may terminate this Agreement after giving thirty (30) days written notice to the **United Way of Hall County.**

5. Notice under this Agreement may be given by delivering it in person or by depositing it in the United States mail, postage prepaid, addressed to:

City Manager
City of Gainesville
300 Henry Ward Way
P.O. Box 2496
Gainesville, GA 30503-2496

and, in case of the **United Way of Hall County** to:

Board Chair
United Way of Hall County.
527 Oak Street
Gainesville, GA 30501

6. The failure of any party to exercise any right given hereunder or to insist upon strict compliance with any term, condition or covenant specified herein shall not constitute a waiver of such party's right to exercise such right or to demand strict compliance with any such term, condition or covenant under this Agreement.

7. This Agreement is for a period of one (1) year and shall expire on the 30th day of June 2023 provided; however, it may be extended in writing by agreement of the parties provided that the governing body of the City appropriates funding for the following fiscal year. There shall be no renewal or extension by law without express agreement as provided herein.

8. This Agreement contains the sole and entire agreement of the parties with respect to the subject matter contemplated hereunder and no representation, inducement, promise or agreement between the parties not incorporated herein shall be of any force or effect. Any amendment to this Agreement shall be in writing and executed by the parties.

9. This Agreement and all amendments hereto shall be governed and construed under the laws of the State of Georgia. Any court action involving any Dispute arising under this Agreement may only be brought in the Superior Court of Hall County, Georgia.

10. If any term, covenant or condition of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, such provision, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall be deemed severable, and the remainder hereof shall not be affected thereby, and each term, covenant, or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

11. This Agreement may be executed in several counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument.

12. The United Way of Hall County will indemnify and save the City harmless from and against any and all claims, actions, damages, liabilities and expenses in connection with

injury to persons or damage to property arising from or out of the performance of this Agreement, excluding any such injury or damage relating to the City's gross negligence or willful misconduct.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals, this day and year first above written.

APPROVED AS TO FORM

_____
Abbott S. Hayes, Jr.
City Attorney

_____
W. Samuel Couvillon
Mayor

ATTEST

_____
Denise O. Jordan
City Clerk

CITY SEAL

**UNITED WAY OF HALL COUNTY, INC.**

By:_____(Seal)
Jessica Dudley, CEO

Attest:_____(Seal)
John Pace, Secretary

**Gainesville to Hometown**

**A. Case Statement**:

United Way of Hall County has a mission to unite people, organizations and resources to improve lives in our community. We prioritize community collaboration because we know it is the formula for impactful and lasting change. Through our partnerships in the Gainesville community, we are able to identify needs, grow opportunities, and create solutions in ways that we never could alone.

United Way of Hall County serves residents of our community who are in or at risk of financial instability and nonprofits who are aligned with the Community Game Plan. We strive for Hall County to be a community where all reach their potential, are healthy, and achieve self-sufficiency.

**B. Funding Request/ Project Description:**

Gainesville to Hometown is a program aimed at meeting the long-term needs of the homeless population in the city of Gainesville. Because our community is rich in human service resources, we have become a hub for those facing homelessness. Hospitals, behavioral health hospitals in particular, along with jails, and other nonprofits in surrounding areas are discharging their clients with no housing to Gainesville in hopes they will find housing once they get here.

Unfortunately, our community lacks the capacity to support the growing size of this population in need. These individuals are now displaced from the support system they had in their hometown. Remaining with a support system gives people the best opportunity to find stability and self-sufficiency within their lives.

Gainesville to Hometown will supports peoples' endeavor to get back to their hometown where they have a support system in place. Financial support will be utilized to purchase necessary transportation for the program participants. The participants will also receive case management services to arrange support in their hometown. The financial support and case management will come from the Compass Center at United Way of Hall County.

This program will require collaborative efforts from all entities in Gainesville City who support the homeless population. These community partners will be referral sources for the Gainesville to Hometown Program. Referrals will be individuals facing homelessness in Hall County who have a desire to return to the town where their support system lives.

United Way of Hall County is requesting $50,000 to support the Gainesville to Hometown Program.

**12-month timeline for the program/funding request.**

1st quarter: Host meetings at United Way of Hall County to educate community partners on the program and the referral process. Develop specific referral criteria and the template for case management work within the program. Research and explore cost-efficient ways to provide transportation for recipients. Identify any geographical limitations.

2nd quarter: Start receiving referrals from a select, limited number of community partners.

3rd quarter: Open up referrals to all collaborating agencies.

4th quarter: Review program successes and limitations. Contact program participants for updates and feedback.

**C. Project Management:**

Abigail Turner, MSW, will oversee the project day to day; with weekly project updates to Jessica Dudley, President. Abigail will work closely with clients and community partners to identify and overcome obstacles in day-to-day operation and provide case management services to clients.

**D. Evaluation/Outcomes**

1. Number of referrals to the Gainesville to Hometown program

2. Number of people from the homeless population who receive transportation to their hometown via the program

3. Number of transportation fares purchased

4. Updates from service providers or families at destination locations

# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

| | |
|---|---|
| **Item Created:** | November 10, 2022 |
| **Date Submitted:** | November 10, 2022 |
| **Final Approval Date:** | November 10, 2022 |
| **Presenter:** | Bryan Lackey, City Manager |
| **Item of Business:** | GR-2022-13 Authorization to Apply for and Accept an Improving Neighborhood Outcomes in Disproportionally Impacted Communities Grant |
| **Meeting Date:** | November 15, 2022 |

**Purpose of Request:**
Resolution to authorize submittal and acceptance of, if awarded, an *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* grant application.

**Facts & Issues / History & Background:**
The *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* grant is through the State of Georgia Governor's Office of Planning and Budget using Coronavirus State Fiscal Recovery Funds. Grants will be awarded on a competitive basis for qualifying projects that improve neighborhood features that promote improved health and safety outcomes like parks, greenspaces, recreational facilities, sidewalks, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, and other projects that revitalize public spaces.

The *Improving Neighborhood Outcomes* grant funds will be used for eligible activities intended to achieve priorities set forth in the "A Vision for the Athens Street and 129 South Corridors: 2022 Master Plan" designed to (1) provide a complete pedestrian network to enhance safety and walkability, (2) beautify the corridor with street trees and other landscaping, and (3) provide greenspaces and gathering places.

Any project site must be located within a Georgia Qualified Census Tract. Gainesville has five Qualified Census Tracts within the city limits, including those in which the Athens Street-129-South study area is located.

Grant funds must be expended by October 31, 2026.

**Department Recommendation:**
Approve the resolution.

**Department Director:**
Rusty Ligon

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

**Amount Requested:**
$400,000

**Sources of Funds:**
Parks and Recreation Impact Fees and FY23 CIP Athens Street Plan Implementation

**Finance Comments:**

**Administrative Comments:**

**Attachments:**

1. GR-2022-13 Apply for and Accept an Improving Neighborhood Outcomes Grant

**RESOLUTION GR-2022-13**

**AUTHORIZATION TO APPLY FOR AND ACCEPT AN *IMPROVING NEIGHBORHOOD OUTCOMES* IN DISPROPORTIONALLY IMPACTED COMMUNITIES GRANT**

**WHEREAS**, the State of Georgia "Coronavirus State and Local Fiscal Recovery Funds" for the *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* Grant are intended to support local governments and nonprofits in improving and maintaining recreational facilities in Qualified Census Tracts and help communities further move past the effects of the coronavirus pandemic and become healthier; and

**WHEREAS**, grant awards are available on a competitive basis for qualifying projects that improve neighborhood features that promote improved health and safety outcomes such as parks, greenspaces, recreational facilities, sidewalks, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, and other projects that revitalize public spaces; and

**WHEREAS**, the 2022 Athens Street-129 South Corridors Master Plan illustrates a stakeholder-driven vision to invest in Athens Street and to reconnect it both visually and physically as well as outlines recommendations related to sidewalk connectivity, improved pedestrian safety, greenspace and gathering places in the Athens Street corridor and lists several activities under the "Implementation Plan" intended to realize the vision of a safe, connected community; and

**WHEREAS**, the City is committed to assisting with the implementation of the 2022 Athens Street Master Plan and wishes to apply for a State *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* grant in the amount of $2 million to be used on eligible activities intended to achieve priorities outlined in the Athens Street Master Plan designed to provide a complete pedestrian network to enhance safety and walkability, beautify the corridor with street trees and other landscaping, and provide greenspaces and gathering places; and

**WHEREAS**, a local match is not required but encouraged and will increase the competitiveness of the application, and thus, the City intends to contribute $400,000 towards a local match using a combination of funds from its Parks and Recreation Impact Fees and FY23 Capital Projects Budget for the Athens Street Plan Implementation.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby authorizes submittal by the Community and Economic Development Department of an application for an *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* grant.

**BE IT FURTHER RESOLVED THAT** if awarded, the governing body authorizes the Mayor or City Manager to sign necessary documents to accept, execute and administer the grant.

**Adopted this _____ day of _____, 2022.**

**RESOLUTION GR-2022-13**

**AUTHORIZATION TO APPLY FOR AND ACCEPT AN *IMPROVING NEIGHBORHOOD OUTCOMES* IN DISPROPORTIONALLY IMPACTED COMMUNITIES GRANT**

**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**