

1 STATE OF GEORGIA
2 CITY OF COLLEGE PARK
3

4 **ORDINANCE NO. 2015-11**

5 AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF
6 COLLEGE PARK AND TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF
7 COLLEGE PARK, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL
8 CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER
9 PURPOSES.

10 **WHEREAS**, the governing authority of the City of College Park, Georgia (the “City”), is
11 the Mayor and Council thereof;

12 **WHEREAS**, the governing authority of the City desires to annex certain property into
13 the City and to maintain the zoning designation of such property located within the City; and,
14 **WHEREAS**, the health, safety, and welfare of the citizens of the City, will be positively
15 impacted by the adoption of this Ordinance.

16 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE**
17 **CITY OF COLLEGE PARK, GEORGIA**, and by the authority thereof:

18 **Section 1.** The following properties are hereby annexed into the City of College Park,
19 Georgia pursuant to the authority of O.C.G.A. § 36-36-21 et seq.:

- 20 • PARCEL ID # 09F-3601-0129-066-9 (0 Delano Road)
- 21 • PARCEL ID # 09F-3602-0130-086-3 (0 Welcome All Road)
- 22 • PARCEL ID # 09F-3601-0129-054-5 (4971 Delano Road)

23 The areas to be annexed are further identified on the map entitled “City of College Park
24 Proposed Annexation 9-8-15,” which is attached hereto and incorporated herein by reference as
25 Exhibit A.

26 **Section 2.** The following properties are hereby rezoned to the zoning designation of AG-
27 1, Agricultural:

- 28 • PARCEL ID # 09F-3601-0129-066-9 (0 Delano Road)
- 29 • PARCEL ID # 09F-3602-0130-086-3 (0 Welcome All Road)
- 30 • PARCEL ID # 09F-3601-0129-054-5 (4971 Delano Road)

31 **Section 3.** The rezonings indicated in Section 2 hereto are to be noted on the official City
32 of College Park Zoning Map approved by Mayor and Council as soon as reasonably possible
33 following adoption of this Ordinance, along with an editorial note on the official City of College
34 Park Zoning Map specifying the parcel(s) affected by this Ordinance and the date of adoption of
35 this Ordinance.

36 Until the rezonings are indicated on the official City of College Park Zoning Map
37 approved by Mayor and Council, this Ordinance and Exhibit A shall govern over the official City
38 of College Park Zoning Map to the extent of any discrepancy between this Ordinance and the
39 official City of College Park Official Zoning Map.

40 **Section 4.** The preamble of this Ordinance shall be considered to be and is hereby
41 incorporated by reference as if fully set out herein.

42 **Section 5.** (a) It is hereby declared to be the intention of the Mayor and Council that all
43 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
44 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

45 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
46 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
47 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
48 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
49 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this
50 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
51 of this Ordinance.

52 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
53 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
54 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the
55 express intent of the Mayor and Council that such invalidity, unconstitutionality or
56 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
57 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or
58 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
59 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,
60 enforceable, and of full force and effect.

61 **Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby
62 expressly repealed.

63 **Section 7.** Penalties in effect for violations of the Zoning Ordinance of the City of
64 College Park at the time of the effective date of this Ordinance shall be and are hereby made
65 applicable to this Ordinance and shall remain in full force and effect.

66 **Section 8.** The effective date of this Ordinance shall be the date of adoption unless
67 otherwise specified herein.

68

ORDAINED this 8th day of September, 2015.

70

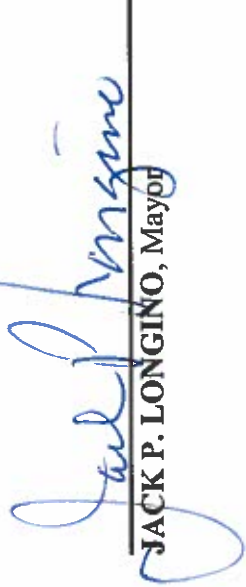
71

CITY OF COLLEGE PARK, GEORGIA

72

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JACK P. LONGINO, Mayor

75 ATTEST:

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78


MELISSA BROOKS, City Clerk

79

80 APPROVED AS TO FORM:

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82

83



STEVE FINCHER, City Attorney

EXHIBIT "A"
PROPOSED ANNEXED AREA
(ATTACHED)

TABLE 1. PARCELS FOR PROPOSED ANNEXATION

PARCEL ID NUMBER	ADDRESS	ACREAGE	FULTON COUNTY ZONING DISTRICT AND FUTURE LAND USE MAP DESIGNATION	PROPOSED COLLEGE PARK ZONING DISTRICT AND FUTURE DEVELOPMENT MAP DESIGNATION
09F-3602-0130-086-3	0 WELCOME ALL ROAD	52.00 ACRES	AG-1 (Agricultural)/ Business Park	AG-1 (Agricultural)/Industrial
09F-3601-0129-066-9	0 DELANO ROAD	9.37 ACRES	AG-1 (Agricultural)/ Community Live-Work	AG-1 (Agricultural)/Mixed Use Town Center
09F-3601-0129-054-5	4971 DELANO ROAD	.401 ACRES	AG-1 (Agricultural)/ Community Live-Work	AG-1 (Agricultural)/Mixed Use Town Center
TOTAL		61.771 ACRES		

BEN

ORCHARD DR. SW

DELANO RD.

WECOME ALL RD.

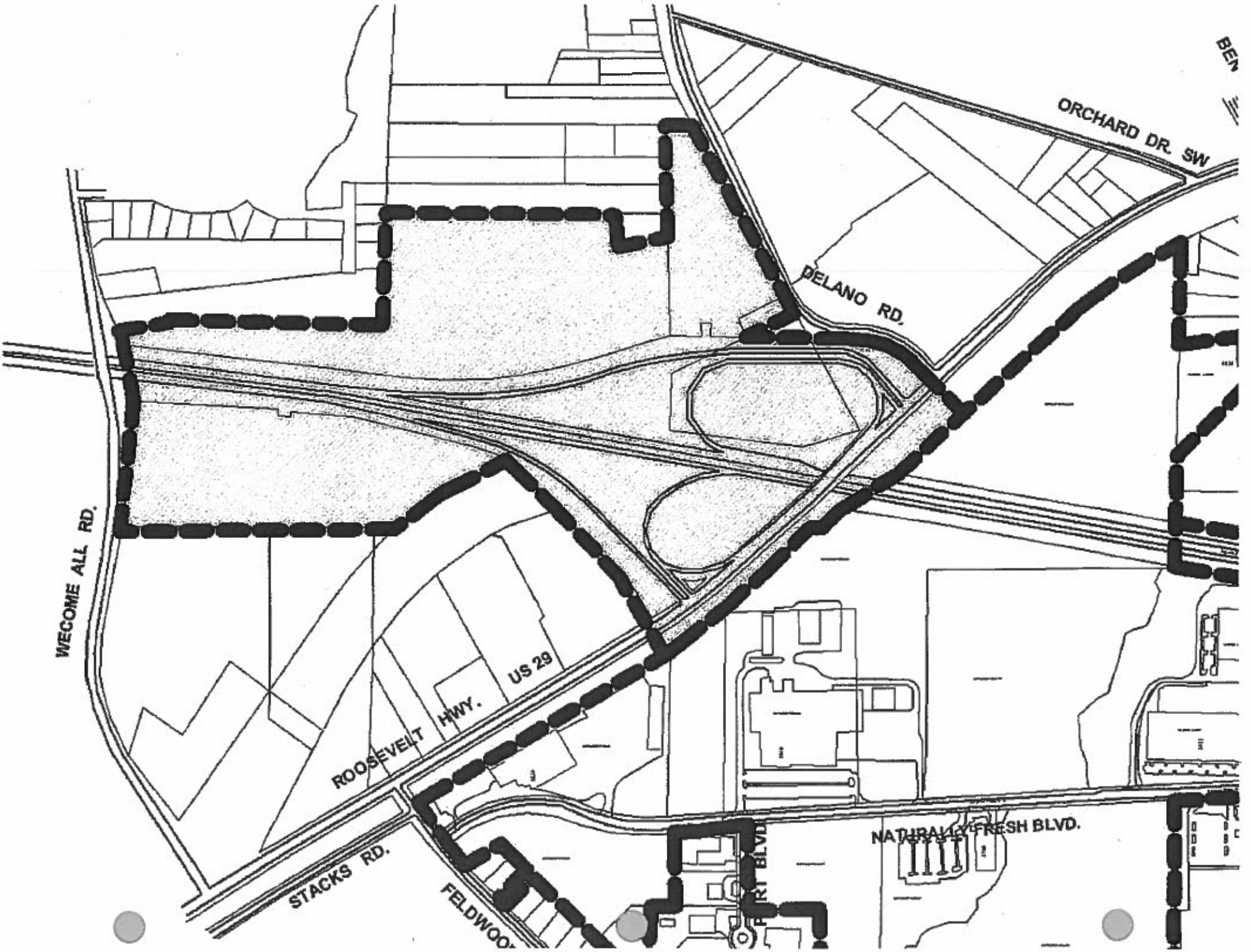
ROOSEVELT HWY. US 29

STACKS RD.

FELDWOOD

FURT BLVD

NATURALLY FRESH BLVD.





Department of Planning and Community Services
Fulton County Government Service Center
At Fulton Industrial Boulevard
5440 Fulton Industrial Boulevard
Atlanta, GA 30336

June 17, 2015

Honorable Jack P. Longino
Mayor
City of College Park
P.O. Box 87137
College Park, GA 30337
RE: Annexation Petition

Dear Mayor Longino:

The Fulton County Department of Planning and Community Services received a letter from College Park dated June 5, 2015 providing notice of a proposed annexation of approximately 61.771 acres in the area of Delano Road. The purpose of my letter to you is to provide notification that the Fulton County Board of Commissioners at their June 17, 2015 meeting approved Agenda item 15-0523. This item approved notification to the City of College Park that Fulton County has no objection to this annexation.

If you would like to discuss either of these matters, you may contact Michelle Macauley at 404-612-8052.

Sincerely,

Randy Beck
Director

CITY OF COLLEGE PARK

ANNEXATION PETITION

6/2/15
(Date of Submission)

To the Mayor and City Council of College Park, Georgia,

We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the Mayor and City Council of the City of College Park annex this territory to the City of College Park, Georgia, and extend the city boundaries to include the same.


I have been advised that the State Law (Georgia Code 36-36-20) requires a survey of properties to be annexed. Therefore, I agree to provide at my expense, a complete survey of the property conveyed by this petition, including a metes and bounds description, prepared by a competent surveyor.

I understand that my execution of this petition, as evidenced by my signature below does not guarantee the annexation of my property into College Park. I further understand that as a condition of my property being annexed into the City of College Park, the property must be contiguous to the present or future legal corporate limits of the City of College Park. The City will inform me of the date of the public hearing at which my property will be considered and voted on for annexation.

I further understand that I may withdraw this annexation petition at any time prior to the time the Annexation Petition is acted upon by the Mayor and Council of the City of College Park.

The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of College Park, Georgia, and the description of such territory is as follows:

[Insert or attach complete description(s) of land to be annexed.]

Name	Address	Signature	Date
Paul Steck	1266 W. Paces Ferry Rd #181 Atlanta, GA 30327		6/2/15

REZONING

RECEIVED
JUN 03 2015
INGRANVILLE

DATE SUBMITTED

6/2/15

CITY OF COLLEGE PARK
Planning Commission



www.collegeparkga.com

APPLICANT INFORMATION

APPLICANT NAME (PLEASE PRINT)

Paul Stack

ADDRESS 1266 West Paces Ferry Rd #181, Atlanta, GA 30327

PHONE 678-904-9951 CELL 404-964-2866 FAX 678-904-9950

E-MAIL ADDRESS pstack@oscp.net

OWNER INFORMATION (if different from Applicant)

Frank Schuler, IV
Manager

PROPERTY OWNER (PLEASE PRINT)

SFP Welcome OSCP1 LLC

ADDRESS 1266 West Paces Ferry Rd #181, Atlanta, GA 30327

PHONE 678-904-9404 CELL 404-323-1165 FAX 678-904-9402

E-MAIL ADDRESS schuler@oscp.net

PROPERTY INFORMATION

ADDRESS 4970 Delano Rd, Atlanta, GA 30349 (the entire property known as "SFP Welcome OSCP1 LLC")
(consists of several parcels totalling 62 +/- acres on both the north and south side of South Fenton Parkway)

CURRENT USE Vacant land CURRENT ZONING AG-1

PROPOSED USE No current plans PROPOSED ZONING AG

SIZE OF PROPERTY 62 +/- acres NET DENSITY (RESIDENTIAL) 0

APPLICANT AFFIDAVIT

Personally appeared before me Paul Stack who on oath deposes and states that the

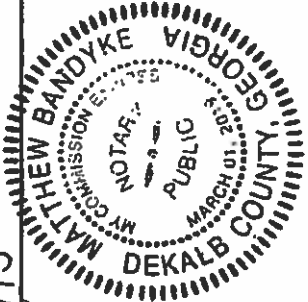
information contained in this application is true to the best of his/her knowledge and belief:


Notary Public


Signature of Applicant

6/02/15

Paul Stack
Print Name



6/02/15
Date

1266 West Paces Ferry Rd, #181
Address

Atlanta, GA 30327
City, State, Zip

OWNER'S AFFIDAVIT

Personally appeared before me Frank A. Schuler IV, as Manager who on oath agrees with

(Property Owner's Name)

me the rezoning request and states that the information contained in this application is true to the best of his/her knowledge and belief:


Notary Public


Signature of Applicant

6/02/15

Paul Stack
Print Name

6/02/15
Date

1266 West Paces Ferry Rd, #181
Address

Atlanta, GA 30327
City, State, Zip

Signature of City Clerk

Date

ADDENDUM TO APPLICATION FOR REZONING
(As required by Section 36-85-3 of the Official Code of Georgia, Annotated)

36-85 3 (a) When any applicant for rezoning action has made, within two years, immediately preceding the filing of that applicant's application for the re-zoning action, campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the applicant and the attorney representing the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name of the local government official to whom the campaign contribution or gift was made.
- (2) The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution and
- (3) An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to the local government official during the two years immediately preceding the filing of the application for the zoning change.

Pursuant to the above, please list all campaign contributions to elected officials of the City of College Park a minimum of two years prior to the filing of this Rezoning Application totaling \$250 or more or gifts to elected officials of the City of College Park with an aggregate value of \$250 a minimum of two years prior to the filing of this Rezoning Application:

<u>City Elected Official</u>	<u>Amount of Gift</u>	<u>\$ Amount of Campaign Contribution</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>



ATTEST:

[Signature]

Notary Public

[Signature]
Rezoning Applicant

6/2/15
Date

NOTE: This certification must be filed in the Office of the City Clerk, College Park, Georgia, within 10 days of the date of filing the application.



Ornstein-Schuler Capital Partners, LLC

June 2, 2015

City of College Park
To the Mayor and City of College Park, Georgia
3667 Main Street
College Park, GA 30337

Re: Letter of Ownership

To Whom It May Concern:

This letter is to confirm that SFP Welcome OSCPI LLC ("the Property") is the owner of land at 4970 Delano Road and several contiguous land parcels consisting of approximately 62+/- acres on both the north and south sides of South Fulton Parkway. The Property has frontage on the north and south sides of South Fulton Parkway, Delano Road, Welcome All Road on both the north and south side of South Fulton Parkway, as well as frontage on the western side of the cloverleaf intersection of Roosevelt Highway and South Fulton Parkway.

This letter further confirms that I, Frank A. Schuler IV, am the Managing Member and Authorized Manager of the Property and that I have authorized Paul Stack to serve as Applicant and to file all the necessary paperwork to annex the Property into the City of College Park.

Our company is applying for annexation with the City of College Park because we like the new and existing developments that are of very high quality, such as the GICC, Marriott Hotel, the Chick Fil-A, Club E, etc., not to mention Woodward Academy. We feel that the quality and service levels are high. In short, we would like to be a part the positive growth and energy of College Park.

Sincerely,

Frank A. Schuler IV
President & COO
Ornstein-Schuler Capital Partners, LLC

SFP WELCOME OSCPI LLC,
a Georgia limited liability company

By: *Paul Stack* as Manager (SEAL)
Frank A. Schuler IV, Managing Member of
Ornstein-Schuler Capital Partners, LLC,
Authorized Manager



Ornstein-Schuler Capital Partners, LLC

June 2, 2015

City of College Park
To the Mayor and City of College Park, Georgia
3667 Main Street
College Park, GA 30337

Re: Letter of Intent

To Whom It May Concern:

Our intent is to annex SFP Welcome OSCPI LLC ("the Property"), approximately 62+/- acres on both the north and south sides of South Fulton Parkway at Delano Road, Welcome All Road and Roosevelt Highway into the City of College Park.

Our company is applying for annexation with the City of College Park because we like the new and existing developments that are of very high quality, and feel that these developments reflect on the quality of the City.

While we don't have any specific development plans at the present time, we would like to be a part the positive growth and energy of College Park to position the Property for future development.

Sincerely,

Frank A. Schuler IV
President & COO
Ornstein-Schuler Capital Partners, LLC

SFP WELCOME OSCPI LLC,
a Georgia limited liability company

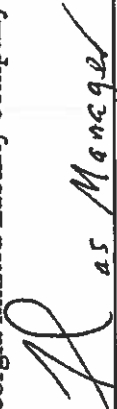
By:  as Manager (SEAL)
Frank A. Schuler IV, Managing Member of
Ornstein-Schuler Capital Partners, LLC,
Authorized Manager

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 129 & 130 OF THE 9TH F DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS TWO TRACTS OF LAND AS FOLLOWS:

TRACT I:

BEGINNING AT THE RIGHT OF WAY MONUMENT FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY (VARIABLE RIGHT OF WAY WIDTH) AND THE EASTERN RIGHT OF WAY OF WELCOME ALL ROAD (VARIABLE RIGHT OF WAY WIDTH); RUNNING THENCE NORTH 26 DEGREES 17 MINUTES 31 SECONDS WEST 47.19 FEET TO A REBAR FOUND; RUNNING THENCE NORTH 83 DEGREES 43 MINUTES 20 SECONDS EAST 156.90 FEET TO A REBAR FOUND; RUNNING THENCE SOUTH 85 DEGREES 46 MINUTES 39 SECONDS EAST 36.70 FEET TO A REBAR FOUND; RUNNING THENCE NORTH 04 DEGREES 24 MINUTES 12 SECONDS EAST 35.79 FEET TO A REBAR FOUND; RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES 22 SECONDS EAST 1,197.84 FEET TO A REBAR FOUND; RUNNING THENCE NORTH 01 DEGREE 41 MINUTES 53 SECONDS EAST 274.03 FEET TO A REBAR FOUND; RUNNING THENCE NORTH 00 DEGREES 21 MINUTES 57 SECONDS EAST 125.00 FEET TO AN IRON ANGLE FOUND; RUNNING THENCE NORTH 00 DEGREES 36 MINUTES 38 SECONDS EAST 100.00 FEET TO A REBAR FOUND; RUNNING THENCE NORTH 88 DEGREES 38 MINUTES 35 SECONDS EAST 1,182.82 FEET TO AN IRON PIN SET; RUNNING THENCE SOUTH 05 DEGREES 25 MINUTES 35 SECONDS WEST 150.00 FEET TO AN IRON PIN SET; RUNNING THENCE NORTH 89 DEGREES 11 MINUTES 40 SECONDS EAST 300.00 FEET TO AN IRON PIN (SQUARE ROD) FOUND ON THE LINE DIVIDING LAND LOTS 130 & 129, OF THE 9TH F DISTRICT OF FULTON COUNTY, GEORGIA; RUNNING THENCE NORTH 05 DEGREES 22 MINUTES 40 SECONDS WEST 151.16 FEET TO AN AXLE FOUND; RUNNING THENCE NORTH 01 DEGREE 06 MINUTES 29 SECONDS WEST 415.96 FEET TO A REBAR FOUND ON THE ABOVEMENTIONED LAND LOT DIVIDING LINE; RUNNING THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS EAST 158.32 FEET TO AN IRON PIN SET ON THE SOUTHWESTERN RIGHT OF WAY OF DELANO ROAD (60 FOOT RIGHT OF WAY); RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 25 DEGREES 22 MINUTES 09 SECONDS EAST 964.60 FEET TO A REBAR FOUND; CONTINUING THENCE ALONG SAID RIGHT OF WAY SOUTH 27 DEGREES 11 MINUTES 29 SECONDS EAST 90.00 FEET TO A REBAR FOUND; LEAVING SAID RIGHT OF WAY AND RUNNING THENCE SOUTH 60 DEGREES 44 MINUTES 21 SECONDS WEST 200.73 FEET TO AN IRON PIN SET ON THE NORTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY; RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 89 DEGREES 31 MINUTES 50 SECONDS WEST 138.62 FEET TO A POINT; RUNNING THENCE NORTH 11 DEGREES 46 MINUTES 46 SECONDS WEST 50.99 FEET TO A POINT; RUNNING THENCE SOUTH 89 DEGREES 31 MINUTES 50 SECONDS WEST 40.00 FEET TO A POINT; RUNNING THENCE SOUTH 00 DEGREES 28 MINUTES 11 SECONDS EAST 50.00 FEET TO A POINT FOUND ON THE NORTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY; RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 89 DEGREES 31 MINUTES 49 SECONDS WEST 13.01 FEET TO A POINT; CONTINUING THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 247.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 84 DEGREES 50 MINUTES 01 SECOND WEST 246.85 FEET TO THE INTERSECTION OF SAID RIGHT OF WAY WITH THE ABOVEMENTIONED LAND LOT DIVIDING LINE; CONTINUING THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 172.99 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 76 DEGREES 50 MINUTES 58 SECONDS WEST 172.90 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY SOUTH 73 DEGREES 33 MINUTES 42 SECONDS WEST 322.33 FEET TO A POINT; CONTINUING THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 226.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 77 DEGREES 05 MINUTES 35 SECONDS WEST 226.05 FEET TO A POINT; LEAVING SAID RIGHT OF WAY AND RUNNING THENCE NORTH 09 DEGREES 22 MINUTES 31 SECONDS WEST 50.00 FEET TO A POINT; RUNNING THENCE SOUTH 81 DEGREES 13 MINUTES 29 SECONDS WEST 37.38 FEET TO A POINT; RUNNING THENCE SOUTH 08 DEGREES 10 MINUTES 31 SECONDS EAST 50.00 FEET TO THE

Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

NORTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY; RUNNING THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 531.65 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 89 DEGREES 52 MINUTES 28 SECONDS WEST 529.80 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 82 DEGREES 37 MINUTES 56 SECONDS WEST 341.03 FEET TO A POINT; CONTINUING THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 402.10 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 81 DEGREES 33 MINUTES 40 SECONDS WEST 402.09 FEET TO A POINT; LEAVING SAID RIGHT OF WAY AND RUNNING THENCE NORTH 07 DEGREES 56 MINUTES 30 SECONDS EAST 45.00 FEET TO A POINT; RUNNING THENCE NORTH 82 DEGREES 03 MINUTES 38 SECONDS WEST 68.64 FEET TO A POINT; RUNNING THENCE SOUTH 07 DEGREES 56 MINUTES 22 SECONDS WEST 45.00 FEET TO THE NORTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY; RUNNING THENCE ALONG SAID RIGHT OF WAY NORTH 82 DEGREES 03 MINUTES 38 SECONDS WEST 784.71 FEET TO THE RIGHT OF WAY MONUMENT FOUND AT THE POINT OF BEGINNING; BEING APPROXIMATELY 40.83 ACRES OF LAND IN FULTON COUNTY, GEORGIA.

AND TRACT II:

BEGINNING AT THE RIGHT OF WAY MONUMENT FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY AND THE EASTERN RIGHT OF WAY OF WELCOME ALL ROAD; RUNNING THENCE ALONG THE SOUTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY SOUTH 82 DEGREES 03 MINUTES 38 SECONDS EAST 660.73 FEET TO A POINT; LEAVING SAID RIGHT OF WAY AND RUNNING THENCE SOUTH 07 DEGREES 56 MINUTES 23 SECONDS WEST 35.00 FEET TO A POINT; RUNNING THENCE SOUTH 82 DEGREES 03 MINUTES 38 SECONDS EAST 65.00 FEET TO A POINT; RUNNING THENCE NORTH 07 DEGREES 56 MINUTES 22 SECONDS EAST 35.00 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF SOUTH FULTON PARKWAY; RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 82 DEGREES 03 MINUTES 38 SECONDS EAST 28.64 FEET TO A POINT; CONTINUING THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 400.61 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 81 DEGREES 33 MINUTES 23 SECONDS EAST 400.60 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY SOUTH 77 DEGREES 45 MINUTES 54 SECONDS EAST 587.43 FEET TO A POINT; CONTINUING THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 187.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 70 DEGREES 40 MINUTES 11 SECONDS EAST 187.13 FEET TO A POINT; LEAVING SAID RIGHT OF WAY AND RUNNING THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE 585.53 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 57 DEGREES 18 MINUTES 23 SECONDS WEST 583.58 FEET TO A POINT FOUND ON THE LINE DIVIDING LAND LOTS 130 & 127 OF THE 9TH DISTRICT OF FULTON COUNTY, GEORGIA; RUNNING THENCE ALONG SAID LAND LOT DIVIDING LINE NORTH 89 DEGREES 49 MINUTES 34 SECONDS WEST 665.91 FEET TO A CRIMP TOP PIPE; CONTINUING THENCE ALONG SAID LAND LOT FOUND ON THE EASTERN RIGHT OF WAY OF WELCOME ALL ROAD; RUNNING THENCE ALONG SAID RIGHT OF WAY NORTH 09 DEGREES 04 MINUTES 33 SECONDS EAST 480.48 FEET TO AN IRON PIN SET; CONTINUING THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND FOLLOWING THE CURVATURE THEREOF ALONG THE ARC OF A CURVE 180.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 04 DEGREES 10 MINUTES 55 SECONDS EAST 180.46 FEET TO THE RIGHT OF WAY MONUMENT FOUND AT THE POINT OF BEGINNING; BEING APPROXIMATELY 20.99 ACRES OF LAND IN FULTON COUNTY, GEORGIA.

ALL ACCORDING TO SURVEY PREPARED BY SURVEY SYSTEMS AND ASSOCIATES, INC., DATED JUNE 22, 2004, BEING THE SAME PROPERTY AS CONVEYED IN DEEDS RECORDED IN DEED BOOK 7226, PAGE 484, DEED BOOK 7226, PAGE 485 AND DEED BOOK 7183, PAGE 420, FULTON COUNTY, GEORGIA RECORDS, BEING APPROXIMATELY 61.82 ACRES OF LAND ON SOUTH FULTON PARKWAY BETWEEN WELCOME ALL ROAD AND DELANO ROAD IN FULTON COUNTY, GEORGIA.