

---

**CITY COUNCIL AGENDA ITEM**

---

**TO:** Mayor & City Council

**DATE:** October 20, 2010

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Approval of the Acceptance of the Donations of the Right-of-Way as part of the zoning requirements

**MEETING DATE:** For Submission onto the November 2, 2010, City Council Regular Meeting Agenda

---

**BACKGROUND INFORMATION:** (Attach additional pages if necessary)

See attached:

Memorandum  
Resolution  
Exhibits A - G

---

**APPROVAL BY CITY MANAGER:** \_\_\_\_\_

APPROVED

\_\_\_\_\_ NOT APPROVED

**PLACED ON AGENDA FOR:** \_\_\_\_\_

**CITY ATTORNEY APPROVAL REQUIRED:** (  ) YES (  ) NO

**CITY ATTORNEY APPROVAL:** \_\_\_\_\_

**REMARKS:**



TO: John McDonough, City Manager

FROM: Thomas Black, Public Works Director

DATE: October 19, 2010, for Submission onto Agenda of the November 2, 2010, City Council Meeting

ITEM: Consideration of Approval of the Acceptance of the Donations of the Right-of-Way as part of the zoning requirements.

---

***Public Works Department's Recommendation:***

The staff recommends that the Mayor and City Council accept the right-of-way donations listed below:

- Tract or parcel of land lying and located in Land Lot 13 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by Christopher L. Harris of 4625 PTC < LLC. The donated right of way totals 7,656 Square Feet and is being donated as required by conditions of zoning.
- Tract or parcel of land lying and located in Land Lot 24 & 384 of the 6<sup>th</sup> & 18<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by 17 at Dunwoody LLC. The donated right-of-way totals 1,495 Square Feet and is being donated as required by conditions of zoning.
- Tract or parcel of land lying and located in Land Lot 36 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by The Evangelical Lutheran Church of the Apostles, Inc. The donated right-of-way totals 5,077 Square Feet and is being donated as required by conditions of zoning.
- Tract or parcel of land lying and located in Land Lot 38 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by BTIC Glenridge LLC. The donated right-of-way totals 6,315 Square Feet and is being donated as required by conditions of zoning.
- Tract or parcel of land lying and located in Land Lot 89 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by Ming Hsien Chu of CK City Walk LLC, The donated right of way totals 9,917 Square Feet and is being donated as required by conditions of zoning.
- Tract or parcel of land lying and located in Land Lot 121 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by Stewart Weinhoff of Dar-Court Builders LLC. The donated right of way totals 1,678 Square Feet and is being donated as required by conditions of zoning.

- Tract or parcel of land lying and located in Land Lot 130 & 169 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by The Catholic Society of Religious and Literary Education. The donated right-of-way totals 16,698 Square Feet and is being donated as required by conditions of zoning.

***Background:***

Right of way dedication is required per conditions of zoning and the Development Regulation Ordinance. The property owners have paid the recording fees and met the requirements of the Right of Way office for donation of property.

***Discussion:***

The attached exhibit includes the Legal Description and Right-of-Way drawing.

***Alternatives:***

N/A

***Financial Impact:***

N/A.

***Attachments:***

- I. Exhibits
  - A. 4625 PTC< LLC
  - B. 17 at Dunwoody LLC
  - C. The Evangelical Lutheran Church of the Apostles, Inc
  - D. BTIC Glenridge LLC
  - E. Ming Hsien Chu of CK City Walk LLC,
  - F. Dar-Court Builders LLC
  - G. Catholic Society
- II. Resolution

STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF THE RIGHT-OF-WAY ON PROPERTY  
LOCATED IN LAND LOTS 13, 24, 36, 38, 121, AND 384 OF THE 17TH DISTRICT, CITY OF  
SANDY SPRINGS, FULTON COUNTY, GEORGIA**

**WHEREAS**, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

**WHEREAS**, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA**

That the City of Sandy Springs Mayor and City Council approve the acceptance of the donations of the right-of-Way as part of the zoning requirements for the following properties: Christopher L. Harris of 4625 PTC< LLC (Land Lot 13), 17 at Dunwoody LLC (Land Lots 24 and 384), The Evangelical Lutheran Church of the Apostles, Inc (Land Lot 36), BTIC Glenridge LLC (Land Lot 38), Ming Hsien Chu of CK City Walk LLC (Land Lot 89), and Stewart Weinhoff of Dar-Court Builders LLC (Land Lot 121).

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the requested 32,138 Square Feet of Right-of-Way located in land lots 13, 24, 36, 38, 121, and 384 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia.

**RESOLVED** this the 2<sup>nd</sup> day of November 2010.

Approved:

\_\_\_\_\_  
Eva Galambos, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk  
(Seal)

**Georgia, Fulton County**

**Right of Way Deed**

This Indenture, made this 23<sup>rd</sup> day of August 2010, between 4625 PTD, LLC as Grantor, and the **City of Sandy Springs**, a municipal corporation of the State of Georgia, as Grantee.

Witnesseth:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

All that tract or parcel of land lying and being in Land Lot 13 of the 17 District of Fulton County, Georgia, and being more particularly described in Exhibit "A" attached hereto and shown on the Plat attached as Exhibit "B".

It is the intent of the parties that the City of Sandy Springs shall have a total Right of Way of 7,656 square feet for the purpose of (road improvements) (sidewalk and street improvements).

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

In witness whereof Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

Print Name of Corporation or Limited Liability Co:  
By: 4625 PTD, LLC  
By: Atlanta Capital, LLC, Manager

*B M*  
Unofficial Witness

*Ch Harris*  
Notary Public

(Seal)



By: *Ch Harris* (Seal)  
Print Name: Christopher L. Harris  
Title: Manager

Attest:

*Jill Haney* (Seal)  
Print Name:  
Title: Secretary, metro land management, Inc

(Corporate Seal)

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lot 13 of the 17th District, City of Sandy Springs, Georgia and being more particularly described as follows:

BEGINNING at a point on the Easterly right-of-way of Peachtree-Dunwoody Road as measured along said right-of-way 135.34 feet North from the intersection with the Northerly right-of-way of Registry Lane; THENCE proceeding SOUTH 82 DEGREES 31 MINUTES 28 SECONDS WEST a distance of 17.75 feet; THENCE proceeding along a curve to the left an arc distance of 174.97 feet (said curve having a radius of 542.90 feet and being subtended by a chord bearing of NORTH 12 DEGREES 51 MINUTES 52 SECONDS EAST and a chord distance of 174.21 feet) to a point; THENCE proceeding NORTH 03 DEGREES 37 MINUTES 54 SECONDS EAST a distance of 17.03 feet to a point; THENCE proceeding along a curve to the right an arc distance of 310.88 feet (said curve having a radius of 491.48 feet and being subtended by a chord bearing of NORTH 21 DEGREES 45 MINUTES 09 SECONDS EAST and a chord distance of 305.72 feet) to a point; THENCE proceeding SOUTH 33 DEGREES 36 MINUTES 21 SECONDS EAST a distance of 16.20 feet to a point; THENCE proceeding along a curve to the left an arc distance of 296.46 feet (said curve having a radius of 475.98 feet and being subtended by a chord bearing of SOUTH 21 DEGREES 28 MINUTES 31 SECONDS WEST and a chord distance of 291.70 feet) to a point; THENCE proceeding SOUTH 03 DEGREES 37 MINUTES 54 SECONDS WEST a distance of 17.03 feet to a point; THENCE proceeding along a curve to the right an arc distance of 171.21 feet (said curve having a radius of 558.41 feet and being subtended by a chord bearing of SOUTH 12 DEGREES 24 MINUTES SECONDS WEST and a chord distance of 170.54 feet) to a point.

Said parcel contains 7,656 square feet.

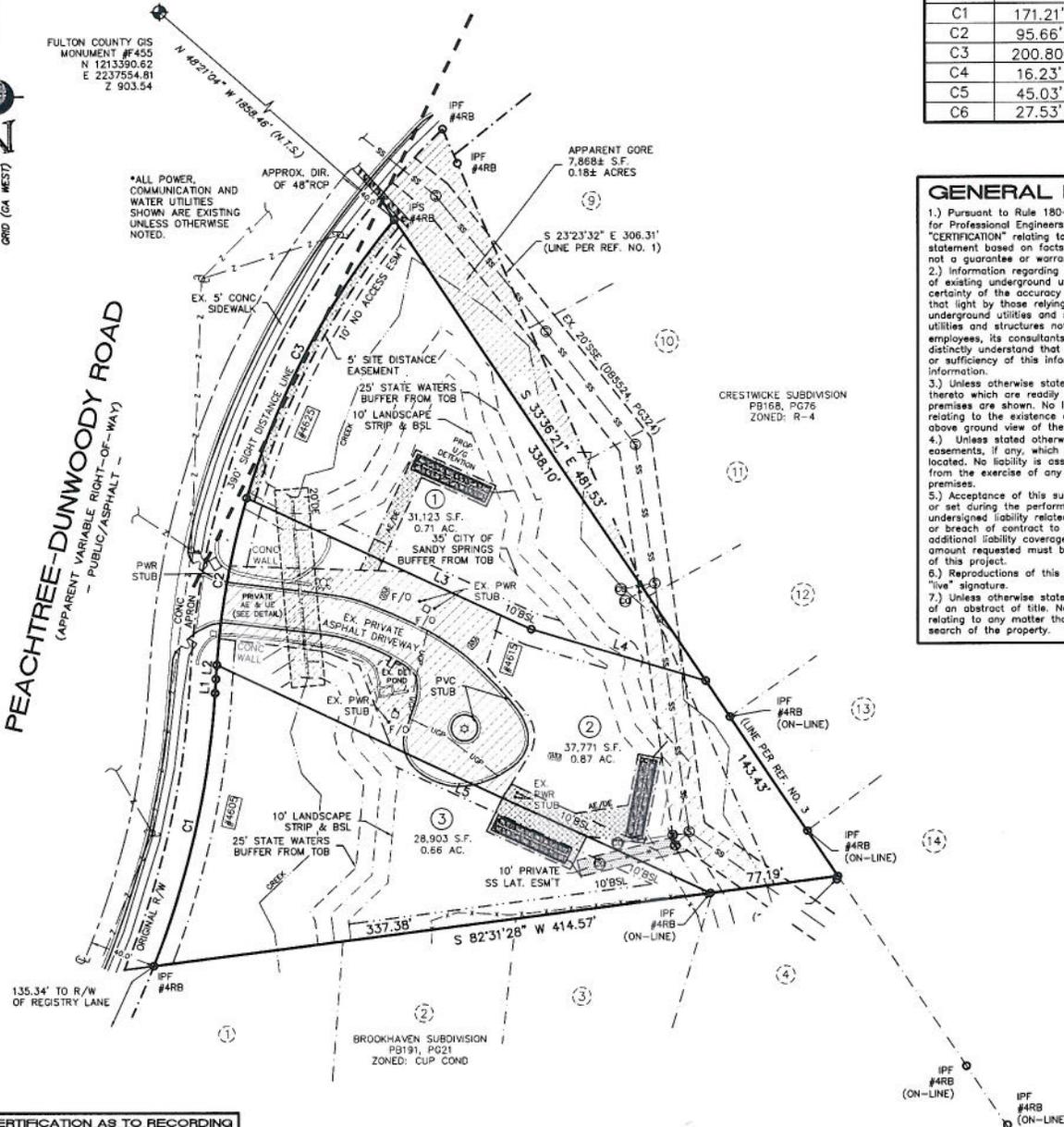


FULTON COUNTY GIS  
MONUMENT #F455  
N 1213390.62  
E 2237554.81  
Z 903.54

PEACHTREE-DUNWOODY ROAD  
(APPARENT VARIABLE RIGHT-OF-WAY)  
- PUBLIC/ASPHALT -

\*ALL POWER, COMMUNICATION AND WATER UTILITIES SHOWN ARE EXISTING UNLESS OTHERWISE NOTED.

SITE DISTANCE EASEMENT WILL ALLOW FOR THE TRIMMING OF VEGETATION AND WILL REMAIN FREE OF ANY STRUCTURES THAT MAY IMPAIR VISIBILITY.



CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	171.21'	558.41'	N12°24'54"E	170.54'
C2	95.66'	475.98'	S09°23'22"W	95.50'
C3	200.80'	475.98'	S27°13'59"W	199.32'
C4	16.23'	475.98'	N04°36'32"E	16.23'
C5	45.03'	475.98'	N08°17'45"E	45.01'
C6	27.53'	22.00'	S04°09'38"E	25.77'

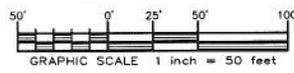
**GENERAL NOTES:**

- Pursuant to Rule 180-6.09 of the Georgia State Board of Registration for Professional Engineers and Land Surveyors, The term "CERTIFY" or "CERTIFICATION" relating to land surveying services shall mean a signed statement based on facts and knowledge known to the land surveyor and is not a guarantee or warranty, either expressed or implied.
- Information regarding the reputed presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those relying on this plat. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, its employees, its consultants, its contractors, and/or its agents shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information shown hereon as to such underground information.
- Unless otherwise stated hereon, only evidence of easements or structures thereto which are readily apparent from a casual above ground view of premises are shown. No liability is assumed by the undersigned for loss relating to the existence of any easement not discovered from my casual above ground view of the premises.
- Unless stated otherwise, governmental jurisdictional areas or negative easements, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- Acceptance of this survey plat or use of the corner monuments found or set during the performance of the field survey hereby limit the undersigned liability related to professional negligent acts, errors, omissions or breach of contract to an amount not to exceed the fee charged. For additional liability coverage from the undersigned, a fee of 2% of the liability amount requested must be paid to the undersigned prior to commencement of this project.
- Reproductions of this plat are not valid unless the seal is signed with a "live" signature.
- Unless otherwise stated hereon, this survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N03°37'54"E	8.51'
L2	N03°37'54"E	8.52'
L3	S64°48'01"E	189.52'
L4	S73°11'55"E	109.30'
L5	S64°48'01"E	327.98'
L6	S88°00'25"E	106.05'
L7	S64°48'01"E	63.39'
L8	N31°41'23"E	30.50'
L9	N40°00'39"W	37.18'
L10	N15°53'16"E	32.08'
L11	S64°48'01"E	74.37'
L12	S67°45'03"E	22.76'
L13	S21°14'28"E	52.38'
L14	S82°48'23"E	63.88'

**CERTIFICATION AS TO RECORDING**  
This to certify that this plat has been recorded in  
Plat Book \_\_\_\_\_ Page \_\_\_\_\_ of Fulton  
County Records on \_\_\_\_\_ 20\_\_\_\_  
Clerk, Superior Court Fulton County, Georgia

\*STREAM BUFFERS ARE MEASURED FROM THE POINT OF WRESTED VEGETATION.



**SEI**  
SOUTHEASTERN ENGINEERING, INC.  
7410 Sandy Plains Road, Marietta, Georgia 30066  
Tel: 770-221-3935 Fax: 770-221-3935  
www.seiengineering.com

MEMBER OF THE SURVEYING & MAPPING SOCIETY OF  
ALL MATTERS OF TITLE ARE EXCEPTED. © 2010  
Electronic file 18-14. Do not move your neighbor's  
boundary stone set up by your predecessor...  
SURVEYED BY: [Signature] CHECKED BY: [Signature]

DATE	REVISION

PLAT INFORMATION: SCALE 1"=50' DATE: 15 JUNE 10

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 0.0000 FEET IN ANY ONE LINE AND AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT IS ACCURATE TO 1 FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. THE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON, THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS RECONFESSION BY THE SURVEYOR MAKING SAID PERSON, PERSONS OR ENTITY.

FINAL SUBDIVISION PLAT FOR:  
**ENCLAVE AT PEACHTREE-DUNWOODY**  
LAND LOT 13 OF THE 17TH DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA



**Georgia, Fulton County**

**Right of Way Deed**

This Indenture, made this 25 day of March, 2010, between 17 At Dunwoody LLC, as Grantor, and the **City of Sandy Springs**, a municipal corporation of the State of Georgia, as Grantee.

Witnesseth:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

All that tract or parcel of land lying and being in Land Lot 24 & 384 of the 6<sup>th</sup> & 18th District of Fulton County, Georgia, and being more particularly described in Exhibit "A" attached hereto and shown on the Plat attached as Exhibit "B".

It is the intent of the parties that the City of Sandy Springs shall have a total Right of Way of 1,495 square feet for the purpose of (road improvements) (sidewalk and street improvements).

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

In witness whereof Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

Name of Corporation or Limited Liability Co:

\_\_\_\_\_  
Unofficial Witness

*Laura McAndrew*  
\_\_\_\_\_  
Notary Public



By: *Avi* \_\_\_\_\_ (Seal)  
Print Name: *Avi Hancock*  
Title: *Partner*

Attest:  
\_\_\_\_\_  
Print Name: \_\_\_\_\_ (Seal)  
Title:

(Corporate Seal)

**EXHIBIT "A"**

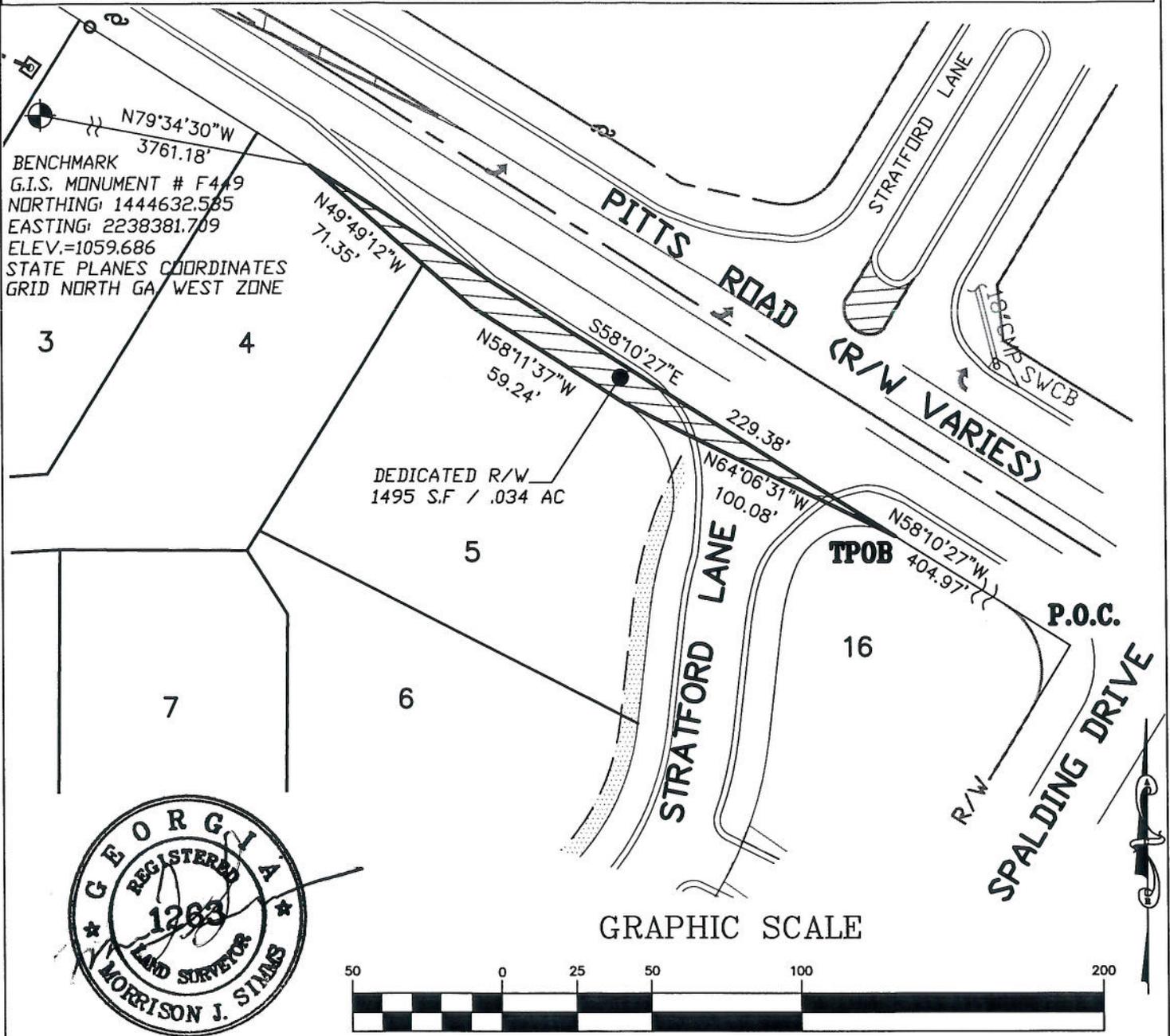
RIGHT-OF-WAY  
DEDICATION  
TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 24 AND 384 OF THE 6<sup>TH</sup> AND 18TH DISTRICT, CITY OF SANDY SPRINGS FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE TRUE POINT OF BEGINNING COMMENCE AT THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PITTS ROAD ; THENCE RUNNING ALONG THE SAID RIGHT-OF-WAY LINE NORTH 58 DEGREES 10 MINUTES 27 SECONDS WEST A DISTANCE OF 404.97 FEET TO A POINT SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND DEPARTING THE SAID RIGHT-OF-WAY LINE NORTH 64 DEGREES 06 MINUTES 31 SECONDS WEST A DISTANCE OF 100.08 FEET TO A POINT; THENCE NORTH 58 DEGREES 11 MINUTES 37 SECONDS WEST A DISTANCE OF 59.24 FEET TO A POINT; THENCE NORTH 49 DEGREES 49 MINUTES 12 SECONDS WEST A DISTANCE OF 71.35 FEET TO A POINT LOCATED BACK ONTO THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF PITTS ROAD; THENCE RUNNING ALONG THE SAID RIGHT-OF-WAY LINE SOUTH 58 DEGREES 10 MINUTES 27 SECONDS EAST A DISTANCE OF 229.38 FEET BACK TO THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.034 ACRE (BEING 1,495 SQUARE FEET).

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER ; LINEAR PRECISION OF TRAVERSE : 1/ 10,000+; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/199,892 . MATTERS OF TITLE ARE EXCEPTED.



**LEGEND**

	P.P.- POWER POLE
	L.P.- LIGHT POLE
	F.H.- FIRE HYDRANT
	M.H.- SANITARY SEWER MANHOLE
	W.M.- WATER METER
	G.M.- GAS METER
	— TYPE OF FENCE

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, NOT RECORDED, OR NOT DISCLOSED IN THE TITLE COMMITMENT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.

THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES STATED ON THE FACE OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

DATE	: 3-25-10	REVISIONS
SCALE	: 1"=SCALE	
DRAWN BY	: JC	
CHECKED BY	: JC	
FIELD BOOK	: N/A	

**EXHIBIT "B"**  
**RIGHT-OF-WAY DEDICATION PLAT**  
 FOR  
**WOODLAND MANOR**  
 CITY OF SANDY SPRINGS  
 FULTON COUNTY, GEORGIA  
 L.L. 24 AND 384 DIST. 6TH AND 18 TH

**AR ENGINEERING, INC.**  
 ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING  
 3040 HOLCOMB BRIDGE ROAD  
 SUITE C-2  
 NORCROSS, GA 30071  
 TEL: (678) 291-0000  
 FAX: (678) 291-8887

**SANDY SPRINGS, GEORGIA**  
**Right of Way Deed**

THIS INDENTURE, made this 3<sup>rd</sup> day of AUGUST, 2009 between the undersigned and SANDY SPRINGS, GEORGIA, party of the second part.

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS in hand paid and the project hereinafter described, party of the first part does grant and convey unto party of the second part, its successors and assigns, the following property to-wit:

That tract of land lying and being in Land Lot 36 of the 17<sup>TH</sup> District of Sandy Springs, Fulton County, Georgia, as described in Exhibits A and B which are attached and hereby incorporated into this deed by reference.

IT IS THE INTENT OF THE PARTIES THAT SANDY SPRINGS, GEORGIA, SHALL HAVE A TOTAL RIGHT OF WAY WIDTH OF 90 FEET (45' half-width) FOR GLENRIDGE DRIVE AND 110 FEET (55' half-width) FOR HAMMOND DRIVE WITH A TOTAL TAKE OF 5077 SQ. FT. FOR THE PURPOSE OF ROAD IMPROVEMENTS TO GLENRIDGE DRIVE AND HAMMOND DRIVE.

Grantor further grants to Sandy Springs, Georgia, the right to grade, till, landscape, or slope for drainage, such private property adjoining this right of way, as may be necessary for the construction and maintenance of said road, and the City of Sandy Springs agrees to provide the material and labor replacement costs for any fence that may become necessary to the City Council of Sandy Springs to move in conjunction with a road improvement project involving this right of way. Any material or labor relocation expenses incurred due to waterline construction will be the responsibility of CITY OF ATLANTA Water Department and/or the FULTON COUNTY Sewerage Authority.

To have and to hold the bargained premises unto grantee, its successors and assigns forever in fee simple.

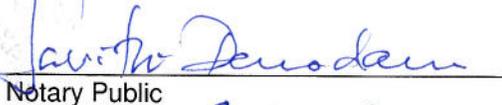
Party of the first part will forever warranty and defend the title to the bargained premises unto party of the second party, its successors and assigns against the claims of the persons whomsoever.

IN WITNESS WHEREOF, party of the first part has hereunto set its hand and seal the day and year above written.

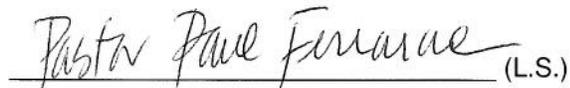
Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Witness

The Evangelical Lutheran Church of the Apostles, Inc.

  
\_\_\_\_\_  
Notary Public

8-3-09

  
\_\_\_\_\_  
(L.S.)

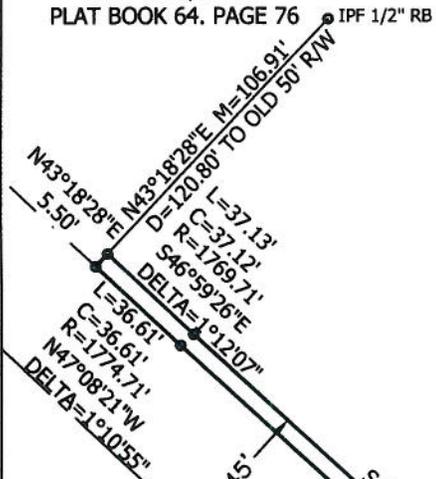
8/3/09

## Exhibit A

That tract of land lying and being in Land Lot 36 of the 17<sup>TH</sup> District 2<sup>ND</sup> Section of Sandy Springs, Fulton County, Georgia, as described in Deed Book 3528, Page 572 a portion of which is dedicated by this deed and more particularly described as follows:

COMMENCING at the southeasterly point of a mitered corner at the intersection of the northerly right-of-way of Hammond Drive (80' right-of-way) and the easterly right-of-way of Glenridge Drive (80' right-of-way) and being THE TRUE POINT OF BEGINNING; thence proceed along said right-of-way miter  $N69^{\circ}15'37''W$ , 55.81' to a point on the easterly right-of-way of Glenridge Drive (80' right-of-way); thence proceed along said easterly right-of-way  $N47^{\circ}43'49''W$ , 220.58' to a point; thence proceed along a curve concave northeasterly having an arc length of 36.61', said curve having a radius of 1774.71' and a chord of  $N47^{\circ}08'21''W$ , 36.61' to point; thence departing said right-of-way proceed along a line common to North Glenridge Forest, Unit Two, Lot 1  $N43^{\circ}18'28''E$ , 5.50' to a point; thence depart said Lot 1 and traverse through Lutheran Church of the Apostles along the new easterly right-of-way of Glenridge Drive (being offset 45' from the existing centerline) along a curve concave northeasterly having an arc length of 37.13', said curve having a radius of 1769.71' and a chord of  $S46^{\circ}59'26''E$ , 37.12' to a point; thence  $S47^{\circ}35'28''E$ , 208.98' to a point; thence along a new right-of-way miter at the intersection of Glenridge Drive and Hammond Drive  $S69^{\circ}14'32''E$ , 45.00' to a point on the new northerly right-of-way of Hammond Drive (being offset 55' from the centerline); thence proceed along the new northerly right-of-way of Hammond Drive  $N89^{\circ}06'25''E$ , 226.84' to a point; thence proceed along a line common to Perimeter Ridge Condominium Office Park  $S00^{\circ}01'07''E$ , 15.43' to an iron pin placed at the northerly existing right-of-way of Hammond Drive (80' right-of-way); thence proceed along said right-of-way  $S89^{\circ}12'34''W$ , 211.87' to a point being THE TRUE POINT OF BEGINNING.

**NORTH GLENRIDGE FOREST**  
 UNIT TWO, LOT 1  
 PLAT BOOK 64. PAGE 76



**APOSTLE LUTHERAN CHURCH**

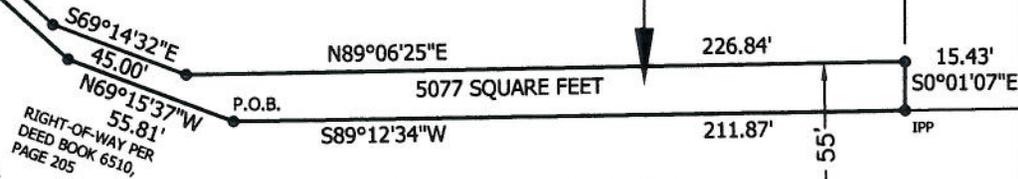


RIGHT-OF-WAY DEDICATION

**GLENRIDGE DRIVE**  
 80' R/W

**PERIMETER RIDGE  
 CONDOMINIUM OFFICE PARK**  
 PLAT BOOK 8. PAGE 29

S00°01'07\"/>
 M&D=544.40'



**HAMMOND DRIVE**

80' R/W

GRAPHIC SCALE



( IN FEET )  
 1 inch = 60 ft.

EXHIBIT B

The Evangelical Lutheran Church of the Apostles, Inc.

**ashford engineers, inc.**

1870 The Exchange, Suite 130  
 Atlanta, Georgia 30339  
 Tel. (770) 435-2733 Fax. (770) 435-7639  
 civil engineers - land planning - development services

DRAWN BY: RIK GALPIN  
 CHECKED BY: DAN GREENE  
 SHEET 1 OF 1

SCALE: 1"=60'  
 DATE: 07-27-2009  
 JOB NO. 08-A6046.00

**Georgia, Fulton County**

**Right of Way Deed**

This Indenture, made this 23 day of February, 2010, between BTC Glenridge, as Grantor, and the City of Sandy Springs, a municipal corporation of the State of Georgia, as Grantee.  
UC-

Witnesseth:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

All that tract or parcel of land lying and being in Land Lot 38 of the 17<sup>th</sup> District of Fulton County, Georgia, and being more particularly described in Exhibit "A" attached hereto and shown on the Plat attached as Exhibit "B".

It is the intent of the parties that the City of Sandy Springs shall have a total Right of Way of 6,315 square feet for the purpose of (road improvements) (sidewalk and street improvements).

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

In witness whereof Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

*[Signature]*  
Unofficial Witness

*[Signature]*  
Notary Public

(Seal)

Name of Corporation or Limited Liability Co:

*BTC Glenridge, LLC*

By: *[Signature]* (Seal)

Print Name: *Kent S. Levenson*

Title: *Manager*

Attest:

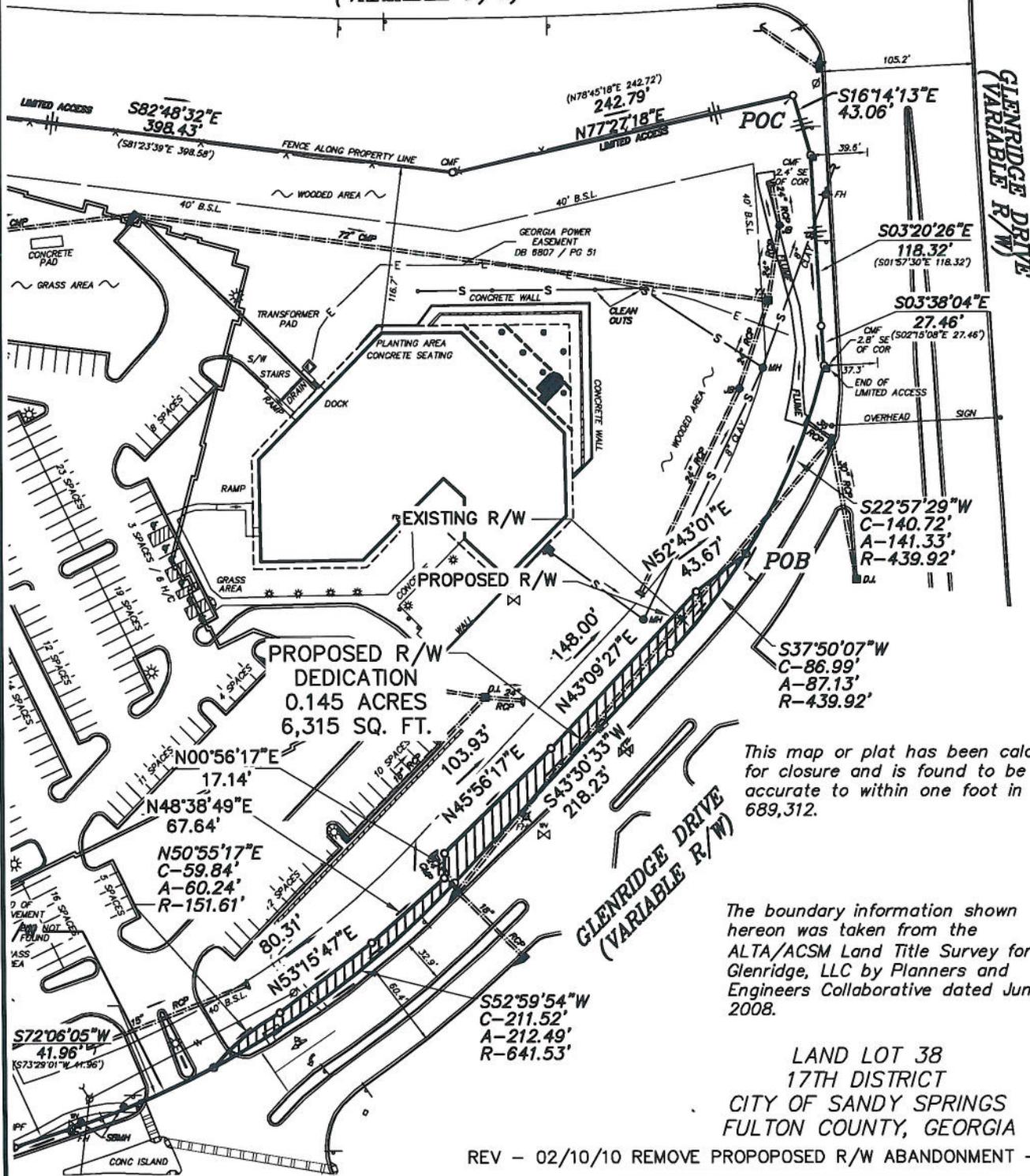
*[Signature]* (Seal)

Print Name:

Title:

(Corporate Seal)

**INTERSTATE 285  
(VARIABLE R/W)**



This map or plat has been calculated for closure and is found to be accurate to within one foot in 689,312.

The boundary information shown hereon was taken from the ALTA/ACSM Land Title Survey for BTIC Glenridge, LLC by Planners and Engineers Collaborative dated June 1, 2008.

LAND LOT 38  
17TH DISTRICT  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA

REV - 02/10/10 REMOVE PROPOPOSED R/W ABANDONMENT - JNH

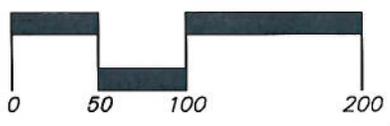
**PLANNERS AND ENGINEERS  
COLLABORATIVE**

"WE PROVIDE SOLUTIONS"

site planning - landscape architecture - civil engineering - land surveying  
350 research court - norcross, georgia - 30092 - (770) 451-2741  
www.pecatl.com

**PROPOSED RIGHT-OF-WAY EXHIBIT**

DRAWN BY: JNH  
CHECKED BY:  
FILE NO.: 07080.00  
DATE: 4/29/08  
SCALE: 1" = 100'



**LEGAL DESCRIPTION  
PROPOSED RIGHT-OF-WAY DEDICATION**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 38 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from a point at the intersection of the southerly right-of-way line of Interstate Highway 285 (Variable R/W) with the westerly right-of-way line of Glenridge Drive (Variable R/W); thence along said right-of-way line of Glenridge Drive the following courses and distances: South 16 degrees 14 minutes 13 seconds East a distance of 43.06 feet to a point; thence South 03 degrees 20 minutes 26 seconds East a distance of 118.32 feet to a point; thence South 03 degrees 38 minutes 04 seconds East a distance of 27.46 feet to a point; thence 141.33 feet along an arc of a curve to the right, said curve having a radius of 439.92 feet and a chord bearing and distance of South 22 degrees 57 minutes 29 seconds West 140.72 feet to a point and the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established and continuing along said right-of-way line 87.13 feet along an arc of a curve to the right, said curve having a radius of 439.92 feet and a chord bearing and distance of South 37 degrees 50 minutes 07 seconds West 86.99 feet to a point; thence South 43 degrees 30 minutes 33 seconds West a distance of 218.23 feet to a point; thence 212.49 feet along an arc of a curve to the right, said curve having a radius of 641.53 feet and a chord bearing and distance of South 52 degrees 59 minutes 54 seconds West 211.52 feet to a point; thence leaving said right-of-way line and following a proposed right-of-way line of Glenridge Drive the following courses and distances: 60.24 feet along an arc of a curve to the right, said curve having a radius of 151.61 feet and a chord bearing and distance of North 50 degrees 55 minutes 17 seconds East 59.84 feet to a point; thence North 53 degrees 15 minutes 47 seconds East a distance of 80.31 feet to a point; thence North 48 degrees 38 minutes 49 seconds East a distance of 67.64 feet to a point; thence North 00 degrees 56 minutes 17 seconds East a distance of 17.14 feet to a point; thence North 45 degrees 56 minutes 17 seconds East a distance of 103.93 feet to a point; thence North 43 degrees 09 minutes 27 seconds East a distance of 148.00 feet to a point; thence North 52 degrees 43 minutes 01 seconds East a distance of 43.67 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 0.145 acres (6,315 square feet).

**Georgia, Fulton County**

**Right of Way Deed**

This Indenture, made this 9<sup>th</sup> day of June, 2010, between **CK City Walk, LLC**, a Georgia limited liability company, as Grantor, and the **City of Sandy Springs**, a municipal corporation of the State of Georgia, as Grantee.

Witnesseth:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does quitclaim unto Grantee, its successors and assigns subject to the easements set forth below, the following property, to wit:

All that tract or parcel of land lying and being in Land Lot 89 of the 17th District of Fulton County, Georgia (hereinafter referred to as the "Right-of-Way Property"), and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference and as depicted as the cross-hatched area on that certain site plan attached hereto as Exhibit "B" and incorporated herein by reference (hereinafter referred to as the "Site Plan").

It is the intent of the parties that the City of Sandy Springs shall have a total Right of Way of 9,919 square feet for the purpose of (road improvements) (sidewalk and street improvements).

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple: subject to a permanent easement reserved unto Grantor for the benefit of Grantor's remaining property hereinafter referred to as the "City Walk Shopping Center Property") as described on Exhibit "C" attached hereto and incorporated herein by reference for: (i) slope, and grade as necessary to support the existing improvements currently existing on City Walk Shopping Center Property including but not limited to: all existing buildings, signs, doors, doorframes, facades and other related improvements (hereinafter referred to as the "Shopping Center Improvements") as depicted on the Plat; (iii) to permit any existing encroachment of the Shopping Center Improvements onto the Right-of-Way Property; (iv) all air rights above the Property as necessary to support the existing improvements as may be modified from time to time on the Shopping Center Property; (v) for ingress and egress and normal vehicular and pedestrian use to and from the Shopping Center Improvements and the City Walk Shopping Center Property; and (vi) to permit the use of the portion of the Right-of-Way Property depicted on the Plat for outside furniture provided such use does not interfere with the use of the sidewalk for pedestrian use and other typical sidewalk use.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

[

In witness whereof Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

**CK City Walk, LLC**, a Georgia limited liability company

By: City Walk, LLC, a Georgia limited liability company:

Stephanie L. Hager  
Unofficial Witness

By: Ming Hsien CHU (Seal)  
Print Name: Ming Hsien Chu  
Title: Manager

Louise B. Budge  
Notary Public  
(Notary Seal)  
My Commission Expires:  
June 5, 2011

(Company Seal)

## EXHIBIT "A"

### Legal Description

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 89, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia as more particularly described as follows:

Commence at the intersection of the northern side of the right-of-way along Hammond Drive (right-of-way varies) and the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies).

Thence leave the intersection of the northern side of the right-of-way along Hammond Drive (right-of-way varies) and the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) a distance of 304.59 feet to a point, said point marking the **POINT OF BEGINNING**:

From said **POINT OF BEGINNING** thus established thence leave the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and continue along the arc of a 29.50 foot radius curve to the left (said curve being subtended by a chord bearing North 30° 33' 12" East a chord distance of 10.70 feet) an arc distance of 10.76 feet to a point;

Thence continue South 83° 34' 50" East a distance of 314.00 feet to a point;

Thence continue South 86° 43' 59" East a distance of 398.33 feet to a point;

Thence continue South 02° 09' 08" West a distance of 4.81 feet to a point, said point being located along the northern side of the right-of-way along Hammond Drive (right-of-way varies);

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) South 87° 08' 34" West a distance of 81.01 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) along the arc of a 2668.00 radius curve to the right (said curve being subtended by a chord bearing South 89° 30' 16" West a chord distance of 127.53 feet) an arc distance of 127.54 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive North 83° 47' 00" West a distance of 339.99 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 84° 25' 41" West a distance of 3.15 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 82° 24' 04" West a distance of 87.11 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) along the arch of a 1983.10 foot radius curve to the left (said curve being subtended by a chord bearing North 82° 51' 54" West a chord distance of 79.68 feet) an arc distance of 79.69 feet to a point, said point being the **POINT OF BEGINNING**.

Said property contains 0.23 acres +/- (9,917 sq. ft. +/-)



## EXHIBIT "C"

### Shopping Center Property

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 89 of the 17<sup>th</sup> District, Fulton County, Georgia and being more particularly described as follows:

To find the POINT OF BEGINNING, commence at the southeastern end of the mitered corner of the intersection of the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and the northern side of the right-of-way along Hammond Drive (right-of-way varies);

Thence leave the southeastern end of the mitered corner of the intersection of the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and the northern side of the right-of-way along Hammond Drive (right-of-way varies) and continue along said mitered corner North  $57^{\circ} 52' 56''$  West a distance of 45.64 feet to a point, said point being located on the northwestern end of the mitered corner of the intersection of the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and the northern side of the right-of-way along Hammond Drive (right-of-way varies);

Thence leave the mitered corner of the intersection of the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and the northern side of the right-of-way along Hammond Drive (right-of-way varies) and continue along the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) along a 541.90 foot radius curve to right (said curve being subtended by a chord with a bearing of North  $11^{\circ} 18' 31''$  West a chord distance of 223.90 feet) an arc distance of 225.52 feet to a point, said point being the **POINT OF BEGINNING**;

From the **POINT OF BEGINNING** thus established, thence continue along the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) along a 541.90 foot radius curve to right (said curve being subtended by a chord with a bearing of North  $05^{\circ} 53' 26''$  East a chord distance of 99.67 feet) an arc distance of 99.81 feet to a point;

Thence leave the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and continue South  $81^{\circ} 52' 30''$  East a distance of 168.65 feet to a point;

Thence continue North  $23^{\circ} 59' 35''$  East a distance of 237.08 feet to a point;

Thence continue South  $61^{\circ} 03' 44''$  East a distance of 16.00 feet to a point;

Thence continue along a 16.00 foot radius curve to the left (said curve being subtended by a chord bearing North  $74^{\circ} 06' 23''$  East a chord distance of 22.61 feet) an arc distance of 25.11 feet to a point;

Thence continue North  $29^{\circ} 03' 37''$  East a distance of 139.89 feet to a point;

Thence continue North  $23^{\circ} 20' 11''$  East a distance of 62.17 feet to a point, said point being located on the southern side of the right-of-way along Sandy Springs Place (right-of-way varies);

Thence continue along the southern side of the right-of-way along Sandy Springs Place (right-of-way varies) South  $87^{\circ} 50' 22''$  East a distance of 66.49 feet to a point;

Thence continue along the southern side of the right-of-way along Sandy Springs Place (right-of-way varies) along a 607.59 foot radius curve to the left (said curve being subtended by a chord bearing North  $83^{\circ} 45' 15''$  East a chord distance of 177.66 feet) an arc distance of 178.30 feet to a point;

Thence continue along the southern side of the right-of-way along Sandy Springs Place (right-of-way varies) North  $75^{\circ} 20' 50''$  East a distance of 190.11 feet to a point;

Thence continue along the southern side of the right-of-way along Sandy Springs Place (right-of-way varies) along a 179.94 foot radius curve to the right (said curve being subtended by a chord bearing North 82° 12' 18" East a chord distance of 42.97 feet) an arc distance of 43.07 feet to a point;

Thence continue along the southern side of the right-of-way along Sandy Springs Place (right-of-way varies) North 89° 03' 44" East a distance of 44.74 feet to a point;

Thence leave the southern side of the right-of-way along Sandy Springs Place (right-of-way varies) and continue South 00° 02' 50" East a distance of 19.10 feet to a point;

Thence continue South 77° 53' 35" East a distance of 39.40 feet to a point;

Thence continue South 10° 19' 55" East a distance of 148.79 feet to a point;

Thence continue South 28° 31' 38" East a distance of 17.82 feet to a point;

Thence continue South 41° 32' 12" East a distance of 17.12 feet to a point;

Thence continue South 58° 18' 41" East a distance of 31.16 feet to a point;

Thence continue South 61° 29' 41" East a distance of 62.21 feet to a point;

Thence continue South 38° 02' 39" East a distance of 15.30 feet to a point;

Thence continue South 06° 09' 38" East a distance of 52.95 feet to a point;

Thence continue South 21° 11' 40" East a distance of 115.76 feet to a point;

Thence continue South 09° 03' 52" West a distance of 12.91 feet to a point;

Thence continue South 50° 44' 10" East a distance of 7.99 feet to a point;

Thence continue South 58° 41' 03" East a distance of 17.01 feet to a point;

Thence continue South 64° 31' 58" East a distance of 21.98 feet to a point, said point being located on the western side of the right-of-way along Sandy Springs Drive (right-of-way varies) (said western side of the right-of-way of Sandy Springs Drive being the termination point of Sandy Springs Drive);

Thence continue along the western side of the right-of-way along Sandy Springs Drive (right-of-way varies) (said western side of the right-of-way of Sandy Springs Drive being the termination point of Sandy Springs Drive) South 25° 27' 13" West a distance of 51.29 feet to a point;

Thence leave the western side of the right-of-way along Sandy Springs Drive (right-of-way varies) (said western side of the right-of-way of Sandy Springs Drive being the termination point of Sandy Springs Drive) and continue South 02° 09' 08" West a distance of 344.81 feet to a point, said point being located along the northern side of the right-of-way along Hammond Drive (right-of-way varies);

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) South 87° 08' 34" West a distance of 81.01 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) along a 2668.00 foot radius curve to the right (said curve being subtended by a chord bearing South 89° 30' 16" West a chord distance of 127.53 feet) an arc distance of 127.54 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 83° 47' 00" West a distance of 339.99 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 84° 25' 41" West a distance of 3.15 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 82° 24' 04" West a distance of 87.11 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) along a 1983.10 foot radius curve to the left (said curve being subtended by a chord bearing North 82° 51' 54" West a chord distance of 79.68 feet) an arc distance of 79.69 feet to a point;

Thence leave the northern side of the right-of-way along Hammond Drive (right-of-way varies) and continue along a 29.50 foot radius curve to the left (said curve being subtended by a chord bearing North 27° 32' 40" East a chord distance of 13.73 feet) an arc distance of 13.86 feet to a point;

Thence continue North 06° 01' 03" East a distance of 18.79 feet to a point;

Thence continue North 07° 00' 10" West a distance of 26.12 feet to a point;

Thence continue North 22° 06' 06" West a distance of 26.00 feet to a point;

Thence continue North 31° 07' 57" West a distance of 82.12 feet to a point;

Thence continue North 21° 23' 08" West a distance of 20.81 feet to a point;

Thence continue North 13° 57' 23" West a distance of 23.10 feet to a point;

Thence continue North 04° 23' 09" West a distance of 23.31 feet to a point;

Thence continue North 04° 02' 40" East a distance of 28.71 feet to a point;

Thence continue North 05° 32' 21" East a distance of 52.20 feet to a point;

Thence continue North 41° 45' 47" West a distance of 10.50 feet to a point;

Thence continue North 60° 57' 54" West a distance of 15.59 feet to a point;

Thence continue North 83° 51' 54" West a distance of 15.48 feet to a point;

Thence continue South 79° 13' 51" West a distance of 198.63 feet to a point;

Thence continue South 74° 51' 17" West a distance of 12.06 feet to a point;

Thence continue North 88° 45' 38" West a distance of 93.47 feet to a point;

Thence continue South 75° 38' 44" West a distance of 15.85 feet to a point;

Thence continue South 56° 04' 23" West a distance of 16.14 feet to a point;

Thence continue South 40° 24' 03" West a distance of 12.33 feet to a point, said point being located along the eastern side of the right-of-way along Sandy Springs Place (right-of-way varies) and said point marking the **POINT OF BEGINNING**;

Said tract or parcel contains 14.14 +/- Acres (615,941 +/- square feet)

**LESS AND EXCEPT:**

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 89, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia as more particularly described as follows:

Commence at the intersection of the northern side of the right-of-way along Hammond Drive (right-of-way varies) and the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies).

Thence leave the intersection of the northern side of the right-of-way along Hammond Drive (right-of-way varies) and the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) a distance of 304.59 feet to a point, said point marking the **POINT OF BEGINNING**:

From said **POINT OF BEGINNING** thus established thence leave the eastern side of the right-of-way along Sandy Springs Circle (right-of-way varies) and continue along the arc of a 29.50 foot radius curve to the left (said curve being subtended by a chord bearing North 30° 33' 12" East a chord distance of 10.70 feet) an arc distance of 10.76 feet to a point;

Thence continue South 83° 34' 50" East a distance of 314.00 feet to a point;

Thence continue South 86° 43' 59" East a distance of 398.33 feet to a point;

Thence continue South 02° 09' 08" West a distance of 4.81 feet to a point, said point being located along the northern side of the right-of-way along Hammond Drive (right-of-way varies);

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) South 87° 08' 34" West a distance of 81.01 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) along the arc of a 2668.00 radius curve to the right (said curve being subtended by a chord bearing South 89° 30' 16" West a chord distance of 127.53 feet) an arc distance of 127.54 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive North 83° 47' 00" West a distance of 339.99 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 84° 25' 41" West a distance of 3.15 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) North 82° 24' 04" West a distance of 87.11 feet to a point;

Thence continue along the northern side of the right-of-way along Hammond Drive (right-of-way varies) along the arch of a 1983.10 foot radius curve to the left (said curve being subtended by a chord bearing North 82° 51' 54" West a chord distance of 79.68 feet) an arc distance of 79.69 feet to a point, said point being the **POINT OF BEGINNING**.

Said property contains 0.23 acres +/- (9,917 sq. ft. +/-)

**Georgia, Fulton County**

**Right of Way Deed**

This Indenture, made this 5th day of August, 20\_10, between the undersigned DAS-Court Builders as Grantor(s), and the **City of Sandy Springs**, a municipal corporation of the State of Georgia, as Grantee.

Witnesseth:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

All that tract or parcel of land lying and being in Land Lot 121 of the 17th District of Fulton County, Georgia, and being more particularly described in Exhibit "A" attached hereto and shown on the Plat attached as Exhibit "B".

It is the intent of the parties that the City of Sandy Springs shall have a total Right of Way of 1,678 square feet for the purpose of (road improvements) (sidewalk and street improvements).

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

In witness whereof, Grantor(s) has (have) hereunto set his/her/their hand(s) and seal(s) the day and year above written.

Syretta A. Whitfield  
Unofficial Witness  
Syretta A. Whitfield

M. Jean Collins  
Notary Public

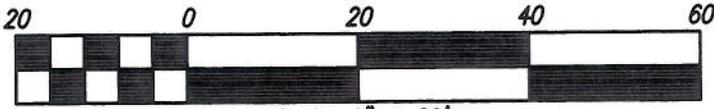
(Seal)



Stewart Weinhoff (Seal)

Grantor  
DAR-COURT BUILDERS LLC  
Stewart Weinhoff (Seal)

Grantor



OLD BURDETTE LANE  
(PRIVATE)

LOT 1

LOT 5

R/W TAKE  
1,678 SQ. FT.  
0.0385 ACRES

R-604.63' A-184.68'  
N89° 11' 01"E C-183.96'

S82° 03' 58"E 39.44'

N0° 36' 23"E 5.08'  
101.4' TO  
OLD HUNDRED LANE

N80° 26' 01"E 111.56'

S80° 26' 01"W 112.45'

BURDETTE ROAD  
50' R/W

R-599.63' A-183.15'  
S89° 11' 01"W C-182.44'

N82° 03' 58"W 40.10'

S0° 22' 57"W 5.04'



**GUDGER SURVEYING, INC.**  
7000 PEACHTREE-DUNWOODY ROAD  
BUILDING 6, SUITE 250  
ATLANTA, GEORGIA 30328  
PH. (770)396-6011 FAX (770)396-2379



R/W TAKE DRAWING FOR  
**OLD BURDETTE**

*Ronald E. Gudger*  
RONALD E. GUDGER

SURVEYED \_\_\_\_\_  
FILE DAR-COURT ESTATES FINAL  
DATE AUG. 5, 2010

L.L. 121, DISTRICT 17  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA

## Exhibit A

All that tract or parcel of land lying and being in Land Lot 121 of the 17<sup>th</sup> District of Fulton County, Georgia, lying within the limits of the City of Sandy Springs and being more particularly described as follows:

Beginning at a point on the northerly right-of-way of Burdette Road (having a 50' right-of-way) which is 101.4' easterly along said northerly right-of-way from the easterly right-of-way of Old Hundred Lane; thence with the point of beginning thus established, leave the said northerly right-of-way of Burdette Road and proceed North 0°36'23" East for 5.08' to a point; thence proceed along the proposed right-of-way of Burdette Road along a line 5' parallel to the existing northerly right-of-way of Burdette Road North 80°26'01" East for 111.56' to a point; thence proceed around a curve to the right having a radius of 604.63' for an arc distance of 184.68' and being subtended by a chord of North 89°11'01" East, 183.96' to a point; thence proceed South 82°03'58" East for 39.44' to a point; thence leaving the said proposed right-of-way line of said Burdette Road proceed South 0°22'57" West for 5.04' to a point on the existing right-of-way of said Burdette Road; thence along said existing right-of-way of Burdette Road proceed North 82°03'58" West for 40.10' to a point; thence proceed around a curve to the left having a radius of 599.63' for an arc distance of 183.15' and being subtended by a chord of South 89°11'01" West, 182.44' to a point; thence proceed South 80°26'01" West for 112.45' returning to the point of beginning. Said parcel contains 1,678 square feet or 0.0385 acres, more or less.

**Georgia, Fulton County**

**Right of Way Deed**

This Indenture, made this 18th day of August, 2010, between the undersigned **Catholic Society of Religious and Literary Education**, as Grantor(s), and the **City of Sandy Springs**, a municipal corporation of the State of Georgia, as Grantee.

Witnesseth:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

All that tract or parcel of land lying and being in Land Lot 130 & 169 of the 17<sup>th</sup> District of Fulton County, Georgia, and being more particularly described in Exhibit "A" attached hereto and shown on the Plat attached as Exhibit "B".

It is the intent of the parties that the City of Sandy Springs shall have a total Right of Way of 16,698 square feet for the purpose of (road improvements) (sidewalk and street improvements).

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

In witness whereof, Grantor(s) has (have) hereunto set his/her/their hand(s) and seal(s) the day and year above written.

Signed, sealed, and delivered in the presence of:

**Catholic Society of Religious and Literary Education**

Robert P. Razianno  
Unofficial Witness  
ROBERT P. RAZIANO

By: Lawrence J. Lundin (Seal)  
Name: LAWRENCE J. LUNDIN, S.T.  
Title: TASNUREN

Otto B. Schoenfeld  
Notary Public

(Seal)

**OTTO B. SCHOENFELD**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES AT MY DEATH.  
LOUISIANA BAR # 11814

## EXHIBIT "A"



3595 Canton Road  
A-9, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9905  
Fax (678) 355-9805

[www.frontlinesurveying.com](http://www.frontlinesurveying.com)

### LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, more described as a right-of-way dedication which is a 40 foot offset from the centerline of Riverside Drive having a variable right-of-way, lying and being in Land Lot 130 & 169 of the 20th District, of Fulton County, Georgia and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the right-of-way intersection of Pointe Ridge Drive and Riverside Drive, thence following the North right-of-way of Riverside Drive Southwest 498.16 feet to a point (#4 ReBar Found), said point being on the southeastern property corner of the Grantors' and the southwestern corner of Lot 1 being now or formerly owned by River Pointe Subdivision, said point also being the TRUE POINT OF BEGINNING.

THENCE proceed South  $28^{\circ}48'19''$  West a distance of 99.95 feet to a point. Thence proceed along a curve to the right having a radius of 335.00 feet and an arc length of 336.93 feet, being subtended by a chord of South  $57^{\circ}50'23''$  West for a distance of 322.91 feet to a point; Thence proceed South  $89^{\circ}39'09''$  West a distance of 78.88 feet to a point; Thence proceed along a curve to the left having a radius of 660.00 feet and an arc length of 17.56 feet, being subtended by a chord of South  $87^{\circ}24'53''$  West for a distance of 17.56 feet to a point; Thence proceed South  $88^{\circ}10'37''$  West a distance of 129.52 feet to a point; Thence along a curve to the left having a radius of 660.00 feet and an arc length of 29.04 feet, being subtended by a chord of South  $89^{\circ}56'15''$  West for a distance of 29.03 feet to a point; Thence proceed North  $89^{\circ}18'08''$  West a distance of 175.10 feet to a point, said point being on the eastern property line being now or formerly owned by Martha V. De Wetering Van. Thence proceed along the eastern side of said property South  $40^{\circ}38'42''$  East a distance of 31.43 feet to the northern right-of-way of Riverside Drive. Thence following said right-of-way, proceed along a curve to the right having a radius of 306.39 feet and an arc length of 79.49 feet, being subtended by a chord of North  $86^{\circ}39'10''$  East for a distance of 79.27 feet to a point; Thence proceed South  $85^{\circ}54'55''$  East a distance of 21.87 feet to a point; Thence proceed along a curve to the left having a radius of 803.00 feet and an arc length of 99.87 feet, being subtended by a chord of South  $89^{\circ}28'43''$  East for a distance of 99.81 feet to a point; Thence proceed North  $86^{\circ}57'30''$  East a distance of 217.09 feet to a point; Thence proceed along a curve to the left having a radius of 335.72 feet and an arc length of 333.30 feet, being subtended by a chord of North  $58^{\circ}30'42''$  East for a distance of 319.78 feet to a point; Thence proceed North  $30^{\circ}03'54''$  East a distance of 110.33 feet to a point on the northern right-of-way of Riverside Drive; Thence leaving

said right-of-way and proceeding North 44°38'42" West a distance of 20.37 feet to a point (#4 ReBar Found), said point is also the POINT OF BEGINNING.

Tract described herein containing 0.38 acres of land (16,698 square feet), more or less; described on a survey by Frontline Surveying & Mapping, Inc., job number 44320-1, dated 07/20/2010 also being known as RW Dedication Plat.

  
Thomas E. Peay, Jr. Ga. RLS 2402  
For the Firm of Frontline Surveying & Mapping, Inc.



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	336.93	335.00	322.91	N57°50'23"E	57°37'32"
C2	17.56	660.00	17.56	N87°24'53"E	1°31'28"
C3	29.04	660.00	29.03	N89°26'15"E	2°31'14"
C4	79.49	306.39	79.27	S86°39'10"W	14°51'55"
C5	99.87	803.00	99.81	S89°28'43"E	7°07'35"
C6	333.30	335.72	319.78	N58°30'42"E	56°52'58"

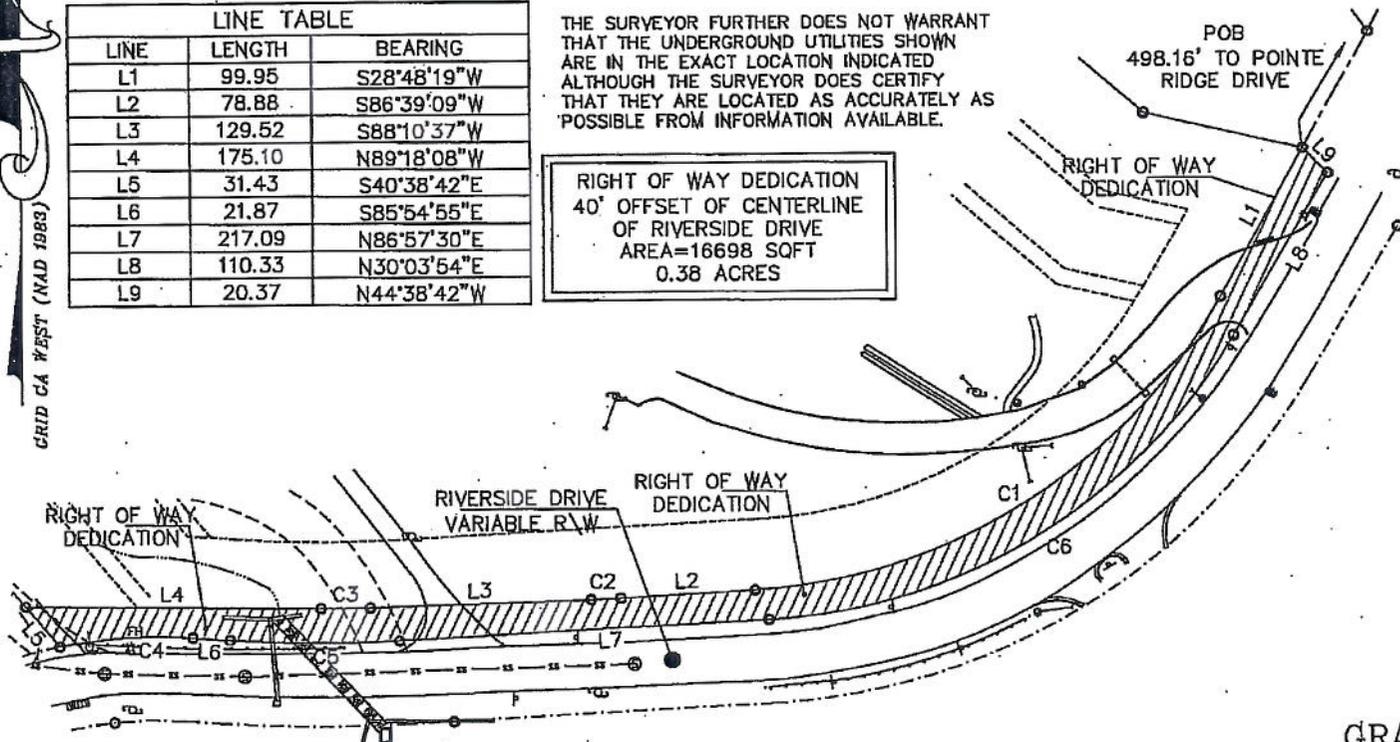
LINE TABLE		
LINE	LENGTH	BEARING
L1	99.95	S28°48'19"W
L2	78.88	S86°39'09"W
L3	129.52	S88°10'37"W
L4	175.10	N89°18'08"W
L5	31.43	S40°38'42"E
L6	21.87	S85°54'55"E
L7	217.09	N86°57'30"E
L8	110.33	N30°03'54"E
L9	20.37	N44°38'42"W

THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

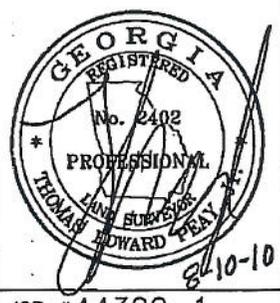
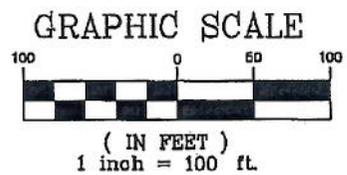
RIGHT OF WAY DEDICATION  
40' OFFSET OF CENTERLINE  
OF RIVERSIDE DRIVE  
AREA=16698 SQFT  
0.38 ACRES

THE UNDERGROUND UTILITIES (EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UNDERGROUND STORAGE TANKS) WERE LOCATED BY UTILISURVEY, LLC UTILIZING RADIO FREQUENCY TECHNIQUE. THIS TECHNIQUE IS CAPABLE OF LOCATING METALLIC UTILITIES AND TRACER WIRES. ANY NON-METALLIC UTILITIES (WITHOUT TRACER WIRE) ARE NOT LOCATED.

THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED UTILIZING THIS TECHNIQUE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION.



- LEGEND**
- CMP CORRUGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - BSL BUILDING SETBACK LINE
  - IPF IRON PIN FOUND
  - IPS IRON PIN SET
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - OT OPEN TOP
  - CT CRIMP TOP
  - RB REBAR
  - DI DROP INLET
  - LP LIGHT POLE
  - WM WATER METER
  - GV GAS VALVE
- SYMBOLS**
- ☼ LIGHT POLE
  - IPS
  - IPF
  - ⊕ POWER POLE
  - ⊗ FIRE HYDRANT



RW DEDICATION PLAT FOR:  
**ST. IGNATIUS**

DATE 7/20/10  
REV  
REV

LAND LOT 130&169 17thDISTRICT SECTION FULTON COUNTY, GEORGIA

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN \_\_\_\_\_ FEET, AN ANGULAR ERROR OF \_\_\_\_\_ SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN \_\_\_\_\_ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY. THESE DOCUMENTS, AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2008 FRONTLINE SURVEYING AND MAPPING, INC. \*\*\* ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED \*\*\*



3595 Canton Road  
A-9, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9905  
Fax (678) 355-9805  
www.frontlinesurveying.com

JOB #44320-1

GRID CA WEST (NAD 1983)

EXHIBIT "B"