

COMMISSION
ASHLEY HEAD, CHAIR
ANDREW NEWTON, VICE CHAIR
LUZ MORALES
JULIE CEPIN
KELLY VINES

City of Villa Rica



INTERIM CITY MANAGER: DIANA DESANTO
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
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PLANNING AND ZONING MEETING AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street

April 15, 2025 | 6:00 PM

Meeting Call to Order (Chairwoman)

Adoption of the Agenda (Chairwoman)

A. Old Business

1. Approval of minutes from 02/18/2025
2. TA-04-25 – Text Amendment to modify the Smoke Shops, Tobacco stores, and Medical Marijuana Dispensaries and definition of Vape Shop and Public Hearing (Shaun Daniels, Planning and Zoning Administrator)

B. New Business

1. (RA-01-25), (ANX-01-25), (ANX-02-25) - Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD and Public Hearing (Shaun Daniels, Planning and Zoning Administrator)

Adjournment (Chairwoman)

City of Villa Rica



PLANNING AND ZONING MEETING MINUTES Holt-Bishop Justice Center, Municipal Courtroom, 101 Main St Tuesday, February 18 , 2025 | 6:00pm

Meeting Called to Order Chairwoman Ashley Head called the meeting to order at 6:00pm.

Present: Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales, Commissioner Julie Cepin and Commissioner Kelly Vines

Adoption of the Agenda

RESULT:	ADOPTED 5/0
MOVER:	Commissioner Luz Morales
SECONDER:	Commissioner Kelly Vines
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales, Commissioner Julie Cepin and Commissioner Kelly Vines

A. Old Business

1. Approval of minutes from 12/17/2024

RESULT:	ADOPTED 5/0
MOVER:	Commissioner Kelly Vines
SECONDER:	Commissioner Luz Morales
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales, Commissioner Julie Cepin and Commissioner Kelly Vines

B. New Business

1. TA-05-25 Sign ordinance text amendments; sections 9.03(f), 9.04, 9.29(f), 9.39(3), 9.40(7)(b)

Public Hearing: No one came forward

Commissioner Kelly Vines moved to approve the proposed text amendments with language changes to sec. 9.29(f) and 9.407(b).

RESULT:	APPROVED 5/0
MOVER:	Commissioner Kelly Vines
SECONDER:	Commissioner Julie Cepin
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales, Commissioner Julie Cepin and Commissioner Kelly Vines

2. TA-04-25– Text Amendment to modify the Smoke Shops, Tobacco stores and Medical Marijuana Dispensaries & add a new proposed section 8.23 Vape Shops and definition of Vape Shop to VIII. Definitions

Commissioner Luz Morales moved to table the item.

RESULT:	APPROVED 5/0
MOVER:	Commissioner Luz Morales
SECONDER:	Commissioner Kelly Vines
AYES:	Chairwoman Ashley Head, Commissioner Luz Morales, Commissioner Julie Cepin and Commissioner Kelly Vines
NAYS:	Vice Chairman Andrew Newton

Adjournment- Commissioner Luz Morales moved to adjourn at 6:56 pm.

RESULT:	APPROVED 5/0
MOVER:	Commissioner Luz Morales
SECONDER:	Vice Chairman Andrew Newton
AYES:	Chairwoman Ashley Head, Vice Chairman Andrew Newton, Commissioner Luz Morales, Commissioner Julie Cepin and Commissioner Kelly Vines

Planning & Zoning Chair

Community Development Director



CITY OF VILLA RICA

Planning and Zoning Meeting Agenda Item Cover Sheet

SUBJECT: TA-04-25– Text Amendment to modify the Smoke Shops, Tobacco stores, and Medical Marijuana Dispensaries and definition of Vape Shop.

MEETING DATE: April 15, 2025

DATE PREPARED: April 7, 2025

PREPARED BY: Shaun Daniels, Planning and Zoning Administrator

PUBLIC HEARING: Yes

PURPOSE:

The proposed text amendments aim to regulate smoke shops, vape shops, tobacco stores, and medical marijuana dispensaries by limiting their operation to the C-2 zoning district with a Special Exception. The proposed text amendments will establish separation requirements from sensitive uses, prohibit rezoning within the Central Business District (CBD), and provide clear definitions for vaping products and businesses. Existing businesses will be classified as legal nonconforming uses and must comply with updated standards for future changes.

BACKGROUND:

In response to growing concerns over the regulation of smoke shops, vape shops, tobacco stores, and medical marijuana dispensaries, Community Development conducted an evaluation of current zoning regulations. The proposed text amendments address smoke shop-type businesses that are permitted only by Special Exception in the C-2 zoning district. Properties within the Central Business District (CBD) cannot be rezoned to allow for these uses. Businesses must be located at least 1,500 feet from sensitive uses such as schools, childcare facilities, parks, places of worship, and recreational areas where children regularly gather. A minimum separation of 1,500 feet is required between smoke shops, vape shops, and tobacco stores. The proposed amendments also provide clear and updated definitions for vape products, vape juice, vaping devices, and vape shops to ensure consistent interpretation and enforcement.

Existing businesses that meet the definition of smoke shops, vape shops, or tobacco stores as of the ordinance's effective date will be classified as legal nonconforming uses and may continue operating under Chapter III: Nonconformities. Any change or expansion, however, would require compliance with the proposed standards and approval of a Special Exception.

STAFF RECOMMENDATION: Approval

IMPACT: N/A

MOTION: I motion to approve the proposed modifications to Section 8.22 of the Zoning Ordinance, which addresses regulations for smoke shops, tobacco stores, and medical marijuana dispensaries, along with the addition of definitions for Vape, Vaping Products, and Vape Shops.

Sec. 8.22. Smoke shops, tobacco stores, and medical marijuana dispensaries.

- 1) Notwithstanding any other provision of this title to the contrary, smoke shops, tobacco stores, medical marijuana dispensaries, and **vape shops** shall be permitted by Special Exception only in the Commercial, Medium-Density (C-2) zoning district. **No properties within the CBD shall be rezoned to allow smoke shops, tobacco stores or vape shops.**
- 2) Additional zoning and land use standards for smoke shops, tobacco stores, and medical marijuana dispensaries shall be as follows:
 - a) Smoke shops, tobacco stores, medical marijuana dispensaries, and **vape shops** shall not be located within ~~three hundred (300) feet~~ **one-thousand-five hundred (1500) feet**, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church or religious institution, **urgent care** hospital, or other similar uses where children regularly gather.
 - b) Smoke shops, tobacco stores, **vape shops** and medical marijuana dispensaries shall not be located within ~~five hundred (500) feet~~ **fifteen-hundred (1500) feet**, measured property line to property line, from another smoke/**vape** shop and tobacco store.
 - c) It is unlawful for a smoke shops, tobacco stores, and medical marijuana dispensaries to knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shops, tobacco stores, and medical marijuana dispensaries.
 - d) Smoke shops, tobacco stores, and medical marijuana dispensaries shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store. It shall be unlawful for a smoke shop and tobacco store to fail to display and maintain, or fail to cause to be displayed or maintained, such signage.
- 3) Standard conditions of approval for any Special Exception shall, at minimum, include the following:
 - a) No smoking shall be permitted on the premises at any time.
 - b) No sales may be solicited or conducted on the premises by minors.
 - c) No self-service, product, or paraphernalia displays shall be permitted.
 - d) No distribution of free or low-cost products or paraphernalia, as well as coupons for said items, shall be permitted.
- 4) Smoke shops, tobacco stores, and medical marijuana dispensaries that are legally existing on the effective date of the ordinance codified in this Chapter may continue to operate as legal nonconforming uses in accordance with *Chapter III: Nonconformities*, and shall not be required to obtain a Special Exception. However, any change or expansion of the legal nonconforming use may require compliance with this Chapter and a Special Exception.
- 5) **Vape shop means any business whose principal product line for retail sale is alternative nicotine products, vape juice, or vape products. For the purposes of this chapter, "principal" shall mean that alternative nicotine products, vape juice or vape products constitute at least 25 percent of the business's aggregate retail sales.**

■ - Stricken Text

■ - Added Text

CHAPTER XIII. - DEFINITIONS

Sec. 13.01. - Definitions.

UTILITY SUBSTATION: A building or structure used for the distribution or transmission of utilities such as water, gas, electricity, or sewer.

- V -

VAPE OR VAPE JUICE: Refers to any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food grade flavoring, or water, and can be used for vaping by means of an alternative nicotine product.

VAPING PRODUCTS: Refers to any products or devices that employ an electronic heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine, synthetics, or illegal substances to the person inhaling from the device, including electronic cigarettes, electronic cigars, electronic hookahs, electronic bongs and electronic pipes, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar or electronic pipe. This definition shall not apply to medical treatments prescribed or administered by medical professionals to reduce inflammation in the bronchial airways. This definition shall include vape juice.

VAPE SHOP: Any business whose principal product line for retail sale is alternative nicotine products, vape juice or vape products. For the purposes of this chapter, "principal" shall mean that alternative nicotine products, vape juice or vape products constitute at least 25 percent of the business's aggregate retail sales.

■ - Stricken Text

■ - Added Text

Table 4.3: Permitted and Conditional Land Uses¹ ● = Permitted Use ⓘ = Special Exception Required	ZONING DISTRICTS												
	RESIDENTIAL						COMMERCIAL					INDUSTRIAL	
	AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Agricultural													
Low Intensity Uses													
agricultural use, low intensity	●	-	-	-	-	-	-	-	-	-	-	-	-
Medium Intensity Uses													
agricultural chemical sales, distribution, & storage	-	-	-	-	-	-	-	-	-	-	-	-	●
agricultural entertainment	●	-	-	-	-	-	-	-	-	-	-	-	-
agricultural processing, minor	●	-	-	-	-	-	-	-	-	-	-	-	-
animal boarding/stables (excluding kennels) ²	ⓘ	-	-	-	-	-	-	-	-	-	-	-	-
farm equipment sales and service	-	-	-	-	-	-	-	-	-	ⓘ	-	-	-
farmer's market	-	-	-	-	-	-	ⓘ	ⓘ	-	-	-	-	-
greenhouse (on-site plant sales)	●	-	-	-	-	-	-	-	-	-	-	-	-
winery	●	-	-	-	-	-	-	-	-	-	-	-	-
Residential													
bed and breakfast establishments	ⓘ	-	-	-	-	-	-	ⓘ	-	-	-	-	-
boarding house	ⓘ	-	-	-	-	-	-	-	-	-	-	-	-
day care home: small (1-6 enrollees)	ⓘ	ⓘ	ⓘ	ⓘ	ⓘ	ⓘ	-	-	-	-	-	-	-
day care home: large (7 or more enrollees)	-	-	-	-	-	ⓘ	-	ⓘ	ⓘ	-	-	-	-
dwelling, accessory apartment	●	●	●	-	-	-	-	-	-	-	-	-	-
dwelling, multi-family ³	-	-	-	●	●	●	-	ⓘ	-	-	-	-	-
dwelling, part of mixed-use structure	-	-	-	-	-	-	●	●	-	-	-	-	-
dwelling, single-family	●	●	●	-	-	-	-	-	-	-	-	-	-
dwelling, two-family	-	-	-	●	●	-	-	-	-	-	-	-	-
personal care home, family (4-6 residents)	●	ⓘ	ⓘ	-	-	-	-	ⓘ	-	-	-	-	-
personal care home, group (7-16 residents)	ⓘ	ⓘ	-	-	-	-	-	ⓘ	-	-	●	-	-
personal care home, congregate (17+ residents)	ⓘ	-	-	-	-	-	-	-	-	-	●	-	-
home business	●	●	-	-	-	-	-	-	-	-	-	-	-
home occupation	●	●	●	●	●	●	-	ⓘ	-	-	-	-	-

Created: 2024-10-17 16:03:36 [EST]

(Supp. No. 13)

■ - Stricken Text

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kennel, private	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-
independent living facility for seniors	-	-	-	-	-	●	-	-	-	-	●	-	-
nursing home, assisted living, or retirement facility	-	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	●	-	-
Communications/Utilities													
essential services, minor	●	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●	●
essential services, major	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●
solar farms and wind energy conversion systems, noncommercial	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
wireless communication facilities	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
Institutional													
Education													
educational inst, excluding p-12, public	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
educational inst, p-12 only, public	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
educational inst, excluding p-12, private	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
educational inst, p-12 only, private	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	●	-	-	-
Transportation													
bus/train terminal	-	-	-	-	-	-	Ⓢ	Ⓢ	-	●	●	-	-
parking lot or structure (as a primary use)	-	-	-	-	-	-	-	-	-	Ⓢ	Ⓢ	-	Ⓢ
Other													
animal shelter	-	-	-	-	-	-	-	-	-	-	-	●	-
cemeteries	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	-	-	-	-
clinic	-	-	-	-	-	-	-	●	●	●	●	-	-
community center	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	●	●	●	●	-	-
funeral home/mortuary/crematory	-	-	-	-	-	-	-	Ⓢ	Ⓢ	-	-	-	-
health care facilities, medical and emergency	-	-	-	-	-	-	-	Ⓢ	●	●	●	-	-
lodge or private club	Ⓢ	Ⓢ	Ⓢ	-	-	-	●	●	●	●	-	-	-
places of worship	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	Ⓢ	Ⓢ	-	-	-	-
publicly-owned buildings and facilities	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	●	●	●	●	●	●	●
Parks & Recreation													
campground/rv park	Ⓢ	-	-	-	-	-	-	-	-	●	-	-	-

■ - Stricken Text

■ - Added Text

driving range (as a primary use)	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-	-
golf course	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	●	-	-	-	-	-
nature preserve	●	●	●	●	●	●	●	●	●	●	●	●	●	●
recreation (active)	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ	-	-	-	-	-	-	-	-
recreation (passive)	●	●	●	●	●	●	●	●	-	-	-	-	-	-
Commercial														
Adult Uses														
sexually oriented businesses	-	-	-	-	-	-	-	-	-	-	-	-	-	Ⓢ
Motor Vehicle Services														
car wash	-	-	-	-	-	-	-	-	●	●	-	-	-	-
filling station	-	-	-	-	-	-	-	Ⓢ	●	●	-	●	-	-
impound facility	-	-	-	-	-	-	-	-	-	-	-	Ⓢ	●	-
motor vehicle parts sales (without on-site repair)	-	-	-	-	-	-	-	-	●	●	-	-	-	-
motor vehicle repair and service, major	-	-	-	-	-	-	-	-	Ⓢ	-	-	-	●	-
motor vehicle repair and service, minor	-	-	-	-	-	-	-	-	●	●	-	●	-	-
motor vehicle sales, small	-	-	-	-	-	-	-	-	●	Ⓢ	-	-	-	-
motor vehicle sales, large	-	-	-	-	-	-	-	-	-	●	-	-	-	-
storage, rv and boat	-	-	-	-	-	-	-	-	Ⓢ	-	-	●	-	-
truck stop/travel center	-	-	-	-	-	-	-	-	-	Ⓢ	-	-	-	Ⓢ
Entertainment/Recreation														
banquet or assembly hall	Ⓢ	-	-	-	-	-	-	-	●	●	-	Ⓢ	-	-
conference/convention center	-	-	-	-	-	-	-	-	-	●	●	-	-	-
entertainment, commercial outdoor	Ⓢ	-	-	-	-	-	-	-	-	-	-	-	-	-
entertainment complex	Ⓢ	-	-	-	-	-	-	-	Ⓢ	●	-	-	-	-
retreat center	Ⓢ	-	-	-	-	-	-	-	●	-	●	-	-	-
Services														
commercial services	-	-	-	-	-	-	●	●	●	●	-	-	-	-
day care center (child/adult)	-	-	-	-	-	Ⓢ	-	●	●	●	●	-	-	-
fitness center	-	-	-	-	-	-	●	●	●	●	●	-	-	-
drug stores and pharmacies	-	-	-	-	-	-	●	●	●	●	●	-	-	-
hotels/motels	-	-	-	-	-	-	-	-	●	●	●	-	-	-
kennel	Ⓢ	-	-	-	-	-	-	-	● ²	● ²	-	●	-	-
lawn care/landscaping business	●	-	-	-	-	-	-	-	●	-	-	-	-	-
storage, contractor	-	-	-	-	-	-	-	-	Ⓢ	-	-	●	●	-
storage, self-service	-	-	-	-	-	-	-	Ⓢ	●	●	-	●	-	-

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■ - Added Text

Professional/Office														
administrative/professional office	-	-	-	-	-	-	●	●	●	●	●	⑤	-	-
bank/financial/investment institution	-	-	-	-	-	-	-	●	●	●	●	-	-	-
data processing/call center	-	-	-	-	-	-	-	-	●	●	●	-	-	-
employment service	-	-	-	-	-	-	-	-	-	●	●	-	-	-
medical and dental laboratories	-	-	-	-	-	-	-	-	●	●	●	●	-	-
veterinarian clinics and animal hospitals	⑤	-	-	-	-	-	-	● ²	● ²	●	-	-	-	-
Restaurant/Food Preparation														
bar/tavern	-	-	-	-	-	-	●	●	●	●	-	-	-	-
coffee shop	-	-	-	-	-	-	●	●	●	●	●	⑤	-	-
microbrewery/brew-pub	-	-	-	-	-	-	●	●	●	●	-	-	-	-
wine and craft beer boutique	-	-	-	-	-	-	●	●	●	●	-	-	-	-
restaurants	-	-	-	-	-	-	●	●	●	●	●	⑤	-	-
restaurants, fast-food	-	-	-	-	-	-	-	⑤	●	●	●	⑤	-	-
Retail														
retail small-scale (less than 15,000 sf)	-	-	-	-	-	-	●	●	●	●	●	-	-	-
retail large-scale (greater than 15,000 sf, less than 35,000 sf)	-	-	-	-	-	-	-	-	-	●	-	-	-	-
smoke shops, tobacco store, and medical marijuana dispensaries	-	-	-	-	-	-	-	-	-	⑤	-	-	-	-
Vape Shops	-	-	-	-	-	-	-	-	-	⑤	-	-	-	-
Light and Heavy Industrial														
agricultural products terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	●
animal & animal products processing, packaging	-	-	-	-	-	-	-	-	-	-	-	-	-	●
auction facility (excluding livestock)	-	-	-	-	-	-	-	-	-	⑤	-	●	-	-
bottle gas storage & distribution	-	-	-	-	-	-	-	-	⑤	-	-	●	-	-
composting facility	⑤	-	-	-	-	-	-	-	-	-	-	-	-	⑤
concrete/asphalt production facility	-	-	-	-	-	-	-	-	-	-	-	-	-	●
explosive manufacturing and storage	-	-	-	-	-	-	-	-	-	-	-	-	-	⑤

■ - Stricken Text

■ - Added Text

food & beverage production	-	-	-	-	-	-	-	-	-	-	-	●	●
junk/scrap metal yard	-	-	-	-	-	-	-	-	-	-	-	-	⑤
lumber yard	-	-	-	-	-	-	-	-	-	-	-	⑤	●
manufacturing (heavy)	-	-	-	-	-	-	-	-	-	-	-	-	●
manufacturing (light)	-	-	-	-	-	-	-	-	-	-	●	●	●
mineral extraction operations ⁴	⑤	-	-	-	-	-	-	-	-	-	-	-	⑤
petroleum and chemical processing and storage	-	-	-	-	-	-	-	-	-	-	-	-	●
power generation facility (commercial)	-	-	-	-	-	-	-	-	-	-	-	-	●
printer/publishing facility	-	-	-	-	-	-	-	-	-	●	●	●	●
recycling center	-	-	-	-	-	-	-	-	-	-	-	⑤	●
research and testing laboratories	-	-	-	-	-	-	-	-	-	-	●	●	-
salvage yard	-	-	-	-	-	-	-	-	-	-	-	-	⑤
sanitary landfill	-	-	-	-	-	-	-	-	-	-	-	-	⑤
solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	⑤
tool and die shop	-	-	-	-	-	-	-	-	⑤	⑤	●	-	
truck freight terminal	-	-	-	-	-	-	-	-	-	-	⑤	-	●
warehouse & distribution facility	-	-	-	-	-	-	-	-	-	-	●	●	●
waste incinerator	-	-	-	-	-	-	-	-	-	-	-	-	⑤



CITY OF VILLA RICA

Planning and Zoning Commission Agenda Item Cover Sheet

SUBJECT: Rezoning and annexation for Hwy 61 and South Van Wert-Avemore PUD (RA-01-25) (ANX-01 & 2-25)

AGENDA DATE: 4/15/2025

DATE PREPARED: 3/25/2025

PREPARED BY: Community Development Department

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.

In January 2025, city staff introduced a proposal for a new Technology Park Overlay District (TPOD) Zoning District, outlined in Section 4.18. This zoning district specifies permitted uses and development standards for projects akin to the one proposed by the applicant, Avemore GA, LLC.

Following this process, the applicant filed two requests for annexation (ANX-01 & 02-25) 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 District (TPOD).

STAFF RECOMMENDATION: APPROVAL

REASONS:

1. Based on the City's Comprehensive Plan Development Patterns (DP) and Social and Economic Development (SED), the applicant's request to rezone the parcel from PUD to PUD-Industrial (TPOD) is supported.
2. (TPOD) will provide the highest and best use of the land, without overburdening city schools, roads, and infrastructure.
3. The rezoning facilitates the transformation of a vacant, underutilized parcel into a valuable asset for the city while promoting opportunities for additional development along the Highway 61 corridor.
4. No objections were received from Carroll County.

IMPACT: N/A

POTENTIAL ACTION: Approval with the following conditions:

1. Water Utilization, Sewer Capacity, and Conveyance are to be agreed upon with the City in the form of a Development Agreement.
2. The development agreement and site plan must undergo review by the Planning & Zoning Commission and be approved by the City Council
3. Residential components of the PUD must be removed, and all affected properties must adhere to TPOD development standards and permitted uses.
4. A minimum 100-foot buffer yard shall separate subject properties from all residential zoning districts.

MOTION:

- I motion to approve the rezoning request for Parcel ID 168 0090 (Hickory Level Road) and Parcel ID 169 0120 (2664 South Van Wert Road) 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.
- I motion to approve the annexation requests for Parcel ID 168 0090 (Hickory Level Road) and Parcel ID 169 0120 (2664 South Van Wert Road) 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.



March 25, 2025

Planning Report

AVEMORE GA LLC

RA-01-25

Highway 61, Hickory Level Road, & South Van Wert Road

Land Lot: 92, 93, 98, 99, 100, 101, 125 District 6

Parcel #: V07 014003, V07 014004, V07 0140151, 168 0090, 169 0120

Ward: 2

City Council Member: Matthew Momtahan

Planning Board Member: Julie Cepin

City of Villa Rica/Carroll County

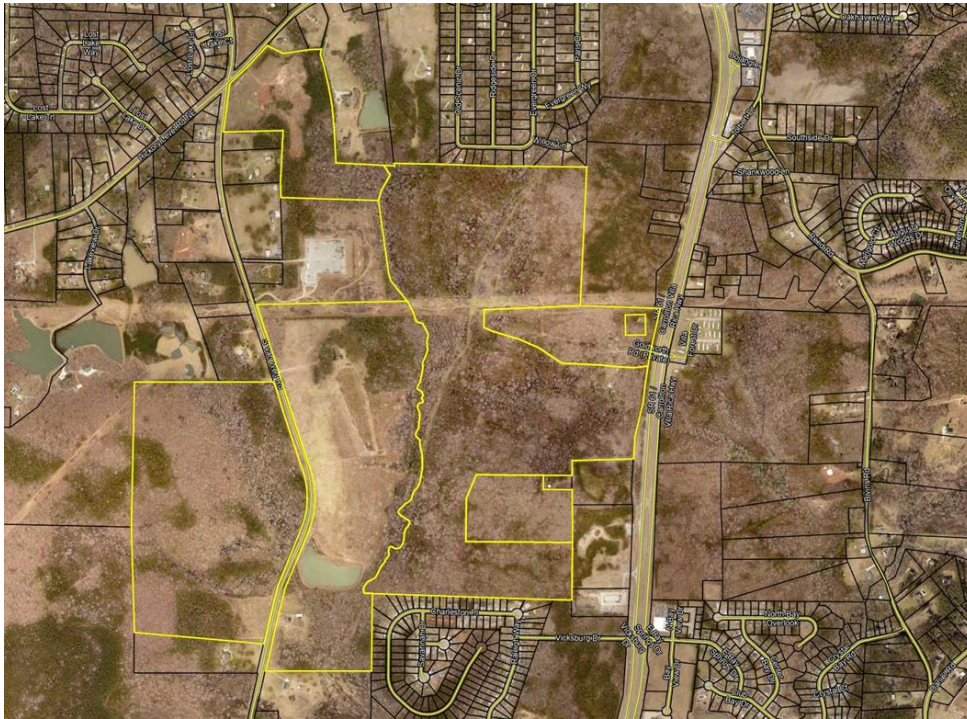


Figure 1: Carroll County GIS image of the site, with the property boundaries approximated.

Applicant : Avemore Ga LLC

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

Dear Ms. Cox:

AVEMORE GA LLC (the Applicant) seeks an annexation and rezoning from Carroll County Conservation/Agricultural Zoning and Villa Rica (PUD) zone to the Technology Park Overlay District (TPOD). The Applicant has not requested any variances.

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

1. Application Checklist and dated March 21, 2025 (1 page);
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9. Property Owner Document, Undated (1 page);
10. Properties Deed Packet (35 pages);

A. Existing Conditions

According to the applicant's land survey, the combined acreage of the subject properties totals approximately 428.288 acres. The parcel identified as (V07 014004), owned by Avemore, LLC, is currently zoned as Planned Unit Development (PUD) and is situated west of Highway 61.

Parcel Breakdown:

- Tract 1: 1.012 acres (Parcel # V07 014004)
- Tract 2: 186.791 acres (Parcel # V07 014004)
- Tract 3: 16.296 acres (Parcel # V07 0140151)

As outlined in the applicant's Petition Requesting Annexation, the 182.46-acre portion of the property located on South Van Wert Road (Parcel #169 0120) is currently zoned A-5 (Agricultural) under Carroll County jurisdiction. The property consists primarily of undeveloped land, a pond, and a residence situated on the larger of the two portions. To accommodate annexation while retaining the existing residential structure, the applicant has submitted a supplemental survey proposing a parcel split, which would allow the residence to remain within Carroll County jurisdiction.

Geographically, the property adjoins Charston Place subdivision to the southeast. To the south and west, it borders large parcels of undeveloped land and single-family homes. The property is adjacent to unincorporated Carroll County on three sides: to the west across Van Wert Road, to the north along Van Wert Road, and to the east across Highway 61.

Additionally, the applicant's Petition Requesting Annexation includes a 32.06-acre parcel located at the intersection of Hickory Level Road and South Van Wert Road (Parcel #168 0090). This parcel is currently zoned V-5 (Conservation Use) under Carroll County and primarily consists of undeveloped land.

The subject properties are surrounded by low-density residential uses on the north, east, and west sides. The property is also adjacent to an electric substation to the south and a residential subdivision to the east, across Highway 61.

Surrounding Properties:

Parcel # 1680090		
	Current Zoning	Land Use
North	Residential / Unincorporated (Carroll County)	Suburban and Undeveloped Properties
East	Residential (Carroll County)	Suburban Properties
South	Carroll EMC Substation Unincorporated (Carroll County)	County
West	Agricultural (A) - County	Undeveloped– County

Parcel # 1690120		
Current Zoning		Land Use
North	Carroll EMC Substation Unincorporated (Carroll County)	County
East	Agricultural (A) – County Planned Unit Development (PUD)	Undeveloped– County Suburban Village
South	Residential / Unincorporated (Carroll County)	Undeveloped– County
West	Agricultural (A) - County	Undeveloped– County

B. Site History

In 2018, the City Council approved the Avemore project at 55 and 63 Goldworth Road. The original approval included a total of 200 single-family units, 300 multi-family units, live/work units, and additional uses, such as senior housing, which encompassed independent living, memory care, and a minimum age restriction of fifty-five (55) years.

In 2020, the City Council authorized an amendment to increase the total number of single-family lots to no more than 250 units and to expand the multi-family units to a maximum of 325 units. Subsequently, in 2021, the Council approved an additional 290 units of senior housing, maintaining the age restriction of fifty-five (55) years. The applicant has consistently sought annual extensions of their zoning approvals in accordance with the original and modified conditions tied to the project's conditional approval.

In September 2024, the applicant submitted a request to extend the previously approved Planned Unit Development (PUD) and proposed an amendment to incorporate Light Industrial (I1) zoning (ALT-01-24). This application was denied by the Planning and Zoning Commission, with the recommendation that the applicant file a new application. The revised application would effectively remove the previously approved housing units and mixed-use components and reconfigure the PUD to reflect Medium Industrial (I2) zoning. Following this guidance, the initial application was withdrawn, and a new application was subsequently filed.

In January 2025, city staff introduced a proposal for a new Technology Park Overlay District (TPOD) Zoning District, outlined in Section 4.18. This zoning district specifies permitted uses and development standards for projects akin to the one proposed by the applicant, Avemore GA, LLC.

Proposed uses within the Technology Park Overlay District include, but are not limited to:

- Corporate campuses with administrative operations
- Technology parks with electrical substations
- Research and development facilities

- Data processing and other computer-based operations

In January 2025, the City Council approved the addition of the TPOD section to the city's ordinance by a 4-1 vote.

C. Proposed Development

The applicant seeks annexation and rezoning approval to transition the property from Agricultural and Conservation zoning to an expanded Planned Unit Development (PUD), incorporating the Technology Park Overlay District (TPOD). The subject property spans a total of 428.288 acres and is located along Highway 61 and South Van Wert Road. The proposed development is envisioned to support uses such as a technology park or corporate campus with ancillary facilities.

See Table 2 below for yard and bulk requirements in the (TPOD) Technology Park Overlay District:

TABLE 2 - BULK REQUIREMENTS – INDUSTRIAL, MEDIUM DENSITY ZONE DISTRICT			
	Required	Proposed	Conforming (C) or Nonconforming (NC)
Minimum Lot Area (ac)	5	428.288	C
Minimum Lot Width (ft)	150	Unknown	C
Minimum Lot Frontage (ft)	50	Unknown	C
Minimum Rear Yard Setback (ft)	50	Unknown	Unknown
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Maximum Building Coverage (%)	60	Unknown	Unknown
Maximum Building Height (ft)	60	Unknown	Unknown
Maximum Impervious Coverage (%)	80	Unknown	C

The project's plans for accessing water and sewer utilities remain uncertain, including whether connections can be feasibly established and whether sufficient capacity and distribution infrastructure are available. The applicant has been actively collaborating with city and county officials to explore viable solutions, aiming to minimize any potential impact on the existing infrastructure and its capacity.

Design Standards

The city has established design standards applicable to developments within the Technology Park Overlay District (TPOD). These include the recently amended standards outlined in Section 4.18, as well as the non-residential design standards specified in Section 9.04 of the Zoning Ordinance. The applicant will be required to comply with these standards during the architectural review process.

Amenities/Open Space

The developer must provide a calculation of the current open space relative to the total acreage of the property, as required by the Technology Park Overlay District (TPOD) standards outlined in Section 4.18 and the Open Space requirements specified in the Development Standards under Section 7.13. The ordinance defines the criteria for qualifying and non-qualifying open space, as detailed 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 runs through the subject properties. Based on an analysis using the National Flood Hazard Layer FIRMette software, portions of the property near South Van Wert Road are in proximity to a Floodplain A zone; however, the majority of the property does not fall within this designation. Without a submitted Conceptual Site Plan, it remains uncertain whether the applicant intends to propose any creek infill. Additionally, it is unclear whether all buildings will comply with buffer requirements from the pond. Any proposed creek infill may require variances and will be subject to extensive review and approval by the Environmental Protection Division (EPD) and the City Engineer. Figure 2 below illustrates the flood zone map for the property.

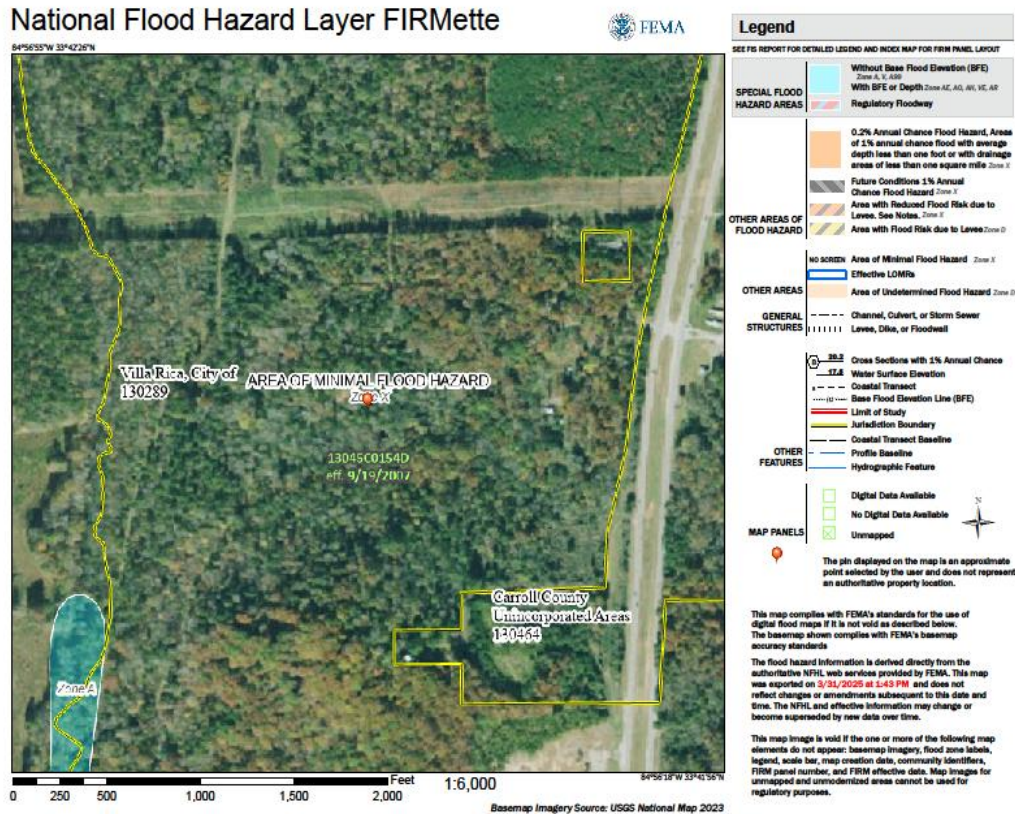


Figure 2: National Flood Hazard Layer FIRM Map

Buffering/Screening/Tree Conservation:

The applicant is required to submit a landscaping plan at the time of Final Plat submittal. In accordance with Section 7.05(6) of the Zoning Ordinance, a twenty (20)-foot-wide landscaped area must be provided adjacent to the road or right-of-way. This area must be designated as a “common area” or placed within a landscape easement. Additionally, several shrubs and trees are required to be planted within this area.

The following standards apply:

- At least one (1) tree must be planted for every thirty (30) linear feet of landscaped area. Trees may include a combination of deciduous and evergreen species.
- A minimum of one (1) shrub must be planted every three (3) feet to create a continuous screen. This screen must reach a minimum height of thirty-six (36) inches within two (2) years of planting.

The Technology Park Overlay District (TPOD), as outlined in Section 4.18, includes additional landscaping and buffer requirements that the applicant must adhere to during the development process.

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 Village 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 Suburban Village character area is designed to establish development nodes in locations with potential for future growth, focusing on community crossroads as central hubs. The development principles emphasize generally low to moderate density with concentrated neighborhood commercial uses oriented around intersections and community crossroads. In more rural areas, lower density is prioritized.

Transportation design principles highlight internal connectivity for vehicular, pedestrian, and bicycle traffic within residential areas, while the road network should ensure effective linkage to surrounding areas.

General Characteristics: Suburban Villages are defined by clustered commercial development centered around prominent road intersections, known as Community Crossroads. These areas include nearby residential neighborhoods, which are suburban in nature. The development pattern is typically compact, featuring either stand-alone businesses or small groups of businesses within a site. In more rural and suburban locations, individual businesses often occupy singular properties.

The Future Land Use Map designates the surrounding area with categories such as Commercial, Public/Institutional, and Medium Density Residential.

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

The lots are currently vacant, with no active uses and a single small structure. The overall character of the site reflects that of a typical vacant, undeveloped lot, bordered by agricultural properties. The character of the Agricultural (AG) zone is defined by single-family homes on large lots of at least ½ acre.

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

Based on the Comprehensive Plan and the overall character of the surrounding area, the proposed development represents the most desirable use for the property. The current use of the site as vacant land does not align with its highest and best use, given the size of the acreage and the recommendations outlined in the Comprehensive Plan. Development as a Technology Park Overlay District (TPOD) along the highway is considered desirable from both a planning and infrastructure perspective, as well as being comparatively less impactful on local schools and traffic.

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

The proposed development is anticipated to have a nominal impact on property values for the surrounding areas.

v. Responsible development and growth

The southwestern portion of the city is anticipated to experience substantial residential and commercial growth in both the near and long-term future. The proposed development is expected to generate less vehicular and personal traffic compared to the originally approved multi-use Planned Unit Development (PUD).

However, the applicant has not outlined any plans for roadway improvements, making it difficult to evaluate the adequacy of the current road network or the potential impact of enhancements.

i. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed use is unique within the city and differs from the uses on adjacent and nearby properties. Highway 61 has experienced significant residential development both within and beyond the city limits. The size of the parcel and its extensive frontage along

Highway 61 make it a prime candidate for future commercial or potentially residential development in the area.

ii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposed use is not anticipated to negatively impact the existing uses or the usability of adjacent properties or structures. The development must comply with buffer requirements for dissimilar adjacent uses, with additional buffering required for areas directly adjoining residential properties.

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 on local schools and traffic than the original PUD which proposed approximately 850 mixed residential units. Due to the size and location of the parcel, along with development pressures along the Highway 61 corridor, the rezoning to (TPOD) would give the parcel an economic advantage for providing further development but increase utility demand in an area of the city with distribution challenges.

The property's currently undeveloped use is not reasonable economically. It does not represent the highest and best use of the land, given the parcel's size and the Comprehensive Plan's recommendations for appropriate zoning. Rezoning to the Technology Park Overlay District (TPOD) would align with the area's development utilities pressures along the Highway 61 corridor, providing the parcel with greater economic viability. Additionally, the rezoning is projected to have less impact on local schools and traffic compared to the previously approved PUD, which proposed approximately 850 mixed residential units. However, the rezoning would place increased demand on utility infrastructure in an area with existing 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;

There is potential for excessive usage of city infrastructure, particularly regarding sewer capacity along Highway 61. The city has faced increasing challenges in providing adequate sewer collection capacity for developments along and surrounding Highway 61, which may complicate the feasibility of future projects. Significant sewer conveyance limitations have been identified in the Highway 61-South watershed. Investigations indicate that any future development in this area would require the construction of a regional lift station and conveyance system along South Van Wert Road extending beyond Interstate 20. Such a lift

station would address current conveyance limitations and support future projects within the watershed.

Some preliminary discussions between the developer and the city have occurred regarding the location and planning of the lift station and conveyance system. However, no concept plan has been submitted to the city for traffic improvements along Highway 61. Potential impacts on traffic along Highway 61 and South Van Wert Road must be studied and reviewed by the City Engineer during the final plat approval process.

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 proposed rezoning is not fully aligned with the Comprehensive Plan, which designates the Suburban Village character area and prioritizes commercial and residential zoning. While the proposal diverges from the prescribed intent of this character area, it offers relief from the demand associated with hundreds of housing units, making the requested zoning change from PUD to TPOD preferable from a planning perspective. Incorporating industrial-like uses near both agricultural and residential zones aligns with the existing development patterns observed in the City's outer areas, such as the Industrial Parks in the Northwest and Central Eastern sections of the City. The Technology Park Overlay District (TPOD), as outlined in Section 4.18, specifies the allowable uses for this zoning designation.

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 proposed TPOD would 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 the 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.

F. Supported by Comprehensive Plan Sections:

Development Patterns (DP):

DP Goal 1: Maintain small-town character and cultural identity while supporting growth

DP Strategy 1.2: Ensure non-residential development in Village areas indicated on the Future Development Map is compatible with existing character and scale of the surrounding area

DP Goal 6: Promote quality corridor development

DP Strategy 6.1: Evaluate need to develop design standards for corridor development to help mitigate traffic mobility issues in high traffic areas and to ensure that new development/ redevelopment is designed to be compatible with the function of the corridors

Social and Economic Development (SED): Create employment opportunities within the city and expand business diversity.

- SED Strategy 3.2: Promote high quality Employment Centers (Industrial, Commercial, Office, Gateway) through enforcing development regulations related to building and site design and buffer and landscaping requirements, in accordance with the Future Development Guide.
- SED Strategy 3.3: Identify and promote opportunities for higher-paying jobs and small business.
- SED Strategy 3.4: Identify opportunities to accommodate expansion of industrial real estate (including infill development), where appropriately located
- SED Strategy 3.5: Pursue annexation opportunities within a general Urban Growth Area as depicted on the Future Development Map, based on the determination of economic feasibility/benefit

G. Recommendation:

Staff recommendation: **APPROVAL**

Reasons:

1. Based on the City's Comprehensive Plan Development Patterns (DP) and Social and Economic Development (SED), the applicant's request to rezone the parcel from PUD to PUD-Industrial (TPOD) is supported.
2. (TPOD) will provide the highest and best use of the land, without overburdening city schools, roads, and infrastructure.
3. The rezoning facilitates the transformation of a vacant, underutilized parcel into a valuable asset for the city while promoting opportunities for additional development along the Highway 61 corridor.
4. No objections were received from Carroll County.

Conditions:

1. Water Utilization, Sewer Capacity, and Conveyance are to be agreed upon with the City in the form of a Development Agreement.
2. The development agreement and site plan must undergo review by the Planning & Zoning Commission and be approved by the City Council.
3. Residential components of the PUD must be removed, and all affected properties must adhere to TPOD development standards and permitted uses.
4. A minimum 100-foot buffer yard shall separate subject properties from all residential zoning districts.

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 March 24, 2025; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

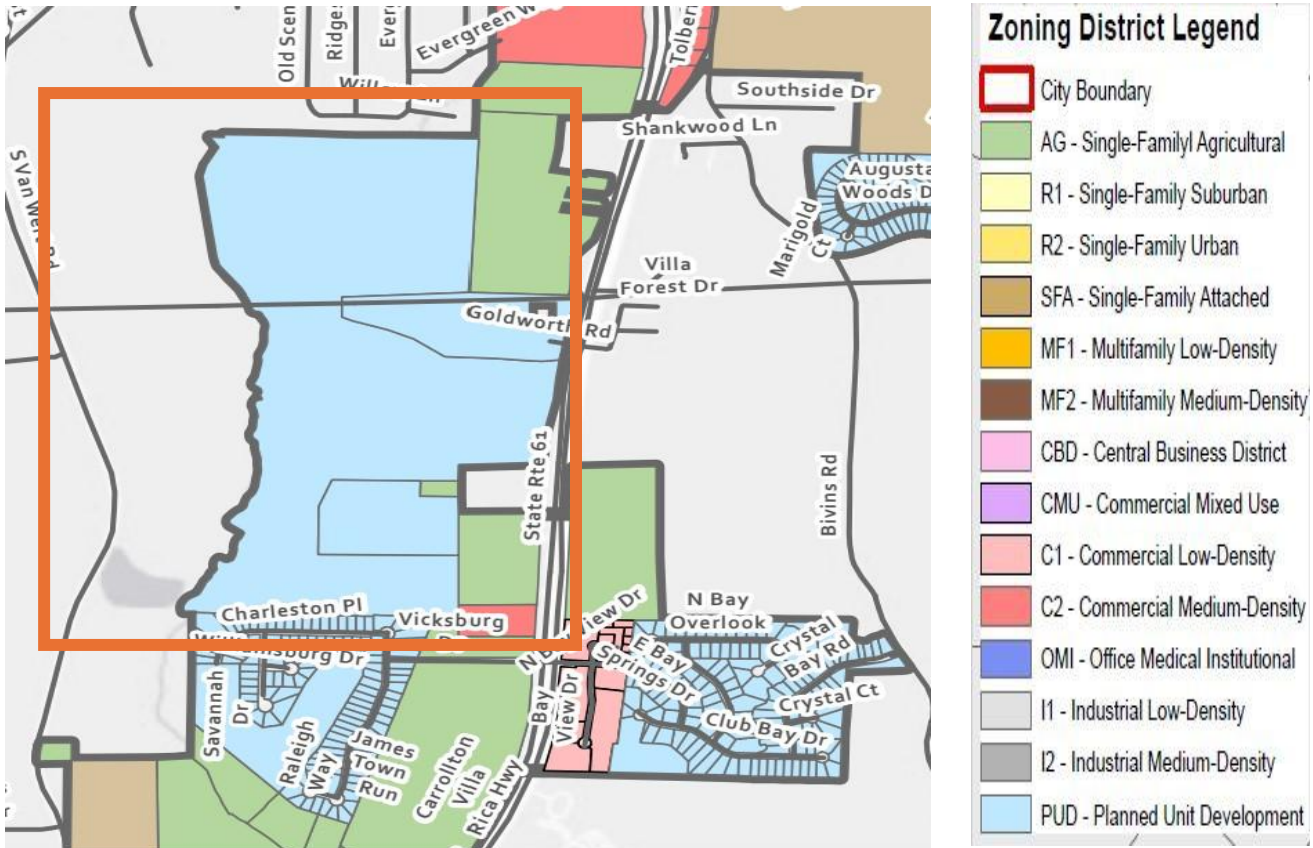
Letters of opposition to the applicant's request were submitted to the Community Development Department.

Applicant : Avemore Ga LLC

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

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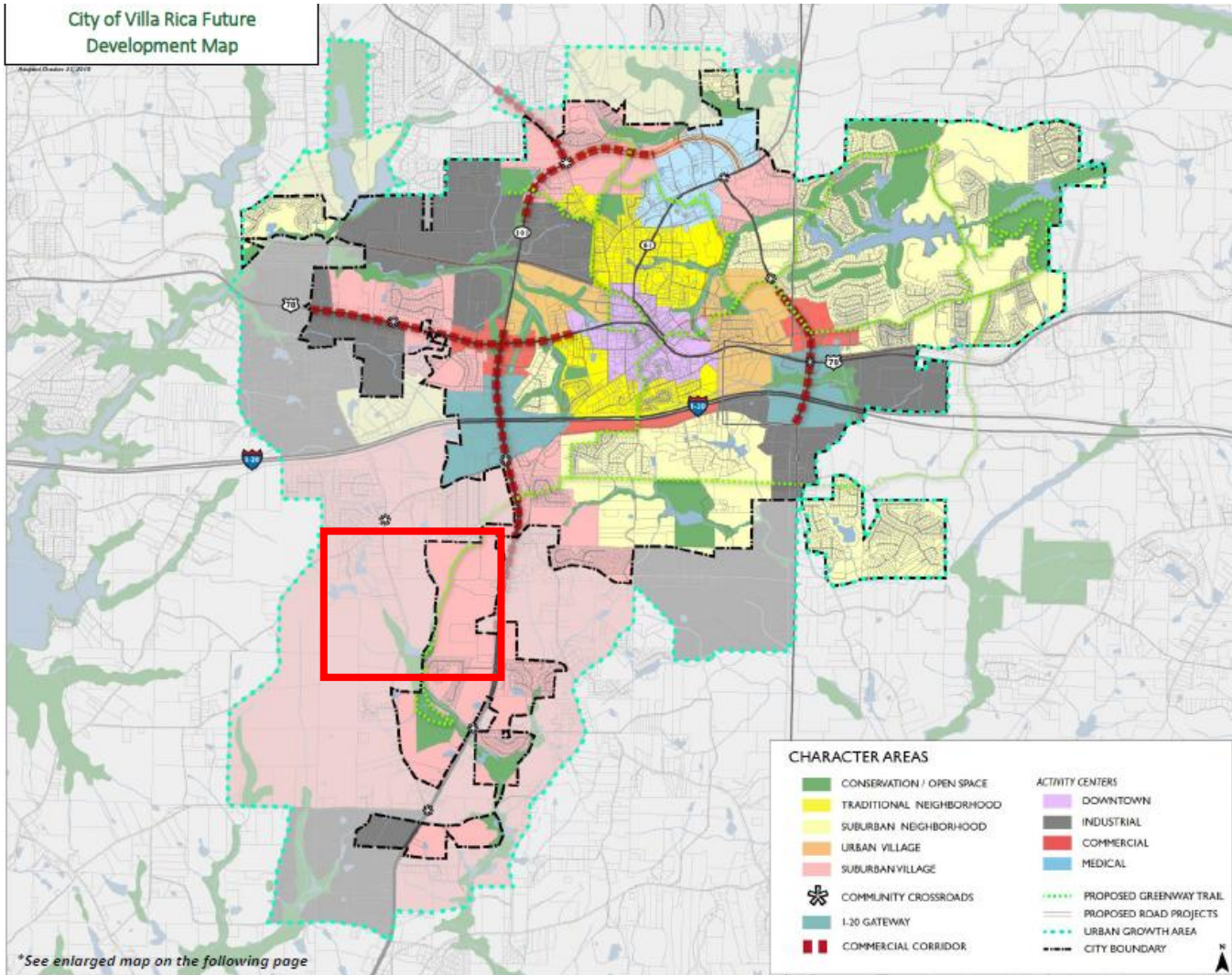


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Planning Report

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ANX-01-25 ANX-02-25

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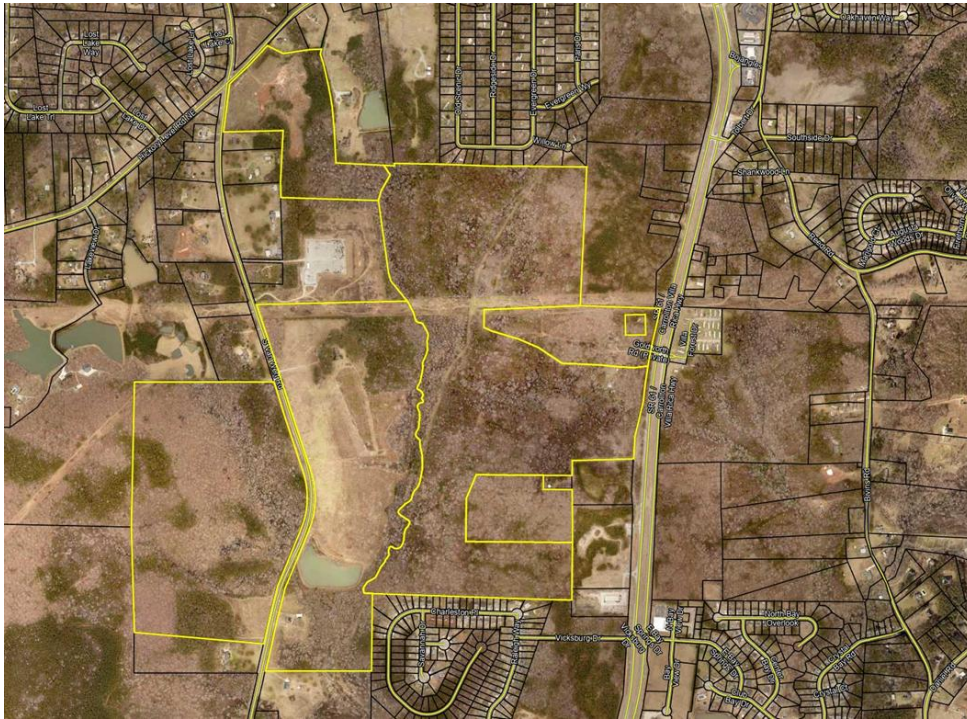


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Parcel # 1690120		
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The project's plans for accessing water and sewer utilities remain uncertain, including whether connections can be feasibly established and whether sufficient capacity and distribution infrastructure are available. The applicant has been actively collaborating with city and county officials to explore viable solutions, aiming to minimize any potential impact on the existing infrastructure and its capacity.

Design Standards

The city has established design standards applicable to developments within the Technology Park Overlay District (TPOD). These include the recently amended standards outlined in Section 4.18, as well as the non-residential design standards specified in Section 9.04 of the Zoning Ordinance. The applicant will be required to comply with these standards during the architectural review process.

Amenities/Open Space

The developer must provide a calculation of the current open space relative to the total acreage of the property, as required by the Technology Park Overlay District (TPOD) standards outlined in Section 4.18 and the Open Space requirements specified in the Development Standards under Section 7.13. The ordinance defines the criteria for qualifying and non-qualifying open space, as detailed 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 runs through the subject properties. Based on an analysis using the National Flood Hazard Layer FIRMette software, portions of the property near South Van Wert Road are in proximity to a Floodplain A zone; however, the majority of the property does not fall within this designation. Without a submitted Conceptual Site Plan, it remains uncertain whether the applicant intends to propose any creek infill. Additionally, it is unclear whether all buildings will comply with buffer requirements from the pond. Any proposed creek infill may require variances and will be subject to extensive review and approval by the Environmental Protection Division (EPD) and the City Engineer. Figure 2 below illustrates the flood zone map for the property.

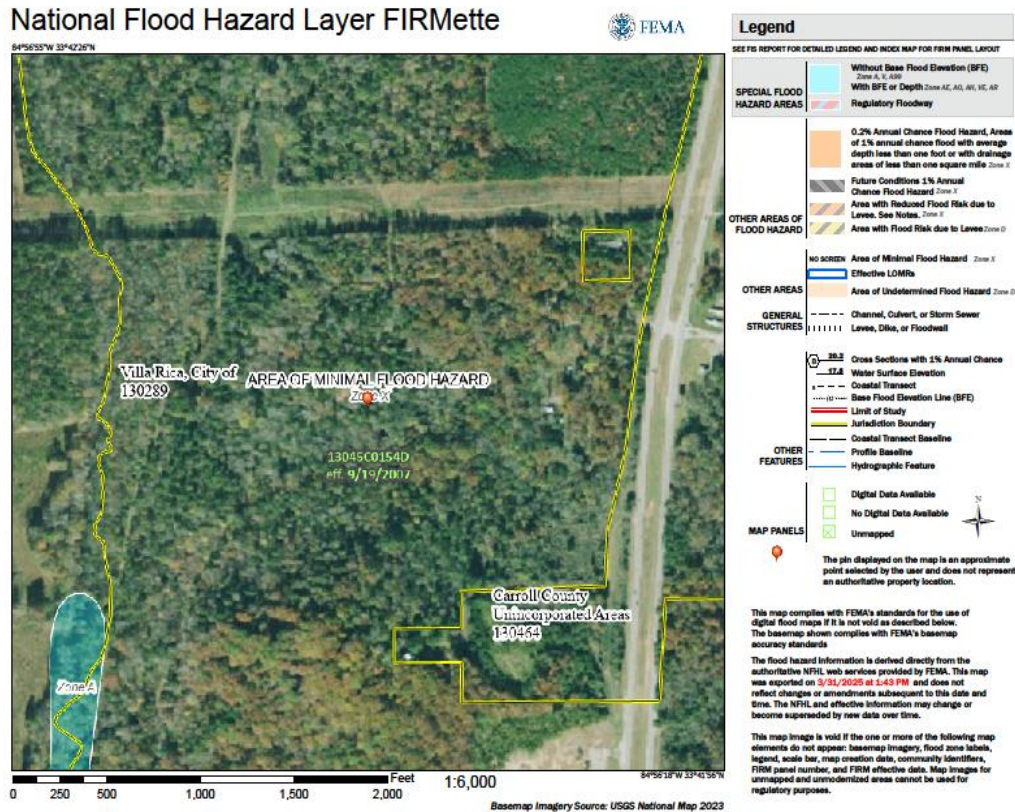


Figure 2: National Flood Hazard Layer FIRM Map

Buffering/Screening/Tree Conservation:

The applicant is required to submit a landscaping plan at the time of Final Plat submittal. In accordance with Section 7.05(6) of the Zoning Ordinance, a twenty (20)-foot-wide landscaped area must be provided adjacent to the road or right-of-way. This area must be designated as a “common area” or placed within a landscape easement. Additionally, several shrubs and trees are required to be planted within this area.

The following standards apply:

- At least one (1) tree must be planted for every thirty (30) linear feet of landscaped area. Trees may include a combination of deciduous and evergreen species.
- A minimum of one (1) shrub must be planted every three (3) feet to create a continuous screen. This screen must reach a minimum height of thirty-six (36) inches within two (2) years of planting.

The Technology Park Overlay District (TPOD), as outlined in Section 4.18, includes additional landscaping and buffer requirements that the applicant must adhere to during the development process.

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 Village 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 Suburban Village character area is designed to establish development nodes in locations with potential for future growth, focusing on community crossroads as central hubs. The development principles emphasize generally low to moderate density with concentrated neighborhood commercial uses oriented around intersections and community crossroads. In more rural areas, lower density is prioritized.

Transportation design principles highlight internal connectivity for vehicular, pedestrian, and bicycle traffic within residential areas, while the road network should ensure effective linkage to surrounding areas.

General Characteristics: Suburban Villages are defined by clustered commercial development centered around prominent road intersections, known as Community Crossroads. These areas include nearby residential neighborhoods, which are suburban in nature. The development pattern is typically compact, featuring either stand-alone businesses or small groups of businesses within a site. In more rural and suburban locations, individual businesses often occupy singular properties.

The Future Land Use Map designates the surrounding area with categories such as Commercial, Public/Institutional, and Medium Density Residential.

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

The lots are currently vacant, with no active uses and a single small structure. The overall character of the site reflects that of a typical vacant, undeveloped lot, bordered by agricultural properties. The character of the Agricultural (AG) zone is defined by single-family homes on large lots of at least ½ acre.

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

Based on the Comprehensive Plan and the overall character of the surrounding area, the proposed development represents the most desirable use for the property. The current use of the site as vacant land does not align with its highest and best use, given the size of the acreage and the recommendations outlined in the Comprehensive Plan. Development as a Technology Park Overlay District (TPOD) along the highway is considered desirable from both a planning and infrastructure perspective, as well as being comparatively less impactful on local schools and traffic.

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

The proposed development is anticipated to have a nominal impact on property values for the surrounding areas.

v. Responsible development and growth

The southwestern portion of the city is anticipated to experience substantial residential and commercial growth in both the near and long-term future. The proposed development is expected to generate less vehicular and personal traffic compared to the originally approved multi-use Planned Unit Development (PUD).

However, the applicant has not outlined any plans for roadway improvements, making it difficult to evaluate the adequacy of the current road network or the potential impact of enhancements.

i. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed use is unique within the city and differs from the uses on adjacent and nearby properties. Highway 61 has experienced significant residential development both

within and beyond the city limits. The size of the parcel and its extensive frontage along Highway 61 make it a prime candidate for future commercial or potentially residential development in the area.

ii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposed use is not anticipated to negatively impact the existing uses or the usability of adjacent properties or structures. The development must comply with buffer requirements for dissimilar adjacent uses, with additional buffering required for areas directly adjoining residential properties.

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 on local schools and traffic than the original PUD which proposed approximately 850 mixed residential units. Due to the size and location of the parcel, along with development pressures along the Highway 61 corridor, the rezoning to (TPOD) would give the parcel an economic advantage for providing further development but increase utility demand in an area of the city with distribution challenges.

The property's currently undeveloped use is not reasonable economically. It does not represent the highest and best use of the land, given the parcel's size and the Comprehensive Plan's recommendations for appropriate zoning. Rezoning to the Technology Park Overlay District (TPOD) would align with the area's development utilities pressures along the Highway 61 corridor, providing the parcel with greater economic viability. Additionally, the rezoning is projected to have less impact on local schools and traffic compared to the previously approved PUD, which proposed approximately 850 mixed residential units. However, the rezoning would place increased demand on utility infrastructure in an area with existing 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;

There is potential for excessive usage of city infrastructure, particularly regarding sewer capacity along Highway 61. The city has faced increasing challenges in providing adequate sewer collection capacity for developments along and surrounding Highway 61, which may complicate the feasibility of future projects. Significant sewer conveyance limitations have been identified in the Highway 61-South watershed. Investigations indicate that any future

development in this area would require the construction of a regional lift station and conveyance system along South Van Wert Road extending beyond Interstate 20. Such a lift station would address current conveyance limitations and support future projects within the watershed.

Some preliminary discussions between the developer and the city have occurred regarding the location and planning of the lift station and conveyance system. However, no concept plan has been submitted to the city for traffic improvements along Highway 61. Potential impacts on traffic along Highway 61 and South Van Wert Road must be studied and reviewed by the City Engineer during the final plat approval process.

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 proposed rezoning is not fully aligned with the Comprehensive Plan, which designates the Suburban Village character area and prioritizes commercial and residential zoning. While the proposal diverges from the prescribed intent of this character area, it offers relief from the demand associated with hundreds of housing units, making the requested zoning change from PUD to TPOD preferable from a planning perspective. Incorporating industrial-like uses near both agricultural and residential zones aligns with the existing development patterns observed in the City's outer areas, such as the Industrial Parks in the Northwest and Central Eastern sections of the City. The Technology Park Overlay District (TPOD), as outlined in Section 4.18, specifies the allowable uses for this zoning designation.

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 proposed TPOD would 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 the 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.

F. Supported by Comprehensive Plan Sections:

Development Patterns (DP):

DP Goal 1: Maintain small-town character and cultural identity while supporting growth

DP Strategy 1.2: Ensure non-residential development in Village areas indicated on the Future Development Map is compatible with existing character and scale of the surrounding area

DP Goal 6: Promote quality corridor development

DP Strategy 6.1: Evaluate need to develop design standards for corridor development to help mitigate traffic mobility issues in high traffic areas and to ensure that new development/ redevelopment is designed to be compatible with the function of the corridors

Social and Economic Development (SED): Create employment opportunities within the city and expand business diversity.

- SED Strategy 3.2: Promote high quality Employment Centers (Industrial, Commercial, Office, Gateway) through enforcing development regulations related to building and site design and buffer and landscaping requirements, in accordance with the Future Development Guide.
- SED Strategy 3.3: Identify and promote opportunities for higher-paying jobs and small business.
- SED Strategy 3.4: Identify opportunities to accommodate expansion of industrial real estate (including infill development), where appropriately located
- SED Strategy 3.5: Pursue annexation opportunities within a general Urban Growth Area as depicted on the Future Development Map, based on the determination of economic feasibility/benefit

G. Recommendation:

Staff recommendation: **APPROVAL**

Reasons:

1. Based on the City's Comprehensive Plan Development Patterns (DP) and Social and Economic Development (SED), the applicant's request to rezone the parcel from PUD to PUD-Industrial (TPOD) is supported.
2. (TPOD) will provide the highest and best use of the land, without overburdening city schools, roads, and infrastructure.
3. The rezoning facilitates the transformation of a vacant, underutilized parcel into a valuable asset for the city while promoting opportunities for additional development along the Highway 61 corridor.
4. No objections were received from Carroll County.

Conditions:

1. Water Utilization, Sewer Capacity, and Conveyance are to be agreed upon with the City in the form of a Development Agreement.
2. The development agreement and site plan must undergo review by the Planning & Zoning Commission and be approved by the City Council.
3. Residential components of the PUD must be removed, and all affected properties must adhere to TPOD development standards and permitted uses.
4. A minimum 100-foot buffer yard shall separate subject properties from all residential zoning districts.

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 March 24, 2025; a sign has been posted on the subject properties; and all abutting property owners have received notification via regular and certified mail.

Public Response:

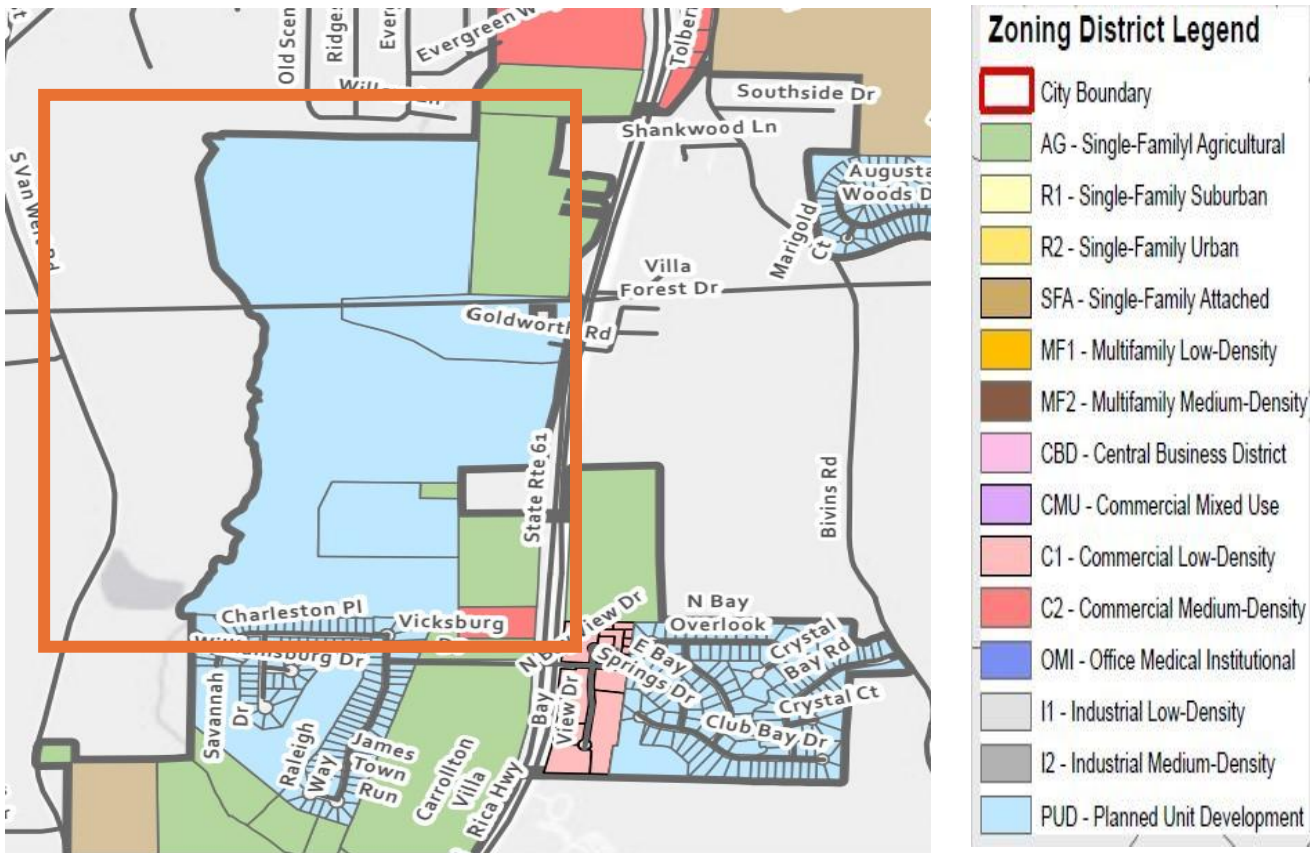
Letters of opposition to the applicant's request were submitted to the Community Development Department.

Applicant : Avemore Ga LLC

Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090

Item(s): RA-01-25, ANX-01-25, ANX-02-25

Villa Rica Zoning Map:

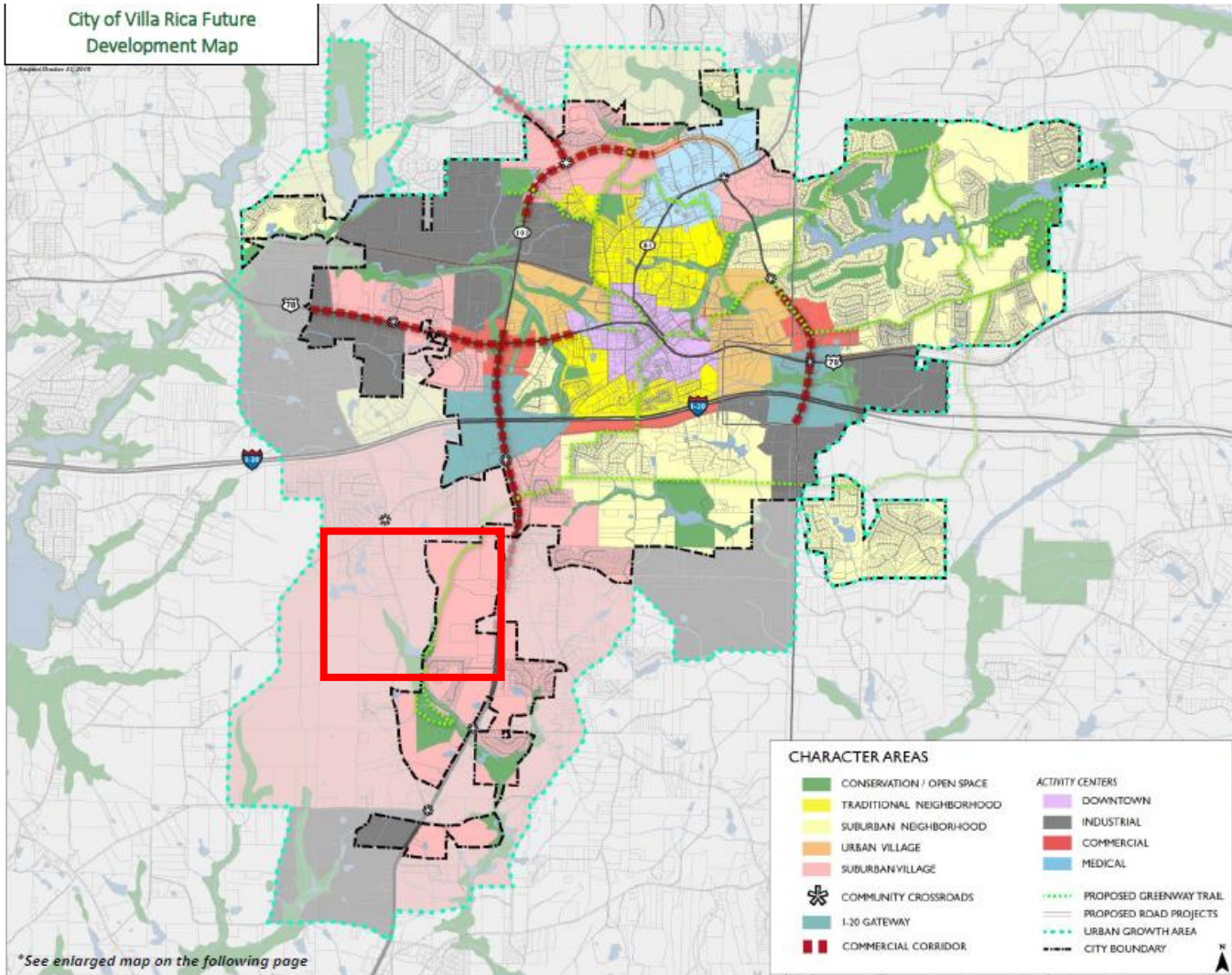


Applicant : Avemore Ga LLC

**Parcel IDs : V07 0140003, V07 0140004,
V07 0140151, 169 0120, 168 0090**

Item(s): RA-01-25, ANX-01-25, ANX-02-25

Villa Rica Future Land Use Map:



ORIGINAL



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: 3/20/2025

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.)

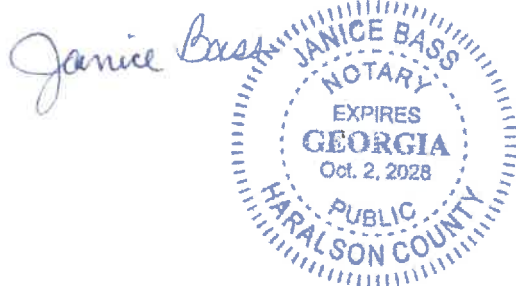
WHEREFORE, the Petitioner prays that the City Council of the City of Villa Rica, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Villa Rica, Georgia.

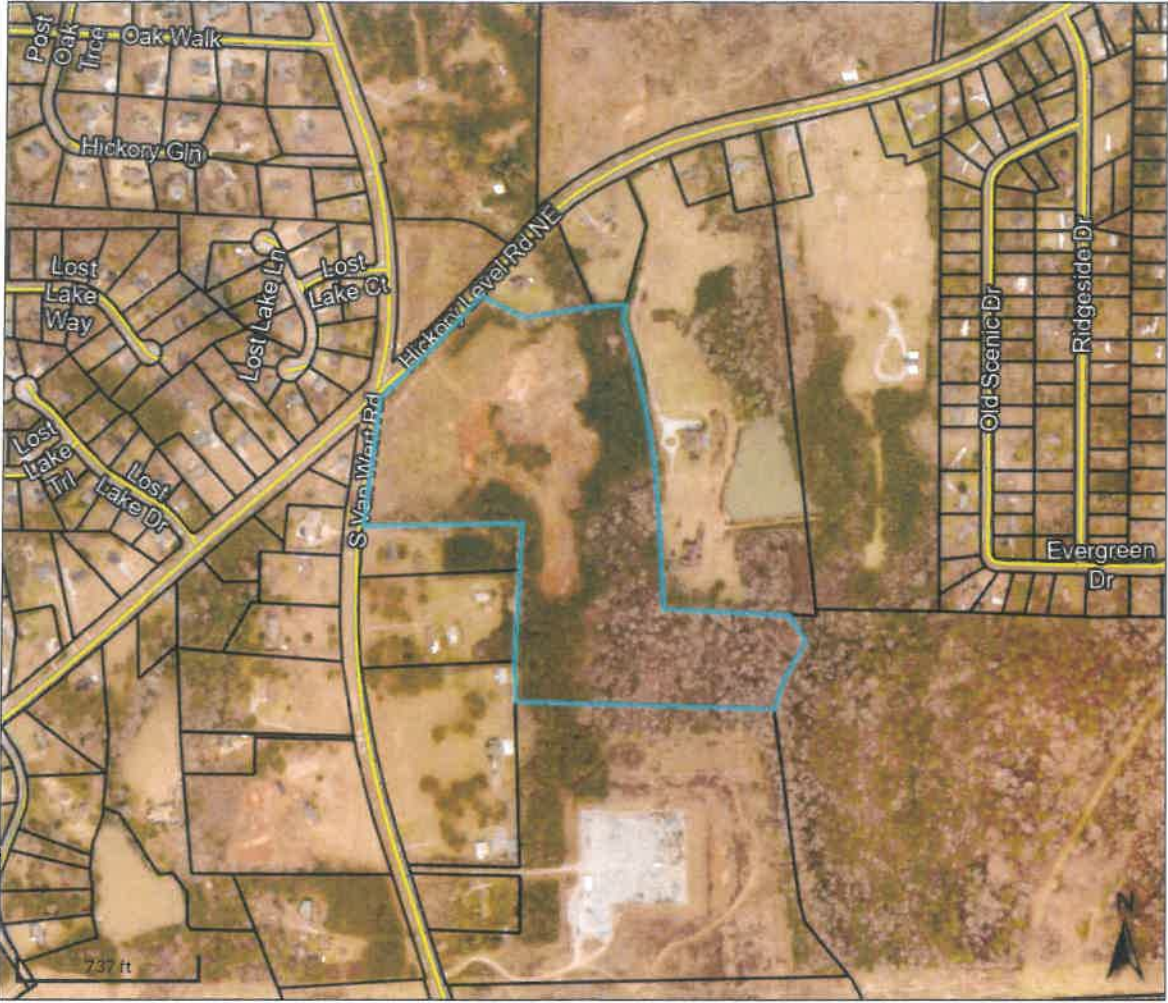
Respectfully submitted,

Brenda M. Matthews

BRENDA M. MATTHEWS, Trustee
MATTHEWS FAMILY TRUST

Petitioner Mailing Address: 215 W. Bankhead Hwy., Suite A, Villa Rica, GA 30180





- Legend
- Parcels
 - Roads

Parcel ID	168 0090	Owner	THE MATTHEWS FAMILY TRUST				Last 2 Sales		
Class Code	Consv Use		215 W BANKHEAD HIGHWAY				Date	Price	Reason
Taxing District	COUNTY		SUITE A				12/27/2024	0	LA
Acres	32.06		VILLA RICA, GA 30180				12/27/2024	0	FS
		Physical Address	HICKORY LEVEL RD				Qual		
		Assessed Value	Value \$340952						

(Note: Not to be used on legal documents)

Date created: 3/18/2025
Last Data Uploaded: 3/17/2025 6:01:37 PM

Please return to:
Jeff R. Matthews
215 W. Bankhead Hwy., Ste A
Villa Rica, GA 30180

STATE OF GEORGIA
COUNTY OF CARROLL

eFiled and eRecorded
DATE: 12/27/2024
TIME: 9:46 AM
DEED BOOK: 6298
PAGE: 778 - 779
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 5979818353
PT61: 022-2024-005572
RECORDED BY: SM
CLERK: Alan J. Lee
Carroll County, GA

WARRANTY DEED

THIS INDENTURE made this 27th day of December 2024 between

JEFF R. MATTHEWS

as party or parties of the first part, hereinafter called Grantor, and

BRENDA M. MATTHEWS AS TRUSTEE OF THE MATTHEWS FAMILY TRUST

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 TEN DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

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 Nalley 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

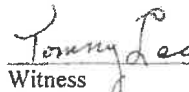
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

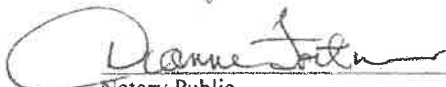
AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

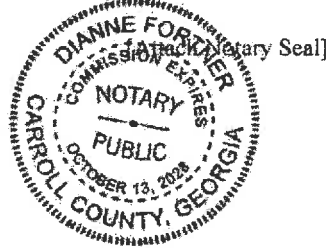
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:


by JEFF R. MATTHEWS (Seal)


Witness


Notary Public
My commission expires





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: 3/21/25

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: 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,

JONATHON WARD, Managing Member
AVEMORE GA LLC

Petitioner Mailing Address: 1737 Bankhead Hwy., Carrollton, GA 30116



Overview



Legend

-  Parcels
-  Roads

Parcel ID 169 0120 (Portion of)
 Class Code Agricultural
 Taxing District COUNTY
 Acres ~~204.55~~ 192.46

Owner TOLBERT C JERRY
 2398 S 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)

Now - Avemore GA LLC

Date created: 3/18/2025
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Developed by  **SCHNEIDER**
 GEOSPATIAL

eFiled and eRecorded
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PAGE: 320 - 326
FILING FEES: \$25.00
TRANSFER TAX: \$7,200.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-005456
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

AFTER RECORDING RETURN TO:

Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-242749
Tax Map: 169 0120

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 18th day of December, 2024, between C. Jerry Tolbert, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avamore 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 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: 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 36 seconds West a distance of 280.98 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.

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 North 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 645.84 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 55 seconds East 596.13 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 806.62 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.

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 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.

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.

LESS AND EXCEPT:

Land Located in Land Lot 92, 93 & 100, 6th District, Carroll County, Georgia. Being a portion the property of C. Jerry 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.

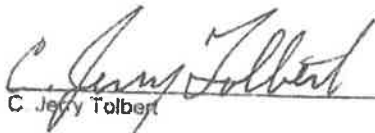
Said tract contains 5.27 Acres, more or less.

SUBJECT to those matters described on Exhibit "A" attached hereto

TO HAVE AND TO HOLD the said tract or parcel of land, which 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.

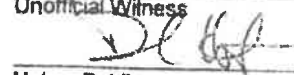
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 16th day of December, 2024.


C. Jerry Tolbert

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public
My Commission Expires: _____

David Houtsma
Notary Public
Forsyth County, State of Georgia
My Commission Expires Dec 3, 2026

LESS AND EXCEPT THE FOLLOWING:

Legal Description of the Property

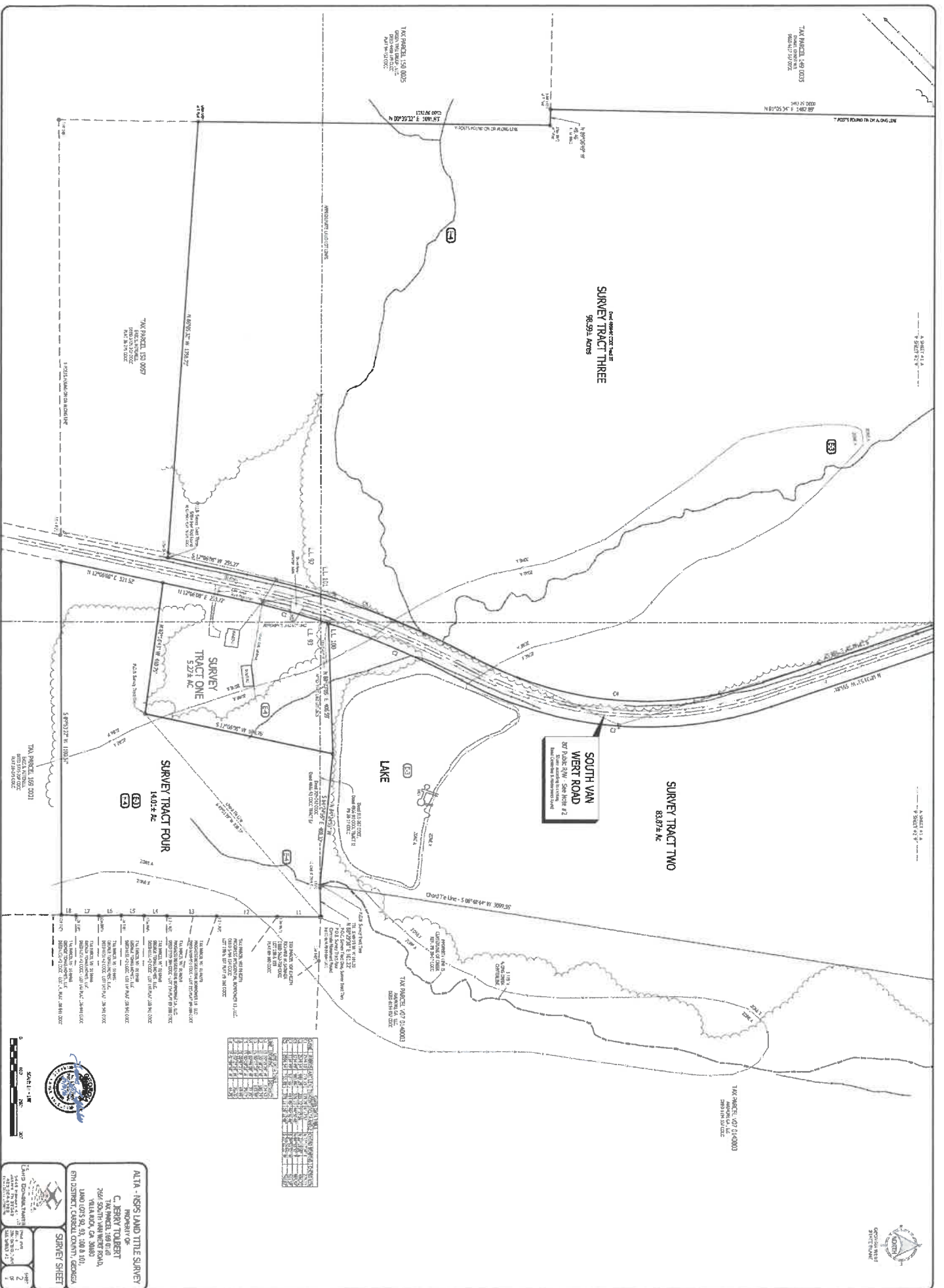
Land Located in Land Lots 92, 93, 100 & 101, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deeds: Book 4906, Page 86 and Page 90, Clerk's Office, Carroll County, Georgia (COCC), and being more particularly described, relative to the Georgia West 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°20'28" 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 84°24'55" E, a distance of 408.32 feet to a point in the Centerline of a Creek;
Thence N 88°29'38" 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 14.01 Acres, more or less.



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)	60 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 Planning and Zoning
1605 Carrollton Villa Rica Hwy | Villa Rica, GA 30090
678-785-9995 | www.VillaRicaGA.com

ORIGINAL

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 21st day of March, 2025.

AVEMORE GA LLC

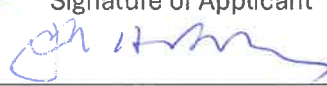
JONATHON WARD, Managing Member

Applicant's Name Printed

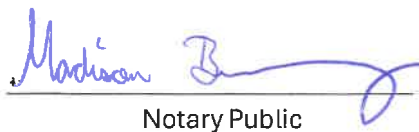

Signature of Applicant

JOSEPH H. FOWLER, ESQ.

Applicant's Attorney, if applicable – Printed


Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 21st day of March, 2025.


Notary Public



☐ 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: 3/21/2025

Applicant Name: AVEMORE GA LLC

Address: 1737 Bankhead Hwy. City: Carrollton State: GA Zip: 30116

Phone: 404-709-4394 Email: jonathon@atlasdevelopment.org

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 & Agriculture Requested Zoning: PUD & PUD Amendment

Property Address: Highway 61 & South Van Wert Road Nearest Intersection: _____

Present Use of Property: Vacant and Residential

Proposed Use: Industrial and Technology Campus

Size of Tract: 428.288 Land Lot Numbers: 92, 93, 99, 100
101, 124 & 125 Districts: 6th

Gross Density: _____ units per acre Net Density: _____ units per acre

Property Tax Parcel Number(s): V07 0140003, V07 0140004, V07 0140151, 168 0090 & portion of 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: _____

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

CITY OF VILLA RICA PROJECT STATEMENT

- 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.

The proposed use of the 428.288 acres (the "Property") is for an industrial and technology campus, which will be constructed in conformity with all City regulations, including the Technology Overlay District requirements. The electric power and water consumption requirements for the technology center will have no impact on adjoining property owners, none of whom will experience any reduction whatsoever in normal utility services. Stormwater management requirements will be followed with respect to all disturbance activities.

- b. Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan.

The City of Villa Rica has adopted the Technology Overlay District which was designed to provide suitable areas within the City which will provide acreage for developments of the type proposed for the Property. The Avemore PUD envisioned approximately 850 residential properties with adjoining commercial uses which would have had a significant impact on property owners in the vicinity. The impact on City infrastructure and County schools has been significantly, if not completely eliminated by the project.

- c. The areas which are most likely to be directly affected by such a change and the likely effects.

There will be minimal impact on the surrounding property owners, as setbacks will be maintained as required by the Technology Overlay District, or otherwise, and an industrial and technology campus is anticipated to have minimal traffic impact on surrounding roadways. The power and water demands for the development will have no impact on the utility requirements of the nearby property owners.

- 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.

This project will provide tax revenues which significantly benefit the provision of services by local governments. The Property of just over 400 acres can be reasonably developed so that adjoining and nearby properties are not impacted by the construction or operation, while the City of Villa Rica and its citizens benefit from clean developments which produce significant revenue.

- e. The proposed time schedule and phasing for development.

Detailed design and planning will continue approximately 18 months to two years following zoning approval, after which time construction will commence. No definitive phasing proposals exist at this point.

- f. The source/method for providing utility/infrastructure services to the property.

Agreements are in place for the provision of electrical power and water services. The utility services required for the development will not impact the surrounding residents.

- 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.

Traffic impacts are anticipated to be minimal due to the low traffic demands. Access to the site will be required on South Van Wert Road and Highway 61. Final upgrades will be determined following a development of regional impact review and in conformity with the City's development process.

- h. A list of any state, federal, or other public agencies' approvals or permits required for the proposed development.

This is a project that requires a DRI (Development of Regional Impact) report from the Three Rivers Regional Development Commission, and an appropriate application will be submitted at the development approval stages.

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

March 21, 2025

Mayor and City Council
City of Villa Rica
1605 Carrollton Villa Rica Highway
Villa Rica, Georgia 3018.

RE: Rezoning from PUD and Agriculture to PUD (Properties Previously Annexed) and PUD Amendment (Existing Avemore PUD) to Authorize Data Centers, of 428.288 Acres Owned by Avemore GA LLC (386.559 acres), The Matthews Family Trust (32.06 acres) Winchester Real Estate Investment Company, LLC (2.23 acres) & Villa Land Company LLC (7.439 acres) (Tax Parcels V070140003, V070140004, V070140151, 1680090 & portion of 1690120)

LETTER OF INTENT

Dear Mayor and City Council:

This application for rezoning is filed by Avemore GA LLC as to a total of 386.559 acres, by The Matthew Family Trust as to a total of 32.06 acres, by Winchester Real Estate Investment Company, LLC as to a total of 2.23 acres and Villa Land Company LLC as to a total of 7.439 acres seeking the rezoning of the above acreage to PUD for the construction of a an industrial and technology campus.

A total of 204.099 acres owned by Avemore GA LLC, 2.23 acres owned by Winchester Real Estate Investment Company, LLC and 7.439 acres owned by Villa Land Company LLC constitutes the previously approved Avemore PUD, and this application seeks to approve an amendment to the Avemore PUD.

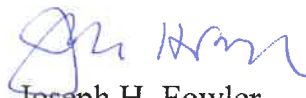
The Applicant specifically requests that the properties made the subject of this application be included in the City's Technology Overlay District.

City of Villa Rica
Page 2
March 21, 2025

Thank you for your attention to this matter.

Respectfully,

HARTLEY, ROWE & FOWLER, P.C.



Joseph H. Fowler

JHF/ses

March 21, 2025

PROPOSED REZONING ON PROPERTY
BY AVMORE GA LLC
NOTICE OF CONSTITUTIONAL CHALLENGE

BACKGROUND

Avemore GA, LLC (“Avemore”), The Matthews Family Trust (“Matthews”), Winchester Real Estate Investment Company, LLC (“Winchester”) and Villa Land Company LLC (“Villa Land”) (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 and PUD to PUD for technology uses was filed by the Avemore (the “Applicant”).

PROPOSED USE

The Applicant proposes to rezone to PUD and amend the PUD on Avemore for the development of technology uses 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.

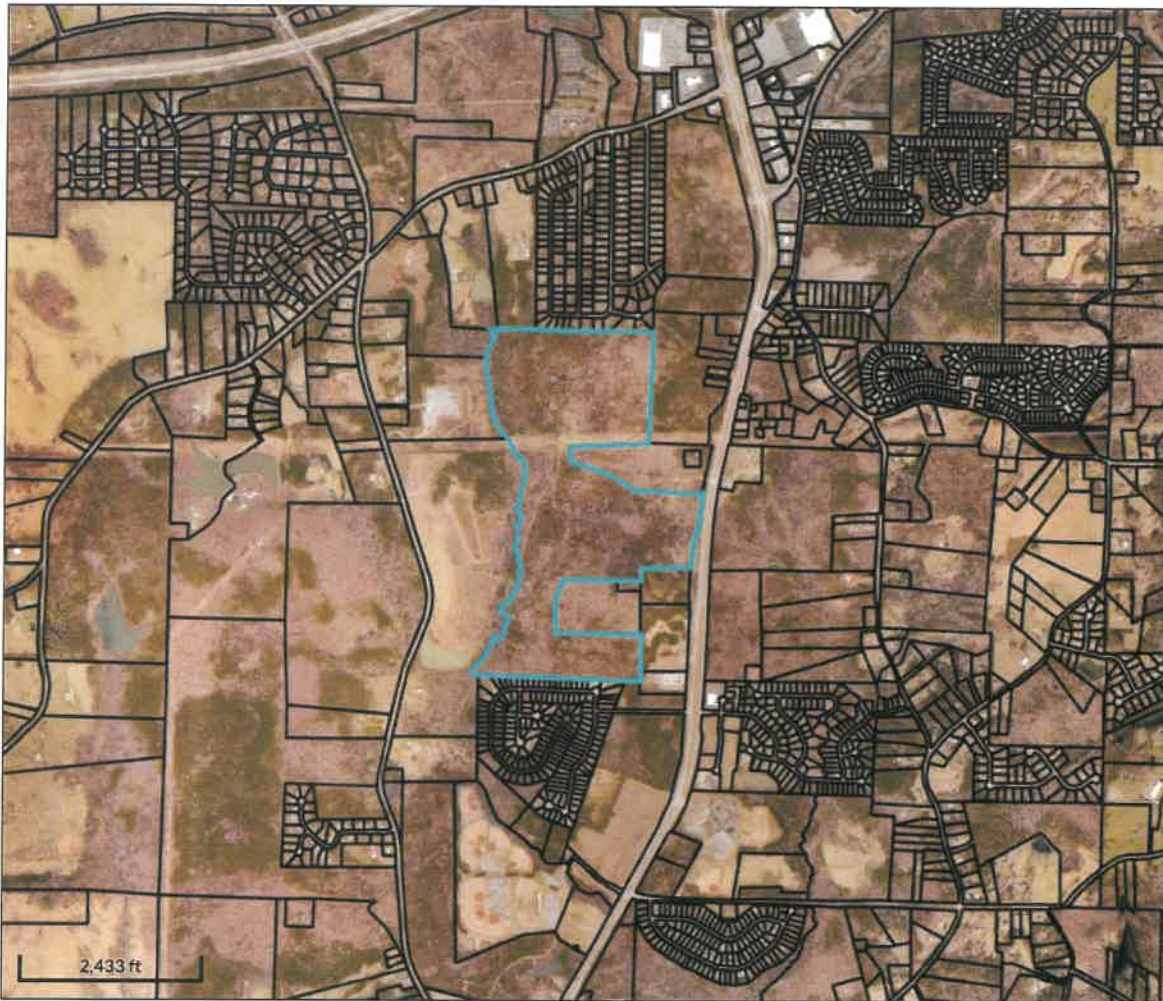
PROPERTY OWNERS

AVEMORE GA, LLC
1737 BANKHEAD HIGHWAY
CARROLLTON, GA 30116
TAX PARCELS: V07 0140003 (LESS WINCHESTER REAL ESTATE INVESTMENT
COMPANY, LLC TRACT), V07 0140004 (LESS VILLA LAND COMPANY LLC TRACT), V07
0140151 & PORTION OF 169 0120

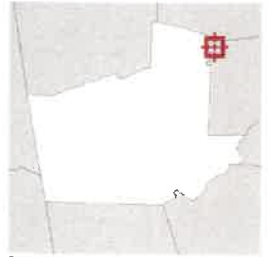
THE MATTHEWS FAMILY TRUST
BRENDA M. MATTHEWS, TRUSTEE
215 W. BANKHEAD HIGHWAY, SUITE A
VILLA RICA, GA 30180
TAX PARCEL: 168 0090

WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC
55 GOLDWORTH ROAD
VILLA RICA, GA 30180
TAX PARCEL: PORTION OF V07 0140003

VILLA LAND COMPANY LLC
667 MAIN STREET
SUWANEE, GA 30024
TAX PARCEL: PORTION OF V07 0140004



Overview



Legend

- Parcels
- Roads

Parcel ID V07 0140003
Class Code Agricultural
Taxing District VILLA RICA
Acres 192.9

Owner AVEMORE GA LLC
P O BOX 2789
SUWANEE, GA 30024
Physical Address 63 GOLDWORTH RD
Assessed Value Value \$1085626

Last 2 Sales

Date	Price	Reason	Qual
5/8/2024	0	CD	U
5/8/2024	0	CD	U

(Note: Not to be used on legal documents)

Date created: 3/18/2025

Last Data Uploaded: 3/17/2025 6:01:37 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 property 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.

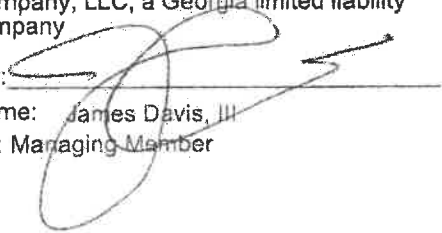
SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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

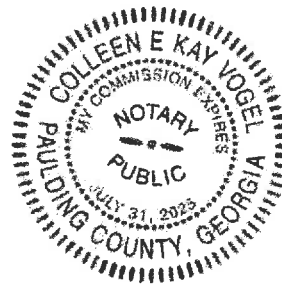
Signed, sealed and delivered in the presence of:



Unofficial Witness


Notary Public

My Commission Expires: _____



	Section Feet	Acres
Open Space/Development Area (Total of 125 Acres within Phase 1, N-007, N-002, & C-007)	4,238,408.10	32.75
Phase 1 (Zone) Area (including Open Space)	1,883,986.03	38.79
Remaining R/W Area	300,046.16	1.42
Total Property Area	5,822,440.29	44.96



Overview



Legend

-  Parcels
-  Roads

Parcel ID	V07 0140004	Owner	AVEMORE GA LLC	Last 2 Sales			
Class Code	Residential		P.O. BOX 2789	Date	Price	Reason	Qual
Taxing District	VILLA RICA		SUWANEE, GA 30024	5/8/2024	0	CD	U
Acres	11.19	Physical Address	55 GOLDWORTH RD	10/6/2023	\$5076000	MP	U
		Assessed Value	Value \$363077				

(Note: Not to be used on legal documents)

Date created: 3/20/2025

Last Data Uploaded: 3/19/2025 6:00:47 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

CROSS REFERENCE: DEED BOOK 6194
PAGE 4537 CARROLL COUNTY, GA RECORDS

eFiled and eRecorded
DATE: 09/04/2024
TIME: 11:48 AM
DEED BOOK: 6271
PAGE: 539 - 541
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-003876
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

CORRECTED LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 8th day of May, 2024, between Winchester Real Estate Investment Company, LLC, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Avemore GA, LLC, 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 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:

Commencing at a right of way monument set at an angle point on westerly sideline of Georgia Highway Route 61, thence running N86° 32' 39"W Five hundred four and forty one hundredths (504.41) feet to the point of beginning, thence turning and running S00° 00'07"W Four hundred thirty nine and fifty hundredths (439.50) feet to a point, thence turning and running S44° 59' 53"E Eighteen and eighty eight hundredths (18.88) feet to a point, thence turning and running N89° 59' 53"W Two hundred ten and eighty nine hundredths (210.89) feet to a point, thence turning and running N00° 00' 00" E Four hundred ninety nine and ninety two hundredths (499.92) feet to a point, thence turning an running S89° 59' 53"E Sixty eight and forty three hundredths (68.43) feet to a point, thence Along curve to the right having a one hundred seventy five and no hundredths (175.00) feet radius an arc distance of fifty three and fourteen hundredths (53.14) feet feet to a point, thence S72° 35' 58"E Sixty five and forty eight hundredths (65.48) feet to a point, thence turning and running S36°17' 56"E Twenty four and eighteen hundredths (24.18) feet to the point of beginning.

Containing 97,062 square feet more or less (2.23 acres more or less)

Corrected Limited Warranty Deed being filed to correct less and except on Limited Warranty Deed filed in Deed Book 6194, Page 537 in Carroll, Georgia records.

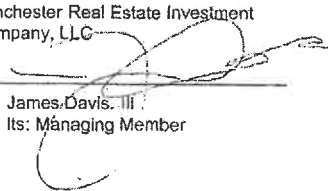
SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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.

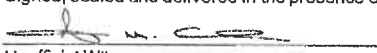
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

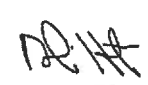
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 8th day of May, 2024.

Winchester Real Estate Investment
Company, LLC

By: 
James Davis, III
Its: Managing Member

Signed, sealed and delivered in the presence of:


Unofficial Witness:

Notary Public: 
My Commission Expires: _____

David Houtsma
Notary Public
Forsyth County, State of Georgia
My Commission Expires Dec 3, 2026



Overview



Legend

-  Parcels
-  Roads

Parcel ID	V07 0140151	Owner	AVEMORE GA LLC	Last 2 Sales			
Class Code	Residential		PO BOX 2789	Date	Price	Reason	Qual
Taxing District	VILLA RICA		SUWANEE, GA 30024	10/6/2023	\$324000	FM	Q
Acres	16.29	Physical Address	CARROLLTON VILLA RICA HWY	8/30/2018	0	LA	U
		Assessed Value	Value \$32580				

(Note: Not to be used on legal documents)

Date created: 3/20/2025

Last Data Uploaded: 3/19/2025 6:00:47 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 01040151

eFiled and eRecorded
DATE: 10/06/2023
TIME: 3:13 PM
DEED BOOK: 6194
PAGE: 551 - 562
FILING FEES: \$25.00
TRANSFER TAX: \$324.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2023-004397
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 HDRMP, 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,

All that tract or parcel of land lying and being in Land Lot 100 of the 6th District of Carroll County, Georgia, and being more particularly described as follows:

Beginning at a point on the East line of Land Lot 100, said point being located 570.84 feet North of the southeast corner of Land Lot 100, thence running North 89 degrees 31 minutes 13 seconds West for a distance of 1,100.00 feet to a point; thence running North 00 degrees 28 minutes 47 seconds East for a distance of 450.00 feet to a point; thence running North 22 degrees 40 minutes 01 seconds East for a distance of 266.45 feet to a point; thence running South 89 degrees 26 minutes 00 seconds East for a distance of 609.73 feet to a point; thence running South 00 degrees 36 minutes 57 seconds West for a distance of

145.20 feet to a point; thence running South 89 degrees 26 minutes 00 seconds East for a distance of 300.00 feet to a point on the East line of Land Lot 100, thence running South 00 degrees 28 minutes 47 seconds West for a distance of 550.00 feet to the Point of Beginning.

Said tract containing 16.29 acres.

Said tract of land is expressly LESS AND EXCEPT any portion of the above tracts and parcels previously conveyed by Right of Way Deed, sell off, or deed to third parties.

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.

Signed, sealed and delivered in the presence of:

HDRMP, LLC, a Georgia limited liability company

By: _____

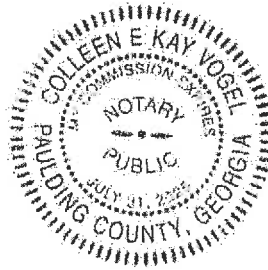
James Davis, III

Its: Managing Member

Unofficial Witness

Notary Public

My Commission Expires: _____





Overview



Legend

- Parcels
- Roads

Parcel ID 169 0120 *(Portion of)*
 Class Code Agricultural
 Taxing District COUNTY
 Acres ~~204.53~~ *182.46*

Owner TOLBERT C JERRY
 2398 S 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)

Now - Avemore GA LLC

Date created: 3/18/2025
 Last Data Uploaded: 3/17/2025 6:01:37 PM

Developed by  **SCHNEIDER**
 GEOSPATIAL

eFiled and eRecorded
DATE: 12/18/2024
TIME: 4:07 PM
DEED BOOK: 6297
PAGE: 320 - 326
FILING FEES: \$25.00
TRANSFER TAX: \$7,200.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-005456
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

AFTER RECORDING RETURN TO:

Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-242749
Tax Map: 169 0120

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 16th day of December, 2024, between C. Jerry Tolbert, 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 1: 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: 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.

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 North 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 55 seconds East 596.13 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 806.62 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.

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 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.

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.

LESS AND EXCEPT:

Land Located in Land Lot 92, 93 & 100, 6th District, Carroll County, Georgia. Being a portion the property of C. Jerry 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.

SUBJECT to those matters described on Exhibit "A" attached hereto.

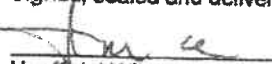
TO HAVE AND TO HOLD the said tract or parcel of land, which all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

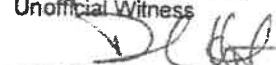
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 16th day of December, 2024.


C. Jerry Tolbert

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public

My Commission Expires: _____

David Houtsma

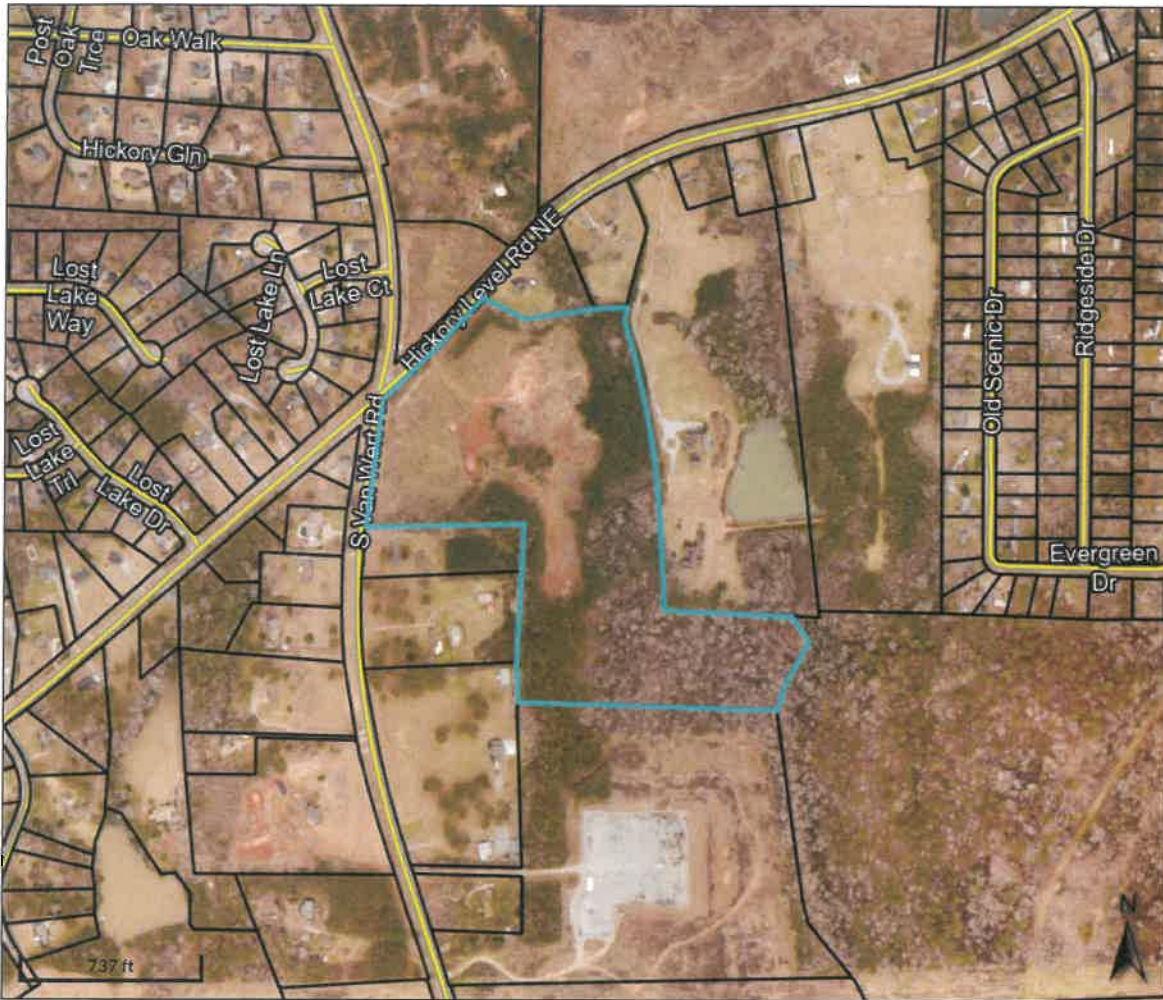
Notary Public

Forsyth County, State of Georgia

My Commission Expires Dec 3, 2026

EXHIBIT "A"

1. Taxes for the year 2025 and subsequent years, not yet due and payable.
2. All matters shown on that certain ALTA survey of the Property dated December 12, 2024, prepared by The Land Consultants.



Overview



Legend

- Parcels
- Roads

Parcel ID 168 0090
Class Code Consv Use
Taxing District COUNTY
Acres 32.06

Owner THE MATTHEWS FAMILY TRUST
215 W BANKHEAD HIGHWAY
SUITE A
VILLA RICA, GA 30180
Physical Address HICKORY LEVEL RD
Assessed Value Value \$340952

Last 2 Sales	Date	Price	Reason	Qual
	12/27/2024	0	LA	U
	12/27/2024	0	FS	U

(Note: Not to be used on legal documents)

Date created: 3/18/2025

Last Data Uploaded: 3/17/2025 6:01:37 PM

Developed by  SCHNEIDER
GEOSPATIAL

AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Villa Rica, Georgia.

I authorize the persons named below to act as applicant in the pursuit of the obtaining the Rezoning for this property.

Name of Applicant: AVEMORE GA LLC

Address:

P.O. 2789

Suwanee, GA 30024

Telephone Number: 404-709-4394

MATTHEWS FAMILY TRUST

Owner (Printed Name)

BRENDA M. MATTHEWS, TRUSTEE

Brenda M. Matthews

Signature of Owner

3/19/2025

Date

Personally Appeared Before Me:

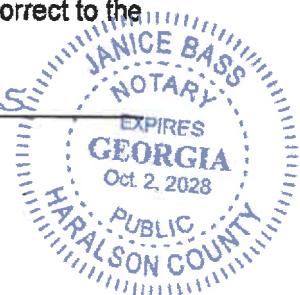
Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Janice Bass

Notary Public

3/19/2025

Date



Please return to:
Jeff R. Matthews
215 W. Bankhead Hwy., Ste A
Villa Rica, GA 30180

STATE OF GEORGIA
COUNTY OF CARROLL

eFiled and eRecorded
DATE: 12/27/2024
TIME: 9:46 AM
DEED BOOK: 6298
PAGE: 778 - 779
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 5979818353
PT61: 022-2024-005572
RECORDED BY: SM
CLERK: Alan J. Lee
Carroll County, GA

WARRANTY DEED

THIS INDENTURE made this 27th day of December 2024 between

JEFF R. MATTHEWS

as party or parties of the first part, hereinafter called Grantor, and

BRENDA M. MATTHEWS AS TRUSTEE OF THE MATTHEWS FAMILY TRUST

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 TEN DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

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 62LS feet to an iron pin; running thence south 2 degrees 7 minutes 27 seconds west 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 Nalley 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

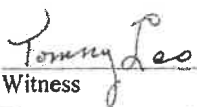
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

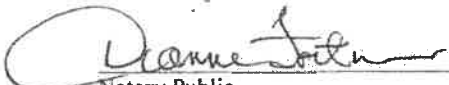
AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

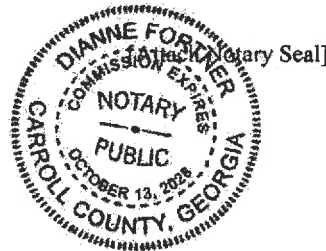
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:


by: JEFF R. MATTHEWS (Seal)


Witness


Notary Public
My commission expires



AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Villa Rica, Georgia.

I authorize the persons named below to act as applicant in the pursuit of the obtaining the Rezoning for this property.

Name of Applicant: AVEMORE GA LLC

Address:

P.O. 2789

Suwanee, GA 30024

Telephone Number: 404-709-4394

WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC

Owner (Printed Name)

JAMES W. DAVIS, III, Managing Member

Signature of Owner

Date

Personally Appeared Before Me:

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Notary Public

Date

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

eFiled and eRecorded
DATE: 09/04/2024
TIME: 11:48 AM
DEED BOOK: 6271
PAGE: 542 - 543
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-003877
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

QUIT CLAIM DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made the 8th day of May, 2024, between Avemore GA, LLC, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Winchester Real Estate Investment Company, LLC of the County of Carroll, and the State of Georgia, 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 valuable consideration, cash in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUIT CLAIM unto said Grantee,

Commencing at a right of way monument set at an angle point on westerly sideline of Georgia Highway Route 61, thence running N86° 32' 39"W Five hundred four and forty one hundredths (504.41) feet to the point of beginning, thence turning and running S00° 00' 07"W Four hundred thirty nine and fifty hundredths (439.50) feet to a point, thence turning and running S44° 59' 53"E Eighteen and eighty eight hundredths (18.88) feet to a point, thence turning and running N89° 59' 53"W Two hundred ten and eighty nine hundredths (210.89) feet to a point, thence turning and running N00° 00' 00" E Four hundred ninety nine and ninety two hundredths (499.92) feet to a point, thence turning and running S89° 59' 53"E Sixty eight and forty three hundredths (68.43) feet to a point, thence Along curve to the right having a one hundred seventy five and no hundredths (175.00) feet radius an arc distance of fifty three and fourteen hundredths (53.14) feet to a point, thence S72° 35' 58"E Sixty five and forty eight hundredths (65.48) feet to a point, thence turning and running S36° 17' 56"E Twenty four and eighteen hundredths (24.18) feet to the point of beginning.

Containing 97,062 square feet more or less (2.23 acres more or less)

SUBJECT to restrictive covenants and general utility easements of record.

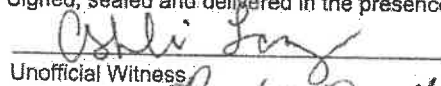
TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Avenmore GA LLC, a Georgia limited
liability company

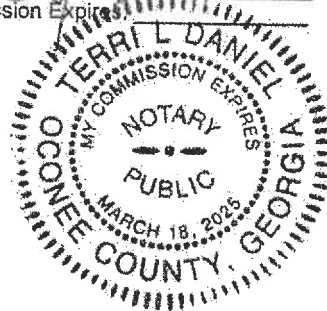

By: J. Michael Embry, its sole
member

Signed, sealed and delivered in the presence of:


Unofficial Witness

Notary Public: 

My Commission Expires



AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Villa Rica, Georgia.

I authorize the persons named below to act as applicant in the pursuit of the obtaining the Rezoning for this property.

Name of Applicant: AVEMORE GA LLC

Address:

P.O. 2789

Suwanee, GA 30024

Telephone Number: 404-709-4394

VILLA LAND COMPANY LLC

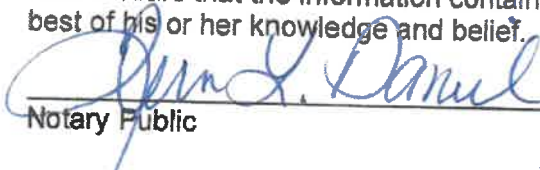
Owner (Printed Name)
MIKE EMBRY, Managing Member

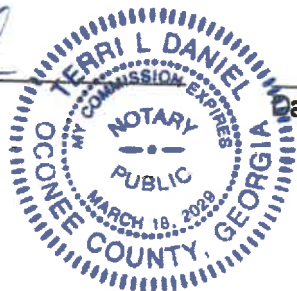

Signature of Owner

3-20-2025
Date

Personally Appeared Before Me:

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.


Notary Public



3/20/25
Date

After Recording Return To:
Clark Real Estate Law Group LLP
11340 Lakefield Dr, Suite 200
Johns Creek, GA 30097

Order No.: CRE-242565
Parcel No V07 0140003

eFiled and eRecorded
DATE: 01/12/2024
TIME: 3:17 PM
DEED BOOK: 6214
PAGE: 251 - 253
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 2217758023
PT61: 022-2024-000164
RECORDED BY: WT
CLERK: Alan J. Lee
Carroll County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CARROLL

THIS INDENTURE, made this 5th day of January, 2024, between Avemore GA 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 Villa Land Company 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,

Beginning at an iron pipe at the southeast corner of the lot and the westerly sideline of Georgia Highway Route 61 thence running S88° 50' 42"W Six hundred forty and fifty-four hundredths (640.54) feet to a point; thence turning and running S00° 39' 43"W Thirty seven and twenty four hundredths (37.24) feet to a point; thence turning and running N89° 24' 58"W Two hundred twenty nine and thirty eight hundredths (229.38) feet to a point; thence turning and running N00° 00' 07"E One hundred eighty and eighty six hundredths (180.86) feet to a point; thence turning and running N70° 00' 07"E Thirty one and eighty six hundredths (31.86) feet to a point; thence turning and running Along a non-tangent curve to the right having a two hundred and sixty two and four hundredths (262.04) feet radius an arc distance of Two hundred fifteen and twenty eight hundredths (215.28) feet with a chord bearing of S86° 27' 36"E and a chord distance of Two hundred nine and twenty eight hundredths (209.28) feet to a point; thence S62° 45' 05"E Sixty and ninety two hundredths (60.92) feet to a point; thence turning and running Along a non-tangent curve to the left having a Two hundred forty eight and no hundredths (248.00) feet

radius an arc distance of One hundred seventeen and sixty four hundredths (117.64) with a chord bearing of S76° 20' 46"E and a chord distance of One hundred sixteen and fifty four hundredths (116.54) feet to a point; thence N00° 03' 51"E Fifty and no hundredths (50.00) feet to a point; thence turning and running S89° 56' 09"E Thirty five and thirty hundredths (35.30) feet to a point; thence turning and running N00° 00'07"E Three hundred forty six and four hundredths (346.04) feet to a point; thence turning and running S89° 59' 53"E Thirty nine and fifty hundredths (39.50) feet to a point; thence turning and running N00° 00'07"E One hundred ninety one and thirty five hundredths (191.35) feet to a point; thence turning and running S44° 59' 53"E Eighteen and eighty eight hundredths (18.88) feet to a point; thence turning and running S89° 59' 53"E Three hundred thirty nine and sixty five hundredths (339.65) feet to a point; thence turning and running S00° 00'07"W Three hundred seventy four and seventy seven hundredths (374.77) feet to a point; thence turning and running Along a tangent curve to the right having a Four hundred forty seven and fifty hundredths (447.50) feet radius an arc distance of Twenty nine and seven hundredths (29.07) feet to a point; thence S03° 43'28"W One hundred twenty and eighty nine hundredths (120.89) feet to a point; thence turning S86° 18'19"E Fifty two and ninety hundredths (52.90) feet to a point at said Georgia Highway Route 61 thence turning and running S03° 41'41"W One hundred twenty two and no hundredths (122.00) feet to the point of beginning.

Containing 324,044 square feet more or less (7.44 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 5th day of January, 2024.

Avemore GA LLC, a Georgia limited liability company

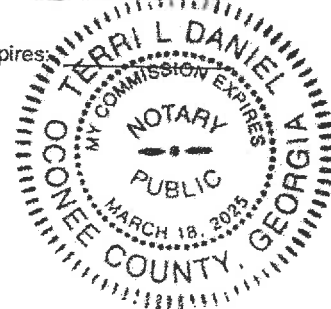
By: J. Michael Embury, Sole member

Signed, sealed and delivered in the presence of:

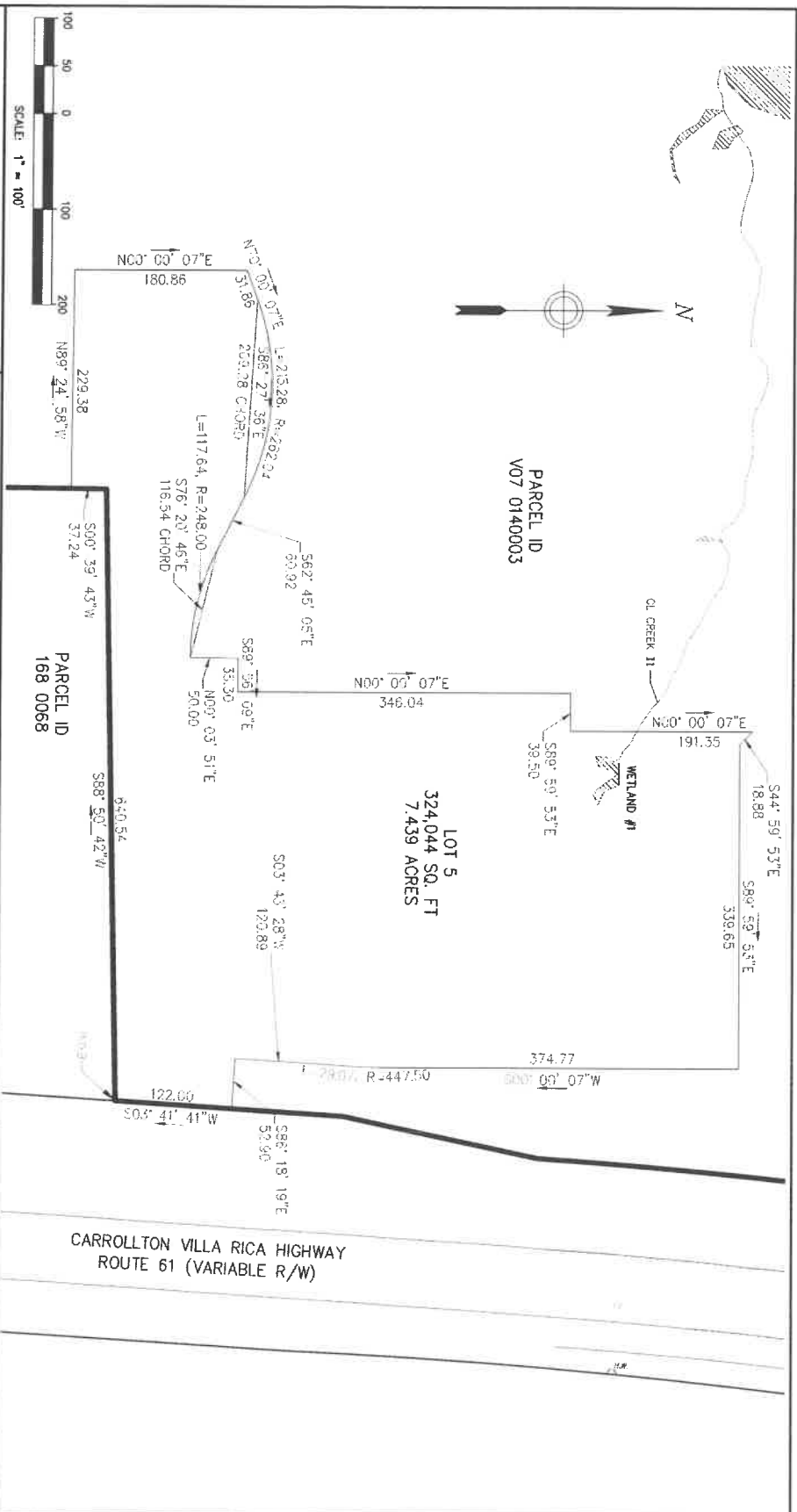
Unofficial Witness

Notary Public

My Commission Expires:



W



Drawing Copyright © 2023

CTM

141 Longwater Drive, Suite 104
Norwell, MA 02061-1620
781-982-5900 • www.ctmsolutions.com

EXHIBIT A

CARROLLTON VILLA RICA HWY

CARROLL COUNTY GA

No.	Submittal / Revision	App'd	By	Date
0	Issued as Final	WJD	MWC	1/6/24
Drawn: MWC				
Checked: WJD				
Date: 01/09/2024				
Scale: 1" = 100'				
Project No.: 061613				
SHEET 1 OF 1				

GENERAL NOTES:

1. THE EXISTING CONDITIONS INFORMATION SHOWN HEREON IS THE RESULT OF AN AERIAL SURVEY PERFORMED BY PLATINUM GEOMATICS, LLC IN APRIL OF 2020, AND SUPPLEMENTED BY AN ON-THE-GROUND SURVEY PERFORMED BY CHA CONSULTING, INC. FROM MARCH THROUGH OCTOBER OF 2020. THIS SURVEY WAS FIELD VERIFIED/CONFIRMED BY CHA CONSULTING, INC. IN NOVEMBER OF 2024.

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 46,557 FEET AND AN ANGULAR ERROR OF 0.0 SECONDS PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE S8 WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,129,504 FEET.

THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE AS REFERENCED TO NAD83 (2011) HORIZONTAL AND VERTICAL COORDINATES WERE DERIVED FROM NETWORK GPS MEASUREMENTS USING A TRIMBLE R10 GPS RECEIVER.

TOPOGRAPHY, CONTOURS AND BENCHMARKS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). TEMPORARY BENCHMARKS, REFERENCED TO THE DATUM ARE INDICATED ON THE SURVEY.

IN THE EVENT THAT BENCHMARKS (TBM'S), ESTABLISHED FOR THIS PROJECT AND PUBLISHED ON THIS SURVEY ARE DESTROYED, NOT RECOVERABLE OR A DISCREPANCY IS FOUND, THE USER SHOULD NOTIFY THIS FIRM IN WRITING PRIOR TO COMMENCING OR CONTINUING ANY WORK.

2. ALL DEED REFERENCES ARE TO CARROLL COUNTY SUPERIOR COURT UNLESS OTHERWISE NOTED.

3. LOCUS OWNER OF RECORD:

TRACT 1 & 2:
AVEMORE GA, LLC.
DEED BOOK 6271 PAGE 539
TAX ID# V07 0140003 & V07 0140004

TRACT 3:
AVEMORE GA, LLC.
DEED BOOK 6194 PAGE 551
TAX ID# V07 0140151

4. THE PROJECT AREA IS LOCATED IN FLOOD ZONE "K" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - NO BASE FLOOD ELEVATIONS DETERMINED) AS SHOWN ON FLOOD INSURANCE RATE MAP FOR CARROLL COUNTY, COMMUNITY NAME, NUMBER 13045001540, EFFECTIVE DATE SEPTEMBER 19, 2007.

5. LOCATION OF SUBSURFACE UTILITIES SHOWN HEREON ARE APPROXIMATE AND ADDITIONAL UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT. LOCATIONS ARE COMPILED FROM UTILITY PLANS OF RECORD AND DIG-SAFE FIELD MARKINGS. FIRM AND INVERT INFORMATION HAS BEEN COMPILED AND FIELD VERIFIED WHERE POSSIBLE. THIS INFORMATION IS NOT TO BE USED FOR CONSTRUCTION. PRIOR TO ANY CONSTRUCTION, CONTACT DIG-SAFE (811) TO FIELD VERIFY LOCATION OF ALL UTILITIES.

6. WETLANDS AND STATE WATERS IDENTIFIED AND SHOWN ON THIS PLAT WERE DERIVED FROM A COMBINATION OF FIELD DATA COLLECTED BY CHA AND REPORT BY CONTOUR ENVIRONMENTAL, LLC.

7. NO PARKING SPACES WERE FOUND OR COUNTED IN THIS SURVEY.

8. PLAN REFERENCES:

PB/PC 12/27	PB/PC 30/194	PB/PC 66/19	PB/PC 87/35
PB/PC 15/18	PB/PC 31/14	PB/PC 77/58	PB/PC 88/180
PB/PC 21/209	PB/PC 33/67	PB/PC 80/220	PB/PC 88/181
PB/PC 28/17	PB/PC 54/145	PB/PC 82/51	PB/PC 92/157
PB/PC 29/230	PB/PC 56/80	PB/PC 83/242	PB/PC 101/209

9. NO ZONING LETTER/REPORT WAS PROVIDED AT THE TIME OF SURVEY.

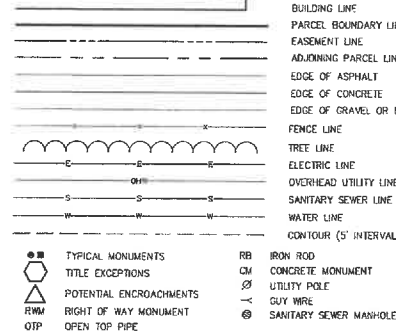
FIDELITY NATIONAL TITLE INSURANCE COMPANY,
COMMITMENT NUMBER: 242529GA
SCHEDULE B PART 2
EFFECTIVE DATE: OCTOBER 26, 2024

- ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART 1-REQUIREMENTS ARE MET. (NOT SURVEY RELATED)
- ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS. (NOT SURVEY RELATED)
- ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR OR MATERIAL NOT SHOWN BY THE PUBLIC RECORDS. (NOT SURVEY RELATED)
- TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS. (NOT SURVEY RELATED)
- ANY ENCUMBRANCE, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS. (SEE THIS SURVEY WITH RESPECT TO POTENTIAL ENCROACHMENTS)
- EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS. (SEE THIS SURVEY)
- RIGHTS OF REMAINTS, AS TENANTS ONLY IN POSSESSION OF SUBJECT PROPERTY. (NOT SURVEY RELATED)
- PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE FISCAL YEAR 2025. (NOT SURVEY RELATED)
- ANY ADDITIONAL TAXES, INTEREST AND/OR PENALTIES WHICH MAY BE ASSESSED FOR PRIOR TAX YEARS BY VIRTUE OF ADJUSTMENT, RE-APPRAISAL, RE-ASSESSMENT, APPEAL OR OTHER AMENDMENT TO THE TAX RECORDS OF THE CITY OR COUNTY IN WHICH THE SUBJECT PROPERTY IS LOCATED. (NOT SURVEY RELATED)
- ROADS, WAYS, STREAMS OR EASEMENTS, IF ANY, NOT SHOWN OF RECORD, RIPARIAN RIGHTS AND THE TITLE TO ANY FILLED-IN LANDS. (SEE THIS SURVEY)
- INTENTIONALLY DELETED.
- CONTRACT ENTERED INTO BY AFFIDAVIT OF CONTRACT BETWEEN J. MICHAEL EMBRY, AVEMORE GA LLC, AND C. JERRY TOLBERT, DATED DECEMBER 4, 2023, RECORDED OCTOBER 25, 2024, IN DEED BOOK 6284, PAGE 564, AFORESAID RECORDS. (NOT SURVEY RELATED)
- 50' DRIVE EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 54, PAGE 145, AFORESAID RECORDS. (SEE THIS SURVEY - OFF LOCUS)
- DEED OF 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 COUNTY, GEORGIA RECORDS. (SEE THIS SURVEY)
- 50' EASEMENT AND POWER LINES AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 66, PAGE 19, AFORESAID RECORDS. (SEE THIS SURVEY - OFF LOCUS)
- POWER LINES AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 77, PAGE 66, AFORESAID RECORDS. (SEE THIS SURVEY)
- PRIVATE DRIVE EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 83, PAGE 242, AFORESAID RECORDS. (NOT PLOTTED - OFF LOCUS)
- APPROX. GA. POWER CO. EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 92, PAGE 157, AFORESAID RECORDS. (SEE THIS SURVEY - PARTIALLY OFF LOCUS)
- APPARENT 50' DRIVE EASEMENT AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 101, PAGE 209, AFORESAID RECORDS. (SEE THIS SURVEY - OFF LOCUS)
- EASEMENT AND ASSIGNMENT AGREEMENT DATED 4/10/15 BETWEEN GOLDWORTH PARTNERS, LLC AND AMERICAN TOWER ASSET SUB, LLC RECORDED IN DEED BOOK 5397, PAGE 603-614, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- UNRECORDED LEASE ENTERED INTO BY MEMORANDUM OF LEASE DATED 5/6/13 BETWEEN GOLDWORTH PARTNERS, LLC AND AMERICAN TOWER ASSET SUB, LLC DATED 6/14/13 RECORDED IN DEED BOOK 5260, PAGE 848-852, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- RESOLUTION AND CONSENT AFFIDAVIT DATED 6/14/13 RECORDED IN DEED BOOK 5260, PAGE 844-847, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- EASEMENT BETWEEN GOLDWORTH PARTNERS, LLC AND THE CITY OF VILLA RICA, GEORGIA DATED 3/25/98 RECORDED 02/18/00 IN DEED BOOK 1209, PAGE 356-359, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)
- RIGHT-OF-WAY DEED TO GEORGIA DEPARTMENT OF TRANSPORTATION DATED 8/26/88 RECORDED IN DEED BOOK 535, PAGE 418, CARROLL COUNTY RECORDS. (SEE THIS SURVEY)

NOTE:

THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.

LEGEND



SURVEYOR'S BOUNDARY DESCRIPTION: (TRACT 1)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA; BEING A PORTION OF TAX PARCEL V07 0140004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH SIDE OF OLD CCC CAMP ROAD; BEING N 86° 49' 33" W TWO HUNDRED SEVENTEEN AND ELEVEN HUNDREDTHS (217.11) FEET FROM A RIGHT-OF-WAY MONUMENT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61, ALSO KNOWN AS CARROLLTON - VILLA RICA HIGHWAY; SAID MONUMENT BEING APPROXIMATELY TWENTY-SIX (26) FEET SOUTHEASTERLY FROM THE INTERSECTION OF THE CENTERLINES OF GOLDWORTH ROAD AND OLD CCC CAMP ROAD; THENCE RUNNING N 87° 47' 02" W ONE HUNDRED SEVENTY-FIVE AND ZERO HUNDREDTHS (175.00) FEET TO A POINT ON THE NORTH SIDE OF OLD CCC CAMP ROAD; THEN RUNNING N 05° 12' 58" E TWO HUNDRED FIFTY-TWO AND ZERO HUNDREDTHS (252.00) FEET TO A POINT; THENCE RUNNING S 81° 47' 02" E ONE HUNDRED SEVENTY-FIVE AND ZERO HUNDREDTHS (175.00) FEET TO A POINT; THENCE RUNNING S 08° 12' 58" W TWO HUNDRED FIFTY-TWO AND ZERO HUNDREDTHS (252.00) FEET TO THE POINT OF BEGINNING; SAID TRACT BEING FULLY ENCOMPASSED BY TRACT 2.

CONTAINING 44,100 SQUARE FEET OR 1.012 ACRES.

SURVEYOR'S BOUNDARY DESCRIPTION: (TRACT 3)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA; BEING TAX PARCEL V07 0140151, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD ON THE EAST LAND LOT LINE OF LAND LOT 100 AT THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OF THE MAYOR AND CITY OF VILLA RICA; THENCE RUNNING S 00° 26' 28" W ALONG THE EAST LAND LOT LINE OF LAND LOT 100 FIVE HUNDRED FIFTY AND ZERO HUNDREDTHS (550.00) FEET TO A POINT; THENCE RUNNING N 89° 33' 34" W ONE THOUSAND ONE HUNDRED AND ZERO HUNDREDTHS (1,100.00) FEET TO A POINT; THENCE RUNNING N 07° 28' 26" E FOUR HUNDRED FIFTY AND ZERO HUNDREDTHS (450.00) FEET TO A POINT; THENCE RUNNING N 22° 37' 40" E TWO HUNDRED SIXTY-SIX AND FORTY-FIVE HUNDREDTHS (268.45) FEET TO A POINT; THENCE RUNNING S 89° 29' 33" E SEVEN HUNDRED AND ONE HUNDREDTHS (700.01) FEET TO AN IRON ROD; THE LAST FOUR COURSES BEING ALONG TRACT 2; THENCE RUNNING S 07° 30' 30" W ONE HUNDRED FORTY-FIVE AND SIXTEEN HUNDREDTHS (145.16) FEET TO AN IRON ROD; THENCE RUNNING S 89° 28' 26" E TWO HUNDRED NINETY-NINE AND ONE HUNDREDTHS (299.83) FEET TO AN IRON ROD; BEING THE POINT OF BEGINNING; THE LAST TWO COURSES BEING ALONG THE WEST AND SOUTH LINES NOW OR FORMERLY OF THE MAYOR AND CITY OF VILLA RICA; CONTAINING 709,844 SQUARE FEET MORE OR LESS OR 16,296 ACRES MORE OR LESS.

SURVEYOR'S BOUNDARY DESCRIPTION: (TRACT 2)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 99, 100, AND 125 OF THE 6TH DISTRICT, CARROLL COUNTY, GEORGIA; BEING ALL OF TAX PARCEL V07 0140003 AND A PORTION OF TAX PARCEL V07 0140004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD LOCATED AT THE INTERSECTION OF THE NORTH LAND LOT LINE OF LAND LOT 99 AND THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61, ALSO KNOWN AS CARROLLTON - VILLA RICA HIGHWAY; THENCE RUNNING N 88° 58' 53" W ALONG THE NORTH LAND LOT LINE OF LAND LOT 99 SEVEN HUNDRED SEVENTY-FIVE AND SIXTY-FIVE HUNDREDTHS (775.65) FEET TO AN IRON ROD LOCATED AT THE COMMON CORNER OF LAND LOTS 99, 100, 125, AND 126; THENCE RUNNING N 01° 51' 35" E ALONG THE EAST LAND LOT LINE OF LAND LOT 125 ONE THOUSAND FOUR HUNDRED FORTY-SEVEN AND ELEVEN HUNDREDTHS (1,447.11) FEET TO AN OPEN TOP PIPE; THENCE RUNNING N 87° 58' 23" W SEVEN HUNDRED EIGHTY-NINE AND SEVENTY-ONE HUNDREDTHS (786.71) FEET TO AN IRON ROD; THENCE RUNNING S 88° 52' 25" W ONE HUNDRED EIGHTEEN AND THIRTY-ONE HUNDREDTHS (18.31) FEET TO AN IRON ROD; THENCE RUNNING N 67° 43' 48" W SIX HUNDRED TWENTY-NINE AND SEVENTY-FOUR HUNDREDTHS (629.74) FEET THROUGH AN IRON ROD (BEING FIVE AND FIFTY-NINE HUNDREDTHS (5.59) FEET BACK ALONG SAID LINE); THE LAST THREE COURSES BEING ALONG THE SOUTH LINE OF RIDGESIDE SUBDIVISION; THENCE RUNNING S 00° 10' 25" W THIRTY-EIGHT AND EIGHTY-EIGHT HUNDREDTHS (38.88) FEET TO A POINT; THENCE RUNNING N 87° 30' 08" W FOUR HUNDRED SIXTY-FIVE AND FIVE HUNDREDTHS (465.05) FEET TO AN IRON ROD; THE LAST TWO COURSES BEING ALONG THE EAST AND SOUTH LINES NOW OR FORMERLY OF MIDDLEBROOK MEMORY GARDENS, INC.; THENCE RUNNING N 87° 35' 15" W ALONG THE SOUTH LINE NOW OR FORMERLY OF RALPH ARULAMPALAM ONE HUNDRED FIVE AND SEVENTY HUNDREDTHS (105.75) FEET TO AN IRON ROD IN THE CENTERLINE OF BAY SPRINGS CREEK; THENCE RUNNING SOUTH ALONG THE CENTERLINE OF BAY SPRINGS CREEK WITH THE SOUTH LAND LOT LINE OF LAND LOT 100; THENCE RUNNING S 02° 56' 20" W FOUR THOUSAND FORTY SEVEN AND ONE HUNDREDTHS (4,471.50) FEET TO THE INTERSECTION OF THE CENTERLINE OF BAY SPRINGS CREEK WITH THE SOUTH LAND LOT LINE OF LAND LOT 100; THENCE RUNNING S 88° 11' 25" E ALONG THE SOUTH LAND LOT LINE OF LAND LOT 100 THROUGH A CONCRETE MONUMENT (BEING NINETY-SEVEN AND NINETY-EIGHT HUNDREDTHS (97.98) FEET BACK ALONG THE LINE) TO A POINT AT THE COMMON CORNER OF LAND LOTS 93, 94, 98, AND 100; THENCE RUNNING N 01° 28' 20" E TWO HUNDRED SEVENTY AND SEVENTY-NINE HUNDREDTHS (270.79) FEET TO AN IRON ROD; THENCE RUNNING N 00° 26' 28" E THREE HUNDRED NINE AND NINETY-NINE HUNDREDTHS (309.99) FEET TO A POINT; THE LAST TWO COURSES BEING ALONG THE EAST LAND LOT LINE OF LAND LOT 100; THENCE RUNNING N 89° 33' 34" W ONE THOUSAND ONE HUNDRED AND ZERO HUNDREDTHS (1,100.00) FEET TO A POINT; THENCE RUNNING S 88° 29' 33" E SEVEN HUNDRED AND ONE HUNDREDTHS (700.01) FEET TO AN IRON ROD; THE LAST FOUR COURSES BEING ALONG THE SOUTH, WEST, AND NORTH LINES OF TRACT 3; THENCE RUNNING S 89° 24' 58" E ALONG THE NORTH LINE NOW OR FORMERLY OF THE MAYOR AND CITY OF VILLA RICA TWO HUNDRED NINETY-NINE AND SIXTY-FIVE HUNDREDTHS (299.65) FEET TO AN IRON ROD; THENCE RUNNING N 00° 39' 43" E ONE HUNDRED EIGHTY AND EIGHTY-SIX HUNDREDTHS (180.86) FEET TO A POINT; THENCE RUNNING N 00° 07' 07" E ONE HUNDRED TWENTY AND FORTY HUNDREDTHS (229.40) FEET TO A POINT; THENCE RUNNING N 00° 07' 07" E ONE HUNDRED TWENTY AND FORTY HUNDREDTHS (229.40) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF TWO HUNDRED SIXTY-TWO AND FOUR HUNDREDTHS (262.04) FEET, A LENGTH OF TWO HUNDRED FIFTEEN AND TWENTY-EIGHT HUNDREDTHS (215.28) FEET, AND CHORD BEARING OF S 86° 27' 36" E, AND A CHORD DISTANCE OF TWO HUNDRED NINE AND TWENTY-EIGHT HUNDREDTHS (209.28) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF TWO HUNDRED FORTY-EIGHT AND ZERO HUNDREDTHS (248.00) FEET, A LENGTH OF ONE HUNDRED SEVENTEEN AND SIXTY-FOUR HUNDREDTHS (117.64) FEET, A CHORD BEARING OF S 78° 20' 46" E, AND A CHORD DISTANCE OF ONE HUNDRED SIXTEEN AND FIFTY-FOUR HUNDREDTHS (165.54) FEET TO A POINT; THENCE RUNNING N 00° 03' 51" E FIFTY AND ZERO HUNDREDTHS (50.00) FEET TO A POINT; THENCE RUNNING S 89° 58' 53" E THIRTY-NINE AND FIFTY HUNDREDTHS (39.50) FEET TO A POINT; THENCE RUNNING N 00° 07' 07" E ONE HUNDRED NINETY-ONE AND THIRTY-FIVE HUNDREDTHS (191.35) FEET TO A POINT; THENCE RUNNING S 44° 56' 53" E EIGHTEEN AND EIGHTY-EIGHT HUNDREDTHS (18.88) FEET TO A POINT; THENCE RUNNING N 88° 58' 53" E THREE HUNDRED THIRTY-NINE AND SIXTY-FIVE HUNDREDTHS (339.65) FEET TO A POINT; THENCE RUNNING S 00° 07' 07" W THREE HUNDRED SEVENTY-FOUR AND SEVENTY-SEVEN HUNDREDTHS (374.77) FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF FOUR HUNDRED FORTY-SEVEN AND FIFTY HUNDREDTHS (447.50) FEET, AND A LENGTH OF TWENTY-NINE AND SEVEN HUNDREDTHS (29.07) FEET TO A POINT; THENCE RUNNING S 03° 43' 28" W ONE HUNDRED TWENTY AND EIGHTY-NINE HUNDREDTHS (120.89) FEET TO A POINT; THENCE RUNNING S 88° 18' 18" E FIFTY-TWO AND NINETY HUNDREDTHS (52.90) FEET TO A POINT; BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61; THE LAST SIXTEEN COURSES BEING ALONG LINES NOW OR FORMERLY OF VILLA RICA LAND COMPANY, LLC; THENCE RUNNING N 03° 41' 41" E ONE HUNDRED FIFTEEN AND TWENTY-SIX HUNDREDTHS (15.26) FEET TO A POINT; THENCE RUNNING N 12° 02' 45" E TWO HUNDRED SEVEN AND TWENTY-TWO HUNDREDTHS (207.22) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF FIVE THOUSAND EIGHT HUNDRED EIGHTY-TWO AND TWO HUNDREDTHS (5,808.02) FEET, A LENGTH OF SIX HUNDRED THIRTY-TWO AND TWENTY-NINE HUNDREDTHS (634.29) FEET, A CHORD BEARING OF N 06° 47' 27" E, AND A CHORD DISTANCE OF SIX HUNDRED THIRTY-THREE AND NINETY-EIGHT HUNDREDTHS (633.98) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING N 01° 22' 35" W ONE HUNDRED ONE AND EIGHTY-NINE HUNDREDTHS (101.89) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING N 35° 56' 11" E TWO HUNDRED FORTY-FOUR AND NINETY-THREE HUNDREDTHS (214.83) FEET TO A POINT; THENCE RUNNING N 22° 80' 54" W FIFTY AND NINETY-SEVEN HUNDREDTHS (50.97) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF FIVE THOUSAND NINE HUNDRED THIRTY-NINE AND FIFTY-EIGHT HUNDREDTHS (5,039.58) FEET, A LENGTH OF ONE HUNDRED ELEVEN AND TEN HUNDREDTHS (111.10) FEET, A CHORD BEARING OF N 12° 54' 15" E, AND A CHORD DISTANCE OF ONE HUNDRED ELEVEN AND TEN HUNDREDTHS (111.10) FEET TO A POINT; THENCE RUNNING N 13° 42' 34" E ONE HUNDRED THIRTY-FIVE AND SEVENTY-NINE HUNDREDTHS (133.79) FEET TO AN IRON ROD; BEING THE POINT OF BEGINNING; THE LAST EIGHT COURSES BEING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61; LESS AND EXCEPT SO MUCH LAND AS IS ENCOMPASSED BY TRACT 1, CONTAINING 44,100 SQUARE FEET OR 1.012 ACRES.

LESS AND EXCEPT SO MUCH LAND AS WAS CONVEYED TO WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC, BY DEED RECORDED IN DEED BOOK 6271, PAGE 542 OF THE CARROLL COUNTY, GEORGIA SUPERIOR COURT'S RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH SIDE OF OLD CCC CAMP ROAD; BEING N 86° 32' 39" W FIVE HUNDRED FOUR AND FORTY-ONE HUNDREDTHS (504.41) FEET FROM A RIGHT-OF-WAY MONUMENT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE HIGHWAY 61, ALSO KNOWN AS CARROLLTON - VILLA RICA HIGHWAY; SAID MONUMENT BEING APPROXIMATELY TWENTY-SIX (26) FEET SOUTHEASTERLY FROM THE INTERSECTION OF THE CENTERLINES OF GOLDWORTH ROAD AND OLD CCC CAMP ROAD; THENCE RUNNING S 00° 07' 07" W FOUR HUNDRED THIRTY-NINE AND FIFTY HUNDREDTHS (439.50) FEET TO A POINT; THENCE RUNNING S 44° 56' 53" E EIGHTEEN AND EIGHTY-EIGHT HUNDREDTHS (18.88) FEET TO A POINT; THENCE RUNNING N 88° 58' 53" W TWO HUNDRED TEN AND EIGHTY-NINE HUNDREDTHS (210.89) FEET TO A POINT; THENCE RUNNING N 00° 03' 51" E FIFTY AND ZERO HUNDREDTHS (50.00) FEET TO A POINT; THENCE RUNNING S 88° 18' 18" E FIFTY-TWO AND NINETY HUNDREDTHS (52.90) FEET TO A POINT; THENCE RUNNING N 03° 41' 41" E ONE HUNDRED FIFTEEN AND TWENTY-SIX HUNDREDTHS (15.26) FEET TO A POINT; THENCE RUNNING N 12° 02' 45" E TWO HUNDRED SEVEN AND TWENTY-TWO HUNDREDTHS (207.22) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF FIVE THOUSAND EIGHT HUNDRED EIGHTY-TWO AND TWO HUNDREDTHS (5,808.02) FEET, A LENGTH OF SIX HUNDRED THIRTY-TWO AND TWENTY-NINE HUNDREDTHS (634.29) FEET, A CHORD BEARING OF N 06° 47' 27" E, AND A CHORD DISTANCE OF SIX HUNDRED THIRTY-THREE AND NINETY-EIGHT HUNDREDTHS (633.98) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING N 01° 22' 35" W ONE HUNDRED ONE AND EIGHTY-NINE HUNDREDTHS (101.89) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING N 35° 56' 11" E TWO HUNDRED FORTY-FOUR AND NINETY-THREE HUNDREDTHS (214.83) FEET TO A POINT; THENCE RUNNING N 22° 80' 54" W FIFTY AND NINETY-SEVEN HUNDREDTHS (50.97) FEET TO A RIGHT-OF-WAY MONUMENT; THENCE RUNNING ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF FIVE THOUSAND NINE HUNDRED THIRTY-NINE AND FIFTY-EIGHT HUNDREDTHS (5,039.58) FEET, A LENGTH OF ONE HUNDRED ELEVEN AND TEN HUNDREDTHS (111.10) FEET, A CHORD BEARING OF N 12° 54' 15" E, AND A CHORD DISTANCE OF ONE HUNDRED ELEVEN AND TEN HUNDREDTHS (111.10) FEET TO A POINT; THENCE RUNNING N 13° 42' 34" E ONE HUNDRED THIRTY-FIVE AND SEVENTY-NINE HUNDREDTHS (133.79) FEET TO AN IRON ROD; BEING THE POINT OF BEGINNING; SAID TRACT BEING FULLY ENCOMPASSED BY TRACT 2; CONTAINING 97,062 SQUARE FEET MORE OR LESS OR 2.23 ACRES MORE OR LESS; THE REMAINING LAND AREA OF TRACT 2 CONTAINING 6,136,609 SQUARE FEET MORE OR LESS OR 136,791 ACRES MORE OR LESS.

RECORD DESCRIPTION: COMMITMENT NO. 242529GA

TRACT 1

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 2

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 15 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 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 RECORDED IN PLAT BOOK 12, PAGE 27, SAID CLERK'S OFFICE AND THE SOUTH LINE OF PROPERTY NOW OR FORMERLY OWNED BY MIDDLEBROOK MEMORY GARDENS, INC. A DISTANCE OF 1,700 FEET, MORE OR LESS, BUT SPECIFICALLY TO SAID BAY SPRINGS CREEK; THENCE RUNNING IN A SOUTHERLY DIRECTION ALONG THE WESTERLY 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.

TOGETHER WITH

TRACT 3

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 6TH DISTRICT OF CARROLL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF LAND LOT 100, SAID POINT BEING LOCATED 570.84 FEET NORTH OF THE SOUTHEAST CORNER OF LAND LOT 100, THENCE RUNNING NORTH 89 DEGREES 31 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 1,100.00 FEET TO A POINT; THENCE RUNNING NORTH 00 DEGREES 28 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 450.00 FEET TO A POINT; THENCE RUNNING NORTH 22 DEGREES 40 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 268.45 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 26 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 606.73 FEET TO A POINT; THENCE RUNNING SOUTH 00 DEGREES 36 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 145.20 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 26 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 300.00 FEET TO A POINT ON THE EAST LINE OF LAND LOT 100, THENCE RUNNING SOUTH 00 DEGREES 28 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 18.29 ACRES.

LESS AND EXCEPT THE PROPERTY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT OF WAY MONUMENT SET AT AN ANGLE POINT ON WESTERLY SIDE LINE OF GEORGIA HIGHWAY ROUTE 61, THENCE RUNNING N86° 32' 39" W FIVE HUNDRED FOUR AND FORTY-ONE HUNDREDTHS (504.41) FEET TO THE POINT OF BEGINNING; THENCE TURNING AND RUNNING S00° 00' 00" W FOUR HUNDRED THIRTY-NINE AND FIFTY HUNDREDTHS (439.50) FEET TO A POINT; THENCE TURNING AND RUNNING S44° 56' 53" E EIGHTEEN AND EIGHTY-EIGHT HUNDREDTHS (18.88) FEET TO A POINT; THENCE TURNING AND RUNNING N88° 58' 53" W TWO HUNDRED TEN AND EIGHTY-NINE HUNDREDTHS (210.89) FEET TO A POINT; THENCE TURNING AND RUNNING N00° 00' 00" W FOUR HUNDRED NINETY-NINE AND NINETY-TWO HUNDREDTHS (499.92) FEET TO A POINT; THENCE TURNING AND RUNNING S89° 58' 53" E SIXTY EIGHT AND FORTY-THREE HUNDREDTHS (68.43) FEET TO A POINT; THENCE ALONG CURVE TO THE RIGHT HAVING A RADIUS OF ONE HUNDRED SEVENTY-FIVE AND SEVEN HUNDREDTHS (175.65) FEET, A LENGTH OF FIFTY-THREE AND FOURTEEN HUNDREDTHS (53.14) FEET TO A POINT; THENCE RUNNING S88° 18' 18" E FIFTY-TWO AND NINETY HUNDREDTHS (52.90) FEET TO A POINT; THENCE TURNING AND RUNNING S36° 17' 56" E TWENTY FOUR AND EIGHTEEN HUNDREDTHS (24.18) FEET TO THE POINT OF BEGINNING. CONTAINING 97,062 SQUARE FEET MORE OR LESS (2.23 ACRES MORE OR LESS).

FURTHER LESS AND EXCEPT ANY PORTION OF TRACTS 1, 2 OR 3 CONVEYED BY THE FOLLOWING:

LIMITED WARRANTY FROM AVEMORE GA LLC, A GEORGIA LIMITED LIABILITY COMPANY, TO VILLA LAND COMPANY LLC, A GEORGIA LIMITED LIABILITY COMPANY, DATED JANUARY 3, 2024, RECORDED JANUARY 12, 2024, IN DEED BOOK 6214, PAGE 251, CARROLL COUNTY, GEORGIA RECORDS; AND

QUIT CLAIM DEED FROM AVEMORE GA LLC, A GEORGIA LIMITED LIABILITY COMPANY, TO WINCHESTER REAL ESTATE INVESTMENT COMPANY, LLC, DATED MAY 8, 2024, RECORDED SEPTEMBER 4, 2024, IN DEED BOOK 6271, PAGE 542, CARROLL COUNTY, GEORGIA RECORDS.

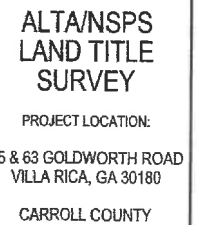
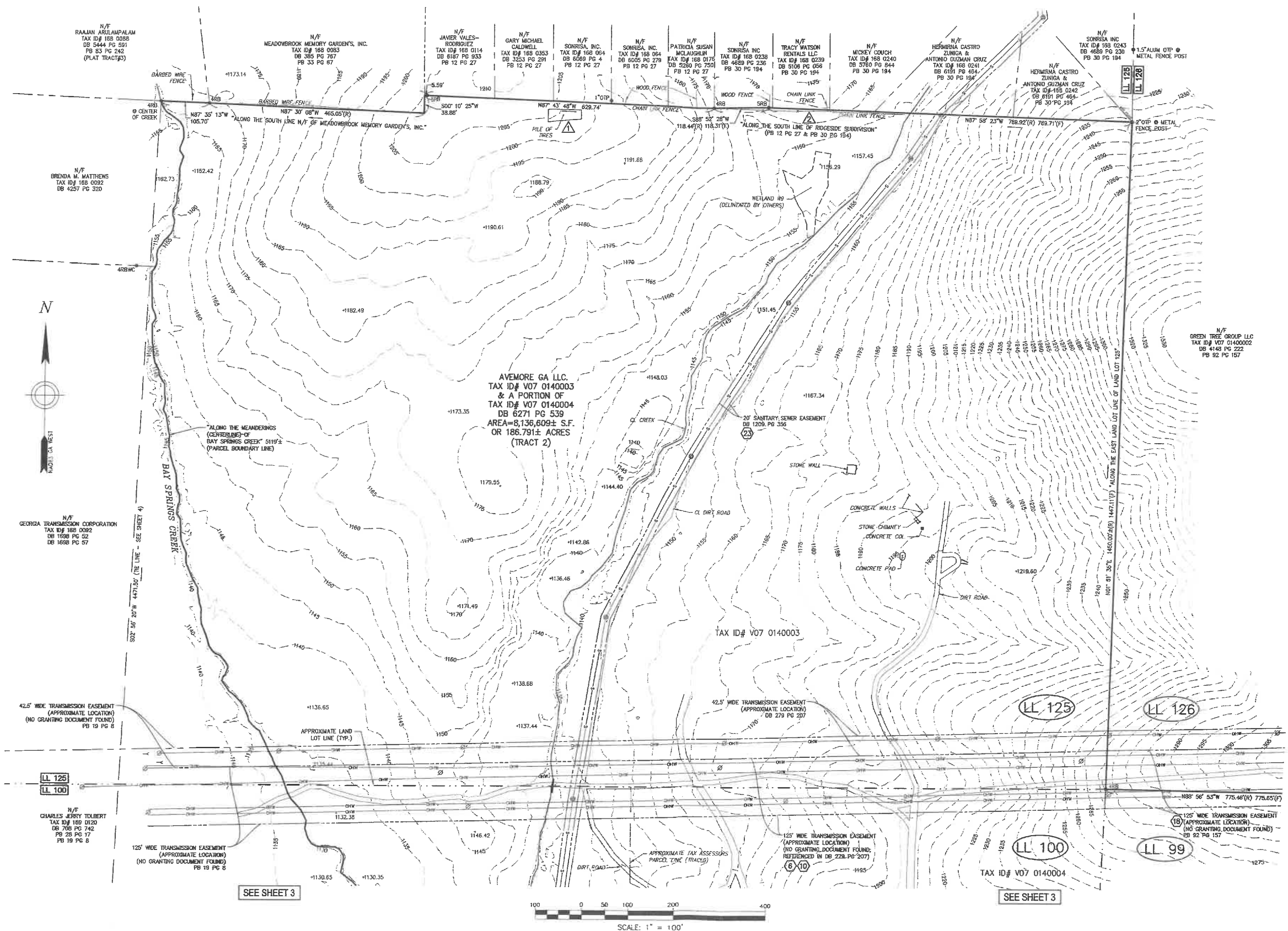
POTENTIAL ENCROACHMENTS:

- PILE OF TIRES LIES COMPLETELY WITHIN SUBJECT PARCEL. 17' TO 46" (SEE SHEET 2)
- CHAIN LINK FENCE MEANDERS ALONG BOUNDARY LINE. 0' TO 6" (SEE SHEET 2)
- BARBED WIRE FENCE MEANDERS ALONG BOUNDARY LINE. 0' TO 6" (SEE SHEET 4)

SURVEY CERTIFICATION

THIS SURVEY IS MADE FOR THE BENEFIT OF:

FIDELITY NATIONAL TITLE INSURANCE COMPANY, CLARK REAL ESTATE LAW GROUP LLP, AND AVEMORE GA, LLC, AND THEIR SUCCESSORS AND/OR ASSIGNS. THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASE

Drawing No.:

File: V:\PROJECTS\ANY\K7\099578.000\06_PROJECT_DATA\GEOSPATIAL\OFFICE\DRAWINGS\AVENORE_VILLA_RICA_ALTA_FIDELITY NATIONAL TITLE.DWG

RECORD DESCRIPTIONS OF VESTING LANDS

TRACT I: All that tract or parcel of property lying and being in Land Lots 109 and 101, of the 8th District of Carroll County, Georgia, and being more particularly described as 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 said record 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 4906-96 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 "Tract 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 8th District of Carroll County, Georgia, and being more particularly described as beginning at a concrete post which is located in 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; thence along the Western Land Lot Line of Land Lot 92 with a bearing of North 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 03 degrees 00 minutes 45 seconds West 43.32 feet; thence running North 02 degrees 00 minutes 40 seconds East 1,483.25 feet; thence running South 89 degrees 44 minutes 59 seconds East 887.83 feet; thence running South 88 degrees 00 minutes 55 seconds East 596.13 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 924.37 feet; thence continuing along such right of way in an arc with a bearing of South 02 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 23 minutes 33 seconds West 453.71 feet; thence continuing along such right of way in an arc with a bearing of South 17 degrees 45 minutes 15 seconds West a chord of 363.33 feet, a length of 363.79 feet, and a radius of 2,337.39 feet; thence continuing along such right of way South 13 degrees 00 minutes 28 seconds West a distance of 288.46 feet; thence running North 85 degrees 14 minutes 36 seconds West 1,356.73 feet; thence running North 01 degrees 25 minutes 24 seconds East 416.12 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 8th 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 Northeast 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 28 minutes 32 seconds West 806.61 feet; thence running North 89 degrees 17 minutes 00 seconds West 1,452.92 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 00 minutes 28 seconds East 629.09 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, 8th 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. Davany; 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 west a distance of 300 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 "The Parcel 159 0288" 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 when 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 Northwestern Land Lot corner of Land Lot 101, which is also the Northwestern Land Lot corner of Land Lot 109; 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 280.36 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 27 seconds East 189.27 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 831.30 feet; thence running South 89 degrees 20 minutes 37 seconds East 710.09 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 15 degrees 29 minutes 34 seconds West 153.18 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.

TITLE EXAMINATION

(Surveyor's treatment of Title Examination Items is limited to the scope described in ALTA/NSPS 2021 requirements, Section 6. C. ii., and is limited to determination of the extent of land, that Title Items may influence. If any, "Extent of Property" may be Blanket in nature for a Parcel or Parcels (not subject to mapping, but assumed to also apply to Lessee's Areas (if any) insofar as these may lie on Parcels(s) influenced by instrument); specifically described by instrument (mapped and shown only if within the Surveyed Area). Determination of physical location may not be possible if instrument is illegible, instrument lacks sufficient descriptive information; or instrument refers to other instruments which were not included in the title exam and not otherwise available to surveyor. Factors beyond physical location, such as the type of influence that "Restrictions, Covenants, Terms or Conditions" contained in instruments may impart upon Parcels or Lessee's Site or Easements are not evaluated by Land Surveyor. Review by Title Attorney may be warranted. Land Surveyors may not practice Law.)

Reference: Commitment for Title Insurance prepared by Old Republic Title Insurance Company, Commitment No. CIE-242749, Commitment Date: Nov 7, 2024, Schedule B, Part II, Exceptions.

Item 1 - 11: General Items (no record Instruments listed) or Times, not addressed by Survey.

SUMMARY OF MATTERS ON SURVEYED PROPERTY

(Items listed as potential matters of concern, subject to review by qualified Legal Professionals. "Encroachment" is a matter of Law, not determined by Surveyor)

E-1 167.5-foot-wide Easement to Carroll EMC for power lines, of record in Plat Book 19, Page 8 COCC. Within this Easement lie transmission lines and poles (single poles and line shown hereon, but this survey is not an as-built survey of all power-related equipment); as well as trails including access from adjoining subdivision property, which appear to lie within the Easement as shown hereon.

E-2 Apparent Cleared Easement for Power Lines, Northwest Corner of Surveyed Property. No grants of Easement for same from the surveyed or adjacent lands were found. Easement is assumed to exist according to Deed 2949-94 COCC, which is a transfer of property and Easements from Georgia Power Company to Georgia Transmission Corp, including a Power Line Easement granted by Splice, former owner of the lands where said power line crosses, by Deed 270-57 COCC. (Deed 270-57 not available at time of survey).

E-3 Surveyed property is subject to Special Flood Hazard Area Zone A, as shown hereon according to FEMA Maps

E-4 Surveyed Property is subject to natural drainage which flows onto and out of subject property. Principle drainage swales which can be identified from current survey and State/County maps are shown hereon. Drainage appears to discharge to the Southeast as indicated by FEMA Maps. This survey does not include a topographic survey and does not address drainage routes other than those readily apparent as above.

SURVEYOR'S DESCRIPTIONS

New descriptions provided to describe the property relative to Georgia West State Plane Coordinate System (See Note 41), and to provide descriptions necessary for planned conveyances (See Note 419)

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 85, Page 180, COCC;

Thence along a Chord The Line having a Bearing of S 49°02'39" W, a distance of 838.37 feet to a Capped Iron Rod set in the

Thence N 82°16'45" 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°06'09" 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 2,574.55 feet, with a chord bearing of N 15°12'54" E, with a chord length of 279.11 feet to a Capped Iron Rod set;

Thence N 88°37'05" 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°04'09" 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°19'32" E, along the East Line of the property of record in Plat Book 94, Page 157, COCC, a distance of 1,091.83 feet to an Iron Rod found;

Thence N 89°03'09" W, a distance of 45.46 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 Northeast Corner of the property described herein;

Thence N 89°17'29" E, along a South Line of the property of record in said Deed Book 6117, Page 517, COCC, a distance of 837.83 feet to an Iron Rod found;

Thence N 89°15'09" W, a distance of 189.74 feet to an Iron Rod found;

Thence S 09°25'28" W, a distance of 155.38 feet to an Iron Rod found;

Thence S 09°46'00" W, a distance of 71.75 feet to an Iron Rod found;

Thence S 09°20'28" W, a distance of 70.03 feet to an Iron Rod found;

Thence S 09°27'17" E, a distance of 69.86 feet to an Iron Rod found;

Thence S 09°39'18" W, a distance of 29.09 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 1,400.57 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road;

Thence N 12°06'09" E, along said Right-of-Way, a distance of 323.52 feet to a Capped Iron Rod set;

Thence S 02°16'42" 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°06'09" E, along a new Line, a distance of 599.76 feet to a Capped Iron Rod set;

Thence S 89°24'55" E, a distance of 408.32 feet to a point in the Centerline of a Creek;

Thence N 89°29'39" E, leaving said Creek and along the South Line of the property of record in Deed Book 6194, Page 537, COCC, a distance of 101.32 feet to an Iron Rod found to the POINT OF BEGINNING.

Said tract contains 98.59 Acres, more or less.

SURVEY TRACT TWO

Land Located in Land Lots 109 & 101, 6th District, Carroll County, Georgia. Being a portion the property of C. James Tolbert of record in Deeds: Book 4906, Page 86 and 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 85, Page 180, COCC;

Thence S 88°29'38" W, along the South Line of the property of record in Deed Book 6194, Page 537, COCC, a distance of 101.32 feet to a point in the Centerline of a Creek, which is the POINT OF BEGINNING.

Thence N 84°24'55" W, along a new Line, a distance of 408.32 feet to a Capped Iron Rod set;

Thence S 88°18'09" 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°18'28" E, with a chord length of 448.72 feet;

Thence with a curve to the left with an arc length of 953.00 feet, with a radius of 1,214.49 feet, with a chord bearing of N 04°53'32" W, with a chord length of 955.57 feet;

Thence N 18°51'52" W, a distance of 555.81 feet;

Thence N 17°29'41" W, a distance of 253.18 feet;

Thence N 18°54'32" W, a distance of 513.30 feet;

Thence N 18°50'44" W, a distance of 294.73 feet;

Thence N 18°50'44" W, a distance of 294.73 feet;

Thence N 88°24'35" E, leaving said Right-of-Way Line, 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 and having a bearing of S 08°48'44" W, a distance of 3,099.55 feet to the POINT OF BEGINNING.

Said tract contains 83.87 Acres, more or less.

SURVEY TRACT FOUR

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 Deeds: Book 4906, Page 86 and 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 in the Northwest Corner of The Trails at Charleston Place, Phase Two, of record in Plat Book 88, Page 180, COCC;

Thence along the Western Lines of Afore said Subdivision the following Courses and Distances:

Thence S 30°15'10" W, a distance of 194.10 feet to an Iron Rod found;

Thence S 09°30'23" W, a distance of 189.74 feet to an Iron Rod found;

Thence S 09°25'28" W, a distance of 155.38 feet to an Iron Rod found;

Thence S 09°46'00" W, a distance of 71.75 feet to an Iron Rod found;

Thence S 09°20'28" W, a distance of 70.03 feet to an Iron Rod found;

Thence S 09°27'17" E, a distance of 69.86 feet to an Iron Rod found;

Thence S 09°39'18" W, a distance of 29.09 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 1,400.57 feet to a Capped Iron Rod set in the Eastern Right-of-Way Line of South Van Wert Road;

Thence N 12°06'09" E, along said Right-of-Way, a distance of 323.52 feet to a Capped Iron Rod set;

Thence S 02°16'42" 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°06'09" E, along a new Line, a distance of 599.76 feet to a Capped Iron Rod set;

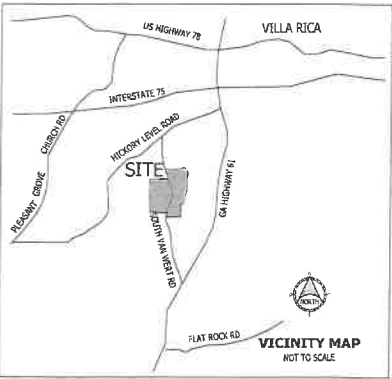
Thence S 89°24'55" E, a distance of 408.32 feet to a point in the Centerline of a Creek;

Thence N 89°29'39" E, leaving said Creek and along the South Line of the property of record in Deed Book 6194, Page 537, COCC, a distance of 101.32 feet to an Iron Rod found to the POINT OF BEGINNING.

Said tract contains 14.05 Acres, more or less.

NOTES

- NORTH ARROW IDENTIFICATION: Georgia West Plane Coordinate System, NAD 83 (COGS), established by GPS Survey relative to the Continuously Operating Reference Station Network managed by the US National Geospatial 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 observations of unspecified origins). 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 in 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.
- ATLA TABLE A Item 2: Monuments at corners of Surveyed Property found or set as shown hereon.
- ATLA TABLE A Item 2: 2664 South Van Wert Road, Villa Rica, GA. 30180.
- ATLA TABLE A Item 3: A portion of the property lies in Special Flood Hazard Area Zone A. Extent shown according to FEMA FIRM Panels: 13045C0154D, dated 05-19-2007. No Flood Certification or Flood Elevation Survey was performed.
- ATLA TABLE A Item 4: As shown hereon.
- ATLA TABLE A, Item 8: Substantial fixed improvements located and shown hereon.
- ATLA TABLE A Item 9: Survey observed no parking lots or regions in which specific parking spaces were delineated with striping or signage.
- ATLA TABLE A Item 10: Survey observed no "party walls" or walls which would determine property boundaries.
- ATLA TABLE A Item 11 (a): No Utility Plans were provided or supplied.
- ATLA TABLE A Item 13: Names of adjoining owners as shown hereon.
- ATLA TABLE A Item 17: No information was supplied or found which would suggest any proposed changes to streets or Rights-of-Way.
- ATLA TABLE A Item 18: Title Examination did not list instruments which describe offsite easements relating to the plat.
- WETLANDS: No Wetlands definitions 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 Rights-of-Way as noted above). Plats PB 19-9 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 hereon.
- 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, Three and Four 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 each survey tract. Existing driveways found and shown hereon. This survey does not otherwise address suitability of access for vehicular traffic.)



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 stated herein. 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 14-6-47.

ALTA/NSPS CERTIFICATION

To: (i) Avenore 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, 5, 6, 7, 8, 9, 10, 11(a), 12, 13, 17, 18 & 19 of Table A thereof. The fieldwork was completed on 12-13-2024.

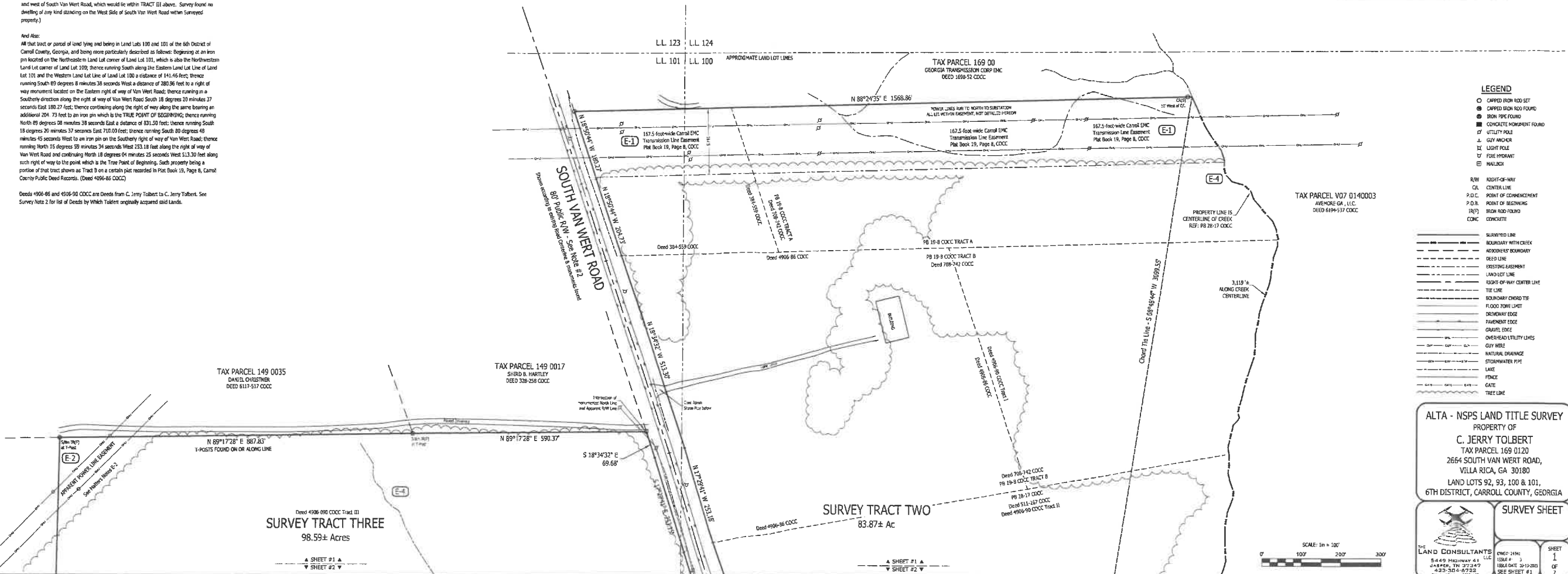
Date of Plat or Map: 03-13-2025

Travis L. Speaks
Georgia NSPS No. LS00258
Georgia CEN No. LS00180



SURVEY ISSUE DATA

#	DETAILS	DATE	DRAWN	APP
1	Original Survey Issue	12-12-2024	TS	TS
2	Survey "As Is" One & Two Revised	12-13-2024	TS	TS
3	Survey Tract Two Revised, Tract Four Added	12-13-2025	TS	TS





TAX PARCEL 149 0035
DANIEL CHRISTNER
DEED 6117-517 COCC

TAX PARCEL 150 0025
GREEN TREE GROUP, LLC
DEED 4458-179 COCC
PLAT 94-152 COCC

Deed 4906-90 COCC Tract III
SURVEY TRACT THREE
98.59± Acres

SURVEY TRACT TWO
83.87± Ac

TAX PARCEL V07 0140003
AVERMORE GA, LLC
DEED 6194-537 COCC

SOUTH VAN WERT ROAD
80' Public R/W - See Note #2
Shown according to existing
Road Centerline & monuments found

LAKE

SURVEY TRACT ONE
5.27± AC

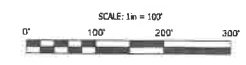
SURVEY TRACT FOUR
14.01± Ac

TAX PARCEL 150 0057
ERIC S. MITCHELL
DEED 5725-207 COCC
PLAT 36-275 COCC

TAX PARCEL 169 0001
ERIC S. MITCHELL
DEED 5725-207 COCC
PLAT 36-275 COCC

CURVE DATA TABLE									
STATION	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DIST	CHORD BEARING	CHORD DIST	CHORD BEARING	CHORD DIST	CHORD BEARING
1	2574.55	278.25	N 89°35'19" W	134.87	N 89°35'19" W	134.87	N 89°35'19" W	134.87	N 89°35'19" W
2	4274.54	495.30	N 89°35'19" W	247.65	N 89°35'19" W	247.65	N 89°35'19" W	247.65	N 89°35'19" W
3	1214.49	133.30	N 89°35'19" W	66.65	N 89°35'19" W	66.65	N 89°35'19" W	66.65	N 89°35'19" W
4	1134.49	123.30	N 89°35'19" W	61.65	N 89°35'19" W	61.65	N 89°35'19" W	61.65	N 89°35'19" W
5	2864.54	311.30	N 89°35'19" W	155.65	N 89°35'19" W	155.65	N 89°35'19" W	155.65	N 89°35'19" W

LINE DATA TABLE		
LINE	BEARING	DISTANCE
1	N 89°35'19" W	134.87
2	N 89°35'19" W	247.65
3	N 89°35'19" W	66.65
4	N 89°35'19" W	61.65
5	N 89°35'19" W	155.65

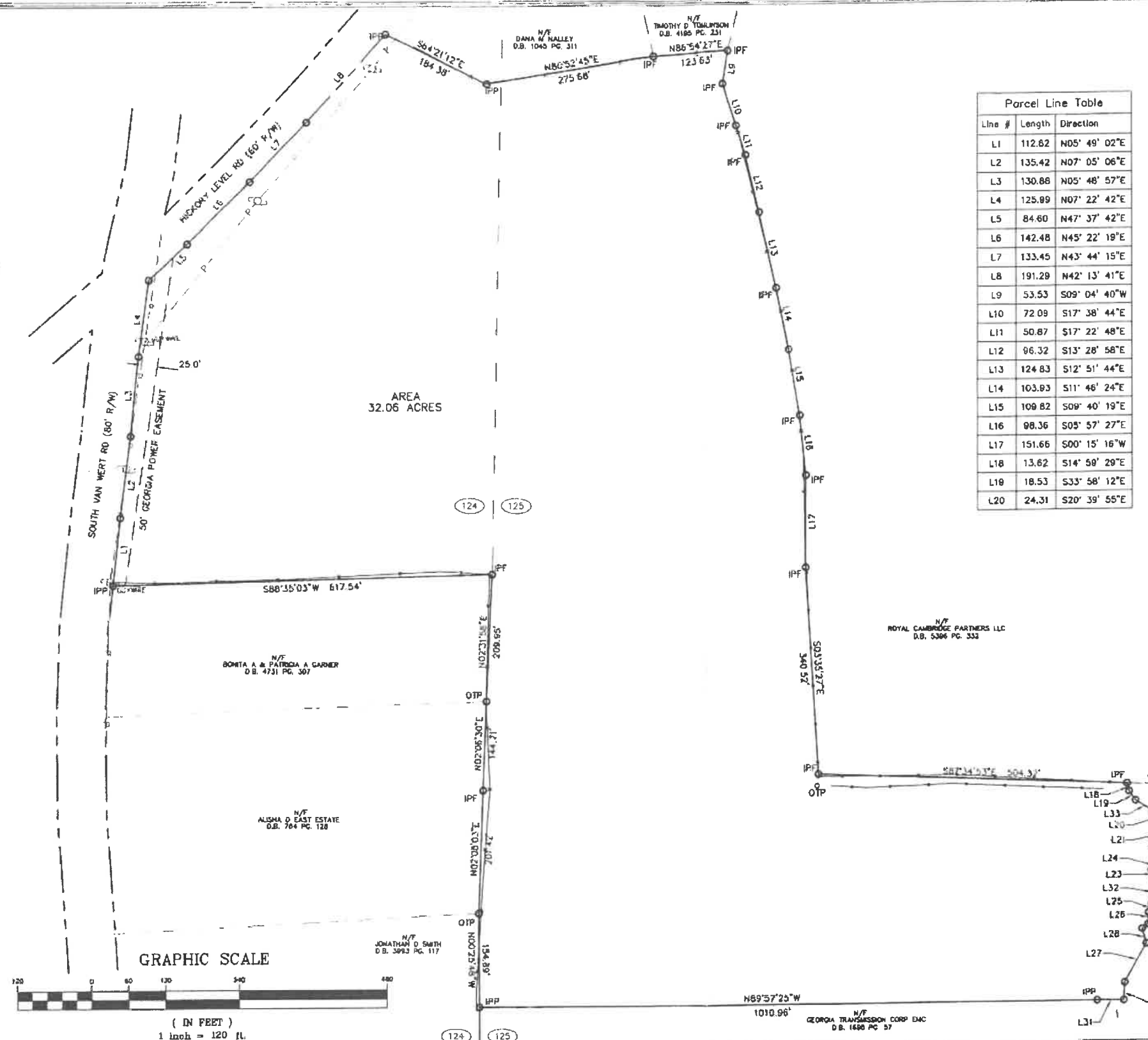


ALTA - NSPS LAND TITLE SURVEY
PROPERTY OF
C. JERRY TOLBERT
TAX PARCEL 159 0120
2664 SOUTH VAN WERT ROAD,
VILLA RICA, GA 30180
LAND LOTS 92, 93, 100 & 101,
6TH DISTRICT, CARROLL COUNTY, GEORGIA

THE LAND CONSULTANTS, INC.
5449 HIGHWAY 4, LLC
LAURENS, GA 31028
423-397-8723
Survey License No. 1726-PC

SURVEY SHEET

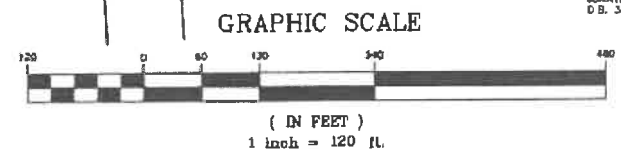
SHEET 2 OF 2



Parcel Line Table		
Line #	Length	Direction
L1	112.82	N05° 49' 02"E
L2	135.42	N07° 05' 06"E
L3	130.88	N05° 48' 57"E
L4	125.89	N07° 22' 42"E
L5	84.60	N47° 37' 42"E
L6	142.48	N45° 22' 19"E
L7	133.45	N43° 44' 15"E
L8	191.29	N42° 13' 41"E
L9	53.53	S09° 04' 40"W
L10	72.09	S17° 38' 44"E
L11	50.87	S17° 22' 48"E
L12	96.32	S13° 28' 58"E
L13	124.83	S12° 51' 44"E
L14	103.83	S11° 46' 24"E
L15	109.82	S09° 40' 19"E
L16	98.36	S05° 57' 27"E
L17	151.66	S00° 15' 16"W
L18	13.62	S14° 58' 29"E
L19	18.53	S33° 58' 12"E
L20	24.31	S20° 39' 55"E

Parcel Line Table		
Line #	Length	Direction
L21	38.00	S16° 00' 16"W
L22	16.55	S30° 27' 30"E
L23	14.25	S12° 11' 34"E
L24	15.78	S36° 04' 51"W
L25	14.55	S19° 33' 25"W
L26	18.62	S01° 47' 22"W
L27	73.35	S29° 06' 33"W
L28	25.47	S15° 30' 53"E
L29	29.55	S03° 07' 58"W
L31	43.44	N89° 57' 25"W
L32	41.63	S04° 02' 22"W
L33	34.13	S58° 11' 25"E
L34	10.94	S04° 54' 15"W
L35	12.46	S52° 07' 39"W
L36	105.77	S87° 32' 16"E

LEGEND	
[101]	HOUSE NUMBER
[10]	LOT NUMBER
○	PROPERTY CORNER
○	UTILITY POLE
□	R/W MONUMENT
○	SANITARY SEWER
□	POWER BOX
□	TELEPHONE BOX
□	CABLE TV BOX
-P-	OVERHEAD POWER
-X-	FENCE LINE
IPF	IRON PIN FOUND (1/2" REBAR UNLESS NOTED)
IPP	IRON PIN PLACED (1/2" REBAR)
OTF	OPEN TOP PIPE
[11]	LAND LOT NUMBER

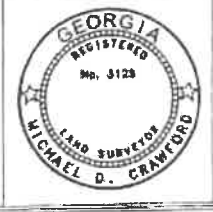


CLOSURE
THE FIELD DATA UPON THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1/100,000 PER ANGLE POINT, AND WAS ADJUSTED USING CRANDALL RULE.
NAD83 AZIMUTH WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

GENERAL NOTES
1. NO TITLE OR ABSTRACT RESEARCH WAS PERFORMED BY THE UNDERSIGNED FOR THIS SURVEY.
2. WARNING: THIS PLAT OR SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OR ANY TYPICAL ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS.
3. NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OR LOCATION OF UNDERGROUND STRUCTURES IS IMPLIED, ONLY THOSE ITEMS SHOWN.

4. NO WARRANTY OR GUARANTEE AS TO ENVIRONMENTAL ISSUES HAS BEEN IMPLIED, ONLY THOSE ITEMS SHOWN HEREON HAVE BEEN ADDRESSED.
5. ONLY ACTS OF POSSESSION IF ANY, THAT ARE VISIBLE FROM CASUAL INSPECTION OF THE PROPERTY ARE SHOWN HEREON. NO WARRANTY OR GUARANTEE IS IMPLIED AS TO THE EXISTENCE OF ACTS OF POSSESSION BY ADJOINERS TO THE LANDS SHOWN AND DESCRIBED HEREON.
6. THE ACCEPTANCE OF THE PLAT HEREON AND MEASUREMENTS USED AND SET OUTING THE PRESENTMENT OF THE FIELD SURVEY, HEREBY CERT THE TOWN OR CONTRACT HEREIN TO AN AMOUNT NOT TO EXCEED THE FEE CHARGED, IF ADDITIONAL LIABILITY IS REQUIRED BY THE CLIENT, THEN AN AMOUNT OF 1% OF THE TOTAL LIABILITY REQUIRED MUST BE PAID TO THE UNDERSIGNED PRIOR TO COMMENCEMENT OF WORK.
7. NO WARRANTY OR GUARANTEE AS TO COUNTY OR CITY ORDINANCE ISSUES, TO INCLUDE SET BACKS, HAS BEEN IMPLIED ONLY THOSE ITEMS SHOWN HAVE BEEN ADDRESSED.

IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED SUBSTANTIALLY IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
GA REG. L.S. #3125 MICHAEL D. CRAWFORD



GEORGIA & WEST, INC.
ENGINEERING • LAND SURVEYING • LAND PLANNING
105 CORPORATE DRIVE
CARROLLTON, GA 30117
E-MAIL: matt@georgiawest.com

OFFICE (770) 834-4884
FAX (770) 834-1005
JN150715
3-15-105
SHEET 1 OF 1

BOUNDARY SURVEY FOR:
BRENDA M MATTHEWS
LOCATED IN LAND LOT 124 & 125 DISTRICT 6
CARROLL COUNTY, GEORGIA
SCALE: 1" = 120' DATE: 08/13/2015
CHECKED BY: REV:
SHEET 1 OF 1

March 21, 2025

Mr. Joe Fowler
Hartley, Rowe & Fowler, P.C.
VIA Email only

Re: Avemore rezoning application

Greetings,

This is to confirm that the requirement for site development plan in conjunction with Avemore, LLC's rezoning application is waived. We understand that while the technology district uses are proposed, a plan for the development of the property is not currently being presented. A detailed site plan will be required during the development process and as part of the development of regional impact review, if applicable.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D-DS', is written over a horizontal line.

Diana DeSanto
Interim City Manager

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)	60 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 7:00a.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.