

CITY COUNCIL
LESLIE MCPHERSON, MAYOR
DANNY CARTER, MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MOMTAHAN
STEPHANIE WARMOTH
ANNA MCCOY

City of Villa Rica



INT CITY MANAGER: DIANA DESANTO
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: KEVIN DRUMMOND

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VILLA RICA, GA. 30180
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MAYOR & COUNCIL WORK SESSION AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
January 7, 2025 | 10:00 AM

Review of the Agenda (Mayor Leslie McPherson)

A. Utilities (John Bain, Director)

1. Supplemental Water Supply Intergovernmental Agreement (Jud Turner and John Bain, Director)

B. Governing Body (Mayor Leslie McPherson)

1. Establishing Qualifying Fees for November 4, 2025 Election (Theresa Campbell, City Clerk)

C. Building Development (Tracy Jarvis, Director)

1. Jameson Towns Final Plat (Nic Griffin, Deputy Director)

D. Finance (Jennifer Hallman, CFO)

1. FY24 Year-End Budget Amendments #262 - #280 (Jennifer Hallman, Director)
2. FY25 Rollover Budget Amendments #20 - #133 (Jennifer Hallman, Director)
3. Write off Customer Receivables (Jennifer Hallman, Director)
4. Presentation: House Bill 581 - Floating Homestead Exemption & FLOST (Jennifer Hallman, Director)

E. Human Resources (Tiffany Jenkins, Director)

1. Personnel Policy Amendments (Tiffany Lanford, Director)

F. Community Development (Nina Shabazz, Director)

1. RA-05-24 Rezoning Request for .47-acre property located at 628 South Street from Single-Family Urban (R2) to Commercial Medium, Density (C2) and Public Hearing (Shaun Daniels, Zoning Administrator)
2. ABL-01-25 Fast Adverts Corporation dba Shell Food Mart and Public Hearing (Whitney Cox, Licensing Specialist)
3. ABL-02-25 Honest Commercial Inc. dba Discount Smokes and Beer and Public Hearing (Whitney Cox, Licensing Specialist)
4. ABL-03-25 Kuviha Group Inc. and Public Hearing (Whitney Cox, Licensing Specialist)

G. City Manager (Interim City Manager, Diana DeSanto)

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk, at 678-840-1229, 10 business days before the scheduled meeting to allow the City to make reasonable accommodations for those persons.

1. TA-01-25 Text Amendment to Establish Section 4.18 Technology Park Overlay District & add new definition to section 13.01 and Public Hearing (Diana DeSanto, Interim City Manager)
2. Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD (ANX-01 & 2-24) (RA-06-24) and Public Hearing (Diana DeSanto, Interim City Manager)
3. 2025 Raise Grant Application Authorization (Diana DeSanto, Interim City Manager)
4. Authorize award to successful respondent to RFQ Comprehensive Safety Action Plan (Diana DeSanto, Interim City Manager)
5. Authorize award to successful respondent to RFP Administrative and Related Grant Services Community HOME Investment Program (CHIP) (Diana DeSanto, Interim City Manager)
6. 2025 Community HOME Investment Program (CHIP) Application Authorization (Diana DeSanto, Interim City Manager)
7. 2025 Georgia Transportation and Infrastructure Bank Loan and Grant Application Authorization (Diana DeSanto, Interim City Manager)
8. Ratification of the City of Villa Rica Main Street Advisory Board Bylaws (Revised December 12, 2024) (Diana DeSanto, Interim City Manager)

H. Executive Session

1. Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk, at 678-840-1229, 10 business days before the scheduled meeting to allow the City to make reasonable accommodations for those persons.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Supplemental Water Supply Intergovernmental Agreement
AGENDA DATE: January 7, 2025

DATE PREPARED: December 19, 2024
PREPARED BY: John Bain

AMOUNT: N / A
GL ACCOUNT #: N / A
FUNDING SOURCE: N / A
BUDGETED ITEM? N / A

PURPOSE: To enter into an Intergovernmental Agreement with the Douglasville-Douglas County Water and Sewer Authority (DCCWSA) for the wholesale purchase of additional water supply.

BACKGROUND: This new agreement supersedes and terminates the 2008 Agreement and the 2023 Short-Term Agreement, and is intended to be a mid-term agreement while the city pursues long term supply options.

1. (Section 3): Volumetric rate is 78% of Tier 1 retail rate, up to 50,000 gallons over minimum purchase amount
2. (Section 3): Minimum purchase of 300,000 gallons per day
3. (Section 3): Tiered volumetric structure of 85% of retail rate for purchases over 600,000 gallons per day
4. (Section 3): The city agrees to maintain a multi-tiered, increasing block rate structure for water sales
5. (Section 7): The city will enforce buffer requirements and impervious surface limitations to streams tributary to the Dog River and within the city, as the same are applied by Douglas County.
6. (Section 8): The city and the DDCWSA agrees to continue the service areas as shown in Attachment 2.
7. (Section 11): Initial term of agreement is ten years, effective April 1, 2025, with automatic five-year renewal terms, unless terminated by either party.
8. (Section 11): The agreement shall automatically terminate should the City violate the annexation agreement between the City and the Douglas County Board of Commissioners (DCBOC), dated April 17, 2007, or any future annexation agreement between the city and the DCBOC.

STAFF RECOMMENDATION: Staff recommends the approval of the Intergovernmental Agreement.

MOTION: I move to authorize the Mayor to execute the Supplemental Water Supply Intergovernmental Agreement with the Douglasville-Douglas County Water and Sewer Authority.

STATE OF GEORGIA
COUNTY OF DOUGLAS

INTERGOVERNMENTAL AGREEMENT
REGARDING MID-TERM WATER SUPPLY
AND WASTEWATER TREATMENT SERVICES

This Intergovernmental Agreement Regarding Mid-Term Water Supply and Wastewater Treatment Services (the "Agreement") is made and entered into this ____ day of _____, 202__, by and between

THE CITY OF VILLA RICA,
a municipal corporation of the State of Georgia
lying in Carroll County and Douglas County, Georgia
(also referred to in this Agreement as the "City"),

and

DOUGLASVILLE-DOUGLAS COUNTY WATER AND SEWER AUTHORITY,
a public body corporation of the State of Georgia
(also referred to in this Agreement as the "Authority").

W I T N E S S E T H:

WHEREAS, the City is vested with the power to provide water and sanitary sewer services to its citizens pursuant to Article IX, Section II, Paragraph III of the Georgia Constitution; and

WHEREAS, the City owns and operates a water treatment plant and a water distribution system, a wastewater treatment plant and a wastewater collection system, and necessary appurtenances within the corporate limits of the City; and

WHEREAS, the Authority has been duly and legally created pursuant to an Act of the General Assembly of the State of Georgia (Ga. Laws 1985, p. 3584, et seq., as amended from time to time) and is authorized and empowered to perform any functions normally maintained by a water and sewerage system and to do all things deemed by the Authority necessary, convenient, and desirable for and incident to the efficient and proper development and operation of such undertakings; and

WHEREAS, the Authority owns and operates a water treatment plant and a water distribution system, several wastewater treatment plants and a wastewater collection system, and necessary appurtenances within Douglas County; and

WHEREAS, the City and the Authority are authorized by Article IX, Section III, Paragraph I of the Georgia Constitution to enter into this Intergovernmental Agreement regarding the respective rights, duties, and obligations of the parties for the provision of water, sanitary sewer, and wastewater treatment services to residents of the City whose service location lies within the jurisdictional boundaries of Douglas County and the service area of the Authority; and

WHEREAS, the City and the Authority previously entered into an Intergovernmental Agreement Regarding Water Supply and Wastewater Treatment Services dated April 10, 2008 (the "2008 Agreement"); and

WHEREAS, the City and the Authority also previously entered into an Intergovernmental Agreement Regarding Short-Term Water Supply dated March 28, 2023 (the "2023 Short-Term Agreement"); and

WHEREAS, the City now desires to secure rights and establish terms for a mid-term purchase of water from the Authority to supplement its water supply while the City addresses its own water supply and treatment programs; and

WHEREAS, it is also necessary to address and include wastewater collection and treatment services provided by the Authority to residents of the City; and

WHEREAS, the City and the Authority do each desire to enter into this Agreement for such purposes.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants, and agreements set forth herein, and other good and valuable consideration, the City and the Authority agree as follows:

SECTION 1. PURPOSE AND INTENT

1.1 This Agreement shall supersede and terminate the 2008 Agreement and the 2023 Short-Term Agreement.

1.2 This Agreement is a mid-term agreement for the City to purchase water from the Authority to supplement its current water supply and treatment while it explores long-term supply and treatment issues. This Agreement does not address the City's potential need for additional infrastructure for redundancy and reliability, which the parties acknowledge are the sole responsibility of the City.

1.3 The City desires to purchase up to 600,000 gallons per day, and the Authority agrees to sell water to the City, subject to the terms and conditions set forth in this Agreement.

1.4 This Agreement does not allocate or guarantee any capacity to the City.

1.5 This Agreement also provides for the continued provision of wastewater collection and treatment services to designated residents of the City by the Authority.

SECTION 2. PROVISION OF WATER BY THE AUTHORITY

2.1 The Authority agrees to deliver to one or more "Master Meters," as defined in Section 4 of this Agreement, water that meets or exceeds all standards established by the United States Environmental Protection Agency ("EPA") and the Georgia Environmental Protection Division ("EPD"). The City agrees to accept sole responsibility for the quantity and quality of water distributed through its water system, and the City shall hold the Authority harmless from any and all claims, losses, damages, or obligations due to the quantity and/or quality of water provided by the Authority, as long as the water supplied by the Authority meets all applicable standards of the EPA and EPD.

2.2 The parties acknowledge that both water quantity and water quality problems can occur.

2.3 In the event of a water quantity emergency, the Authority, in its sole discretion, shall have the right to shut off its water supply to the City, the Master Meters, or any other structure, main, service, or facility, existing or constructed in the future, without notice, in order to insure the conservation and protection of the Authority's water supply.

2.4 During periods of drought, as determined by the Authority, the City shall ~~be required to use their~~not limit the use of its own reservoir and water supply resources ~~so that the draw-down of the City's reservoir and other water supply resources occurs at the same percentage of drop/use/remaining supply as~~disproportionately compared to the Authority's use of the Dog River Reservoir.

2.5 In the event of a water quality problem, the Authority shall notify the City when the problem is known or discovered. The City can then elect to continue to receive water through the Master Meters or request that service be suspended during the water quality problem period. The Authority shall notify the City when the water quality problem has been corrected. If the City elects to continue to receive water from the Authority after notice from the Authority of water quality problems, then the Authority shall not be

liable to respond to damages arising from water quality problems, and any remedy of the City and its agents shall be limited to specific performance of this Agreement.

SECTION 3. CHARGE FOR WATER

3.1 The Authority shall charge and the City agrees to pay the Authority for water service at the rates set forth in this Section, as the same may be adjusted from time to time in accordance with the Authority's Rules and Regulations.

3.2 Base Rate. The City shall pay a base rate for each of the Master Meters, as identified in Section 4 of this Agreement, as follows:

(a) The City shall pay at least one (1) base rate per Master Meter annually, regardless of usage, except for the Veterans Memorial Highway meter unless and until said meter is replaced or repaired by the Authority to full working order.

(b) The City shall pay the base rate monthly for each Master Meter used for the purchase of water from the Authority, including the Veterans Memorial Highway meter.

(c) The base rate for each Master Meter shall be the Authority's then-current base rate for an eight-inch meter less a 15% credit.

(d) The base rate may be adjusted from time to time in accordance with the Authority's Rules and Regulations.

3.3 Minimum Purchases. The City shall pay for minimum mandatory purchases, regardless of usage, as follows:

(a) The initial minimum mandatory purchase amount will be 300,000 gallons per day.

(b) The then-current minimum mandatory purchase amount will not be exceeded by the City by more than an additional 50,000 gallons per day without at least ten (10) days advance written notice to the Authority.

(c) The City may request an increase to the then-current minimum mandatory purchase amount in 100,000 gallons per day increments. Such requests shall be made at least thirty (30) days in advance, in writing, and shall be subject to the approval of the Authority, which shall not be unreasonably withheld.

(d) There is no right on the part of the City to reduce the minimum mandatory purchase amount at any time.

3.4 Volumetric Rate. The volumetric rate for all purchases of water from the Authority by the City shall be as follows:

(a) Consumption Tiers. The volumetric rate is based on the Authority's Tier 1 retail rate, which may be adjusted from time to time in accordance with the Authority's Rules and Regulations:

(i) For each daily minimum mandatory purchase amount, which may be increased over time by agreement of the parties, plus up to an additional 50,000 gallons per day, the City shall pay 78% of the Tier 1 retail rate;

(ii) For a daily purchase amount in excess of the amount set forth in (i) up to 600,000 gallons per day, the City shall pay 80% of the Tier 1 retail rate; and

(iii) For a daily purchase amount in excess of 600,000 gallons per day, the City shall pay 85% of the Tier 1 retail rate.

(b) The volumetric rate may be adjusted for any month that the Authority purchases water from the Cobb County-Marietta Water Authority ("Cobb"), as follows:

(i) The City shall pay a pro-rated amount (per day and amount of water purchased) based on the actual Base Infrastructure Charge paid by the Authority to Cobb for that month; plus

(ii) The City shall pay the highest applicable volumetric rate (per 1,000 gallons) paid by the Authority for water purchased from the Cobb based on the minimum mandatory and actual excess volumes purchased by the City for that month, plus a ten percent (10%) markup to compensate the Authority for conveyance and administrative costs; and

(iii) The Authority shall give notice to the City, as soon as is practicable, when the rates under this subsection will apply. The City shall have the right upon such notice to elect not to purchase water from the Authority, and the minimum purchase requirement shall be waived for any day when no water is purchased. Such election must be made in writing to the Authority, and the waiver shall only apply as long as the Authority is purchasing water from Cobb.

(c) The parties acknowledge that water conservation is important, and an increasing block rate encourages water conservation. The City agrees to maintain a multi-tiered, increasing block rate structure for water sales to its residential and commercial customers, and the failure of the City to do so shall result in an increase of the effective volumetric rate to the Authority's then-current Tier 3 retail rate.

3.5 The Authority will bill the City on a monthly basis for water service. The City will pay each monthly bill within thirty (30) days from the date of the Authority's mailing of the bill. Payments not made within said 30-day time period shall be delinquent and shall be subject to an additional late charge equal to fifteen percent (15%) of the original bill. If the City believes any bill to be materially inaccurate or incorrect, then the City shall give written notice to the Authority, prior to the due date of the bill, setting forth the basis for the belief that the bill is materially inaccurate or incorrect. The parties shall confer regarding the alleged material inaccuracy or incorrectness within fifteen (15) days of the Authority's receipt of said written notification. Within five (5) days of said conference between the parties, the City shall pay the bill in full. If the bill is adjusted by the Authority, the adjusted bill shall be paid within five (5) days of the revised billing date.

3.6 The City and the Authority shall each have the right, at all reasonable times and upon due notice, to check, audit, and inspect the books and records of the other bearing upon the bills to be charged and paid for the services provided under this Agreement, the quantity of water provided, and the terms of this Agreement.

3.7 The parties agree that the charges to be paid by the City for any and all services provided by the Authority under this Agreement constitute full, just, and reasonable compensation to the Authority for its services and use of its facilities.

3.8 For purposes of consumptive use calculations, the Authority shall be entitled to claim one hundred percent (100%) of the water provided by the Authority to the City as non-consumptive; meaning that, for purposes of this Agreement, one hundred percent (100%) of the water provided by the Authority to the City shall be deemed to be returned to the City's wastewater collection system for treatment and discharge.

SECTION 4. MASTER METERS

4.1 All water supplied by the Authority to the City shall be delivered by the Authority through one or more of the following Master Meters:

- (a) An eight-inch meter serving a gravity feed connection located on Veterans Memorial Highway;
- (b) An eight-inch meter serving a gravity feed connection located on U.S. Highway 61; and
- (c) An eight-inch meter serving a pumped connection located on Conners Road.

4.2 The Master Meters are the property and responsibility of the Authority, who shall have the right to replace and/or relocate the Master Meters. The readings of the Master Meters shall determine the quantity of water supplied by the Authority to the City, except that the parties acknowledge that usage through the Veterans Memorial Highway Master Meter will be estimated by the Authority.

4.3 The Master Meters shall be read by the Authority daily, either physically or remotely through the Authority's AMR/AMI system. A record of readings shall be kept by the Authority and reported to the City upon request. Further, upon request, a representative of the City may meet with an Authority representative to physically inspect the Master Meters and check the readings thereof.

4.4 At the expense of the Authority, the Highway 61 and Conners Road Master Meters shall be tested for accuracy at least once each year, by a generally accepted method, which shall be determined in the sole discretion of the Authority. Any additional testing for accuracy requested by the City shall be conducted by the Authority at the City's expense.

4.5 Should the Authority for any reason miss a daily reading of the Master Meters ("Missed Reading") or should the Master Meters for any reason fail to properly measure the volume of water supplied by the Authority to the City ("Meter Failure"), the volume of water for any Missed Reading or Meter Failure shall be computed by: (1) using the flow rates for an equal number of days prior to and following the Missed Reading and Meter Failure, or (2) by the application of any other method or period of time as mutually agreed to by the parties, which would more accurately reflect the volume used during such period of time.

4.6 The provisions of this Section shall also be applicable to any additional Master Meters set by the Authority for the extension and provision of water service to areas and parties outside the corporate limits of the City, as provided for in Section 6.

4.7 The City reserves the right to control the flow of water received from the Authority through flow control devices, including but not limited to the use of pumps and/or storage facilities.

4.8 The Authority reserves the right to limit the quantity and rate of consumption received from the Authority by the City in order to protect the Authority's system and structures, system pressures, and system reserves.

SECTION 5. RESPONSIBILITY FOR WATER INFRASTRUCTURE

5.1 The Authority shall have no responsibility whatsoever for the construction, reconstruction, repair, maintenance, operation, or replacement of the water facilities

owned by the City or its designated agents or customers, including but not limited to all mains, services, connecting mains, meters (other than the Master Meters as provided in this Agreement), and other facilities. The City and its agents shall have sole responsibility for all water facilities located within the City's water service area.

5.2 The City shall have no responsibility whatsoever for the construction, reconstruction, repair, maintenance, operation, or replacement of the water facilities owned by the Authority or its designated agents or customers, including but not limited to all mains, services, connecting mains, meters, and other facilities. The Authority and its agents shall have sole responsibility for all water facilities owned and operated by the Authority, including the Master Meters as provided in this Agreement.

5.3 The City and its agents agree to indemnify and forever hold the Authority safe and harmless from any claims, costs, losses, damages, or obligations whatsoever arising from any and all third-party claims connected with the construction, operation, repair, and maintenance of the water service delivery system owned and operated by the City.

SECTION 6. WATER SERVICE AREA

6.1 In consideration of the Authority supplying water to the City pursuant to this Agreement, the City agrees that it shall not sell water, either directly or indirectly, to any party outside the water service area established by the City as of the date of this Agreement, as defined in Section 6.2. In addition, the City agrees that it shall only provide water to its customers at its established retail rates, which rates shall be uniform and non-discriminatory.

6.2 The parties agree that the City's water service area shall be limited to the corporate limits of the City within Douglas County, with the exception of those properties or portions of properties designated to receive water services from the Authority and wastewater services from the City (the "Authority Water/City Sewer Zone") as detailed in Attachment 1 and generally illustrated in Attachment 2, both of which are incorporated herein by reference, and those areas outside the corporate limits which are being served by the City as of the date of this Agreement, subject to the non-duplication provisions set forth in this Section. This Agreement is not intended to limit the City's water service area in Carroll County. The Authority's water service area covers all areas within unincorporated Douglas County, the City of Douglasville, and the Authority Water/City Sewer Zone, as of the date of this Agreement.

6.3 The City agrees not to extend duplicative water service to (a) the Authority Water/City Sewer Zone, (b) any other location currently served by the Authority, or (c) any other location within the Authority's service area.

SECTION 7. WATERSHED PROTECTION

7.1 The City shall adopt and enforce similar watershed protection measures for those areas tributary to Dog River as the applicable Dog River watershed protection regulations adopted by the Authority or the Douglas County Board of Commissioners. The City shall not issue water meters or sell water to any property or party who fails to comply with the City's and the Authority's Dog River watershed protection and stream buffer regulations. This paragraph shall not apply to properties as served by the City prior to the ~~date of the 2008 Agreement~~, properties in or annexed into the City within Carroll County, or properties north of I-20 located in the City pursuant to the April 17, 2007 annexation with Douglas County. in accordance with the annexation agreement between the City and the Douglas County Board of Commissioners dated April 17, 2007 or any future annexation agreement between the City and the Douglas County Board of Commissioners. The City will enforce buffer requirements and impervious surface limitations to streams tributary to the Dog River within the City as the same are applied by Douglas County.

7.2 The City and the Authority shall comply with and enforce all required State or local buffer requirements for streams, lakes, and watershed tributaries for areas within the Dog River watershed.

7.3 The City shall adopt and enforce the State minimum watershed protection measures and all Metropolitan North Georgia Water Planning District model ordinances, standards, and stormwater regulations for areas within the Dog River watershed.

7.4 The obligations of the City pursuant to this Section to adopt and enforce certain watershed protection measures, buffer requirements, and stormwater regulations shall be a condition precedent to the provision of water to the City by the Authority pursuant to this Agreement. The failure of the City to fulfill the obligations of this Section shall be deemed grounds for termination of the provision of water to the City by the Authority pursuant to Section 2 of this Agreement.

SECTION 8. PROVISION OF WASTEWATER TREATMENT SERVICES BY THE CITY

8.1 The City's wastewater service area shall be limited to all areas within the corporate limits of the City as of the date of this Agreement, including the Authority Water/City Sewer Zone as detailed in Attachment 1 and generally illustrated in Attachment 2, which are water customers of the Authority.

8.2 The Authority agrees not to extend duplicative wastewater service to (a) the Authority Water/City Sewer Zone, (b) any other location currently served by the City, or (c) any location within the City's service area.

8.3 The Authority agrees to forward the water meter readings for the Authority Water/City Sewer Zone, for purposes of calculating applicable wastewater charges. The Authority shall bill and collect for wastewater services provided by the City to the Authority Water/City Sewer Zone. The Authority has agreed to perform said billing function on behalf of the City, for the fees set forth in this Agreement, at the request of the City, in order for the parties to realize an economic efficiency of scale by utilizing the Authority's billing system.

8.4 The Authority shall charge the City \$1.60 per customer per month for billing wastewater services, and the same may be adjusted by the Authority from time to time upon reasonable written notice provided to the City.

8.5 The Authority shall bill the Authority Water/City Sewer Zone the same rates that the Authority charges its wastewater customers. Said wastewater billing shall be included on the Authority's water bills to the Authority Water/City Sewer Zone. The City shall provide the Authority with the City's actual current wastewater rates. If the City's actual current wastewater rates are less than the Authority's wastewater rates, then the Authority shall be entitled to retain the difference in the Authority's rates and the City's rates as additional consideration for the billing services provided under this Agreement. If the City's rates are more than the Authority's rates, then the City's rates shall be charged. On a monthly basis, the Authority shall remit the wastewater payments collected from the Authority Water/City Sewer Zone less the \$1.60 billing charge per customer (less any rate differential between the Authority's rates and the City's rates, as described above).

8.6 The Authority shall also bill and collect for residential garbage collection and disposal services provided by the City to the Authority Water/City Sewer Zone. The Authority has agreed to perform said billing function on behalf of the City, for the fees set forth in this Agreement, at the request of the City, in order for the parties to realize an economic efficiency of scale by utilizing the Authority's billing system.

8.7 The Authority shall charge the City \$1.60 per customer per month for billing sanitation services, and the same may be adjusted by the Authority from time to time upon reasonable written notice provided to the City.

8.8 The Authority shall bill the Authority Water/City Sewer Zone the same rate for sanitation that the City charges to all other City residents for sanitation services. Said sanitation billing shall be included on the Authority's water bills. The City shall provide the Authority with the City's actual current sanitation rates. The parties acknowledge that the City's sanitation rates may be changed from time to time, at the discretion of the City. The Authority shall bill such changed rates in the second monthly billing cycle following the date of written notice of the rate change by the City to the Authority. On

a monthly basis, the Authority shall remit the sanitation payments collected from the City Residents to the City, less the \$1.60 billing change per customer per month.

8.9 The City acknowledges that it alone bears the risk of nonpayment for wastewater and sanitation services by the City Residents. The Authority will not terminate a City Resident's water service for nonpayment of wastewater and/or sanitation charges as the Authority is not the provider of said services. The Authority shall remit all payments collected from the City Residents (less the fees and rate differentials that the Authority is entitled to retain as consideration for the services which it performs under this Agreement as set forth above) and the City shall be responsible for any and all other collection actions.

8.10 Any termination of the provision of water to the City by the Authority pursuant to Section 2 of this Agreement or otherwise shall in no way affect the rights, duties, and obligations of both parties under Section 8 of this Agreement.

SECTION 9. INDEPENDENCE OF ENTITIES

9.1 The Authority, by executing this Agreement, does not assume any obligations of the City or its designated agents, whether contractual, legal, equitable, or otherwise.

9.2 The City, by executing this Agreement, does not assume any obligations of the Authority or its designated agents, whether contractual, legal, equitable, or otherwise.

9.3 In no event, either pursuant to this Agreement or otherwise, shall the City or its agents acquire any interest whatsoever in the Authority's water or centralized sanitary sewer systems, assets, or any funds or accounts of the Authority, nor shall the City have any legal or equitable right to the continued supply of water by the Authority, other than as provided by this Agreement.

9.4 In no event, either pursuant to this Agreement or otherwise, shall the Authority or its agents acquire any interest whatsoever in the City's water or centralized sanitary sewer systems, assets, or any funds or accounts of the City, other than the legal and equitable right to transfer sanitary sewer flows to the City's North or West Wastewater Treatment Plants for treatment and discharge throughout the term of this Agreement, as provided herein.

SECTION 10. INSURANCE

10.1 The City and the Authority do each agree to secure and maintain general liability insurance with minimum limits of \$1,000,000.00 per occurrence throughout the

life of this Agreement.

SECTION 11. TERM OF AGREEMENT

11.1 Notwithstanding the date of execution by either party, the effective date of this Agreement is April 1, 2025 ("Effective Date"). The initial term of this Agreement is ten (10) years (the "Initial Term") from the Effective Date.

11.2 After the Initial Term, the Agreement shall be automatically renewed for additional five (5) year terms ("Renewal Term"), up to a maximum term of fifty (50) years, unless terminated by either party.

11.3 Either party shall have the right to unilaterally terminate this Agreement with a one (1) year advance written notice of termination.

11.4 The Authority shall have the right to terminate this Agreement, or any of its Sections, for cause upon default or violation by the City of any term of this Agreement.

11.5 This Agreement shall automatically terminate should the City violate the annexation agreement between the City and the Douglas County Board of Commissioners dated April 17, 2007 or any future annexation agreement between the City and the Douglas County Board of Commissioners. ~~In addition, the Authority shall have the right to terminate this Agreement for cause if the Authority has a reasonable objection to the provisions of any such future annexation agreement.~~

SECTION 12. ENFORCEMENT OF AGREEMENT

12.1 The parties agree that, for the protection of either, it may be necessary to compel the enforcement of the provisions of this Agreement by specific performance. It is agreed, therefore, that no objection to the form of the action or the relief prayed for in any proceeding for specific performance of this Agreement shall be raised by any party in order that such relief may be expeditiously obtained by an aggrieved party. All parties may proceed to protect and enforce their rights under this Agreement by a suit in equity, a suit at law, or other appropriate proceeding, whether for specific performance or for injunction against a violation of the terms of this Agreement, or in aid of the exercise of any right, power, or remedy granted under this Agreement, or at law, in equity, by statute, or otherwise.

12.2 No course of dealing and no delay on the part of any party in exercising any right, power, or remedy shall operate as a waiver thereof or otherwise prejudice its rights, powers, or remedies, and no right, power, or remedy conferred hereunder shall

be exclusive of any other right, power, or remedy referred to herein or hereafter available at law, in equity, by statute, or otherwise.

12.3 Any provision in this Agreement that is held by a court of competent jurisdiction to be prohibited or unenforceable shall be ineffective to the extent of such prohibition or unenforceability without invalidating or rendering unenforceable the remaining provisions of this Agreement.

12.4 This Agreement is made and entered into and shall be governed by and construed in accordance with the laws of the State of Georgia.

12.5 The Authority and the City stipulate and agree that any and all claims, demands, actions, or suit whatsoever arising out of or related to this Agreement shall be subject to the exclusive jurisdiction of the Superior Court of Douglas County, Georgia. The parties further agree that exclusive jurisdiction and venue in said forum is proper and appropriate since performance of this Agreement is to be accomplished within Douglas County, Georgia.

SECTION 13. MISCELLANEOUS

13.1 This Agreement sets forth the entire agreement of the parties with respect to the matters set forth herein.

13.2 All of the representations, warranties, covenants, promises, and agreements of the parties contained in this Agreement or any document delivered or to be delivered pursuant to this Agreement shall survive the execution, acknowledgement, sealing, and delivery of this Agreement and shall survive the consummation of the transactions contemplated hereby.

13.3 This Agreement shall not be assignable by any party without the prior written consent of the other party.

13.4 This Agreement shall inure to the benefit of and be binding on the parties hereto and their respective successors and permitted assignees.

13.5 No provision of this Agreement may be amended, waived, or otherwise modified without the prior written consent of both parties. No action taken pursuant to this Agreement shall be deemed to constitute a waiver of compliance with any representation, warranty, covenant, or agreement herein contained by the party taking such action. The waiver by any party of a breach of any provision or condition contained in this Agreement shall not operate or be construed as a waiver of any subsequent breach of any provision or condition in this Agreement.

13.6 The section and other headings contained in this Agreement are for reference only and shall not affect the meaning or interpretation of this Agreement and its terms and conditions.

13.7 This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to be one and the same instrument.

13.8 Any notice required to be given hereunder shall be deemed sufficient if given in writing and mailed by certified mail, return receipt requested, to the other party at the addresses set forth below:

As to the City:

City Manager
City of Villa Rica
571 West Bankhead Highway
Villa Rica, Georgia 30180

As to the Authority:

Executive Director
WSA
P.O. Box 1157
Douglasville, Georgia 30133

Either party may modify its address for notice at any time upon written notice to the other party.

[SIGNATURES SET FORTH ON FOLLOWING PAGE]

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

CITY OF VILLA RICA, GEORGIA

**DOUGLASVILLE-DOUGLAS COUNTY
WATER AND SEWER AUTHORITY**

By: _____
Leslie McPherson
Mayor

By: _____
Cynthia A. Fedack
Chairman

Attest:

Theresa Campbell
Clerk

By: _____
Gilbert B. Shearouse
Executive Director

(City Seal)

(Authority Seal)

**ATTACHMENT 1
TO INTERGOVERNMENTAL AGREEMENT
REGARDING MID-TERM WATER SUPPLY
AND WASTEWATER TREATMENT SERVICES**

This Attachment 1 details those properties or portions of properties designated, as applicable, to receive water services from the Authority and wastewater services from the City, referred to as the Authority Water/City Sewer Zone and identified below:

Mirror Lake Elementary School

Ashley Place Subdivision

The Falls Subdivision

Ashley Highlands Subdivision

Douglas County Fire Station 8

5801 Trade Center Court, Villa Rica, Georgia 30180

5810 Trade Center Court, Villa Rica, Georgia 30180

5820 Trade Center Court, Villa Rica, Georgia 30180

5830 Trade Center Court, Villa Rica, Georgia 30180

Parcel No. 0147025013

14861 Veterans Memorial Highway, Villa Rica, Georgia 30180

14911 Veterans Memorial Highway, Villa Rica, Georgia 30180

14921 Veterans Memorial Highway, Villa Rica, Georgia 30180

101 Boggs Road, Villa Rica, Georgia 30180

105 Boggs Road, Villa Rica, Georgia 30180

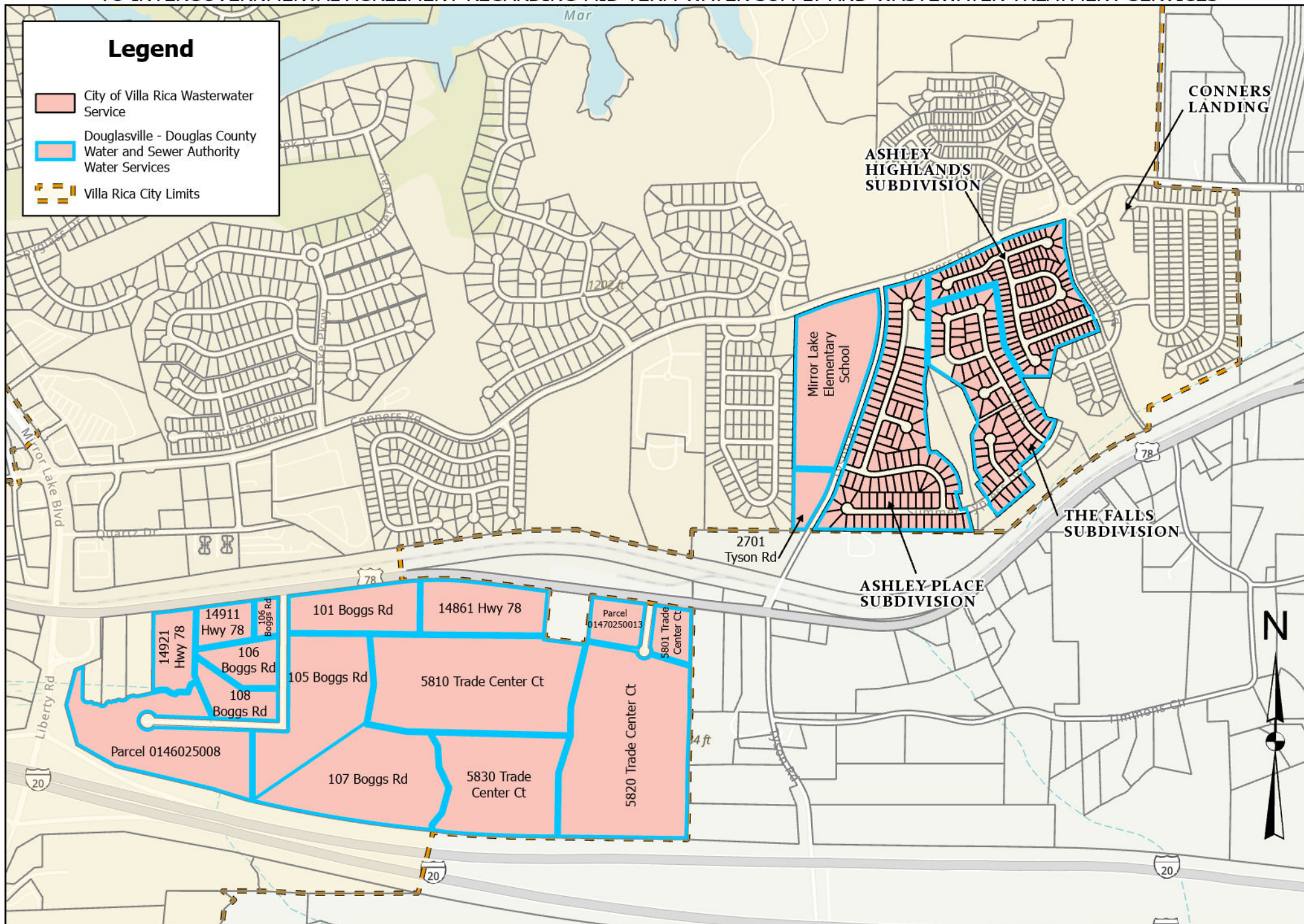
106 Boggs Road, Villa Rica, Georgia 30180

107 Boggs Road, Villa Rica, Georgia 30180

108 Boggs Road, Villa Rica, Georgia 30180

Parcel No. 01460250008

TO INTERGOVERNMENTAL AGREEMENT REGARDING MID-TERM WATER SUPPLY AND WASTEWATER TREATMENT SERVICES



Authority Water / City Sewer Zone



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Qualifying fees for municipal elections - 2025

AGENDA DATE: January 14, 2025

DATE PREPARED: December 20, 2025

PREPARED BY: Theresa Campbell, City Clerk

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PURPOSE: State law, OCGA § 21-2-13, requires that all municipalities conducting municipal elections must establish the qualifying fee for any open positions before February 1 in the year of the election. The City of Villa Rica will elect three councilpersons during calendar year 2025. State law sets the qualifying fee as being 3% of the annual salary for the position during the preceding year. The qualifying fee for councilmembers is 3% of \$9,000 or \$270.

STAFF RECOMMENDATION: Staff recommends the approval of this proposed Resolution in order to comply with the State law requiring that the City establish qualifying fees by February 1.

MOTION: I move that the City establish qualifying fees for municipal elections to be held in 2025 as \$270.00 for Councilmembers.

PUBLIC NOTICE

CITY OF VILLA RICA, GEORGIA

NOVEMBER 4, 2025 ELECTION

IN ACCORDANCE WITH O.C.G.A. §21-2-131(a)(1)(A), QUALIFYING FEES FOR THE NOVEMBER 5, 2025 ELECTION HAVE BEEN ESTABLISHED AND ARE HEREBY SET AS FOLLOWS:

COUNCIL MEMBER, WARD 3	\$ 270.00
COUNCIL MEMBER, WARD 4	\$ 270.00
COUNCIL MEMBER, WARD 5	\$ 270.00

A CANDIDATE MAY FILE A PAUPER'S AFFIDAVIT INSTEAD OF PAYING A QUALIFYING FEE. IN DOING SO THE CANDIDATE SHALL, UNDER OATH, AFFIRM HIS/HER POVERTY AND HIS/HER RESULTING INABILITY TO PAY THE QUALIFYING FEE OTHERWISE REQUIRED. SUCH ACTION ALSO REQUIRES THE INDIVIDUAL TO SUBMIT A QUALIFYING PETITION FOR FILING AS A PAUPER SIGNED BY 1% OF THE TOTAL REGISTERED VOTERS ELIGIBLE TO VOTE IN THE LAST ELECTION FOR THE FILLING OF THE OFFICE THE CANDIDATE IS SEEKINIG AND THE SIGNERS OF SUCH PETITION SHALL BE REGISTERED AND ELIGIBLE TO VOTE IN THE ELECTION AT WHICH SUCH CANDIDATE SEEKS TO BE ELECTED.

THERESA CAMPBELL, CITY CLERK
CITY OF VILLA RICA



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Jameson Towns Phase 1 Final Plat Approval Recommendation

AGENDA DATE: January 7th, 2024

DATE PREPARED: January 3rd, 2024

PREPARED BY: Nic Griffin

PUBLIC HEARING: Not required

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PURPOSE: All Final Plats of subdivision developments with public streets must be approved by the Mayor and City Council before building permits are issued. The Jameson Towns Phase 1 Final Plat has been reviewed and items associated with Final Plat approval have been completed.

BACKGROUND: Jameson Towns Phase 1 is a 181 unit town home development off of Tolbert Drive. This development is zoned SFA. The total site area is 74.92 acres with 46.807 acres being dedicated to the City of Villa Rica. Staff has had this item tabled previous. The conditions for this development have been added to the plat.

All civil construction has been completed and inspected. The Final Plat has several other items that must be accomplished/completed prior to the vote by the Mayor and City Council. These items have been completed and are listed as follows:

Maintenance bond submitted - \$323,000.00

Street Light Fees paid for one year in advance - \$5,520.00

Water, Sewer, and Storm system as-built record drawings have been submitted and approved.

All fees associated with the Final Plat submittal have been paid.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat for Jameson Towns Phase 1.

MOTION:

1. I move to approve the Final Plat for Jameson Towns Phase 1 with conditions as noted in the minutes from the May 24, 2022 Council meeting minutes.

CITY COUNCIL
GIL MCDUGAL, MAYOR
MATTHEW MOMTAHAN, MAYOR PRO TEM
SHIRLEY MARCHMAN
DANNY CARTER
LESLIE MCPHERSON
ANNA MCCOY

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, May 24, 2022 | 6:00 pm

Meeting Call to Order (Mayor Gil McDougal)

Mayor Gil McDougal called the meeting to order at 6 pm.

Present: Councilwoman Shirley Marchman, Councilman Danny Carter, Councilman Matthew Momtahan and Councilwoman Anna McCoy. Councilwoman Leslie McPherson was absent.

Invocation: Councilman Danny Carter

Pledge of Allegiance: Mayor Gil McDougal

Adoption of Agenda (Mayor Gil McDougal)

Mayor Gil McDougal added Item # B2-Housing Board Appointments to the agenda. Councilman Danny Carter moved to adopt the agenda as amended.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Carter, Marchman, McCoy

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes.)

One citizen came forward to speak.

1. Kurt Kraft, 2406 Ridgelake Drive

Council Updates (Subjects of General Interest and Concern)

There were no Council updates.

A. Consent Agenda (Mayor Gil McDougal)

Mayor Gil McDougal presented the Consent Agenda for approval.

1. RH Events and Catering, LLC dba Shake, Rattle & Rolls
2. Gold Dust Recreation Gymnasium HVAC Project
3. Concrete Material Bay Storage Project
4. North Plant Modification Project Change Order
5. FY2023 Budget Calendar

Motion: Councilman Danny Carter moved to adopt the Consent Agenda.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Anna McCoy, Councilwoman
AYES:	Carter, McCoy, Marchman, Momtahan

B. Governing Body (Mayor Gil McDougal)

1. Approval of Minutes

- a. Special Called Council Meeting Minutes of May 4, 2022
- b. Council Meeting Minutes of May 10, 2022

Motion: Councilwoman Shirley Marchman moved to approve the Special Called Council Meeting Minutes of May 4, 2022, and the Council Meeting Minutes of May 10, 2022.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Shirley Marchman, Councilwoman
SECONDER:	Anna McCoy, Councilwoman
AYES:	Marchman, McCoy, Carter, Momtahan

2. Mayoral Housing Authority Board Appointments

Mayor Gil McDougal appointed Rob Smith and Michael Young to the Housing Authority Board. Rob Smith will fill the vacancy on the board, and Michael Young will fill the vacancy expired term.

C. Community Development (Tracy Jarvis, Director)

1. RA-01-22 – Inline Communities, LLC – Proposed Rezoning of Two Vacant Parcels on Old Stone Road and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Inline Communities, LLC requested rezoning of two vacant parcels on Old Stone Road from Single-Family Agricultural (AG) to Planned Unit Development (PUD).

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the rezoning request from Inline Communities, LLC of Villa Rica, GA for a rezoning from AG to PUD with the four conditions as stated by staff.

Staff Conditions:

1. Receipt of a favorable sewer and water capacity letter from the city's Utilities Department guaranteeing availability to service all lots within the proposed development within sixty (60) days. This letter must be on file with the city's Community Development Department upon receipt.
2. The applicant must address the Old Stone Road and Punkintown Road intersection in the form of a traffic study, and all recommendations of that study are to be implemented at the recommendation of the Community Development Director/Engineer.
3. The applicant's Development Master Plan should be entered into the legal record in addition to any and all proposed elevations, site plans, concept plans and other representations made before the City Council.
4. The applicant/developer/builder agrees to a 15% rental cap applicable to the townhome and single-family detached portions of the development.

Councilman Matthew Momtahan asked Councilman Danny Carter if he would amend his motion to include stimulations that the applicant agrees to that includes: no three-bedroom apartments in the multifamily section, require 100% master on main for the townhomes and the single-family detached sections of the development, and require a property owners association instead of a homeowners association. Councilman Danny Carter agreed to amend his motion to these stimulations.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Carter, Momtahan, Marchman, McCoy

2. RA-02-22 – Inline Communities, LLC – Proposed Rezoning of 116 Reed Road and Public Hearing
(Ronald Johnson, Planning and Zoning Specialist)
Inline Communities, LLC requested a rezoning of 116 Reed Road from Single-Family Urban (R2) to Single-Family Attached (SFA).

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the rezoning request from Inline Communities, LLC of Villa Rica, GA for a rezoning from R2 to SFA with conditions as outlined by staff.

Staff Conditions:

1. Receipt of a favorable sewer and water capacity letter from the city's Utilities Department guaranteeing availability to service all lots within the proposed development within sixty (60) days. This letter must be on file with the city's Community Development Department upon receipt.
2. The applicant must comply with all recommendations found within the traffic report dated August 23, 2021, prepared by A & R Engineering, Inc.
3. The applicant must address the Reed Road/Tolbert Dr. and South Carroll Road intersection in the form of a traffic study.
4. The developer shall contribute no more than \$1,500 per lot to the cost of traffic improvements.
5. The Applicant/Developer/Owner agrees that site/neighborhood/development amenities include a pool and cabana, walking trail, tot lot, and picnic/cookout/barbecue grilling area.
6. The Applicant/Development/Owner agrees that the proposed pool will have a minimum surface area of 1,500 square feet.
7. The Applicant/Developer/Owner agrees to install sidewalks on both sides of internal streets and along the frontage of Tolbert/Reed Road.
8. The Applicant/Developer/Owner agrees to submit the site/neighborhood/development to covenants pursuant to the Georgia Property Owners Act (O.C.G.A. § 44-3-220, et seq.).
9. The Applicant/Developer/Owner agrees to be responsible for incorporating a minimum of one traffic calming practice in accordance with the Institute of Transportation Engineers (ITE) manual for traffic calming along the main entrance road internal to the neighborhood. The practice may include a stop sign, road diet, speed hump or other device which shall be approved through the civil plan review process.
10. The Applicant/Developer/Owner acknowledges that water and sewer availability is not expressly implied as a result of zoning.
11. The Applicant/Developer/Owner agrees and acknowledges that all conditions or stipulations of re-zoning shall bind Applicant/Developer/Owner's successors and assigns.

12. The Covenants, Conditions and Restrictions shall include a clause that limits the maximum number of units that can be rented or leased within the development at any one time to 10% or less of the total homes.
13. The Applicant/Developer/Owner agrees to build all internal roadways and parking aisles to standards that would accommodate emergency access vehicles. This includes emergency access to the proposed park in the rear of the property.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Carter, Momtahan, Marchman, McCoy

3. RA-03-22 – CWD Properties, LLC – Rezoning from AG to C1 at 1101 W. Bankhead Hwy and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Public Hearing: No one came forward to speak.

Motion: Councilman Matthew Momtahan moved to approve the rezoning request from CWD Properties, LLC of Tallapoosa, GA for a rezoning from AG to C1 as presented by staff subject to the condition that the property will not be used for retail.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Matthew Momtahan, Councilman
SECONDER: Danny Carter, Councilman
AYES: Momtahan, Carter, Marchman, McCoy

4. Distilled Package License Application Packet and Schedule for Review (Nyree Simpson, Licensing Specialist)

Approval of the application and lottery process for Distilled Spirits Packaged Stores.

Motion: Councilman Danny Carter moved to approve the submitted application and lottery process for packaged stores within the city limits of Villa Rica pursuant to Chapter 4 Alcoholic Beverages, Sec. 4-28 Application.

RESULT: ADOPTED (VOTE: 3-1)
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Carter, McCoy, Momtahan
NAYS: Marchman

D. City Manager (Tom Barber)

1. Update of Eastside Tax Allocation District (TAD)

The City Manager and Mayor reviewed the required IGA provisions from the county and staff's response back to the county. The Mayor asked the Council to vote on the responses so that the City Attorney can put together a formal reply back to the county.

Motion: Councilman Danny Carter moved to adopt the responses as presented of the 15 items for the City of Villa Rica to respond to the Carroll County Board of Commissioners.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Carter, Momtahan, Marchman, McCoy

E. Executive Session (C. David Mecklin, City Attorney)

City Attorney David Mecklin announced that the Council will go into Executive Session for a meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

Motion: Councilwoman Shirley Marchman moved to go into Executive Session for the purpose as stated by the City Attorney.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Shirley Marchman, Councilwoman
SECONDER: Matthew Momtahan, Councilman
AYES: Marchman, Momtahan, Carter, McCoy

Motion: Councilwoman Shirley Marchman moved to return to regular session.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Shirley Marchman, Councilwoman
SECONDER: Danny Carter, Councilman
AYES: Marchman, Carter, Momtahan, McCoy

Executive Session Action: City Attorney David Mecklin reported there was no action taken by the council during executive session that needed to be voted on in open session.

Adjournment: Councilwoman Shirley Marchman moved to adjourn, seconded by Councilwoman Anna McCoy. The vote was unanimous. Mayor Gil McDougal adjourned the meeting.

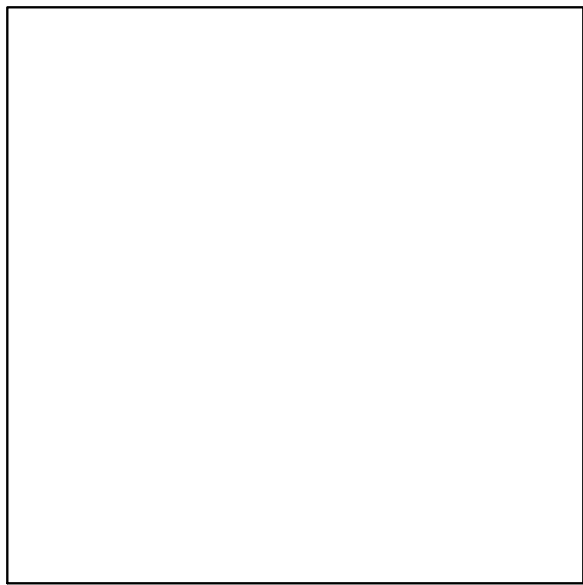


City Clerk Alisa Doyal



Mayor Gil McDougal

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CITY OF VILLA RICA, GA
DEVELOPMENT REVIEW

- ☒ APPROVED
☐ APPROVED AS NOTED
☐ DENIED



CITY ENGINEER: _____

ZONING: _____

APPROVING OFFICIAL _____ DATE _____

JAMESON TOWNS

PHASE I

TOLBERT DR @ W LIBERTY RD

VILLA RICA GA, 30180



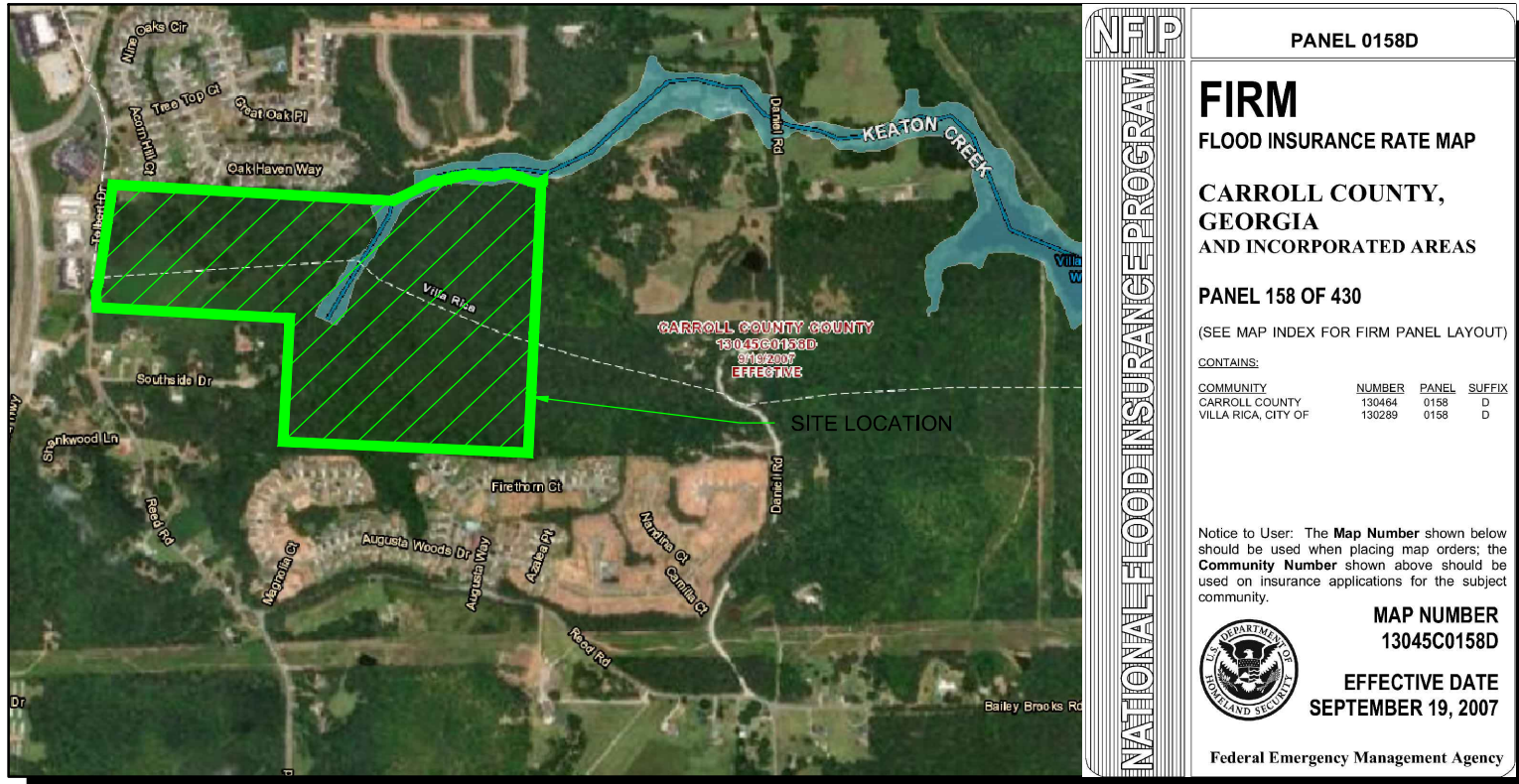
Approved
January 6, 2025
4:12 PM
Bobby C. Elliott, PE
City Engineer

NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE ARE APPROXIMATELY AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ALL UTILITIES SERVING THE PROPERTY ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENTS OF RECORD.

2. WATER SERVICE TO BE PROVIDED BY VILLA RICA.

3. SANITARY SEWER SERVICE TO BE PROVIDED BY VILLA RICA.



FEMA FIRM MAP
FEMA FIRM PANEL NO.: 13045C0158 E
NOT TO SCALE

SITE LOCATION MAP

SITE INFORMATION

- TOTAL ONSITE AREA: 74.92 ACRES / TOTAL AREA DISTURBED 25.05 ACRES.
- BOUNDARY & TOPOGRAPHIC INFORMATION PROVIDED BY LAND DEVELOPMENT SURVEYORS, INC., DATED 10/12/21.
- THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR CARROLL COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER(S) 13045C0159 E, EFFECTIVE DATE 08/15/2019 WAS EXAMINED AND A PORTION OF THE PROPERTY SHOWN HEREIN WAS FOUND TO FALL WITHIN A DESIGNATED FLOOD ZONE 'A' (AREAS OF 100-YEAR FLOOD) OR SPECIAL FLOOD HAZARD ZONE (AREAS OF 500-YEAR FLOOD).
- THERE ARE STATE WATERS LOCATED ON OR WITHIN 200 FEET OF THE SITE.
- THERE ARE NO KNOWN WETLANDS ON THIS SITE
- THE ORTHOMETRIC HEIGHTS (ELEVATIONS AND CONTOURS) SHOWN HEREON WERE DETERMINED BY A FIELD RUN SURVEY BY LAND DEVELOPMENT SURVEYORS, INC., DATED 10/12/21.

SITE DATA

ADDRESS: TOLBERT DR @ W LIBERTY RD
VILLA RICA GA, 30180
SITE AREA: 74.92 AC
ZONING: SFA

LAND LOT: 126 & 127
DISTRICT: 06
PARCEL ID: V06 0040139

CONTACT INFORMATION:

ENGINEER: CHRIS SANFORD
PLANNERS AND ENGINEERS
COLLABORATIVE

OWNER: CRAIG GASKINS
SMITH DOUGLAS HOMES

ADDRESS: 350 RESEARCH COURT
PEACHTREE CORNERS,
GEORGIA 30092
PHONE: 770.451.2741
EMAIL: CSANFORD@PEC.PLUS

ADDRESS: 110 VILLAGE TRAIL
SUITE 215
WOODSTOCK GA 30188
PHONE: 770-713-7179

SHEET INDEX

SHEET 1 – COVER
SHEET 2 – METES & BOUNDS, ZONING CONDITIONS
SHEET 3 – ZONING CONDITIONS
SHEETS 4 – 6 – SITE PLAN

PHASE I SITE CALCULATIONS

CL ROAD – 2461.59 LF
CURB – 5065.42 LF
WATERLINE – 1888.35 LF
SEWER LINE – 4725.65 LF
STORM LINE – 6165.44 LF

MANHOLES – 30
STORM JB – 0

DRAWING LEGEND

FFE XX.XX	FINISHED FLOOR ELEVATION
BFE XX.XX	BASEMENT FLOOR ELEVATION
(10.72)	SPOT ELEVATION
10 8	EXISTING CONTOURS
10 8	PROPOSED CONTOURS
W	WATER LINE
⊠	WATER METER
⊠	VALVE & END CAP
⊠	FIRE HYDRANT & FDC
⊠	TEE, BEND & INTERSECTION
— — — — —	SANITARY SEWER LINE
⊙	SANITARY MANHOLE
⊙	SANITARY CLEANOUT
⊙	GREASE TRAP
— — — — —	STORM LINE
⊙	JUNCTION BOX
⊙	DROP INLET
⊙	YARD INLET
⊙	CURB INLET
⊙	WEIR INLET
⊠	CATCH BASIN
∨	HEADWALL
⊙	OUTLET CONTROL STRUCTURE

SITE DATA:

ADDRESS	TOLBERT DR @ W LIBERTY RD, VILLA RICA GA, 30180
SITE AREA	74.92
SITE AREA DEDICATED TO CITY	46.807
NET SITE AREA	28.111
ZONING	
PROPOSED ZONING (EXISTING)	SFA (R-2)
ZONING JURISDICTION	VILLA RICA
DEVELOPMENT STANDARDS	
FRONT LOADED 24' TOWHOMES	181 UNITS
UNIT DENSITY	2.42 UNITS/AC (6.44 UNITS/AC NET)
OPEN SPACE REQUIRED	12% (8.99 AC)
OPEN SPACE PROVIDED	74.4 % (55.80 AC)
FRONT SETBACK	25 FEET (INTERIOR STREETS)
SIDE SETBACK	40 FEET
REAR SETBACK	40 FEET
PARKING	
REQUIRED PARKING (2 SP. PER UNIT)	362 SPACES
PARKING SPACES PROVIDED	724 (2 PER GARAGE & 2 PER DRIVEWAY)
GUEST PARKING PROVIDED	55 SPACES
HANDICAP PARKING REQUIRED	3 SPACES
HANDICAP PARKING PROVIDED	3 SPACES
TOTAL SPACES PROVIDED	779 SPACES

CITY OF VILLA RICA CERTIFICATE

IN ACCORDANCE WITH THE CITY OF VILLA RICA DEVELOPMENT REGULATIONS AND THE CITY'S ZONING ORDINANCE, ALL REQUIREMENTS OF APPROVAL HAVE BEEN FULFILLED; THIS PLAT IS GIVEN FINAL APPROVAL BY THE FOLLOWING OFFICIALS ON BEHALF OF THE CITY OF VILLA RICA:

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

PLANNING COMMISSION _____ DATE _____

MAYOR _____ DATE _____

OWNER'S CERTIFICATE

THE OWNER OF THE PLAT SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE, CITY AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID, THAT ALL STREETS, WATER SYSTEMS DRAINS AND DRAINAGE EASEMENTS, AND PUBLIC PLACES ARE DEDICATED TO THE USE OF THE PUBLIC IN PERPETUITY.

OWNER _____ DATE _____

SURVEYOR CERTIFICATION

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

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 HEREON ACTUALLY EXIST OR ARE MARKED FUTURE AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN, AND THAT ALL REQUIREMENTS OF THE DEVELOPMENT AND ZONING REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

Signature: Michael C. Sanford Michael C. Sanford 01/06/25
Registered Ga. Land Surveyor Printed Name Date



Know what's below.
Call before you dig.



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LAND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING
ARBORISTS + SURVEYING & CONSTRUCTION + WATER RESOURCES
350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092
(770)451-2741 WWW.PEC.PLUS
C.O.A.-LSF000004

REVISIONS

REV	DATE	DESCRIPTION	BY
5			
4			
3			
2			
1			

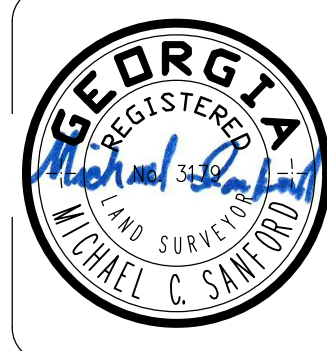
LAND LOT(S) 126 & 127
DISTRICT 6TH

FINAL OF PLAT

JAMESON TOWNS
PHASE I

CITY OF VILLA RICA

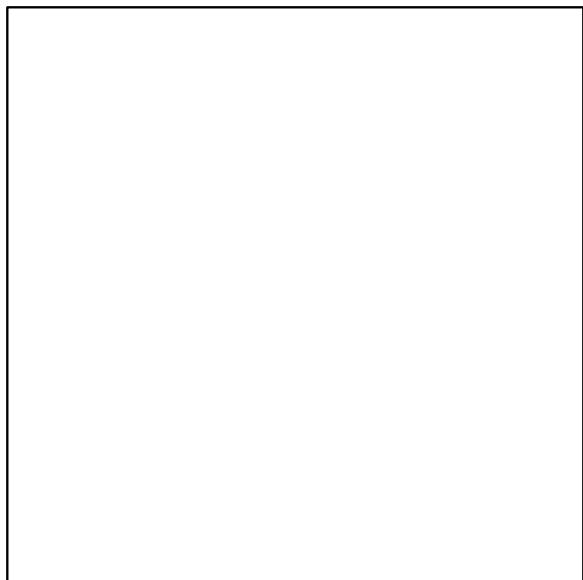
CARROLL COUNTY
GEORGIA



SHEET 1 OF 6

DRAWN BY: MCS
CHECKED BY: MCS
FILE NO.: 21153.00
DATE: 09/13/24
SCALE: NOT TO SCALE
DATE OF FIELD WORK: 09/13/24
NOT TO SCALE

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CENTERLINE ROAD CALLS

Line Table		
Line #	Length	Direction
L18	45.30	N24°25'55"E
L19	76.54	N10°56'10"E
L20	70.30	S88°16'51"E
L21	359.80	S01°43'04"W
L22	106.80	N88°16'51"W
L23	56.56	S01°43'48"W
L24	1103.39	S88°20'03"E
L25	83.24	N24°51'47"E
L26	16.34	N01°43'09"E
L27	18.00	N01°43'09"E
L28	5.14	S88°16'51"E
L29	177.56	S65°23'07"E
L30	177.56	N65°23'07"W
L31	321.86	N88°16'51"W
L32	135.18	N59°11'42"W
L33	202.92	N75°05'34"W
L34	494.72	N88°16'51"W
L35	83.95	N01°43'09"E
L36	68.00	N88°16'51"W
L37	87.45	S01°43'09"W

Line Table		
Line #	Length	Direction
L38	10.36	N88°16'51"W
L39	23.39	N06°15'30"E
L40	44.79	N06°15'39"E
L41	45.26	N05°41'47"E
L42	325.45	N88°16'51"W
L43	282.35	S01°43'09"W
L44	153.40	S88°20'03"E
L45	229.42	N01°43'09"E
L46	160.92	S01°43'09"W
L47	7.87	N48°21'12"E
L48	73.68	S88°38'51"E
L49	8.81	S42°35'30"E
L50	592.23	S88°20'05"E
L51	40.14	N24°51'47"E
L52	38.00	N24°51'47"E
L53	17.84	N01°43'09"E
L54	126.73	N88°16'51"W
L55	86.05	N59°11'42"W
L56	9.19	S75°48'18"W
L57	42.64	N59°11'42"W

Line Table		
Line #	Length	Direction
L58	203.49	N75°05'34"W
L59	9.33	N32°14'48"W
L60	7.47	N88°16'51"W
L61	115.50	S01°43'09"W
L62	85.00	N88°16'51"W
L63	115.50	N01°43'09"E

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City Engineer

RIGHT-OF-WAY LINE CALLS

Line Table		
Line #	Length	Direction
L1	112.38	S88°16'51"E
L2	63.81	S88°16'51"E
L3	409.95	S88°16'51"E
L4	49.47	S88°16'51"E
L5	202.92	S75°05'34"E
L6	135.18	S59°11'42"E
L7	168.23	S88°16'51"E
L8	153.63	S88°16'51"E
L9	231.81	S65°23'07"E
L10	99.45	S01°43'09"W
L11	449.22	S01°43'09"W
L12	300.84	S01°43'09"W
L13	59.34	S01°43'09"W
L14	83.24	S24°51'47"W
L15	718.82	N88°20'03"W
L16	236.40	N88°20'03"W
L17	135.30	N88°20'03"W

Curve Table				
Curve #	Length	Radius	Direction	Chord
C1	46.03	200.00	S81°41'13"E	45.93
C2	55.49	200.00	S67°08'38"E	55.32
C3	101.53	200.00	S73°44'16"E	100.44
C4	39.96	100.00	S76°49'59"E	39.69
C5	60.59	150.00	S13°17'28"W	60.18
C6	174.89	150.00	S58°15'52"W	165.15

Curve Table				
Curve #	Length	Radius	Direction	Chord
C7	26.08	18.50	N51°19'40"E	23.98
C8	25.92	16.50	S43°16'51"E	23.33
C9	25.92	16.50	S46°43'06"W	23.33
C10	204.19	174.99	N58°17'21"E	192.80
C11	70.69	175.00	N13°17'28"E	70.21
C12	29.97	75.00	S76°49'59"E	29.77
C13	14.78	16.00	S38°55'32"E	14.26
C14	259.42	52.00	N24°36'53"E	62.71
C15	14.78	16.00	S88°09'19"W	14.26
C16	49.95	125.00	N76°49'59"W	49.62
C17	88.84	175.00	N73°44'16"W	87.89
C18	62.43	225.00	N67°08'38"W	62.23
C19	51.79	225.00	N81°41'13"W	51.67
C20	5.50	3.50	N43°16'51"W	4.95
C21	30.53	18.50	N41°00'41"W	27.18
C22	25.64	16.50	S47°11'54"W	23.14
C23	25.93	16.50	S43°18'27"E	23.35
C24	25.90	16.50	N46°41'33"E	23.32
C25	230.05	51.50	S50°18'30"E	81.20
C26	24.52	18.50	S39°41'30"W	22.77

Curve Table				
Curve #	Length	Radius	Direction	Chord
C27	25.44	16.53	S42°24'08"E	23.00
C28	26.99	124.99	N85°28'45"E	26.94
C29	59.48	125.70	N65°39'32"E	58.93
C30	59.26	125.00	N38°26'38"E	58.70
C31	55.59	129.10	N14°21'15"E	55.16
C32	25.92	16.50	N43°16'51"W	23.33
C33	114.22	225.00	N73°44'16"W	113.00
C34	46.75	168.50	N67°08'38"W	46.60
C35	32.87	175.00	N82°53'57"W	32.83

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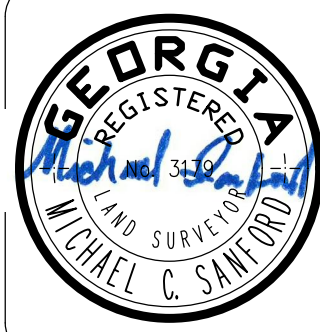
LAND LOT(S) 126 & 127
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PHASE I

CITY OF VILLA RICA

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SHEET 2 OF 6

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GIL McDUGAL, MAYOR
MATTHEW MONTAHAN, MAYOR PRO TEM
SHIRLEY MARCHMAN
DANNY CARTER
LESLIE MCPHERSON
ANNA MCCOY

City of Villa Rica

CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
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CITY COUNCIL MEETING MINUTES
Holt-Bishop Justice Center, 101 Main Street
Tuesday, May 24, 2022 | 6:00 pm

Meeting Call to Order (Mayor Gil McDougal)
Mayor Gil McDougal called the meeting to order at 6 pm.

Present: Councilwoman Shirley Marchman, Councilman Danny Carter, Councilman Matthew Montahan and Councilwoman Anna McCoy. Councilwoman Leslie McPherson was absent.

Invocation: Councilman Danny Carter

Pledge of Allegiance: Mayor Gil McDougal

Adoption of Agenda (Mayor Gil McDougal)

Mayor Gil McDougal added Item # B2-Housing Board Appointments to the agenda. Councilman Danny Carter moved to adopt the agenda as amended.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Shirley Marchman, Councilwoman
AYES: Carter, Marchman, McCoy

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes.)

- One citizen came forward to speak.
1. Kurt Kraft, 2406 Ridgelake Drive

Council Updates (Subjects of General Interest and Concern)
There were no Council updates.

A. Consent Agenda (Mayor Gil McDougal)

Mayor Gil McDougal presented the Consent Agenda for approval.

1. RH Events and Catering, LLC dba Shake, Rattle & Rolls
2. Gold Dust Recreation Gymnasium HVAC Project
3. Concrete Material Bay Storage Project
4. North Plant Modification Project Change Order
5. FY2023 Budget Calendar

1 | Page

12. The Covenants, Conditions and Restrictions shall include a clause that limits the maximum number of units that can be rented or leased within the development at any one time to 10% or less of the total homes.
13. The Applicant/Developer/Owner agrees to build all internal roadways and parking aisles to standards that would accommodate emergency access vehicles. This includes emergency access to the proposed park in the rear of the property.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Matthew Montahan, Councilman
AYES: Carter, Montahan, Marchman, McCoy

3. RA-03-22 – CWD Properties, LLC – Rezoning from AG to C1 at 1101 W. Bankhead Hwy and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Public Hearing: No one came forward to speak.

Motion: Councilman Matthew Montahan moved to approve the rezoning request from CWD Properties, LLC of Tallapoosa, GA for a rezoning from AG to C1 as presented by staff subject to the condition that the property will not be used for retail.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Matthew Montahan, Councilman
SECONDER: Danny Carter, Councilman
AYES: Montahan, Carter, Marchman, McCoy

4. Distilled Package License Application Packet and Schedule for Review (Nyree Simpson, Licensing Specialist)
Approval of the application and lottery process for Distilled Spirits Packaged Stores.

Motion: Councilman Danny Carter moved to approve the submitted application and lottery process for packaged stores within the city limits of Villa Rica pursuant to Chapter 4 Alcoholic Beverages, Sec. 4-28 Application.

RESULT: ADOPTED (VOTE: 3-1)
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Carter, McCoy, Montahan
NAYS: Marchman

D. City Manager (Tom Barber)

1. Update of Eastside Tax Allocation District (TAD)

The City Manager and Mayor reviewed the required IGA provisions from the county and staff's response back to the county. The Mayor asked the Council to vote on the responses so that the City Attorney can put together a formal reply back to the county.

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Motion: Councilman Danny Carter moved to adopt the Consent Agenda.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Carter, McCoy, Marchman, Montahan

B. Governing Body (Mayor Gil McDougal)

1. Approval of Minutes
a. Special Called Council Meeting Minutes of May 4, 2022
b. Council Meeting Minutes of May 10, 2022

Motion: Councilwoman Shirley Marchman moved to approve the Special Called Council Meeting Minutes of May 4, 2022, and the Council Meeting Minutes of May 10, 2022.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Shirley Marchman, Councilwoman
SECONDER: Anna McCoy, Councilwoman
AYES: Marchman, McCoy, Carter, Montahan

2. Mayoral Housing Authority Board Appointments

Mayor Gil McDougal appointed Rob Smith and Michael Young to the Housing Authority Board. Rob Smith will fill the vacancy on the board, and Michael Young will fill the vacancy expired term.

C. Community Development (Tracy Jarvis, Director)

1. RA-01-22 – Inline Communities, LLC – Proposed Rezoning of Two Vacant Parcels on Old Stone Road and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
Inline Communities, LLC requested rezoning of two vacant parcels on Old Stone Road from Single-Family Agricultural (AG) to Planned Unit Development (PUD).

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the rezoning request from Inline Communities, LLC of Villa Rica, GA for a rezoning from AG to PUD with the four conditions as stated by staff.

Staff Conditions:

1. Receipt of a favorable sewer and water capacity letter from the city's Utilities Department guaranteeing availability to service all lots within the proposed development within sixty (60) days. This letter must be on file with the city's Community Development Department upon receipt.
2. The applicant must address the Old Stone Road and Punkintown Road intersection in the form of a traffic study, and all recommendations of that study are to be implemented at the recommendation of the Community Development Director/Engineer.
3. The applicant's Development Master Plan should be entered into the legal record in addition to any and all proposed elevations, site plans, concept plans and other representations made before the City Council.
4. The applicant/developer/builder agrees to a 15% rental cap applicable to the townhome and single-family detached portions of the development.

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Motion: Councilman Danny Carter moved to adopt the responses as presented of the 15 items for the City of Villa Rica to respond to the Carroll County Board of Commissioners.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Matthew Montahan, Councilman
AYES: Carter, Montahan, Marchman, McCoy

E. Executive Session (C. David Mecklin, City Attorney)

City Attorney David Mecklin announced that the Council will go into Executive Session for a meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

Motion: Councilwoman Shirley Marchman moved to go into Executive Session for the purpose as stated by the City Attorney.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Shirley Marchman, Councilwoman
SECONDER: Matthew Montahan, Councilman
AYES: Marchman, Montahan, Carter, McCoy

Motion: Councilwoman Shirley Marchman moved to return to regular session.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Shirley Marchman, Councilwoman
SECONDER: Danny Carter, Councilman
AYES: Marchman, Carter, Montahan, McCoy

Executive Session Action: City Attorney David Mecklin reported there was no action taken by the council during executive session that needed to be voted on in open session.

Adjournment: Councilwoman Shirley Marchman moved to adjourn, seconded by Councilwoman Anna McCoy. The vote was unanimous. Mayor Gil McDougal adjourned the meeting.

Alisa Doyal
City Clerk Alisa Doyal

Mayor Gil McDougal
Mayor Gil McDougal

5 | Page

Councilman Matthew Montahan asked Councilman Danny Carter if he would amend his motion to include simulations that the applicant agrees to that includes: no three-bedroom apartments in the multifamily section, require 100% master on main for the townhomes and the single-family detached sections of the development, and require a property owners association instead of a homeowners association. Councilman Danny Carter agreed to amend his motion to these simulations.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Danny Carter, Councilman
SECONDER: Matthew Montahan, Councilman
AYES: Carter, Montahan, Marchman, McCoy

2. RA-02-22 – Inline Communities, LLC – Proposed Rezoning of 116 Reed Road and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
Inline Communities, LLC requested a rezoning of 116 Reed Road from Single-Family Urban (R2) to Single-Family Attached (SFA).

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the rezoning request from Inline Communities, LLC of Villa Rica, GA for a rezoning from R2 to SFA with conditions as outlined by staff.

Staff Conditions:

1. Receipt of a favorable sewer and water capacity letter from the city's Utilities Department guaranteeing availability to service all lots within the proposed development within sixty (60) days. This letter must be on file with the city's Community Development Department upon receipt.
2. The applicant must comply with all recommendations found within the traffic report dated August 23, 2021, prepared by A & R Engineering, Inc.
3. The applicant must address the Reed Road/Tolbert Dr. and South Carroll Road intersection in the form of a traffic study.
4. The developer shall contribute no more than \$1,500 per lot to the cost of traffic improvements.
5. The Applicant/Developer/Owner agrees that site/neighborhood/development amenities include a pool and cabana, walking trail, tot lot, and picnic/cookout/barbecue grilling area.
6. The Applicant/Development/Owner agrees that the proposed pool will have a minimum surface area of 1,500 square feet.
7. The Applicant/Developer/Owner agrees to install sidewalks on both sides of internal streets and along the frontage of Tolbert/Reed Road.
8. The Applicant/Developer/Owner agrees to submit the site/neighborhood/development to covenants pursuant to the Georgia Property Owners Act (O.C.G.A. § 44-3-220, et seq.).
9. The Applicant/Developer/Owner agrees to be responsible for incorporating a minimum of one traffic calming practice in accordance with the Institute of Transportation Engineers (ITE) manual for traffic calming along the main entrance road internal to the neighborhood. The practice may include a stop sign, road diet, speed hump or other device which shall be approved through the civil plan review process.
10. The Applicant/Developer/Owner acknowledges that water and sewer availability is not expressly implied as a result of zoning.
11. The Applicant/Developer/Owner agrees and acknowledges that all conditions or stipulations of re-zoning shall bind Applicant/Developer/Owner's successors and assigns.



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City Engineer



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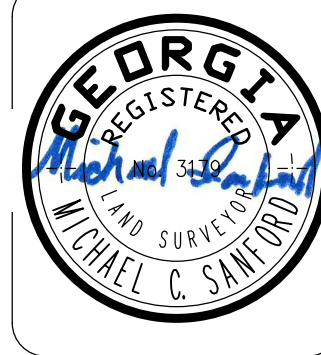
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CITY OF VILLA RICA



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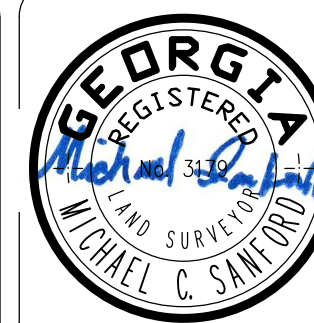
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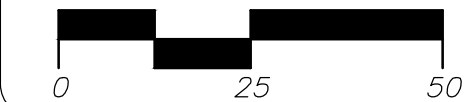
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SHEET 4 OF 6

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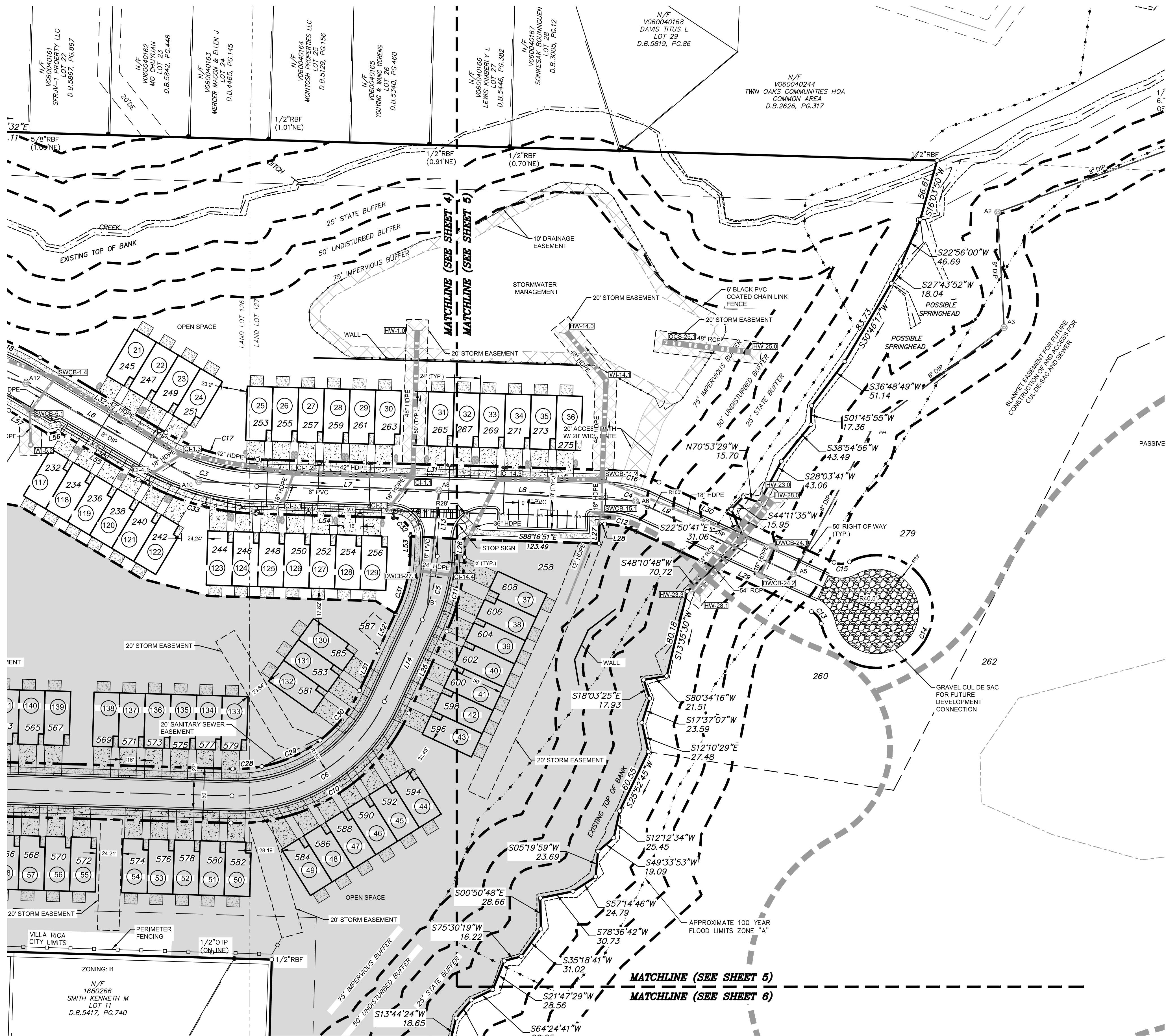


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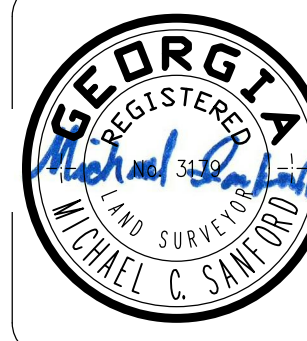
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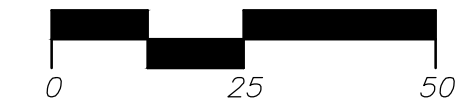
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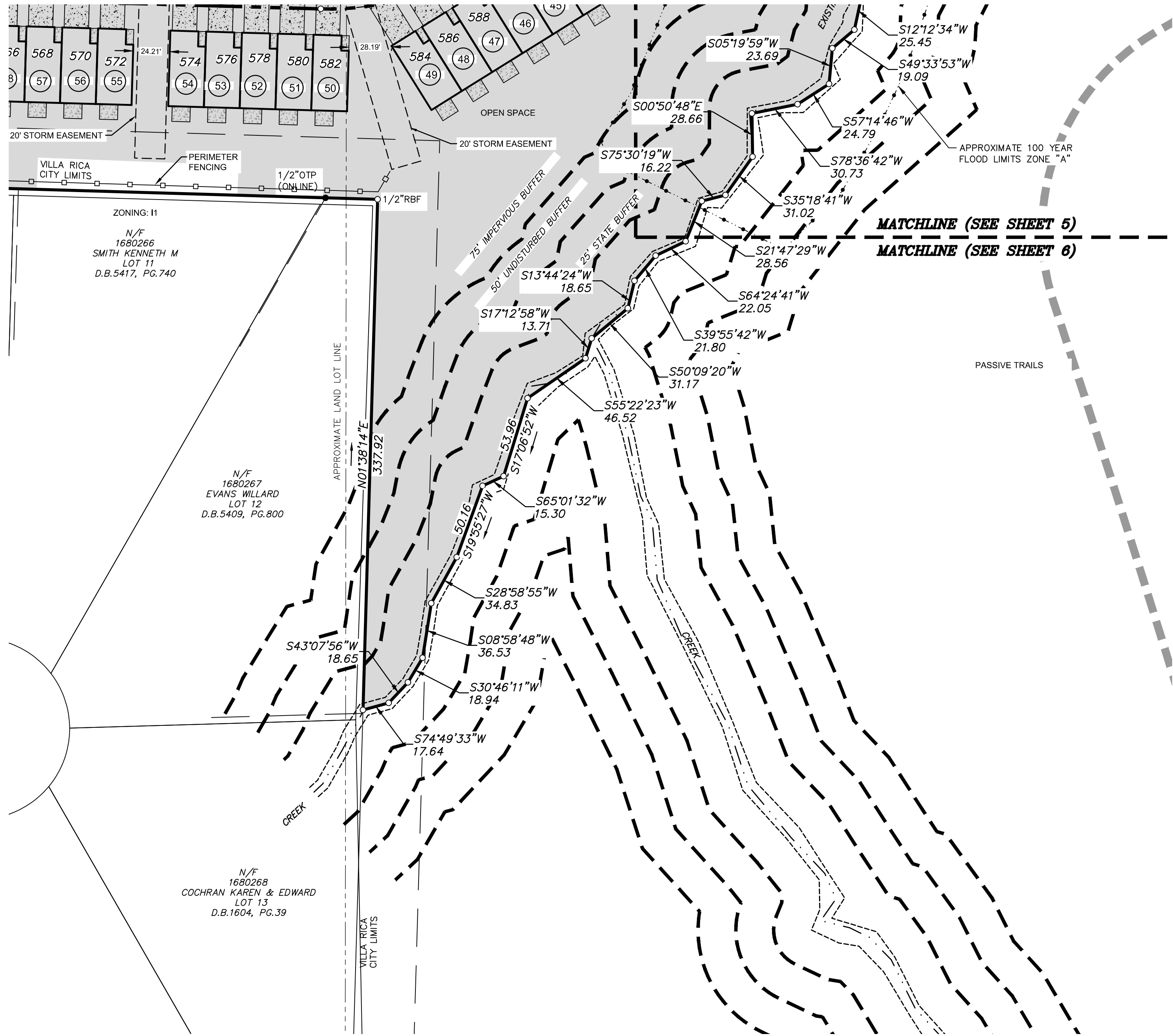


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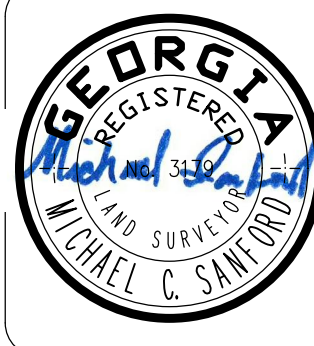
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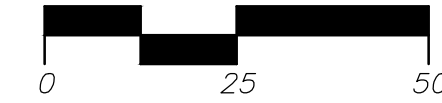
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CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2024 Budget Amendments #262-280

AGENDA DATE: 01-14-2025

DATE PREPARED: 12-31-2024

PREPARED BY: Jennifer Hallman, CFO

AMOUNT: See Exhibit A

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PUBLIC HEARING:

PURPOSE: To adopt a resolution amending the 2024 budget

MOTION: I move to adopt a resolution amending the 2024 fiscal year budget pursuant to Section 2-71 of the City Charter.

FY24 Budget Amendment to cover Department Overages		Amending FY24 budget for department overages. This is a housekeeping adjustment to close out the fiscal year for audit.
Source of Funds:	Excess - LOST, Insurance Premium Tax, Interest, Park Revenue	

Item	Account Name	Account Type	Amount
262 100-1320-521200	City Manager -Professional Services	Expense	Increase 28,780
263 100-1535-511100	Information Technology - Salaries	Expense	Increase 18,340
264 100-1590-523970	Customer Service - Bank/CC Fees	Expense	Increase 3,475
265 100-3520-571000	Intergovernmental - SDS DC Fire Services	Expense	Increase 29,785
266 100-4210-531231	Streets - Street Lighting	Expense	Increase 19,853
267 100-6130-523875	Parks - Contract Labor/Class Instructors	Expense	Increase 16,934
268 100-9000-611021	Transfer to GF Capital Proj - Fellowship Hall & Gym Reno	Expense	Increase 428,735
269 100-316200	Insurance Premium Tax	Revenue	Increase 69,588
270 100-313110	LOST - Carroll County	Revenue	Increase 131,435
271 100-313120	LOST - Douglas County	Revenue	Increase 153,662
272 100-347540	Summer Camp	Revenue	Increase 16,934
273 100-361100	Interest	Revenue	Increase 174,283
274 350-1320-541300	Site Imprv - Fellowship Hall & Gym Reno	Expense	Increase 428,735
275 350-391100	Transfer In from GF	Revenue	Increase 428,735
276 505-4420-531510	Water Treatmt Plant - Water Purchases	Expense	Increase 77,395
277 505-8000-582301	GEFA Interest	Expense	Increase 37,605
278 505-344232	Water/Sewer Revenue	Revenue	Increase 115,000
279 610-1540-571010	Healthcare Self Fund - Claims	Expense	Increase 158,190
280 610-381000	Healthcare Self Fund - Fund Balance	Revenue	Increase 158,190

STATE OF GEORGIA
CITY OF VILLA RICA

A RESOLUTION TO APPROVE AN AMENDMENT TO THE BUDGET
FOR THE FISCAL YEAR 2024 FOR THE CITY
PURSUANT TO SECTION 2-71 OF THE CITY CHARTER

WHEREAS, the Mayor and City Council adopted the 2024 Budget on September 12, 2023, which incorporated all of the various funds of the City; and

WHEREAS, the Mayor and Council have determined it appropriate to amend the budget for the reasons set forth herein; and

WHEREAS, the Mayor and Council have reviewed the proposed budget; and

WHEREAS, each of the funds, as amended, has a balanced budget, such that anticipated revenues equal or exceed proposed expenditures.

NOW, THEREFORE, the Mayor and City Council of the City of Villa Rica, Georgia, hereby resolve as follows:

Section 1. That the City of Villa Rica, Georgia, hereby amends the Budget for Fiscal Year 2024, said budget amendment being described as Amendment No. 262-280, attached hereto, and incorporated as Exhibit A.

Section 2. That any increase or decrease in appropriations or revenue of any fund or for any department; the establishment of new capital projects; or the establishment of new grant projects other than those expectations provided for herein, shall require approval of the City Council.

Section 3. That the City Manager and his/her designee may promulgate all necessary internal rules, regulations, and policies to ensure that this Budget Amendment Resolution is followed.

Section 4. This Resolution shall be effective immediately upon its adoption.

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses, and phrases of this Resolution are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable, and constitutional.

2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of same. It is hereby further declared to be the intention of the Mayor

and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of same.

3. In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the same and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are expressly repealed.

5. The within resolution shall become effective upon its adoption.

SO RESOLVED AND EFFECTIVE this the 14th day of January, 2025.

Approved:

Leslie McPherson, Mayor

Attest:

Theresa Campbell, City Clerk



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2025 Budget Amendments #20 - #130

AGENDA DATE: 01-14-2025

DATE PREPARED: 12-31-2024

PREPARED BY: Jennifer Hallman, Finance Director

AMOUNT: See Exhibit A

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PUBLIC HEARING:

PURPOSE: To adopt a resolution amending the 2025 budget

MOTION: I move to adopt a resolution amending the 2025 fiscal year budget pursuant to Section 2-71 of the City Charter.

FY24 Rollover - Open Purchase Orders			Rollover FY24 open purchase orders. The funds have been reserved/assigned in fund balance for FY24.		
Source of Funds: Assigned Fund Balance					
Item	Account Name	Account Type	Amount		
20	100-1110-523400 - Printing & Binding - Mayor/Council	Expense	Increase	129	
21	100-1320-521200 - Professional Svc - City Manager	Expense	Increase	41,610	
22	100-1320-521300 - Technical - City Manager	Expense	Increase	36,800	
23	100-1320-523210 - Phone/Internet - City Manger	Expense	Increase	150	
24	100-1320-531100 - Supplies - City Manager	Expense	Increase	40	
25	100-1320-531300 - Food - City Manager	Expense	Increase	18	
26	100-1330-521300 - Technical - City Clerk	Expense	Increase	46,915	
27	100-1330-531100 - Supplies - City Clerk	Expense	Increase	418	
28	100-1510-523600 - Dues & Fees - Finance	Expense	Increase	50	
29	100-1510-531100 - Supplies - Finance	Expense	Increase	101	
30	100-1540-531100 - Supplies - Human Resources	Expense	Increase	40	
31	100-1590-523210 - Phone/Internet - Cust. Svc	Expense	Increase	208	
32	100-1590-531100 - Supplies - Cust. Svc	Expense	Increase	101	
33	100-1590-531700 - Uniforms - Cust. Svc	Expense	Increase	128	
34	100-3210-523210 - Phone/Internet - Police	Expense	Increase	907	
35	100-3210-523700 - Education/Training - Police	Expense	Increase	15,000	
36	100-3210-531700 - Uniforms - Police	Expense	Increase	230	
37	100-3210-531710 - Police Supplies - Police	Expense	Increase	5,824	
38	100-4110-522220 - M/R Equip - Public Works	Expense	Increase	10	
39	100-4210-531231 - Street Lighting - Streets	Expense	Increase	4,500	
40	100-4210-531710 - Operating Supplies - Streets	Expense	Increase	7,290	
41	100-4910-522240 - M/R Grounds - Grounds	Expense	Increase	18,768	
42	100-5500-523210 - Phone/Internet - Senior Ctr	Expense	Increase	167	
43	100-6110-531710 - Operating Supplies - Recreation	Expense	Increase	2,307	
44	100-6120-522240 - M/R Grounds - Recreation	Expense	Increase	1,400	
45	100-6172-531710 - Operating Supplies - PMGM	Expense	Increase	1,922	
46	100-6510-531710 - Operating Supplies - Library	Expense	Increase	272	
47	100-7400-522210 - M/R Bldgs. - Comm Dev	Expense	Increase	138	
48	100-7550-521300 - Technical - Main Street	Expense	Increase	3,860	
49	100-7550-523210 - Phone/Internet - Main Street	Expense	Increase	400	
50	212-3210-531600 - State Seizure Small Equip - Police	Expense	Increase	16,070	
51	290-4950-522240 - Cemetery - M/R Grounds	Expense	Increase	11,900	
52	505-4115-521200 - Professional Service - W/S Admin	Expense	Increase	44,915	
53	505-4330-522220 - Repairs & Maint - Wastewater	Expense	Increase	5,233	
54	505-4330-531100 - Supplies - Wastewater	Expense	Increase	230	
55	505-4330-531710 - Operating Supplies - Wastewater	Expense	Increase	596	
56	505-4420-522210 - M/R Bldgs. - Water Treatmt	Expense	Increase	1,000	
57	505-4420-522220 - M/R Equip - Water Treatmt	Expense	Increase	3,215	
58	505-4420-531110 - Chemicals - Water Treatmt	Expense	Increase	1,633	
59	505-4440-522200 - M/R Infrastruct - Dist & Coll	Expense	Increase	2,914	
60	505-4440-522230 - M/R Vehicles - Dist & Coll	Expense	Increase	1,673	
61	505-4440-531710 - Operating Supplies - Dist & Coll	Expense	Increase	8,530	
62	560-4320-521200 - Professional Svc - Stormwater	Expense	Increase	140,775	
63	560-4320-522200 - M/R Equip - Stormwater	Expense	Increase	600	
64	560-4320-523850 - Contract Labor - Stormwater	Expense	Increase	9,904	
65	560-4320-531100 - Supplies - Stormwater	Expense	Increase	40	
66	100-381000 Use of Fund Balance - Reserved/Assigned in FY24	Revenue	Increase	189,703	
67	212-381000 Use of Fund Balance - Reserved/Assigned in FY24	Revenue	Increase	16,070	
68	290-381000 Use of Fund Balance - Reserved/Assigned in FY24	Revenue	Increase	11,900	
69	505-381000 Use of Fund Balance - Reserved/Assigned in FY24	Revenue	Increase	69,939	
70	560-381000 Use of Fund Balance - Reserved/Assigned in FY24	Revenue	Increase	151,319	

FY24 Capital Project Budget Rollovers		Rollover unfinished capital projects in the General Fund Capital Project Fund, SPLOST Funds, Water & Sewer Fund and Storm Water Fund		
Source of Funds:	Assigned Fund Balance			
Item	Account Name	Account Type		Amount
<u>Administration</u>				
71	350-1320-541300 City Hall - Renovation	Expense	Increase	60,000
<u>Public Safety</u>				
72	350-3210-542200 GF - Vehicles & Outfitting	Expense	Increase	79,138
<u>Streets</u>				
73	270-4210-541401 Mirror Lake Connector / VR Parkway	Expense	Decrease	(351,156)
74	270-4210-541402 Fortune Parkway (Anderson to Old Stone)	Expense	Increase	1,867,761
75	335-4210-541405 Capital Rds - Road Improvements - LMIG	Expense	Increase	263,074
76	340-4210-541412 Capital Grants - ARC - Northside Downtown Streetscape - Match \$286k + Grant \$1.144m	Expense	Increase	446,062
77	350-4210-541200 GF - Rebuild Walking Bridge Near Elementary School	Expense	Increase	13,000
78	350-4210-541400 GF - Traffic Calming	Expense	Increase	18,035
<u>Parks & Recreation</u>				
79	350-6110-541220 GF - Walking Trail Lighting at Gold Dust	Expense	Increase	25,000
80	350-6110-541250 GF - Security Cameras/System at Fullerville	Expense	Increase	5,000
81	350-6110-541320 GF - Renovate Basketball Concession Stand at Gold Dust	Expense	Increase	1,200
82	350-6110-541320 GF - Replace flooring in Fitness Room at Gold Dust	Expense	Increase	10,000
83	350-6110-541330 GF - Replace 10-ton HVAC unit / Heat Pump at Vplex	Expense	Increase	19,267
84	350-6110-541330 GF - Renovate Civic Center bathrooms at Vplex	Expense	Increase	10,943
85	350-6110-542500 GF - V Plex PA System/ Sound Proofing / Acoustic Panels	Expense	Increase	10,945
<u>Utilities Administration</u>				
86	505-4115-541400 Cleghorn Force Main Relocation	Expense	Increase	1,254,789
87	505-4115-541400 Church Street Waterline Replacement	Expense	Increase	560,900
88	505-4115-541400 Shoreline Lift Station Replacement (Engineering Brennan)	Expense	Increase	67,800
89	505-4115-541400 Carter & Sloope - Water Plant	Expense	Increase	580,272
90	505-4115-541400 Cowan's Lake Pump Improvements	Expense	Increase	35,496
91	505-4115-541400 Carter & Sloope - Design of Maple Street Water Main Upgrade	Expense	Increase	27,300
92	505-4115-541400 Consolidated Pipe & Supply - DIP	Expense	Increase	288,943
93	505-4115-541405 N Ave Waterline Ext (incl C&S Water Main Rep NE Downtown) GEFA #1	Expense	Increase	2,060,052
94	505-4115-541406 North ByPass Utility Relocation & Conners Rd/Hwy 78 Roundabout- Constr GEFA #2	Expense	Increase	833,778
95	505-4115-541406 Carter & Sloope - North Bypass Utility Relocation & Conners Rd/Hwy 78	Expense	Increase	109,283
<u>Wastewater Treatment Plant</u>				
96	505-4330-541200 Lift Station Refurbishment - Control Panels/Pumps	Expense	Increase	346,828
97	505-4330-541200 Ashley Place Lift Station Rebuild	Expense	Increase	150,000
98	505-4330-541213 Shoreline Lift Station Replacement (Construction)	Expense	Increase	1,986,627
99	505-4330-541215 Conners Road Lift Station	Expense	Increase	2,726,481
100	505-4330-541400 North & West Plant - Ultraviolet Light Refurbishment (incl lamp driver kit)	Expense	Increase	84,581
101	505-4330-541400 Misc Pump Replacements	Expense	Increase	16,524
102	505-4330-541400 North Plant Generator & Control Panels	Expense	Increase	150,000
<u>Water Treatment Plant</u>				
103	505-4420-541210 Site Improvements (ie driveway paving)	Expense	Increase	46,236
104	505-4420-541300 Water Plant Filter Remediation	Expense	Increase	30,000
105	505-4420-541300 Replace 3 Chemical Tanks	Expense	Increase	35,000
106	505-4420-541300 Water Plant Building Repairs and Improvements	Expense	Increase	47,473
107	505-4420-541400 Cowans Lake & Lake Paradise Dam Repairs	Expense	Increase	187,018
108	505-4420-541400 Replacement Motors / Drives / Pumps Etc.	Expense	Increase	81,670
109	505-4420-541400 Lake Cowan or Fashion Upgrades / Raw Water Pump Station Improvements	Expense	Increase	35,590
110	505-4420-542500 Baffle Board Replacement	Expense	Increase	35,000
<u>Distribution & Collection</u>				
111	505-4440-541410 Commercial Meter	Expense	Increase	42,205

City of Villa Rica
Exhibit A
Proposed 2025 Budget Amendments

01/14/25

Item	Account Name	Account Type		Amount
Stormwater				
112 560-4320-541420	Stormwater Improvements	Expense	Increase	16,194
113 560-4320-541420	N Candler Street Drainage - Design	Expense	Increase	24,798
114 560-4320-541420	Mirror Lake Dam Drainage - Design	Expense	Increase	40,000
115 560-4320-541420	West Industrial Court Culvert	Expense	Increase	15,100
116 560-4320-541420	Main Street Drainage Repair	Expense	Increase	7,440
117 560-4320-541422	Temple Street (Los Cowboys) Design & Construction - CARROLL	Expense	Increase	639,470
118 560-4320-542500	Trailer	Expense	Increase	2,801
119 270-381000	Use of Fund Balance	Revenue	Increase	1,516,605
120 335-334110	GDOT Reimbursements	Revenue	Increase	263,074
121 340-331351	Northside Downtown Streetscape	Revenue	Increase	1,120,403
122 340-381000	Use of Fund Balance	Revenue	Increase	(674,341)
123 350-391100	Capital Project Transfers In from General Fund	Revenue	Increase	252,528
124 505-4115-549999	W&S Utilities - Capital Outlay Distributed	Expense	Decrease	(5,818,613)
125 505-4330-549999	W&S Wastewater - Capital Outlay Distributed	Expense	Decrease	(5,461,041)
126 505-4420-549999	W&S Water Treatment - Capital Outlay Distributed	Expense	Decrease	(497,987)
127 505-4440-549999	W&S Dist. & Coll - Capital Outlay Distributed	Expense	Decrease	(42,205)
128 560-4500-549999	Stormwater - Capital Outlay Distributed	Expense	Decrease	(745,803)
129 100-9000-611021	Transfer to GF Capital Project	Expense	Increase	252,528
130 100-381000	Use of Fund Balance for Transfers to Fund 350 Capital Projects	Revenue	Increase	252,528

STATE OF GEORGIA
CITY OF VILLA RICA

A RESOLUTION TO APPROVE AN AMENDMENT TO THE BUDGET
FOR THE FISCAL YEAR 2025 FOR THE CITY
PURSUANT TO SECTION 2-71 OF THE CITY CHARTER

WHEREAS the Mayor and City Council adopted the 2025 Budget on September 10, 2024, which incorporated all the various funds of the City; and

WHEREAS, the Mayor and Council have determined it appropriate to amend the budget for the reasons set forth herein; and

WHEREAS, the Mayor and Council have reviewed the proposed budget; and

WHEREAS each of the funds, as amended, has a balanced budget, such that anticipated revenues equal or exceed proposed expenditures.

NOW, THEREFORE, the Mayor and City Council of the City of Villa Rica, Georgia, hereby resolve as follows:

Section 1. That the City of Villa Rica, Georgia, hereby amends the Budget for Fiscal Year 2025, said budget amendment being described as Amendment No. 20-130, attached hereto, and incorporated as Exhibit A.

Section 2. That any increase or decrease in appropriations or revenue of any fund or for any department; the establishment of new capital projects; or the establishment of new grant projects other than those expectations provided for herein, shall require approval of the City Council.

Section 3. That the City Manager and his/her designee may promulgate all necessary internal rules, regulations, and policies to ensure that this Budget Amendment Resolution is followed.

Section 4. This Resolution shall be effective immediately upon its adoption.

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses, and phrases of this Resolution are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable, and constitutional.

2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, every section, paragraph, sentence, clause, or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of same. It is hereby further declared to be the intention of the Mayor and City

Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of same.

3. In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the same and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are expressly repealed.

5. The within resolution shall become effective upon its adoption.

SO RESOLVED AND EFFECTIVE this the 14 day of January, 2025.

Approved:

Leslie McPherson, Mayor

Attest:

Theresa Campbell, City Clerk



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Write off Customer Receivables

AGENDA DATE: 01-14-2025

DATE PREPARED: 12-11-2024

PREPARED BY: Jennifer Hallman, CFO

AMOUNT: \$48,508.56

GL ACCOUNT #: 505-1590-574000 & 540-1590-574000

FUNDING SOURCE: Water & Sewer Fund and Sanitation & Solid Waste Fund

BUDGETED ITEM? Yes - \$55,580

PURPOSE: To write off uncollectible customer accounts from October 2023 through September 2024. There are 199 accounts totaling \$48,508.56.

BACKGROUND:

Villa Rica's Write Off History		
Time Period	Amt.	% of Rev.
Nov '17 - Sept '18	\$ 31,850	0.53%
Oct '18 - Sept '19	34,996	0.40%
Oct '19 - Sept '20	35,705	0.39%
Oct '20 - Sept '21	47,715	0.51%
Oct '21 - Sept '22	33,876	0.35%
Oct '22 - Sept '23	45,354	0.45%
Oct '23 - Sept '24	48,509	0.45%
Entity Comparison - Write Offs As a % of Revenue		
Entity	Range	Avg.
Carrollton	0.10% - 0.51%	0.31%
Carroll Cty Water	0.35% - 0.51%	0.43%
Villa Rica	0.35% - 0.53%	0.45%
Dville/DC Water	0.75% - 0.93%	0.91%

STAFF RECOMMENDATION: Write off uncollectible amounts as part of year-end procedures.

MOTION: I move to authorize staff to write off 199 uncollectible accounts totaling \$48,508.56.

Cust #	Service Address	W & S	Garbage	Balance	Notes
9.200096.03	207 MILLWHEEL DR	3,625.29	135.11	3,760.40	leak, notes on the account state the landlord wouldn't repair
9.000036.05	616 SHEFFIELD CT	1,694.95	-	1,694.95	leak, then nsf returned payment
1.339052.22	209 E WILSON ST#80	1,232.91	-	1,232.91	leak, then moved, no adjustment
9.320062.06	261 AUGUSTA WOODS DR	1,031.29	124.92	1,156.21	leak, then moved, no adjustment
8.700204.13	9861 SPYGLASS DRIVE	814.04	83.89	897.93	homeowner account (had renter using her account) from notes now has sold property
9.220124.07	608 HEMLOCK COURT	768.71	99.47	868.18	leak, no paperwork for adjustment turned in
9.220071.04	702 SYCAMORE DR	743.75	105.15	848.90	high usage every month did not keep agreements then moved
9.270196.22	196 ALTON CIRCLE	678.09	130.37	808.46	2 months of high usage nsf payment returned no adjustment
1.105800.03	527 MYRTLE ST	593.82	154.17	747.99	6 months of high usage then moved with only making small payments
8.280006.03	9106 SOMERSPORT DR	561.64	97.73	659.37	
9.100085.04	390 JADA LN	546.87	88.26	635.13	
8.280027.06	2562 GRAYTON LOOP	545.76	81.16	626.92	
9.290050.08	118 BROOKHAVEN DR	545.80	79.29	625.09	
3.114600.03	ROCKY BRANCH DR #2in-CAR WASH	607.78	-	607.78	
5.407500.17	708 ROCKMART RD	522.31	81.32	603.63	
9.300099.08	843 N BAY OVERLOOK	453.90	137.63	591.53	
9.000217.22	301 RIVER TRACE DR	504.57	70.14	574.71	
6.200300.09	284 LUTHER CIR	565.46	-	565.46	
9.200126.09	202 MILLPOND PKWY	394.03	169.79	563.82	
8.700248.05	9717 SPYGLASS DRIVE	466.36	91.31	557.67	
9.100085.02	390 JADA LN	440.91	94.66	535.57	
9.290031.09	237 SUMMERGATE LN	448.29	84.76	533.05	
4.302930.14	111 LOUISE ST	397.55	129.38	526.93	
9.270242.11	242 ALTON CIRCLE	345.27	174.86	520.13	
9.200157.11	102 ROCKY BR WAY	399.12	89.87	488.99	
1.339110.31	209 E WILSON ST#136	455.86	-	455.86	
2.208800.10	416 S CARROLL RD	381.17	67.42	448.59	
5.405600.08	806 ROCKMART RD	347.90	79.29	427.19	
9.270168.04	168 ALTON CIRCLE	341.38	72.32	413.70	
2.240155.14	622 AMBERWOOD DR	304.67	107.78	412.45	
1.109600.06	105 MCCAULEY ST	270.10	104.51	374.61	
1.313906.17	149 PARIS DR	371.82	-	371.82	
8.800115.08	2451 NAPA VALLEY DR	248.20	119.36	367.56	
9.270188.12	188 ALTON CIRCLE	257.19	105.76	362.95	
8.700273.07	9860 SPYGLASS DRIVE	309.12	53.35	362.47	
9.320145.07	1005 NANDINA CT	252.41	108.10	360.51	
6.101600.16	42 PINE LN	356.83	-	356.83	
2.204500.00	519 S DOGWOOD ST	277.03	76.73	353.76	
1.327623.21	209 E WILSON ST#13	353.24	-	353.24	
9.000169.04	805 REGENCY CT	267.35	77.80	345.15	
5.305000.19	160 SUNNY LN	336.89	-	336.89	
5.206000.38	525 ROCKMART RD	249.71	86.86	336.57	
9.999222.04	9140 CONNERS RD	260.71	54.94	315.65	
9.270225.28	225 ALTON CIRCLE	200.78	112.65	313.43	

Cust #	Service Address	W & S	Garbage	Balance	Notes
5.209801.32	651 OLD TOWN RD #B	230.43	78.50	308.93	
5.107400.27	1228 DALLAS HWY	229.84	73.88	303.72	
4.104800.26	430 WALKER ST	229.60	69.33	298.93	
9.320171.04	316 AUGUSTA WOODS DR	210.78	74.47	285.25	
8.280052.01	2506 GRAYTON LOOP	192.48	90.71	283.19	
8.300039.08	10111 HARMON SPRINGS	178.25	103.93	282.18	
1.331000.38	209 E WILSON ST#3	274.74	-	274.74	
1.329700.10	734 SPRING ST	225.50	48.73	274.23	
9.100167.04	405 JADA LN	163.36	101.11	264.47	
9.260003.08	108 RED BRANCH DR	213.55	50.43	263.98	
9.310078.09	621 SAVANNAH DR	176.41	87.01	263.42	
5.209808.21	651 OLD TOWN RD #I	219.73	43.55	263.28	
9.260048.03	323 WHITE FLOWER CIRCLE	173.50	86.09	259.59	
8.150625.13	2051 DARTMOTH WAY	177.36	82.02	259.38	
9.100068.01	407 JADA LN	195.74	60.75	256.49	
3.202100.01	617 EMERALD DR	164.86	88.62	253.48	
9.000063.07	165 CONCORDE DR	181.09	72.16	253.25	
9.100086.01	388 JADA LN	210.66	42.35	253.01	
1.327621.24	209 E WILSON ST#11	252.50	-	252.50	
9.320154.03	345 AUGUSTA WOODS DR	206.62	40.72	247.34	
1.339089.16	209 E WILSON ST#111	244.13	-	244.13	
1.106600.04	523 MYRTLE ST	185.05	57.80	242.85	
6.104500.24	266 RIDGE DR	240.53	-	240.53	
5.209702.27	641 OLD TOWN RD #2	197.54	34.79	232.33	
9.320077.08	516 FIRETHORN CT	185.87	44.97	230.84	
9.320158.03	342 AUGUSTA WOODS DR	182.84	41.45	224.29	
9.290059.06	140 BROOKHAVEN DR	156.09	67.53	223.62	
2.220039.12	263 BERKLEY DR	179.05	42.50	221.55	
8.150645.11	3014 NEW HAVEN LANE	126.81	92.67	219.48	
2.207000.03	308 S CANDLER ST	160.71	55.66	216.37	
8.150623.18	3025 NEW HAVEN LANE	171.09	43.40	214.49	
6.502100.09	253 WHITNEY LN	212.13	-	212.13	
8.110464.15	2686 MARINER WAY	134.08	75.31	209.39	
1.113200.18	9791 E HWY 78	97.43	111.47	208.90	
5.208900.25	521 OLD TOWN RD	163.92	44.24	208.16	
1.331001.63	209 E WILSON ST#5	204.45	-	204.45	
2.230007.13	230 ACORN HILL CT	162.09	41.24	203.33	
9.320172.03	314 AUGUSTA WOODS DR	144.23	57.79	202.02	
9.220136.08	611 HEMLOCK COURT	170.26	27.86	198.12	
9.100089.01	347 FREEMAN CIR	127.86	68.77	196.63	
4.304635.13	85 CROSS CREEK CT	129.46	66.86	196.32	
2.201300.09	211 S CARROLL RD #B	114.58	80.72	195.30	
6.100300.14	43 RIDGE DR	194.15	-	194.15	
9.270408.04	408 ERIN COURT	129.01	64.39	193.40	

Cust #	Service Address	W & S	Garbage	Balance	Notes
9.320166.03	326 AUGUSTA WOODS DR	126.90	65.37	192.27	
9.300017.01	1035 E BAY SPRINGS	169.83	20.61	190.44	
2.206800.24	314 S CANDLER ST	121.41	66.38	187.79	
5.203800.10	616 OLD TOWN RD	104.03	81.28	185.31	
9.600740.02	9501 CONNERS RD # 74	184.09	-	184.09	
8.800101.04	2503 SONOMA VALLEY	126.68	53.75	180.43	
8.700204.14	9861 SPYGLASS DRIVE	113.09	66.81	179.90	
4.302800.13	96 ANDERSON RD	103.09	74.94	178.03	
9.300105.10	819 N BAY OVERLOOK	152.00	24.31	176.31	
8.800025.08	2315 VINEYARD CT	122.33	53.00	175.33	
1.104600.28	536 RUSSELL ST	99.40	73.32	172.72	
5.302100.20	151 HARLAN LANE RD	171.92	-	171.92	
6.000005.05	1502 EVELYN DR	169.08	-	169.08	
9.270324.01	324 REEDELL WAY	132.03	34.53	166.56	
1.402500.40	428 THOMAS DORSEY DR	132.82	32.43	165.25	
9.120013.12	9465 PEBBLE CREEK CT	85.74	78.78	164.52	
5.102600.00	145 STOCKMAR RD	67.07	97.36	164.43	
9.300069.10	756 CRYSTAL BAY RD	119.76	42.25	162.01	
8.260055.05	202 EAGLES FLIGHT	132.93	28.74	161.67	
4.306800.24	60 OLD STONE RD	81.98	77.57	159.55	
1.339077.11	209 E WILSON ST#99	159.21	-	159.21	
8.190004.01	3013 NICHOLAS DR	88.71	69.68	158.39	
9.000149.25	769 NEWPORT DR	113.83	39.17	153.00	
1.339116.22	209 E WILSON ST#142	149.21	-	149.21	
8.190030.02	1016 LONDON DR	109.05	39.79	148.84	
1.327624.23	209 E WILSON ST#14	148.01	-	148.01	
9.320039.01	200 AUGUSTA WOODS DR	91.33	56.30	147.63	
1.109500.03	405 DARDEN ST	63.92	82.62	146.54	
3.201600.00	1020 TOPAZ LN	146.42	-	146.42	
1.327671.20	209 E WILSON ST#41	143.35	-	143.35	
9.220024.04	136 REID PLANTATION DR	97.41	42.07	139.48	
1.400400.28	737 SPRING ST	76.40	62.71	139.11	
4.103100.34	507 NORTHSIDE PL	117.41	19.66	137.07	
5.209701.27	641 OLD TOWN RD #1	104.25	32.39	136.64	
2.220087.17	240 BERKLEY DR	78.17	54.09	132.26	
8.250045.13	2029 SWEET BAY DR	130.70	-	130.70	
9.270310.04	310 REEDELL WAY	103.92	25.23	129.15	
1.328700.32	321 THOMAS DORSEY DR	93.21	35.88	129.09	
3.304900.10	182 N VILLA RD	128.57	-	128.57	
4.200900.16	116 E GORDON ST	72.30	55.56	127.86	
5.209320.34	605 OLD TOWN RD #A	82.02	44.04	126.06	
5.106700.00	1285 DALLAS HWY	120.95	-	120.95	
1.404119.01	318 THOMAS DORSEY DR #9	119.28	-	119.28	
1.339021.24	209 E WILSON ST#57	117.04	-	117.04	

Cust #	Service Address	W & S	Garbage	Balance	Notes
9.300034.06	2040 CLUB BAY DR	87.18	24.74	111.92	
6.400600.03	128 HWY 61 CONN #2in00	108.90	-	108.90	
4.403100.21	64 PARKWAY CIR	83.43	24.70	108.13	
1.339120.16	209 E WILSON ST#146	105.59	-	105.59	
1.327664.23	209 E WILSON ST#38	101.84	-	101.84	
1.210400.08	205 HARPER ST	83.02	16.98	100.00	
1.104600.26	536 RUSSELL ST	62.47	36.39	98.86	
9.200181.09	214 MILLWHEEL DR	55.02	43.64	98.66	
5.301400.28	805 ROCKMART RD	86.72	9.54	96.26	
1.339036.26	209 E WILSON ST#70	95.62	-	95.62	
9.000051.11	609 SHEFFIELD CT	52.35	39.53	91.88	
1.339061.33	209 E WILSON ST#117	89.02	-	89.02	
5.308300.16	178 HARLAN LANE RD	88.69	-	88.69	
1.312965.00	149 EVERGREEN DR	87.71	-	87.71	
1.339021.23	209 E WILSON ST#57	85.98	-	85.98	
8.800011.15	2411 NAPA VALLEY DR	40.45	36.97	77.42	
1.327661.17	209 E WILSON ST#35	77.40	-	77.40	
2.220093.16	286 BERKLEY DR	54.78	22.22	77.00	
1.327652.25	209 E WILSON ST#28	70.50	-	70.50	
9.270122.03	122 ALTON CIRCLE	56.03	13.97	70.00	
1.329750.22	730 SPRING ST	39.94	28.96	68.90	
2.240166.17	602 AMBERWOOD DR	40.64	27.31	67.95	
1.401500.20	439 THOMAS DORSEY DR	40.10	26.12	66.22	
1.339104.21	209 E WILSON ST#130	66.06	-	66.06	
5.108700.02	1114 DALLAS RD	24.19	37.14	61.33	
1.339122.22	209 E WILSON ST#148	56.75	-	56.75	
5.209701.29	641 OLD TOWN RD #1	28.30	20.89	49.19	
9.270224.03	224 ALTON CIRCLE	33.59	10.43	44.02	
6.202800.10	24 PARK PL	40.42	-	40.42	
9.000085.17	409 REMINGTON CT	23.17	17.00	40.17	
9.220024.06	136 REID PLANTATION DR	20.40	16.65	37.05	
5.209808.24	651 OLD TOWN RD #I	19.82	15.58	35.40	
9.120030.08	9625 BROOK HAVEN CT	14.00	19.61	33.61	
1.405101.02	214 E WILSON ST#A	25.91	4.33	30.24	
1.339034.19	209 E WILSON ST#68	29.43	-	29.43	
3.309500.02	44 S VILLA RD	26.42	-	26.42	
1.339025.31	209 E WILSON ST#61	26.05	-	26.05	
5.509022.18	107 BROOKSIDE WAY	24.18	-	24.18	
8.150645.13	3014 NEW HAVEN LANE	12.95	6.45	19.40	
1.327620.22	209 E WILSON ST#10	18.82	-	18.82	
1.339070.25	209 E WILSON ST#92	18.52	-	18.52	
2.105300.00	108 PEACHTREE ST	17.48	-	17.48	
3.105550.00	811 W BANKHEAD HWY#IRRI	16.15	-	16.15	
9.150090.07	9730 MOSS POINTE PATH	10.35	4.16	14.51	

Cust #	Service Address	W & S	Garbage	Balance	Notes
1.323908.17	78 SOUTHSIDE DR	14.18	-	14.18	
1.339125.30	209 E WILSON ST#151	13.92	-	13.92	
6.700700.08	73 AZALEA DR	6.36	5.71	12.07	
5.303000.15	25 HARLAN LANE DR	10.43	-	10.43	
8.190010.02	3037 NICHOLAS DR	7.58	2.55	10.13	
1.327654.24	209 E WILSON ST#32	8.70	-	8.70	
1.339051.22	209 E WILSON ST#79	8.29	-	8.29	
4.103600.07	413 DALLAS HWY	6.09	-	6.09	
6.504700.16	106 WHITNEY LN	4.75	-	4.75	
9.200036.04	149 WHETSTONE WAY	4.74	-	4.74	
1.328205.17	225 E WILSON ST#5	4.03	-	4.03	
5.405700.04	802 ROCKMART RD	2.90	0.98	3.88	
1.407900.11	228 W MONTGOMERY ST	3.57	-	3.57	
2.230101.01	412 OAK LEAF TRAIL	3.39	-	3.39	
9.150047.04	3140 WATERPLACE CV	1.60	1.66	3.26	
1.313010.21	240 EVERGREEN DR	2.93	-	2.93	
9.605110.05	9501 CONNERS RD # 511	2.59	-	2.59	
1.405500.08	132 E WILSON ST	1.57	-	1.57	
2.208100.03	411 S CARROLL RD	1.39	-	1.39	
9.310002.04	214 RALEIGH WAY	0.66	0.55	1.21	
3.202900.16	1016 SAPPHIRE ST	0.62	-	0.62	
8.500185.10	9929 BRIDGEWATER POINTE	0.39	-	0.39	
6.000010.21	508 PEGGY LN	0.23	-	0.23	

199 Accts.

TOTALS \$ 40,419.29 \$ 8,089.27 \$ 48,508.56

FY24 Revenue (User Fees)		
Water & Sewer	Sanitation/SW	Total
\$ 8,997,067	\$ 1,786,189	\$ 10,783,256
<u>0.45%</u>	<u>0.45%</u>	<u>0.45%</u>

Villa Rica's Write Off History		
Time Period	Amt.	% of Rev.
Nov '17 - Sept '18	\$ 31,850	0.53%
Oct '18 - Sept '19	34,996	0.40%
Oct '19 - Sept '20	35,705	0.39%
Oct '20 - Sept '21	47,715	0.51%
Oct '21 - Sept '22	33,876	0.35%
Oct '22 - Sept '23	45,354	0.45%
Oct '23 - Sept '24	48,509	0.45%

Entity Comparison - Write Offs As a % of Revenue		
Entity	Range	Avg.
Carrollton	0.10% - 0.51%	0.31%
Carroll Cty Water	0.35% - 0.51%	0.43%
Villa Rica	0.35% - 0.53%	0.45%
Dville/DC Water	0.75% - 0.93%	0.91%



Floating Homestead Exemption & Floating Local Option Sales Tax

HOUSE BILL 581



HB 581 – Topics for Discussion

- **General Information**
- **Points of Interest:**
 - Floating Homestead Exemption
 - Sales Tax (FLOST)
 - Process
- **Proposed Schedule**





HB 581 General Information

- Passed by Georgia General Assembly during the 2024 legislative session & signed into law by Governor Kemp on April 18, 2024.
- November Statewide Referendum (HR 1022) passed with effective date of Jan. 1, 2025.
- Provides several significant changes impacting local government revenue.

HB 581 – Floating Homestead Exemption

- **HB 581 implements a statewide floating homestead exemption for all local governments:**
 - Counties
 - Cities
 - School Boards
- **A floating homestead is a special type of homestead exemption designed to offset or reduce increases in taxable value to the property.**
 - It is also referred to as a base-year or value offset exemption.
 - Freezes are a type of floating homestead exemption, but do not have an annual inflationary adjustment.
- **The HB 581 floating homestead exemption is unique because the base year value is adjusted and will increase by a rate of inflation determined by the State Revenue Commissioner – likely CPI.**



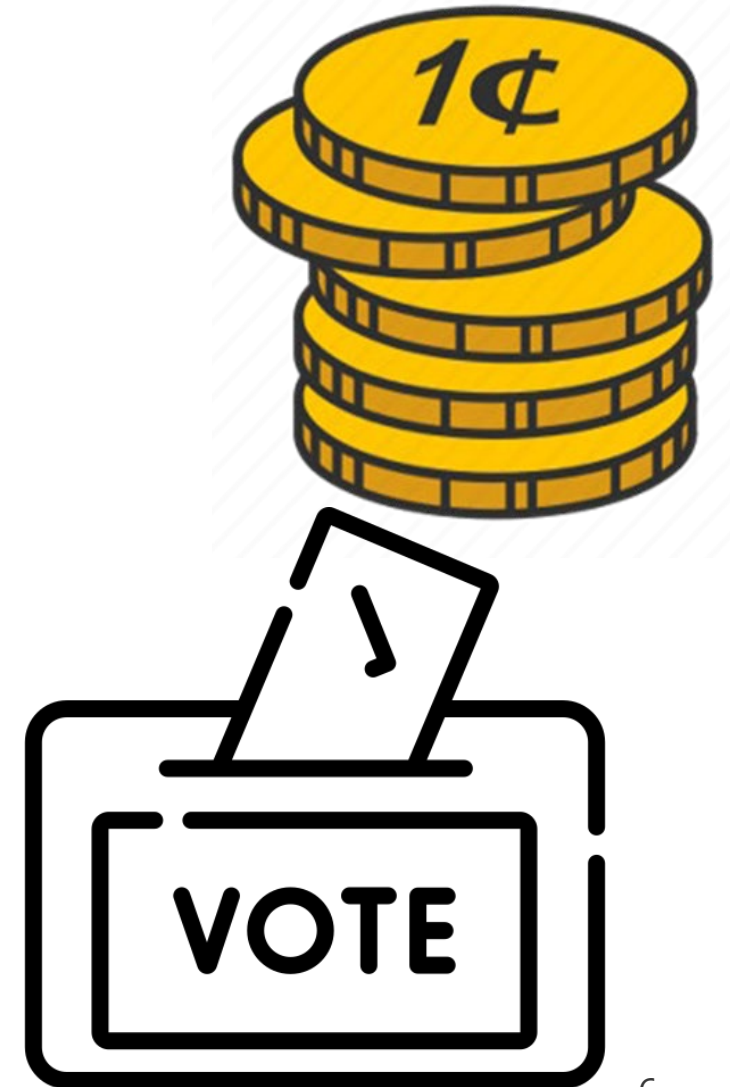
HB 581 – Floating Homestead Exemption

- **The effect of HB 581's homestead exemption:**
 - The taxable value of a home may only increase at a rate of inflation each year.
 - Essentially controlling this will control how much the “value” of a home can increase annually.
- **Homeowners already granted a homestead will receive this exemption automatically.**
- **Non-homesteaded property (i.e. Commercial) will continue to be valued at fair market.**



HB 581 – Sales Tax

- Creation of a new sales tax called a Floating Local Option Sales Tax (FLOST)
- Authorizes most local governments with the new homestead exemption (or equivalent) to levy a new sales tax (up to 1%) to be used for property tax relief. – **IF A LOCAL FLOST REFERENDUM PASSES**
- To be eligible to levy the tax, both the county and all cities within the county that levy a property tax **MUST** have in effect a floating homestead exemption: either the one created by this bill or a local floating homestead exemption.
 - It does not matter if the school boards opt out or not since they are ineligible to share in the proceeds of the new sales tax without a separate constitutional amendment.
 - Similar process as LOST negotiations (i.e. IGAs) except FLOST can only run up to 5 years then a new referendum must be called to continue it another 5 years, etc.
 - If one city opts out, then the county and all cities within the county will be **INELIGIBLE** for the FLOST.



HB 581 – Process

- **Allows local governments to elect to opt out of this homestead exemption within their jurisdiction so that it will not apply to their taxable values.**
 - This process could not begin until the bill took effect on January 1, 2025, and must be completed by March 1, 2025.
 - A governing authority may not opt-out of the statewide floating homestead exemption after this deadline.
 - However, the local delegation may pass a local Act of the General Assembly to implement a local floating homestead exemption at any time.



HB 581 – Process

- **The process for opting out is similar to the millage rate process for advertising and public hearings.**
 - Three public hearings (including one occurring between 6pm and 7pm);
 - Advertisements of public hearings must appear one week prior to each hearing, prominently displayed, no less than 30 square inches, must not be in section where legal ads appear and must be posted on website one week prior to each hearing;
 - Advertisements include specific language;
 - Issuance of a press release to the local media.
- **After completing these steps, the local government may then adopt a resolution opting out of the homestead exemption and file with the Secretary of State by March 1, 2025.**



HB 581 – Proposed Schedule (Tentative)

**Jan 21st
@ 6pm**

- **Public Hearing #1**

- Advertise in newspaper a week prior to public hearing (01/14/25)
- Post notice on website

**Feb 4th
@ 10am**

- **Public Hearing #2**

- Advertise in newspaper a week prior to public hearing (01/28/25)
- Post notice on website

**Feb 11th
@ 6pm**

- **Public Hearing #3**

- Advertise in newspaper a week prior to public hearing (02/04/25)
- Post notice on website
- **Council votes on resolution for opting out of homestead exemption**



Questions?



HB 581 Summary and Guidance

ACCG & GMA Joint Trainings
October 3rd, 2024

Ryan Bowersox
Assistant General Counsel, GMA

Dante Handel
Associate Director of Governmental Affairs, ACCG



Background: Where Did This Come From?



- Legislature entered 2024 session concerned about rising property value assessments and in turn property tax
- Senate leaders wanted measures to control rapid increases in property assessments
- House leaders looked to expand sales tax options
- Various proposals ultimately resulted in HB 581 (& HR 1022)

HB 581: Overview

Signed into law April 18, 2024 (Act 379).

~~Contingent upon~~ November Statewide Referendum
(HR 1022) – **PASSED & Effective January 1, 2025**

Major Components:

- 1.Statewide Floating Homestead Exemption (Part 2)
- 2.New Local Option Sales Tax (Part 3)
- 3.Property Tax Procedural Changes (Part 1)



Presentation Outline

- When does this bill take effect?
- Who gets a floating homestead exemption?
- What is a floating homestead exemption?
- What is the procedure to opt out and what is the timeline?
- What is the new sales tax?
- Other sales tax revisions
- Other property tax changes
- Policy considerations for local governments
- Other local government considerations

HB 581

Part 1: Statewide Floating Homestead Exemption

- ~~If approved,~~ HB 581 implements a statewide floating homestead exemption for all local governments:
 - Counties
 - Cities
 - School Boards
- A floating homestead is a special type of homestead exemption designed to offset or reduce increases in taxable value to the property.
 - It is also referred to as a base-year or value offset exemption.
 - Freezes are a type of floating homestead exemption, but do not have an annual inflationary adjustment.

How Does a Floating Homestead Exemption Work?

- It works by increasing the value of the exemption to offset inflation.
 - For example, if a property had a taxable value of \$100,000 and the taxable value increased the following year due to market changes to \$110,000, then the exemption 'floats' to be worth \$10,000 of taxable value so the taxpayer still pays on the original base year value of \$100,000.



How Does HB 581's Floating Homestead Exemption Work?

- The HB 581 floating homestead exemption is unique because the base year value is adjusted and will increase by a rate of inflation determined by the State Revenue Commissioner – likely CPI.
 - If we take the same property with a \$100,000 taxable base year value and CPI is 2% the following year, then the base value of \$100,000 may be increased by up to 2% to give an adjusted base year value of \$102,000. The exemption 'floats' to be worth \$8,000 of assessed value so the taxpayer would pay on a taxable value of \$102,000 in year 2.

How Does HB 581's Floating Homestead Exemption Work?

- For homes first receiving this exemption in taxable year 2025, the base year assessed value will be the 2024 assessed value.
- For homes first receiving the exemption in later years, the base year assessed value will be the assessed value for the immediately preceding year.
- Similar to other homestead exemptions, the value will be reset when the home is sold and is adjusted with “substantial property change.”
- Homeowners can not transfer exemption to new property.

How Does HB 581's Floating Homestead Exemption Work?



- The effect of HB 581's homestead exemption:
 - The taxable value of a home may only increase at a rate of inflation each year.
 - Essentially controlling this will control how much the "value" of a home can increase annually.
- Homeowners already granted a homestead will receive this exemption automatically.
- Non-homesteaded property (i.e. Commercial) will continue to be valued at fair market.

How Does this New Homestead Exemption Impact Existing Homestead Exemptions?

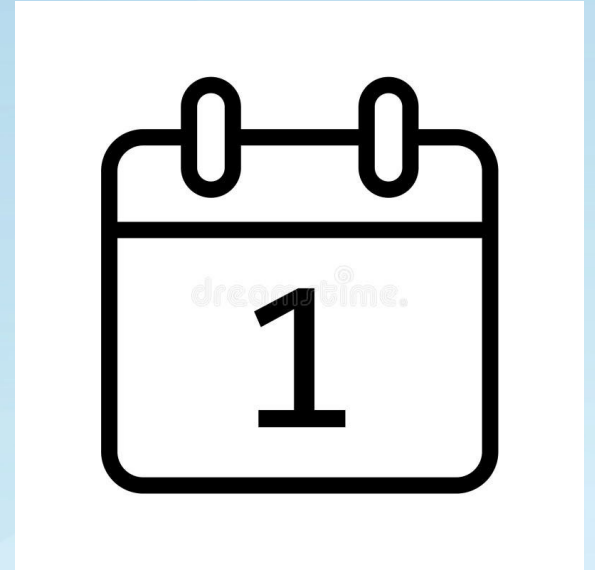
- This new floating homestead exemption is in addition to and not in lieu of all non-floating homestead exemptions. This will not repeal/replace existing homestead exemptions!
 - If there is an existing local floating homestead exemption, the taxpayer will receive whichever of the two exemptions is more beneficial. This is also true if a local floating homestead exemption is added in the future.
 - Existing local exemptions, such as the \$2,000 of assessed value, are added after the floating homestead exemption is calculated.

How Can a Local Government “Opt Out” of the Homestead Exemption?

- Any governing authority may elect to opt out of the floating homestead exemption created by HB 581 by following a procedure like the “public notification of tax increase” when a full rollback is not taken.
 - The local government must advertise and conduct three public hearings of intent to opt out and later adopt a resolution.
 - Must file resolution to Secretary of State by March 1, 2025!
 - If procedures are not met, opt out is not effective.

How Can a Local Government “Opt Out” of the Homestead Exemption?

- This process may not begin until the bill takes effect on January 1, 2025, and must be completed by March 1, 2025.
- A governing authority may not opt-out of the statewide floating homestead exemption after this deadline.
- However, the local delegation may pass a local Act of the General Assembly to implement a local floating homestead exemption at any time.



How Can a Local Government “Opt Out” of the Homestead Exemption?

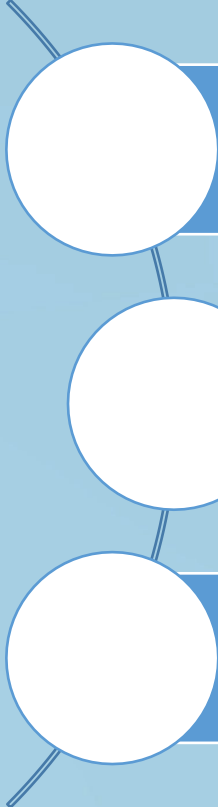


- Important to note: The decision to opt out is independent among local governments.
- A county, the cities, and the school board may each decide whether to opt out.
- The decision of whether or not to opt out will not impact the other local government's homestead exemption.
- This may result in homes having different taxable values.

Is the Decision to “Opt Out” or “Stay In” Permanent?

- Yes
- No action is needed by the local government to have the homestead exemption apply ~~if it is approved in November.~~
 - Once the opt out period has passed, currently there is no future method to opt out.
- If a local government opts out, there is no future method to opt in to the HB 581 exemption.
 - Of course, a similar homestead exemption can still be done in traditional manner.

HB 581 Timeline



November 5, 2024: Statewide Question on Constitutional Amendment - **PASSED**

January 1, 2025: HB 581 takes effect, if approved

March 1, 2025: Deadline for local governments to “opt out” of homestead exemption

HB 581

Part 2: Sales Tax Revisions and FLOST

- HB 581 makes two major changes to local sales tax:
- Revises the provisions of O.C.G.A. 48-8-6 which limits the percentage of local sales tax a jurisdiction may levy.
- Creates new local option sales tax contingent upon jurisdictions having a base year value homestead exemption.



Revised Local Sales Tax Limitation

- This legislation revises the existing two percent local sales tax cap; exemptions now include:
 - ESPLOST
 - Up to one percent of the transportation sales taxes, which include:
 - Regional TSPLOST
 - Single-County TSPLOST
 - Transit SPLOST
 - MARTA
 - One of the specialty pennies, including:
 - **The new sales tax for property tax relief created by HB 581**
 - Columbus-Muscogee and Macon-Bibb OLOST
 - Augusta-Richmond Coliseum SPLOST
 - MOST for Atlanta and cities connected to its water system (East Point, College Park, and Hapeville)

What is the New Sales Tax?

- A new sales tax is created for the limited purpose of property tax relief – it may be levied in 0.05 percent increments up to one percent.
- To be eligible to levy the tax, **both the county and all cities within the county that levy a property tax** must have in effect a floating homestead exemption: either the one created by this bill or a local floating homestead exemption.
 - It does not matter if the school boards opt out or not since they are ineligible to share in the proceeds of the tax without a separate constitutional amendment.

How is the New Sales Tax Implemented?

- The county and city/cities representing at least fifty percent of the municipal population of cities that levy a property tax must enter into an intergovernmental agreement (IGA) calling for the tax.
- The IGA shall specify the rate, duration (not to exceed five years), and the distribution between the county and cities. It will also set the ballot question.



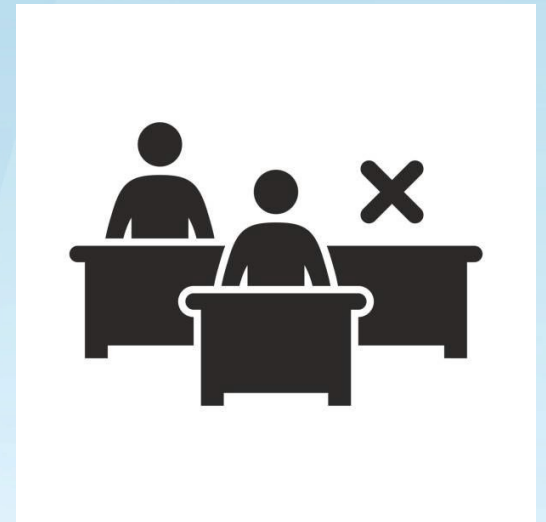
How is the New Sales Tax Implemented?



- Following the adoption of the IGA, the tax must be approved through local referendum.
- Approval by the voters will be required to levy the sales tax.
- This is a different vote than the one that occurred in November 2024 approving the constitutional amendment!

How are Cities Not on the IGA Treated?

- The IGA must also specify a portion of the proceeds that the cities not on the IGA will receive.
- Must not be less than the proportion the absent municipality's population bears to the total population of all cities within the county that levy a property tax.
 - Modelled after LOST absent municipality provisions.

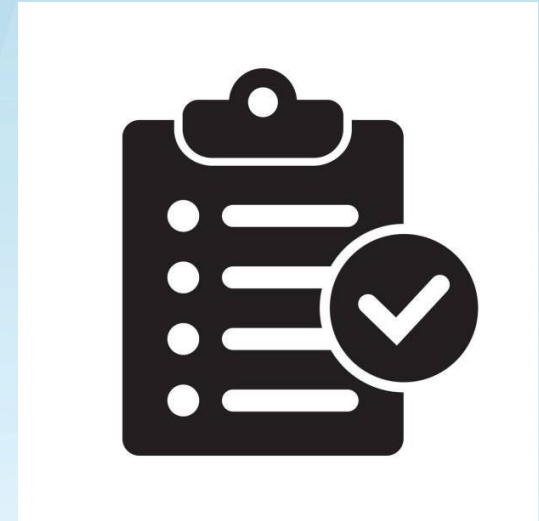


How is the New Tax Collected and Distributed?

- Collection of the tax will begin at the start of the next calendar quarter beginning more than 50 days after that date (as opposed to eighty days for other local sales taxes).
- The Georgia Department of Revenue (DOR) sends the money to the county and the county will be responsible for distributing the money to the cities in accordance with the IGA.

How Can the Tax Be Renewed?

- The tax can run up to 5 years.
- Prior to the expiration, if the local governments want to renew, it requires:
 - Passage of a local Act calling for the reimposition of the tax.
 - A new IGA between the county and eligible number of cities.
 - A new referendum to approve the tax by the voters.
- Talk to your local delegation!

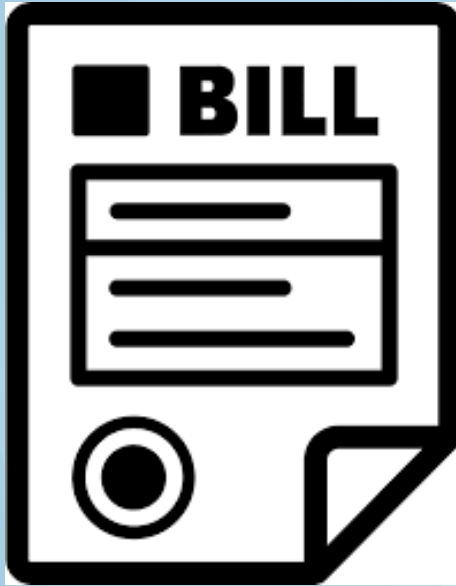


How are Funds From the New Sales Tax Used?

- Funds must be used exclusively for property tax relief.
- Each taxpayer's property tax bill shall state the amount by which property tax has been reduced because of the imposition of this tax.
- The roll-back rate shall be reduced annually by the millage equivalent of the net proceeds of this new tax received by the political subdivision during the prior taxable year.
- If any political subdivision is not in compliance with the use of the proceeds from this tax, then the State Revenue Commissioner shall not certify the tax digest of that political subdivision until it comes into compliance.

HB 581

Part 3: Procedural Property Tax Changes



- Created an “estimated roll-back rate” which is certified to the tax commissioner/collector by the local governments.
- The estimated roll-back rate is required to be included on the assessment notice, replacing the previous year’s millage rate.
 - Designed to attempt to allow local government to give more accurate estimate of what tax liability will be.

HB 581

Part 3: Procedural Property Tax Changes

- This gives local governments broad flexibility to set this rate wherever they deem appropriate.
 - This does not need to be the same millage rate as the rollback rate for taxpayer bill of rights.
- If the adopted millage rate exceeds the estimated roll-back rate, then a disclaimer is included on the tax bill stating the name of the governing authority that exceeded the estimated roll-back rate and that this will result in an increase of taxes owed.

HB 581

Part 3: Procedural Property Tax Changes

- Removed the provision that the sale price is the maximum allowable fair market value in the next taxable year.
 - This provision caused the Department of Audits and Accounts (DOAA) to change their sales ratio study methodology when it was originally passed in 2010, so this change will improve the sales ratio study and prevent penalties on local governments and their taxpayers.
- This legislation also allows the Board of Assessors to appeal the sales ratio study directly instead of requiring a local government to appeal on their behalf.

HB 581

Part 3: Procedural Property Tax Changes

- Modifying the three-year lock for appeals so the taxpayer only receives the lock if they receive a value reduction upon appeal.
- Updating the settlement conference statute so that if neither the taxpayer nor their representative participates in good faith, then the taxpayer shall not receive the benefit of the temporary 15 percent reduction in taxes owed and shall not be awarded attorney's fees.
- Requiring that the chief appraiser ensure that every parcel in the county be appraised at least every three years.

Policy Considerations for Local Governments

- As with any other local government choice, this is a policy decision with pros and cons to be considered.
- The floating homestead exemption rewards homeowners, especially those that reside in the community for a long period of time after this legislation takes effect.
- Taxes do not disappear – they only shift: in this instance, the taxes are shifting from homestead properties to all other property types (commercial, agricultural, industrial, residential non-homestead).

Policy Considerations for Local Governments

- Taxation is a formula: taxable value multiplied by the millage rate gives the property tax revenue to meet local budgets.
 - Since the floating homestead exemption slows the growth in value for residential homestead properties, it will create some upward pressure on the millage rate. The effects of a floating homestead increase over time, so this will have a smaller impact in the early years and a larger impact in the later years.
- Counties and cities may more easily increase the millage rate if needed than schools due to the 20-mill cap, which may only be exceeded after the successful passage of a local referendum.

Other Local Government Considerations

- Each local government (counties, cities, and schools) may independently decide whether to opt out.
- This decision does not impact the homestead exemptions but cities and counties can impact eligibility for the FLOST.
- Every local government has a unique digest mix of property types. Local officials are encouraged to contact their Chief Appraiser for information regarding their specific situation. Some communities will better be able to support a floating homestead exemption than others.

Other Local Government Considerations

- The referendum is likely to be very popular and citizens may not understand a local government's decision.
- Even if your local government decides to opt out of the HB 581 floating homestead exemption, nothing precludes your local delegation of the General Assembly from passing a local Act putting a local floating homestead to referendum in your jurisdiction.
- If a local government decides to opt out, it may be best practice to explain this decision to the public and the local delegation.

Other Local Government Considerations

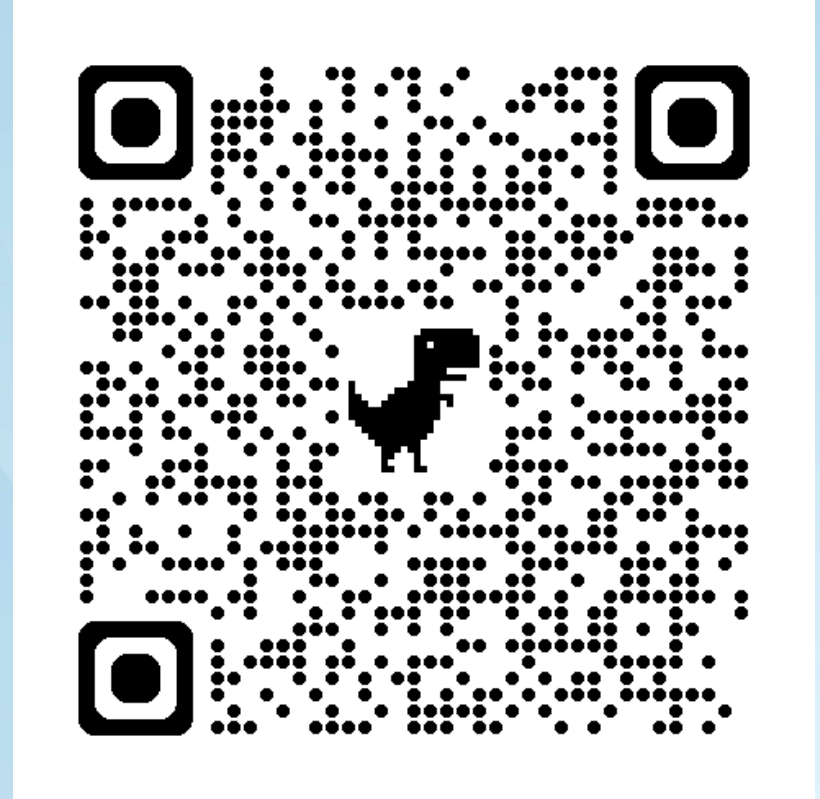
- Many jurisdictions have existing floating homestead exemptions. These typically apply only to M&O millage rates, but not to special service districts (SSDs).
 - The HB 581 floating homestead exemption applies to special service districts in addition to M&O but does not apply to bond millage.
 - If a local government that has a floating homestead exemption already in place does not opt out, then their special service districts will be affected by the new floating homestead exemption.
- A local government may consider opting out to avoid confusion.

Other Local Government Considerations

- While the decision to opt out of the floating homestead exemption is independent, instituting the new sales tax requires collaboration between the county and cities.
- The county and all cities in the county that levy a property tax must have a base year homestead exemption in place (statewide or through a local Act).
- The county and cities should discuss the option of the sales tax before expiration of the opt out period.
- Know the distribution is determined by the IGA, so this should be discussed early.
- A local Act is required for renewal, so involve your local delegation.

Next Steps....

- Joint ACCG-GMA Webinar Oct. 16th (live and recorded).
 - This will be the same presentation
- Joint Guidance Document/FAQ released today!
 - Document on GMA's Website
 - Link to ACCG HB 581 page:
 - [ACCG Advancing Georgia's Counties](#)



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ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA & GEORGIA MUNICIPAL ASSOCIATION

HB 581 (2024): Frequently Asked Questions Document

The Local Opt-out Floating Homestead Exemption & Floating Local Option Sales Tax (FLOST)

House Bill 581 was passed by the Georgia General Assembly during the 2024 legislative session and was signed into law by Governor Kemp on April 18, 2024.

[HB 581](#) provides for several significant changes impacting local government revenue. Counties and cities must understand these changes and be prepared to make critical decisions in the coming months that will have lasting impacts. In general, HB 581 has three major components: first, the bill provides for some procedural changes to property tax assessments and appeals; second, the bill provides for a new statewide homestead exemption that applies to local governments unless the local government affirmatively opts out; third, the bill creates a new local option sales tax available to be used for property tax relief.

This document provides frequently asked questions (FAQs) to give an overview of the key provisions of the bill, the statewide homestead exemption and new local option sales tax, and the considerations local governments must have in mind. Appendix A then includes an outline of these key provisions to help guide local decision making.

A. Generally

1. In a nutshell, what is HB 581 (2024) about?

HB 581 contains multiple provisions related to property tax and sales tax. Most relevant to this FAQ, the bill:

- a. Grants a statewide homestead exemption that limits the increases in the taxable value of homes to no more than the inflation rate that occurred over the prior year;
- b. Allows local governments to elect to opt out of this homestead exemption within their jurisdiction so that it will not apply to their taxable values; and
- c. Authorizes most local governments with the new homestead exemption (or equivalent) to levy a new sales tax to be used for property tax relief.

2. Where did this proposal come from and what was the reason?

Entering the 2024 legislative session, many legislators were concerned with the rapid rise in property values across the state, and in turn, the rise in property taxes. The homestead exemption proposal came from the General Assembly and was first introduced in the Senate. The reason was to provide more certainty to homeowners who are concerned about the significant increases to the taxable value of homes in recent years. Under this bill, if the local government does not opt out, then the homeowner knows their value may not increase by more than the rate of inflation, which prevents large jumps and helps them budget.

The sales tax provision (FLOST) came from the House and was originally designed as a flexible new sales tax to act in place of sales tax laws written to apply to only one jurisdiction, such as that for the Coliseum SPLOST for Augusta-Richmond County; however, it changed throughout the legislative process to become a method to reduce millage rates imposed on all properties (homestead and non-homestead).

B. The Homestead Exemption of HB 581

1. What type of homestead exemption does HB 581 provide? Is there a difference between floating, base-year, adjusted base-year, and frozen homestead exemptions?

The core purpose of any base-year, floating, or frozen homestead exemption is to reduce or eliminate the tax impact of increases in the fair market value of a homesteaded property that occur following the purchase of a home. The terms are generally synonymous and used to describe either the practical or technical effect of the exemption. The key difference is whether such an exemption allows for adjustments to the base year value based on a standard rate or the inflation rate.

For a base-year, floating, or frozen homestead exemption **without** an adjustment factor, the value of the exemption changes or floats each year to always equal and exempt the full difference between the base-year value of the home and the current value of the home, so that the taxable value of the home never increases (but the millage rate may still increase). These are most often called frozen exemptions because the assessed value of the home is blocked from increasing (and often, from decreasing).

For a base-year, floating, or frozen homestead exemption **with** an adjustment factor, the base year and the base year value for a homestead does not change, but the base year value is adjusted annually by a percentage equal to either a set rate or the inflation rate that occurred during the prior year. These are best called adjusted base-year homestead exemptions.

In the case of HB 581, practically speaking, the homestead exemption limits the amount of any increase in the assessed value of homes to no more than the rate of inflation experienced over the prior year—it does not freeze the value. This is best described as an adjusted base-year homestead exemption, because it grants an exemption equal to the difference between the homestead's adjusted base-year value—generally the value for the year prior to the homeowner's application for the exemption plus an inflation factor for each year since the exemption was first granted—and the current year's true value.

It is important to note that most of these homestead exemptions do account for substantial changes in the property. For example, if a homeowner doubles the size of their house, then the base-year value may be increased, regardless of any freeze or limitation, but thereafter, the new base-year value enjoys the benefit of the exemption. Also important to note, these exemptions do not stay with the property nor the property owner when a change in ownership occurs. If an individual sells their home, the taxable value of that home resets to fair market value for the next owner. Similarly, the individual cannot carry the value of the exemption to their new home.

2. How is the value of the HB 581 homestead exemption determined?

The value of the exemption is unique to each individual property and will generally change each year for such properties. The core purpose of a base-year or floating homestead exemption is to reduce or eliminate the impact of increases to the fair market value of a homestead. In the case of HB 581, the homestead exemption prevents rapid increases in the assessed value of homes but does not freeze the value.

HB 581 is considered an adjusted base-year homestead exemption, because it allows the homestead's base-year value to increase annually by up to the inflation rate determined by the State Revenue Commissioner (likely the consumer price index) which occurred during the prior year. The value of the exemption is the difference between the adjusted base-year value and the fair market value. Even if two properties begin with identical base year values, if the fair market value of the properties diverge over time, then the property with the higher fair market value will receive the larger exemption while potentially paying the same in property taxes.

3. If my local government wants to opt out of the HB 581 homestead exemption, how can we do that?

As authorized through a constitutional amendment (HR 1022 (2024)) and outlined in HB 581, the opt-out process is very similar to the "public notification of tax increase" process that is required when a local government does not fully rollback its millage rate. The local government seeking to opt out of the HB 581 homestead exemption must advertise and hold three public hearings of intent to opt out, and then pass a resolution opting out and file it with the Secretary of State. The process may not begin until the effective date of the bill on January 1, 2025, and must be completed by March 1, 2025. Each local government (county, city, school) may independently make the decision whether to opt out; any combination may elect to do nothing or opt out of the HB 581 floating homestead exemption. If a local government opts out, its taxpayers will not receive the benefit of the exemption, and their property will be taxed (absent other exemptions) at the property's fair market value.

4. Should my local government opt out of the homestead exemption if we already have another form of a floating, base-year, or frozen homestead exemption?

There are at least a few things to consider when answering this question for your jurisdiction.

First, how far does your current floating homestead exemption extend? Does it cover all millage rates, including those for special districts? The reason that this is important to answer is that the HB 581 homestead exemption extends to all millage levies except for any bond levies.

Second, does your current homestead exemption incorporate any form of inflationary or automatic increase? The value of the HB 581 homestead exemption for each homeowner is, in effect, reduced annually by the amount of inflation that occurred over the prior year, which allows the taxable value of the homestead to rise over time in-line with inflation. If your jurisdiction has a set rise over time that is expected to exceed the inflation factor in HB 581, then your jurisdiction may want to opt out.

Third, if the homestead exemptions are equivalent, you may want to consider opting out of the HB 581 floating homestead exemption to reduce confusion. Your jurisdiction would still have access to the new sales tax for property tax relief (FLOST) assuming all the conditions to impose the tax are met.

5. Does the HB 581 homestead exemption apply to community improvement districts (CIDs)?

For all practical purposes, the homestead exemptions would not apply to CID's as CID's may only levy taxes on nonresidential property. Ga. Const. Art. IX, Sec. VII, Para. III(c).

6. How does the HB 581 homestead exemption affect tax allocation districts (TADs)?

The homestead exemption could potentially reduce the amount of expected property tax revenue growth within the TAD by limiting the assessed value increase of homestead property over time. This question requires analysis specific to the TAD in question.

7. Can the HB 581 floating homestead exemption be later repealed for my county or city?

If a jurisdiction elects not to opt out of the HB 581 homestead exemption, they will not have an opportunity to opt out in the future and will have the homestead exemption permanently. There may be a method to remove such jurisdictions in the future, but it would require a change to general law or a constitutional amendment done by the legislature.

8. Will the HB 581 homestead exemption affect a homeowner's existing homestead exemptions?

HB 581 does not eliminate any existing homestead exemptions for any jurisdiction, regardless of the type of homestead exemption, but it may override existing floating, base-year, and frozen exemptions, if the HB 581 exemption provides a greater benefit to the taxpayer.

- a. If your local government has an existing non-floating homestead exemption, such as an exemption for \$5,000 of assessed value, that will be unaffected by HB 581. The floating homestead exemption is calculated first, and then the non-floating exemptions are calculated on the back end. That said, if the existing, non-floating local homestead exemption says that it may not be applied in addition to any other homestead exemption, then it may not be applied.
- b. If your local government has an existing base-year homestead exemption, then the taxpayer will receive whichever provides them with the largest benefit in any given year. Your tax assessor's office will be responsible for tracking both floating homestead exemption values in addition to the fair market value.

For example, if there is an existing base-year or floating homestead exemption that does not have inflationary increases, then it would generally provide the larger benefit to the taxpayer. Similarly, if the base-year of a homestead exemption that is comparable to HB 581 pre-dates HB 581's base-year, then the older base year will likely provide the larger benefit.

9. Will it affect the county's ability to impose a FLOST if another city opts out of the homestead exemption granted by HB 581?

Yes, if a city that imposes a property tax opts out, then the county and all cities within the county will be ineligible for the FLOST. If a city that does not levy a property tax opts out, then it would not affect the ability for the county to levy a FLOST. If even one city that opts out does levy a property tax at such time, then the FLOST would not be permitted. Of course, jurisdictions may opt out and not impact eligibility if the jurisdiction has another eligible homestead exemption in place.

10. If the county opts out of the homestead exemption will this impact a municipality's ability to impose a FLOST?

Yes. Similarly, if a county opts out all municipalities in the county will be ineligible for the FLOST unless the county has another eligible homestead exemption in place.

11. If a municipality or a county opts out of the HB 581 homestead exemption will homesteads have multiple assessed values for tax assessment?

Yes, if the homestead exemption applies for some but not all jurisdictions, the taxable value of the property will essentially be different. The fair market value of a property is the same for all taxing jurisdictions where the property is subject to property tax. Homestead exemptions are applied after the fair market value of the home is determined and reduce the taxable value of the home—the taxable value may be different among jurisdictions based on applicable homestead exemptions.

Every county assessor's office is required to maintain a set of books with the fair market value of the property. The assessor's office will be required to maintain two or more sets of values if there are one or more floating homestead exemptions. Each homestead may have a different base-year value across multiple jurisdictions, but this will be tracked by the assessor's office.

12. For a home that has an exemption under HB 581, what happens if the home is substantially improved or is destroyed? How are changes to the home's value that do not result from market forces handled?

Substantial changes to the property are considered when assessing the property. Any substantial change will increase or decrease the adjusted base year value of the home.

Example: The adjusted base year value of a home as of January 1, 2028, was \$500k. During 2028, the homeowner doubles the square-footage of her home and adds a swimming pool. As of January 1, 2029, the tax officials for the county determine that the changes to the home increase the value by \$200k. The adjusted base year value for the 2029 tax year = \$500k (the 2028 ABYV) + \$200k (substantial change value) + any applicable inflation factor.

13. If my local government opts out of the floating homestead under HB 581, can we opt in at a later date?

If your local government opts out, there is no future opportunity for the local government to unilaterally opt-in or rejoin the HB 581 exemption.

However, a local government may still obtain a similar homestead exemption in a traditional manner. The General Assembly may pass a local Act creating an equivalent local floating homestead exemption. This would require 2/3's vote in the General Assembly and a local referendum. The General Assembly may do this against the will of the local government. We encourage you to maintain a dialogue with your local legislators, especially if you intend to opt out.

14. If my local government opts out of the HB 581 floating homestead exemption and our legislative delegation disagrees with that decision, can they take action to mandate the floating homestead exemption on my local government?

If your local government opts out of the HB 581 floating homestead exemption and your legislative delegation disagrees with that decision, your local delegation can pass a local Act to impose a floating homestead exemption within the jurisdiction. HB 581 has not changed the ability of the legislature to create specific homestead exemptions for local governments. This local Act would be subject to 2/3 vote in the General Assembly and approval by the voters in a local referendum. If the referendum is successful, then your local government would be subject to the homestead exemption provided for in the local Act, even though you opted out of the HB 581 exemption.

Note: A local government could elect to opt out of the HB 581 exemption and ask their local delegation to proceed with a more customized version of the homestead exemption.

15. Can the floating homestead exemption be transferred to a new owner of the home?

No, the homestead exemption is not portable or transferable—it is tied both to the property owner and the home. However, in the case of a surviving spouse who was not on the deed at the time of their spouse's death, said surviving spouse may continue the homestead exemption in the same manner as the deceased spouse, provided that the surviving spouse is otherwise eligible for the homestead exemption.

For anyone else that acquires the home as a homestead, the base-year and base-year value will be reset to the year prior to the person's acquisition of the home and to the actual value for the home for such prior year.

16. How much land can be included in a qualified floating homestead exemption?

Georgia state law states that the homestead exemption applies to the homestead and the land immediately surrounding the homestead; there is no specification for acreage. Many local homestead exemptions do limit the total acreage. It is likely up to local interpretation as to what

land constitutes the land “immediately surrounding” the homestead. The exemption would not include buildings or structures on the property, which are not part of the homestead dwelling, itself.

17. Does the HB 581 floating homestead exemption apply to special service districts?

Yes, the HB 581 floating homestead exemption applies to all millage rates except for millage rates to retire bonded indebtedness.

Point to consider: If the local government has an existing floating homestead exemption that *does not* apply to special service districts, then you may want to consider opting out, so your special service district millage levies are unaffected.

18. If a homeowner’s assessed value was locked following their appeal to the Board of Equalization in 2022, would that value be used for the 2024 base year for the purposes of the HB 581 exemption?

The homestead’s final assessed value for the base year is the base year value for the purposes of the HB 581 exemption. Code Section 48-5-44.2(a)(3)(A). Accordingly, if the locked assessed value from 2022 is what was lawfully used as the homestead’s final assessed value for 2024, then that taxpayer would have their HB 581 2024 base year assessed value set at that same amount.

19. Will the market value or the adjusted base year value be used when calculating value increases to the tax digest that are factored into the rollback millage rate that cannot be exceeded without advertising a tax increase?

The digest value for rollback purposes utilizes the net taxable digest, which is the value of the digest *after* exemptions are accounted for.

C. The Floating Local Option Sales Tax (FLOST)

1. Generally, what is the FLOST?

The Floating Local Option Sales Tax or FLOST (named for its relation to the floating homestead exemption) is a new sales tax that can be levied up to 1 percent and collected county-wide. Funds are split between the county and cities based upon an intergovernmental agreement (IGA) and used for property tax relief.

2. What are the minimum requirements for a given county or municipality to be eligible to levy a FLOST?

- a. The county or municipality must levy a property tax and have a base-year or floating homestead exemption in effect¹;
- b. All other municipalities within the county that currently levy a property tax must also have a base-year or floating homestead exemption in effect²;
- c. The county or municipality must have available room under the overall sales tax cap³;
- d. The county and the applicable number of municipalities must enter into an intergovernmental agreement as required under Code Section 48-8-109.31(d)(1)(B);
- e. Hold a successful local referendum⁴; and
- f. Utilize the proceeds for property tax relief and in accordance with the IGA⁵.

3. Who must sign the intergovernmental agreement to authorize the referendum for the FLOST?

The county must reach an intergovernmental agreement with municipalities levying a property tax that represent at least 50% of the total municipal population within the county. This minimum requirement does not preclude more municipalities than those representing 50% of the municipal population from signing the IGA if all parties agree.⁶

Any municipality that does not sign the IGA is treated as an ‘absent municipality’ and will receive proceeds from the FLOST based upon the size of its population relative to the total municipal population within the county, excluding any municipalities that do not levy a property tax. Municipalities that do not levy a property tax are excluded from the calculations and from sharing in FLOST revenues.⁷

¹ Code Section 48-8-109.31(d)(1)(A).

² Code Section 48-8-109.31(d)(1)(A).

³ Code Section 48-8-6(a).

⁴ Code Section 48-8-109.32.

⁵ Code Section 48-8-109.42.

⁶ Code Section 48-8-109.31(d)(1)(A).

⁷ Code Section 48-8-109.31(d)(2).

4. What must an IGA to levy FLOST include?

- a. The rate of the tax: incremental in .05% increments up to a full 1.0%;
- b. The duration of the tax: up to 5⁸ years;
- c. Provisions for calling the referendum for the tax, including the question for the ballot;
- d. The distribution schedule⁹ apportioning proceeds among:
 - i. County
 - ii. Municipalities
 - iii. Absent Municipalities
- e. The IGA is not required to specify how property tax relief is to be applied but may do so.

5. How is the sales tax referendum scheduled?

First, there must be a valid intergovernmental agreement between the county and cities specifying the distribution of the tax. Next, the county may call for the sales tax referendum similar to other sales tax referenda.¹⁰

6. Is a local referendum necessary to impose the FLOST even if the ballot measure in November is successful?

Yes. It is important to note that the ballot question in November of 2024 proposes a constitutional amendment which enables the homestead exemption. If this amendment is not approved, all of HB 581 (including the FLOST) is repealed. If the constitutional amendment is approved, a subsequent referendum within the county is still required to levy the FLOST. Counties and cities should be mindful that the FLOST must be approved by voters in the county to be levied when making policy decisions concerning the homestead exemption.

7. Does FLOST revenue affect the rollback millage rate that is calculated for the purposes of Code Section 45-5-32.1 (Taxpayer Bill of Rights), which requires the advertising of a property tax increase, if exceeded?

Yes. Unlike LOST, the total amount of FLOST collected in the preceding calendar year must be subtracted from the millage equivalent calculated to provide the jurisdiction with the same net proceeds from the current year's net taxable digest value as those derived from the previous year's millage rate when multiplied by the previous year's net taxable digest value.

⁸ Code Section 48-8-109.32(a).

⁹ Code Section 48-8-109.36(2).

¹⁰ Code Section 48-8-109.32.

8. What can the FLOST revenues be used for?

FLOST revenue must be used for property tax relief. Per Code Section 48-8-109.42, FLOST revenues:

- “[S]hall be used exclusively for tax relief and in conjunction with all limitations provided in the intergovernmental agreement authorizing the tax for such political subdivision.”
- Additionally:
 - “Each taxpayer's ad valorem tax bill shall clearly state the dollar amount by which the property tax has been reduced as a result of the imposition of the tax imposed under this article”; and
 - “The roll-back rate for the political subdivision, which is calculated under Code Section 48-5-32.1 [Taxpayer Bill of Rights], shall be reduced annually by the millage equivalent of the net proceeds of the tax authorized under this article, which proceeds were received by the political subdivision during the prior taxable year.”

9. In what ways may the local government calculate and apply the FLOST property tax relief to the property tax bill?

Outside of the parameters in Code Section 48-8-109.42, jurisdictions have latitude to apply the funds for legal purposes within the special district and as may be provided for in the intergovernmental agreement.

- The tax relief must be applied uniformly across all forms of tangible property within the given taxing jurisdiction for which it applies. For these purposes, taxing jurisdictions for which property tax relief may be granted can be the county, a municipality, or a special district, provided that the application is uniform within the given taxing jurisdiction.
- When the credit or reduction is shown on the taxpayer's property tax bill, it **MUST** be applied as property tax relief, which would be a reduction in a charge that is assessed and levied upon the value of a property. The credit *cannot* reduce any charge or fee, which is not levied upon the value of the property (ad valorem). If a flat dollar amount is shown on the property tax bill, said dollar amount must be derived from the taxpayer's savings from the reduction in the millage rate or assessed value.
- While not required, the best practice is to include within the required IGA exactly how the proceeds of the FLOST will be applied as property tax relief.

10. What types of communities would benefit most from a FLOST?

Communities that wish to supplant property taxes with sales tax would benefit from FLOST. It is a policy decision that would be expected to shift some of the tax burden imposed on the local government's property owners to those who make purchases within such jurisdiction. Accordingly, communities with sales tax revenues derived disproportionately from those living outside of the local government's jurisdiction would expect to see a net benefit for its property owners by shifting the tax burden to consumers; whereas those communities that have disproportionately few property owners among its many resident consumers would find only a shifting of the tax burden within the jurisdiction.

11. How often does the FLOST have to be voted on?

FLOST may be implemented for up to 5 years at a time, so at least every 5 years. Moreover, all FLOST renewals require a local Act of the General Assembly, so there is no renewal without a local Act and a new IGA, and passage in a local referendum.¹¹ While there is no requirement of a local Act to initially levy the FLOST any subsequent renewal does require a local Act from the General Assembly.

12. My county doesn't have a LOST. How will this affect my county, city, etc.?

Having a LOST is not a requirement for the FLOST. LOST is the most similar sales tax to the FLOST, but the way property tax relief is calculated under FLOST is more flexible than LOST.

13. Does this bill require the Department of Revenue to provide point-of-sale information?

This bill does not require DOR to provide point of sale information but does require such information to be furnished to DOR by the retail establishments that are required to collect the tax. All sales for FLOST occur countywide (within the special district which is coterminous with the boundaries of the county), except in the case of a county containing a municipality that levies the Water and Sewer Projects Cost Tax (MOST), in which case the FLOST is not collected within the boundaries of the MOST city.

14. Are Water and Sewer Projects Cost Tax (MOST) cities ineligible for a FLOST?

Yes, the cities that levy a MOST tax are ineligible to levy or receive proceeds from FLOST. This means that they are not counted when determining the municipal population in the county levying the LOST, the city levying the MOST cannot share in the proceeds of the FLOST, and the FLOST may not be levied within the municipal boundaries of the city levying the MOST.

Currently, the MOST cities are: Atlanta, East Point, College Park, and Hapeville.

15. If the school board opts out of the floating homestead exemption, can the county and municipalities still levy the FLOST tax?

Yes, if the school board opts out, you can still levy the tax assuming all other requirements are met. Schools generally cannot receive revenues from sales taxes other than those authorized by the Constitution (ESPLOST) and certain existing Local Constitutional Amendments (ELOSTs), so it would require such a constitutional amendment specifically authorizing or requiring that school districts receive a share in the FLOST.

¹¹ Code Section 48-8-109.33(c)

16. If my jurisdiction opts out of the HB 581 floating homestead exemption and has an existing base-year or floating homestead exemption, but which only applies to the general maintenance and operations (M&O) levy, would my jurisdiction be blocked from participating in the FLOST?

No, not on that basis alone. If your local government has an existing floating or base-year homestead exemption of any kind, you may still qualify for the FLOST, even if you opt out of the HB 581 floating homestead exemption. HB 581 only requires that you have some form of a base-year or floating homestead exemption to participate in FLOST. Such exemption can either be a local floating homestead exemption (predating HB 581 or added after) or the HB 581 floating homestead exemption. Please note that the HB 581 floating homestead exemption will apply to all levies, including special service districts, except for bonded indebtedness.

17. If my county or city decides to opt of the homestead exemption, is it forever ineligible to levy the FLOST?

No. First, your city or county may already have a homestead exemption in place making them eligible for the FLOST. Second, if there is no homestead exemption in place and your county or city opts out, it can once again become eligible to levy the FLOST in the future through a subsequent eligible homestead exemption put in place by a local Act of the General Assembly.

18. What happens if we pass a FLOST and our legislative delegation does not approve the renewal, or the voters do not renew it?

If you pass a FLOST and your legislative delegation does not approve the renewal or the voters do not renew it, then the most likely outcome is an increase in the applicable millage rates. Since FLOST is sales tax being used to offset property tax, if the FLOST expires, the local government will have to cut expenses, raise property taxes, or some combination thereof.

19. If my county has an ELOST, can we utilize the FLOST?

If your county has an ELOST, the availability of FLOST depends on a few factors:

- a. Does the exact verbiage of the local constitutional amendment (LCA) limit the distribution of proceeds in the way that FLOST requires? Some of the LCAs are very permissive, and others are very restrictive. Please consult with your local jurisdiction's attorney for a legal opinion.
- b. Is the jurisdiction otherwise eligible to levy a FLOST?
- c. Does the jurisdiction have sufficient room under its local sales tax cap to levy a FLOST? See Code Section 48-8-6(a).

ELOST Counties: Habersham County; Chattooga County; Catoosa County; Harris County; Pickens County; Walton County; Houston County; Towns County.

Appendix A: HB 581 - Timeline/Decision Tree

- 1) November 5, 2024: Statewide ballot measure determining approval of constitutional amendment enabling homestead exemption.
 - a) If the ballot question is not approved, HB 581 is repealed in its entirety. No further action is needed by local governments. All other property tax changes and the FLOST are repealed as well.
 - b) If the ballot question is approved, counties, cities, and school boards may independently determine whether they would like to “opt out” of the homestead exemption and not have the exemption apply to their homeowners.
- 2) Beginning January 1, 2025 through March 1, 2025, local governments may “opt out” and not have their homeowners receive the HB 581 floating homestead exemption.
 - a) If the local government decides not to “opt out” no action is required by the local government and the homestead exemption will go into effect.
 - i) The HB 581 homestead exemption does not replace existing locally enacted homestead exemptions.
 - (1) If your local government has an existing flat dollar homestead exemption, the 581 exemption will be in addition to that exemption.
 - (2) If your local government has an existing base year or adjusted base year exemption, the taxpayer will receive the more beneficial exemption.
 - b) If your local government decides to opt out, it must advertise and hold three public hearings of intent to opt out, and then pass a resolution opting out and file it with the Secretary of State by March 1, 2025.
- 3) If the November 2024 ballot question is approved, your county or city may decide whether to levy a FLOST for property tax relief. You must determine if you are eligible for the FLOST.
 - a) If your county/city does not levy a property tax, you are not eligible to levy/participate in the FLOST.
 - b) If you levy a property tax:
 - i) Your county/city must have a base year or adjusted base year homestead exemption in place.

*This may either be the homestead exemption provided by HB 581 or an existing base year or adjusted base year homestead exemption created by a local Act.
 - ii) The county and every municipality in the county that levies a property tax must also have a base year or adjusted base year homestead exemption in place (HB 581 or existing).

- iii) If the county or any city that levies a property tax does not have an eligible homestead exemption in place, the county and all cities within are not eligible for the FLOST.
- c) If the eligibility criteria is met:
 - i) The county and city or cities representing at least 50% of the municipal population of cities levying a property tax must sign an intergovernmental agreement (IGA) for the levy of the tax. This IGA will set the rate (up to 1%), duration (up to 5 years), distribution of proceeds among the county and cities, and the ballot question to be used.
 - ii) The levy of the FLOST must be approved by the voters across the county in a referendum.
- d) The FLOST may then be levied for up to 5 years before needing to be renewed. Prior to the expiration of the tax a renewal requires: A local Act by the Georgia General Assembly approving the renewal for the jurisdiction, a subsequent IGA between the eligible county and cities, and a subsequent referendum for the voters to approve the renewal of the tax.

Disclaimer

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Personnel Policy Amendments Effective January 1, 2025

Current Outside Employment Policy:

Employees may hold outside jobs as long as they meet the performance standards of their job with the City of Villa Rica. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If it is determined that an employee's outside work interferes with performance or the ability to meet the requirements of their job description as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the City.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals for materials produced or services rendered while performing their City jobs. No outside employment duties can be conducted on City time or property.

Exceptions: Law enforcement personnel may have separate guidelines due to the nature of their duties but should still adhere to professionalism and safety standards.

Note: Law enforcement may have distinct policies considering their specific roles and public-facing nature. Consult the law enforcement department's guidelines for their specific regulations on outside employment.

Proposed Outside Employment Policy:

Employees are not restricted from engaging in other employment during their off-duty hours. However, City employment must be considered the primary employment, and no employee may engage in outside employment which would interfere with the interests of the City. Employees are required to seek approval of their Department Head, in writing prior to engaging in outside employment. When considering approval, the Department Head must ensure that there are no conflicts of interest with the employee's primary functions with the City. Outside employment approval should be updated/renewed in January of each year.

Outside employment for Department Heads will be reviewed by the City Manager.

Exceptions: Law enforcement personnel may have separate guidelines due to the nature of their duties but should still adhere to professionalism and safety standards.

Note: Law enforcement may have distinct policies considering their specific roles and public-facing nature. Consult the law enforcement department's guidelines for their specific regulations on outside employment.

New Proposed Policies:

College Credit Incentive Policy:

Pay increase will be awarded to employees who obtain a college degree when meeting the following criteria:

- Degree is from an accredited university
- Degree is related and beneficial to position

The increase will be based on the level of degree obtained: 1.5% for Associate's Degree, 3% for Bachelor's Degree, 5% for Master's Degree.

*Please note: This policy is effective for degrees obtained on or after January 1, 2025. Any exceptions to this policy would be at the discretion of the City Manager.

Administrative Leave During Appeal Policy:

Employees who file an appeal may be placed on paid administrative leave while the appeal is under review. Employees on administrative leave will receive their regular base pay and retain benefits for the duration of the leave. Employees on administrative leave must remain available for meetings, hearings, or other communications related to the appeal process. Any failure to participate may result in forfeiture of administrative leave pay.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Personnel Policy Amendments

AGENDA DATE: January 7, 2025

DATE PREPARED: January 2, 2025

PREPARED BY: Tiffany Lanford HR Director

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PURPOSE: To approve amendments to Personnel Policies effective January 1, 2025.

BACKGROUND:

Policy amendments are proposed for the City's current Personnel Policies that was last updated December 1, 2023.

A revision is proposed to the City's current Outside Employment policy. Two new policies are also being proposed; College Credit Incentive and Administrative Leave During Appeal. If approved these policies will be effective January 1, 2025.

STAFF RECOMMENDATION: Approval.

MOTION: I move to approved proposed policies to the City's Personnel Policies.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet January 14, 2025

SUBJECT: RA-05-24 Rezoning Request for .47-acre property located at 628 South Street from Single-Family Urban (R2) to Commercial Medium, Density (C2).

CITY COUNCIL MEETING DATE: January 14, 2025

PLANNING AND ZONING MEETING: December 17, 2024; Approval (4-0)

DATE: December 31, 2024

PREPARED BY: Shaun Daniels, Zoning Administrator

PUBLIC HEARING REQUIRED: Yes

PURPOSE: MMCC Fund, LLC (the applicant) seeks the rezoning of a .47ac parcel from a Residential Single-Family Urban (R2) to a Commercial Medium-Density (C2).

BACKGROUND:

The property at 628 South Street contains a 1,207-square-foot residential house built in 1971, with approximately 95.05 feet of road frontage on South Street.

In March 2023, the applicant requested to rezone 624 South Street (Parcel ID: V07 0110070) and nearby parcels from Single Family Urban (R2) to Commercial Medium Density (C2) to facilitate a lot merger for a national sit-down restaurant development, approved by City Council (5-0). In November 2023, MMCC Fund, LLC requested nine variances for eight surrounding parcels (Parcel IDs: V07 0110003, V07 0110062, V07 0110066, V07 0110168, V07 0110070, V07 0110083, V07 0110171, and V07 0110219) to create a multi-user commercial development with inter-parcel connectivity, functional parking, and pedestrian access. Eight variances were approved, and one was withdrawn.

Due to ongoing negotiations with potential commercial users, no updated site plan has been developed since 2023. The applicant indicated that adding 628 South Street will enhance inter-parcel access.

The applicant now proposes to rezone 628 South Street from R2 to C2 to merge it with surrounding C2 properties. The proposed rezoning aims to increase inter-parcel access for the area. If successful, the combined tract will total 9.55 acres. The applicant has provided a site plan showing the proposed commercial development and approved 2023 variances. If the rezoning is successful, a current site plan will be developed.

STAFF RECOMMENDATION:

Staff recommendation: **Approval**

Reasons:

1. Based on the City's Comprehensive Plan, the applicant's request to rezone 628 South Street from Residential Single-Family Urban (R2) to Commercial Medium Density (C2) is supported.
2. The Commercial Medium Density (C2) zoning is consistent with the surrounding properties to the north, south, and east of the subject property.
3. The proposed commercial development represents the highest and best use of the land compared to maintaining the property as a Residential Single-Family Urban (R2) property.

Condition:

- The applicant must perform a lot merger, combining 628 South Street and the rezoned (C2) properties, which align with the proposed commercial site plan.

RA-05-24 Motion:

- I move to approve the rezoning request by MMCC Fund, LLC for the property located at 628 South Street, changing the zoning from Residential Single-Family Urban (R2) to Commercial Medium Density (C2).



December 31, 2024

Planning Report

MMCC Fund, LLC
RA-05-24
628 South Street
Land Lot 157, District 6th
Parcel # V07 0110069
Acreage: .47
Ward: 2
City Council Member: Matthew Montaham
Planning Board Member: Julie Cepin
City of Villa Rica, Carroll County, Georgia

Dear Ms. Campbell:

The planning report is prepared in response to the rezoning application submitted by MMCC Fund, LLC for the property located at 628 South Street (Parcel # V07 0110069). This report aims to provide an analysis of the rezoning request and make recommendations for the City Council's consideration.



Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.



628 South Street
RA-05-24
MMCC Fund, LLC
December 31, 2024

MMCC Fund, LLC (the applicant) seeks the rezoning of a .47ac parcel from a Residential Single-Family Urban (R2) to a Commercial Medium-Density (C2).

The following documents, which were submitted in support of the Application, have been reviewed:

1. Application for Rezoning, dated October 24, 2024;
2. Applicant Summary Description of Project, prepared by Jeff Matthews;
3. Written Statement, prepared by MC3 Landing Holdings LLC;
4. Copy of the Deed (Scanned), dated October 1, 2024;
5. Preliminary Site Plan, prepared by Georgia & West, Inc., dated October 27, 2023;
6. Rezoning Application, dated October 12th, 2024;

A. Existing Conditions

The subject property is 0.47 acres, located approximately 760 feet south of West Bankhead Highway and 360 feet west of Commerce Drive. The property contains a 1,207-square-foot residential house built in 1971. It has approximately 95.05 feet of road frontage on South Street. The lot is relatively flat and does not feature any streams or natural water bodies.

The subject parcel is adjacent to multiple residential single-family urban properties to the northwest, west, and southwest. It is currently zoned Residential Single-Family Urban (R2) and is situated in a mixed-use area. Residential properties are located to the west of South Street, while commercial properties, both undeveloped and developed, are to the north, south, and east. The parcel does not border a city boundary or unincorporated area.



628 South Street
RA-05-24
MMCC Fund, LLC
December 31, 2024

Surrounding Properties:

TABLE 1 – SURROUNDING LAND USES		
Current Zoning		Land Use Character Area
North	Commercial Medium Density (C2)	Suburban Village Character Area
East	Commercial Medium Density (C2)	Commercial
South	Commercial Medium Density (C2)	Suburban Village Character Area
West	Single-Family Urban (R2)	Suburban Village Character Area

B. Site History

In March 2023, the applicant requested to rezone 624 South Street (Parcel ID: V07 0110070), along with parcels V07 0110066, V07 0110083, and V07 0110168, from Single Family Urban (R2) to Commercial Medium Density (C2) to facilitate a lot merger for the development of a major national sit-down restaurant. The City Council approved this request unanimously (5-0).

In November 2023, the applicant, MMCC Fund, LLC, requested nine variances for eight surrounding parcels (Parcel IDs: V07 0110003, V07 0110062, V07 0110066, V07 0110168, V07 0110070, V07 0110083, V07 0110171, and V07 0110219) of 628 South Street. The requested variances involved adjustments to lot standards and design standards. Eight of the variances were approved unanimously, while one was withdrawn.

No updated site plan has been developed since 2023. Due to ongoing negotiations with several potential commercial users.

VA-13-23 Request for Nine (9) variances from Development Standards (Chapter 7) of the Zoning Ordinance for 135 Commerce Drive. Applicant Jeff Matthews presented in support of these items and agreed to the conditions for a proposed commercial project:

VARIANCE REQUESTED	RESULT
Variance request from Section 4.04/Table 4.5 (.75 acres) of the Villa Rica Zoning Ordinance for 135 Commerce Drive.	APPROVED (UNANIMOUS)
Variance as requested from Section 4.04 Table 4.5 (setbacks) of the Villa Rica Zoning Ordinance for 135 Commerce Drive.	APPROVED (UNANIMOUS)
The variance request from Section 7.02 (4)(a)(i)(3) of the Villa Rica Zoning ordinance for 135 Commerce Drive.	APPROVED (UNANIMOUS)
Variance from Section 7.02(4)(c) Parking Layout	WITHDRAWN
The variance request from Section 7.02(26)(a) of the Villa Rica Zoning Ordinance.	APPROVED (UNANIMOUS)



628 South Street
RA-05-24
MMCC Fund, LLC
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The variance request from Section 7.05(6)(a) of the Villa Rica Zoning Ordinance for 135 Commerce Drive is subject to the condition of a 5-foot. Landscape buffer shall be installed along interior private drives and 5-foot planting strips on each side of the lot line along interior property lines.	APPROVED (UNANIMOUS)
Variance request from Section 7.05(10)(a) of the Villa Rica Zoning Ordinance for 135 Commerce Drive.	APPROVED (UNANIMOUS)
The variance request from Section 7.05(12)(b) of the Villa Rica Zoning Ordinance for 135 Commerce Drive with condition that a 20' landscaped buffer with an 8' opaque fence is required on the northern property line of 723, 727 and 731 Meadowlark Drive; a 10' buffer and 8' opaque fence along the eastern property line of 723 Meadowlark; a 20' planted landscape buffer along South Street, and a 10' buffer surrounding 628 South Street.	APPROVED (UNANIMOUS)
Variance request from Section 9.04(6) (c) of the Villa Rica Zoning Ordinance for 135 Commerce Drive.	APPROVED (UNANIMOUS)

C. Proposed Development

The applicant seeks to facilitate a lot merger with the surrounding C2 properties to the north, south, and east. The specific parcels involved are:

- 143 Commerce Drive (Parcel ID: V07 0110003) - 3.69 acres
- South Street (Parcel ID: V07 0110168) - 0.77 acres
- South Street (Parcel ID: V07 0110083) - 1.01 acres
- South Street (Parcel ID: V07 0110066) - 0.96 acres
- Commerce Drive (Parcel ID: V07 0110062) - 2.64 acres
- 624 South Street (Parcel ID: V07 0110070) - 0.53 acres

Open Space

The Commercial Medium Density (C2) zoning district requires a 5% open space provision as per Table 7.24 of the Villa Rica Zoning Ordinance. The applicant proposes to combine the 0.47-acre subject property with the surrounding C2 properties to the east and south, forming a single parcel. Once the parcel combination is completed, any new development must comply with the 5% open space requirement.

The ordinance specifies what is considered nonqualifying open space and qualifying open space as specified below:



628 South Street
RA-05-24
MMCC Fund, LLC
December 31, 2024

Table 7.24: Minimum Required Open Space		
Zoning District	Percentage of Open Space	Notes
R1, R2	8%	-
SFA, MF1	12%	-
MF2	15%	-
CMU, C1, C2, OMI	5%	-
I1, I2	2%	Sites less than 3 acres are exempt
AG, CBD	-	Exempt

TABLE 5 – QUALIFYING AND NON-QUALIFYING OPEN SPACE	
<u>Non-Qualifying Open Space</u>	<u>Qualifying Open Space</u>
Required Private Yards	Conservation areas and wetlands preserved as conservation areas.
Street rights-of-way, open parking area and driveways for dwellings	Floodplains
Land covered by buildings	Woodlands
Required detention and retention ponds that are not visually or physically accessible.	Riparian Corridors
The floodway of any stream, regulated drain, river or other water body accessible.	Retention and detention facilities with the following characteristics: 1. Perimeter access. An easement of at least fifteen (15) feet from the top of bank with a minimum five (5) feet wide path of a material that meets the requirements of the ADA. 2. Access. An area of open space at least twenty (20) feet wide shall extend from a street right-of-way to the fifteen (15) foot perimeter access area of the detention area. 3. Planting. Native plant material is encouraged around the perimeter of retention ponds.
Any area with slopes exceeding a twenty-five percent (25%) grade.	Development amenity areas containing semi-public areas such as: 1. Plazas with seating and special features such as public art or fountains. 2. Pocket parks with seating and landscaping. 3. Decorative water features; and lakes.
Any wetlands on the development site, unless preserved as a conservation area.	



Buffering/Screening/Tree Conservation:

A landscaping plan was not submitted by the applicant and is required to be submitted prior to the issuance of a Land Disturbance Permit. The applicant will be required to provide perimeter landscaping for off-street parking areas, along with interior landscaping for off-street parking areas as indicated in Section 7.05(6) *Parking Area Landscaping*. The applicant is expected to follow all required tree and shrub planting requirements of Section 7.05.

The applicant will be required to provide buffering of the site in conformance with Section 7.05(12)(b) of the zoning ordinance and as illustrated in Table 7.8 and Table 7.9 of the zoning ordinance. The ordinance requires the proposed use to provide a “Buffer Type 4,” which would require a 75-foot width buffer area along the side yard abutting any existing Residential Single-Family Urban (R2), amongst other landscaping requirements as outlined in Table 7.9. The applicant will be required to provide a “Buffer 1,” which would require a 10-foot width buffer area along the side yard abutting any existing Commercial Low Density (C1) parcels.

Table 7.8: Applicable Buffer Yard Types														
		New Residential Development						New Commercial Development					New Industrial Development	
		AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Existing Residential	AG	-	1	1	2	3	3	3	3	3	4	3	4	4
	R1		-	1	2	3	3	3	3	3	4	3	4	4
	R2			-	1	2	3	3	3	3	4	3	4	4
	SFA				-	1	2	3	3	3	3	3	4	4
	MF1					-	1	2	2	2	3	2	3	4
	MF2						-	2	2	2	3	2	3	4
Existing Commercial	CBD							-	1	1	1	1	3	4
	CMU								-	1	1	1	3	4
	C1									-	1	1	2	4
	C2										-	1	2	4
	OMI											-	2	4
Existing Industrial	I1												-	3
	I2													-

- When a dissimilar land use locates next to an established residential land use within the same zoning classification, buffering and screening standards per Table 7.7: Buffer Yard Types Description for Buffer Yard Type 2 shall apply.



Table 7.9: Buffer Yard Types Description			
Type 1	Buffer width - Ten (10) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 3.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 2.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least fifty percent (50%) of the unit value shall be derived from deciduous shade trees (overstory).	Type 3	Buffer width - Thirty (30) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least ten percent (10%) of the unit value shall be derived from Deciduous Shade Trees (overstory) or deciduous ornamental trees (understory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds shall be incorporated into the buffer yard design.
Type 2	Buffer width - Twenty (20) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 4.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 3.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least twenty-five percent (25%) of the unit value shall be derived from deciduous shade trees (overstory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds are encouraged to gain additional height.	Type 4	Buffer width - Seventy-five (75) feet. The buffer yard shall contain an opaque fence/wall a minimum of eight (8) feet in height. An undulating earthen mound may be substituted but the average maintained height with plant material shall be eight (8) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped). Seventy-five percent (75%) of the unit value shall be derived from evergreen trees. Fifty percent (50%) of required landscaping shall be on the adjacent property side of the fence.

Flood Plain

The property is not considered to be in a flood zone as designated by FEMA. This area is considered in “Flood Zone X”, which is an area of minimal flood hazard. Figure 2, below, indicates the flood zone map:

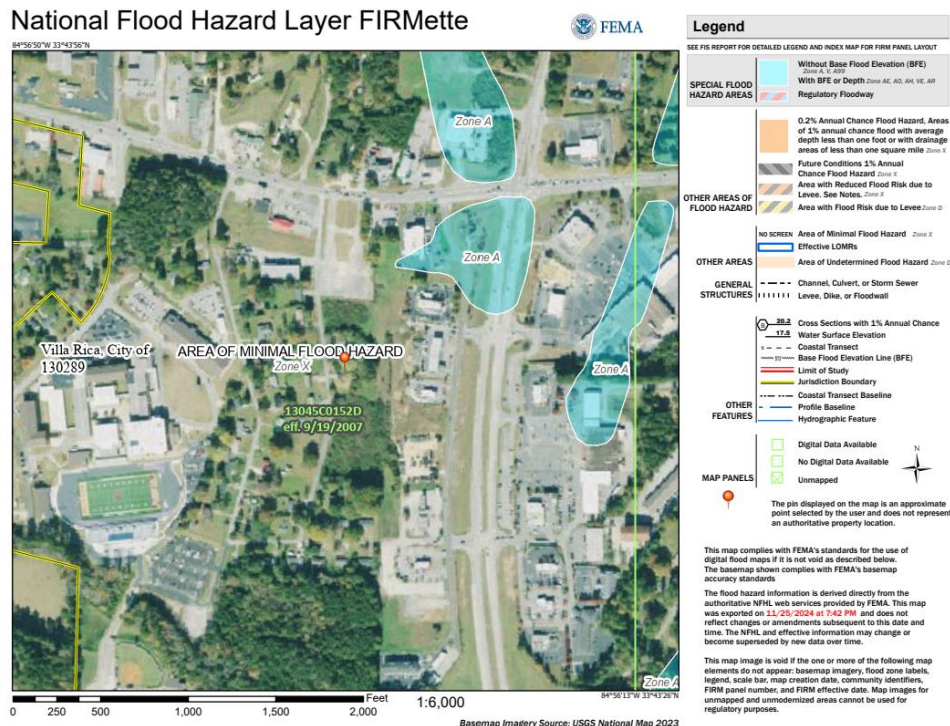


Figure 2: National Flood Hazard Map, retrieved from FEMA.gov



Rezoning Review Criteria

The Zoning Ordinance of the City of Villa Rica, Section 11.05(2)(b), requires the Planning & Zoning Commission and the legislative body to pay reasonable regard to the following when preparing and considering proposed amendments:

i. **The Comprehensive Plan;**
Villa Rica Comprehensive Plan

The comprehensive Plan prescribes “*Suburban Village*” as the current character area for the parcel.

“Create nodes in areas where potential for future development exists by establishing development pattern focused around Community Crossroads.

Suburban Villages are characterized by clustered commercial development around the intersection of prominent roads (Community Crossroads) and include immediate surrounding residential areas, which are suburban in nature. The general development pattern is compact, with stand-alone or a few businesses on a site. However, in more suburban and rural areas, a single business typically occupies a property.

Future development should emphasize the compact, small-scale development that supports the immediate surrounding area, including residences, retail, and office uses. Higher density developments should be located closer to more dense/intense areas, where similar development exists. Sidewalks and pedestrian linkages to nearby parks and other amenities should be provided in new developments.”

Villa Rica Future Land Use Map

The Future Land Use Plan prescribes “I-20 Gateway” as the future land use for the parcel. The intent of the I-20 Gateway Area is as follows:

“In a most basic form, Gateways serve as the primary entrances into the city, providing access goods and services for both residents and commuters. Gateways are similar to commercial activity centers, with an emphasis on capturing commuter traffic and providing a sense of arrival to Villa Rica. Gateway areas should support a variety of uses, including commercial, mixed use, and office-related developments which also offer employment opportunities. Such development can provide opportunities for hotels similar high intensity developments.”

“Gateway areas occur the entrances to I-20, which carries the heaviest traffic through the city along the interstate. The 2014 Carroll County LRTP indicates that that the portion of I-20 within Villa Rica has the highest daily volume along this corridor within Carroll County. Thus, Villa Rica has an opportunity to capitalize on this commuter traffic by providing access to services, goods, and employment opportunities in the Gateway areas. High quality development and site design should be encouraged, along with the implementation of access management tools to ensure unimpeded traffic flow on and off I-20.”



ii. Current conditions and the character of current structures and uses in each district;

The lot currently features a ranch-style residential single-family home. According to The City's Ordinances, Appendix B Zoning Section 4.07, *"Single-Family Residential (R2) District is intended to provide for moderate density single-family and two-family residential (ADU) development on smaller lots than are permitted in the other residential districts."* (R2) zones usually have smaller setbacks and rear yards.

628 South Street abuts the Clearview Subdivision to the west, which currently has two (R2) lots. North, south, and east of 628 South Street consist of (C2) undeveloped properties.

The City's Comprehensive Plan defines the character of a (C2) zone to encourage business and institutional uses that help to serve regional markets and require convenient access to high-volume transportation routes such as interstate highways or major arterial.

iii. The most desirable use for which the land in each district is adapted;

According to the Villa Rica future development Map, the current single-family residential (R2) zoning of 628 South Street will not be the highest and best use for the property given the surrounding area's zoning and commercial development plan.

The rezoning request aligns with the city's plan for desirable uses within the area. Based on the area's Comprehensive Plan and overall character, specifically the commercial (C2) properties to the north, and east, the rezoning of 628 will fit within the commercial trend of the eastern portion of South Street. The rezoning of 628 will also be compatible with the (C2) properties to the east, which facilitate a well-planned commercial area for medium commercial uses.

iv. The conservation of property values throughout the jurisdiction and;

Property values are not expected to be greatly affected, either positively or negatively, by the redevelopment of the lot for commercial purposes.

v. Responsible development and growth;

The rezoning of 628 South Street to (C2) will promote the property's conformance with the Comprehensive Plan I-20 Gateway area.

The applicant is planning to combine 628 South Street with the adjoining (C2) properties to the north, south, and east, which will effectively create a larger commercial property. The development of the site and construction of one or two commercial uses, the development could provide new retail options to the community. By combining the (C2) lots, and construction of one or two commercial uses, the development will provide jobs within the community.

The activity center has design principles that recommend higher-intensity land uses. Primary future land uses include commercial developments (such as service uses and hotels), mixed-use developments (including upper-level residential if appropriate), professional offices, greenways, trails, and civic benefit uses (such as places of worship, community centers, schools, and municipal buildings). The proposed use aligns with the intent of the Comprehensive Plan.



vi. Current Conditions and Character of Structures and Uses

The lot currently features a ranch-style residential single-family home. According to the City's Ordinances, Appendix B Zoning Section 4.07, the "Single-Family Residential (R2) District is intended to provide for moderate density single-family and two-family residential (ADU) development on smaller lots than are permitted in the other residential districts." R2 zones typically have smaller setbacks and rear yards.

628 South Street abuts the Clearview Subdivision to the west, which is zoned (R2). North, south, and east of 628 South Street consist of undeveloped (C2) properties. The City's Comprehensive Plan defines the character of a C2 zone as encouraging business and institutional uses that serve regional markets and require convenient access to high-volume transportation routes such as interstate highways or major arterials.

iii. Most Desirable Use for the Land

According to the Villa Rica Future Development Map, the current single-family residential (R2) zoning of 628 South Street is not the highest and best use for the property, given the surrounding area's zoning and commercial development plan. The rezoning request aligns with the city's plan for desirable uses within the area. Based on the area's Comprehensive Plan and overall character, specifically the commercial (C2) properties to the north and east, the rezoning of 628 South Street will fit within the commercial trend of the eastern portion of South Street. Combining 628 South Street with the C2 properties to the east will create a cohesive commercial area suitable for medium commercial uses.

iv. Conservation of Property Values

Property values are not expected to be significantly affected, either positively or negatively, by the redevelopment of the lot for commercial purposes.

v. Responsible Development and Growth

The rezoning of 628 South Street to C2 will promote the property's conformance with the Comprehensive Plan for the I-20 Gateway area. The applicant plans to combine 628 South Street with the adjoining C2 properties to the north, south, and east, effectively creating a larger property for commercial development. By combining the C2 lots and constructing one or two commercial uses, the development will provide jobs within the community.



The State of Georgia has several rezoning standards for consideration by decision-making bodies, as indicated in O.C.G.A. 36-67-3 (2010):

i. Suitability of the Zoning Proposal for Adjacent and Nearby Property Use and Development

The surrounding area features an urban residential subdivision to the west of 628 South Street and medium-density commercial parcels to the north, south, and east. The commercial properties are mostly undeveloped and owned by the applicant. The applicant has proposed developing a commercial project with inter-parcel connectivity roadways leading to South Street and Commerce Drive. The rezoning of 628 South Street aligns with the City's Future Development Map and Comprehensive Plan for the I-20 Gateway area.

ii. Impact on the Existing Use or Usability of Adjacent or Nearby Property

The proposed rezoning and development are not expected to adversely impact the existing uses or access to nearby sites. South Street has residential properties on the western and southern portions of the road and undeveloped commercial properties on the eastern portion.

iii. Economic Use of the Property as Currently Zoned

As currently zoned, the subject property has reasonable economic use as a residential property. However, the current (R2) zoning does not represent the highest and best use of the land given the acreage and the Comprehensive Plan I-20 Gateway designation.

iv. Burden on Existing Infrastructure

No excessive usage of city infrastructure is anticipated from the rezoning proposal, according to city staff assessments.

v. Conformity with the Local Government's Land Use Plan

The rezoning proposal conforms to the Comprehensive Plan. The Comprehensive Plan for the I-20 Gateway area supports a variety of uses, including commercial, mixed-use, and office-related developments that offer employment opportunities. This aligns with the requested zoning change from Single-Family Urban (R2) to Commercial Medium Density (C2).

vi. Existing or Changing Conditions Affecting the Use and Development of the Property

The surrounding area has been experiencing development. West of 628 South Street, Villa Rica High School is expanding its learning center, multi-family residential development is being completed on the southern portion of South Street and Clearview Street, and various commercial uses are being developed on Commerce Drive. The reopening of Meadowlark and the development of a pass-through street connecting Commerce Drive and South Street will enhance inter-parcel connectivity within the area.



D. Planning and Zoning

December 17, 2024, Meeting: Approval (4-0)

E. Comments

No Comments were submitted to Community Development.

F. Recommendation

Staff Recommendation: Rezoning: APPROVAL

Reasons:

1. Based on the City's Comprehensive Plan, the applicant's request to rezone 628 South Street from Residential Single-Family Urban (R2) to Commercial Medium Density (C2) is supported.
2. The Commercial Medium Density (C2) zoning is consistent with the surrounding properties to the north, south, and east of the subject property.
3. The proposed commercial development represents the highest and best use of the land compared to maintaining the property as a Residential Single-Family Urban (R2) property.
4. The proposed rezoning, along with the lot merger will enhance inter-parcel access for the area.

Condition:

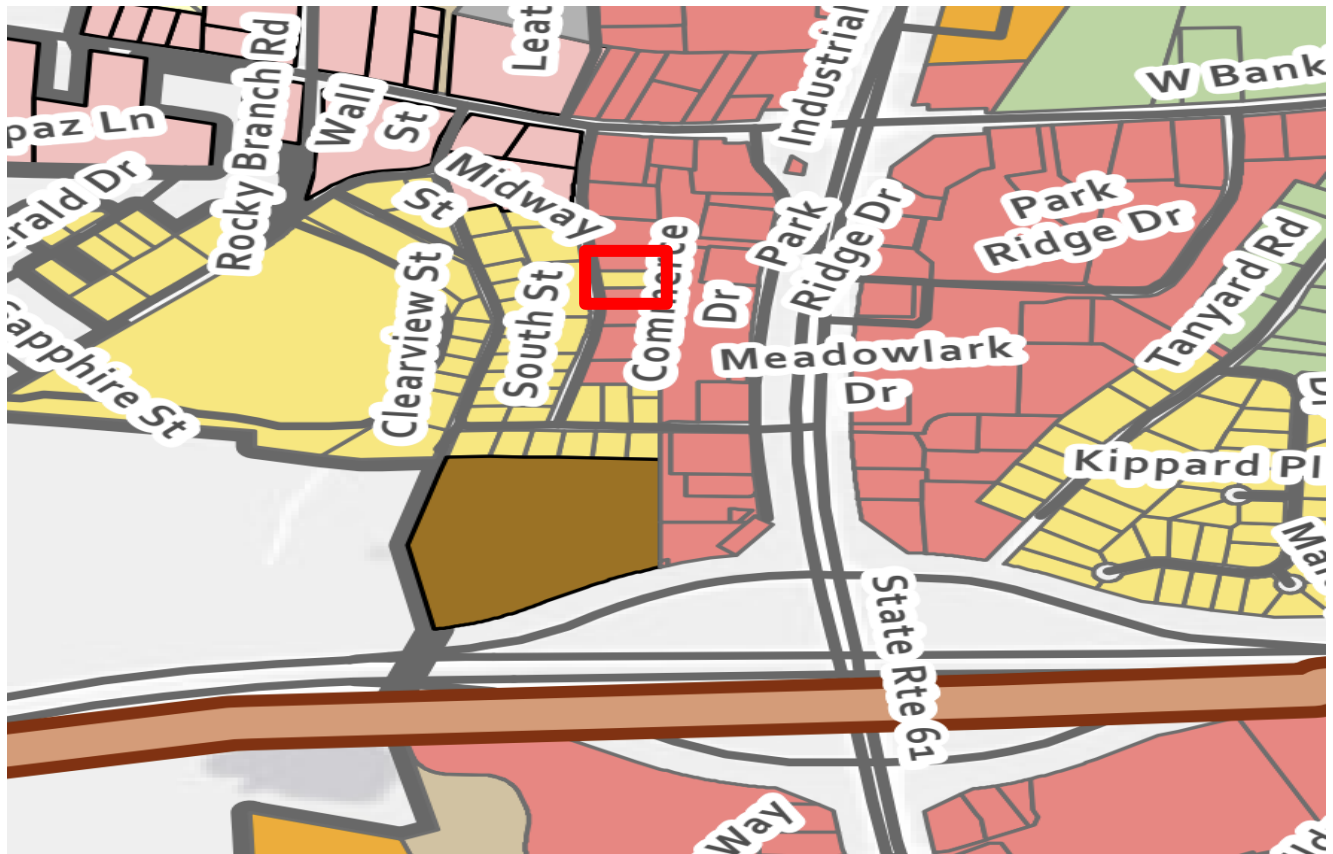
- The applicant must perform a lot merger, combining 628 South Street and the rezoned (C2) properties, which align with the proposed commercial site plan.

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public was notified in *Times-Georgian* on December 5, 2024; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.



Zoning Map:



Legend	
	County Line
	Roads
	City_Boundary
Zoning Districts	
	AG - Single-Family Agricultural
	R1 - Single-Family Suburban
	R2 - Single-Family Urban
	SFA - Single-Family Attached
	MF1 - Multi-Family Low-Density
	MF2 - Multi-Family Medium-Density
	CBD - Central Business District
	CMU - Commercial Mixed Use
	C1 - Commercial Low-Density
	C2 - Commercial Medium-Density
	OMI - Office Medical Institutional
	I1 - Industrial Low-Density
	I2 - Industrial Medium-Density
	PUD - Planned Unit Development



Villa Rica Future Development Map:





628 South Street
RA-05-24
MMCC Fund, LLC
December 31, 2024

Parcel Map:

eFiled and eRecorded
DATE: 01/12/2024
TIME: 3:07 PM
PLAT BOOK: 109
PAGE: 153 - 153
FILING FEES: \$10.00
PART ID: 8208116107
RECORDED BY: WT
Alan J. Lee
Carroll County, GA

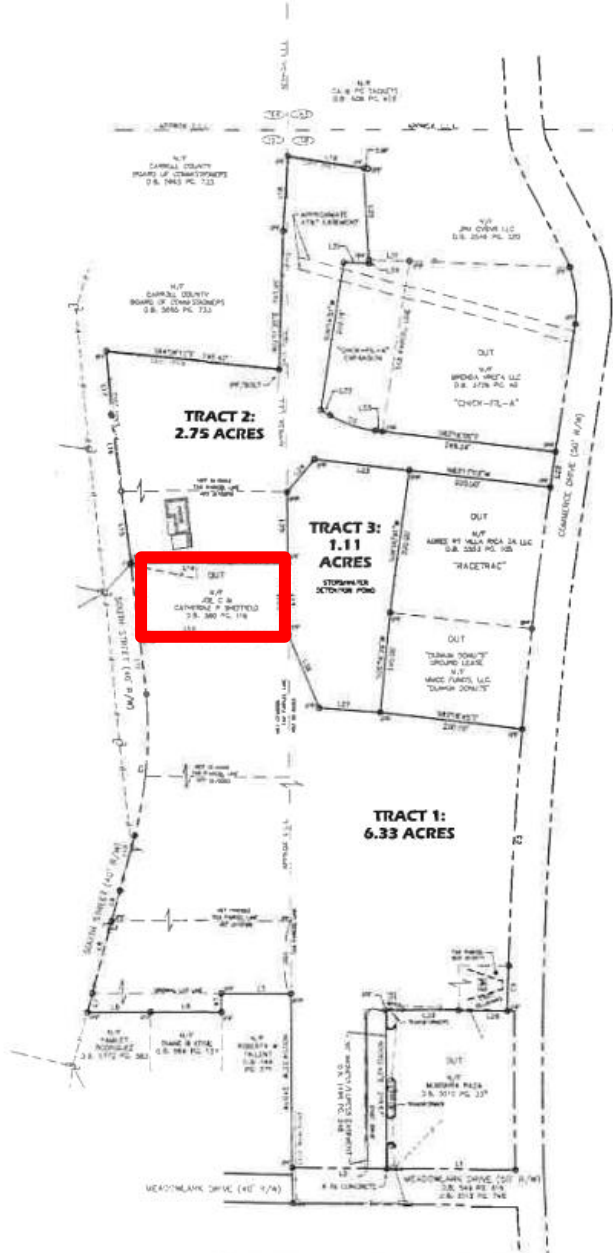
Parcel Line Table	Parcel Line Table
Line # Length Direction	Line # Length Direction
L1 180.00' N89°31'33"W	L28 118.51' S81°00'16"E
L2 155.51' N89°21'10"W	L29 107.86' S22°00'22"E
L3 100.04' N89°10'38"W	L30 56.17' S81°00'22"E
L4 33.84' S22°00'22"E	L31 48.84' S81°12'04"W
L5 100.04' S89°33'02"W	L32 103.84' N82°10'04"W
L6 88.31' S89°02'10"W	L33 80.31' S42°10'10"W
L7 23.22' N15°12'20"E	L34 88.32' S82°00'12"E
L8 101.02' N15°12'18"E	L35 110.58' S22°00'12"E
L9 43.86' N15°12'18"E	L36 88.32' S81°12'14"E
L10 70.51' N15°12'40"E	L37 48.32' S89°02'04"W
L11 84.51' N89°10'07"W	L38 101.02' S89°30'48"W
L12 100.04' N89°10'07"W	L39 5.82' S22°00'22"E
L13 88.31' N89°10'07"W	L40 14.88' N89°10'07"W
L14 23.22' N15°12'20"E	L41 88.31' S82°00'12"E
L15 100.04' N15°12'18"E	L42 101.02' S22°00'12"E
L16 108.84' N22°00'12"E	L43 10.14' S82°10'07"E
L17 80.18' N22°00'12"E	
L18 108.84' N22°00'12"E	

Curve Table
Curve # Length Radius Chord Distance Chord Length
C1 148.84' 8771.72' N82°00'18"E 155.51'
C2 41.38' 180.00' S22°00'22"E 88.31'
C3 108.84' 8633.82' S22°00'22"E 108.84'
C4 81.88' 7828.31' S22°00'22"E 81.88'

NOTES:
1. THE PARCELS SET OUT HEREIN ARE NOT OWNED BY THE STATE OF GEORGIA.
2. THE PARCELS SET OUT HEREIN ARE NOT OWNED BY THE STATE OF GEORGIA.
3. THE PARCELS SET OUT HEREIN ARE NOT OWNED BY THE STATE OF GEORGIA.
4. THE PARCELS SET OUT HEREIN ARE NOT OWNED BY THE STATE OF GEORGIA.
5. THE PARCELS SET OUT HEREIN ARE NOT OWNED BY THE STATE OF GEORGIA.

LEGEND
1. LOT NUMBER
2. LOT AREA
3. LOT PERCENTAGE
4. LOT PERCENTAGE
5. LOT PERCENTAGE
6. LOT PERCENTAGE
7. LOT PERCENTAGE
8. LOT PERCENTAGE
9. LOT PERCENTAGE
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16. LOT PERCENTAGE
17. LOT PERCENTAGE
18. LOT PERCENTAGE
19. LOT PERCENTAGE
20. LOT PERCENTAGE

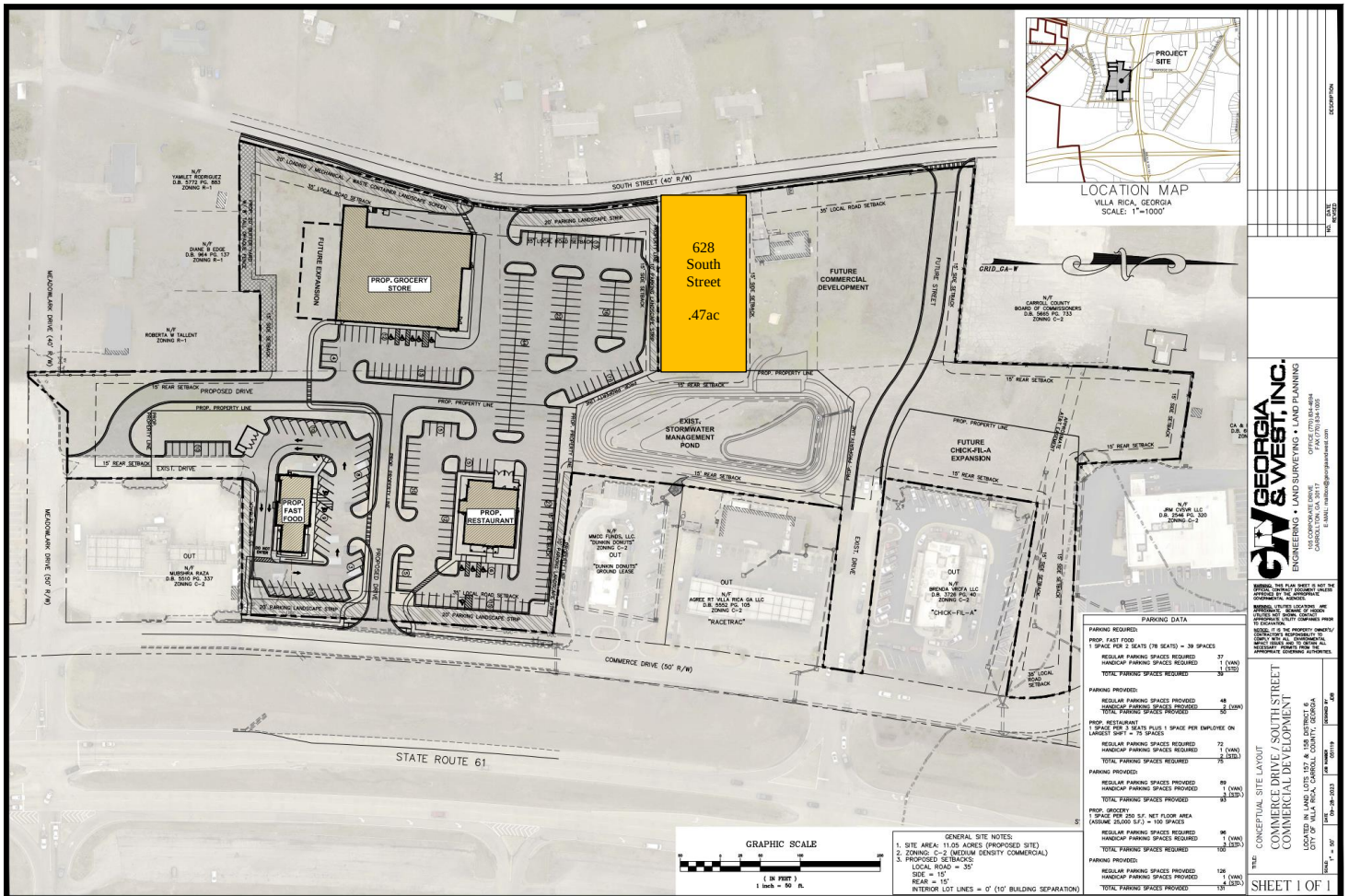
LEGEND
1. LOT NUMBER
2. LOT AREA
3. LOT PERCENTAGE
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14. LOT PERCENTAGE
15. LOT PERCENTAGE
16. LOT PERCENTAGE
17. LOT PERCENTAGE
18. LOT PERCENTAGE
19. LOT PERCENTAGE
20. LOT PERCENTAGE





628 South Street
RA-05-24
MMCC Fund, LLC
December 31, 2024

Proposed Site Map (2023):





City of Villa Rica Planning and Zoning Department

1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

REZONING APPLICATION

Ordinance Text Amendment

☒ Zoning Map Amendment

Please complete the blanks with the information requested. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: _____

Applicant Name: MMCC Fund, LLCAddress: 215 WEST BANKHEAD Hwy City: Villa Rica State: GA Zip: 30180Phone: 770.231.8572 Email: matthewsjeffr@gmail.comAgent Name: JEFF R. Matthews MANAGERAddress: SAME AS ABOVE City: " State: " Zip: "Phone: " Email: "Owner Name (If different from applicant): JOE C. and Catherine P. Sheffield (* see contact below)Address: 628 South Street City: Villa Rica State: GA Zip: 30180Phone: 404.822.3382 Email: * Rsheff222@bellsouth.net (DR. Ronda Sheffield, M.D.)
(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application)

REZONING REQUEST

Existing Zoning: RESIDENTIAL Requested Zoning: COMMERCIAL to match adjacent propertyProperty Address: 628 South Street Nearest Intersection: US Hwy 78Present Use of Property: Residential R2Proposed Use: COMMERCIAL C2Size of Tract: .47 Land Lot Numbers: 157 Districts: SIXTH DEED BOOK 380Gross Density: N/A units per acre Net Density: N/A units per acre PAGE 118Property Tax Parcel Number(s): V07 011 0069

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____

Application checked by: _____ Date: _____ Map Number(s): _____

Planning Commission: Approved _____ Denied _____ Date: _____ Conditions: No _____ Yes _____ How many: _____

City Council Decision: Approved _____ Denied _____ Date: _____ Conditions: No _____ Yes _____ How many: _____

Manager's Signature: _____ Date: _____

Required Materials to Accompany the Application for Text Amendment

1. Proposed text amendment; Written statement describing reasons for the proposed text amendment; and any other exhibits as may be required by the Community Development Director.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City Council or Planning Commission who will consider the application?

Yes _____ No ✓

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater to Board Member

We certify that the foregoing information is true and correct, this 8th day of OCTOBER, 2024.

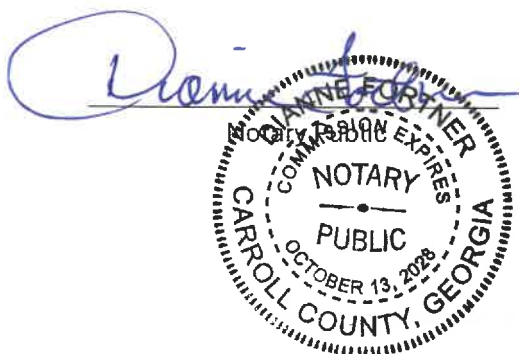
MMCC Fund, LLC
JEFF R. MATTHEWS, Manager
Applicant's Name Printed

Jeff Matthews Manager
Signature of Applicant

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 25th day of OCTOBER, 2024.



**MC3 LAND HOLDINGS, LLC
215 W. BANKHEAD HWY., SUITE A
VILLA RICA, GA. 30180
(770) 459.2222/ (770) 231.8572
matthewsjeffr@gmail.com**

3a.) This property will be added to the adjacent properties lying North, South, and East of the subject property and will have no detrimental impact to the general public interests.

3b.) This addition is consistent with the long-range goals of the Comprehensive Plan and Code.

3c.) The area to the West (across South Street) is currently occupied by duplexes and single-family residential properties which are now predominantly investor-owned rental properties.

3d.) The amendment is a result of changing land uses in the general area as it transitions to commercial or institutional (Villa Rica High School (Carroll County Board of Education)) has been absorbing any available properties which border their campus.

3e.) There are no immediate plans for development – the Sheffield's (after 46 years of residence) are moving to an assisted living facility and this property "fits" with our long-term goals for the surrounding property.

3f.) All utilities are on site, and we sized the detention pond to the East to accommodate any additional runoff for future development of this tract.

3g.) The addition of this parcel will have negligible increased traffic, and any new roadways would be built to enhance interparcel access and circulation in anticipation of the changes to the intersections of US Hwy. 78 and Rocky Branch Road and the intersections of State Route 61 and US Highway 78.

3h.) None

STATE OF GEORGIA CARROLL COUNTY:

THIS INDENTURE, made this 31st day of August in the year of our Lord, One Thousand Nine Hundred and Seventy Eight (1978), between Johnny L. Ayers of the county of Carroll and State of Georgia of the first part, and Joe C. Sheffield and Catherine P. Sheffield of the county of Carroll and State of Georgia of the second part

WITNESSETH, that the said part Y of the first part for and in consideration of the sum of (\$ 10.00 et al) TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS DOLLARS in hand paid of and before the signing, sealing and delivery of these presents, the receipt whereof is hereby acknowledged, he S granted, bargained, sold and conveyed, and by these presents do ES grant, bargain, sell and convey unto the said parties of the second part their heirs and assigns, all of that tract or parcel of land situate, lying and being in the County of Carroll said State of Georgia

All that tract or parcel of land situate lying and being in Land Lot 157 of the 6th District, Carroll County, Georgia, and being more particularly described as follows: To locate the Point of Beginning, COMMENCE at the intersection of the southerly right of way of U. S. Highway 78 and the easterly right of way of South Street; thence in a southerly direction along the easterly right of way of South Street 758.66 feet to an iron pin corner and the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING continuing South along the easterly right of way of South Street South 8 degrees 53 minutes East 100.64 feet to an iron pin corner; thence North 87 degrees 19 minutes 00 seconds East 211.50 feet to an iron pin corner; thence North 2 degrees 07 minutes East 100 feet to an iron pin corner; thence South 87 degrees 25 minutes 00 seconds West 230.74 feet to an iron pin corner and the TRUE POINT OF BEGINNING. Said tract being that property shown in a survey for Joe C. Sheffield dated 8-25-78 and recorded in Plat Book 18 page 196, Carroll County Public Records. Said plat is incorporated herein by reference for a more complete and accurate description of said property.

*Vesting DEED
1978*

Carroll County, Georgia
Real Estate Transfer Tax
Paid \$ 30.00
Date September 1, 1978
Kenneth Skinner
Clerk of Superior Court

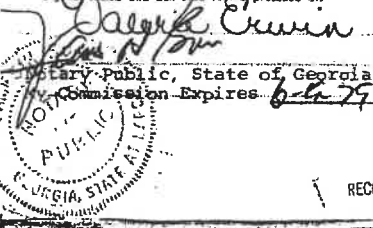
GA. CARROLL COUNTY
CLERK SUPERIOR COURT
1978 SEP -1 PM 2:19

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof to the same, being, belonging or in anywise appertaining to the proper use, benefit and behoof of Joe C. Sheffield and Catherine P. Sheffield said part ies of the second part their heirs, executors, administrators and assigns in FEE SIMPLE.

And the said part Y of the first part for himself, his heirs, executors and administrators, the said bargained premises unto the said part ies of the second part their heirs, executors, administrators and assigns, against said part Y of the first part his heirs, executors and administrators, and all and every other person, or persons, shall and will warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said part Y of the first part he S hereunto set his hand and affixed his seal the day and year first above written.

Signed, sealed and delivered in my presence of:



Johnny L. Ayers (SEAL)
(SEAL)
(SEAL)

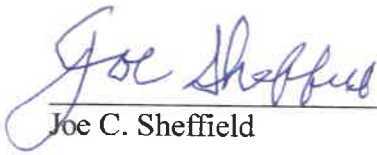
SEP 1 1978
RECORDED KENNETH SKINNER, CLERK

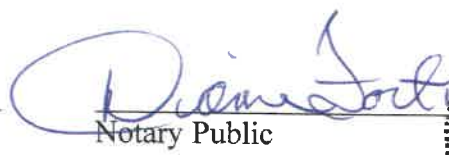
118

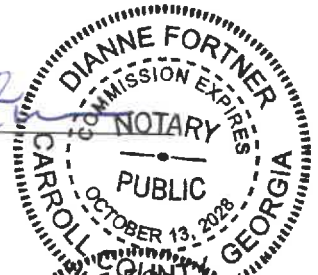
MC3 LAND HOLDINGS, LLC
215 W. BANKHEAD HWY., SUITE A
VILLA RICA, GA. 30180
(770) 459.2222/ (770) 231.8572
matthewsjeffr@gmail.com

To Whom it May Concern:

Jeff R. Matthews, Manager for MC3 LAND HOLDINGS, LLC has our permission to apply for rezoning of our property located at 628 South Street, Villa Rica, GA 30180 further shown as Tax Parcel V07 0110069 per the Carroll County, GA. Tax Assessors Tax Mapping system.

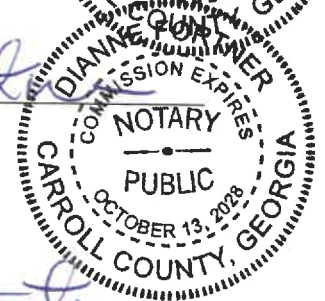

Joe C. Sheffield


Notary Public



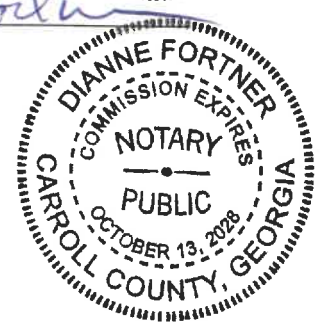

Catherine P. Sheffield


Notary Public




Witness: Dr. Ronda Sheffield, M.D.


Notary Public



Required Materials to Accompany the Application for Zoning Map Amendment

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, **attach a notarized statement signed by the owner authorizing the applicant to request the amendment.**
2. A site development plan prepared in conformance with submittal requirements (unless waived by Community Development Manager or requested zoning district is Single-Family Residential).
3. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code.
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan.
 - c. The areas which are most likely to be directly affected by such a change and the likely effects.
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected.
 - e. The proposed time schedule and phasing for development.
 - f. The source/method for providing utility/infrastructure services to the property.
 - g. A description of existing road conditions and any new roads to be included in the development and of the effect the proposed development will have on existing road and traffic conditions; and
 - h. A list of any state, federal, or other public agencies' approvals or permits required for the proposed development.
4. Additional exhibits, as may be required by the Community Development Director.

Acreage	Residential	Commercial	Industrial	PUD
0-5	\$300	\$600	\$750	\$800
5.1-10	\$400	\$700	\$850	\$1000
10.1-20	\$600	\$1100	\$1100	\$1200
20.1- 30	\$800	\$1200	\$1300	\$1500
30.1- 40	\$900	\$1200	\$1400	\$1600
40.1- 50	\$1000	\$1400	\$1600	\$1800
50.1- 60	\$1100	\$1500	\$1700	\$1900
60.01 +	\$1200+25/acre Max. of \$2500	1600+25/acre Max. of \$4000	1800+25/acre Max. of \$5000	2000+25.99/acre Max. of \$6000

Please Return To:

Shaun Daniels
Planner I
(678) 785-9995
sdaniels@villarica.gov

Renee Kilgore
Administrative Assistant
(678) 840-1283
rkilgore@villarica.gov

CONTRACT FOR SALE OF REALTY

Standard Sales Contract

The undersigned Purchaser agrees to buy, and the undersigned Seller agrees to sell that tract being shown as 628 South Street, Villa Rica, Ga 30180 described in a deed recorded September 1, 1978 as Deed Book 399, Page 118, Carroll County records, and further shown as Parcel ID V07 0110069 of the Carroll County, GA. Tax Assessor's tax mapping system. See copy of tax map with property outlined and attached hereto as Exhibit "A" and by reference made a part hereof.

Including all lighting fixtures attached thereto, and all heating, water heating, and plumbing equipment therein, also, all plants, trees, and shrubbery now on the premises. The purchase price of said property shall be Two Hundred Sixty Thousand and no/100 (\$260,000.00) Dollars. Within (3) business days of full execution purchaser shall deliver to Escrow Agent Tinsinger Vance PC, 100 Wagon Yard Plaza, Carrollton, GA 30117 as earnest money deposit in the amount of One Thousand and no/100 (\$1,000.00) Dollars, (hereinafter referred to as the "Earnest Money"). Escrow Agent shall deposit such cash or said check in an interest-bearing account. In performing all its duties or responsibilities hereunder, Earnest Agent shall not incur any liability to anyone for any damages, losses, or expenses except for willful default or breach of trust, and in reliance upon any instrument, including any written notice or instruction relating to this Agreement. Seller and Purchaser each hereby agree to indemnify and hold harmless Escrow Agent against all loss, liability, claims, demands, damages, actions, causes of action and suits which may be imposed upon Escrow Agent in connection with the performance of its duties hereunder.

At closing, the Purchase Price of the Property shall be paid in all cash, certified or cashier's check, or by wire transfer of federal funds check, and the earnest money to the extent deposited by Purchaser, shall be applied to the Purchase Price.

The seller agrees to furnish a marketable title to said property and agrees to convey said property by a limited warranty deed to Purchaser at time sale is consummated, subject to 1. All valid restrictions of record as of the date of this contract, 2. Zoning ordinances affecting the same.

The Purchaser shall have 60 days after acceptance of this contract in which to examine title and in which to furnish the Seller with a written statement of objections affecting the marketability of said title. Seller shall have 10 days after receipt of such objections to satisfy all valid objections or to advise purchaser that it will satisfy such objections at or prior to closing. If Seller fails to satisfy such valid objections as required, then at the option of the Purchaser, evidenced by written notice to Seller, this contract shall be null and void.

Seller and Purchaser agree that such papers as may be legally necessary to conduct the terms of this contract shall be executed and delivered by such parties at time sale is consummated. Seller further represents and warrants that they have full right and authority to enter into this agreement.

This contract constitutes the sole and entire agreement between the parties hereto and no modification of this contract shall be binding unless attached hereto and signed by all parties to this agreement. No representation, promise, or inducement not included in this contract shall be binding upon any party hereto.

Time is of the essence. The following stipulations shall, if conflicting with printed matter, control.

SPECIAL STIPULATIONS

1. Real estate taxes on said property shall be prorated as of the date of closing.
2. Sales shall be closed on or before 90 days unless extended due to rezoning timeline referenced at special stipulation #5 below. However, in no event shall the closing occur after March 17th, 2025.
3. Possession of premises shall be granted by Seller to Purchaser no later than closing, however, seller reserves the right to remain in the home for up to six months from the date hereof.
4. The seller shall pay State of Georgia property transfer tax.
5. This sale is contingent upon purchaser applying for and being granted rezoning by the City of Villa Rica, GA to the zoning category commensurate with the adjacent properties North and South of 628 South Street. Seller agrees to cooperate with said rezoning efforts at no cost to seller.
6. The purchaser intends to acquire this property in furtherance of a 1031 exchange and seller agrees to cooperate with this effort at no monetary cost to seller.
7. The purchaser's manager, Jeff R. Matthews is a Georgia licensed real estate broker acting as a principal for his own account in this transaction.
8. For the purposes of this contract, email signatures shall be considered equivalent to an original wet signed signature.

Jeff R. Matthews Manager
PURCHASER: MCS LAND HOLDINGS, LLC

The above proposition is hereby accepted, this 1st day of October, 2024.

Joe C. Sheffield
SELLER: JOE C. SHEFFIELD

Catherine P. Sheffield
SELLER: CATHERINE P. SHEFFIELD



Code Enforcement
Building Inspections
Geographic Information Systems
Licensing
Permitting
Planning & Zoning

571 W Bankhead Highway
Villa Rica, Georgia 30180

www.villarica.org
770.459.7000 (t)
770.459.7003 (f)

March 18, 2024

Tra Le
Representative
(Proposed) Eyebrow Microblading Tattooing Suite
2000 Mirror Lake Blvd. Suite F
Douglasville, GA
Sent via email ONLY – trale159@gmail.com

Re: 2000 MIRROR LAKE BLVD SUITE F, Villa Rica, GA 30180

Ms. Le:

This is to advise you that the zoning and use of the aforementioned properties are governed by the laws and regulations of incorporated Villa Rica, in Douglas County, Georgia. We certify the above referenced properties hold a zoning designation of C-2 (Commercial, Medium Density).

Based on the zoning designation, the premises are entitled to those permitted uses as listed in *Chapter 4, Table 4.3* of the Zoning Ordinance of the City of Villa Rica. We do not have any records pertaining to special permits, open zoning violations, or variances for the subject properties.

If you have any questions or comments, please feel free to contact the Community Development Department at (678) 840-1238.

Sincerely,

Shaun Daniels
Planner

"Enclosure" *Table 4.3*

CITY OF VILLA RICA
571 W BANKHEAD HWY
VILLA RICA GA 30180 770-459-7000

Receipt No: 55.000159 Mar 18, 2024

Tra Le

Previous Balance: .00
COMMUNITY DEVELOPMENT
Zoning Verification 75.00
Letter
100-323100
Permits and Inspections

Total: 75.00

CASH 75.00

Payor:

Tra Le

Total Applied: 75.00

Change Tendered: .00

03/18/2024 4:40 PM



LOCATION MAP
VILLA RICA, GEORGIA
SCALE: 1"=1000'



GRID: 04-8

628
South
Street
47ac

PROP. GROCERY
STORE

FUTURE EXPANSION

FUTURE
COMMERCIAL
DEVELOPMENT

EXIST.
STORMWATER
MANAGEMENT
POND

FUTURE
CHECK-OUT
EXPANSION

PROP. FAST
FOOD

PROP. RESTAURANT

WACE TRAC, LLC
"WACE TRAC"
ZONING C-2
OUT

WACE TRAC, LLC
"WACE TRAC"
ZONING C-2
OUT

WACE TRAC, LLC
"WACE TRAC"
ZONING C-2
OUT

WACE TRAC, LLC
"WACE TRAC"
ZONING C-2
OUT

STATE ROUTE 61

COMMERCE DRIVE (S/R/W)

PARKING DATA

PARKING REQUIRED:	
PROP. FAST FOOD	
1 SPACE PER 2 SEATS (75 SEATS) = 38 SPACES	
REGULAR PARKING SPACES PROVIDED	37
HANDICAP PARKING SPACES REQUIRED	1 (VA)
TOTAL PARKING SPACES REQUIRED	38
PARKING PROVIDED:	
REGULAR PARKING SPACES PROVIDED	44
HANDICAP PARKING SPACES PROVIDED	1 (VA)
TOTAL PARKING SPACES PROVIDED	45
PROP. RESTAURANT:	
1 SPACE PER 3 SEATS PLUS 1 SPACE PER EMPLOYEE ON LARGEST SHIFT = 75 SPACES	
REGULAR PARKING SPACES PROVIDED	72
HANDICAP PARKING SPACES REQUIRED	1 (VA)
TOTAL PARKING SPACES REQUIRED	73
PARKING PROVIDED:	
REGULAR PARKING SPACES PROVIDED	89
HANDICAP PARKING SPACES PROVIDED	1 (VA)
TOTAL PARKING SPACES PROVIDED	90
PROP. GROCERY:	
1 SPACE PER 200 SF NET FLOOR AREA (AVERAGE FLOOR 172) = 100 SPACES	
REGULAR PARKING SPACES PROVIDED	96
HANDICAP PARKING SPACES REQUIRED	1 (VA)
TOTAL PARKING SPACES REQUIRED	97
PARKING PROVIDED:	
REGULAR PARKING SPACES PROVIDED	124
HANDICAP PARKING SPACES PROVIDED	1 (VA)
TOTAL PARKING SPACES PROVIDED	125

GRAPHIC SCALE



GENERAL SITE NOTES

1. SITE AREA: 11.00 ACRES (PROPOSED SITE)
2. ZONING: C-2 (MEDIUM DENSITY COMMERCIAL)
3. PROPOSED SETBACKS:
LOCAL ROAD = 30'
SIDE = 10'
REAR = 10'
INTERIOR LOT LINES = 0' (10' BUILDING SEPARATION)

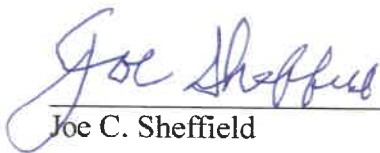
GW GEORGIA & WEST, INC.
ENGINEERING • LAND SURVEYING • LAND PLANNING
1000 COMPASS CIRCLE, SUITE 100
CUMMINGS, GEORGIA 30041
PHONE: (770) 884-1000
FAX: (770) 884-1001
WWW.GWENGINEERING.COM

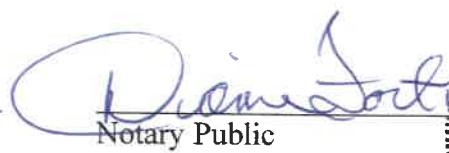
WAC: CONCEPTUAL SITE LAYOUT
COMMERCE DRIVE / SOUTH STREET
COMMERCIAL DEVELOPMENT
1000 COMPASS CIRCLE, SUITE 100
CUMMINGS, GEORGIA 30041
PHONE: (770) 884-1000
FAX: (770) 884-1001
WWW.GWENGINEERING.COM
SHEET 1 OF 1

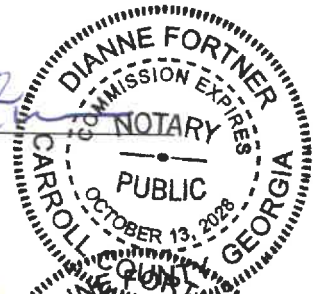
MC3 LAND HOLDINGS, LLC
215 W. BANKHEAD HWY., SUITE A
VILLA RICA, GA. 30180
(770) 459.2222/ (770) 231.8572
matthewsjeffr@gmail.com

To Whom it May Concern:

Jeff R. Matthews, Manager for MC3 LAND HOLDINGS, LLC has our permission to apply for rezoning of our property located at 628 South Street, Villa Rica, GA 30180 further shown as Tax Parcel V07 0110069 per the Carroll County, GA. Tax Assessors Tax Mapping system.

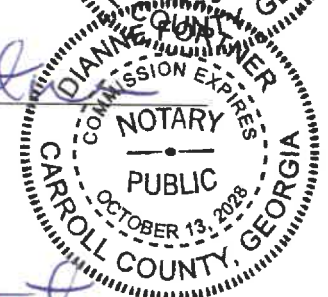

Joe C. Sheffield

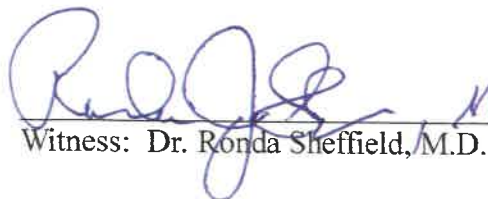

Notary Public



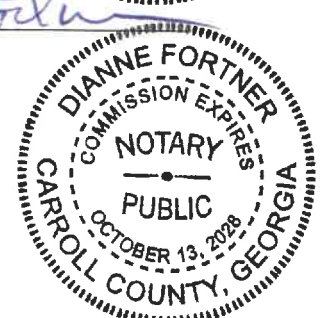

Catherine P. Sheffield


Notary Public




Witness: Dr. Ronda Sheffield, M.D.


Notary Public





CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: ABL-01-25 Fast Advents Corporation dba Shell Food Mart

AGENDA DATE: January 14, 2025

DATE PREPARED: January 6, 2025

PREPARED BY: Whitney Cox, Licensing Specialist

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PUBLIC HEARING: Yes

PURPOSE: To present an application for Fast Advents Corporation dba Shell Food Mart to sell retail package malt beverages and wine at the business location of 15041 Veterans Memorial Hwy., Villa Rica, GA 30180.

BACKGROUND: The applicant has complied with the ordinance with regard to the legal notification requirements and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location zoning restrictions that would hinder the issuance of the license. The business is currently operating as a convenience store with gas pumps and held a 2024 alcoholic beverage license which was not renewed prior to the deadline.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I move to approve the alcohol license application for Fast Advents Corporation dba Shell Food Mart located at 15041 Veterans Memorial Hwy., Villa Rica, GA 30180.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: ABL-02-25 Honest Commercial Inc. dba Discount Smokes & Beer

AGENDA DATE: January 14, 2025

DATE PREPARED: January 6, 2025

PREPARED BY: Whitney Cox, Licensing Specialist

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PUBLIC HEARING: Yes

PURPOSE: To present an application for Honest Commercial Inc. dba Discount Smokes & Beer to sell retail package malt beverages and wine at the business location of 733 W. Bankhead Hwy., Villa Rica, GA 30180.

BACKGROUND: The applicant has complied with the ordinance with regard to the legal notification requirements and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location zoning restrictions that would hinder the issuance of the license. The business is currently operating as a convenience store with gas pumps and held a 2024 alcoholic beverage license which was not renewed prior to the deadline. There will also be a change in the licensee.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I move to approve the alcohol license application for Honest Commercial Inc. dba Discount Smokes & Beer located at 733 W. Bankhead Hwy., Villa Rica, GA 30180.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: ABL-03-25 Kuviha Group Inc.

AGENDA DATE: January 14, 2025

DATE PREPARED: January 6, 2025

PREPARED BY: Whitney Cox, Licensing Specialist

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PUBLIC HEARING: Yes

PURPOSE: To present an application for Kuviha Group Inc. to operate a distilled package retail store at 113 Commons Way, Villa Rica, GA 30180.

BACKGROUND: Kuviha Group Inc. has applied to obtain presumptive licensee status for District 2 package store. The proposed location is an existing commercial space that has previously been operated as a multi-suite strip mall. Mr. Milan Patel has acquired ownership of the building and has provided written proof that all leases have been vacated.

Mr. Patel currently holds a City of Villa Rica business license as well as an alcoholic beverage license to sell beer and wine at the Day-Nite Food Store located at 764 W. Bankhead Hwy. He is also part owner of Bankhead Beverage, a distilled package retail store, located in the City of Carrollton.

The applicant has complied with the ordinance with regard to the legal notification requirements and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location zoning restrictions that would hinder the issuance of the license.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I move to approve the alcohol license application for Kuviha Group Inc. located at 133 Commons Way, Villa Rica, GA 30180.



Alcohol License Application

INSTRUCTIONS: Every question must be answered fully and correctly. If the space provided is not sufficient, answer the question on a separate sheet and indicate in that space that a separate sheet is attached. When completed, it must be dated, signed, and verified under oath by the applicant and filed in person by the applicant with the **Community Development Department, 1605 Carrollton Villa Rica Highway, Villa Rica, Georgia 30180**, together with all supporting documentation and the required non-refundable application fee.

A license issued to an individual shall be issued in the name of the individual. A license issued to a partnership shall be issued in the name of the partnership and in the name of one of the partners who shall be the named licensee. A license issued to a corporation having as its principal business the sale of alcoholic beverages shall be issued in the name of the Corporation and in the name of the majority stockholder or a principal officer of the corporation; and such majority stockholder or officer shall be the named licensee. A license issued to a corporation having as its principal business an activity other than the sale of alcoholic beverages shall be issued in the name of the corporation and in the name of the officer or employee of the corporation primarily responsible for the operation of the licensed premises; and such officer or employee shall be named the Licensee.

NON-REFUNDABLE APPLICATION FEE

Package Malt Beverage	\$100.00	Pouring Restaurant – All	\$100.00	Pouring Private/Supper Club- All	\$500.00
Package Wine	\$100.00	Pouring Restaurant- Limited	\$100.00	Pouring Private/Supper Club - Limited	\$500.00
Package Distilled Sprits	\$1000.00				
Wine Tasting	\$100.00	Wholesale Dealer	\$500.00	Alcohol Catering	\$100.00
Growler	\$100.00	Wine & Craft Beer Boutique	\$100.00	Special Event	\$100.00

PART I

1. Name of Business:

KoviHA Group . INC

2. Full name and legal residence of the NAMED LICENSEE- (a) Individual (b) Principal Officer/Employer

Milankumar Patel 113 Commons Way, Villa Rica GA 30180.
Full Name Address

3. Is the above address your legal and bona-fide place of domicile? ☒ Yes ☐ No
If additional space is required, please attach to this application, noting the section to which it refers.

4. Address of business for which application is made:

113 Commons Way, Villa Rica GA 30180

Phone Number: 240-421-0102
Business Home/cell/other

Mailing Address: 913 Center Bay Dr. Villa Rica GA 30180

5. Type of Ownership:

☒ Individual

☐ Partnership

☐ Corporation

(A) If Individual, give full name and legal address of owner:

Milankumar Patel 913 Center Bay Dr. Villa Rica GA 30180
Full Name Address

(B) If Corporation/Partnership, give Corporate/Partnership name:

Name, Percent Interest and Legal Address of Principle Stockholders and Corporate Officers or Partners:

Milankumar Patel	9B Center Bay Dr Villa Rica GA 30180.	100
Full Name	Address	% Interest

Full Name	Address	% Interest

Full Name	Address	% Interest

Describe the principal business of the Corporation/Partnership:

Retail Liquor Store.

6. Business Information:

Federal Tax ID Number: 92-3817088 GA Sales Tax Number: 308-992820
VR

Business License Number: 23096837

PART II

1. Will the proposed outlet have live entertainment? ☐ Yes ☒ No
(If yes, describe how often and what type in detail)
-
-
-

2. Have you obtained a copy of the City of Villa Rica Alcohol Beverage Ordinance?

☒ Yes ☐ No

No application will be processed until receipt of a copy of this ordinance is acknowledged.

3. Have you included with this application a check for the non-refundable application fee required by section 4-25 of the Alcohol Beverage Ordinance of the City of Villa Rica?

☒ Yes ☐ No

4. As required by Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica, have you included the following with this application? Please check the applicable answer(s):

- ☒ A copy of the Deed to the premises to be licensed, if owned by applicant.
☐ A copy of the Lease Agreement covering the premises to be licensed, if leased by the applicant.
☐ In the case of a Partnership, a copy of the Partnership Agreement.
☒ In the case of a Corporation, a copy of the Articles of Incorporation.
☒ A current stamped certificate from a registered surveyor which shows a scale drawing of the premises and the location at which the applicant desires to operate an alcoholic beverage outlet and which shows, with linear foot measurements where appropriate, such location's compliance or non-compliance with the provisions of Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica.

5. Have you confirmed with the City of Villa Rica Community Development Department that the location of the proposed outlet is in a zoning district approved for the sale of alcoholic beverages subject to the specific limitations of the respective district as provided for in Chapter 4 of the Alcoholic Beverage Ordinance of the City of Villa Rica?

☒ Yes ☐ No

6. If applicable, have you received approval from the City of Villa Rica Building Official for any new construction, renovations, remodeling, etc. at the premise to be licensed?

☐ Yes ☒ No

7. If applicable, have you received an approved site plan from the City of Villa Rica for the location of the premises to be licensed? ☐ Yes ☒ No
8. If applicable, have you received a Carroll/Douglas County Health Department Food Service Permit and any other applicable local, state, or federal permits, etc. required for a food service establishment? ☐ Yes ☒ No
9. Do you comply with the requirements of Regulation 560-2-2-38 below? ☒ Yes ☐ No
Neither a retail dealer or retail consumption dealer, whether licensed in this State or not, nor any of his employees or members of such retail dealers or retail consumption dealer's immediate family shall have, own or enjoy any ownership interest in, or partnership arrangement or other business association with the business of any wholesaler, manufacturer, producer, shipper, importer or broker.
10. Has the named Licensee and all other persons otherwise required, submitted themselves to the City of Villa Rica Police Department for fingerprinting and background check(s) as provided for in Chapter 3 of the Alcoholic Beverage Ordinance of the City of Villa Rica? ☒ Yes ☐ No
11. Has the named Licensee, any Partner(s), the Corporation or any Corporate Officer been:
- Convicted within the last ten (10) years of any felony or any misdemeanor involving moral turpitude? ☐ Yes ☒ No
 - Any other misdemeanor within the past five (5) years? ☐ Yes ☒ No
 - Denied or had revoked, within the past five (5) years, any license to sell alcoholic beverages issued by any government entity? ☐ Yes ☒ No
 - Convicted of selling alcohol to a minor within the past three (3) years? ☐ Yes ☒ No

If the answer to any portion of question 11 is "yes," describe in detail and give date and occurrences:

12. Has any alcoholic beverage business in which the named Licensee, Partner(s), the Corporation or Corporate Officers holds or has held any financial interest, or are employed, or have been employed, ever been cited for any violation of the rules and regulations of the State Revenue Commissioner or any local ordinance/legislation relating to the sale or distribution of alcoholic beverage? ☐ Yes ☒ No

If the answer to any portion of question 12 is "yes," describe in detail and give date and occurrences:

13. Is the name Licensee a citizen of the U.S.? ☒ Yes ☐ No

India
Place of Birth

03/28/91
Date of Birth

REFERENCES

On behalf of the named Licensee, provide three (3) personal references (not relatives, former employers, fellow employees or school teachers) who are responsible, reputable adults, business or professional men or women, who have known the named Licensee during the past five (5) years. Include name, residence/business address and number of years known:

Prashant Patel 2053 Dartmouth Ave Virginia 14 404-632-9052
Name Residence/Business Address Years Known Phone #

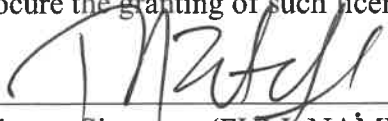
Arpit Patel 119 National Way Carrollton 12 404-395-7989
Name Residence/Business Address Years Known Phone #

Maulik Patel 325 Crease Pointe South Bremen 12 678-907-2219
Name Residence/Business Address Years Known Phone #

PART III
VERIFICATION

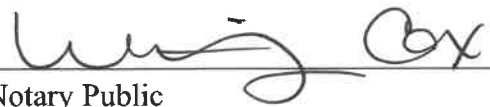
State of Georgia, Carroll County

I, Milan Patel, Licensee, do solemnly swear subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application are true and no false or fraudulent statement or answer is made herein to procure the granting of such license.

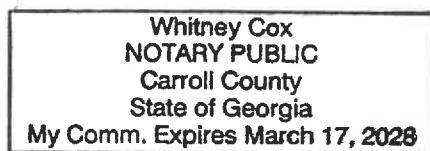

Applicants Signature (FULL NAME IN INK)

I hereby certify that Milan Patel signed his/her name to the foregoing application after stating to me that he/she knew and understood all statements and answers made therein and, under oath actually administered by me, has sworn that said statements and answers are true.

This 21 day of June, 20 24.

 My Commission Expires: 3/17/28
Notary Public

(Seal)



Return to:
SMITH CONERLY LLP
402 Newnan Street
Carrollton, Georgia 30117

LIMITED WARRANTY DEED

THIS INDENTURE is made this 18th day of June, 2024 between MARIN PROPERTY MANAGEMENT & HOLDINGS LLC, a Georgia limited liability company, as party of the first part (the "Grantor"), and A&M 662 PROPERTY LLC, a Georgia limited liability company, as party of the second part (the "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

That Grantor, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and forever confirm unto the said Grantee the following described real property (the "Property"):

Parcel One:

All that tract or parcel of land lying and being in Land Lot 131 of the 6th District, within the City of Villa Rica, Carroll County, Georgia, being shown and delineated at Lot 2, consisting of 0.98 acres, in accordance with that certain plat entitled "Final Plat for Villa Rica Business Park", dated February 18, 2005, as revised February 23, 2005, prepared by Crawford & Associates, C.H.F., Inc., certified by Douglas C. Crawford, GA RLS #1833, which plat is recorded in Plat Book 86, Page 153, Carroll County, Georgia Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part hereof for a more complete and accurate description of captioned property.

IN WITNESS WHEREOF, Grantor has executed and delivered this deed under seal the day and year first above-written.

Signed, sealed and delivered
in the presence of:

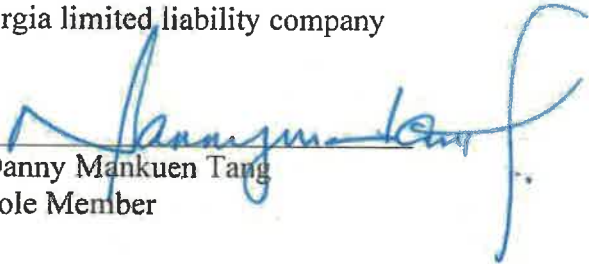


Unofficial Witness


Notary Public



MARIN PROPERTY MANAGEMENT &
HOLDINGS LLC,
a Georgia limited liability company

By: 

Danny Mankuen Tang
Sole Member

AFFP
LIQUIR LICENSE

Affidavit of Publication

STATE OF GEORGIA)
COUNTY OF CARROLL) SS

PUBLIC NOTICE

KUVIHA GROUP/MILAN PATEL has filed an application to sell alcoholic beverages on the premises of 113 Commons Way as a distilled package store. A public hearing on the application will be held on January 14, 2025 at 6:00 p.m. at the Holt-Bishop Justice Center, Municipal Court Room, 101 Main Street, Villa Rica, Georgia. For additional information on this application, contact the Licensing Specialist, Whitney Cox at (678)840-1224
12/31

Rachael Raney, being duly sworn, says:

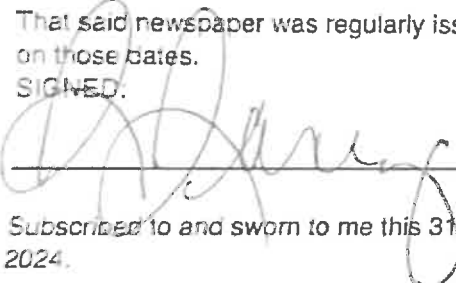
That she is publisher of the Times-Georgian, a newspaper of general circulation, printed and published in Carrollton, Carroll County, Georgia; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

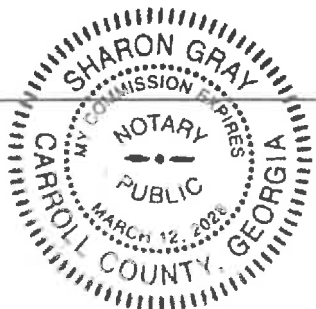
December 31, 2024

Publication Fees: \$ 42.00

That said newspaper was regularly issued and circulated on those dates.

SIGNED:


Subscribed to and sworn to me this 31st day of December 2024.



70108399 71133694

MILAN PATEL
1595 BANKHEAD HWY
CARROLLTON, GA 30117

Firefox

<https://paxton.admanagerpro.com:8360/AMPWeb/TemporaryItems/...>

Paxton Media Group
201 South 4th Street Paducah, KY 42003

MILAN PATEL
1595 BANKHEAD HWY
CARROLLTON, GA 30117
(404)395-7989

Classy Liner Ad 671133694 Summary:

Spot Line: LIQUOR LICENSE
Size: 1.00 x 1.99

Publication Cost	\$30.00	Payment Date	12/27/24
Adjustments	\$12.00	Amount	\$-27.00
Net Cost	\$42.00	Description	Prepayment from AMPWeb
Prepaid Amount	\$-42.00	Payment Type	cc Credit Card
Amount Due	\$0.00	Payment Date	12/27/24
		Amount	\$-15.00
		Description	Prepayment from AMPWeb
		Payment Type	cc Credit Card

Order Detail:

Publication	Start	Stop	Insertions	Cost	Adjustments	Total
140DCSD1 Douglas County Sentinel	12/31/24	12/31/24	1	15.00	0.00	15.00
140TGD1 Times-Georgian	12/31/24	12/31/24	1	15.00	0.00	15.00
Georgia Affidavit					12.00	12.00

PUBLIC NOTICE

KUVIHA GROUP/MILAN PATEL has filed an application to sell alcoholic beverages on the premises of 113 Commons Way as a distilled package store. A public hearing on the application will be held on January 14, 2025 at 6:00 p.m. at the Holt-Bishop Justice Center, Municipal Court Room, 101 Main Street, Villa Rica, Georgia. For additional information on this application, contact the Licensing Specialist, Whitney Cox at (678)840-1224.

12/31



SURVEY REFERENCE:

1.) PLAT TITLED "SURVEY FOR GANNETT COMMERCIAL PROPERTIES, LLC" DATED FEBRUARY 7, 2017. CERTIFIED BY LESTER E. BELL, GEORGIA LS No.2935. RECORDED IN CARROLL COUNTY RECORDS PLAT BOOK 104 PAGE 210.

GENERAL NOTES:

- 1.) SURVEY DONE WITHOUT BENEFIT OF A CURRENT TITLE SEARCH OR COMMITMENT. AS SUCH, LAND USE RESTRICTIONS, SETBACKS, ZONING, EASEMENTS, RIGHTS OF WAY OR OTHER TITLE FACTS MAY EXIST THAT ARE NOT SHOWN.
- 2.) SPECIAL FLOOD HAZARDS DO NOT EXIST FOR SUBJECT PROPERTY PER FIRM MAP 1304000180, EFFECTIVE DATE SEPTEMBER 28, 2007.
- 3.) UTILITIES SUCH AS ELECTRIC LINES, WATER LINES, GAS LINES, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST ON SITE AND MAY NOT BE SHOWN HEREON.
- 4.) THE ACCEPTANCE OF THE PLAT HEREON AND MONUMENTS USED AND SET DURING THE PERFORMANCE OF THE FIELD SURVEY HEREBY LIMIT THE TORT OR CONTRACT HERETO TO AN AMOUNT NOT TO EXCEED THE FEE CHARGED.
- 5.) DATE OF FIELD WORK: JULY 8, 2024.
- 6.) CURRENT OWNER & VESTING DEED: A&M 662 PROPERTY, LLC - DEED BOOK 8254 PAGE 81.

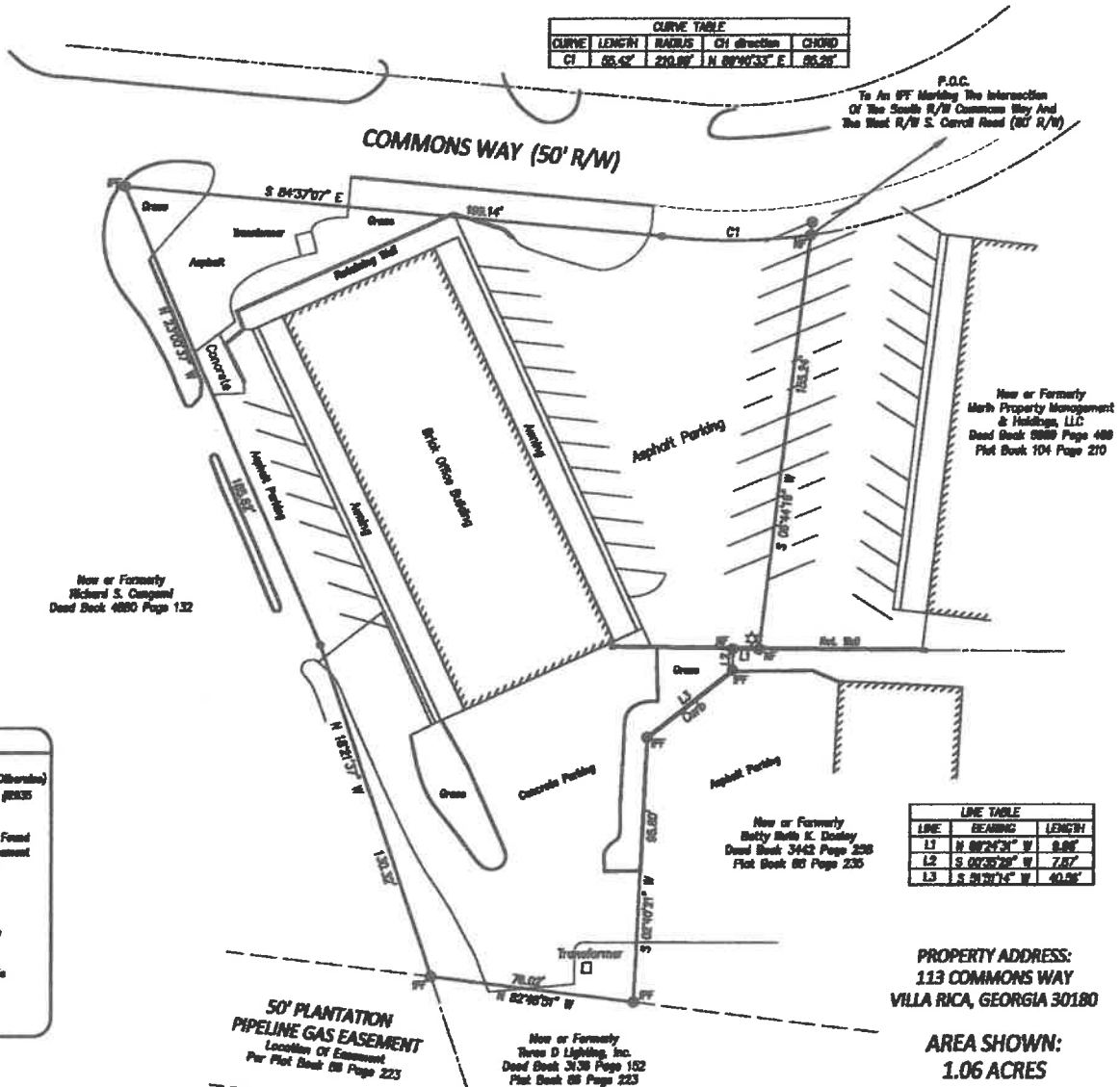
GRAPHIC SCALE



RESERVED FOR THE CLERK OF SUPERIOR COURT



CURVE	LENGTH	RADIUS	CH direction	CHORD
C1	85.42'	210.89'	N 89°40'33" E	85.28'



PIONEER LAND SURVEYING
663 WHOOPIING CRICK ROAD
CARROLLTON, GEORGIA 30116
PHONE: 770-836-1919
EMAIL: PLWGA@GMAIL.COM
Pioneer Land Surveying is a 501(c)(3) non-profit.



CLOSURE STATEMENT

A substantial portion of the linear and angular measurements shown on this plat were obtained by using a STONEX 3800+ base and a STONEX 3800+ rover K&K GPS receivers. The relative positional accuracy obtained on the points utilized in this survey were less than or equal to 0.02" horizontal at the 95% confidence level. The grid coordinates of the final station were derived using the Topcon TOPNET network.

Distances shown hereon are ground distances obtained from grid measurements using a calibrated scale factor.

This plat has been calculated for closure, and it found to be accurate within one foot in 803,876 feet.

THIS PARCEL WAS APPROVED BY VILLA RICA AND RECORDED IN PLAT BOOK 104 PAGE 210.

SURVEY FOR: **A&M 662 PROPERTY, LLC**

BEING IN THE CITY OF VILLA RICA
LAND LOT 131 - 6th DISTRICT - CARROLL COUNTY - GEORGIA

DATE: JULY 10, 2024

REVISIONS

FIELD: JR
DRAFTER: YFS
PROJECT NO.: 224217

NOTES: THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE FUNDRAISER, PERSON, OR ENTITY NAMED HEREON. THE FEE GRANTED NO LIABILITY TO THE FUNDRAISER, PERSON, OR ENTITY NOT NAMED HEREON, AND ANY USE BY UNAUTHORIZED PARTIES WILL BE SO AT THEIR OWN RISK.

SURVEYOR CERTIFICATION:

This plat is a representation of an existing parcel or parcels of land and does not subdivide or create a new parcel or make changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned Land Surveyor Certifies that this plat complies with the minimum Technical Standards for Property Surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Sections 15-8-87.

Surveyor: Lester E. Bell, LS002935 *Lester E. Bell*



EXTERIOR VIEW



EXTERIOR VIEW



EXTERIOR VIEW



EXTERIOR VIEW



To: The City of Villa Rica

12-26-2024

All leases for 113 Commons Way have been vacated. STS Filing Products have signed a new lease for 125 Commons Way, Unit 101. Unit 101 required some permitting and new electrical service. All work at the unit has been completed, and the work order with Georgia Power for the new electrical service is in place. We expect this to be completed any day now. Once this is complete and the final inspection is done, tenants will be moving into the new unit at 125 Commons Way as soon as possible, very likely in the next 15 days or less.

Best Regards,

Rett Harmon / Owner, Century 21 Novus
678-520-6381

Century 21 Novus
537 Newnan Road Carrollton, GA 30117
Phone: 678.664.1400 Fax: 770.216.1521
www.c21novus.com



Public Hearing Date

City Council: January 14, 2025

Request: Alcoholic Beverage License

Project Description: Distilled Package Retail Store

Applicant: Kuviha Group Inc
Licensee: Milankumar Patel
913 Center Bay Dr.
Villa Rica, GA 30180

Location: 113 Commons Way, Landlot 131, 6th District; Carroll Co., Ward 2

Parcel Number(s): V07 0100183

Current Zoning: C2 (Commercial Medium Density)

Current Land Use: Commercial

Location and Zoning Requirements:

The Alcohol Beverage Ordinance regulates location and zoning statutes of the property proposed for selling alcohol as follows:

Sec. 4-69. Zoning Restriction

(a) No retail license shall be granted under this chapter unless the premises to be licensed are, at the time the application is approved by the mayor and council, located under the planning and zoning ordinance of the city in a non-residential zoning district subject to the specific limitation of the respective districts.

The subject property is zoned C2 (Commercial Medium Density).

Sec. 4-70. Proximity Restrictions:

(a) No premises shall be licensed under this chapter whose location is within the following distances:

(1) For the sale of any wine or malt beverage, within 300 feet of any church building, school building, school grounds, or college campus.

Compliance: Yes

(2) For the sale of any distilled spirits, within 300 feet of any church building and within 600 feet of any school building, educational building, school grounds, or college campus.

Compliance: Yes

(3) For the sale of any distilled spirits, wine, malt beverage, within 300 feet of an alcoholic treatment center owned and operated by the State of Georgia or any county or municipal government therein.

Compliance: Yes

(4) For the sale of any alcoholic beverage for consumption on the premises, within 300 feet of any housing authority property.

Compliance: Yes

(5) No consumption-on-the-premises license shall be issued for any place of business which is located within 200 feet of a private single-family or two-family dwelling.

Compliance: Yes

Sec. 4-29 Investigation; Hearing:

In accordance with the City of Villa Rica Alcoholic Beverages Ordinance, the Villa Rica Police Department (VRPD) investigated the applicant's background. As a result of the investigation, the VRPD revealed no conviction or records against the applicant's good moral character or fitness for a license.

Public Response:

The applicant has posted a sign on the premises as well as a notice in the Times-Georgian notifying the public of the application to obtain an alcoholic beverage license at the location.

Staff Comments:

The applicant has complied with the Ordinance regarding the legal notification requirements and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

Recommendation:

Staff recommends **approval** of the request by Kuviha Group Inc and Milankumar Patel for the alcohol license to operate a distilled package store at 113 Commons Way, Villa Rica, GA 30180.



Whitney Cox
Licensing Specialist

Attachments:

1. Application
2. Affidavit of Publication
3. Commercial Lease



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: TA-01-25 – Text Amendment to Establish Section 4.18
Technology Park Overlay District & add new definition to
section 13.01

AGENDA DATE: January 14, 2025

DATE PREPARED: December 23, 2024

PREPARED BY: Diana DeSanto

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PURPOSE: Staff reviews the zoning ordinance and from time to time, it becomes necessary to amend or update certain language, add new sections or further define language that needs additional clarification. The text amendments seeks to introduce a new section, by amending Chapter IV Zoning Districts to include Section 4.18 Technology Park Overlay Districts (TPOD). The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices.

BACKGROUND: Staff has been working on text amendments to update language, uses and processes to ensure that the City makes appropriate and pertinent changes as needed. These changes should continue to encourage zoning compatibility, adherence to zoning ordinance and continued responsible growth. Technology Park Overlay Districts provide such facilities are often grouped together in order to provide common amenities, such as adequate and convenient parking, service, and utilities. Operations shall cause no radiation or radioactivity at any exterior wall and no electrical radiation that affects any operation or equipment other than those of the creator of the radiation. The establishment of such a district requires a predetermined development plan, appropriate screening, adequate separation from other land uses and more stringent controls. It is the primary intent of this district to allow for such areas in order to meet contemporary needs.

The following sections are addressed within the Technology Park Overlay District: permitted uses, permitted accessory uses, lot standards, lighting requirements, parking requirements, landscaping and buffering and noise.

STAFF RECOMMENDATION: Staff recommends the adoption of this proposed amendment to establish Section 4.18 Technology Park Overlay District and to provide for a definition of a Technology Park Overlay District in Section 13.01 Definitions..

PLANNING COMMISSION RECOMMENDATION: Recommendation to APPROVE on December 17, 2024 – Vote 4-1.

MOTION: I motion to approve the text amendments as submitted.

Chapter IV. Zoning Districts

Section 4.18 Technology Park Overlay District (TPOD).

Purpose. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices.

Such facilities are often grouped together in order to provide common amenities, such as adequate and convenient parking, service, and utilities. Operations shall cause no radiation or radioactivity at any exterior wall and no electrical radiation that affects any operation or equipment other than those of the creator of the radiation. The establishment of such a district requires a predetermined development plan, appropriate screening, adequate separation from other land uses and more stringent controls. It is the primary intent of this district to allow for such areas in order to meet contemporary needs.

1. Principally permitted uses

The following uses, shall be permitted in TP Overlay Districts:

- A. Administrative operations (finance, insurance).
- B. Commercial printing.
- C. Commercial testing laboratories.
- D. Communications equipment Mfg.
- E. Computer and electronic repair and calibration.
- F. Computer operations and data processing
- G. Data Centers
- H. Corporate offices or headquarters.
- I. Design and engineering.
- J. Drugs and pharmaceuticals distribution and/or Mfg.
- K. Educational services.
- L. Electronic components Mfg.
- M. Electrical substations
- N. Hospitals, clinics, medical and dental offices, medical and dental laboratories, and veterinary clinics.
- O. Industrial controls Mfg. (used in industrial production for controlling equipment or machines).
- P. Management and professional services.
- Q. Metalworking machinery production.
- R. Motion picture, television and other multi-media production.
- S. Office machines Mfg.
- T. Office/research.
- U. Public/Govt. buildings.
- V. Pilot plants and production facilities.
- W. Plastic, composite products Mfg.
- X. Research and development Mfg.
- Y. Special industry machinery Mfg.
- Z. Transportation equipment Mfg.
- AA. Unlisted use. The director may approve an unlisted use in this zoning district where the unlisted use is similar in type and nature to a listed use in that district.

2. Permitted accessory uses.

Permitted accessory uses are as follows:

- A. Employee lunchrooms.
- B. Temporary outside storage if the same is in conjunction with pilot plants or production facility uses, subject to being screened from adjoining properties.
- C. Recreational facilities for use by tenants, employees and clients.
- D. Private temporary living quarters associated with research and development
- E. Storage facilities within wholly enclosed buildings.
- F. Water Storage Facilities
- G. Trash receptacles.
- H. Telecommunication structures.
- I. On-site day care provided by businesses within the park for employees.
- J. Security structures, which may be installed within buffers and setbacks if located at approved entrances and exits.
- K. Battery storage
- L. Alternate fuel storage

3. Lot Standard

Standard	Setback Requirements
Minimum Lot Area	5 Acres
Minimum Lot Width	150 Feet
Minimum Lot Frontage	50 Feet
Building Height (Principal and Accessory Structures)	65 Feet (Excludes parapet walls, rooftop mechanical equipment, and penthouses).
Front Setback (Principal and Accessory Structures)	50 feet
Side Setback (Principal and Accessory Structures)	50 feet
Rear Setback (Principal and Accessory Structures)	50 feet
Minimum distance from structures on same lot	10 feet
Maximum Lot Coverage (Buildings)	60%
Maximum Lot Coverage (Total Impervious Area)	80%

Required lot standards shall only apply to external property boundaries with other properties not zoned as part of the TPOD. Minimum lot frontages, width and acreage shall not apply to subdivided lots within the TPOD, so long as the entirety of the contiguous development complies with these standards, and so long as the subdivided lot has adequate frontage on public or private roads and access drives to allow service.

4. Lighting Requirements

Lighting shall meet the requirements of Section 7.12 (Outdoor Lighting) of Chapter VII. Design Standards of the Zoning Ordinance.

5. Parking requirements

Parking shall meet the requirements of Section 7.02 (Off-street Parking and Loading) of Chapter VII. Design Standards of the Zoning Ordinance. Additionally,

- A. Each building shall provide 25 parking spaces minimum. Ancillary office buildings and other occupiable structures shall park at one space per 500 SF of GFA.
- B. Joint parking areas serving multiple buildings may be permitted onsite.
- C. Handicap accessible parking shall be provided in conformance with federal ADA requirements.
- D. Parking areas shall not extend into buffer areas.
- E. Unloading shall be onsite and not within the right-of-way.
- F. Parking space geometrics shall conform with Section 7.02 of the Zoning Ordinance.

6. Landscaping and Buffering

Landscaping shall meet the requirements of Section 7.05 (Landscaping Standards) of Chapter VII. Design Standards of the Zoning Ordinance. Additionally, buffer yards for TPOD Uses:

- A. Adjacent to Residential Districts: A minimum 75-foot buffer yard shall be maintained separating the TP property from all residential zoning districts. The buffer yard shall be planted per the Type 4 Bufferyard Standards of the Zoning Ordinance.
- B. Adjacent to Commercial Zoning Districts: A minimum 30-foot buffer yard shall be maintained separating the TP property from all commercial zoning districts. The buffer yard shall be planted per the Type 3 Bufferyard Standards of the Zoning Ordinance.
- C. Adjacent to Industrial Zoning Districts: A minimum 10-foot buffer yard shall be maintained separating the TP property from all industrial zoning districts. The buffer yard shall be planted per the Type 1 Bufferyard Standards of the Zoning Ordinance.

Fences in the TP Overlay District may exceed the maximum listed fence height of 8' in the Zoning Ordinance in all setbacks yards.

7. Noise

Noise shall meet the requirements of Section 9.04 Non-residential design standards, Item 16 Noise and Vibration Standards, of Chapter VII. Design Standards of the Zoning Ordinance.

Additionally,

- A. Generator testing is limited to between 7:00 a.m. and 5:00 p.m.;
- B. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

Amendment to section 13.01 Definitions:

TECHNOLOGY PARK OVERLAY DISTRICT (TPOD): The Technology Park Overlay District (TPOD) is a planning tool used as a special zoning of an area that is growing and guided to support technology businesses to include their infrastructure needs. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices to name a few.

CITY OF VILLA RICA
AMENDMENT TO ORDINANCE

WHEREAS, the City of Villa Rica through its Community Development Department have reviewed and revised the Zoning Ordinance for the City; and

WHEREAS, Chapter IV. Zoning Districts, Sec. 4.18 of the City of Villa Rica's Zoning Ordinance needs to be established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices.

NOW, THEREFORE, be it hereby ordained as follows:

4-18. Technology Park Overlay District (TPOD)

Purpose. The Technology Park Overlay District is established for the development of higher echelon technology and business development seeking to develop separate facilities for management headquarters, data centers, training areas, low-impact light manufacturing, motion picture, television and other multi-media production research and development operations and offices.

Such facilities are often grouped together in order to provide common amenities, such as adequate and convenient parking, service, and utilities. Operations shall cause no radiation or radioactivity at any exterior wall and no electrical radiation that affects any operation or equipment other than those of the creator of the radiation. The establishment of such a district requires a predetermined development plan, appropriate screening, adequate separation from other land uses and more stringent controls. It is the primary intent of this district to allow for such areas in order to meet contemporary needs.

Additional Sections within 4.18 include:

1. Permitted uses
2. Permitted accessory uses
3. Lot standards
4. Lighting requirements
5. Parking requirements
6. Landscaping and buffering
7. Noise

IT IS SO ORDAINED on this 14th day of January, 2025

Leslie McPherson, Mayor

Attest:

Theresa Campbell, City Clerk



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD (RA-06-24) (ANX-01 & 2-24)

AGENDA DATE: 1/14/2025

DATE PREPARED: 12/11/2024

PREPARED BY: Diana DeSanto, Interim City Manager

PUBLIC HEARING: Yes

PURPOSE: The applicant, Avemore GA LLC, seeks an annexation and rezoning for Parcel ID 168 0090 (Hickory Level Road) and Parcel ID 169 0120 (2664 South Van Wert Road), as with the amended survey to reflect a parcel split for the residence on the property to remain within Carroll County. The applicant seeks the rezoning with the annexation from Carroll County Zoning Designation Conservation and Agricultural to a Planned Unit Development (PUD), to include an expansion of the PUD for permitted uses as identified in the Technology Park Overlay District.

BACKGROUND: The City Council approved the Avemore project at 55 and 63 Goldworth Road in 2018 with a total of 200 single-family units, 300 multi-family units and live/work units, along with a host of other uses, including senior housing, which includes independent living, memory care and a minimum age restriction of fifty-five (55) years. In 2020, the city increased the total number of single-family lots to no more than 250 units, and the multi-family units to a maximum of 325 units. In 2021, the City Council approved an additional 290 units of senior housing with a minimum age of fifty-five (55) years. The applicant returned each year to extend their zoning approvals for another year as specified in the original and subsequent conditions placed on the conditionally approved project.

In September 2024, the applicant filed an extension to the previously approved PUD and sought to extend and alter the PUD to include Light Industrial (I1) (ALT-01-24). The application was denied by Planning and Zoning Commission and the applicant was instructed to file a new application that would effectively remove the previously approved housing units and mixed-use components. The new PUD would change the use to Medium Industrial (I2). The applicant withdrew his application and filed a new application.

Following this process, the applicant filed two requests for annexation (ANX-01 & 02-24) and a rezoning application from Carroll County Agricultural and Conservation Use to PUD as expanded with additional permitted uses being considered simultaneously as a text amendment for a Technology Park Overlay.

Following the approval of the text amendment for a Technology Overlay Park, the proposed use could include a corporate campus with administrative operations, technology park with electrical substations, research and development or other computer operations, data processing to name a few.

STAFF RECOMMENDATION: The order of the vote and the motion are to act on the rezoning request and then to take action on the annexation request.

Staff recommends rezoning approval from Conservation and Agricultural to the expanded PUD to with recommended permitted uses as defined in the Zoning Ordinance as Section 4.18 Technology Park Overlay District and with conditions noted. With no objections received from Carroll County, City staff recommends approval of both the annexation of Parcel ID 168 0090 (Hickory Level Road) and approval of the annexation and recommended split of Parcel ID 169 0120 (2664 South Van Wert Road to allow the residence as identified in the amended survey to remain in Carroll County)

IMPACT: N/A

POTENTIAL ACTION: Approval with the following conditions:

No additional residential units will be proposed or approved with this PUD zoning

Sewer Capacity and Conveyance to be addressed and agreed upon with the City in the form of a Development Agreement.

MOTION: To approve the request for rezoning from Agriculture and Conservation to PUD, with the expansion of the PUD to include the provisions of principally permitted uses included within the Section 4.18 Technology Park Overlay District and with the recommended conditions (no additional residential units will be proposed or approved with this PUD zoning and sewer capacity and conveyance to be addressed and agreed upon with the City in the Form of a Development Agreement).

To approve the annexation of Parcel ID 168 0090 (Hickory Level Road) and approval of the annexation and recommended parcel split of Parcel ID 169 0120 (2664 South Van Wert Road) which will allow the residence identified in the amended survey to remain within Carroll County.



Planning & Zoning
Community Development Department

Villa Rica City Hall
571 W. Bankhead Hwy
Villa Rica, GA 30180
T: 678.840.1238
F: 770.459.7003
www.villarica.org

December 11, 2024

Planning Report

EMBRY DEVELOPMENT COMPANY, LLC
RA-06-24
Highway 61 & South Van Wert Road
Land Lot: 92, 93, 98, 99, 100, 101, 125 District 6
Parcel #: V07 014003, 168 0090, 169 0120
Ward: 2
City Council Member: Matthew Momtahan
Planning Board Member: Julie Cepin
City of Villa Rica/Carroll County

Dear Ms. Cox:

Embry Development Company, LLC (the Applicant) seeks an annexation and rezoning from Carroll County Conservation and Agricultural Zoning to an expanded PUD to include PUD-Industrial (PUD-I). The Applicant has not requested any variances.

The following documents, which were submitted in support of the Application, have been reviewed:

1. Application Checklist, notarized and dated September 27th, 2024 (1 page);
2. Zoning Map Amendment (Rezoning) Application, dated September 27th, 2024 (2 pages);
3. Annexation applications, signed and dated September 24th & 30th, 2024
4. Property Owner Authorization Forms, notarized and dated October 26th, 2022, signed by Brian L. Campbell and Kenneth A. Campbell, members of Green Tree Group, LLC (2 pages);

5. Limited Warranty Deed, dated October 6th, 2023, signed by James Davis III in the presence of Colleen Kay Vogel (3 pages);
6. Applicant Statement of Intent, dated September 30th, 2024, by Joseph Fowler, P.C. (3 pages);

A. Existing Conditions

The subject parcel(s) consists of a 192.9 acre parcel on the west side of Highway 61, currently zoned PUD. The properties to be annexed consists of a 35.03 & a 204.53-acre parcel are currently zoned V-5 (Consv Use) & A-5 (Agricultural). The parcels features vastly undeveloped land, with a residence on the larger of the two. The applicant provided a subsequent survey to provide for the residence to receive a parcel split and to remain within Carroll County. The property wraps around properties on its west and south sides, and is adjacent to unincorporated Carroll County to the west across Van Wert Road, to the north along Van Wert Road, and to the east across Highway 61.

The subject properties are adjacent to low-density residential uses on all sides; a house of worship bordering the property to the south; and a residential subdivision to the east across Highway 61.

Three ponds are located near, the geographical boundaries of the parcel. Bay Springs creek bisects the property, according to site plan provided . No easements have been identified on the concept plan drawing.

Surrounding Properties:

Current Zoning		Land Use
North	Unincorporated Ca	Mobile Home Subdivision
East	Rural Development (RD) & Medium Commercial (C2)- Villa Rica Commercial (C) & Agricultural (A) - Unincorporated Carroll County	Residential and Undeveloped
South	Single-Family Agricultural (AG) -City Commercial (C) -County	Suburban Village – City Commercial - County
West	Agricultural (A) - County	Undeveloped– County



Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.

B. Site History

The City Council approved the Avemore project at 55 and 63 Goldworth Road in 2018 with a total of 200 single-family units, 300 multi-family units and live/work units, along with a host of other uses, including senior housing, which includes independent living, memory care and a minimum age restriction of fifty-five (55) years.

In 2020, the city increased the total number of single-family lots to no more than 250 units, and the multi-family units to a maximum of 325 units. In 2021, the City Council approved an additional 290 units of senior housing with a minimum age of fifty-five (55) years. The applicant has returned to extend their zoning approvals annually as specified in the original and subsequent conditions placed on the conditionally approved project.

In September 2024, the applicant filed an extension to the previously approved PUD, and sought to extend and alter the PUD to include Light Industrial (I1) (ALT-01-24). The application was denied by Planning and Zoning Commission and the applicant was instructed to file a new application that would effectively remove the previously approved housing units and mixed-use components. The new PUD would change the use to Medium Industrial (I2). The application was withdrawn and a new application was filed.

Following this process, the applicant filed two requests for annexation (ANX-01 & 02-24) and a rezoning application from Carroll County Agricultural to PUD as expanded to include light industrial and permitted uses being considered simultaneously in a text amendment as a Technology Park Overlay.

The proposed use within the Technology Park Overlay could include a corporate campus with administrative operations, technology park with electrical substations, research and development or other computer operations, data processing to name a few.

C. Proposed Development

The applicant is requesting annexation and rezoning approval from Agricultural and Conservation to an expanded PUD to include Industrial for a total of 432.46 acres, located Hwy 61 and South Van Wert. The proposed development could accommodate a technology park or corporate campus with ancillary facilities.

See Table 2 below for yard and bulk requirements in the I2 (Industrial, Medium-Density) Zone:

TABLE 2 - BULK REQUIREMENTS – INDUSTRIAL, MEDIUM DENSITY ZONE DISTRICT			
	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	432.46	C
Minimum Lot Width (ft)	100	Unknown	C
Minimum Lot Frontage (ft)	50	Unknown	C
Minimum Rear Yard Setback (ft)	40	Unknown	Unknown
Minimum Side Yard Setback (ft)	40	Unknown	Unknown
Maximum Building Coverage (%)	40	Unknown	Unknown
Maximum Building Height (ft)	45	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	C

It is unclear how the project will draw utility access for water and sewer, if connections can easily be made, or if capacity or distribution is available. The applicant has been working closely with the city and county for guidance and alternatives with the expressed goal of not over burdening the city and county's existing infrastructure and capacity.

Design Standards

The city has design standards for all industrial developments in Section 9.04 of the Zoning Ordinance, to which the applicant must comply at the time of architectural review.

Amenities/Open Space

The site plan indicates several common areas as open space, however total acreage has not been provided. The ordinance requires a total of 8.06 acres (12% of the site area) for open space. The ordinance specifies what is considered non-qualifying open space and qualifying open space as specified below:

Table 7.24: Minimum Required Open Space		
Zoning District	Percentage of Open Space	Notes
R1, R2	8%	-
SFA, MF1	12%	-
MF2	15%	-
CMU, C1, C2, OMI	5%	-
I1, I2	2%	Sites less than 3 acres are exempt
AG, CBD	-	Exempt

Offsite Improvements

No off-site improvements are proposed along Highway 61, including acceleration and deceleration lanes.

Density

N/A

Flood Plain

Bay Springs creek bisects the subject properties. The property is not in a flood zone. Based on the Conceptual Site Plan submitted, it's unclear if the applicant will be proposing to infill the identified creek. It is unclear if all buildings will meet the buffer requirements from this pond. Any other creeks proposed for infill may require variances and extensive review and approval by EPD and the City Engineer. Figure 2, below, indicates the flood zone map for the property:

National Flood Hazard Layer FIRMette



84°56'45"W 33°42'31"N



Figure 2: National Flood Hazard Layer FIRM Map 13045C0154D

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, AE9 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes, Zone X Area with Flood Risk due to Levee Zone D
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
MAP PANELS	Digital Data Available No Digital Data Available Unmapped The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/12/2024 at 2:18 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Buffering/Screening/Tree Conservation:

A landscaping plan will be required to be submitted by the applicant at the time of Final Plat submittal. Section 7.05(6) of the zoning ordinance requires that a twenty (20) foot wide landscape area adjacent to the road or right-of-way be provided, and must be designated as "common area" or placed in a landscape easement. In addition, several shrubs and trees must be planted within this area. A minimum of one (1) tree shall be provided for every thirty (30) linear feet of landscaped area. The trees may be a combination of deciduous and evergreen. In addition, a minimum of one (1) shrub shall be provided at a minimum of every three (3) feet in order to form a continuous screen a minimum of thirty-six (36) inches high within two (2) years of planting.

D. Rezoning Review Criteria

The Zoning Ordinance of the City of Villa Rica, Section 11.05(2)(b), requires the Planning & Zoning Commission and the legislative body to pay reasonable regard to the following when preparing and considering proposed amendments:

i. The Comprehensive Plan;

Villa Rica Future Land Use Map

The Future Land Use Plan prescribes the parcel as “Suburban Village” as the future land use character area. The intent of the Suburban Village with a Character Area of Suburban Neighborhood is as follows:

“Suburban Villages are characterized by clustered commercial development around the intersection of prominent roads (Community Crossroads) and include immediate surrounding residential areas, which are suburban in nature. The general development pattern is compact, with stand-alone or a few businesses on a site. However, in more suburban and rural areas, a single business typically occupies a property.”

“Future development should emphasize the compact, small-scale development that supports the immediate surrounding area, including residences, retail, and office uses. Higher density developments should be located closer to more dense/intense areas, where similar development exists. Sidewalks and pedestrian linkages to nearby parks and other amenities should be provided in new developments.”

The character area has design principles regarding density that “varies depending on location and land use”.

The Future Land Use Map designations in the surrounding area are Commercial, Public/Institutional, and Medium Density Residential.

As with the Northwest and Central Eastern portion of the City, this South West annexation and rezoning from Agricultural and Conservation to an expanded PUD to include industrial is consistent with this type of zoning with minimal residential impact on various outskirts of the City.

ii. Current conditions and the character of current structures and uses in each district;

The lots are vacant with no uses and a small structure. The character is typical of a vacant, undeveloped lot surrounded by agricultural properties, whereas the character of the AG zone is single-family homes on large lots (at least ½ acre).

iii. The most desirable use for which the land in each district is adapted;

The proposed development is the most desirable use based on the Comprehensive Plan and overall character of the area. The current use of the property as vacant property is not the highest and best use for the property given the acreage and the recommendations stated in the Comprehensive Plan, however development as industrial along the highway is most desirable from a planning and infrastructure perspective in addition to the proposed use, this use being least impactful on schools and traffic.

iv. The conservation of property values throughout the jurisdiction; and

The impact on property values for surrounding uses is expected to be nominal.

v. Responsible development and growth

The southwestern portion of the city is expected to grow with residential and commercial uses in the near and long term future. The applicant has not indicated any roadway improvements on the concept plans, therefore it is difficult to gauge the adequacy of the road network should improvements be made.

i. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Highway 61 has had considerable residential development both within and outside of the city limits. The size of the lot and frontage along Highway 61 adjacent lend the impetus for more commercial and potentially residential in the area.

ii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The use is not expected to affect the existing uses nearby or usability of any adjacent structures or lots.

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

The property currently does not have reasonable economic use as currently zoned and is not the highest and best use of land given the acreage and Comprehensive Plan designations for appropriate zoning, in addition the proposed rezoning would be less impactful. Because of the size and location of the parcel, along with development pressures along the Highway 61 corridor, the rezoning to PUD-Industrial would give the parcel an economic advantage for providing further development, but increase utility demand in an area of the city with distribution challenges.

iv. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

Excessive usage of city infrastructure could be possible as the city may not have adequate sewer collection capacity along Highway 61. The ability to provide sewer capacity along and surrounding Highway 61 is becoming increasingly more difficult for the city which may complicate the ability for developments to materialize. In addition, Significant sewer conveyance limitations had previously been identified along Highway 61S watershed. Investigations had determined that any future development along Highway 61S would require the construction of a regional lift station and conveyance system along South VanWert Road to and beyond Interstate 20. This regional lift station would resolve existing conveyance issues and provide conveyance for future projects within the watershed. Preliminary concept plans for the location of the lift station and conveyance have been developed. The original concept plan does not indicate if traffic improvements along Highway 61 are proposed. Potential traffic impacts along Highway 61 and South Van Wert Road must be studied and reviewed by the City Engineer as a part of final plat approval.

v. If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

The rezoning is not inherently supported by the Comprehensive Plan. The Comprehensive plan prescribes Suburban Village as the land use character area, which recommends commercial and residential zoning. While not completely in conformance with the intent of the character area, the use will provide relief from the demand that hundreds of housing units would require, therefore, it is preferential to support the requested zone change from PUD to PUD-Industrial. This rezoning to include industrial near both agricultural and residential is consistent with outer areas of the City to include the Industrial Parks in the Northwest and Central Eastern areas of the City.

vi. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The availability of sewer and water capacity for the PUD would tremendously affect the developability of the parcel for the intended use. Poor capacity may hamper the ability to construct the proposed concept.

E. Comments

1. A Landscape Plan, Open Space Plan and other details, as required, should be submitted to the City Engineer for review prior to Final Plat approval.
2. The applicant should provide testimony to off-site improvements proposed.

3. The applicant will assist with wastewater improvements in the areas of conveyance and capacity in the form of a Development Agreement
4. The applicant will not request any additional residential units with the annexation and expanded PUD to include light industrial.

Recommendation:

Staff recommendation: **APPROVAL**

Reasons:

1. Based on the City's Comprehensive Plan, the applicant's request to rezone the parcel from PUD to PUD-Industrial is supported.
2. PUD-Industrial will provide the highest and best use of the land, without overburdening city schools, roads and infrastructure.
3. The rezoning allows a vacant, underutilized parcel to be developed into an asset for the city and could spur, support additional development in the corridor.

Public Notifications:

As required by *Section 11.05* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on December 5, 2024; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

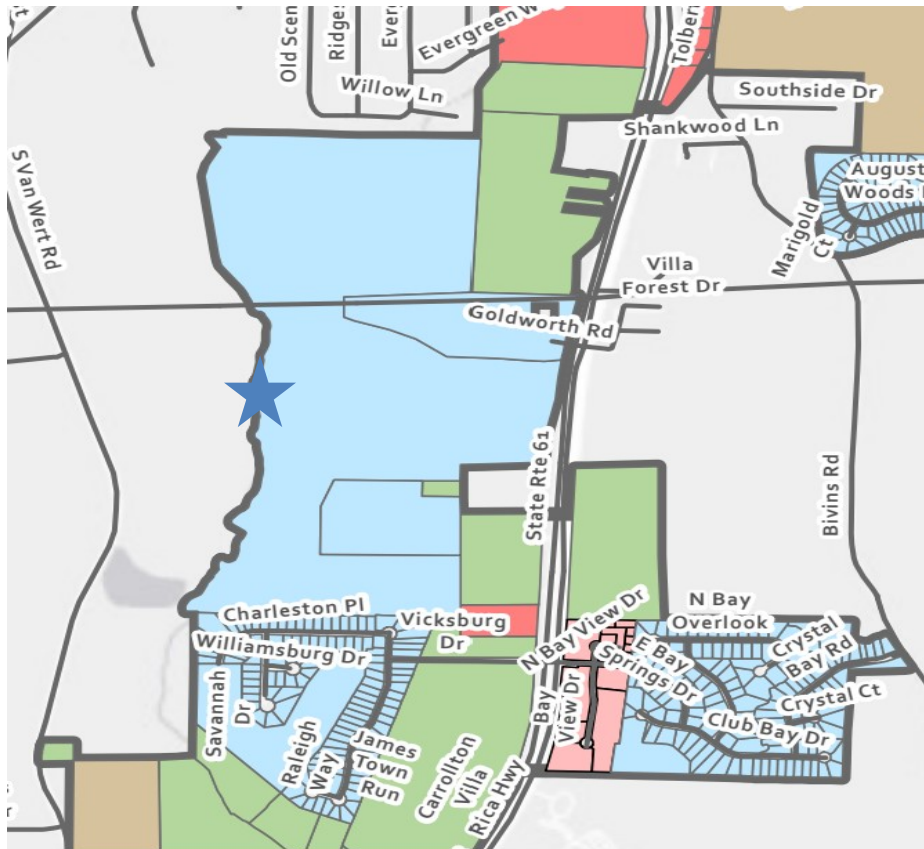
In response to the public notifications, no residents have contacted the city to voice concern or support for the proposed actions.

Nina Shabazz

Community Development Director



Villa Rica Zoning Map:



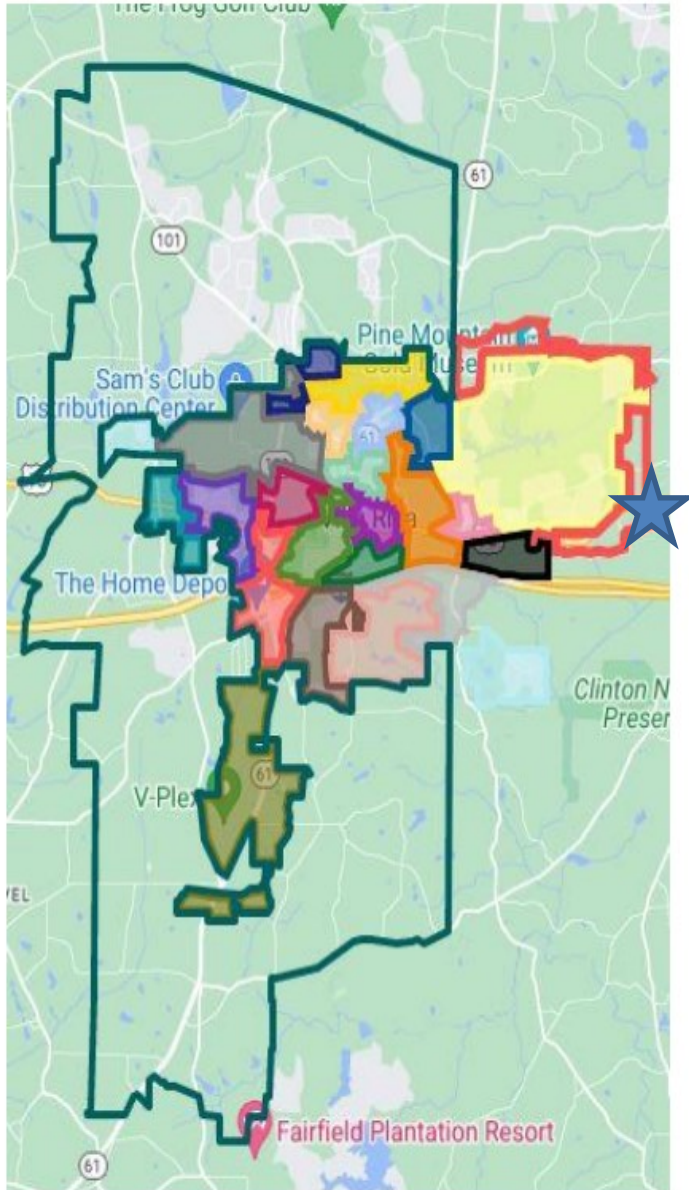
Zoning District Legend

	City Boundary
	AG - Single-Family Agricultural
	R1 - Single-Family Suburban
	R2 - Single-Family Urban
	SFA - Single-Family Attached
	MF1 - Multifamily Low-Density
	MF2 - Multifamily Medium-Density
	CBD - Central Business District
	CMU - Commercial Mixed Use
	C1 - Commercial Low-Density
	C2 - Commercial Medium-Density
	OMI - Office Medical Institutional
	I1 - Industrial Low-Density
	I2 - Industrial Medium-Density
	PUD - Planned Unit Development



Villa Rica Future Land Use Map:

City of Villa Rica Future Development Map



Future Development Village Areas

Village Areas

- Downtown
- East Village
- Mirror Lake Commercial Village
- Mirror Lake Residential Village
- East Industrial Village
- Miner's Village
- Medical Village
- North Village
- South Village
- West Village
- Fullerville Village
- Urban Village
- Gold Dust Village
- West Industrial Village
- Commercial Village
- Rural Village
- Bankhead Village
- Neighborhood Residential Village
- Neighborhood Residential Village
- Liberty Village
- Carroll Village
- Traditional Village
- Suburban Village
- Punkintown Village
- Douglas County Future Growth Area
- Carroll County Future Growth Area



Carrollton Villa Rica Hwy
RA-06-22

Site Plan (Placeholder)



City of Villa Rica Planning and Zoning Department

1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

REZONING APPLICATION

Required Materials to Accompany the Application for Zoning Map Amendment

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
2. A site development plan prepared in conformance with submittal requirements (unless waived by Community Development Manager or requested zoning district is Single-Family Residential).
3. A written statement describing the following:
 - a. The proposed uses and the effect the proposed use may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code.
 - b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan.
 - c. The areas which are most likely to be directly affected by such a change and the likely effects.
 - d. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected.
 - e. The proposed time schedule and phasing for development.
 - f. The source/method for providing utility/infrastructure services to the property.
 - g. A description of existing road conditions and any new roads to be included in the development and of the effect the proposed development will have on existing road and traffic conditions; and
 - h. A list of any state, federal, or other public agencies' approvals or permits required for the proposed development.
4. Additional exhibits, as may be required by the Community Development Director.

Acreage	Residential	Commercial	Industrial	PUD
0-5	\$300	\$600	\$750	\$800
5.1-10	\$400	\$700	\$850	\$1000
10.1-20	\$600	\$1100	\$1100	\$1200
20.1- 30	\$800	\$1200	\$1300	\$1500
30.1- 40	\$900	\$1200	\$1400	\$1600
40.1- 50	\$1000	\$1400	\$1600	\$1800
50.1- 60	\$1100	\$1500	\$1700	\$1900
60.01 +	\$1200+25/acre Max. of \$2500	1600+25/acre Max. of \$4000	1800+25/acre Max. of \$5000	2000+25.99/acre Max. of \$6000

Please Return To:

Shaun Daniels
Planner I
(678) 785-9995
sdaniels@villarica.gov

Renee Kilgore
Administrative Assistant
(678) 840-1283
rkilgore@villarica.gov

Required Materials to Accompany the Application for Text Amendment

1. Proposed text amendment; Written statement describing reasons for the proposed text amendment; and any other exhibits as may be required by the Community Development Director.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City Council or Planning Commission who will consider the application?

Yes _____ No X

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater to Board Member

We certify that the foregoing information is true and correct, this _____ day of _____, 2024.

EMBRY DEVELOPMENT COMPANY, LLC

J. MIKE EMBRY, Managing Member

Applicant's Name Printed

Mike Embry *manay*
Signature of Applicant

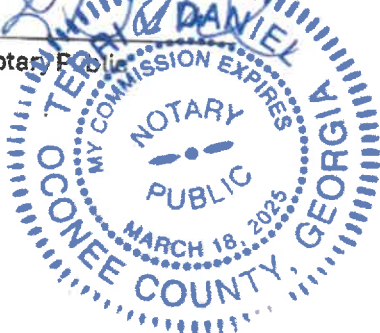
JOSEPH H. FOWLER, ESQ.

Applicant's Attorney, if applicable – Printed

Joseph H. Fowler
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 27 day of September, 2024.

Daniel
Notary Public



Required Materials to Accompany the Application for UDC Text Amendment

The Community Development Manager may waive informational requirements upon finding that the information is not required to determine compliance with UDC requirements.

1. Proposed text amendment; Written statement describing reasons for the proposed text amendment; and any other exhibits as may be required by the Community Development Director.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City Council or Planning Commission who will consider the application?

Yes _____ No X _____

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater to Board Member

We certify that the foregoing information is true and correct, this day of, 2024.

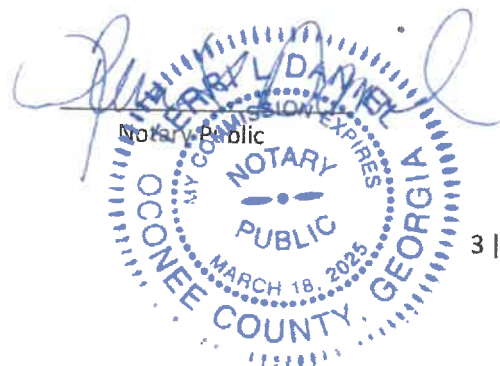
Mike Embry, Avemore GA, LLC, Agent for Jerry Tolbert
Applicant's Name Printed


Signature of Applicant

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this day of, 2024.



☐ Ordinance Text Amendment

☒ Zoning Map Amendment

Please complete the blanks with the information requested. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: _____

Applicant Name: EMBRY DEVELOPMENT COMPANY, LLC

Address: P.O. Box 2789 City: Suwanee State: GA Zip: 30024

Phone: 404-569-9756 Email: mike@embrycompanies.com

Agent Name: Joseph H. Fowler, Esq.

Address: P.O. Box 489 City: Douglasville State: GA Zip: 30133

Phone: 770-920-2000 Email: jfowler@hrflegal.com

Owner Name (If different from applicant): See Attached List of Property Owners

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____ (Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application)

REZONING REQUEST

Existing Zoning: PUD (Avamore) & Agriculture (Annexation) Requested Zoning: PUD Amendment (Avamore)
PUD (Annexation Parcels)

Property Address: Highway 61 & South Van Wert Road Nearest Intersection: _____

Present Use of Property: Vacant and Residential

Proposed Use: ~~DATA CENTER~~

Size of Tract: 432.46 Land Lot Numbers: 92, 93, 98, 99, 100, 101 & 125 Districts: 6th

Gross Density: _____ units per acre Net Density: _____ units per acre

Property Tax Parcel Number(s): V07 0140003, 168 0090 & 169 0120

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____

Application checked by: _____ Date: _____ Map Number(s): _____

Planning Commission: Approved _____ Denied _____ Date: _____ Conditions: No _____ Yes _____ How many: _____

City Council Decision: Approved _____ Denied _____ Date: _____ Conditions: No _____ Yes _____ How many: _____

Manager's Signature: _____ Date: _____

PROPERTY OWNERS

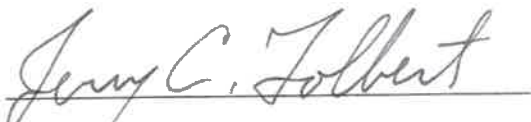
C. JERRY TOLBERT
2664 SOUTH VAN WERT ROAD
VILLA RICA, GA 30180
TAX PARCEL: 169 0120

ARTESIA CAPITAL, LLC
JEFF R. MATTEWS, MEMBER
P.O. BOX 324
VILLA RICA, GA 30180
TAX PARCEL: 168 0090

AVEMORE GA, LLC
P.O. BOX 2789
SUWANEE, GA 30024
TAX PARCEL: V07 0140003

STATEMENT LETTER

I Jerry C. Tolbert being the owner of property located at 2664 S. Van Wert Rd in Villa Rica Ga. And having Carroll County Ga. Parcel #169-0120 hereby giving authorization to Avemore Ga. LLC (applicant) to file a rezoning application with the City of Villa Rica. I understand the applicant will file said rezoning with the intent to seek a classification of industrial, and to include the property in the Avemore PUD adjoining the property mentioned.


OWNER- JERRY C. TOLBERT

DATE-

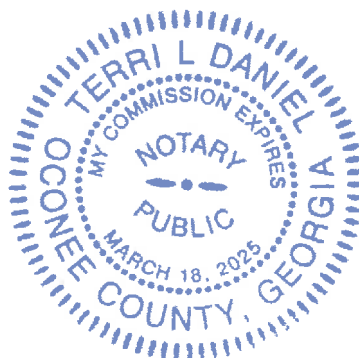

APPLICANT

DATE- 8-8-2022


NOTARY

DATE-

8/8/24



STATEMENT LETTER

I Authorized signer of Artesia being the owner of property located on NE Hickory Level Rd in Villa Rica Ga. (Carroll County) Parcel #168-0090 hereby giving authorization to Atlas Development LLC (applicant) to file a rezoning application with the City of Villa Rica. I understand the applicant will file said rezoning with the intent to seek a classification Industrial, PUD, Special use Data Center.

Jeff Matthews Manager

OWNER- Authorized Signer of Artesia

DATE- 8/16/2024

[Signature]

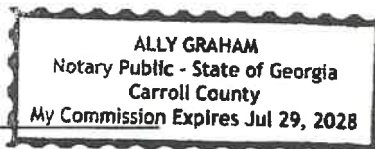
APPLICANT

DATE- 8/16/2024

[Signature]

NOTARY

DATE- 8/16/2024



PROCESS

Pre-Application Conference (Optional)

Application Filed with Department

- Staff Review For Completeness.
- Public Hearing Schedule
- Public Notification

Planning Commission Hearing

- Within 45 Days Of Filing Complete Applications
- Consideration Of Staff, Applicant, And Public Testimony

Planning Commission Action

Within 60 Days of Close of hearing

Planning Commission Recommendation

Approval, Approval with Conditions, or Denial

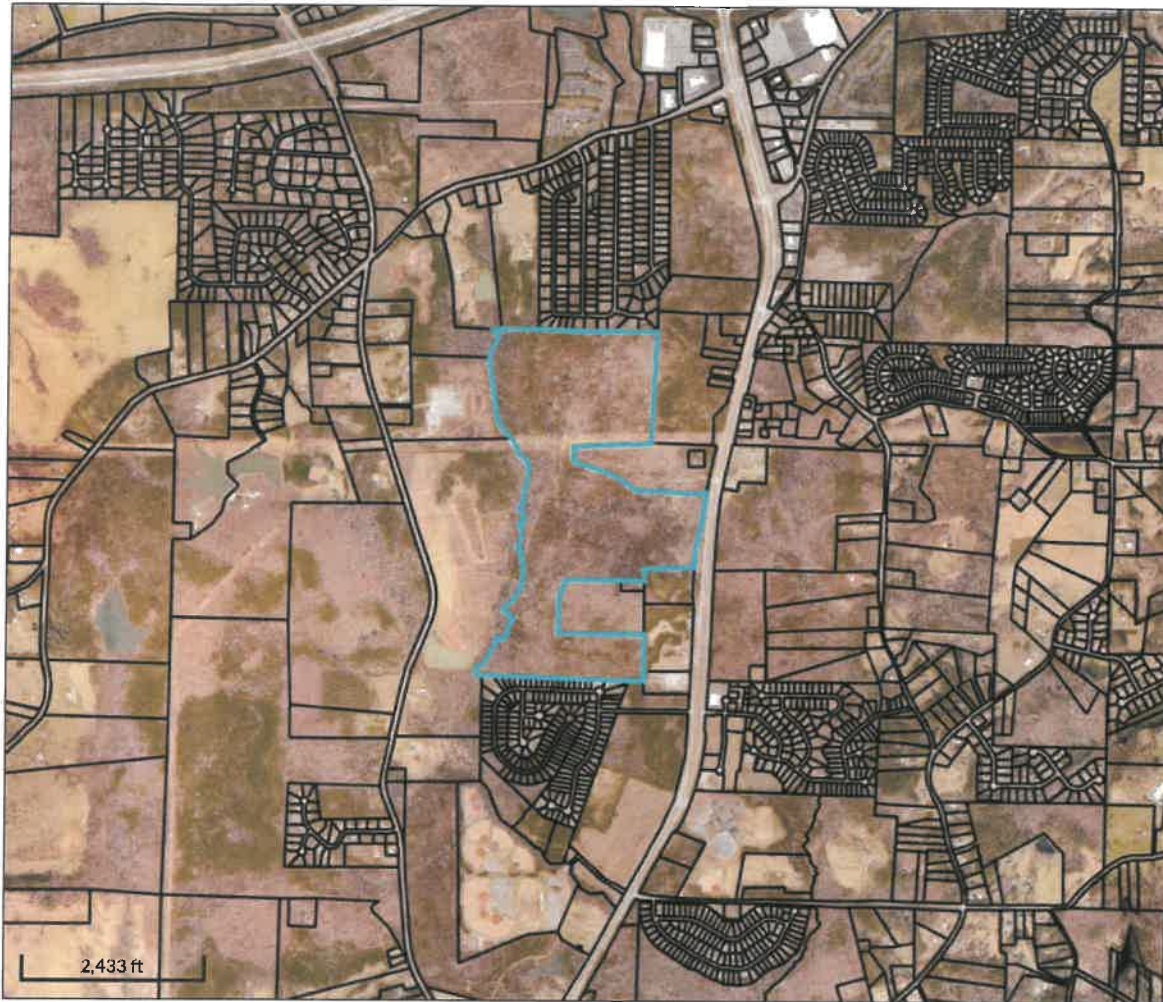
City Council Public Hearing

- Within 45 days of PC action
- Consideration of PC action and staff, applicant, and public testimony

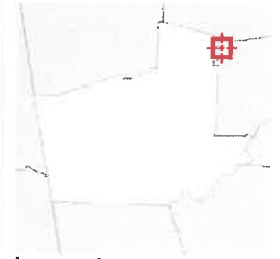
DENIAL

City Council Action

APPROVAL



Overview



Legend

- Parcels
- Roads

Parcel ID	V07 0140003	Owner	AVEMORE GA LLC	Last 2 Sales			
Class Code	Agricultural		PO BOX 2789	Date	Price	Reason	Qual
Taxing District	VILLA RICA		SUWANEE, GA 30024	10/6/2023	\$5076000	MP	U
Acres	192.9	Physical Address	63 GOLDWORTH RD	9/6/2016	\$464000	FM	Q
		Assessed Value	Value \$1085626				

(Note: Not to be used on legal documents)

Date created: 9/20/2024

Last Data Uploaded: 9/19/2024 6:08:58 PM

Developed by  **Schneider**
GEOSPATIAL

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-232516
Tax Map: V07 0140003 & V07 0140004

eFiled and eRecorded
DATE: 10/06/2023
TIME: 3:13 PM
DEED BOOK: 6194
PAGE: 537 - 550
FILING FEES: \$25.00
TRANSFER TAX: \$5,076.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2023-004395
RECORDED BY: DJ
CLERK: Alan J. Lee
Carroll County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 6th day of October, 2023, between Winchester Real Estate Investment Company, LLC, a Georgia limited liability company, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avemore GA LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH that: Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

Tract I

ALL THAT TRACT or parcel of land lying and being in Land Lot 99 of the 6th District, Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northern right-of-way of Old CCC Camp Road which is 216 feet westerly along said right-of-way from its intersection with the centerline of Goldworth Road; running thence westerly along the northerly right-of-way of Old CCC Camp Road 175 feet to a point; running thence northerly, perpendicular to said road 252 feet to a point; running thence easterly parallel to said road 175 feet to a point; running thence southerly perpendicular to said road 252 feet to the POINT OF BEGINNING.

Said property having an address of 55 Goldworth Road, Villa Rica, Georgia 30180.

Together with

Tract II

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 100 and 125 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the western right of way of Carrollton-Villa Rica Highway, aka State Route 61, with the north line of Land Lot 99; thence westerly along said land lot line to the northwestern corner of Land Lot 99, which is the common corner of Land Lots 99, 100, 125 and 126 of the 6th District; thence running North along the East land lot line of Land Lot 125 a distance of 1,450.00 feet, more or less, to the southeast corner of Lot 16 of Ridgeside Subdivision, Unit 5, as said lot and subdivision are shown and delineated on a plat recorded in Plat Book 30, Page 194, in the Office of the Clerk of Superior Court of Carroll County, Georgia, which plat and the record thereof are by reference incorporated herein; thence leaving said land lot line and running in a westerly direction along the south line of Lots 16, 15, 14, 13, and 12 of Ridgeside Subdivision, Unit 5 as shown on plat recorded in Plat Book 30, Page 194, Lots 37, 36, 35, 34, 33, and 32 of Block "A" of Ridgeside Subdivision on plat recoded in Plat Book 12 Page 27, said Clerk's Office and the south line of property now or formerly owned by Meadowbrook Memory Garden's Inc. a distance of 1,700 feet, more or less, but specifically to Bay Springs Creek; thence running in a southerly direction along the meanderings of said Bay Springs Creek to a point where said creek intersects the south land lot line of Land Lot 100, said District; thence running in an easterly direction along the south land lot line of Land Lot 100 a distance of 2,170 feet, more or less, but specifically to the southeast corner of said Land Lot 100; thence running in a northerly direction along the east land lot line of Land Lot 100 a distance of 1,500 feet, more or less, to a point at the northwest corner of property now or formerly owned by L.W. Thomas; thence running in an easterly direction along the north line of property now or formerly owned by L.W. Thomas a distance of 670 feet, more or less, but specifically to the west right of way of Carrollton-Villa Rica Highway, aka State Route 61; thence running in a northerly direction along the west right of way of said State Route 61 a distance of 1,600 feet more or less, to the north land lot line of Land Lot 99 and the POINT OF BEGINNING.

LESS AND EXCEPT so much of said property was conveyed to George C. Holloway by Warranty Deed dated August 28, 1958, recorded in Deed Book 117, Page 454, Carroll County, Georgia records.

Being the same property conveyed from Felix A. Williams to Eunice Inez Mitchell by Warranty Deed dated July 5, 1962, recorded in Deed Book 137, Page 545, Carroll County Deed Records, LESS AND EXCEPT that properly described in the following deeds: Warranty Deed to Earnest W. Cardell and Lela S. (Mrs. Ernest W.) Cardell, dated August 25, 1967, recorded in Deed Book 193, Page 361, Right of Way Deed to Department of Transportation dated August 26, 1986, recorded in Deed Book 547, Page 448, and Warranty Deed to the City of Villa Rica, Georgia, a municipal corporation, dated March 5, 1987, recorded in Deed Book 555, Page 131, said Deed records.

Being the same property conveyed from William G. Mitchell, Jr., Executor of the Estate of Inez Williams Mitchell to William G. Mitchell, Jr., Patricia DeWitt and John Mitchell in Executor's Deed of Assent recorded in Deed Book 864, Page 77, in the Office of the Clerk of Superior Court of Carroll County, Georgia.

This conveyance is subject to that conservation easement granted to the Chattahoochee Open Land Trust, Inc. with respect to a portion of the above-described property, said easement being recorded in Deed Book 2083, Page 339, Carroll, Georgia records.

Said property having an address of 63 Goldworth Road, Villa Rica, Georgia 30180

LESS AND EXCEPT:

The commercial, retail, and office lot number RT-015 according to the Engineered Master Plan PP-004, of Avemore Master Planned Community map dated 9/1/2021, being 2.23 acres, more or less.

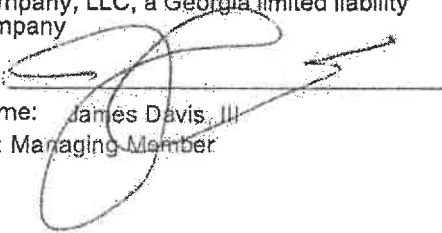
SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 6th day of October, 2023.

Winchester Real Estate Investment
Company, LLC, a Georgia limited liability
company

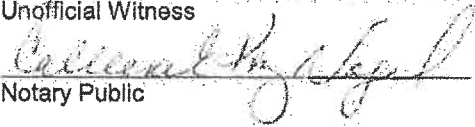
By: 

Name: James Davis, III

Its: Managing Member

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public

My Commission Expires: _____



HARTLEY, ROWE & FOWLER, P.C.

ATTORNEYS AT LAW

JOSEPH H. FOWLER

DIRECT DIAL: 770/920-2001
EMAIL: JFOWLER@HRFLEGAL.COM

12301 VETERANS MEMORIAL HIGHWAY
POST OFFICE BOX 489
DOUGLASVILLE, GEORGIA 30133-0489

TELEPHONE: 770/920-2000
FAX: 770/920-9119

September 30, 2024

Mayor and City Council
City of Villa Rica
1605 Carrollton Villa Rica Highway
Villa Rica, Georgia 3018.

RE: Amendment to Avamore PUD to Add Data Centers as a Permitted Use
Annexation of 204.53 Acres Owned by Jerry Tolbert and 35.03 Acres Owned
by Artesia Capital, LLC

LETTER OF INTENT

Dear Mayor and City Council:

Embry Development Company, LLC is filing the within application to rezone and annex the above properties for the purpose of annexing the Tolbert and Artesia Capital, LLC properties into the City limits of the City of Villa Rica for the purpose of the construction of ~~data centers~~ as shown on the concept plan filed concurrently herewith.

Simultaneously, the application is submitted to amend the Avamore PUD for the purpose of authorizing a data center as a permitted use.

The concept plan is conceptual at this point and is subject to further revisions prior to the final hearing on this project.

Thank you for your attention to this matter.

Respectfully,

HARTLEY, ROWE & FOWLER, P.C.



Joseph H. Fowler

JHF/ses

September 30, 2024

PROPOSED REZONING ON PROPERTY
BY EMBRY DEVELOPMENT, LLC
NOTICE OF CONSTITUTIONAL CHALLENGE

BACKGROUND

C. Jerry Tolbert (“Tolbert”), Artesia Capital, LLC (“Artesia”) and Avemore GA, LLC (“Avemore”) (collectively the “Owners”) are the Owners of land located at Highway 61 and South Van Wert Road in Villa Rica, Georgia (the “Property”). An application for the rezoning from Agricultural (Tolbert and Artesia) and PUD (Avemore) to PUD for data centers was filed by the Embry Development, LLC (the “Applicant”).

PROPOSED USE

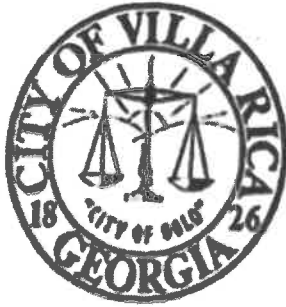
The Applicant proposes to annex and rezone Tolbert and Artesia to PUD and amend the PUD on Avemore for the development of data centers on the Property.

CONSTITUTIONAL REQUIREMENTS

In accordance with the requirements of various Georgia cases, including *OS Advertising Company v. Rubin*, 263 Ga. 761 (1994); *Cobb County Board of Commissioners v. Poss*, 257 Ga. 393 (1987); and *Gradous v. Board of Commissioners*, 256 Ga. 469 (1989), it is hereby submitted that, if not rezoned as requested by this action, the Villa Rica City Zoning Ordinance presently in effect, with any amendments, which prohibits the Project, is unconstitutional in that it renders the Property unusable and destroys its marketability. As such, the current zoning classification constitutes a taking of the Property without just and adequate compensation and without due process of law in violation of the Fourteenth Amendment to the United States Constitution and in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I(a) of the Constitution of the State of Georgia. In this connection, the Applicant contends that to deny the

requested rezoning constitutes an abuse of the police power, in that such denial bears no substantial relation to the public health, safety, morality, or general welfare. Accordingly, such action would constitute a deprivation of Property rights without due process of law. Furthermore, to deny the rezoning results in relatively little gain or benefit to the public while inflicting serious injury or loss on the Applicant and Owners. To this extent, such action is confiscatory and void. The Property is best suited for PUD use, as proposed by the Applicant, and to deny the rezoning renders the Property unusable and destroys its marketability. This is a taking of Property without just compensation and without due process of law. In reality, the denial of the requested rezoning causes a detriment to public good, in that the public can be served by the development proposed by the Applicant given the particular location of this Property.

Accordingly, we respectfully urge your approval of the zoning request.



City of Villa Rica Planning and Zoning Department
1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180
678-785-9995 | www.Villarica.org

Petition Requesting Annexation
City of Villa Rica, Georgia

Annexation Fee- \$700/Parcel

Date: 9-30-2024

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA RICA, GEORGIA:

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Villa Rica, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Villa Rica, Georgia, and the description of such territory is as follows:

Address/Location of Property: 2884 South Van Wert Road

Tax Map Parcel #: 169 0120

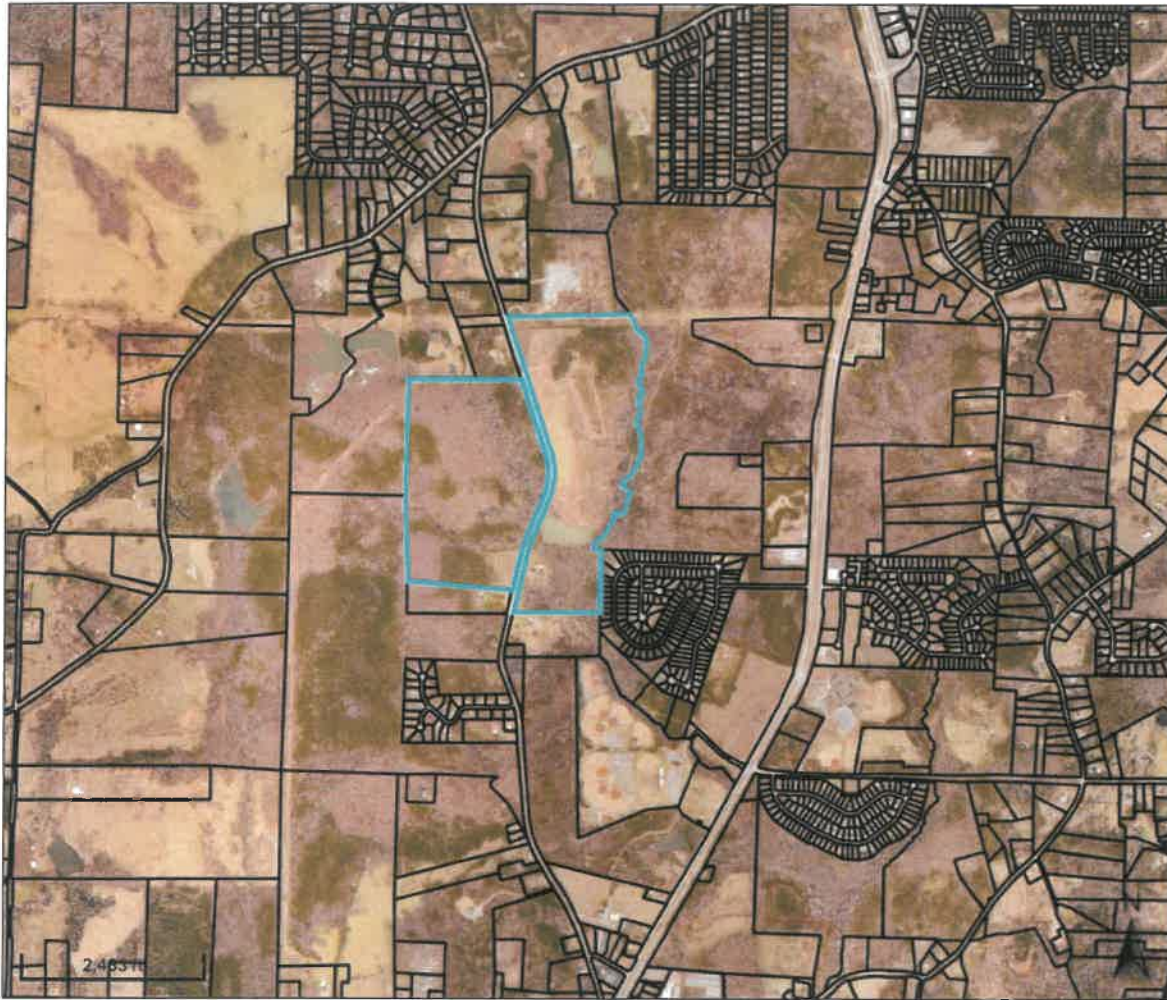
(Please attach legal description of property.)

WHEREFORE, the Petitioner prays that the City Council of the City of Villa Rica, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Villa Rica, Georgia.

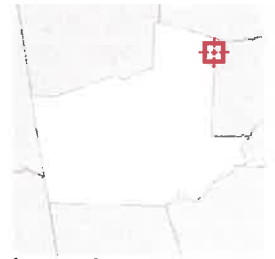
Respectfully submitted,

C. Jerry Tolbert
C. JERRY TOLBERT

Petitioner Mailing Address: 2884 South Van Wert Road, Villa Rica, GA 30180



Overview



Legend

-  Parcels
-  Roads

Parcel ID 169 0120
Class Code Agricultural
Taxing District COUNTY
Acres 204.53

Owner TOLBERT C JERRY-25
 2664 SOUTH VAN WERT RD
 VILLA RICA, GA 30180
Physical Address 2664 S VAN WERT RD
Assessed Value Value \$962946

Last 2 Sales			
Date	Price	Reason	Qual
7/8/2014	\$680	QC	U
11/4/1996	0	LG	U

(Note: Not to be used on legal documents)

Date created: 9/20/2024
 Last Data Uploaded: 9/19/2024 6:08:58 PM

Developed by  **Schneider**
 GEOSPATIAL

343142

BK PG
5343 311

PT-61-022-20 14-002921

CARROLL COUNTY, GA - REAL ESTATE

TRANSFER TAX PD \$ 1.00

INTANGIBLE TAX PD \$ -

DATE 7-10-14

Alan J. Lee Clerk of Superior Court

FILED
GA, CARROLL COUNTY
CLERK SUPERIOR COURT

14 JUL 10 PM 3:55

Alan J. Lee
CLERK SUPERIOR COURT
CARROLL COUNTY GEORGIA

②

PREPARED BY:
PRICE & PYLES, P.C.
Attorneys at Law
120 Dixie Street
Carrollton, Georgia 30117

AFTER RECORDING:
C. Jerry Tolbert
2398 S. Van Wert Road
Villa Rica, GA 30180

QUIT CLAIM DEED

STATE OF GEORGIA, COUNTY OF CARROLL

THIS INDENTURE, Made the 8 day of July, in the year Two Thousand Fourteen (2014) between

SEAN DUNNE

as party or parties of the first part, hereinafter called "Grantor", and

C. JERRY TOLBERT

as party or parties of the second part, hereinafter called "Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of SIX HUNDRED EIGHTY AND FOURTY-NINE/100 (\$680.49) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release and forever quit claim to Grantee all the right, title interest, claim or demand which the Grantor has or may have had in and to the following described real property, to-wit:

All that tract or parcel of land lying and being in Carroll County, Georgia, being in Land Lot 100, 6th District and more particularly described as follows: Beginning on the west right of way of Van Wert Road, at an iron pin, which point is 525 feet, more or less, southeasterly along the west right of way of Van Wert Road from the southeast corner of the property, now or formerly owned by William F. Brown; thence west a distance of 325 feet, more or less, but specifically to the original west line of land lot 100, an iron pin; thence south along said land lot line 200 feet to an iron pin; thence east a distance of 326 feet, more or less, but specifically to the west right of way of Van Wert Road, an iron pin; thence northwesterly along the west right of way of Van Wert Road 200 feet to the point of beginning. This property having situated thereon a four room frame dwelling.

Said property is known as 2479 S. Van Wert Road, Villa Rica, Georgia, 30180, according to the present system of naming and numbering streets and roads and bears the tax identification number 168 0280.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the Grantee, so that neither the said Grantor, nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

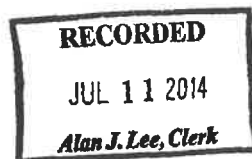
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
in the presence of:


Unofficial Witness


SEAN DUNNE (seal)


Notary Public
My Commission Expires:
(SEAL)



Return to: E. B. Jones, Jr., P. O. Drawer 1100, Bremen, Ga. 30110

QUIT CLAIM DEED

GEORGIA, CARROLL COUNTY

THIS INDENTURE, made and entered into this 4th day of December, 1996, between CHARLES JERRY TOLBERT, of the first part, and NORA C. BOYD, THOMAS EDWARD BOYD, ELZIE SUE BOYD, DANIEL, EDITH W. BOYD, GARNER GREENE, EVELYN BOYD WILLETT, EDNA BOYD JACKSON & ERVIN A. BOYD, their heirs and assigns, of the Second Part,

WITNESSETH:

That the said Party of the First Part, for and in consideration of the sum of ten (\$10.00) dollars, and other valuable considerations, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, by these presents does hereby remise, convey and forever quitclaim unto the said grantee, the following described property, to-wit:

All that tract or parcel of land lying and being in land Lots 94, 93 and 68, 6th District, Carroll County, Georgia, and being described as follows:

Begin at the original northeast corner of Land Lot 93; thence from the Point of Beginning, along the original north land lot line of Land Lot 93 a course of North 88 degrees 11 minutes 39 seconds west 2,098.25 feet to property of Charles Jerry Tolbert; Thence South 00 degrees 05 minutes 33 seconds west 1391.02 feet; thence south 89 degrees 27 minutes 18 seconds west 293.46 feet to an iron pin found; thence south 00 degrees 18 minutes 08 seconds east 2,342.85 feet to an iron pin found; thence north 67 degrees 25 minutes 55 seconds east 642.33 feet; thence north 67 degrees 36 minutes 12 seconds east 306.95 feet; thence north 84 degrees 29 minutes 23 seconds east 403.95 feet to an iron pin found; thence south 26 degrees 08 minutes 52 seconds east 105.57 feet; thence south 56 degrees 48 minutes 10 seconds east 228.16 feet; thence south 64 degrees 06 minutes 23 seconds east 193.81 feet to Georgia Highway 61; thence along the Georgia Highway 61 right of way the following courses and distances: North 28 degrees 51 minutes 58 seconds east 1903.85 feet; thence north 21 degrees 18 minutes 20 seconds east 118.91 feet; north 25 degrees 44 minutes 42 seconds east 269.58 feet; North 14 degrees 21 minutes 46 seconds east 571.40 feet; North 04 degrees 17 minutes 17 seconds east 356.67 feet; North 03 degrees 43 minutes 21 seconds east 460.46 feet; thence leaving the highway right of way north 89 degrees 37 minutes 36 seconds west 589.51 feet to the original west land lot line of Land Lot 94; thence north 00 degrees 28 minutes 56 seconds east 179.14 feet to the Point of Beginning.

Said premises containing 193.20 acres as shown by a plat of survey by Ross A. Lynn, Registered surveyor, No. 2316, for Villa Rica West Corporation, dated September 27, 1996, and recorded in Plat Book 58, page 80, Carroll County deed records, which plat is incorporated herein by reference.

THIS DEED IS EXECUTED TO ESTABLISH THE PROPERTY LINE BETWEEN THE PARTIES.

TO HAVE AND TO HOLD the said tract or parcel of land to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Stacy S. Ziche

Unofficial Witness

Diana M. Steenstra

Notary Public

My Commission Expires:

Notary Public, Carroll County, Georgia
My Commission Expires March 31, 2000

Charles Jerry Tolbert (SEAL)
CHARLES JERRY TOLBERT

RECORDED DEC 12 1996 KENNETH SKINNER, CLERK 954 PAGE 033

742

WARRANTY DEED

PREPARED BY
BONE, VASSY, PYLES & SMITH, P.C.

ATTORNEYS AT LAW
CARROLLTON, GEORGIA 30117

STATE OF GEORGIA, COUNTY OF

CARROLL

THIS INDENTURE, Made the 3rd day of August in the year One Thousand
Nine Hundred and Ninety-one, between Brian Keith Tolbert
of the County of Carroll, and State of Georgia, as party or parties of the first part, hereinafter called
Grantor, and
Charles Jerry Tolbert

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns and to include the masculine, feminine or neuter gender where the context requires or permits).

WITNESSETH, that: Grantor, for and in consideration of the sum of \$1.00 and exchange of property DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

That property described in Exhibit "A" attached hereto which is by reference incorporated herein.

Carroll County, Georgia
Paul Pyle T. Smith To

[Signature]
Aug 6, 1991
[Signature]
Clerk of Superior Court

FILED
GA. CARROLL COUNTY
CLERK - SUPERIOR COURT
1991 AUG -5 AM 11:10
[Signature]
CLERK OF SUPERIOR COURT
CARROLL COUNTY, GEORGIA

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this general warranty deed, the day and year above written.

Signed, sealed and delivered
in the presence of:

No. 1 *[Signature]*
No. 2 *[Signature]*
My Commission Expires *[Signature]*

[Signature]
BRIAN KEITH TOLBERT (SEAL)

(SEAL)

The property conveyed herein is that same property conveyed by Nancy Spence Peters, Executrix of the Last Will and Testament of James Turner Spence, to Annie W. Spence by Executrix's Deed dated February 19, 1985, recorded in Deed Book 489, Pages 463-468, in the Office of the Clerk of Carroll Superior Court;

LESS AND EXCEPT that tract conveyed by Annie W. Spence to Jerry Tolbert by Warranty Deed dated December 4, 1985, recorded in Deed Book 511, Page 267 in the Office of the Clerk of Carroll Superior Court.

PROPERTY ACQUIRED BY JAMES TURNER SPENCE

The following tracts or parcels of land described under subheadings A through C were acquired by James Turner Spence during his lifetime.

A. PROPERTY CONVEYED BY J. G. KNIGHT, JR. AND JAMES TURNER SPENCE, CO-EXECUTORS OF THE ESTATE OF OLLIE LEON SPENCE TO JAMES TURNER SPENCE BY EXECUTORS DEED DATED JUNE 20, 1977, RECORDED ON JUNE 21, 1977 IN DEED BOOK 361, PAGE 6, CARROLL COUNTY PUBLIC REAL ESTATE RECORDS.

All that tract or parcel of land lying and being in the 6th District of Carroll County, Georgia containing 179.32 acres and being more particularly described as follows: Tract I being all of what is known as the "Chambers Place", consisting of 36.94 acres in the northwest corner of Land Lot 125, and 17.27 acres in the northeast corner of Land Lot 124; less 6.04 acres sold to Mrs. J. E. Conner, the part of said tract hereby described containing 48.17 acres, more or less. Also 47 1/2 acres, more or less, on the east side of Land Lot 124 in the 6th District of Carroll County, Georgia, bounded as follows: on the north by property now or formerly owned by J. E. Conner; on the west by property now or formerly owned by J. E. Conner and T. Walker Garrison; on the south by property now or formerly owned by Dr. White; on the east by property now or formerly owned by T. L. Florence and F. M. Chambers.

Tract II being all of what is known as the original J. W. Spence farm, consisting of 36.21 acres in the southwest corner of Land Lot 125. Also 94.94 acres being the western portion of Land Lot 100, said Tract II containing 131.15 acres, more or less. Said 179.32 acres lying in one body and more fully described by plat of survey of said lands, prepared by G. R. Cook, County Surveyor, on November 28, 1938.

Tract III: All that tract or parcel of land, lying and being in Land Lots 101 and 124 in the 6th District, Carroll County, Georgia and being more fully described as: Beginning at a point on the west line of Land Lot 101, which is 973 feet north of the southwest corner of Land Lot 101, and running thence due east 3000 feet to the east line of Land Lot 101; thence north along said east line 1037 feet to the land of R. F. Spence; thence due west to west line of Land Lot 101; thence south along west line to the point of beginning. There is excepted a church light which faces the west line of Land Lot 101, and which is 210 feet by 210 feet square with established corners. Also a tract of land in the shape of a right triangle located at the northeast corner of Land Lot 101 and the southeast corner of Land Lot 124 and described as follows: Beginning at a point on the east line of Land Lot 124, which point is 457 feet north of the southeast corner of said lot; and from said beginning point, run south 88 degrees west to the public road; thence in a southeasterly

direction along the public road a distance of 1050 feet, more or less, to a point where said road intersects the east line of Land Lot 101; thence north 448 feet to the northeast corner of Land Lot 101; thence continuing north along the east line of Land Lot 124 a distance of 457 feet to the point of beginning.

There is excepted and excluded from the above described property that certain property described in deeds from O. L. Spence to various and sundry persons, recorded in Carroll County Public Records, as follows: Deed Book 195, Page 5; Deed Book 229, Page 323; Deed Book 265, Page 172; Deed Book 268, Page 76; Deed Book 270, Page 57; Deed Book 271, Page 232; Deed Book 273, Page 209; Deed Book 285, Pages 3, 4, 39; Deed Book 285, Page 399; Deed Book 291, Page 320; Deed Book 249, Page 237; Deed Book 308, Page 335; Deed Book 318, Page 18; Deed Book 322, Pages 577 and 664; Deed Book 328, Page 33; Deed Book 333, Page 561; Deed Book 343, Page 786; and Deed Book 344, Page 115.

Also excluded from this conveyance is a 5-acre tract of land, having situated thereon a two-bedroom frame dwelling house containing approximately 1200 square feet of floor space deeded to Nancy Spence Peters on June 20, 1977 and recorded on June 1, 1977 in Deed Book 361, Page 8 of Carroll County Public Real Estate Records.

B. REAL PROPERTY CONVEYED BY O. L. SPENCE TO JAMES TURNER SPENCE, DECEDENT, ON MAY 15, 1974, RECORDED ON APRIL 7, 1975 IN DEED BOOK 328, PAGE 33, CARROLL COUNTY PUBLIC REAL ESTATE RECORDS.

All that tract or parcel of land situate, lying and being in the County of Carroll and State of Georgia, being in Land Lot 101 of the 6th District of Carroll County, Georgia, more particularly described as: Beginning at the northeast corner of Land Lot 92, which is also the southeast corner of Land Lot 101, 6th District, Carroll County, Georgia; thence north along the east line of Land Lot 101 a distance of 628.7 feet, more or less, to an iron pin; thence west parallel to the south line of Lot 101 a distance of 1500 feet, more or less, but specifically to the centerline between the west half and the east half of Lot No. 101; thence south along said centerline a distance of 628.7 feet, more or less, to the south line of Lot 101; thence east along the south line a distance of 150 feet, more or less, to the point of beginning. Also: beginning on the west right of way of Van Wert Road where the north line of Land Lot 92 intersects said road; thence west along said north line to the centerline between the east half and the west half of Land Lot 92; thence south along said line a distance of 800 feet, more or less, but specifically to the property line of H. L. Campbell, Sr.; thence east along the Campbell property line to Van Wert Road and a metal pin; thence northeasterly along the west right of way of Van Wert Road to the point of beginning.

The Seller guarantees a road right of way through the above parcel of land off Land Lot 92 to the west half of Land Lot 92. The right of way shall be 30 feet wide if privately maintained and 70 feet wide if county or publicly maintained.

C. CONVEYED BY O. L. SPENCE TO J. T. SPENCE ON NOVEMBER 18, 1967 AND RECORDED ON DECEMBER 20, 1967 IN DEED BOOK 188, PAGE 240, CARROLL COUNTY PUBLIC REAL ESTATE RECORDS.

All that tract or parcel of land situate, lying and being in the County of Carroll, State of Georgia, and being in the 6th District and 5th Section of Carroll County, Georgia, a part of original Land Lot No. 93 and more particularly described

as follows: being 30 acres, more or less, and bounded on the west by Van Wert Road; on the south by Homer Campbell; on the east by Bruce Boyd; on the north by O. L. Spence on the west side of said tract.

The said tract being the same as deeded to Glenn Gayes by U. R. Brannon, December 16, 1953 and corrected by Deed dated January, 1954 and recorded in Deed Book 700, Page 604, in the Office of the Clerk of Superior Court, Carroll County, Georgia.

REAL PROPERTY CONVEYED BY JAMES TURNER SPENCE,
DURING HIS LIFETIME

The following tracts or parcels of land described under subheadings D through F are excepted from the above-described property in that the following tracts were conveyed away by James Turner Spence, during his lifetime.

D. PROPERTY CONVEYED BY J. T. SPENCE, TO EARL S. MARTIN ON SEPTEMBER 16, 1972, RECORDED ON OCTOBER 2, 1972 IN DEED BOOK 277, PAGE 400 OF THE CARROLL COUNTY PUBLIC REAL ESTATE RECORDS.

All that tract or parcel of land situate lying and being in the County of Carroll, State of Georgia and being that tract or parcel of land lying and being in Land Lot 93 of the 6th District of Carroll County, Georgia. Beginning at the southwest corner of the north half of Land Lot 93 at an iron pin; thence east along the centerline between the north half and the south half of said Lot 93 771 feet to an iron pin; thence north 585.75 feet to an iron pin; thence west parallel to the south line 971 feet to the original west line of Land Lot 93; thence south along said line 585.75 feet to an iron pin and the point of beginning.

E. REAL PROPERTY CONVEYED BY JAMES TURNER SPENCE TO CHARLES JERRY TOLBERT ON DECEMBER 12, 1978, BY WARRANTY DEED RECORDED ON DECEMBER 13, 1978 IN DEED BOOK 384, PAGE 559, CARROLL COUNTY PUBLIC REAL ESTATE RECORDS.

All that tract or parcel of land lying and being in Land Lot 100 in the 6th District, Carroll County, Georgia and as fully shown and delineated on a plat recorded in Plat Book 19, Page 8 in the Office of the Clerk of Superior Court, Carroll County, Georgia and being more particularly described by metes and bounds as follows: beginning at the northwest corner of Land Lot 100 and running southerly for a distance of 141.46 feet to a point; thence north 89 degrees 8 minutes 38 seconds east for a distance of 119.04 feet to an iron pin which is the point of beginning; thence north 89 degrees 8 minutes 38 seconds east for a distance of 1167.88 feet to an iron pin; thence north 89 degrees 8 minutes 38 seconds east for a distance of 10 feet to the centerline of a creek; thence along the meanderings of the creek for a distance of 436.77 feet to a point; thence south 89 degrees 8 minutes 38 seconds west for a distance 10 feet to an iron pin; thence 89 degrees 8 minutes 38 seconds west for a distance of 1253.26 feet to an iron pin; thence north 18 degrees 20 minutes 37 seconds west for a distance of 385 feet to an iron pin which is the point of beginning. Said tract containing 10.29 acres, more or less.

Also all that tract or parcel of land lying and being in Land Lots 100 and 101 in the 6th District of Carroll County, Georgia and as fully shown and delineated on a plat recorded in Plat Book 19, Page 8 in the Office of the Clerk of the Superior Court of Carroll County, Georgia and being more particularly described by metes and bounds as follows: beginning at the northwest corner of Land Lot 100 and running southerly for a

distance of 141.46 feet to a point; thence north 89 degrees 8 minutes 38 seconds east for a distance of 119.04 feet to an iron pin; thence south 18 degrees 20 minutes 37 seconds east for a distance of 385 feet to an iron pin which is the point of beginning; thence north 89 degrees 8 minutes 38 seconds east for a distance of 1253.26 feet to an iron pin; thence north 89 degrees 8 minutes 38 seconds east for a distance of 10 feet to the centerline of a creek; thence along the meanderings of the creek for a distance of 553.79 feet to a point; thence south 80 degrees 48 minutes 45 seconds west for a distance of 1328.32 feet to an iron pin on the east right of way of Van Wert Road; thence north 16 degrees 59 minutes 34 seconds west along the east right of way of Van Wert Road for a distance of 253.18 feet to a point on right of way; thence north 18 degrees 4 minutes 25 seconds west along the east right of way of Van Wert Road for a distance of 513.30 feet to an iron pin; thence north 89 degrees 8 minutes 38 seconds east for a distance of 400 feet to an iron pin which is the point of beginning. Said tract containing 22 acres, more or less.

F. PROPERTY CONVEYED BY JAMES TURNER SPENCE TO REBECCA R. KNIGHT ON AUGUST 12, 1977 BY WARRANTY DEED RECORDED MAY 8, 1978 IN DEED BOOK 374, PAGE 723, CARROLL COUNTY, GEORGIA PUBLIC REAL ESTATE RECORDS.

All that tract of land lying and being in Land Lots 100 and 101 of the 6th District, Carroll County, Georgia and being more particularly described as follows: beginning at a Georgia Power right of way concrete marker on the easterly side of Van Wert Road at the southwest corner of Render Crook property and thence running south 19 degrees 58 minutes east 385 feet; thence north 87 degrees 45 minutes east 400 feet; thence north 19 degrees 58 minutes west 385 feet; thence south 87 degrees 45 minutes west 400 feet to the point of beginning.

This Deed was re-recorded to correct a Warranty Deed previously recorded on April 27, 1978 in Deed Book 374, Page 244, Carroll County Public Real Estate Records.

REAL PROPERTY CONVEYED BY ANNIE W. SPENCE

G. The following tract or parcel of land is excepted from this conveyance in that the following tract was conveyed by Annie W. Spence to Jerry Tolbert by Warranty Deed dated the 4th day of December, 1985 and recorded in Deed Book 511, Page 267 in the Office of the Clerk of Carroll Superior Court.

All the tract or parcel of land lying and being in Land Lot 100 of the 6th District, Carroll County, Georgia, and being that 49.24 acre tract shown and delineated on that plat of survey captioned "Jerry Tolbert", prepared by Crawford-Williams Associates, Inc., Douglas C. Crawford, Registered Land Surveyor No. 1833, dated 11-27-85, recorded in Plat Book 28, Page 17, in the Carroll County Public Real Estate Records, said plat and the record thereof are by reference incorporated herein.

H. That property conveyed to Teddy Williamson recorded in Deed Book 633, page 239, and shown in Plat Book 36, page 132, Carroll County, Georgia Public Records.

The purpose of this deed is to convey any and all remaining property owned by James Turner Spence at the time of his death or by the estate of James Turner Spence thereafter or Annie W. Spence and Nancy S. Peters, a/k/a Nancy Harper. Also, specifically conveyed herein is the remainder/reversionary interest in that property conveyed by deed of gift for a life estate to Georgia D. Geter, said deed recorded in Deed Book 322, page 577. It is specifically understood that all remainder/reversionary interest are conveyed by the estate of O.L. Spence and the estate of James Turner Spence to the Grantee herein.

RECORDED AUG 07 1981 KENNETH SKINNER, CLERK



PROPERTY TAX
CARROLL COUNTY, GEORGIA

Tax Payer: TOLBERT C JERRY-25
Map Code: 1690120
Description: 2-HSES/ACC/204.53 AC S VAN WERT RD
Location: 2664 S VAN WERT RD
Bill No: 2023-48641
District: 002 CARROLL COUNTY

Building Value	Land Value	Acres	Market Value	Due Date	Billing Date	Payment Good Through	Exemption
\$185,871	\$609,732	204.53	\$795,603	12/11/2023	9/20/2024	10/14/2024	L4, LF, S4

Entity	Market Value	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	HTRG Credit	NetTax
STATE TAX	\$795,603	\$318,242	-\$10,000	\$308,242	0.0000	\$0.00			\$0.00
COUNTY M&O	\$795,603	\$318,242	-\$170,063	\$148,179	10.2160	\$1,513.80		-\$183.89	\$868.43
SALES TAX ROLLBACK	\$795,603	\$318,242	-\$170,063	\$148,179	-3.5450		-\$525.29	\$63.81	
COUNTY SCHOOL M&O	\$795,603	\$318,242	-\$318,242	\$0	17.0000	\$0.00		\$0.00	\$0.00
					23.6710	\$1,513.80	-\$525.29	-\$120.08	\$868.43

Current Taxes Due: \$868.43
Penalty: \$0.00
Interest: \$0.00
Other Fees: \$0.00
Previous Payments: \$868.43
Back Taxes: \$0.00
TOTAL DUE: \$0.00

LAST PAYMENT DATE
12/8/2023
PAID BY JERRY
TOLBERT

[illegible]

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 49 348 FEET AND AN ANGULAR ERROR OF 00 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

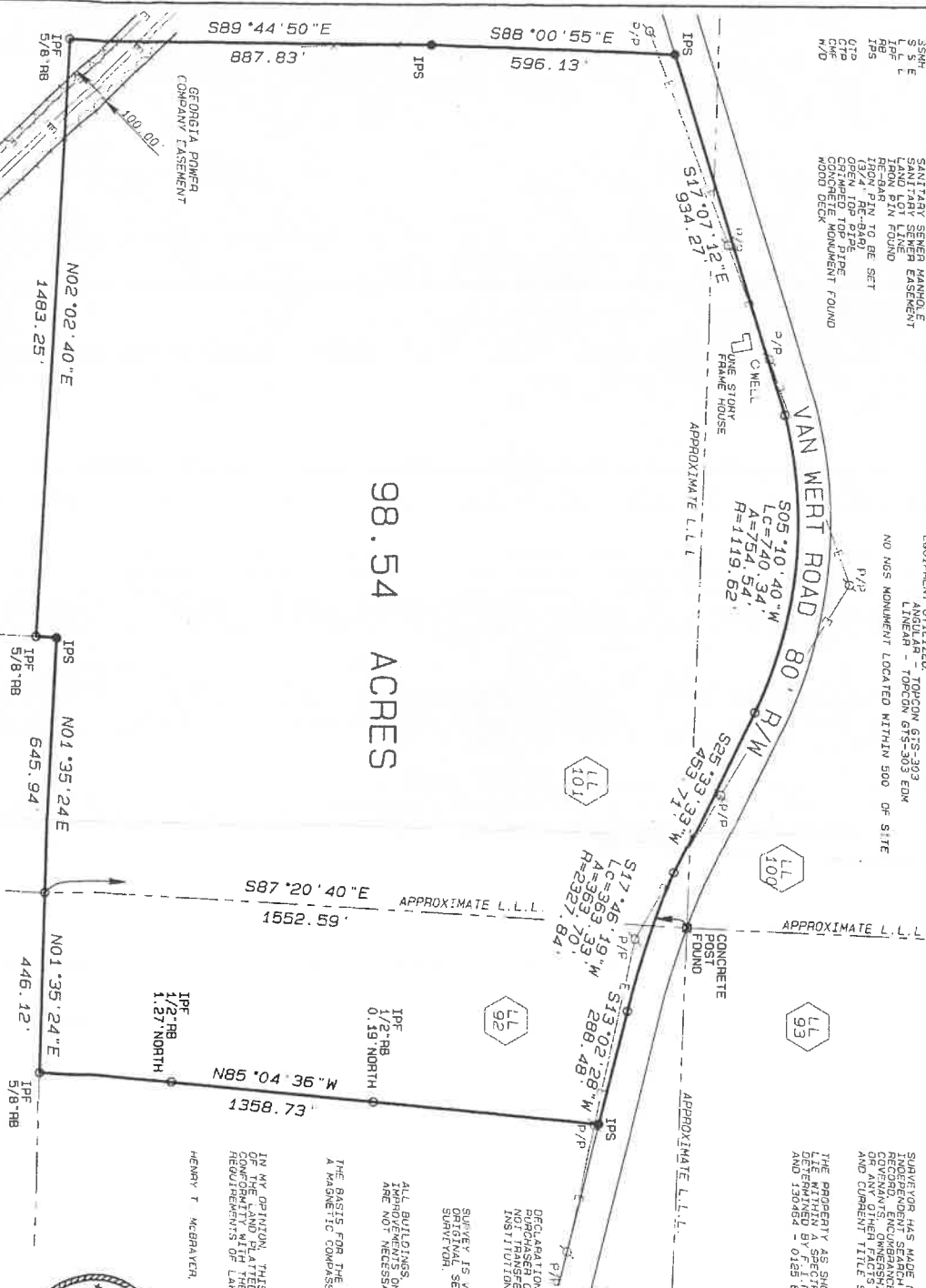
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE APPROPRIATE WITHIN ONE FOOT IN 725,191 FEET.

LINEAR - TOPCON GTS-303 EDM
NO NGS MONUMENT LOCATED WITHIN 500 OF SITE

SURVEYOR HAS MADE NO INVESTIGATION OR
INDEPENDENT SEARCH FOR EASEMENTS OF
RECORD, ENCUMBRANCES, RESTRICTIVE
COVENANTS, OWNERSHIP TITLE EVIDENCE
OR ANY OTHER FACTS THAT AN ACCURATE
AND CURRENT TITLE SEARCH MAY DISCLOSE

THE PROPERTY AS SHOWN ON THIS PLAT DOES NOT
LIE WITHIN A SPECIFIC FLOOD HAZARD AREA AS
DETERMINED BY F.I.R.M. MAP #'s 130464 -
AND 130464 - 0125 B. 0050 B

98.54 ACRES



SURVEY IS VALID ONLY IF PRINT HAS
IMPROVED SEAL AND STIGMATURE OF
SURVEYOR.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

ALL BUILDINGS, AND SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON.

THE BASIS FOR THE DIRECTIONS SHOWN HEREON IS
A MAGNETIC COMPASS BEARING

IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW

HENRY T MCBRAVER, GA. P.L.S. #2570



NO	REVISION	CKD	DATE

PROJECT NUMBER	02-022
DRAWN BY	CHECKED BY
APS	HTM
ISSUE DATE	04/29/02
FILE NUMBER	

PLAT OF SURVEY
FOR

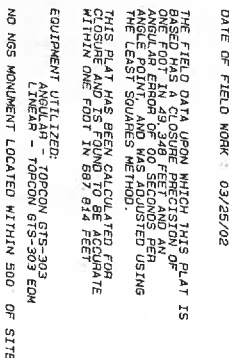
CHARLES JERRY TOLBERT

LAND LOTS 92, 100 & 101.

6th DISTRICT

CARROLL COUNTY, GA

GeoCom Surveying, Inc.
2339 HAYS MILL ROAD
CARROLLTON, GA 30117
(770) 830-1997



SURVEYOR HAS MADE NO INVESTIGATION OR RESEARCH TO IDENTIFY OR ASCERTAIN THE RELEVANT, DISSEMINABLE, OR SIGNIFICANT FACTS THAT AN ACTUALLY AND CURRENTLY TITLE SEARCH MAY DISCLOSE.

DECLARATION IS MADE TO ORIGINAL SURVEYOR THAT THE INFORMATION IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

THE PROPERTY AS SHOWN ON THIS PLAT DOES NOT
LIE WITHIN A SPECIFIC FLOOD HAZARD AREA AS
DETERMINED BY F.I.R.M. MAP #'S 130454 -
130454 - 0125 B, 0050 E

EXCEPTS SPECIFICALLY STATED OR SHOWN ON THIS PLAN. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE INTERESTS OTHER THAN POSSIBLE EASEMENTS THAT ARE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY: UNLAWFUL ENCLAVEMENTS; RESTRICTIVE COVENANTS; LINDENBLOK LINES; BEST PRACTICE CONDITIONS; AND/OR OTHER FACTORS THAT REGULATE AND CURRENT TITLE SEARCH MAY DISCLOSE

ALL BUILDINGS, AND SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON.

THE BASIS FOR THE DIRECTIONS SHOWN HEREON IS A MAGNETIC COMPASS BEARING.

IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

HENRY T. MCBRAVER, GA R L S #2570

[illegible]

PROJECT NUMBER		02-022
DRAWN BY	CHECKED BY	
APS	HTM	
ISSUE DATE		04/29/02
FILE NUMBER		
DRAWING NUMBER		
1 OF 1		

PLAT OF SURVEY
FOR
CHARLES JERRY TOLBERT

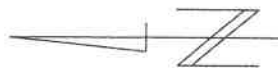
LAND LOTS 92 & 93

6th DISTRICT.

CARROLL COUNTY, GA

GeoCom Surveying, Inc.
2339 HAYS MILL ROAD
CARROLLTON, GA 30117
(770) 830-1997

- 1 S 12° 40' 31" W 64.53'
- 2 S 14° 03' 45" W 74.78'
- 3 S 24° 46' 08" W 51.92'
- 4 S 69° 40' 24" W 36.06'
- 5 S 70° 04' 55" W 21.32'
- 6 S 04° 56' 11" E 53.95'
- 7 S 04° 56' 11" E 54.43'
- 8 S 42° 48' 01" W 55.91'
- 9 S 30° 41' 17" W 50.04'
- 10 S 75° 02' 21" W 62.08'
- 11 S 85° 38' 34" W 75.30'
- 12 S 46° 54' 31" W 50.57'
- 13 S 20° 54' W 40.38'
- 14 S 04° 54' 24" E 40.38'



49.24 ACS.

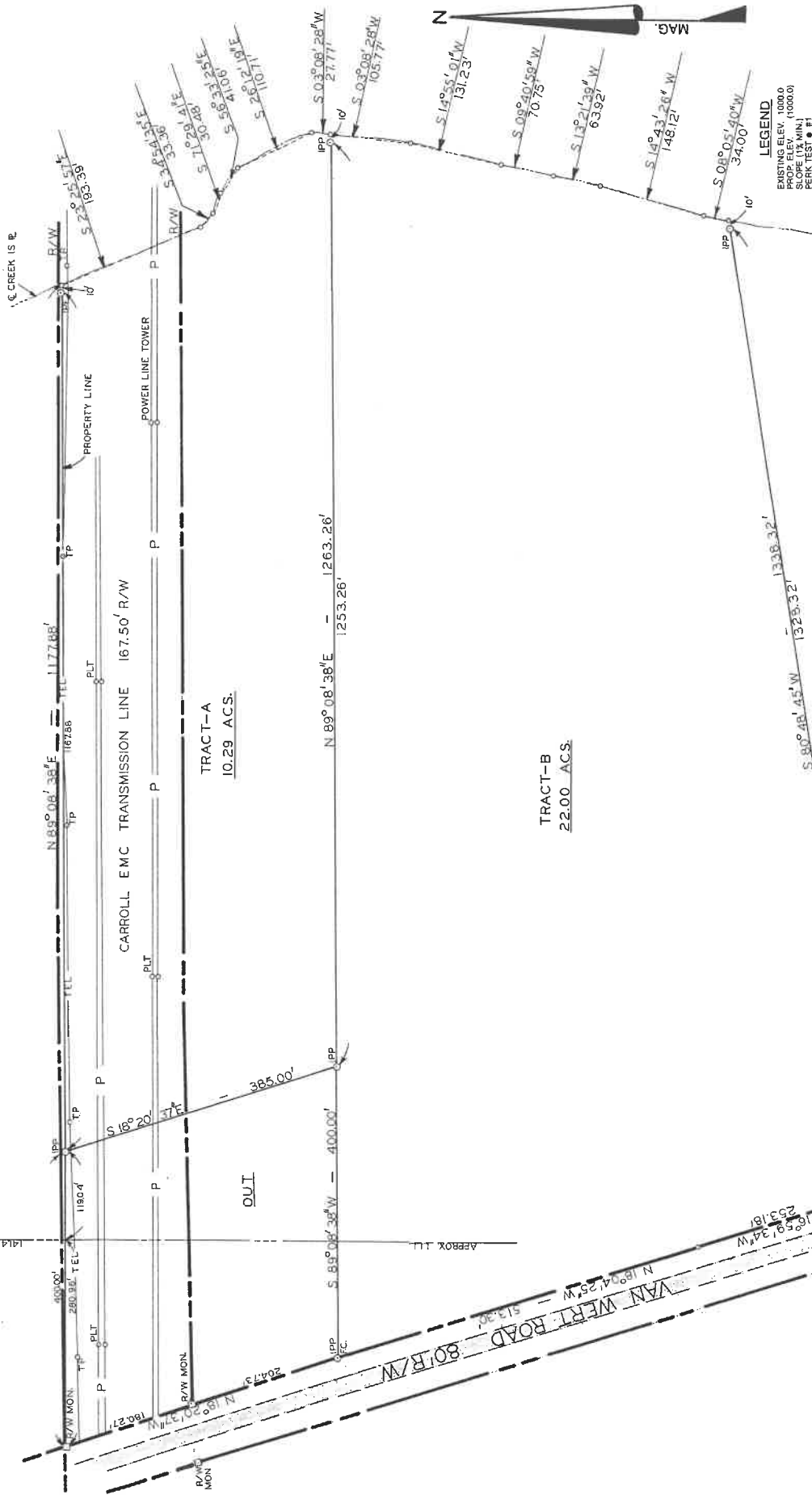
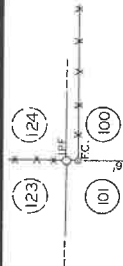
In my opinion, this is a correct representation of the land plotted and has been prepared in conformity with the minimum standards and requirements of law.



Douglas C. Crawford
Douglas C. Crawford
No. 1833 Douglas C. Crawford

CRAWFORD-WILLIAMS ASSOC., INC.
ENGINEERING-LAND PLANNING & SURVEYING
219 BANKHEAD AVE.
CARROLLTON, GEORGIA 30117
(404) 834-4694

JERRY TOLBERT	
SCALE: 1"=200'	APPROVED BY:
DATE: 11-27-85	DRAWN BY: MT
REVISED:	
LOCATED IN LL 100 DIST. 6 SECTION 5	
CARROLL COUNTY GEORGIA	
DRAWING NUMBER	
F.B. 173 p. 48 JOB NO. 851119	
3-85-138	



In my opinion, this is a correct representation of the land plotted and has been prepared in conformity with the minimum standards and requirements of law.

Deborah C. Crawford
 6th Reg. L.S. #1233 Douglas C. Crawford



PROPERTY SURVEY FOR

JERRY TOLBERT

LOCATED IN LL 1003.101
 DISTRICT 6
 CARROLL COUNTY
 DATE 12-8-78
 SCALE: 1"=100'

THIS PLAT HAS BEEN CALCULATED BY LATITUDES AND DEPARTURES AND HAS AN ERROR OF CLOSURE OF 1/16,6956'

CRAWFORD-WILLIAMS ASSOCIATES, INC.
 ENGINEERING-LAND SURVEYING & PLANNING
 201 TANNER STREET
 CARROLLTON, GEORGIA 30117
 TEL. 834-1754

RECORD DESCRIPTIONS OF VESTING LANDS

TRACT I: All that tract or parcel of property lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as all that property shown as Tracts A, B and the "OUT" parcel depicted on that certain survey entitled "Property Survey for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded in Plat Book 19, Page 8, in the Office of the Clerk of Superior Court of Carroll County, Georgia, and which plat and record thereof are incorporated herein for a more complete and particular description of said tract.

LESS AND EXCEPT: (Deed 4906-90 COCC Tract I excepted and extent of property of the same description as that in Deed 4906-86 COCC quoted below)

TRACT II: All that tract or parcel of property lying and being in Land Lot 100 of the 6th District of Carroll County, Georgia, and being more particularly described as that certain tract shown on that plat entitled "Plat for Jerry Tolbert" prepared by Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, which plat is recorded at Plat Book 28, Page 25, in the Office of the Clerk of Superior Court of Carroll County, Georgia, which plat and record thereof are incorporated herein for a more complete and particular description of said property.

TRACT III: All that tract or parcel of property lying and being in Land Lots 92, 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located at the Northeast corner of Land Lot 101, that being also the Northwest corner of Land Lot 92; thence running in a Southerly direction along the Eastern Land Lot Line of Land Lot 101, that being the Western Land Lot Line of Land Lot 92 with a bearing of N 87 degrees 20 minutes 40 seconds West 1,552.59 feet to the TRUE POINT OF BEGINNING; thence running North 01 degrees 35 minutes 24 seconds East 645.94 feet; thence running North 88 degrees 00 minutes 45 seconds West 49.32 feet; thence running North 02 degrees 02 minutes 40 seconds East 1,483.25 feet; thence running South 89 degrees 44 minutes 50 seconds East 887.83 feet; thence running South 88 degrees 00 minutes 35 seconds East 356.13 feet to an iron pin which is located on the Westerly right of way of Van Wert Road; thence continuing along the Westerly right of way of Van Wert Road South 17 degrees 07 minutes 12 seconds East 934.27 feet; thence continuing along such right of way in an arc with a bearing of South 05 degrees 10 minutes 40 seconds West a chord of 740.34 feet, a distance of 754.54 feet, and a radius of 1,119.62 feet; thence continuing along such right of way South 25 degrees 33 minutes 33 seconds West 453.71 feet; thence continuing along such right of way in an arc with a bearing of South 17 degrees 46 minutes 19 seconds West a chord of 363.33 feet, a length of 363.70 feet, and a radius of 2,327.84 feet; thence continuing along such right of way South 13 degrees 02 minutes 28 seconds West a distance of 288.48 feet; thence running North 85 degrees 04 minutes 36 seconds West 1,358.73 feet; thence running North 01 degrees 35 minutes 24 seconds East 446.12 feet to the True Point of Beginning.

TRACT IV: All that tract or parcel of property lying and being in Land Lots 92 and 93 of the 6th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located at the Northwestern corner of Land Lot 93, which is also the Northeastern corner of Land Lot 92, which is the TRUE POINT OF BEGINNING; thence running South 88 degrees 17 minutes 28 seconds East 918.78 feet; thence running South 01 degrees 26 minutes 33 seconds West 886.62 feet; thence running North 89 degrees 17 minutes 00 seconds West 1,102.92 feet to an iron pin located on the Easterly right of way of Van Wert Road; thence continuing in a Northerly direction along such right of way North 13 degrees 08 minutes 21 seconds East 609.09 feet; thence continuing along such right of way in an arc with a bearing of North 16 degrees 18 minutes 33 seconds East a chord of 236.33 feet, a distance of 236.44 feet, and a radius of 2,247.84 feet to the concrete post which is the True Point of Beginning.

(Tracts I - IV per Deed 4906-90 COCC)

And Also:

All that tract or parcel of land lying and being in Carroll County, Georgia, being in Land Lot 100, 6th District and more particularly described as follows: Beginning on the west right of way of Van Wert Road, at an iron pin, which point is 525 feet, more or less, southeasterly along the west right of way of Van Wert Road from the southeast corner of the property, now or formerly owned by William F. Brown; thence west a distance of 325 feet, more or less, but specifically to the original west line of land lot 100, an iron pin; thence south along said land lot 100 feet to an iron pin; thence east a distance of 326 feet, more or less, but specifically to the west right of way of Van Wert Road, an iron pin; thence northwesterly along the west right of way of Van Wert Road 200 feet to the point of beginning. This property having situated thereon a four room frame dwelling.

(This tract conveyed to Tolbert by Deed 5343-311 COCC is said to be "Tax Parcel 168 0280" which does not exist on County Tax Maps. Description does not contain sufficient information to accurately place relative to other lands surveyed herein, but is said to lie within Land Lot 100 and west of South Van Wert Road, which would lie within TRACT III above. Survey found no dwelling of any kind standing on the West Side of South Van Wert Road within surveyed property.)

And Also:

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 6th District of Carroll County, Georgia, and being more particularly described as follows: Beginning at an iron pin located on the Northeastern Land Lot corner of Land Lot 101, which is also the Northwestern Land Lot corner of Land Lot 100; thence running South along the Eastern Land Lot Line of Land Lot 101 and the Western Land Lot Line of Land Lot 100 a distance of 141.46 feet; thence running South 89 degrees 8 minutes 38 seconds West a distance of 280.96 feet to a right of way monument located on the Eastern right of way of Van Wert Road; thence running in a Southerly direction along the right of way of Van Wert Road South 18 degrees 20 minutes 37 seconds East 180.27 feet; thence continuing along the right of way along the same bearing an additional 204.73 feet to an iron pin which is the TRUE POINT OF BEGINNING; thence running North 89 degrees 08 minutes 38 seconds East a distance of 831.50 feet; thence running South 18 degrees 20 minutes 37 seconds East 710.00 feet; thence running South 80 degrees 48 minutes 45 seconds West to an iron pin on the Southerly right of way of Van Wert Road; thence running North 16 degrees 59 minutes 34 seconds West 253.18 feet along the right of way of Van Wert Road and continuing North 18 degrees 04 minutes 25 seconds West 513.30 feet along such right of way to the point which is the True Point of Beginning. Such property being a portion of that tract shown as Tract B on a certain plat recorded in Plat Book 19, Page 8, Carroll County Public Deed Records. (Deed 4906-86 COCC)

Deeds 4906-86 and 4906-90 COCC are Deeds from C. Jerry Tolbert to C. Jerry Tolbert. See Survey Note 2 for list of Deeds by Which Tolbert originally acquired said Lands.

SURVEYOR'S DESCRIPTIONS

New descriptions provided to describe the property relative to Georgia West State Plane Coordinate System (See Note #1), and to provide descriptions necessary for planned conveyances (See Note #19)

SURVEY TRACT ONE

Land Located in Land Lot 92, 93 & 100, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deed Book 4906, Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

COMMENCE at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC; Thence along a Chord Tie Line having a Bearing of S 49°03'39" W, a distance of 838.37 feet to a Capped Iron Rod (set) which is the POINT OF BEGINNING;

Thence N 82°16'43" W, along a new Line, a distance of 410.75 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road; Thence N 12°06'08" E, along said Right-of-Way Line, a distance of 253.72 feet; Thence continuing along said Right-of-Way Line and with a curve to the right with an arc length of 279.25 feet, with a radius of 2,574.54 feet, with a chord bearing of N 15°12'34" E, with a chord length of 279.11 feet to a Capped Iron Rod set; Thence N 88°03'05" E, leaving said Right-of-Way Line and along a new Line, a distance of 406.59 feet to a Capped Iron Rod set;

Thence S 12°06'08" W, along a new Line, a distance of 599.76 feet to the POINT OF BEGINNING.

Said tract contains 5.27 Acres, more or less.

SURVEY TRACT THREE

Land Located in Land Lots 92, 100 & 101 6th District, Carroll County, Georgia. Being the property of C. James Tolbert of record in Tract III of Deed Book 4906, Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

BEGINNING at an Iron Rod found in the Western Right-of-Way of South Van Wert Road at the Northeast Corner of the property of record in Plat Book 36, Page 275, COCC, same being the Southeast Corner of the property described herein;

Thence N 86°05'32" W, along the North Line of said Plat Book 36, Page 275, COCC, a distance of 1,358.74 feet to a Capped Iron Rod found, the Southwest Corner of the property described herein; Thence N 00°39'32" E, along the East Line of the property of record in Plat Book 94, Page 152, COCC, a distance of 1,091.83 feet to an Iron Rod found; Thence N 89°06'49" W, a distance of 49.46 feet to an Iron Rod found at a Southeast Corner of the property of record in Deed Book 6117, Page 517, COCC;

Thence N 01°05'34" E, along the East line of said property, a distance of 1,482.89 feet to an Iron Rod found, the Northwest Corner of the property described herein; Thence N 89°17'28" E, along a South Line of the property of record in said Deed Book 6117, Page 517, COCC a distance of 887.83 feet to an Iron Rod found; Thence N 89°17'28" E, along the South Line of the property of record in Deed Book 328, Page 258, COCC, a distance of 590.37 feet to a Capped Iron Rod set in the Western Right-of-Way of South Van Wert Road; Thence along said Right-of-Way Line the following courses and distances:

Thence S 18°34'32" E, a distance of 69.68 feet; Thence S 17°29'41" E, a distance of 253.15 feet; Thence S 18°31'52" E, a distance of 556.53 feet; Thence with a curve to the right with an arc length of 927.59 feet, with a radius of 1,134.49 feet, with a chord bearing of S 04°53'32" W, with a chord length of 901.97 feet; Thence with a curve to the left with an arc length of 751.18 feet, with a radius of 2,654.54 feet, with a chord bearing of S 20°12'32" W, with a chord length of 748.67 feet; Thence S 12°06'08" W, a distance of 255.27 feet to the POINT OF BEGINNING.

Said tract contains 98.59 Acres, more or less.

SURVEY TRACT TWO

Land Located in Land Lots 92, 93 & 100 & 101, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Tract IV of Deeds: Book 4906, Page 86 & Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West State Plane Coordinate System, North American Datum of 1983, as follows:

BEGINNING at a Concrete Monument found at the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 89, Page 180, COCC;

Thence along the Western Lines of aforesaid Subdivision the following Courses and Distances:

Thence S 00°19'10" W, a distance of 134.93 feet to an Iron Rod found; Thence S 00°30'23" W, a distance of 189.74 feet to an Iron Rod found; Thence S 00°25'28" W, a distance of 155.38 feet to an Iron Rod found; Thence S 00°46'00" W, a distance of 71.75 feet to an Iron Rod found; Thence S 00°26'28" W, a distance of 70.03 feet to an Iron Rod found; Thence S 00°07'21" E, a distance of 69.89 feet to an Iron Rod found; Thence S 00°39'16" W, a distance of 70.00 feet to an Iron Rod found; Thence S 02°00'38" W, a distance of 44.75 feet to an Iron Rod found; Thence S 89°53'22" W, leaving said Subdivision Line and along the South Line of said property of Tolbert, a distance of 1,100.57 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road; Thence N 12°06'08" E, along said Right-of-Way, a distance of 321.52 feet to a Capped Iron Rod set; Thence S 82°16'43" E, leaving said Right-of-Way Line and along a new Line, a distance of 410.75 feet to a Capped Iron Rod set;

Thence N 12°06'08" E, along a new Line, a distance of 599.76 feet to a Capped Iron Rod set;

Thence S 88°03'05" W, along a new Line, a distance of 406.59 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road;

Thence along said Right-of-Way Line the following courses and distances:

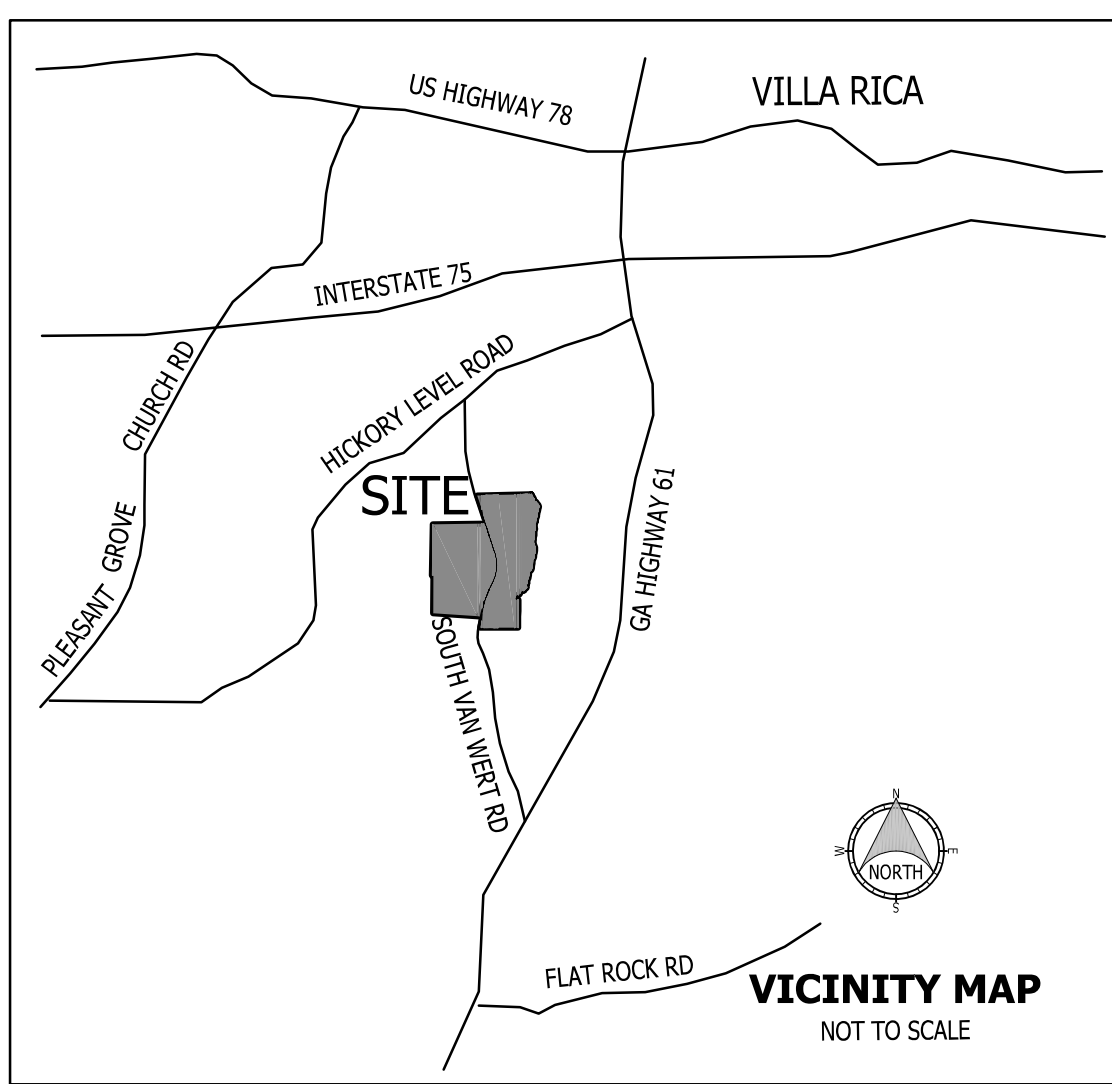
Thence with a curve to the right with an arc length of 449.29 feet, with a radius of 2,574.55 feet, with a chord bearing of N 23°18'58" E, with a chord length of 448.72 feet; ; Thence with a curve to the left with an arc length of 993.00 feet, with a radius of 1,214.49 feet, with a chord bearing of N 04°53'32" E, with a chord length of 965.57 feet; Thence N 18°31'52" W, a distance of 555.81 feet; Thence N 17°29'41" W, a distance of 253.18 feet; Thence N 18°34'32" W, a distance of 513.30 feet; Thence N 18°50'44" W, a distance of 204.73 feet; Thence N 18°50'44" W, a distance of 180.27 feet;

Thence N 88°24'35" E, a distance of 1,568.86 feet to a point in the Centerline of a Creek; Thence following the centerline of said Creek for a distance of 3,119 feet, more or less, said course subtended by a chord line having a bearing of S 08°48'44" W, a distance of 3,099.55 feet; Thence N 88°29'30" E, leaving said Creek and along the South Line of the property of record in Deed Book 6194, Page 537, COCC, a distance of 101.22 feet to an Iron Rod found to the POINT OF BEGINNING.

Said tract contains 97.88 Acres, more or less.

NOTES

- NORTH ARROW IDENTIFICATION: Georgia West Plane Coordinate System, NAD 83 (CORS), established by GPS Survey relative to the Continuously Operating Reference Station Network managed by the US National Geodetic Survey. The subject property is surveyed relative to the Georgia West State Plane Coordinate System to provide a current, consistent and accurately reproducible survey of the property. (Previous record descriptions depended on orientations of unspecified origin). Differences in bearings between this survey and previous record descriptions are thus deemed not significant by the Surveyor.
- SURVEYED PROPERTY: Carroll County, Georgia, Tax Parcel 169 0120, being property of Charles Jerry Tolbert, being a portion of the property of record in Deed: Book 4906, Page 86 & Page 90, said lands originally conveyed to Tolbert in Deeds: Book 384, Page 559, Book 511, Page 267, Book 708-742, and Book 4689, Page 89, Clerk's Office, Carroll County, Georgia, (COCC). This Boundary portion of this survey is a retracement of the property as described by the conveyance deeds and according to previous surveys of record in Plats as referenced herein, and according to monuments found consistent with said previous survey plats. The Right-of-Way of South Van Wert Road is 80 feet wide according to Record Plats (including Plats: 19-8, 28-17, 36-132, 56-275, COCC) and per County Maps. Current property of Tolbert as described by Deeds 4906-86 & 4906-90 exclusive of said Right-of-Way.
- Boundary along Creek Centerline: The East Line of "SURVEY TRACT TWO" is the centerline of the Creek, according to Plat Book 28, Page 17, COCC. Creek centerline is shown according to the current survey. Boundaries which are defined by water courses are subject to change over time by natural factors.
- Easements are shown according to instruments of record as noted hereon.
- ALTA TABLE A Item 1: Monuments at corners of Surveyed Property found or set as shown hereon.
- ALTA TABLE A Item 2: 2654 South Van Wert Road, Villa Rica, GA. 30180.
- ALTA TABLE A Item 3: A portion of the property lies in Special Flood Hazard Area Zone A. Extent shown according to FEMA FIRM Panels: 1304SC0154D, dated 09-19-2007. No Flood Certification or Flood Elevation Survey was performed.
- ALTA TABLE A Item 4: As shown hereon.
- ALTA TABLE A, Item 8: Substantial fixed improvements located and shown hereon.
- ALTA TABLE A Item 9: Survey observed no parking lots or regions in which specific parking spaces were delineated with striping or signage.
- ALTA TABLE A Item 10: Survey observed no "party walls" or walls which would determine property boundaries.
- ALTA TABLE A Item 11 (a): No Utility Plans were provided or supplied.
- ALTA TABLE A Item 13: Names of adjoining owners as shown hereon.
- ALTA TABLE A Item 17: No information was supplied or found which would suggest any proposed changes to streets or Rights-of-Way.
- ALTA TABLE A Item 18: Title Examination did not list instruments which describe offsite easements relating to the property.
- WETLANDS: No Wetlands delineations or markings were found on surveyed property in the course of Survey.
- No evidence of any Cemetery, burial site, isolated grave or markers for same were observed on surveyed property during the survey.
- At the time of this survey, the surveyed property is a composite of tracts conveyed in deeds as referenced above, which describe a continuous extent of land (now divided by Right-of-Way as noted above). Plats PB 19-8 and 28-17 COCC record certain portions of this land, but no forward conveyances were found in respect of the surveyed property. Lines between separate Deeds are shown hereon for reference. Internal lines between the separate tracts of Deed 708-742 COCC are not surveyed herein.
- Part of the purpose of this survey is to describe portions of the property in terms directed by the client, for use in future conveyances. By itself, this survey does not convey any lands, and does not create any divided tracts or lots. Applicable Deeds must be recorded, and County may require a Record Plat, which would require County Review and certifications which are not part of an ALTA/NSPS Survey.
- Survey Tracts One, Two and Three front directly upon the Public Right-of-Way of South Van Wert Road, as shown hereon. Each Survey Tract has direct potential access to the Public Right-of-Way. ("Access" herein denotes that the applicable Right-of-Way Line forms a boundary line of



GEORGIA SURVEYOR'S CERTIFICATION

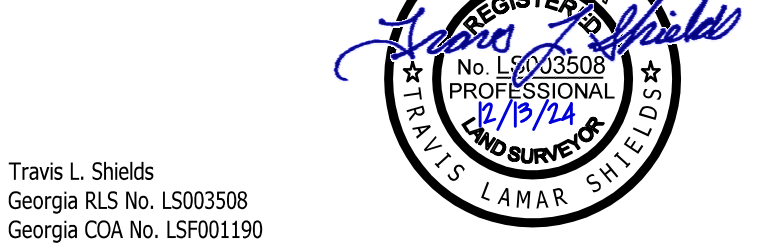
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are dated hereon. RECORDATION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

ALTA/NSPS CERTIFICATION

To: (i) Avemore GA, LLC; (ii) Old Republic Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 8, 9, 10, 11(a), 13, 17, 18 & 19 of Table A thereof. The fieldwork was completed on 12-13-2024.

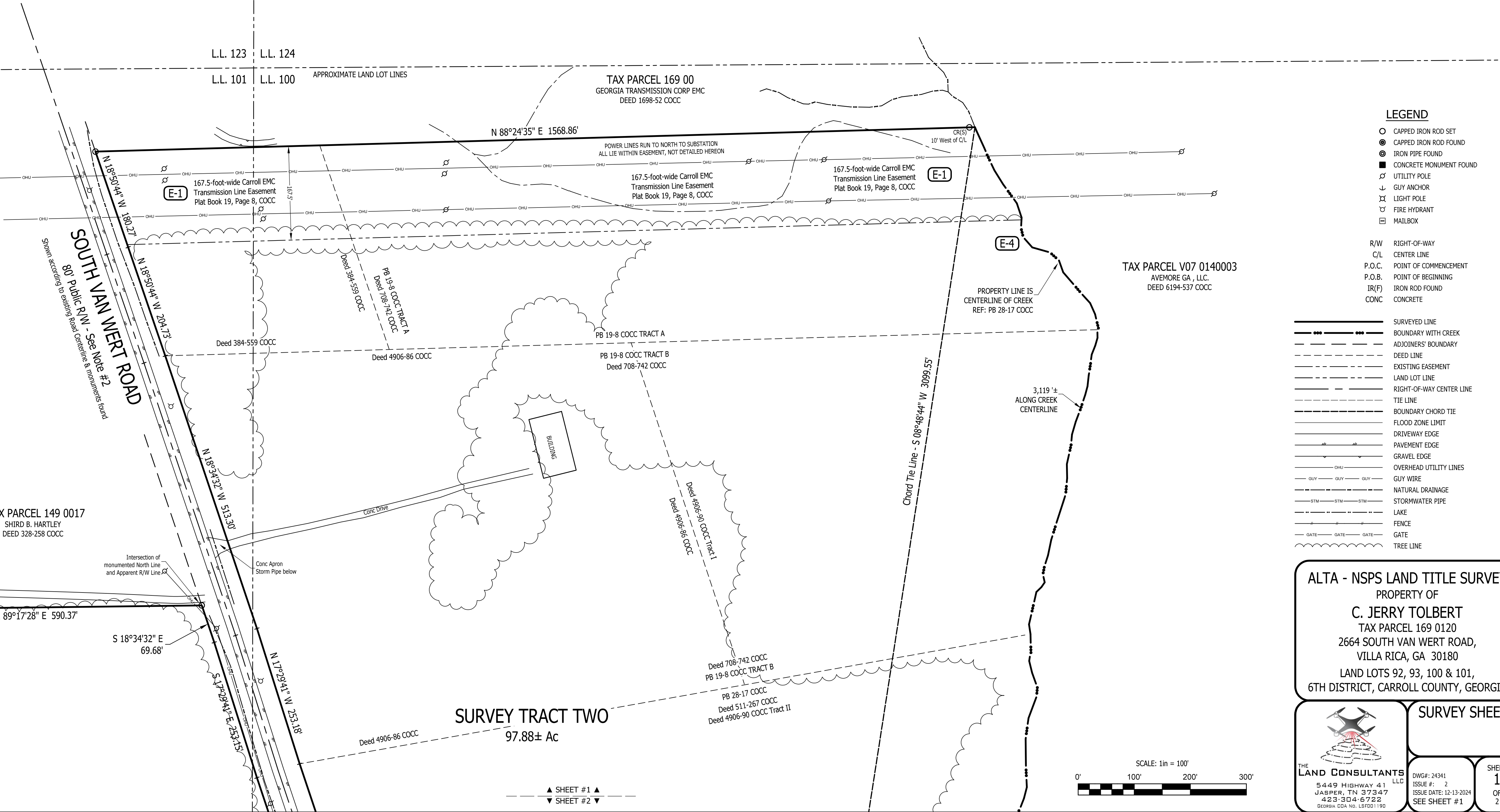
Date of Plat or Map: 12-13-2024



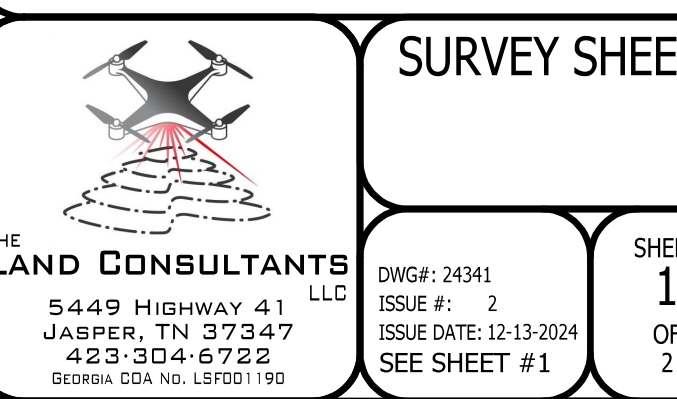
Travis L. Shields
Georgia RLS No. 15003508
Georgia CDA No. 15701190

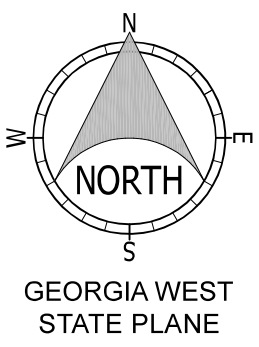
SURVEY ISSUE DATA

#	DETAILS	DATE	DRAWN	APP
1	Original Survey Issue	12-13-2024	MB	TLS
2	Survey Tract One & Two Revised	12-13-2024	MB	TLS



ALTA - NSPS LAND TITLE SURVEY
PROPERTY OF
C. JERRY TOLBERT
TAX PARCEL 169 0120
2664 SOUTH VAN WERT ROAD,
VILLA RICA, GA 30180
LAND LOTS 92, 93, 100 & 101,
6TH DISTRICT, CARROLL COUNTY, GEORGIA





TAX PARCEL 149 0035
DANIEL CHRISTNER
DEED 6117-517 COCC

N 01°05'34" E 1482.89'
T-POSTS FOUND ON OR ALONG LINE

Deed 4906-90 COCC Tract III
SURVEY TRACT THREE
98.59± Acres

N 89°06'49" W
49.46'
49.32' DEED

5/8in IR(F)
at T-Post

T-POSTS FOUND ON OR ALONG LINE

1092.06 DEED
N 00°39'32" E 1091.83'

TAX PARCEL 150 0025
GREEN TREE GROUP, LLC.
DEED 4458-179 COCC
PLAT 94-152 COCC

APPROXIMATE LAND LOT LINES

5/8in IR(F)
at T-Post

TAX PARCEL 150 0057
ERIC S. MITCHELL
DEED 5725-207 COCC
PLAT 36-275 COCC

T-POSTS FOUND ON OR ALONG LINE

5/8in IR(F)

L.L. 101

L.L. 100

L.L. 93

L.L. 92

Gravel Apron
Storm Pipe below

APPROXIMATE LAND LOT LINES

Wood Split rail fence

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Building

Wood Split rail fence

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Storm Pipe below

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Wood Split rail fence

APPROXIMATE LAND LOT LINES

Gravel Apron
Storm Pipe below

APPROXIMATE LAND LOT LINES

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City of Villa Rica Planning and Zoning Department

1605 Carrollton Villa Rica Hwy | Villa Rica, Ga 30180

678-785-9995 | www.Villarica.org

Petition Requesting Annexation City of Villa Rica, Georgia

Annexation Fee- \$700/Parcel

Date: 9-24-2024

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA RICA, GEORGIA:

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Villa Rica, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Villa Rica, Georgia, and the description of such territory is as follows:

Address/Location of Property: Hickory Level Road

Tax Map Parcel #: 168 0090

(Please attach legal description of property.)

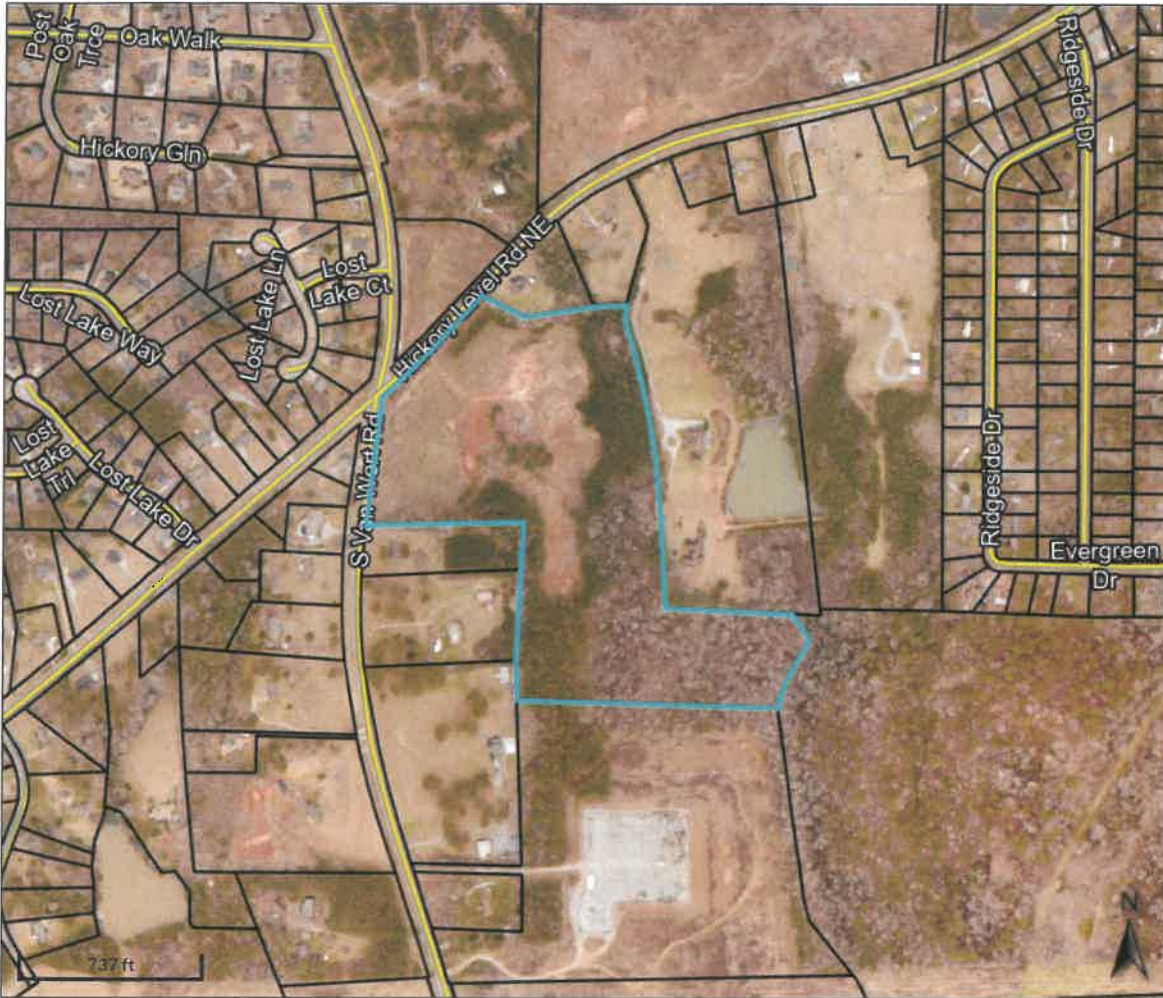
WHEREFORE, the Petitioner prays that the City Council of the City of Villa Rica, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Villa Rica, Georgia.

Respectfully submitted,

Jeff R. Matthews Member

ARTESIA CAPITAL, LLC
JEFF R. MATTHEWS, MEMBER

Petitioner Mailing Address: P.O. Box 324, Villa Rica, GA 30180



Overview



Legend

-  Parcels
-  Roads

Parcel ID	168 0090	Owner	MATTHEWS BRENDA M (LIFE ESTATE)	Last 2 Sales			
Class Code	Consv Use		P O BOX 324	Date	Price	Reason	Qual
Taxing District	COUNTY		VILLA RICA, GA 30180	12/27/2022	0	LE	U
Acres	35.03	Physical Address	HICKORY LEVEL RD	12/31/2007	0	CD	U
		Assessed Value	Value \$340952				

(Note: Not to be used on legal documents)

Date created: 9/20/2024

Last Data Uploaded: 9/19/2024 6:08:58 PM

Developed by  **Schneider**
GEOSPATIAL

eFiled and eRecorded
DATE: 12/28/2022
TIME: 12:16 PM
DEED BOOK: 6131
PAGE: 49 - 52
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 0460724183
PT61: 022-2022-007367
RECORDED BY: SM
CLERK: Alan J. Lee
Carroll County, GA

WARRANTY DEED
WITH RESERVATION OF LIFE ESTATE

STATE OF GEORGIA,
COUNTY OF CARROLL

THIS INDENTURE made this 27th day of DEC, 2022, between **Brenda M Matthews aka Mrs. Jeff R Matthews**, of the county of Carroll, state of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Artesia Capital, LLC, a Georgia limited liability company**, as parties of the second part, hereinafter called Grantees (the words "Grantor" and Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, as joint tenants and not as tenants in common, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion and to their heirs and assigns of said survivor, the following described property:

Exhibit A

GRANTOR HEREIN RESERVES UNTO HERSELF A LIFE ESTATE IN THE ABOVE DESCRIBED PROPERTY, AND SAID GRANTOR SHALL HAVE THE RIGHT OF POSSESSION AND OCCUPANCY OF THE LAND AND ALL STRUCTURES SITUATED THEREON THE EXCLUSION OF ALL OTHERS FOR AND DURING HER NATURAL LIFE.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

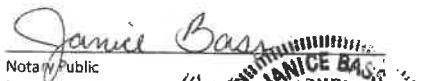
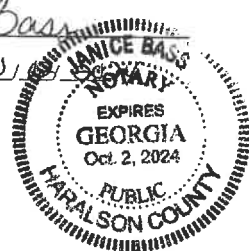
TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:


Witness


Notary Public
My Commission Expires 10/2/2024



Brenda M Matthews (SEAL)

Exhibit A (page 1)

Tract 1

ALL OF Assessor Tax Parcel 073 – 0014 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 197 of the 10th District of Carroll County, Georgia, as being shown and delineated as a 22.765 acre tract on a plat entitled "Gwynne D Maurer & A Clark Robinson" dated April 1971, prepared and certified by Wyman C Hudson, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 12, Page 68, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

Tract 2

ALL OF Assessor Tax Parcel 121 0004 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 234 and 235 of the 6th District of Carroll County, Georgia, as being shown and delineated as Tract 3 on a plat entitled "Delta Corporation" dated May 6, 1982, prepared and certified by Ian M Bragg, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 23, Page 15, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

Tract 3

ALL OF Assessor Tax Parcel 121 0013 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 247 of the 6th District of Carroll County, Georgia, and being more particularly described as follows: BEGINNING at a concrete monument located at the southwest corner of Land Lot 247, said point being the common corner of Land Lots 234, 235, 246, and 247; running thence north 0 degrees 22 minutes along the west line of Land Lot 247 a distance of 2,751.5 feet to a rock located at the northwest corner of Land Lot 247; running thence South 87 degrees 51 minutes east along the north line of Land Lot 247 a distance of 766.91 feet; running thence South 27 degrees 48 minutes 55 seconds east a distance of 209.79 feet; running thence south 25 degrees 19 minutes 51 seconds east a distance of 164.09 feet to an iron pin; running thence south 87 degrees 51 minutes east 1,111 feet to an iron pin set on the west right of way of Detweiler RD (30 foot right of way); running thence north 25 degrees 19 minutes 51 seconds west a distance of 164.09 feet; running thence north 27 degrees 48 minutes 55 seconds west a distance of 209.79 feet to an iron pin set at the intersection of the west right of way of Detweiler Road and the north line of Land Lot 247; running thence south 87 degrees 51 minutes east along the north line of Land Lot 247 a distance of 1,115.97 feet to a concrete monument located at the northeast corner of Land Lot 247; running thence south 0 degrees 22 minutes east along the east line of Land Lot 247 a distance of 3,651.64 feet to a concrete monument located at the southeast corner of land lot 247; running thence north 89 degrees 4 minutes west along the south line of Land Lot 247 a distance of 2,991.75 feet to a concrete monument and the point of beginning. Said tract being 174.25 acres more or less.

Tract 4

ALL OF Assessor Tax Parcel 122 0004 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 202 of the 6th District of Carroll County, Georgia, as being shown and delineated as a 36.95 acre tract on a plat entitled "Brenda M Matthews" dated January 13, 2021, prepared and certified by Lester E Bell, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 107, Page 241, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

Tract 5

ALL OF Assessor Tax Parcel 122 0006 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lots 182, 183, and 202 of the 6th District of Carroll County, Georgia, as being shown and delineated as a 32.22 acre tract on a plat entitled "Jeff R Matthews" dated July 11, 2018, prepared and certified by Lester E Bell, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 106, Page 191, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

Tract 6

ALL OF Assessor Tax Parcel 122 0022 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 215 of the 6th District of Carroll County, Georgia, as being shown and delineated as a 55.84 acre tract on a plat entitled "Brenda M Matthews" dated September 2, 2016, prepared and certified by Lester E Bell, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 102, Page 80, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

Tract 7

ALL OF Assessor Tax Parcel 127 0070 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 56 of the 6th District of Carroll County, Georgia, and being more particularly described as follows: BEGINNING at a rock corner located 1,395.11 feet south 0 degrees 37 minutes 53 seconds west from the intersection of Land Lots 56, 57, 73, and 72; running thence north 88 degrees 17 minutes 53 seconds west a distance of 1,322.43 feet to an iron pin; running thence south 0 degrees 37 minutes 53 seconds west a distance of 225.43 feet to an iron pin found on the north right of way of Sand Hill Hickory Level Road; running thence along the north right of way of Sand Hill Hickory Level Road a distance of 1,555 feet more or less to the intersection of the east line of Land Lot 56 and the north right of way of Sand Hill Hickory Level Road also being the southeast corner of a 15 foot ingress egress easement; running thence north 0 degrees 1 minute 56 seconds west along the east line of Land Lot 56 a distance of 1,145 feet more or less the a rock corner and point of beginning. Said tract being 20 acres more or less.

The above property being a portion of the property described in the deed from Jeff R Matthews to Brenda M Matthews dated October 14, 1991, and recorded in Deed Book 716 Page 232, in the Office of the Clerk of the Superior Court of Carroll County, Georgia.

Exhibit A (page 2)

Tract 8

ALL OF Assessor Tax Parcel 139 0011 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 72 of the 4th District of Carroll County, Georgia, as being shown and delineated as a 63.73 acre tract on a plat entitled "Estate of Edwin R Kenny Sr." dated March 25, 2008, prepared and certified by Lane S Bishop, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 93, Page 234, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

Tract 9

ALL OF Assessor Tax Parcel 139 0013 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lots 57 and 72 of the 4th District of Carroll County, Georgia, as being shown and delineated as tracts 1, 2, 3, and Georgia Power Easement on a plat entitled "Southern Crossroads Inc." dated December 14, 1981, prepared and certified by Ian M Bragg, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 22, Page 250, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property. Said tracts being a total acreage of 71.28 more or less.

Tract 10

ALL OF Assessor Tax Parcel 152 0006 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lots 26 of the 6th District of Carroll County, Georgia, as being shown and delineated as tracts 1, 2, and 3 on a plat entitled "Kenneth E Smith, Melvin H Norton, & Tommy C Muse" dated July 23, 1987, prepared and certified by Douglas C Crawford, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 32, Page 152, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property. Said tracts being a total acreage of 118.95 acres more or less.

Tract 11

ALL OF Assessor Tax Parcel 152 - 0009 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 27 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: To find the point of beginning commence at the intersection of the east land lot line of said land lot 27 and the north right of way of Hominy Creek Road; thence running in a westerly direction along said right of way 1320 feet more or less to the point of beginning; thence continuing along said right of way 210 feet more or less; thence leaving said right of way and running due north 210 feet more or less; thence east parallel to said right of way 210 feet more or less; thence south 210 feet more or less to the point of beginning. Said tract being 1 acre more or less.

Tract 12

ALL OF Assessor Tax Parcel 152 - 0017 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 27 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: Beginning at an iron pin 1,477.33 feet south 88 deg 48 min 56 sec west from the northeasterly corner of Land Lot 27 being the common land lot corner of Land Lots 27, 28, 37, and 38; running thence south 1 deg 13 min 52 sec west a distance of 469.5 feet more or less to a point marked by an iron pin; running thence south 77 deg 40 min 24 sec east a distance of 978.33 feet more or less to an iron pin. Running thence south 1 deg 20 min 31 sec east a distance of 120.31 feet more or less to a point on the north right of way of Garst Road; running thence west along the north right of way of Garst Road a distance of 105 feet more or less to a point on the east line of a 3.04 acre tract; running thence north 5 deg 24 min west a distance of 108.44 feet more or less to a 1 inch rod; running thence north 85 deg west a distance of 395.13 feet more or less to a 1 inch rod; running thence south 2 deg 34 min 35 sec west a distance of 410.23 feet more or less; running thence in a northeast direction along the centerline of a creek ditch a distance of 457.67 feet more or less to an iron pin; running thence north 5 deg 24 min west a distance of 101.56 feet more or less to the south right of way of Garst Road; running thence along the south right of way of Garst Road a distance of 373 feet more or less to the north west corner of the tract deeded to Willis by Monroe; running thence south 46 min 13 sec west a distance of 300 feet more or less to an iron pin; running thence along the line of Willis to a point on the north line of a 19.36 acre tract; running thence south 88 deg 52 min 9 sec west a distance to an iron pin; running thence west a distance of 1,440 feet more or less to the A. J. Garst corner; running thence south to the north right of way of Hominy Creek Road; Running thence along the north right of way of Hominy Creek Road a distance of 1,360 feet more or less to the original west line of Land Lot 27; running thence north along the west line to the northwest corner of Land Lot 27 being the common land lot corner of Land Lots 27, 26, 38, and 39; running thence east along the north line of Land Lot 27 to the point of beginning.

TOGETHER WITH ALL THAT TRACT or parcel of land lying and being in Land Lot 6 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: Being all of Land Lot number 6 of the 6th District of Carroll County, Georgia, lying north and west of State Route No 61 and west of Brooks Road.

LESS AND EXCEPTED from the above described property are the following three tracts:

That part of said lot deeded to Wallis by Willis in Deed Book 36, Page 321; that one acre tract deeded to Fowler by Brooks in Deed Book 420, page 147; That 26 acre tract deeded to West Georgia Memorial Park by Brenda M Matthews in Deed Book 1083, page 81.

TOGETHER WITH ALL THAT TRACT or parcel of land being one half acre, more or less, being in Land Lot 7 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: beginning at the southeast corner of Land Lot 7 and running along the south line the distance of one acre; thence north a distance of one half acre; thence east to the east lot line; thence south along the lot line to the point of beginning.

Exhibit A (page 3)

Tract 13

ALL OF Assessor Tax Parcel 152 – 0188 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 27 of the 6th District of Carroll County, Georgia, as being shown and delineated as a 19.36 acre tract on a plat entitled "Property Survey For Harvey Willis" dated March 28, 1977, prepared and certified by Douglas C Crawford, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 15, Page 368, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

LESS AND EXCEPT: That property conveyed to Leah M Johnson by a deed dated March 11, 2016, and recorded at Deed Book 5453, Page 245, in the Office of the Clerk of the Superior Court of Carroll County, Georgia, said tract being 4 acres.

Tract 14

ALL OF Assessor Tax Parcel 152 – 0202 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 27 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: Commencing at the A.J. Garst corner and running south to the original line; thence east along the original line and the north right of way of Hominy Creek Road a distance of 1,440 feet more or less to a point; thence north to A.J. Garst line; thence west along said line to starting point to include forty acres.

Tract 15

ALL OF Assessor Tax Parcel 152 – 0203 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 6 of the 6th District of Carroll County, Georgia, as being shown and delineated as a 4 acre tract on a plat entitled "Brenda M Matthews" dated September 1, 2021, prepared and certified by Lester E Beil, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 107, Page 695, Carroll County Public Records. Said plat and the record thereof are each by reference incorporated herein and made a part thereof for a more complete and accurate description of said property.

 Tract 16

ALL OF Assessor Tax Parcel 168 – 0090 in the year 2021

ALL THAT TRACT or parcel of land lying and being in Land Lot 124 and 125 of the 6th District of Carroll County, Georgia, as being more particularly described as follows: Beginning at the intersection of the south right of way of Hickory Level Road (60 foot) and the east right of way of Van Wert Road (80 foot) running south 6 degree 16 minutes 6 seconds west a distance of 504.9 feet to an iron pin and rock corner; running thence North 87 degrees 41 minutes 55 seconds west a distance of 621.5 feet to an iron pin; running thence south 2 degrees 7 minutes 27 seconds west a distance of 210 feet to an iron pin; running thence south 1 degrees 45 minutes 7 seconds west to the Georgia Transmission Corporation line; running thence east along the Georgia Transmission Corporation line to a branch and the Michell line; running thence north along the branch to a point; running thence north 85 degrees 5 minutes 36 seconds west a distance to an iron pin; running thence north 4 degrees 2 minutes 18 seconds west a distance of 652.7 feet; running thence north 11 degrees 20 minutes 10 seconds west a distance of 148.3 feet; running thence north 15 degrees 9 minutes 17 seconds west a distance of 350.15 feet to an iron pin; running thence north 12 degrees 33 minutes 37 seconds east a distance of 252.03 feet to an iron pin; running thence south 86 degrees 51 minutes 29 seconds west a distance of 214.35 feet to an iron pin; running thence north 11 degrees 46 minutes 19 seconds west a distance of 214.35 more or less to an iron pin on the south right of way of Hickory Level Road; running thence southwest a distance of 1,082 feet more or less to the point of beginning.

LESS AND EXCEPT: That property conveyed to Nailley by a deed dated January 5, 1983, and recorded at Deed Book 445, Page 129, in the Office of the Clerk of the Superior Court of Carroll County, Georgia, said tract being 2 acres.

ALSO LESS AND EXCEPT: A portion of that property conveyed to Tomlinson by a deed dated November 15, 1990, and recorded at Deed Book 683, Page 406, in the Office of the Clerk of the Superior Court of Carroll County, Georgia.



PROPERTY TAX
CARROLL COUNTY, GEORGIA

Tax Payer: MATTHEWS BRENDA M (LIFE ESTATE)
Map Code: 1680090
Description: V/35.03 AC HICKORY LEVEL RD
Location: 0 HICKORY LEVEL RD
Bill No: 2023-30665
District: 002 CARROLL COUNTY

Building Value	Land Value	Acres	Market Value	Due Date	Billing Date	Payment Good Through	Exemption
\$0	\$272,762	35.03	\$272,762	12/11/2023	9/20/2024	10/14/2024	SV

Entity	Market Value	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	HTRG Credit	NetTax
STATE TAX	\$272,762	\$109,105		\$109,105	0.0000	\$0.00			\$0.00
COUNTY M&O	\$272,762	\$109,105	-\$99,228	\$9,877	10.2160	\$100.90			\$65.89
SALES TAX ROLLBACK	\$272,762	\$109,105	-\$99,228	\$9,877	-3.5450		-\$35.01		
COUNTY SCHOOL M&O	\$272,762	\$109,105	-\$99,228	\$9,877	17.0000	\$167.91			\$167.91
					23.6710	\$268.81	-\$35.01	\$0.00	\$233.80

Current
Taxes Due: \$233.80
Penalty: \$0.00
Interest: \$0.00
Other Fees: \$0.00
Previous
Payments: \$233.80
Back Taxes: \$0.00
TOTAL DUE: \$0.00

LAST PAYMENT DATE
12/6/2023
PAID BY Fortner
Dianne



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Resolution of Support – 2025 RAISE Grant Program Application and 20% Match Commitment

AGENDA DATE: January 14, 2025

DATE PREPARED: December 27, 2024

PREPARED BY: Diana DeSanto

AMOUNT: \$19,128,206

GL ACCOUNT #: N/A

FUNDING SOURCE: 20% 2022 Carroll County SPLOST

BUDGETED ITEM? Partial

PUBLIC HEARING: N/A

PURPOSE: Resolution of Support for the 2025 RAISE Grant Program Application and 20% Match Commitment for the Villa Rica Transportation Reunification Program – Punkintown Road Realignment and Upgrades.

BACKGROUND: The US Department of Transportation has released a Notice of Funding Availability for the 2025 RAISE Grant Program – a beneficiary of congressional infrastructure bill passed in 2021. The City of Villa Rica has several transportation infrastructure projects to include the North Bypass, Fortune Parkway, the Villa Rica Parkway Connector, and Punkintown Road, all identified as priorities in the Villa Rica Transportation Reunification Program.

The Villa Rica Transportation Reunification Program was established to reunify the roadway networks between downtown Villa Rica, The Cleghorn and Anderson community, Mirror Lake Community, and the industrial district located on the western termini of the North Bypass. Punkintown is a critical linkage between these roadway network segments and is in desperate need of rebuilding. Preliminary engineering and cost analysis have been completed for this roadway improvement project.

The Transportation Reunification Program will greatly enhance the city's crosstown transportation network, linking areas to the west in Carroll County to the eastern area of the city located in Douglas County. This upgraded roadway network will improve equity of access, reduce trip miles, and promote environmental resiliency.

The first round of awards for the 2025 RAISE Grant Applications will be based upon 2024 RAISE Grant applications that received a high merit score but were not considered for funding in 2024. The City of Villa Rica did not apply in 2024; however, we are eligible for a second round of consideration. The City's application includes merit criteria focused on safety, environmental sustainability, quality of life, community connectivity, economic opportunity and innovation.

The RAISE Grant is an 80/20 match – a \$15,128,206 grant request for a total project cost of \$19,128,206. The City’s match contribution is \$4,000,000, which is dedicated, and committed by the 2022 Carroll County SPLOST Program.

STAFF RECOMMENDATION: No public hearing is necessary for this agenda item, and staff recommends adoption of the Resolution of Support.

MOTION: I move to adopt the Resolution of Support for the 2025 RAISE Grant Program Application and 20% Match Commitment for the Villa Rica Transportation Reunification Program project Punkintown Road Realignment and Upgrades.

STATE OF GEORGIA
COUNTY OF CARROLL
COUNTY OF DOUGLAS
CITY OF VILLA RICA

RESOLUTION R-01-2025

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF VILLA RICA, GEORGIA TO EXECUTE THE NECESSARY DOCUMENTS TO MAKE AN APPLICATION FOR A 2025 RAISE GRANT THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION FOR THE VILLA RICA TRANSPORTATION REUNIFICATION PROGRAM (TRP) - PUNKINTOWN ROAD UPGRADES AND REALIGNMENT.

WHEREAS: Federal grant funds are available through the U.S. Department of Transportation to assist local governments with planning and implementation of transportation improvements in their communities; and

WHEREAS: The City of Villa Rica, Georgia desires to make an application for these grant funds for Villa Rica Transportation Improvement Program - Punkintown Road Upgrades and Realignment; and

WHEREAS: The City of Villa Rica will request grant funds for \$15,128,206; and

WHEREAS: A local government must submit an application for these grant funds, and commit to 20% matching funds based on the approved grant in which case the City has committed \$4,000,000, for a total project cost of \$19,128,206;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Villa Rica, Georgia that the Mayor is hereby authorized to execute the necessary documents to make an application to acquire grant funds from the U.S Department of Transportation for the RAISE Grant Program;

BE IT FURTHER RESOLVED THAT:

In the event this federal grant is approved, the Mayor and Council hereby confirm that the 20% matching funds will be made available in the appropriate fiscal year budget, and that these funds will be used to meet the terms of this grant.

So Resolved, this the 14th day of January 2025

Mayor

Date

Clerk

Date



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Approve proposal from Keck & Wood for a Comprehensive Safety Action Plan funded by the Safe Streets and Roads for All Grant

AGENDA DATE: January 14, 2025

DATE PREPARED: January 2, 2025

PREPARED BY: Diana DeSanto

AMOUNT: Not to exceed \$500,000

GL ACCOUNT #: 100-4210-52-1200

FUNDING SOURCE: General Fund

BUDGETED ITEM? Yes

PUBLIC HEARING: N/A

PURPOSE: The City of Villa Rica, Georgia, sought a qualified consultant to assist staff in the development of a Comprehensive Safety Action Plan consistent with the objectives of the Safe Streets & Roads for All or SS4A Program. The City of Villa Rica (City) is committed to promoting a safe, efficient, accessible, and reliable transportation network for all users of the transportation system. As a city with a heavily utilized road network; multi-modal needs; and a robust development environment – elevating and incorporating well thought out safety strategies and actions is viewed as critical to the continued economic vitality of the city.

The central goal of this work effort is to develop a comprehensive safety action plan that will thoroughly take account of the full range of variables that substantially influence both operational and safety outcomes across the city – resulting in a grounded plan of appropriate and implementable safety strategies.

BACKGROUND: The Bipartisan Infrastructure Law (BIL) established the Safe Streets and Roads for All (SS4A) discretionary program with \$5 billion in appropriated funds over 5 years, 2022-2026. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. The City of Villa Rica was awarded \$400,000 for the FY23 December (Round 2) Planning & Demonstration Grant Award. With this funding and 20% match, the City of Villa Rica will contract with the successful respondent to create a Comprehensive Safety Action Plan.

The following items will be completed by the successful respondent:

1. Development of a comprehensive safety action plan that will identify and document the range of variables that influence safety outcomes for all users of the transportation system.
2. Examine city trends for traffic safety as well as the principal risk considerations across the city (i.e., location; concentration; proximity to schools / parks / developments of regional

- impact, etc.).
3. Ensure that solutions and issues are coordinated with neighboring jurisdictions.
 4. Review city plans and policies for how they reflect and prioritize safety in planning design; and identify effective, grounded and area appropriate recommendations to minimize risk.
 5. Provide a comprehensive course of action to incorporate a “safe system approach”.
 6. Preparation and delivery of the final work product is expected to address federal and state regulations, transportation performance management requirements, as well as SS4A programmatic requirements.

The following Consultants were considered in the RFQ Evaluation Process:

Proposer	Scorer 1	Scorer 2	Scorer 3	Scorer 4	Total Points awarded
Keck & Wood	100	99	94	100	393
Gresham Smith	85	93	80	80	338
The Foresite Group	98	99	95	100	392

The areas evaluated included understanding the project scope, capability and project schedule.

STAFF RECOMMENDATION: Staff recommends approval of the Keck and Wood proposal for the completion of the City of Villa Rica’s Comprehensive Safety Action Plan for an amount not to exceed \$500,000.

MOTION: I move to approve the proposal submitted by Keck and Wood and authorize the Mayor to enter into a contract for the creation of the City of Villa Rica’s Comprehensive Safety Action Plan for an amount not to exceed \$500,000.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Resolution of Support – 2025 CHIP Grant Application and 20% Match Commitment

AGENDA DATE: January 14, 2025

DATE PREPARED: December 30, 2024

PREPARED BY: Diana DeSanto

AMOUNT: \$600,000 (80% Grant \$500,000 /20% Match \$100,000)

GL ACCOUNT #: N/A

FUNDING SOURCE: 20% Contingency

BUDGETED ITEM? Partial

PUBLIC HEARING: N/A

PURPOSE: Resolution of Support for the 2025 Community HOME Investment Program (CHIP) Application and 20% Match Commitment for the Villa Rica Owner Occupied Housing Rehabilitation Program.

BACKGROUND: The Georgia Department of Community Affairs (“DCA”) releases an application for the Community HOME Investment Program (“CHIP”) annually to award CHIP grant funds to local government, nonprofit, and public housing authority applicants. These awards are to provide housing rehabilitation of owner-occupied single-family homes and new construction and reconstruction of affordable single-family homes for sale to income-eligible homebuyers. The City of Villa Rica previously completed a housing needs assessment and determined the neighborhoods including Thomas Dorsey, Fullerville, and Cleghorn Anderson to be those of the greatest need for housing rehabilitation of owner-occupied single-family units. A five-hundred-dollar (\$500) application fee payable by check to the *Georgia Housing and Finance Authority* is due at the time of application (January 31st, 2025).

To proactively address the need for this program in our community, the city initiated the process of procuring a Grant Administrator to oversee this program, if successfully awarded. There are four (4) awards distributed annually by DCA for the top scoring applicants for the owner-occupied housing rehabilitation activity and an additional four awards can be made at DCA’s discretion to new CHIP applicants for Owner- Occupied Housing Rehabilitation. With the City’s participation in the Georgia Initiative for Community Housing (GICH) and ongoing efforts to increase housing affordability in the city, we believe the next step forward is a program to accommodate exterior housing needs for our most vulnerable citizens, to include seniors and veterans.

STAFF RECOMMENDATION: No public hearing is necessary for this agenda item, and staff recommends adoption of the Resolution of Support.

MOTION: I move to adopt the Resolution of Support for the 2025 CHIP Grant Program Application and 20% Match Commitment for the Villa Rica Owner-Occupied Housing Rehabilitation Program.

STATE OF GEORGIA
COUNTY OF CARROLL
COUNTY OF DOUGLAS
CITY OF VILLA RICA

RESOLUTION R-02-2025

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF VILLA RICA, GEORGIA TO EXECUTE THE NECESSARY DOCUMENTS TO MAKE AN APPLICATION FOR A 2025 CHIP GRANT THROUGH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR THE VILLA RICA OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM.

WHEREAS: Federal grant funds are available through the U.S. Department of Housing and Urban Development through the Georgia Department of Community Affairs to assist local governments with affordable and accessible housing; and

WHEREAS: The City of Villa Rica, Georgia desires to make an application for these grant funds for Villa Rica Owner Occupied Housing Rehabilitation Program, specifically to support neighborhoods including Thomas Dorsey, Fullerville and Cleghorn-Anderson communities; and

WHEREAS: The City of Villa Rica will request grant funds for \$500,000; and

WHEREAS: A local government must submit an application for these grant funds and commit to 20% matching funds based on the approved grant - \$100,000 - for a total project cost of \$600,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Villa Rica, Georgia that the Mayor is hereby authorized to execute the necessary documents to make an application to acquire grant funds from the Georgia Department of Community Affairs for the CHIP Grant Application.

BE IT FURTHER RESOLVED THAT:

In the event this state grant is approved, the Mayor and Council hereby confirm that the 20% matching funds will be made available in the appropriate fiscal year budget, and that these funds will be used to meet the terms of this grant.

So Resolved, this the 14th day of January 2025

Mayor

Date

Clerk

Date



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Resolution of Support – 2025 Georgia Transportation Infrastructure Bank (GTIB) Grant and Loan Program Application

AGENDA DATE: January 14, 2025

DATE PREPARED: January 2, 2025

PREPARED BY: Diana DeSanto

AMOUNT: \$2,000,000 (\$1,800,000 10-year Loan \$200,000 Grant request)

GL ACCOUNT #: N/A

FUNDING SOURCE: GTIB

BUDGETED ITEM? N/A

PUBLIC HEARING: N/A

PURPOSE: Resolution of Support for the 2025 Georgia Transportation Infrastructure Bank for a combined loan and grant application to support the Villa Rica Transportation Reunification Program – Villa Rica Parkways Connector.

BACKGROUND: The Georgia Transportation Infrastructure Bank (GTIB) is a low-interest loan and grant program administered by the State Road and Tollway Authority (SRTA) focusing on road and bridge projects including associated bicycle, pedestrian, and traffic control infrastructure. SRTA is pleased to announce the opening of applications for up to \$16 million in transportation loans and grants. Applications will be accepted from now through January 14, 2024. Projects will be evaluated based on criteria including engineering value (e.g. mobility, congestion relief, etc.) and economic impact.

The City of Villa Rica has several transportation infrastructure projects to include the North Bypass, Fortune Parkway, the Villa Rica Parkway Connector, and Punkintown Road, all identified as priorities in the Villa Rica Transportation Reunification Program.

The Villa Rica Transportation Reunification Program was established to reunify the roadway networks between downtown Villa Rica, The Cleghorn and Anderson community, Mirror Lake Community, and the industrial district located on the western termini of the North Bypass. Punkintown is a critical linkage between these roadway network segments and is in desperate need of rebuilding. Preliminary engineering and cost analysis have been completed for this roadway improvement project.

The Transportation Reunification Program will greatly enhance the city's crosstown transportation network, linking areas to the west in Carroll County to the eastern area of the city located in Douglas County. This upgraded roadway network will improve equity of access, reduce trip miles, and promote environmental resiliency. The City's application includes merit criteria focused on safety,

environmental sustainability, quality of life, community connectivity, economic opportunity and innovation.

The GTIB application is a Loan and Grant Combination for a total of \$2,000,000 in funding, of which \$1,800,000 is a 10-year loan request and the remaining \$200,000 is a grant request for a total. The City's match contribution for this portion of the connector is approximately \$7,000,000, which is dedicated, and committed by the TAD bond financing.

STAFF RECOMMENDATION: No public hearing is necessary for this agenda item, and staff recommends adoption of the Resolution of Support.

MOTION: I move to adopt the Resolution of Support for the 2025 Georgia Transportation Infrastructure Bank Loan and Grant Program Application for the Villa Rica Transportation Reunification Program project final segment of the Villa Rica Parkway Connector.

STATE OF GEORGIA
COUNTY OF CARROLL
COUNTY OF DOUGLAS
CITY OF VILLA RICA

RESOLUTION R-03-2025

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF VILLA RICA, GEORGIA TO EXECUTE THE NECESSARY DOCUMENTS TO MAKE AN APPLICATION FOR A 2025 GEORGIA TRANSPORTATION INFRASTRUCTURE BANK LOAN AND GRANT PROGRAM ADMINISTERED BY THE STATE AROAD AND TOLLWAY AUTHORITY (SRTA) FOR THE VILLA RICA TRASNPORATION REUNIFICATION PROGRAM – VILLA RICA PARKWAY CONNECTOR.

WHEREAS: State loan and grant funds are available through the Georgia Department of Transportation administered by the State Road and Tollway Authority (SRTA) to provide low interest loans and grants to highly competitive transportation projects that have enhanced mobility and driven economic development throughout local communities in Georgia; and,

WHEREAS: The City of Villa Rica. Georgia desires to make an application for these loan and grant funds for Villa Rica Transportation Reunification Program as identified in the Master Transportation Plan of 2020, particularly the completion of the second segment of the Villa Rica Parkway Connector; and

WHEREAS: The City of Villa Rica will request loan funds totaling \$1,800,000 and grant funds totaling \$200,000; and

WHEREAS: A local government must submit an application for these loan and grant funds, for a combined request of project costs of \$2,000,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Villa Rica, Georgia that the Mayor is hereby authorized to execute the necessary documents to make an application to acquire grant funds from the Georgia Department of Transportation through the State Road and Tollway Authority;

BE IT FURTHER RESOLVED THAT:

In the event this state grant is approved, the Mayor and Council hereby confirm that the current appropriated funds will be made available in the appropriate fiscal year budget, and that these funds will be used to meet the terms of this grant.

So Resolved, this the 14th day of January 2025

Mayor

Date

Clerk

Date



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Approve December 2024 update of Main Street Advisory Board Bylaws

AGENDA DATE: January 14, 2025

DATE PREPARED: January 2, 2025

PREPARED BY: Diana DeSanto

AMOUNT: N/A

GL ACCOUNT #: N/A

FUNDING SOURCE: N/A

BUDGETED ITEM? N/A

PUBLIC HEARING: N/A

PURPOSE: The purpose of this item is to update the current Bylaws fir Main Street Advisory Board – last updated in May of 2024, and previously updated in August 2021 and November 2018. The Bylaws were originally adopted by the Main Street Advisory Board in September of 2015.

BACKGROUND: Periodically, the Main Street Advisory Board will review the Bylaws and make occasional changes or updates. The board moved to do so in December. All members present for the meeting reviewed the bylaws and the proposed revisions. The updates were approved and voted on at the December 2024 Main Street Advisory Board Meeting.

The updated bylaws that were originally adopted in 2015, and subsequently revised in May 2024, August 2021 and November 2018 are attached, with most recently approved revisions highlighted in yellow.

STAFF RECOMMENDATION: Staff recommends the updated Bylaws voted on by the Main Street Advisory Board be approved by City Council.

MOTION: I move that we accept and ratify the updated Bylaws laws, with a revised date of December 2024, for the Main Street Advisory Board for the City of Villa Rica.

City of Villa Rica

Main Street Advisory Board

Bylaws

ARTICLE I

Name

The name of the organization shall be the City of Villa Rica Main Street Advisory Board (hereinafter the “Advisory Board” or the “Board”).

ARTICLE II

Purposes

Section 2.1 Advisory Board Purpose

The Advisory Board and its committees (the “Main Street Committees” or “Committee”) work with the Main Street Manager (the “Manager”) to carry out the goals of the Main Street Program (the “Program”). The Advisory Board does not handle the day-to-day affairs of the Program, but provides additional insights, input, strategy recommendations, and policy to support the Program. The Advisory Board will assist the Main Street Manager in a number of ways including the following: (1) promote and market downtown as a desirable location for businesses, and aim to achieve full use and occupancy of the downtown district; (2) fund raising for the Program and for special projects, including identifying and utilizing local, state, federal, and private sources including grants and contributions; (3) make policy recommendations and assist in strategic planning and goal setting for the Program; (4) encourage appropriate high-quality design in the maintenance, renovation and re-use of buildings in the Villa Rica Main Street Central Business District (as defined herein); (5) sponsor events and promotional activities in the Villa Rica Main Street Central Business District that foster a sense of community, encourage tourism, and promotes business development; (6) recruiting dedicated volunteers and board members; (7) advocate for the Program and ensure that the Program is carrying out its mission and vision; and such other assistance as the Advisory Board and the Main Street Manager deem necessary.

Section 2.2 Scope of Power

The Advisory Board shall have no right, power or authority to obligate or bind the City of Villa Rica (the “City”) in any manner whatsoever. The Advisory Board is not a governing board but is advisory in nature with no power of authority over day-to-day operations of the Program or the Main Street Manager.

Section 2.3 Main Street Program Purpose

The Program is sponsored and governed by the City of Villa Rica and is a division of the City's Main Street Department. The Program works to maintain a strong, viable, and broad-based downtown revitalization program that embraces the implementation of best downtown development practices in accordance with the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach.

ARTICLE III Boundaries

The map attached indicates the boundaries of the Villa Rica Main Street Central Business District (the "Central Business District"). The primary focus area of the Central Business District will be defined by portions of South Carroll Road, Main Street, East Montgomery Street, West Montgomery Street, South Candler, North Candler Street, North Avenue, West Wilson Street, East Wilson Street, Westview Drive, Temple Street, South Carroll, North Carroll, and West Bankhead Highway as shown on the Central Business District map, attached hereto at Appendix A and incorporated herein by this express reference.

ARTICLE IV Advisory Board Members

Section 4.1 Members

The Advisory Board shall consist of seven (7) members ("Board Members") solicited by current Board Members and the Main Street Manager, with official appointment made by City Council. Initial appointments shall be for one-, two-, and three-year terms. Subsequent appointments shall be 3-year terms. Board members may serve consecutive terms if recommended by the board and approved by the city council. Appointments to the Board for the upcoming calendar year shall be made at a meeting in November, or at some other time, as approved by a majority vote of the Board, to ensure that official appointment by City Council has been made by the Board's first meeting of the next calendar year. All Board Members shall commit to working, volunteering, or participating, on behalf of the Program. Board members are required to attend events designated as mandatory to support the organization's goals. The Main Street Manager may designate certain events as mandatory for board members, provided that a minimum of 60 days' notice is given. Failure to attend these designated events may result in disciplinary action, as determined by The Main Street Manager in consultation with the President and/or Advisory Board. In cases of unavoidable conflicts or emergencies, such as illness, family obligations, or other extenuating circumstances, board members may request an exemption from attending a mandatory event. This request must be submitted in writing to the Main Street Manager as soon as possible, outlining the reason for the absence. The Main Street Manager will determine whether the request is approved.

Section 4.2 Qualifications of Advisory Board Members

Persons selected for appointment to the Advisory Board by current Board Members and/or the Main Street Manager shall have interests and/or experience in economic development of downtown areas or in historic preservation, and be willing to actively participate. The make-up of the Advisory Board should strive for diversity, seeking representation from public and private

groups. There will not be a majority of any occupation on the Advisory Board. Board Members must be of sound mind and of legal age to serve. The composition of the background, experiences, and occupations of the Board Member's comprising the Advisory Board shall be consistent with the Georgia Main Street Annual Standards of Accreditation.

Section 4.3 Resignation

A Board Member wishing to resign from the Advisory Board shall submit a letter of resignation to the Main Street Manager, Board President, or Vice President. Upon Receipt of a Board member's resignation, the Main Street Manager, Board President, or Vice President must present the Board Member's resignation to the entire Advisory Board. A Board Member resigning from the Board must expressly state whether the resignation is with immediate effect or provide a date the resignation will take effect. If a Board Member submits his/her resignation, whether to be effective immediately or at a future date, a Vacancy occurs on the tenth day after the date of its receipt by the Advisory Board. The Advisory Board may not refuse to accept a resignation, however during the 10-day waiting period; the resigning Board Member may rescind his/her resignation with a majority of vote of the Board Members. The Board Member who initially sought resignation shall not be permitted to participate in the vote, or the discussion preceding the vote, considering whether that Board Member's desire to rescind his/her resignation will be permitted.

Section 4.4 Vacancies

If a Vacancy occurs on the Advisory Board because of death, resignation, refusal to serve, or for a reason other than the normal expiration of a term of office; the Board shall propose a new candidate to fill the Vacancy by majority vote of the remaining Board Members. The candidate shall become a Board Member with the approval of the City Council. The Board Member filling such Vacancy shall fill the unexpired term of his/her predecessor.

Section 4.5 Removal

Board members who fail to fulfill their duties and have three consecutive unexcused absences from regular board meetings are subject to removal. Members may be removed pursuant of the provisions of Sec. 3.12 of the City Charter.

A. Further Grounds for Removal

A board member may be removed from their position if they are found to have violated the bylaws, engaged in unethical conduct, or acted in a way that is detrimental to the interests or reputation of the board and its objectives as well as position of the Main Street Manager.

B. Initiation of Removal Process

- a. Filing a Complaint: Any board member may submit a written complaint to the Main Street Manager or President, specifying the alleged violation(s) of the bylaws by the member in question.

b. Notification: Upon receiving a complaint, the Main Street Manager or President will notify the board member in question within 3 days and provide them with a copy of the complaint. The board member will have an opportunity to respond in writing within 3 days of receiving the notification.

c. Investigation and Review

i. Investigation: The Main Street Manager and President will conduct an investigation, which may include reviewing evidence, interviewing relevant parties, and gathering any necessary documentation. They will allow the board member in question an opportunity to present their side of the story.

ii. Neutral Third-Party Review: To ensure impartiality, a neutral third party—such as a representative from another city department, an impartial legal advisor, or a community mediator—may be consulted during the investigation. This third party will review the evidence and provide an objective perspective to aid in the decision-making process.

iii. Review Meeting: The Main Street Manager and President will hold a private meeting to review the findings of the investigation, discuss the board member's response, and consider the severity of the violation. The third party may attend this meeting to provide additional input.

C. Decision and Notification

a. Decision: After reviewing all available information, the Main Street Manager and President will jointly decide whether to remove the board member from their position. A unanimous decision between the Manager and President is required for removal.

b. Notification of Decision: The Main Street Manager and President will notify the board member of their decision in writing within 3 days of the review meeting.

D. Effective Date of Removal: If the decision is made to remove the board member, the removal will take effect immediately upon written notification to the board member. The board member will be required to cease all activities associated with their role and return any board-related materials or property promptly.

E. Presentation to the Board: The decision and the actions taken must be formally presented to the entire board at the next scheduled board meeting. This presentation will include a summary of the investigation, the grounds for removal, and any actions taken as a result of the decision.

ARTICLE V

Officers

Section 5.1 Officers and Elections

The officers of the Advisory Board (“Board Officers”) shall consist of a President, Vice-President, Treasurer, and Secretary. Board Officers shall be elected by a majority vote of the Advisory Board at the first regular meeting after the annual City Council Advisory Board appointment process.

No person shall be elected President who has not served at least one year on the Advisory Board.

Section 5.2 Terms of Office

Board Officers shall serve for elected annually.

Section 5.3 Board Officer Vacancies

In the event of a vacancy in the office of President, the Vice President shall serve as President.

In the event of a vacancy in the offices of Vice President, Treasurer, or Secretary the Advisory Board shall elect a replacement and successor Board Officer by majority vote of Board Members at the next regularly scheduled meeting, or as soon as reasonably practical for the unexpired term.

If possible, the Board Officer creating the vacancy shall continue to serve until the vacancy is filled.

Section 5.4 Duties

- A. President, whose duties include chairing all meetings of the Board, acting as a representative of the Board in functions requiring such representation, and acting as the Board liaison to support the Main Street Manager in facilitating the goals of the Program.
- B. Vice President, who shall assume all duties outlined for the President in his/her absence.
- C. Treasurer, who shall keep record of all income and expenses for the Main Street budget and the Main Street fundraising account. At the Annual Meeting, and at regular Advisory Board meetings, the Treasurer will provide a report and summary statement on the financial affairs of the Program.
- D. Secretary, whose duties include recording the minutes at meetings of the Board, presenting said minutes to the Board for review and acceptance by the Board, and maintaining Program records that result from Board meetings. The Secretary shall mail copies of the Minutes of each membership meeting to all members within 15 days from the conclusion of each meeting.
- E. Temporary Officers. In cases of absence or disability of an Officer of the Program, the remaining Officers may vote to delegate the powers and duties of such Officer to any other Officer or Member of the Board.

Section 6.1 Regular Meetings

Regular meetings of the Board shall be held not less than nine (9) times during a calendar year, unless the Main Street Manager, in conjunction with the Board President, deems necessary by any or all parties. Meetings of the Advisory Board shall be held at the Welcome Center, 106 Temple Street, Villa Rica, GA 30180, or such other place as designated by the Advisory Board. Regular meetings shall be held on the third Friday of the month, unless such day falls on a city observed holiday, in which event the regular meeting for that month shall be postponed to the following month at the same hour and place.

Section 6.2 Agenda

Items may be placed on the agenda by the Main Street Manager, Board President, or at the request of a Board Member. The party (or individual) requesting the agenda item will be responsible for the initial presentation at the meeting. Items included on the agenda must be submitted to the Main Street Manager no later than one week before the Advisory Board meeting at which the agenda item will be considered. Agenda packets for regular meetings will be provided to the Members in advance of the scheduled Board meeting. Agenda packets will contain the posted agenda, typed minutes of the last meeting, and any other necessary documents.

Section 6.3 Special Called Meetings

The Board President, Main Street Manager, or at least a quorum of the Advisory Board may, when deemed necessary, call special meetings of the Advisory Board.

Section 6.4 Quorum

A quorum is required for the purpose of transacting all business of the Board at any regularly scheduled meeting of the Main Street Advisory Board. No action of the Advisory Board or any individual Board Member shall be an official action of the Program unless approved by a majority of Board Members present at an official board meeting. A quorum shall consist of four (4) voting Board Members. If a quorum is not present or represented at any meeting of the Advisory Board, a majority of the Board Members entitled to vote thereat, present in person, may adjourn the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified.

Section 6.5 Call to Order

Advisory Board meetings will be called to order by the Board President, or if absent, by the Vice President. In the absence of both the President and Vice President, the meeting shall be called to order by the Secretary, and a temporary President shall be elected to preside over the meeting.

Section 6.6 Notice

Written or electronic notice of every meeting of the Board stating the place, date, and hour of the meeting, shall be given either personally or by mail to each member not less than five (5) days before the date of the meeting.

Section 6.7 Attendance

Board Members are required to attend Board meetings and be prepared to discuss the issues on the agenda. A Member shall notify the Main Street Manager or Board President if the Member is

unable to attend a meeting. Any Board Member missing three regularly scheduled meetings shall be contacted by the President, or his/her designee, regarding the absentee Board Member's desire to continue to serve.

Section 6.8 Voting

When a quorum is present at any meeting, the vote of a majority of the Board Members present in person decides any question brought before such meeting, unless the question is one upon which the express provisions of law or these Bylaws require a different vote, in which case such express provisions shall govern and control the decision of the question. Each Board Member shall at every meeting of the Advisory Board be entitled to one vote. No Board Member may vote by proxy.

The Main Street Manager shall be a non-voting member of the Advisory Board and the Manager, or his/her designee, shall be present at all meetings of the Advisory Board.

Section 6.9 Electronic Voting

Board Members, by providing an e-mail address to receive electronic transmission, consent to electronic transmission of information (including meeting notices) and to conduct votes via electronic transmission. Such votes are considered final action on the matter if there is unanimous consent of the Advisory Board. After two successive failed attempts to contact a Board Member by electronic means, consent by that Board Member will be considered to be revoked.

Section 6.10 Public Participation

In accordance with City Policy, the public is welcome and invited to attend Board meetings and to speak on any item on the agenda. A person wishing to address the Board must sign up to speak in accordance with the policy of the City Council concerning participation and general public comment at public meetings. Sign-up sheets will be available and should be submitted to the Main Street Manager prior to the start of the meeting. If any written materials are to be provided to the Board, a copy shall also be provided to the Main Street Manager for inclusion in the minutes of the meeting. Speakers shall be allowed a maximum of three (3) minutes to speak, but may take up to six (6) minutes if another individual who signs up to speak yields the time to the speaker. A person who disrupts the meeting may be asked to leave and be removed.

Section 6.11 Open Meetings

Public notice of Board meetings shall be provided in accordance with the provisions of the Georgia Open Meetings Act. All Board meetings and deliberations shall be open to the public, except for properly noticed closed session matters, and shall be conducted in accordance with the provisions of the Georgia Open Meetings Act.

Section 6.12 Closed Sessions

The Board may conduct closed sessions as allowed by law, on properly noticed closed session matters, such as consultation with attorney on legal matters, deliberation regarding the value of real property, competitive utility matters, and economic development negotiations. A certified agenda shall be made of all closed sessions of Board meetings.

Section 6.13 Board Training

All new members of the Main Street Advisory Board are required to complete the online Main Street 101 class provided by Georgia Main Street within 60 days of appointment.

Section 6.14 Annual Meeting

An annual meeting of the Board shall be held at the first regular meeting of the new calendar year for the purposes of electing officers and transacting such other business.

Section 6.15 Code of Conduct

ARTICLE VII Reports to City Council

The Advisory Board shall meet with City Council, as requested, to provide reports and to determine how the Board may best serve the City of Villa Rica. Board Reports will be made at a regularly scheduled Council meeting. The Board must submit an annual report to City Council each year.

ARTICLE VIII Main Street Program Manager

The Main Street Manager is an employee of the City that reports directly to the City Manager's office as illustrated in the Main Street Organizational Chart attached hereto as Appendix B and is incorporated herein by this express reference. The Main Street Manager shall manage the daily operations of the Program and shall be responsible for the coordination and the implementation of the Program's policies and projects and such other duties as may be required. The Main Street Manager shall serve as a liaison between the Advisory Board and Main Street Committees. The office of the Main Street Manager shall be located within the downtown district in accordance to Georgia Department of Community Affairs guidelines. The Manager will maintain information regarding the revitalization in the Central Business District.

ARTICLE IX Finances and General Provisions

Section 10.1 Fiscal Year.

The fiscal year of the Program will begin on the first day of January, and end on the last day of December of each year. On the first year of creation, the fiscal year will begin upon creation and end on the last day of December.

Section 10.2 Funds.

The Advisory Board and the Board Members have no authority to expend funds or to incur or make an obligation on behalf of the City unless authorized and approved by City Council. Board Members may be reimbursed for expenses authorized and approved by City Council and the Advisory Board. The Advisory Board shall have the authority to administer the monies from the

Main Street Fundraising Account with the support of the City. The Main Street Manager shall have discretionary authority to spend funds from this account, as needed, to further program objectives, within limits approved by the Advisory Board. The Advisory Board is required to submit a report of all fundraising incoming and spending to the Main Street Manager and the City Council in a timely manner.

Section 10.3 Year-End Financial Statement.

Within two months after the close of the fiscal year, the Treasurer will present a year-end financial statement showing in reasonable detail the source and application of the previous year's funds and the financial condition of the Program. This statement will be presented to the Advisory Board at a regular Board meeting. All finances, accounts, and monies of the Program will be audited by, and in coordination, with the City.

ARTICLE X Books and Records

Correct books of account of the activities and transactions of the Program shall be kept at the office of the Program. These shall include a minute book, which shall contain a copy of these Bylaws and all minutes of meetings of the Advisory Board, work plans, and vision and mission statements.

ARTICLE XI Conflict of Interest

Any Board Member who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Advisory Board, of such nature that it prevents or may prevent that Board Member from acting on the matter in an impartial manner, shall disclose such conflict and the Board shall abide by the following protocol:

- A. **Abstinance from Vote.** When any conflict of interest is relevant to a matter requiring action by the Advisory Board, the interested person shall call it to the attention of the Board or its appropriate Committee and such person shall not vote on the matter; provided however, any Board Member disclosing a possible conflict of interest may be counted in determining the presence of a quorum at a meeting of the Advisory Board or a Committee thereof.
- B. **Absence from Discussion.** Unless requested to remain present during the meeting, the person having the conflict shall retire from the room in which the Advisory Board or its Committee is meeting and shall not participate in the final deliberation or decision regarding the matter under consideration. However, that person shall provide the Board or Committee with any and all relevant information.
- C. **Minutes.** The minutes of the meeting of the Advisory Board or one of its Committees shall reflect that the conflict of interest was disclosed and that the interested person was not present during the final discussion or vote, and did not vote. When there is doubt as to whether a conflict of interest exists, the matter shall be resolved by a vote of the Advisory

Board or its Committee, excluding the person concerning whose situation the doubt has arisen.

Section 12.1 Annual Review.

A copy of this conflict of interest bylaw shall be furnished to each Board Member and Officer who is presently serving the Program, or who may hereafter become associated with the Program. This policy shall be reviewed annually for the information and guidance of Board Members, Officers, and staff members. Any new Board Members or Officers shall be advised of this policy upon undertaking the duties of such office.

ARTICLE XII Code of Conduct

The purpose of this Code of Conduct is to establish clear standards of ethical behavior, integrity, and accountability for individuals holding the position of Villa Rica Main Street Advisory Board Member. This code is a guide to ensure public trust, transparency, and professionalism in the execution of official duties.

Section 13.1 Ethical Standards and Integrity

- A. **Public Interest First:** All actions and decisions should be made in the best interest of the public, with a commitment to ethical standards above personal interests.
- B. **Transparency and Accountability:** Officials must be transparent in their actions and accountable for their decisions. This includes maintaining honesty in communications, public disclosures, and documentation.

Section 13.2 Professional Conduct and Public Image

- A. **Respectful and Professional Behavior:** Officials are expected to treat all individuals with respect and professionalism, regardless of their background or beliefs. Discrimination, harassment, or demeaning behavior will not be tolerated.
- B. **Positive Public Image:** Officials must carry themselves in a manner that reflects positively on themselves, the Villa Rica Main Street Advisory Board, Villa Rica Main Street Manager and the City of Villa Rica, including the staff, and elected offices at all times. In both official duties and public settings, they are expected to demonstrate integrity, courtesy, and a commitment to the highest standards of behavior.
- C. **Appropriate Use of Public Platforms:** When using social media, speaking at events, or engaging in public forums, officials should refrain from comments that could reflect poorly on the office. Officials should avoid language or actions that could be construed as disrespectful, inflammatory, or harmful to the public trust.

Section 13.3 Confidentiality

Officials are expected to protect confidential information obtained through their position,

ensuring it is used only for official purposes and not for personal gain or unauthorized disclosure.

Section 13.4 Consequences of Violations

Violations of this Code of Conduct may lead to disciplinary actions, including the Board Member's removal.

ARTICLE XIII Amendments

The Advisory Board shall have the power to alter, amend, or repeal the Bylaws or adopt new Bylaws by a quorum vote at a duly called meeting of the Board. However, the Board's proposed amendments to the Bylaws must be approved by City Council. Bylaw amendments are not effective until approved by City Council.

Appendix A

Villa Rica Main Street Downtown Central Business District

