

**Rezoning Application to Amend the Official Zoning Map
of DeKalb County, Georgia**

Applicant Name: New Life Baptist Church c/o Battle Law PC

Applicant Email Address: cag@battlelawpc.com

Applicant Mailing Address: 3562 Habersham at Northlake Rd, Bldg J, Suite 100, Tucker, GA 30084

Applicant Phone Number: 404-601-7616

Owner Name: New Life Baptist Church of Lithonia Inc

(If more than one owner, attach list of owners.)

Owner Email Address: mbryant@newlife-atl.org

Owner Mailing Address: 3592 Flat Shoals Rd, Decatur, GA 30034

Owner Phone Number: 770-322-6262

Subject Property Address: 3048 Lumby Drive, Decatur, GA 30034

Parcel ID Number(s): 15 104 07 001

Acreage: 3.76 Commission District(s): 3 Super District: 7

Existing Zoning District(s): C-2 Proposed Zoning District(s): MR-1

Existing Land Use Designation(s): RC Proposed Land Use Designation(s): n/a (if applicable)

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner: _____ Agent: X

Michael Bryant

Signature of Applicant:

Michael Bryant, CEO

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Lorraine Cochran-Johnson

Interim Director
Cedric G. Hudson, MCRP

PRE-APPLICATION FORM REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE (Required prior to filing application: signed copy of this form must be submitted at filing.)

Applicant Name: _____ Phone: _____ Email: _____

Property Address: _____

Tax Parcel ID: _____ Comm. District(s): _____ Acreage: _____

Existing Use: _____ Proposed Use: _____

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes ____ No ____

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes ____ No ____

Existing Land Use: _____ Proposed Land Use: _____ Consistent ____ Inconsistent ____

Special Land Use Permit: Yes ____ No ____ Article Number(s) 27- _____

Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified: _____

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: _____ BOC: _____

Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____

Community Council Meeting: _____ Public Notice, Signs: _____ Tree Survey, Conservation: _____

Submittal Format: **ONE (1) COMBINED, PDF DOCUMENT UPLOAD PLEASE**

Review of Site Plan

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____

Enhanced Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____

Lot Size: _____ Frontage: _____ Street Widths: _____ Landscape Strips: _____

Buffers: _____ Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____

Screening: _____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____

Bldg. Height: _____ Bldg. Orientation: _____ Bldg. Separation: _____

Bldg. Materials: _____ Roof: _____ Fenestration: _____

Façade Design: _____ Garages: _____ Pedestrian Plan: _____ Perimeter Landscape Strip: _____

Possible Variances: _____

Comments: _____

Planner: _____ Date: _____

FILING FEES

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00

PLEASE JOIN

New Life
Church and
New Life
Community
Alliance

FOR A ...

COMMUNITY MEETING

Scan QR Code
to Register



Scan QR Code
to join ZOOM Meeting



TO DISCUSS
Rezoning Lumby Drive and
future plans for
Community Development.

JUNE 3, 2025

6:30 pm | Virtual / In-person options

New Life Church Worship Center
3592 Flat Shoals Road
Decatur, GA 30034

REGISTER TO ATTEND

www.newlife-atl.org



Topic	ID
New Life Baptist Church - 3048 Lumby Dr. : Community Meeting	84901211072
Name (original name)	Email
Jordan Battle	jnb@battlelawpc.com
ES Kates	kateses50@gmail.com
New Life Church and Community Alliance	pastor@newlife-atl.org
E Kates	ellenkates@yahoo.com
New Life Church and Community Alliance	pastor@newlife-atl.org
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Leslie Lester	msleslesjoy@gmail.com

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Host	Duration (minutes)	Start time
Jordan Battle (jnb@battlelawpc.com)		151 06/03/2025 06:15:49 PM

Join time	Leave time	Duration (minutes)
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06/03/2025 06:16:15 PM	06/03/2025 06:23:32 PM	8
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participants_84901211072_2025_06_04

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participants_84901211072_2025_06_04

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06/03/2025 07:15:36 PM	06/03/2025 07:15:40 PM	1
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participants_84901211072_2025_06_04

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06/03/2025 08:23:06 PM	06/03/2025 08:45:54 PM	23



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Rezoning from C-2 to MR-1 to Allow
Phase I of a Mixed-Use Development

of

**New Life Baptist Church
c/o Battle Law, P.C.**

for

+/-3.76 Acres of Land
Being 3048 Lumby Drive
DeKalb County, Georgia and
Parcel Nos. 15 104 07 001

Submitted for Applicant by:

Michèle L. Battle, Esq.
Joshua S. Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com
jsm@battlelawpc.com

Mich

3562 Habersham at Northlake • Building J, Suite 100 • Tucker, Georgia 30084 • Ph: 404.601.7616

battlelawpc.com



Battle Law

I. LETTER OF INTENT

New Life Baptist Church (the “Applicant”) is seeking to develop on +/- 3.76 acres of land being Tax Parcel No. 15 104 07 001 having frontage on 3048 Lumby Drive (the “Subject Property”) with a mixture of single-Family detached and attached homes. The Applicant is seeking a rezoning of the Subject Property from C-2 to MR-1.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Code of Ordinances and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. DEKALB COUNTY REZONING CRITERIA

1. *Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;*

The Subject Property is within the Regional Center Activity Center. The DeKalb County Comprehensive Plan states the at the Regional Center allows seventy-five dwelling units per acre and up and explicitly permits the MR-1 zoning district. This zoning proposal seeks to rezone the Subject Property to MR-1 to allow for phase one of a mixed-use development. Phase one will include ten single-family detached homes and twenty-two townhomes for a total of thirty-two units on 3.76 acres for a density of 8.5 dwelling units per acre.

Furthermore, the Subject Property falls within the Candler Flat Shoals LCI small area plan. Specifically, the Subject Property is within the Town Center Edge Sub-Area, which calls for, “compact high density mixed use” at a maximum density of forty-five dwelling units per acre.

Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

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

Apartments and a variety of commercial and institutional uses surround the Subject Property. Notably, the Abbingtion Reserve and Creekside Vista apartments are directly south and east of the Subject Property, respectively. Taco Bell, Roberts Family Dental and Dairy Queen are to the west and New Life Church is northwest of the Subject Property. DeKalb County’s Public Works Purchasing Unit and fleet vehicle storage is directly north of the Subject Property.

The proposed townhomes and single-family detached homes will fit in with the surrounding uses. Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of nearby properties.



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3. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;*

The Subject Property does not have a reasonable economic use as currently zoned.

4. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties;*

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The development will remain on the Subject Property and the resulting homes and road will not disrupt the flow of traffic in the area.

5. *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 Applicant is not aware of existing or changing conditions affecting the use and development of the Subject Property which give supporting grounds for either approval or disapproval of the zoning proposal.

6. *Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources;*

The Subject Property is not within a historic district. The Applicant is not aware of any historic buildings, sites, or archaeological resources on the Subject Property.

7. *Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and*

The zoning proposal will allow for thirty-two new homes. These added homes will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

8. *Whether the zoning proposal adversely impacts the environment or surrounding natural resources*

The zoning proposal does not impact the environment or surrounding resources any more than the development on the surrounding and nearby properties. Furthermore, the Applicant shall comply with all DeKalb County ordinances that protect environmental resources. Therefore, the zoning proposal will not have an adverse impact on the environment or surrounding natural resources.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the Board of Commissioners approve this application for a rezoning from C-2 to MR-1. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject



Battle Law

Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 05/07/2025

TO WHOM IT MAY CONCERN:

I/WE: New Life Baptist Church

Name of Owner(s) Michael Bryant, CEO

being owner(s) of the subject property described below or attached hereby delegate authority to:

Battle Law, P.C

Name of Agent or Representative

to file an application on my/our behalf.

[Signature]
Notary Public

[Signature]
Owner



DEKALB COUNTY, GA

Campaign Contribution Disclosure Statements

CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michele L. Battle and Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL POSITION	AMOUNT OF CONTRIBUTION
Mereda Davis Johnson	Commissioner	\$1000
Nicole Massiah	Commissioner	\$2000
LaDena Bolton	Commissioner	\$500
Chakira Johnson	Commissioner	\$500
Ted Terry	Commissioner	\$500
Robert Partrick	Commissioner	\$500

By: 

Printed Name: _____

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes: _____ No: no *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

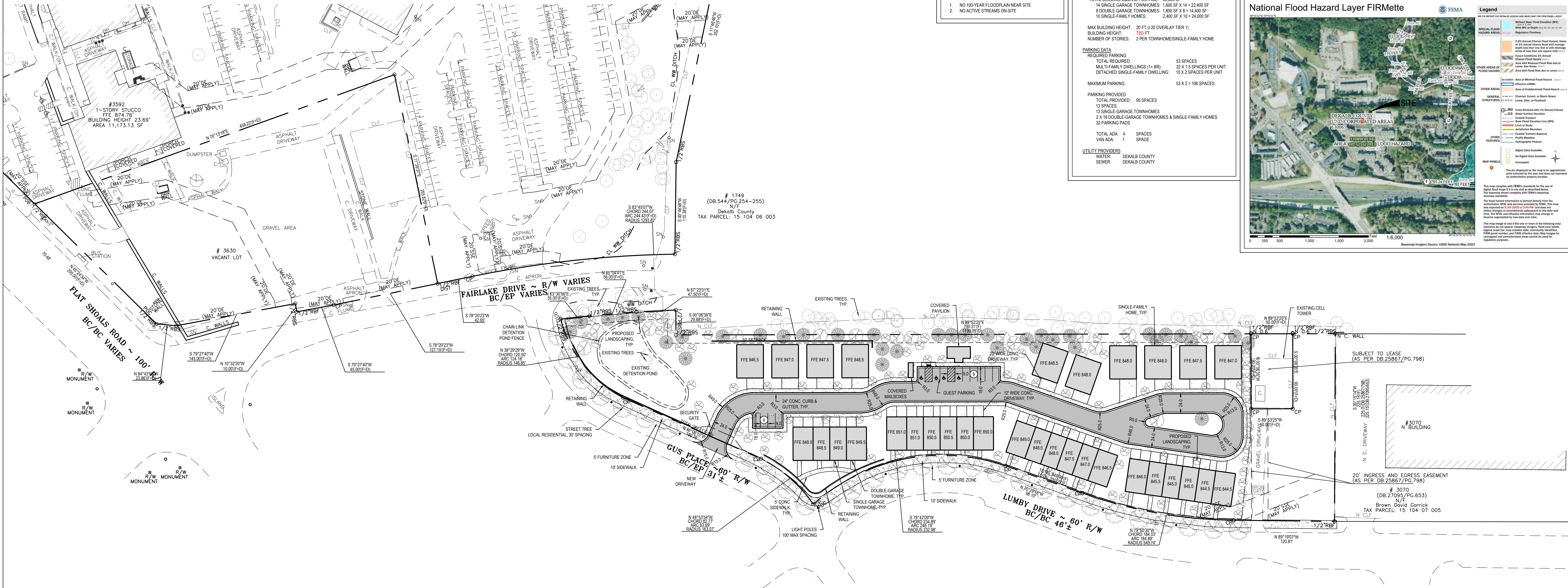
Notary

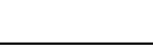
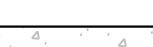
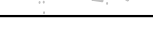
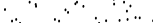
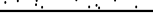
Michael Bryant 5-8-25
Signature of Applicant /Date
Michael Bryant, CEO
Check one: Owner _____ Agent X

Expiration Date/ Seal

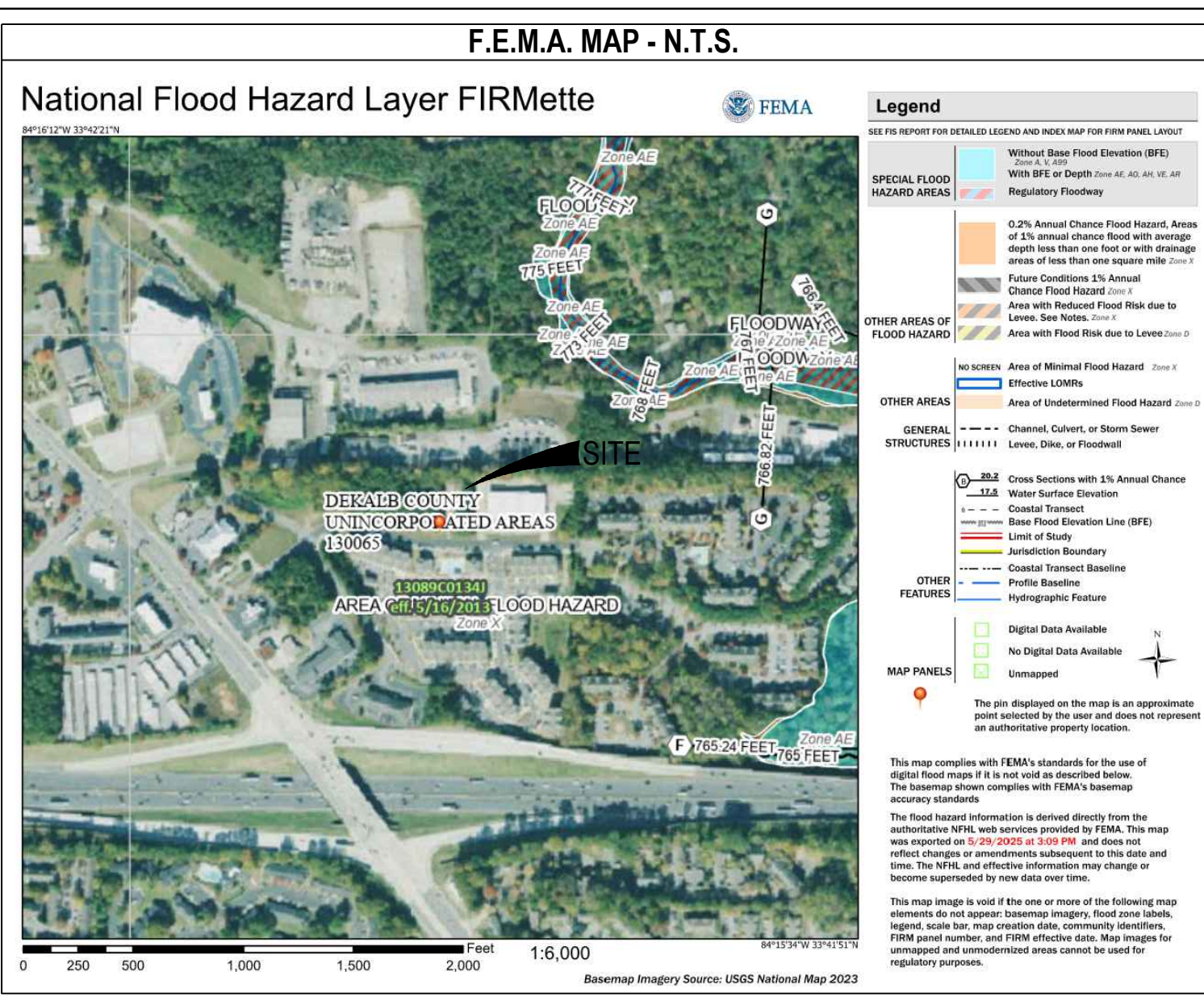
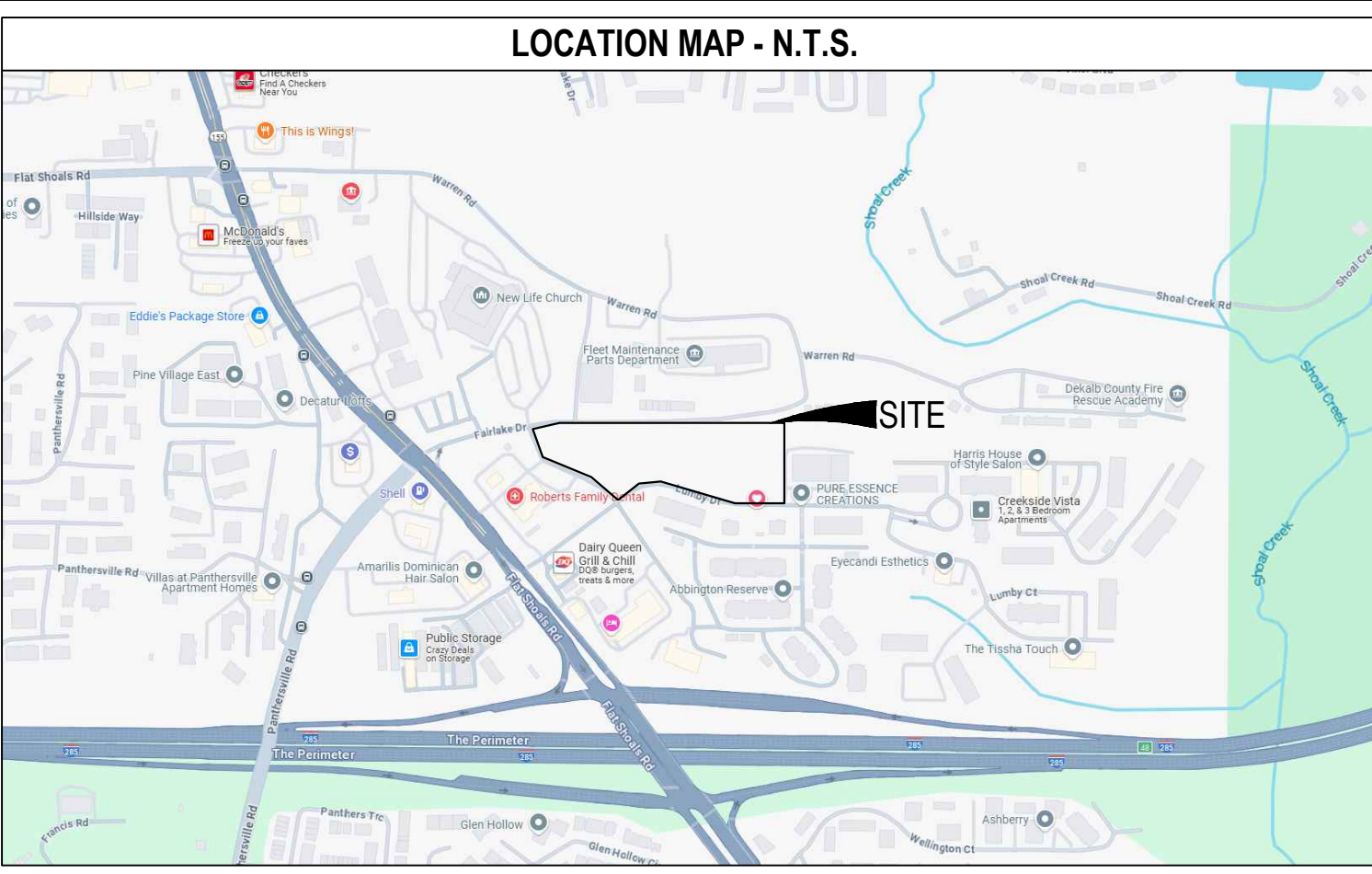
*Notary seal not needed if answer is "No".

SURVEY, SITE PLAN, AND ELEVATIONS:



LAYOUT LEGEND	
	PROPOSED BUILDING
	EXISTING CURB & GUTTER
	PROPOSED CURB & GUTTER
	PROPOSED H.D. ASPHALT PAVING
	PROPOSED G.O.T. ASPHALT PAVING
	PROPOSED L.D. ASPHALT PAVING
	PROPOSED ADA CONCRETE PAVING
	PROPOSED CONCRETE PAVING
	PROPOSED CONCRETE SIDEWALK
	PROPOSED FENCING
	PROPOSED RETAINING WALL
	PROPOSED STRIPING
	BUILDING SETBACK LINE
	EXISTING BUFFER
REZONING NOTES	
1.	NO 100-YEAR FLOODPLAIN NEAR SITE
2.	NO ACTIVE STREAMS ON-SITE

SITE DATA	
EXISTING ZONING:	C-2 (I-20 OVERLAY DISTRICT TIER 1)
PROPOSED ZONING:	MRS-1 ZONING
TOTAL BUILDING AREA:	3.76 ACRES
DISTURBED AREA:	3.1 ACRES
DEKALB COUNTY, GA	
LAND LOT: 104	DISTRICT 15
PARCEL ID:	15-10-07-001
PROPOSED BUILDING SETBACKS (I-20 OVERLAY):	
FRONT:	0 FT
SIDE:	10 FT
REAR:	10 FT
*WHERE PROP. LINE IS AT LEAST 15' FROM B.O.C.	
LANDSCAPE STRIPS (I-20 OVERLAY):	
FRONT:	5 FT
SIDE:	10 FT
REAR:	5 FT
TOTAL MAX FAR (I-20 OVERLAY):	5.0
BASE FAR:	3.5
RONUS FAR (30% PUBLIC SPACE):	1.5
FAR PROVIDED:	0.4
REQUIRED OPEN SPACE (I-20 OVERLAY):	
PROVIDED OPEN SPACE:	20% (32,757 SF)
YARDS, LANDSCAPE, PLAZAS:	30% (49,821 SF)
SIDEWALK ON PROPERTY:	50,592 SF
TOTALS PARKING:	9,229 SF
ON-STREET PARKING:	0 SF
NATURAL STREAM BUFFER:	0 SF
PROPOSED LOT COVERAGE:	43% (69,759 SF)
BUILDING DATA	
TOTAL TOTAL UNITS	30
TOTAL BUILDING SQUARE FOOTAGE:	60,800 SF
14 SINGLE-GARAGE TOWNHOMES:	1,600 SF X 14 = 22,400 SF
8 DOUBLE-GARAGE TOWNHOMES:	1,800 SF X 8 = 14,400 SF
10 SINGLE-FAMILY HOMES:	2,400 SF X 10 = 24,000 SF
MAX BUILDING HEIGHT: 20 FT (I-20 OVERLAY TIER 1)	
BUILDING HEIGHT:	18.5 FT
NUMBER OF STORIES:	2 PER TOWNHOMER/SINGLE-FAMILY HOME
PARKING DATA	
REQUIRED PARKING:	
TOTAL REQUIRED:	13 SPACES
MULTI-FAMILY DWELLINGS (1+ BR):	22 X 1.5 SPACES PER UNIT
DETACHED SINGLE-FAMILY DWELLING:	10 X 2 SPACES PER UNIT
MAXIMUM PARKING:	53 X 2 = 106 SPACES
PARKING PROVIDED	
TOTAL PROVIDED:	95 SPACES
13 SPACES:	
13 SINGLE-GARAGE TOWNHOMES	
23 DOUBLE-GARAGE TOWNHOMES & SINGLE-FAMILY HOMES	
32 PARKING SPACES	
TOTAL ADA: 4 SPACES	
VAN ADA: 1 SPACE	
UTILITY PROVIDERS	
WATER:	DEKALB COUNTY
SEWER:	DEKALB COUNTY



E&A
EBERLY & ASSOCIATES

a Pape-Dawson company

TEL 770.452.7849 FAX 770.452.0086
2951 FLOWERS ROAD SOUTH, STE
119 ATLANTA, GEORGIA 30341
WWW.EBERLY.NET

▼

LAND PLANNING

▼

CIVIL ENGINEERING

▼

LANDSCAPE ARCHITECTURE

PROJECT NAME
NEW LIFE MULTI-FAMILY
LUMBY DRIVE
LAND LOT 104
15TH DISTRICT
DEKALB COUNTY, GEORGIA
3048 LUMBY DRIVE, DECATUR, GA 30034

[illegible]

REZONING SITE PLAN	
SCALE	1" = 50'
DATE:	XXXX/XXXX/XX
DRAWN BY:	ME
PROJECT ENGINEER:	DES
CHECK REVIEWER:	CHECK REVIEWER

FEEBLY PROJECT NUMBER:
25-062

SHEET NUMBER:
Z1.0
NOT ISSUED FOR CONSTRUCTION

OWNER/DEVELOPER (PRIMARY PERMITTEE)
NEW LIFE BAPTIST CHURCH OF LITHONIA INC
3592 FLAT SHOULDS RD
DECATUR, GA 30034
(770) 570-0354
EMAIL:

PROJECT ENGINEER
DOMINIC SERRA
EBERLY & ASSOCIATES, INC.
2811 FLOWERS ROAD SOUTH
SUITE 119
ATLANTA, GEORGIA 30341
(770) 452-7849
DSERRA@EBERLY.NET

24 HOUR CONTACT
24 HOUR CONTACT
(888) 888-8888
XXXXXX@XXXXXX.XXX

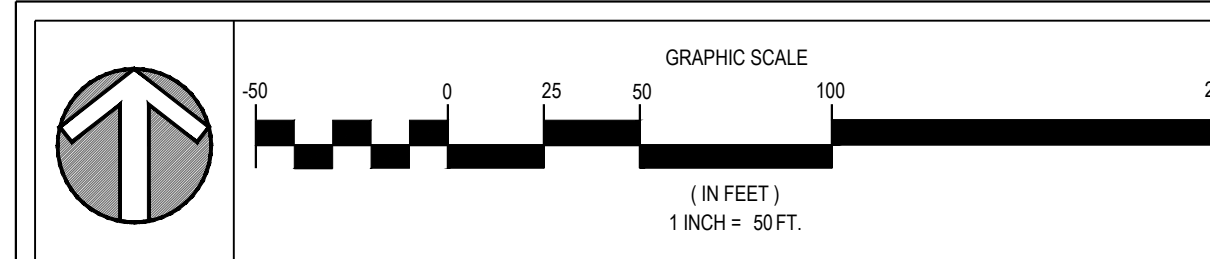
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www.Georgia811.com

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2016152251 DEED BOOK 25867 Pg 789
Filed and Recorded:
10/21/2016 1:00:44 PM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia
Real Estate Transfer Tax \$0.00

Upon recording return to:

Clyde H. Hudson
New Life Baptist Church of Lithonia, Inc.
3592 Flat Shoals Road
Decatur, Georgia 30034
(770) 322-6262

QUITCLAIM DEED OF GIFT

THIS INDENTURE, made this 17th day of October, 2016, by and between **HAROLD CHRISTOPHER JOHNSON, SR.**, an individual resident of the State of Georgia, as to an undivided 33.333% interest, **ANNETTE ALEXANDER JOHNSON**, an individual resident of the State of Georgia, as to an undivided 33.333% interest, **R. BILLY BURRUSS**, an individual resident of the State of Georgia, as to an undivided 8.33% interest, **RUTH LE BLANC**, an individual resident of the State of Georgia, as to an undivided 1.39% interest, **JONATHAN BROOKS BURRUSS**, an individual resident of the State of Georgia, as to an undivided 1.39% interest, **FLORENCE J. NORRIS**, an individual resident of the State of Georgia, as to an undivided 11.112% interest, and **ESTELLE J. DOBBS**, an individual resident of the State of Georgia, as to an undivided 11.112% interest (hereinafter collectively referred to as "Grantor"), and **NEW LIFE BAPTIST CHURCH OF LITHONIA, INC.**, a Georgia nonprofit corporation (hereinafter referred to as "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 love and affection for Grantee and other good consideration, does hereby remise, convey and forever QUITCLAIM unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 104 of the 15th District of DeKalb County, Georgia, as more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

DEED BOOK 25867 Pg 790

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 or title to said premises or appurtenances, or any rights thereof.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

-2-

Mixh

DEED BOOK 25867 Pg 792

By: Annette A. Johnson (SEAL)
Annette Alexander Johnson

Signed, sealed, and delivered
in the presence of:

WITNESS

NOTARY PUBLIC

My Commission Expires:

4/5/18



[AFFIX NOTARY SEAL]

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

DEED BOOK 25867 Pg 793

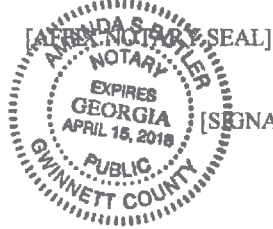
By: R. Billy Burruss (SEAL)
R. Billy Burruss

Signed, sealed, and delivered
in the presence of:

[Signature]
WITNESS

Amanda Muttler
NOTARY PUBLIC

My Commission Expires: 04/15/2018



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

DEED BOOK 25867 Pg 794

By: Ruth Le Blanc (SEAL)
Ruth Le Blanc

Signed, sealed, and delivered
in the presence of:

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC

My Commission Expires: 7/12/2020

[AFFIX NOTARY SEAL]



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

-6-

Type text here

Type text here

DEED BOOK 25867 Pg 795

By: Jonathan Brooks Burruss (SEAL)
Jonathan Brooks Burruss

Signed, sealed, and delivered
in the presence of:

Kathleen [Signature]
WITNESS

Amanda J. Butler
NOTARY PUBLIC

My Commission Expires: 04/15/2018

[AFFIX NOTARY SEAL]



SIGNATURES CONTINUE ON FOLLOWING PAGE]

DEED BOOK 25867 Pg 796

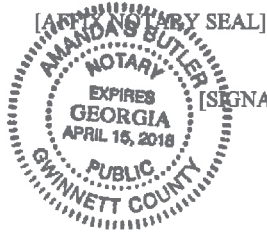
By: Florence J. Norris (SEAL)
Florence J. Norris

Signed, sealed, and delivered
in the presence of:

[Signature]
WITNESS

Amanda J. Butler
NOTARY PUBLIC

My Commission Expires: 04/15/2018



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

By: Estelle J. Dobbs (SEAL)
Estelle J. Dobbs

Signed, sealed, and delivered
in the presence of:

Jocelyn Miller
WITNESS

Ann Gilbert
NOTARY PUBLIC

My Commission Expires: 10/17



DEED BOOK 25867 Pg 798
 Debra DeBerry
 Clerk of Superior Court
 DeKalb County, Georgia

EXHIBIT "A"
Property Description

The land referred to herein below is situated in the County of DeKalb, City of Decatur, State of Georgia and is described as follows:

All that tract and parcel of land lying and being in Land Lot 104 of the 15th District of DeKalb County, Georgia, containing 3.6843 acres and being particularly shown and delineated on plat of property of the Estate of Eunice C. Johnson made by Alvin E. Vaughn & Assoc., Inc. Planners - Surveyors, dated December 2, 1997, as follows:

Beginning at the intersection of the Northwestern right of way of Lumby Drive with the Northeastern right of way of Gus Place and running thence Northeasterly and Easterly along the Northwestern and Northern right of way of Lumby Drive and following the curvature thereof a distance of 550.29 feet to the property now or formerly owned by Mimms Enterprises, Inc.; thence North 00° 24' 34" West 225 feet; thence South 89° 25' 01" West 1190.09 feet to a corner; thence North 00° 35' 00" West 29.88 feet to a corner; thence South 86° 54' 37" West 47.50 feet; thence South 84° 36' 17" West 56 feet; thence South 83° 02' 32" West 35 feet to the Eastern right of way of Gus Place; thence Southeasterly along the Northeastern right of way of Gus Place and following the curvature thereof 388.61 feet to the Northwestern right of way of Lumby Drive and the point of beginning.

This property is subject to a Lease dated July 28, 1992, between Bell South Mobility, Inc., as Lessee, and Eunice C. Johnson Estate, as Lessor, the leased premises being a Parcel 51 feet West of the Northeast corner of the above described property and extending Westerly 50 feet and Southerly 90 feet; together with a non-exclusive right for ingress and egress and for installation and maintenance of utility wire, cables, conduits and pipes, over, under or along a 20' wide right of way extending from the nearest public right of way to the leased parcel.

Parcel ID #15-104-07-001

This being the same property conveyed to Johnson P. S. One, Inc., a Corporation from Elizabeth Johnson, individually and as sole surviving Executor of the Will of Eunice Cleveland Johnson, deceased; Harold Christopher Johnson, Sr.; Roy Augustus Johnson; Lois Johnson Woodley; Emma Ava Johnson, individually and as Executor of the Will of Brooks Cleveland Johnson, deceased and Patricia A. Johnson; Estelle Johnson Dobbs; Rebecca Johnson Burruss; Florence Johnson Norris, in a deed dated December 31, 1997 and recorded December 31, 1997 in Book 9789 Page 361.

Property Commonly Known As: 3048 Lumby Drive Decatur, GA 30034

FILING FEES

At the time of submittal, a filing fee shall accompany each application as follows:

Rezoning:	FEE:
RE, RLG, R-100, R-85, R-75, R-60	\$500.00
MHP, RNC, RSM, MR-1. M-2	
HR-1, HR-2, HR-3	\$750.00
MU-1, MU-2, MU-3, MU-4, MU-5	
O-L, OD, OIT, NS, C-1, C-2, M. M-2	

If the application is a request to rezone to more than one zoning district, the higher fee will apply.

Applications for non-contiguous property (separated by a street) must be filed separately. A separate fee will be charged for each application. An application that is withdrawn and later re-filed will be treated as a new case and will require a new fee.