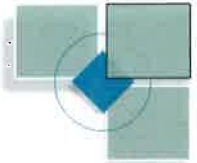




DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____
Filing Fee: _____

Date Received: _____ Application No.: _____
Applicant: LCI-SVAP NDM JV, LP
c/o Kathryn M. Zickert E-Mail: kmzickert@sgrlaw.com

Applicant Mailing Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309

Applicant Phone: 404-815-3704 Fax: 404-685-7004

Owner(s): See attachment A. E-Mail: _____
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: _____

Owner(s) Phone: _____ Fax: _____

Address/Location of Subject Property: See Attachment A

District(s): 18 Land Lot(s): 100, 101 Block: 02, 04 Parcel(s): See Att. A

Acreage: 78.09 Commission District(s): 2 / 6

Present Zoning Category: C-1 Proposed Zoning Category: MU-4

Present Land Use Category: TC & COS

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

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:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes No See attached

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 the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

SIGNATURE OF APPLICANT / DATE

Check One: Owner _____ Agent ☒

EXPIRATION DATE / SEAL

330 West Peachtree Street, Suite 100-500 - Decatur, Georgia - 30030
Voice: 404-871-2151 [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address: <http://www.dekalbcountyga.gov/planning>
Email Address: planninganddevelopment@dekalbcountyga.gov



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 4/3/2018

CHECK TYPE OF APPLICATION:


- ☒ LAND USE PLAN
☒ REZONE
☒ MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(I) (WE), LCI SVAP NDM MCY, LLC and LCI SVAP NDM JV, LP
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to
Kathryn M. Zickert and Smith, Gambrell & Russell, LLP
(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

[Signature]
Notary Public

Notary Public
Notary Public

[Signature]
Owner Print name: GREG MOROSS
Owner Print name: _____
Owner Print name: _____

ATTACHMENT A
To
LCI-SVAP NDM JV, LP
Rezone and SLUP Applications

18-100-020-040; 2144 Lawrenceville Hwy.
18-100-02-041; 2054 Lawrenceville Hwy.
LCI SVAP NDM MCY LLC
c/o Christopher Kapper
Sterling Organization
340 Royal Poinciana Way, Ste. 316
Palm Beach, Florida 33480

18-100-02-005; 2050 Lawrenceville Hwy.
18-100-02-049; 1086 Birch Road
18-100-02-014; 2692 Sweet Briar Road
18-100-02-057; 2038 Lawrenceville Hwy.
LCI SVAP NDM JV LP
c/o Christopher Kapper
Sterling Organization
340 Royal Poinciana Way, Ste. 316
Palm Beach, Florida 33480

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:

Have you, the applicant, made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? ___ Yes X 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 CEO and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Date: 4/3/2018

Applicant / Owner: GREG MOROSS
[print name]


[signature and title]

Name and official position of the local government official to whom the campaign contribution was made	Date of Donation	Dollar Amount of Donation

Promenade, Suite 3100
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Main: 404 815-3500
www.sgrlaw.com

SMITH, GAMBRELL & RUSSELL, LLP
Attorneys at Law

Kathryn M. Zickert
Direct Tel: (404) 815-3704
Direct Fax: (404) 685-7004
kmzickert@sgrlaw.com

May 3, 2018

Via Facsimile: 404.371.7004

Ms. Barbara Sanders
DeKalb County Clerk to Commission and CEO
1300 Commerce Drive
Decatur, Georgia 30030

Re: Campaign Contribution Disclosure – May 2016 through May 3, 2018

Dear Ms. Sanders:

This letter is intended to provide campaign contributions as required by state law for Kathryn M. Zickert, Dennis, J. Webb, Jr., J. Alexander Brock and Smith, Gambrell & Russell, LLP. Please be advised that over the past two years our total contributions have been as follows:

CANDIDATE	AMOUNT	DATE	CONTRIBUTOR
Jeff Rader	\$500	01/29/18	Kathryn M. Zickert
Jeff Rader	\$500	01/29/18	Dennis J. Webb, Jr.
Jeff Rader	\$2,000	01/25/18	Smith, Gambrell & Russell, LLP

Please do not hesitate to contact me if you require any further information.

Sincerely,



Kathryn M. Zickert
Attorney

KMZ/sea

cc: DeKalb County Planning Director (via hand delivery)



**STATEMENT OF INTENT/
WRITTEN JUSTIFICATION**

and

Other Material Required by
DeKalb County Zoning Ordinance for the
Rezoning Application

of

LCI-SVAP NDM JV, LP

for

± 78.09 Acres of Land
located in Land Lots 100 and 101, 18th District

C-1 to MU-4

Submitted for the Applicant by:

Kathryn M. Zickert
Dennis J. Webb, Jr.
J. Alexander Brock
Smith, Gambrell & Russell, LLP
Promenade, Suite 3100
1230 Peachtree Street, NE
Atlanta, GA 30309
404-815-3704

I. INTRODUCTION

This Application seeks to rezone \pm 78.09 acres of land located approximately 415 feet south of the intersection of Lawrenceville Highway and North Druid Hills Road (“Subject Property”) from C-1 (Local Commercial) to MU-4 (Mixed Use High Density). The Subject Property is comprised of four parcels that form the existing North DeKalb Shopping Mall. The Applicant plans to redevelop the Subject Property as a high-end, walkable, mixed-use development.

The existing North DeKalb Mall opened in 1965 and served as the principal shopping mall for the central DeKalb region for several decades. In more recent times, however, the mall has experienced the loss of a number of its anchor tenants, as well as many smaller merchants, as more and more customers have abandoned the traditional enclosed mall shopping experience for that of open air malls and mixed-use developments. The decline in traditional enclosed shopping concept is reflected in other malls throughout the Atlanta area, including Gwinnett Place and Northlake Mall. These malls, similarly situated to North DeKalb Mall, are also the subject of potential redevelopment plans. As a result, North DeKalb Mall is poised to be the model for the revitalization of distressed and underutilized shopping mall property throughout the region.

The Subject Property is ideally located for the type of mixed-use facility sought after by contemporary consumers and residents. The existing mall’s early success is due in part to its location at near two major roadways and its quick access to Highway 78, a U.S. freeway. In addition, the Subject Property is located within quick walking or driving distance from numerous residential neighborhoods that would utilize the modern commercial retail brought through redevelopment. Indeed, it is not the location, but the outdated enclosed mall concept and the incompatible tenants that have deterred the existing customers from shopping at the mall. This is

a fact that DeKalb County has recognized in several of its planning studies. See *DeKalb County Lawrenceville Highway Corridor Existing Conditions and Recommendations*, November 2016 (“In this report, the commercial area around the mall was listed as an area needing Retail Re-Tenancing. That is, the retailers present no longer fit the service area demographics adequately.”), citing *DeKalb County Transportation Plan 2014*.

In addition, the site is located in close proximity to a number of major employers, such as Emory University, the Centers for Disease Control, the Atlanta Veterans Administration Medical Center, the DeKalb Medical Center and many smaller employers along Lawrenceville Highway and in nearby downtown Decatur. The centralized location to employers lends itself to upscale, higher-density housing options that attract the young professionals employed in the area. The housing preference from many younger professionals is one that offers walkability to commercial retail, restaurant, and recreational uses, integral to the mixed-use concept. The North DeKalb Mall property offers a golden opportunity to transform the deteriorating mall into a modern, mixed-use development that offers the retail sought after by the community as well as the residential component needed for the area’s continued growth. Taking this into consideration, the Applicant/Owner of the North DeKalb Mall property now seeks to transform the Subject Property for this exact purpose.

Specifically, the Applicant proposes the development of a 152,221 square foot Costco Wholesale Warehouse retail store; 148,900 square feet of shopping and retail space; a 14,500 square foot food hall; 45,850 square feet of restaurant and food service; the relocation of the existing AMC Theater to a new 48,000 square foot building; 50,400 square feet of office space; a 150-room hotel; approximately 450 units of multifamily residential; and 50 townhomes (the “Proposed Development”). The Applicant’s plans incorporate some of the existing tenants,

including Marshall's, Burlington Coat Factory and others, into the retail component of the Proposed Development. The Proposed Development will enhance shopping experience through the introduction of new retailers, food options, and open space for pedestrian gathering.

Furthermore, the Applicant intends to promote walkability into and within the development through a network of sidewalks, plazas and other pedestrian oriented amenities allowing easy access. The interior drives will provide a streetscape with sidewalks as well as a landscaped area with street trees, adding to the pedestrian experience. Additionally, many of the retail shops and restaurants, including the Food Hall, will have a direct connection to the sidewalk and opportunities for outdoor dining, activating the sidewalks and promoting the pedestrian flow through the development. To add to its pedestrian connectivity, the Proposed Development is also located adjacent to the South Fork of Peachtree Creek which will allow a future connection to the PATH system of walkways as it is extended eastwards.

The site will be supported by revised access drives interior to the site, along with a parking deck and new surface parking. Parking for the commercial and hotel development will be provided through a combination of surface parking lots and the multi-level parking structure. The residential development will be served by its own internal parking spaces and garages for its residents and guests. The Proposed Development will incorporate a proposed network of internal drives that connect to the existing access points on North Druid Hills Road via Sweet Briar Road, Birch Road and Mistletoe Road, as well as maintaining access to the signalized intersection at Lawrenceville Highway and Orion Drive.

Concurrent with this Application, the Applicant filed an application for a Special Land Use Permit to allow fuel pumps associated with the Costco Wholesale Warehouse. This document is submitted as a Statement of Intent with regard to this Application, a preservation of

the Applicant's constitutional rights, a Written Justification for the Application as required by the DeKalb County Zoning Ordinance §27-832, and a Written Statement as required by §27-649.3(2).

II. HISTORY

The Subject Property is zoned C-1 and designated as “Town Center” on the County’s Future Land Use Map. The North DeKalb Mall property was zoned subject to ordinances Z-73054, CZ-85160, CZ-08-14806 and CZ-08-14809. The site was rezoned to C-1 under Ordinance Z-73054¹. The 25.176 acre parcel to the south of the Proposed Development was rezoned from R-75 to C-1 under Ordinance CZ-85160 to allow for renovations to North DeKalb Mall. Ordinances CZ-08-14806 and CZ-08-14809 rezoned a portion of the Subject Property located in its northwest corner, along Sweet Briar Road, from Neighborhood Shopping (NS) to Local Commercial (C-1) to be consistent with the remainder of the North DeKalb Mall property and to allow for the construction of a then anticipated Costco gas station. However, that plan was not approved.

III. IMPACT ANALYSIS

A.

THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN

The Subject Property is designated as “Town Center” (TC) and Conservation and Open Space (COS) by the County’s Comprehensive Land Use Plan.² The TC and the COS character

¹ DeKalb County’s records for Ordinance Z-73054 do not indicate the exact area to be rezoned and a site plan is not attached to the rezoning. Consequently, the Applicant is unable to identify the extent of Z-73054.

² The COS character area is entirely confined to the 25.176 acre parcel to the south of the Proposed Development and no portion of the Proposed Development lies within the COS character area. Since the floodplain property will not be utilized in the development no additional analysis is required. However, the Applicant’s proposed reservation of an easement area for a future PATH trail is fully consistent with the COS character area.

areas both allow the MU-4 zoning. The TC character area promotes the concentration of residential and commercial structures, which serve many communities in order to reduce automobile travel, promote walkability and increased transit usage. The areas consist of a focal point for several neighborhoods with a variety of activities such as general retail, commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians.

This proposal fosters a number of general policies and strategies for Town Centers in the County's Comprehensive Plan, including:

- Pedestrian Scale Development - Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people.
- Mixed Use Development - Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services.
- Parking - Clearly define road edges by locating buildings near the road-side with parking in the rear.
- Open Space and Linkages - Encourage development and redevelopment in activity centers to provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages, and other design features.
- Healthy Neighborhoods - Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity.
- High Density Residential - Residential development shall reinforce the center by locating higher density housing options adjacent to the center.

- Pedestrian Enhancements - Create pedestrian-friendly environment, by adding sidewalks that link neighborhood amenities.
- Traffic Calming - Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability.
- Pedestrian Oriented Design - Design shall be pedestrian-oriented with walkable connections between different uses.
- Preferred Uses - Each Town Center shall include a high-density mix of residential, retail, office, services, and employment to serve several neighborhoods.

B.

THE PROPOSED REZONING PERMITS A USE THAT IS
SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND
NEARBY PROPERTY

The Subject Property is immediately adjacent to a number of commercial uses and in the nearby vicinity of several residential neighborhoods. However, it actually adjoins only seventeen residential lots on Homewood Court and Latham Road and only two of which touch that portion of the existing mall which is to be redeveloped. Moreover, the vast majority of the adjoining residential lots, fifteen lots, abut the Applicant's property within the floodplain, which will remain undeveloped. To the north of the Subject Property are various commercial properties along North Druid Hills Road, zoned C-1 and NS; to the east is the right-of-way of Lawrenceville Hwy and US-78; to the south the property is bounded by the South Fork of Peachtree Creek and beyond that are properties owned by the Shepherd Nature Center and one zoned General Commercial (C-2), Stivers Decatur Subaru. To the west are other properties zoned R-75 as referenced above.

The proposed uses will be in harmony with the current character of the property, as well as with the character of the adjacent properties. Redevelopment of North DeKalb Mall will add much needed new retail to support the existing residential in the area and the multi-family component will offer an infusion of upscale housing to support the surrounding businesses.

In addition, DeKalb County has identified North DeKalb Mall as an area for potential redevelopment in several of its studies. The Lawrenceville Highway Corridor Study identifies North DeKalb Mall as an issue area and notes that it is “currently a missed opportunity”. See *DeKalb County Lawrenceville Highway Corridor Existing Conditions and Recommendations*, November 2016, pg. 14. Furthermore, the *DeKalb County Transportation Plan 2014* explicitly states the North DeKalb Mall is one of its identified redevelopment opportunities:

“Promote and coordinate the bundling of redevelopment sites and deals for potential developers and investors. This bundling could expedite investment in key redevelopment areas, including the Northlake area, the Buford Highway corridor, the North DeKalb Mall area, the Memorial Drive corridor, and other areas that have aging assets with potential redevelopment market opportunities.”

The proposed development is therefore consistent with and suitable in light of the current and future development patterns; in fact, the Applicant hopes that the intended final appearance of this development will serve as a model for future development in the area. Appropriate attention to scale, buffering, setbacks, landscaping, and tree preservation has been given by the Applicant to ensure that this Project will blend harmoniously with its surroundings.

C.

THE SUBJECT PROPERTY DOES NOT HAVE A
REASONABLE ECONOMIC USE AS PRESENTLY ZONED.

As stated in earlier paragraphs, North DeKalb Mall has failed to remain economically viable as consumer preferences have moved away from smaller, traditional enclosed malls in favor of walkable mixed-use developments. The C-1 zoning will allow redevelopment of the

property into a number of smaller commercial developments, but prohibits the type of large-scale mixed-use redevelopment that the Applicant envisions. The small-scale development allowed under the C-1 zoning will not spur the growth and revitalization of the area and the Lawrenceville Highway Corridor that DeKalb County has envisioned in its *2035 Comprehensive Plan*, *DeKalb County Lawrenceville Highway Corridor Existing Conditions and Recommendations*, and *DeKalb County Transportation Plan 2014*. In fact, DeKalb County states as one of its economic development policies that “[t]o ensure economic relevance, DeKalb County must encourage redevelopment.” See *DeKalb County 2035 Comprehensive Plan*, pg 48. There is no better catalyst to the economic growth of the region than to rezone a dysfunctional and underutilized property in a prime location to allow a large-scale redevelopment.

D.

THE PROPOSED REZONING WILL NOT ADVERSELY AFFECT THE EXISTING
USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY

In advance of filing this Application, the Applicant has engaged and will continue to engage in discussions with the community in the vicinity to make sure its proposal is acceptable to these neighbors. As stated in earlier paragraphs, the Proposed Development will result in a use that will be compatible and complementary to the existing surrounding uses.

The primary goal of land use planning is to eliminate or minimize the potential adverse effect of the dissimilar uses of adjacent tracts of land by establishing a harmonious transition between them. The traditional method of achieving this goal is through both "off-site" and "on-site" transition. Off-site transition consists of avoiding the placement of dissimilar uses next to each other by placing uses of intermediate density between them. On-site transition, which might either supplement or replace off-site transition, consists of measures imposed on or adjacent to the more intensive use to protect neighborhoods from adverse effects. Thus, this

method of land use planning includes measures such as maintenance of buffers; walls, fences or berms; lighting control; noise control; aesthetic control; limitations on building location and orientation; location of or restrictions upon accessory uses; and prohibition of certain uses or hours of use normally permitted for that district. All of these devices have been utilized in this Application.

E.

THERE ARE OTHER EXISTING OR CHANGING CONDITIONS
AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY

The Applicant's proposal will result in a practical, useful, and marketable development, revitalizing a deteriorating shopping mall, creating an asset for the immediate area and the county as a whole. The development will blend in with the commercial and residential sites in the surrounding area. Moreover, this type of mixed-use development should be encouraged so as to create walkability, minimize sprawl and encourage less use of automobiles.

F.

THE ZONING PROPOSAL WILL NOT ADVERSELY AFFECT HISTORIC
BUILDINGS, SITES, DISTRICTS OR ARCHAEOLOGICAL RESOURCES

No such sites, buildings, or resources are on or near the Parcel.

G.

THE REQUESTED REZONING WILL NOT RESULT IN A USE WHICH
WILL OR COULD CAUSE EXCESSIVE OR BURDENSOME USE OF
EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR
SCHOOLS

This Project, if approved, certainly will not affect existing transportation facilities. Requisite parking is provided incidental to this development. As indicated above, the Subject Property has direct access to North Druid Hills Road and Lawrenceville Highway, both classified as major arterial roadways and has a quick access to US 78, classified as a freeway. *See DeKalb*

County 2014 Transportation Plan, Figure 5-2, Functional Classification Map: DeKalb County.

The traffic to be generated by the proposed Project should not significantly affect traffic capacities along these roadways and surrounding streets, even at peak hours, and can be accommodated.

This Application is a Development of Regional Impact (DRI) and Kimley-Horn and Associates, Inc. has been engaged to perform the voluminous traffic study required by the Atlanta Regional Commission and the Georgia Regional Transportation Authority. However preliminarily, the Applicant used the Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition) to calculate vehicle trips for (a) a Shopping Center (ITE 820)³; (b) Discount Club, i.e. Costco (ITE 857); (c) Hotel (ITE 310); (d) Mid-Rise Apartments (ITE 386); and (e) Low-Rise Townhomes (ITE 231). According to ITE, the Proposed Development will result in a net increase of 431 trips during a weekday a.m. peak hour and a net reduction of 493 trips during a weekday p.m. peak hour. The proposed trips generated will actually be even less when one accounts for internal capture trips, such as on-site residents walking or driving from their homes to the adjacent retail, restaurants, and office without entering the public roadway.

The school children living in the residential portion of the development will attend Laurel Ridge Elementary School; Druid Hills Middle School; and Druid Hills High School.⁴ All three schools are listed as under capacity according to DeKalb County Schools' FTE Enrolment Report, dated October 3, 2017. As a result, the proposed development is not anticipated to have

³ The Institute of Transportation Engineers Manual Trip Generation Manual (Ninth Edition) defines shopping centers as neighborhood or retail centers that may contain non-merchandising facilities, such as office buildings, movie theaters, and restaurants, among others. As a result, the trips generated by the commercial portion of the development were considered as part of the shopping center. The Costco Wholesale Warehouse and hotel were taken as separate and distinct uses and their trips were calculated independent of the remaining commercial use.

⁴ Historically, mixed-use developments like that proposed do not attract families. They are designed for young professionals and "empty-nesters." The Applicant expects that to be the case on the Subject Property. Hence, any impact on schools should be minimal, at best.

a significant impact on local schools.

As for utilities, the Subject Property has access to water and sewer.

IV. NOTICE OF CONSTITUTIONAL CHALLENGE TO UNDERLYING ZONING AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that the current zoning classification of and rules relative to the Subject Property owner's right to use the Property established in the DeKalb County Zoning Ordinance, to the extent they prohibit this use, 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 I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of private property without just compensation and without due process in violation of 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 I of the Constitution of the State of Georgia, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The Applicant respectfully submits that the Board of Commissioners' failure to approve the requested rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property's owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to allow the rezoning in question 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.

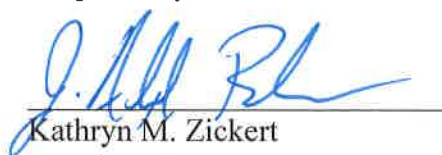
A refusal to allow the rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 3rd day of May, 2018.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "K. M. Zickert", is written over a horizontal line.

Kathryn M. Zickert

Dennis J. Webb, Jr.

J. Alexander Brock

Smith, Gambrell & Russell, L.L.P.

Promenade II, Suite 3100
1230 Peachtree Street, NE
Atlanta, GA 30309
404-815-3704



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM

REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE

(Pre-application conference is required prior to filing application: copy must be submitted at filing)

Kathy Zuckert

Applicant Name: LCI-SVAP NDM JV, LP Phone: 415-3704 Email: kmzuckert@sga.com

Property Address: 2050 Lawrenceville Hwy, Decatur 30033

Tax Parcel ID: email coming Comm. District: 2, 6 Acreage: coming, ~20 or 80 acres

Existing Use: No DeKalb Mall Proposed Use: Mixed Use

Rezoning: Yes ☒ No ☐

Existing Zoning: C-1 Proposed Zoning: MV4 Square Footage/Number of Units: 417,721

Rezoning Request: Mixed Use 150 room hotel
450 multi-family

Land Use Plan Amendment: Yes ☐ No ☒

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

Special Land Use Permit: Yes ☒ No ☐ Article Number(s) 27 4.2.28

Special Land Use Request(s) Gas Pump related to Costco

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified and request:

Sign in Sheet

ALL VISITORS must sign in using the visitor sign in sheet before entering the North DeKalb Mall office.

Thanks Management!

Date: 3/7/2018 Time In: _____ Name: _____ Reason for visit: Mall Redevelopment

		Dawn Lander	
3/7		GAIL RICHMAN	Northridge Valley mall developer
3/7		Theresa Same - Medlock	mall development
3/7		MARY SHELLMAN - GROWTH DEPT	" "
3-7		Marilee Pittman - Laurel Ridge	Shimmer
3/7		Erik Spalinski	
3/7		Justin Houston	
3/7		Emily Flood	

3/7/18		Michael Dowling / Clairmont Heights	Civic Assn.
3-7-18		Jim Smith	EHCA
3-7-18		Den Wells	
3-7-18		Chris Beck / Clyde Shepherd Nature	Preserve
3/7/18		Elizabeth Roberts	Valley Brook Linc Assoc

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Dan Wicks	1230 Peachtree	djwicks@55rlaw.com
Brittney Cotten	858 Gaymont Circle	Britmcotter@gmail.com
Theresa Same	2572 McCurdy Way	t-same@bellsouth.net
Debbie Jones	3528 N. Druid Hills Rd.	debbie.jones.atlga@yahoo.com
Dawn Lanier	1088 N Valley Dr Decatur	lanierdawn@yahoo.com
Pam Daily	610 Park Lane Decatur	ppdaily@yahoo.com
Lauren Maloney	2070 Woodridge Drive, Decatur	lmaloney712@gmail.com
Lynn Gavin	893 Gaymont Cir	LGAVIN1110@gmail.com
Dani Senne	3001 Mt Olive Dr. , Decatur, GA	senne-dani@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Diane Williams	Dec 30033 2552 Harrington Dr	dianewilliams1122@yahoo.com
Charles Forrest	2343 N. DECATUR RD DECATUR GA	forrestcharles.g@gmail.com
Susi Linderman	978 School Dr. Decatur GA 30033	susilinderman@gmail.com
Debra Robinson	2681 Shetland Dr Decatur Ga 30033	debrar@admbuys.com
Wendy Drew	Valley Circle, Decatur 30033	wheeleratlanta@gmail.com
Gayla Green	Decatur 30033 2738 Harrington Drive	gayla.green@gmail.com
Cherrie Wutke	Decatur 30033 3009 Vista Brook Dr.	womiss40@yahoo.com
MESSINA LI	2387 TESMOND DR DECATUR, GA 30033	MLi22112YAHOO.COM

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
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Cobi Shafe	948 Scott Circle	cshafe33@gmail.com
Lori Laliberte	1503 Tuxworth Cir. Decatur	lorilcareyer@gmail.com
Pete Grivas	2406 Laurel Ridge Dr. 30032	peteg910@gmail.com
VICTORIA WEBB	30002	VIC@EVRIOUSDREAMS.COM
ERIK POOLE	2906 BOLANZA DR. DECATUR GA 30033	erik.poole@ihg.com
DENNIS YARMAN	1893 BRIAN WAY 30033	cobragolfer1@bellsouth.net
Jenny Vitti	777 Jordan Lane #3 Decatur 30033	jenny.vitti@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Dr. CAROLYN TYLEDA	1868 Berkeley Mews NE Atlanta, GA 30329-3361	caty/enda@bellsouth.net H 404-321-2122
SAMI FREIJI	2844 DELCOURT DRIVE DECATUR, GA 30033	saminet@bellsouth.net H 404-728-8840
Renee Kirlin	960 Schoel Dr Decatur 30033	reneekirln@gmail.com
Janet Fluter	1006 Latham Rd Decatur 30033	janetfluter@gmail.com
William Martin	2461 Woodbridge Dr. Decatur 30033	whmartinj@gmail.com
William Haston	2995 Westbury Drive Decatur, GA 30033	haston.william3@gmail.com
Thomas J. Mizell, M.D.	3518 N. Druid Hills Rd. Decatur, GA 30033	docnaboy8000@aol.com
JONATHAN GLOVER	1076 Homewood Court Decatur, GA 30033	Jonathan.Jsel.Glover@gmail.com

Kelley Stanton

1200 Blueberry Trail
Decatur GA 30033

Kelley S O Benefit Solutions Etc. com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Md Khan	2586 Lawrenceville Hwy. Unit - A Decatur 30033	mnak99@gmail.com
Elaine Murray	2390 Lawrenceville Hwy B Decatur, Ga	404-985-8805
Linda Grivas	2606 LAUREL RIDGE DR DECATUR, GA	TENEVER @ GMAIL.COM 404-634-7689
Chequetta Allen	2411 Lawrenceville Hwy #8 Decatur, GA 30033	chequettaa@gmail.com 404-621-5737
STEVE LANGDON	566 N. SUPERIOR AVE DECATUR, GA 30033	slangdon @ barnsleyconsulting.com 404-273-2271
Belinda Dubose	3198 Misty Creek Dr. Decatur, GA 30033	bdubose @ dekalb county ga. gov
ROOSEVELT GILBERT	2050 LAWRENCEVILLE HWY DECATUR GA 30033	RGILB899763@AOL.COM
Nancy Ciliax	780 Densley Dr 30033	nciliax@emory.edu

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Kellie Brownlaw	1314 Afterberry Pl.	Kellie.brownlaw@bhotmail.com Rick rbrownlaw@hotmail.com
Ken Lancette	1807 Bedfordshire Dr. 30033 kelancette@gmail.com	↑ & total support work in water + planning (both worked @ ARE) + call or email - happy to help in neighborhood.
MISTY HAXTON	3133 Hollywood Drive	misty.haxton@yahoo.com 404-808-7122
Butch + Penny Krump	2617 Woodridge Dr.	bpkkrump@gmail.com
Amy Langley	3088 Dove Way	gdajlhyg@gmail.com
Jen Ed May	680 Wendan Dr.	Jenn30033@yahoo.com
ER. BARB COCK	DECATUR	bbberb@mindspring.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Benjamin Beitel	970 Homewood Ct	benandbri@d@gmail.com
Lindsay Wolf	2316 Vistamont DR	Lindsay.K.Wolf@gmail.com
Misty Hicks	2461 Tanglewood Rd Decatur GA 30033	Misty.hicks06@gmail.com
Sharon Duncan	2249 Vistamont Dr Decatur 30033	sdcarroway@yahoo.com
Leigh Hopkins	2576 Woodridge Dr. Decatur 30033	hopkins.leighann@gmail.com
GHANESH BHINDI	1070 OAK TREE ROAD DECATUR 30033	714-342-5585 dbhindi@bhindi.com
DHRUV BOLE	1070 OAK TREE ROAD DECATUR 30033	404-944-5387 dhruv@bhindi.com
LEN STUDLEY	926 Homewood CT DEC. 30033	LFSTUDLEY@GMAIL.COM
MALIK CHRANYA	2900 L'VILLE, HWY DEC, GA. 30033	MALIK4000@GMAIL.COM

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Cathy & Almond	1162 Larch Lane Decatur GA 30033	almond1162@gmail.com (404) 436-3452
Ellen Wan	2955 Fantasy Ln Decatur GA 30033	ellen.y.wan@gmail.com
JOHN & BARBARA SCOTT	2935 FANTASY LANE DECATUR, GA 30033	SCOTTYN BARB@COMCAST.NET
Donna Troka	2905 Country Square Lane Decatur, GA 30033	dtroka@emory.edu
Kelly Jordan	420 Oakdale Rd Ath GA 30307	Kellyjordan@earthlink.net
Shawn D Ford	3701 N Druid Hills Rd 30033	Shawndford@gmail.com
Meredith Elkin	1581 Moncrief Circle Decatur 30033	Mer.elkin@yahoo.com
Stefan		Stefan.nexus@gmail.com
Morgan Olsen	1020 Latram Rd Decatur, GA 30033	morganosborne@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
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Eli Zandman	1475 Alderbrook Rd. 30345	Snots EZfly55@aol.com
Seth Taylor	1135 Gravinwood Pl 30033	taylseth@gmail.com
Tom Holmes	6810 Stringer Lane 30142	tc_holmes@bellsouth.net
Catherine Larson	855 North Superior Ave 30033	CMGL yoga cmgl @gmail.com
NANCY TOPPING	2862 Hollywood	tiptop1005@hotmail.com
RHEA A. JOHNSON	2546 WILSON WOODS DR DECATUR, GA 30033	RJOHNSON158 @ COMCAST.NET

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
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George Eckard	1120 Willivee Dr Decatur GA 30033	georgeeckard@hotmail.com
Charlie Worthen	4799 Northside Drive Atlanta, GA 30327	cworthen@halpernent.com (Shenrod Plaza)
Jessica Hoad	2475 Woodridge Dr Decatur, GA 30033	JessicaLynnHoad@gmail.com
Susan Hawk	2827 Concord Dr. Decatur, GA 30033	sujhawk@gmail.com
Daniel Hollifield	3023 Eltham Place, Decatur, GA 30033 dvhollifield@aol.com	dvhollifield@aol.com
Gene Poole	1317 Kingston Trail Decatur, GA 30033	genepoole@aol.com
JACK BARNES / * DECONSTRUCTION * GUY	908 VALLEY BROOK RD Decatur 30033	jorba@bellsouth.net

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
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GAIL RILTMAN	1064 IV VALLEY DR 30033 North Druid Valley	GAIL216@gmail.com
Mackay & Nancy Asbury	2924 Country Squire Ln Decatur 30033	emasbury53@gmail.com
Todd Anderson	1154 harch lane Decatur, 30033	jtorldanderson@hotmail.com
Tanya & Toby Tobias	916 Valley Brook Rd Decatur, GA 30033	++313@att.net
Larry & Linda Connelly	1447 ALTAMONT DR. Decatur, GA 30033	4connys@bellsouth.net. LConnelly65@yahoo.com
Betty & Jim Williams	2699 Shetland Dr. Decatur 30033	bettyandjim@mindspring.com
Margaret Williams	2915 Pargburn Rd. Decatur 30033	margiemw16@yahoo.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
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Kim Reimann	2924 Harcourt Drive	kim_reimann@yahoo.com
BILL WITHERSPOON	2897 COUNTRY SQUIRE LANE	billspoon1@gmail.com
Chris Beck Chris Beck	2240 Vistament Dr	chrisbeck02050@gmail.com
Pat DeStefano	1127 Druid Lake	patnhermie@aol.com
RON NEWHAM	2889 MOUNT OLIVE DRIVE	RON.NEWHAM@GMAIL.COM
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LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

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LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

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Zach Johnson	2823 Mount Olive Decatur GA 30033	ZJohnson.J@yahoo.com
Sarah Sykes	2556 Laurel Ridge Drive Decatur GA 30033	Sarah.duckett@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

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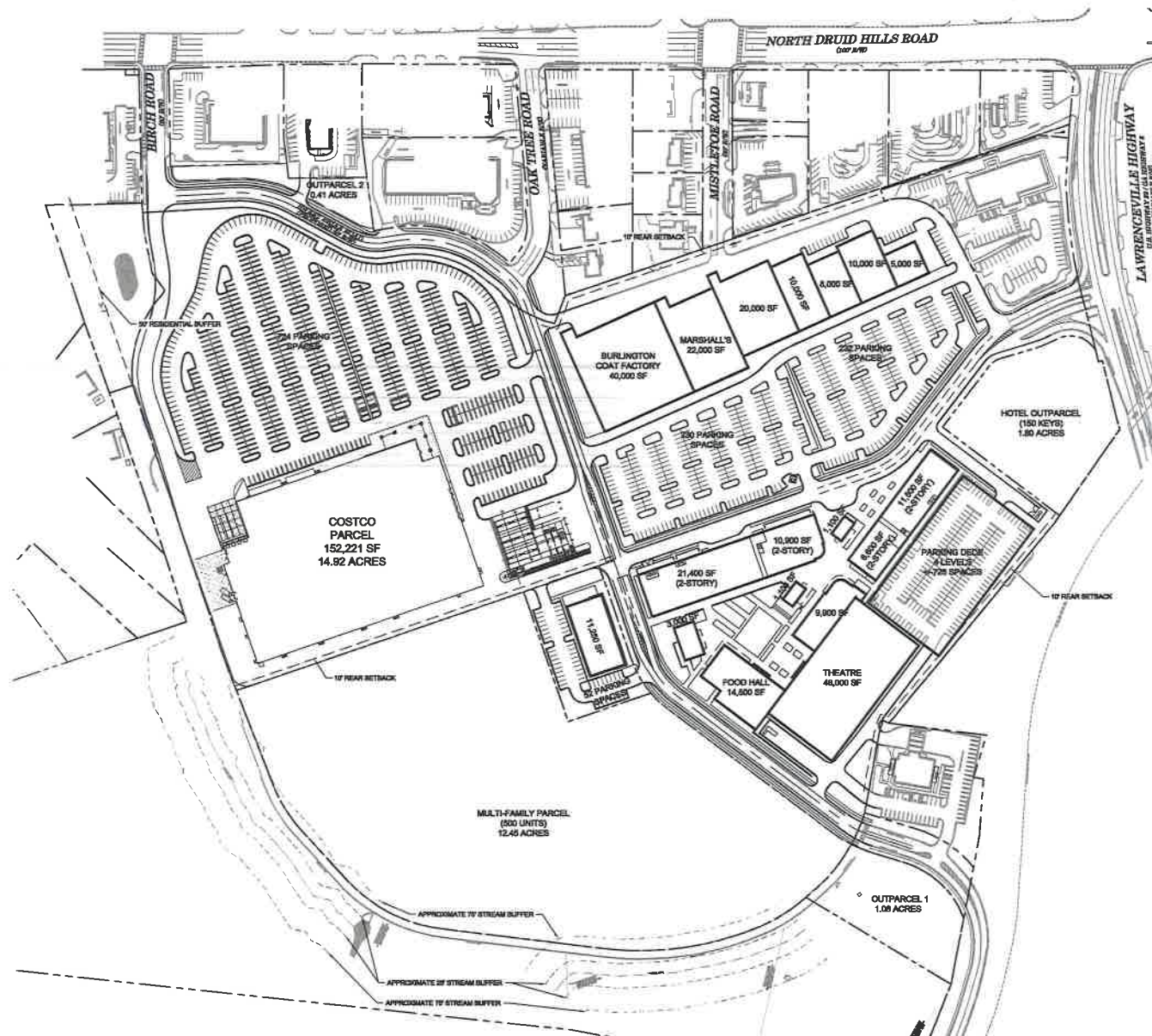
Barbara Melton, Medlock Park barbara.melton@emory.edu

Jean Logan - Tutwirth Springs — jeansloggan@gmail.com

Cheyl Carroll

N. Druid Valley

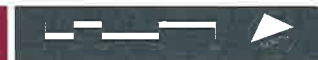
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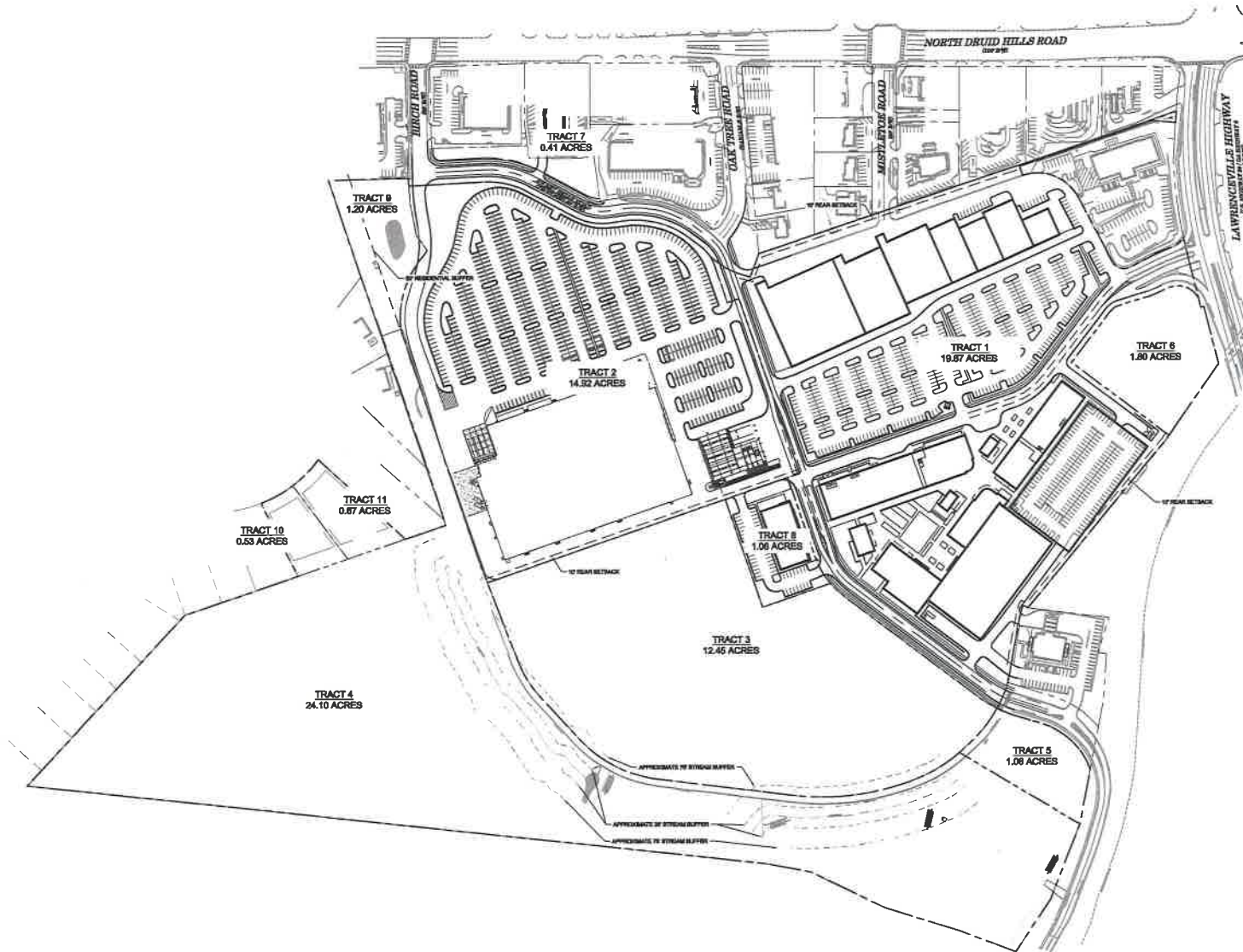


SITE PLAN LEGEND:	
---	PROPERTY LINE
---	INTERNAL LOT LINE

SITE AREA CALCULATIONS:	
PROPOSED SITE AREA	
TRACT 1 (POWER CENTER & PLAZA)	19.87 AC
TRACT 2 (COSTCO)	14.92 AC
TRACT 3 (MULTI-FAMILY)	12.45 AC
TRACT 4 (UNDISTURBED)	24.15 AC
TRACT 5 (OUTPARCEL 1)	1.08 AC
TRACT 6 (HOTEL)	1.80 AC
TRACT 7 (OUTPARCEL 2)	0.41 AC
TRACT 8 (WEST RETAIL)	1.08 AC
TRACT 9 (EXISTING POND)	1.20 AC
TRACT 10 (UNDISTURBED RES.)	0.53 AC
TRACT 11 (UNDISTURBED RES.)	0.87 AC
TOTAL	78.08 AC
OPEN SPACE	
TRACT 1 (POWER CENTER & PLAZA)	3.47 AC (17.9%)
TRACT 2 (COSTCO)	1.48 AC (9.8%)
TRACT 3 (MULTI-FAMILY)	2.49 AC (20%)
TRACT 4 (UNDISTURBED)	24.10 AC (100%)
TRACT 5 (OUTPARCEL 1)	0.22 AC (30%)
TRACT 6 (HOTEL)	0.38 AC (20%)
TRACT 7 (OUTPARCEL 2)	0.39 AC (95.1%)
TRACT 8 (WEST RETAIL)	0.28 AC (28.1%)
TRACT 9 (EXISTING POND)	1.18 AC (98.3%)
TRACT 10 (UNDISTURBED RES.)	0.53 AC (100%)
TRACT 11 (UNDISTURBED RES.)	0.87 AC (100%)
TOTAL	36.16 AC (45%)
REQUIRED	7.81 AC (10%)
PROPOSED USE QUANTITIES	
COSTCO	152,221 SF
POWER CENTER	40,000 SF
BURLINGTON COAT FACTORY	22,000 SF
MARSHALL'S	40,000 SF
JUNIOR ANCHORS	53,000 SF
THEATRE	100,800 SF
OFFICE	14,900 SF
FOOD HALL	11,250 SF
WEST RETAIL	45,850 SF
PLAZA RESTAURANT	18,850 SF
TOTAL	597,271 SF
MINIMUM PARKING ALLOWABLE:	1,407 SPACES
MAXIMUM PARKING ALLOWABLE:	3,183 SPACES
PROPOSED PARKING:	1,984 SPACES
BUILDING HEIGHTS:	ALL BUILDINGS ARE 1-STORY UNLESS OTHERWISE NOTED ON PLAN.
BASE MU-4 DENSITY:	917 UNITS (24 UNITS/AC)
AVAILABLE MU-4 DENSITY WITH BONUS:	1534 UNITS (40 UNITS/AC)
PROVIDED DENSITY:	500 UNITS (8.5 UNITS/AC)

GEORGIA811
 Georgia's Public-Private Partnership
 Know what's below. Call before you dig.





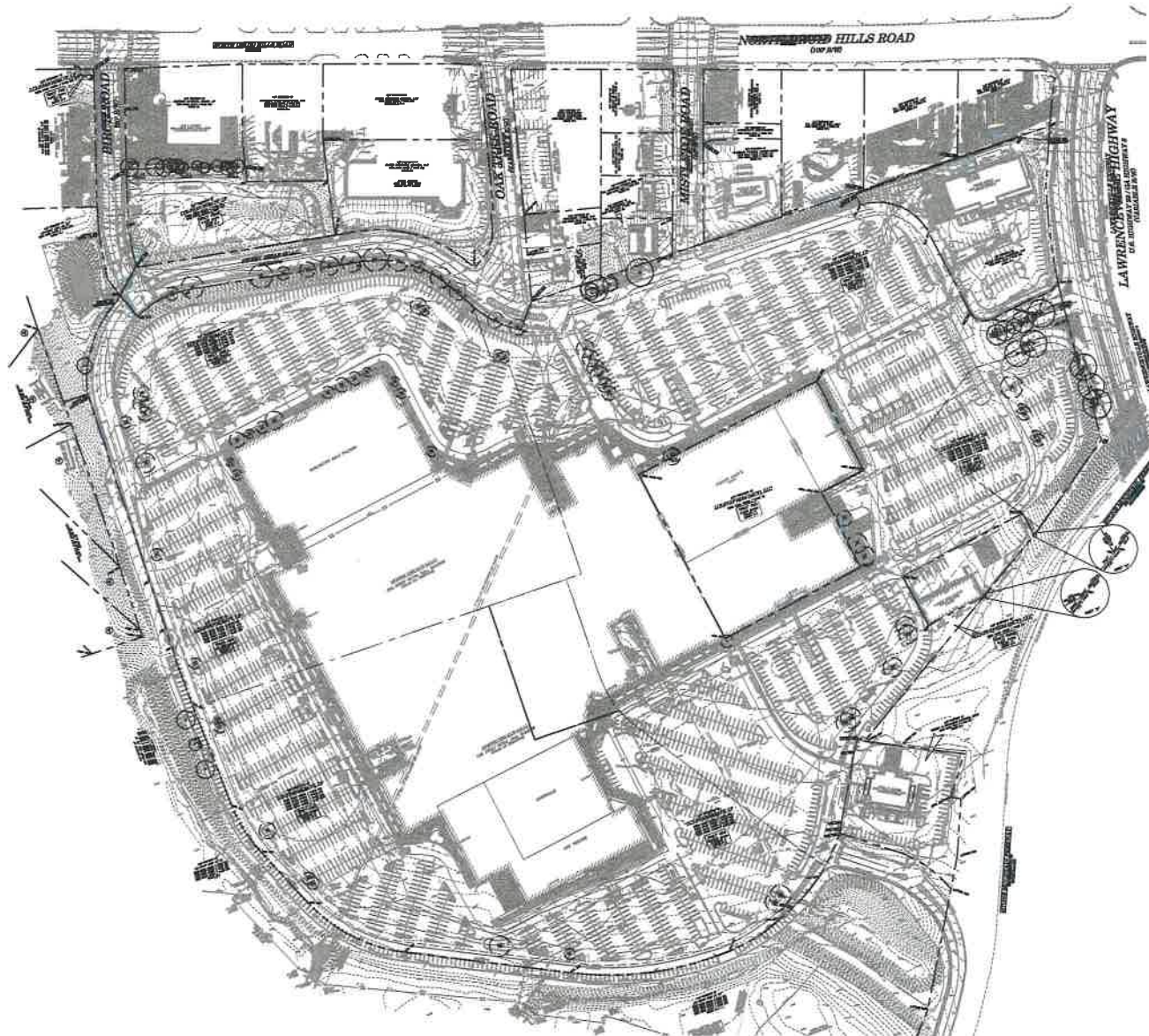
SITE PLAN LEGEND:

— PROPERTY LINE
 --- INTERNAL LOT LINE

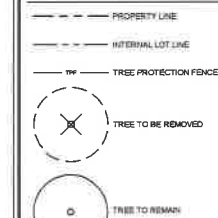
SITE AREA CALCULATIONS:

PROPOSED SITE AREA	
TRACT 1 (POWER CENTER & PLAZA)	19.87 AC
TRACT 2 (COSTCO)	14.92 AC
TRACT 3 (MULTI-FAMILY)	12.46 AC
TRACT 4 (UNDISTURBED)	24.10 AC
TRACT 5 (OUTPARCEL 1)	1.06 AC
TRACT 6 (HOTEL)	1.80 AC
TRACT 7 (OUTPARCEL 2)	0.41 AC
TRACT 8 (WEST RETAIL)	1.06 AC
TRACT 9 (EXISTING POND)	1.20 AC
TRACT 10 (UNDISTURBED RES.)	0.53 AC
TRACT 11 (UNDISTURBED RES.)	0.87 AC
TOTAL	78.09 AC
OPEN SPACE	
TRACT 1 (POWER CENTER & PLAZA)	3.47 AC (17.5%)
TRACT 2 (COSTCO)	1.46 AC (9.5%)
TRACT 3 (MULTI-FAMILY)	2.46 AC (20%)
TRACT 4 (UNDISTURBED)	24.10 AC (100%)
TRACT 5 (OUTPARCEL 1)	0.22 AC (20%)
TRACT 6 (HOTEL)	0.96 AC (20%)
TRACT 7 (OUTPARCEL 2)	0.36 AC (95.1%)
TRACT 8 (WEST RETAIL)	0.38 AC (28.4%)
TRACT 9 (EXISTING POND)	1.18 AC (98.3%)
TRACT 10 (UNDISTURBED RES.)	0.53 AC (100%)
TRACT 11 (UNDISTURBED RES.)	0.87 AC (100%)
TOTAL	35.16 AC (45%)
PROPOSED USE QUANTITIES	REQUIRED 7.81 AC (10%)
COSTCO	152,221 SF
POWER CENTER	40,000 SF
BURLINGTON COAT FACTORY	22,000 SF
MARSHALL'S	53,000 SF
JUNIOR ANCHORS	48,000 SF
THEATRE	120,800 SF
OFFICE	14,500 SF
FOOD HALL	11,250 SF
WEST RETAIL	45,800 SF
PLAZA RESTAURANT	16,850 SF
PLAZA RETAIL	
TOTAL	507,271 SF
MINIMUM PARKING ALLOWABLE: 1,407 SPACES	
MAXIMUM PARKING ALLOWABLE: 3,183 SPACES	
PROPOSED PARKING: 1,964 SPACES	
BUILDING HEIGHTS: ALL BUILDINGS ARE 1-STORY UNLESS OTHERWISE NOTED ON PLAN	
BASE MU-4 DENSITY: 917 UNITS (24 UNITS/AC)	
AVAILABLE MU-4 DENSITY WITH BONUS: 1834 UNITS (40 UNITS/AC)	
PROVIDED DENSITY: 500 UNITS (8.5 UNITS/AC)	

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 Georgia's Public Utility Location Service
 Know what's below.
 Call before you dig.



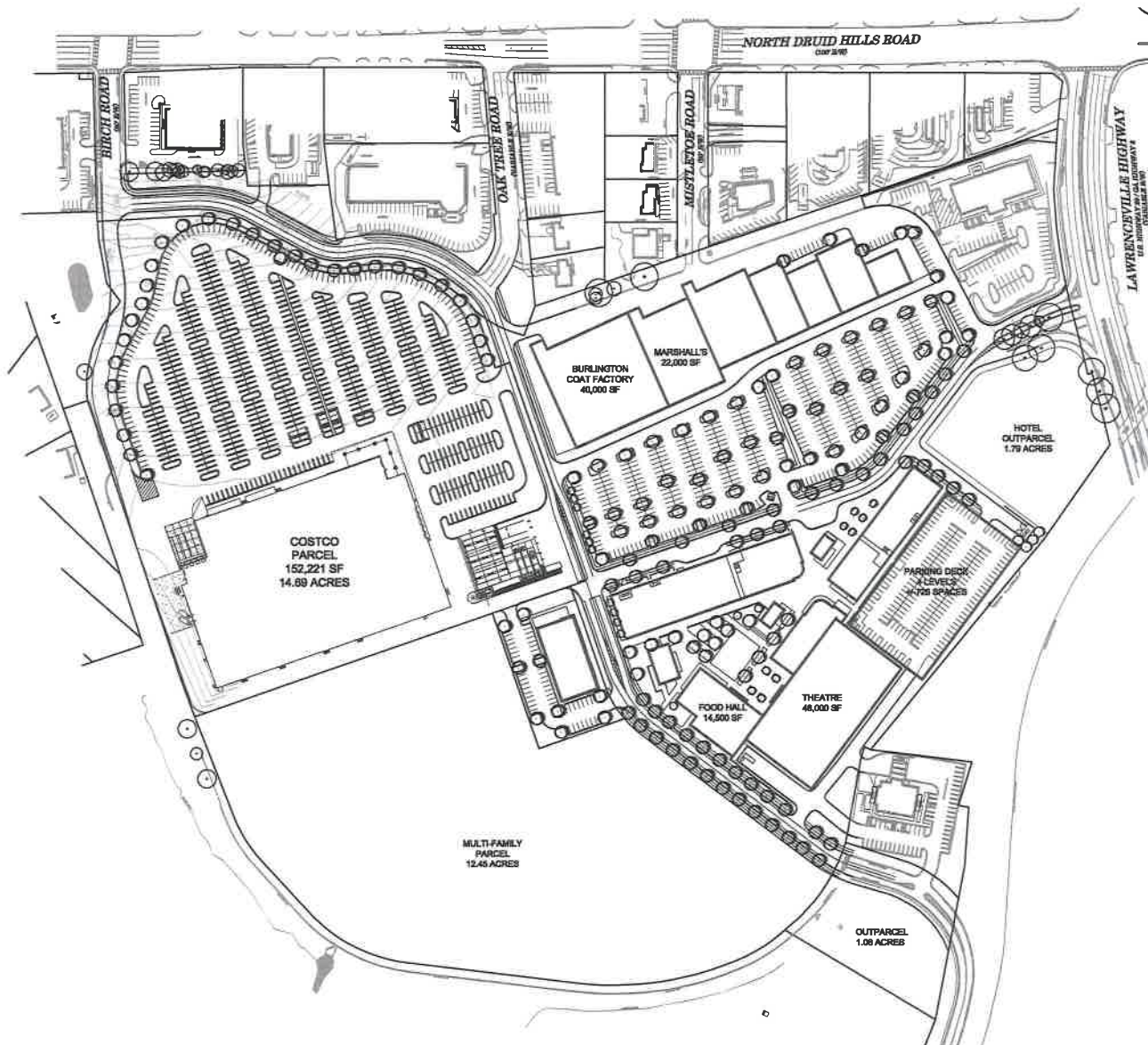
TREE PROTECTION LEGEND:



Species	Trees to Remain			
	DNH	Quantity	Density Units	Total Density Units
Hickory	12	1	3.2	3.2
Hickory	18	1	4.8	4.8
Maple	18	2	4.8	9.6
Oak	12	1	3.2	3.2
Oak	18	1	4.8	4.8
Oak	23	1	6.8	6.8
Oak	26	3	7.4	22.2
Oak	26	1	6.6	6.6
Pear	15	1	3.2	3.2
Pear	15	1	4	4
Pear	20	2	5.4	10.8
Pear	21	1	5.4	5.4
Pear	27	1	8	8
Pine	8	2	2.4	4.8
Pine	9	1	2.4	2.4
Pine	10	1	3.2	3.2
Pine	11	1	3.2	3.2
Pine	12	3	3.2	9.6
Pine	13	2	4	8
Pine	14	2	4	8
Pine	15	1	4	4
Poplar	27	1	8	8
Sweetgum	13	1	4	4
Sweetgum	14	1	4	4
Sweetgum	16	1	4.8	4.8
Sweetgum	27	1	8	8
Total:		27		173

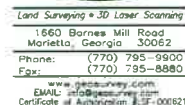
GEORGIA811
 Earthquake Protection System
 Know what's below.
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CONCEPT PLANT SCHEDULE

	8" LARGE CANOPY TREE	141	.5	60.5
	3" ORNAMENTAL TREE	22	.5	11.0
	3" OVERSTORY TREE	4	.5	2.0
Total = 93.5 Density Units				



North Dekalb Mall

LCI-SVAP NDM JV, LP
LCI-SVAP NDM (MCY), LLC
1 American Title Insurance Company

ST. JOB NO.	20175643	DRAINING SCALE	1" = 40'	SURVEY DATE	02-15-2018
FIELD WORK	CB/TB	CITY:	UNINCORPORATED	REVISION	
PROJ. NO.	JTN	COUNTY:	DEKALB	STATE:	GA
REVISION	727	LAND USE	100		
DWG. FILE: 20175643-01.dwg		DATE:	02/15/18		

2 **SHEET**
OF 7

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13069C0022 AND THE DATE OF SAID MAP IS MAY 16, 2013. SAID DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS LOT ON SAID FIRM MAPS UNLESS

PLATE NOTE: FIGURE 2-100 IS LOCATED AT EASTPORT NORTH AND LARGELY WITHIN THE BOUNDARY OF THE SUBJECT PROPERTY OF THE STATE OF ALABAMA.

THE INTERIOR BUILDING LINES SHOWING THE INDIVIDUAL SPACES ARE APPROXIMATE, BASED UPON PHOTOGRAPHS AND SURVEYING MADE FROM THE EXTERIOR OF THE BUILDING AND ARE NOT TO BE USED FOR REMODELING, CONSTRUCTION OR CALCULATIONS OF LEASE AREAS.

THE DATA FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE SURVEIL RESPONSES. STATION NETWORK DEVELOPED BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) WITHIN THE 1980S-1990S STATE PLANE COORDINATE SYSTEM OF GEORGIA-NEXT JUNE. THE NEUTRAL REFERENCE FRAME IS NORTH AMERICAN MEAN DIURNAL OF 1980S. ALL DIRECTIONS OR DISTANCES ARE BASED ON A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR
THE SITE IS ZONED "C-1" (LOCAL COMMERCIAL DISTRICT) AS SHOWN ON THE ZONING MAP
OF DEKALB COUNTY.

THE MINIMUM FLOOR SETBACKS ARE:
FRONT (MOTORVEHICLE & SIDEWALK) - 60 FEET, FRONT (OTHER) - 30 FEET
SIDE (OTHER) - 30 FEET, SIDE (CORNER LOT) - 30 FEET, REAR - 30 FEET

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING
AND ZONING PERMITS TO DESIGN OR CONSTRUCTION AGREEMENTS.

[illegible]

GRAPHIC SCALE

0 20 40 100 200



UCS DETAIL 2

TOP 953.16

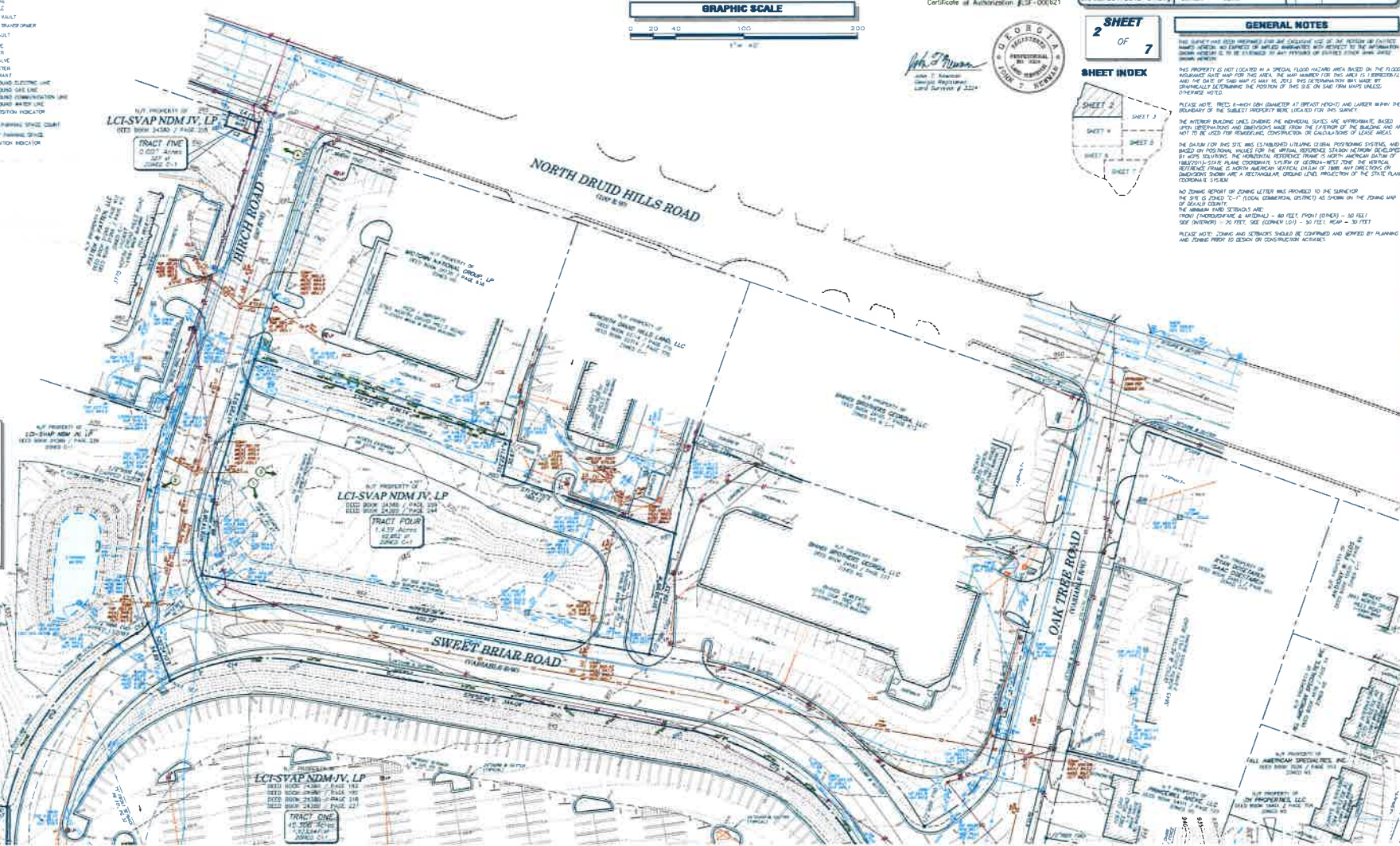
953.8

862.11

946.2

946.2

946.2





Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

A horizontal number line with tick marks at 0, 20, 40, 100, and 200. A bracket below the line spans from 0 to 100, with the label $\frac{1}{2}$ centered under it. Another bracket below the line spans from 100 to 200, also with the label $\frac{1}{2}$ centered under it.



Land Surveying • 3D Laser Scanning
1660 Barnes Mill Road
Marietta, Georgia 30062
Phone: (770) 795-9900
Fax: (770) 795-8880
www.gdsurvey.com
Email: info@gsurvey.com
Certificate of Authorization: JLS-00062

www.gedsurvey.com
EMAIL: info@gedsurvey.com
Certificate of Authorization LSF-00062



John T. Newman
John T. Newman
George Registered
Land Surveyor # 5524

North Dekalb Mall

FICR

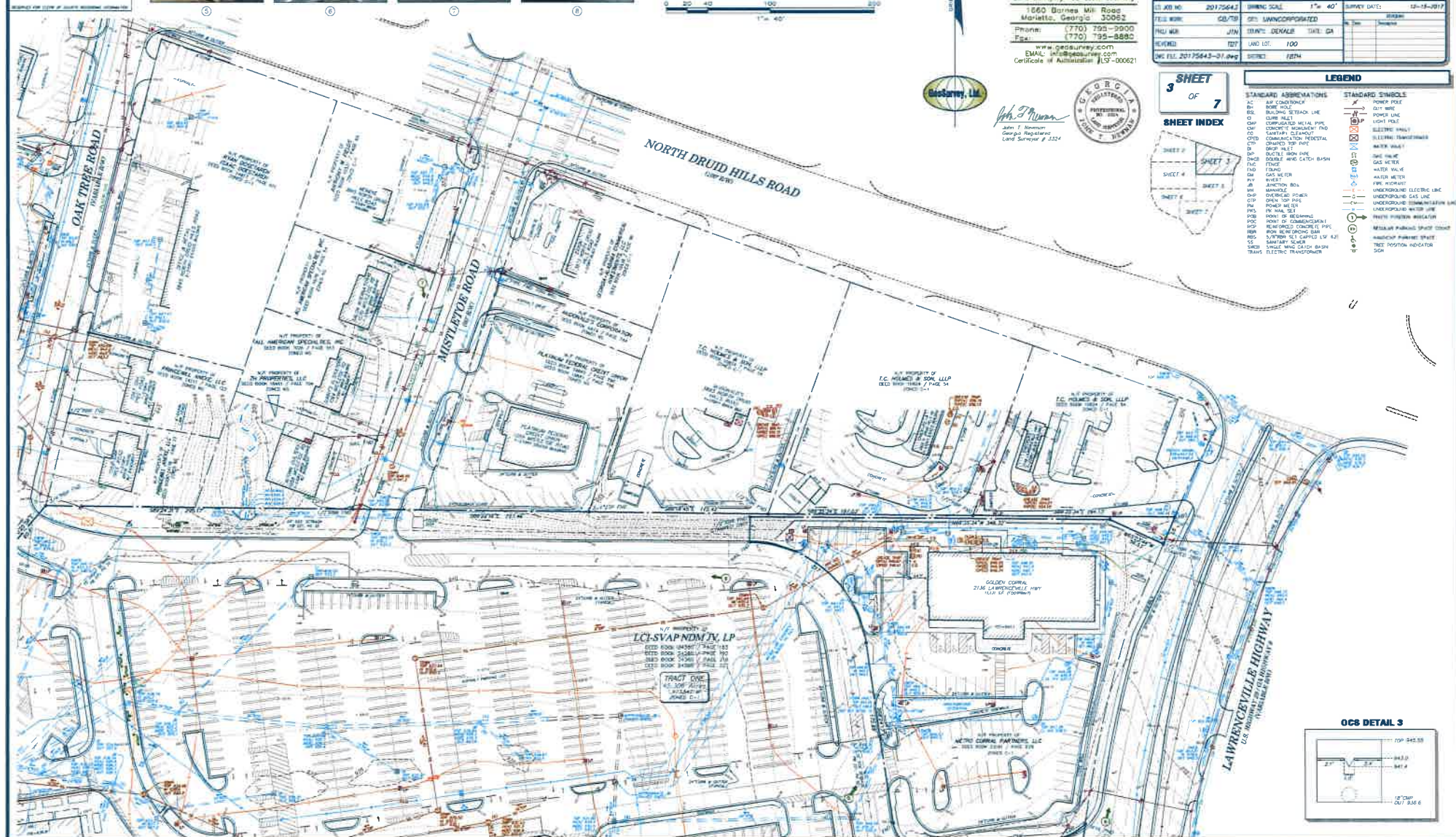
LCI-SVAP NDM JV, LP

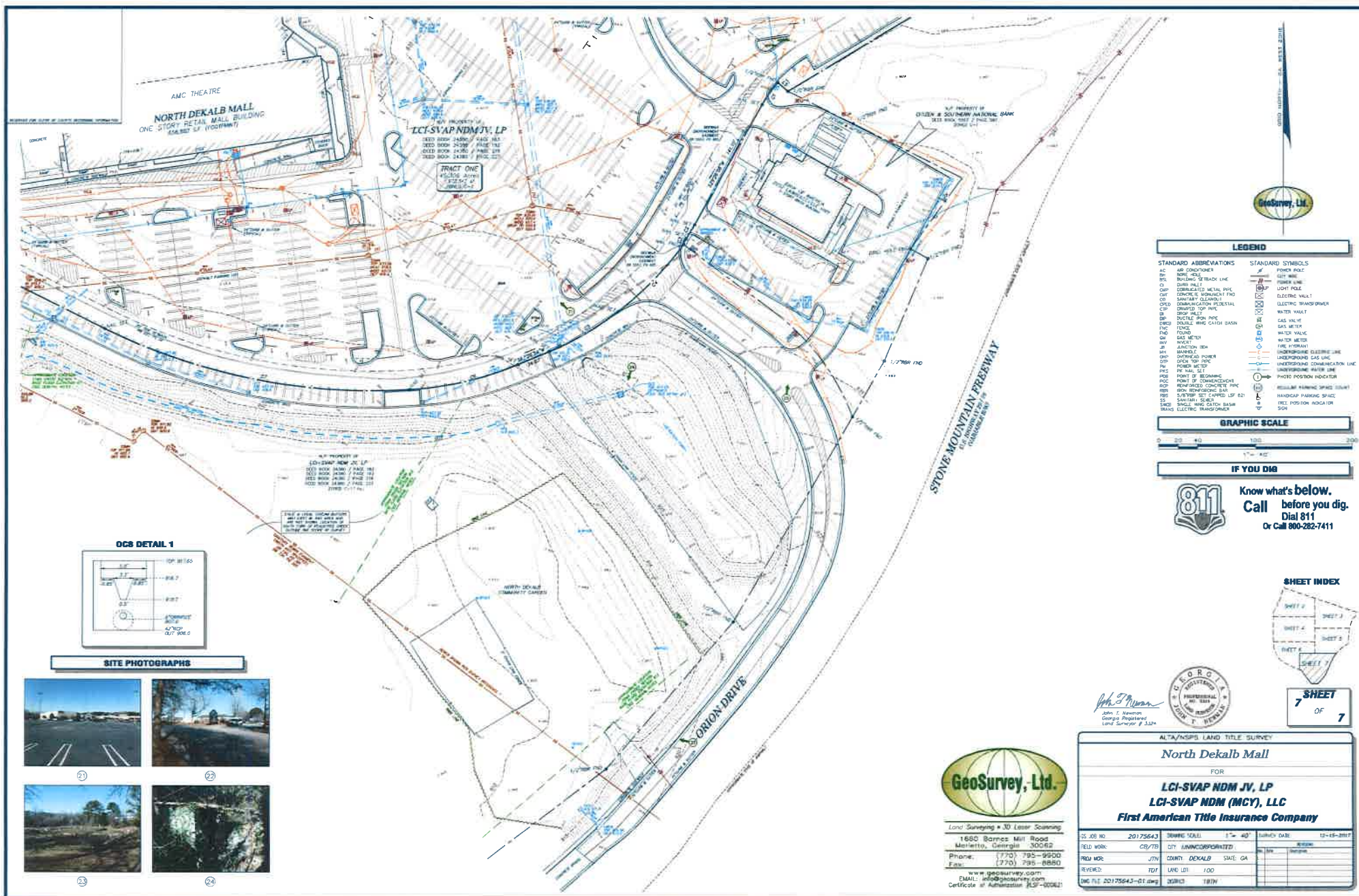
LCI-SVAP NDM (MCY), LLC

First American Title Insurance Company

EST. JOB NO.	20175643	DRIVING SCALE	5"= 40'	SURVEY DATE:	12-18-2017
FIELD WORK	08/79	GEN. WINN CORPORATION			
PLN. NO.	JTN	STATION	DETAILED	DATE	GA
REVISED	12/7	LAND LOT	100		
DWG. FILE	20175643-01.dwg	DISTRICT	18794		

3 **SHEET**
OF **7**
SHEET INDEX

[illegible]



SHEET INDEX

7 **SHEET**
OF

ALTA/ASSET LAND TITLE SURVEY

North Dekalb Mall

50

LCI-SVAP NDM JV, LP

First American Title Insurance Company

25 JOB NO.	20175643	SHOWING SOLD	17' x 40'	ISSUED DATE:	12-05-2016
FIELD WORK:	CR/TP	CITY: ANNINCORPORATED		<input type="checkbox"/> REVISION <input type="checkbox"/> CHANGE	
PROD. WORK:	JTN	COUNTY: DEKALB	STATE: GA		
REVIEWED:	TDT	LAND LOT: 100			
DWG FILE: 20175643-GT.dwg		DATE: 12/05/16	TIME: 10:07H		

Legal Description
Survey Tract One

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a concrete monument found at the intersection of the Westerly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar set; ; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence South 08 degrees 28 minutes 09 seconds East, a distance of 110.00 feet to a 5/8 inch rebar set; thence North 81 degrees 27 minutes 16 seconds East, a distance of 125.23 feet to a 5/8 inch rebar set on the Northerly right-of-way of Stone Mountain Freeway; thence along said right-of-way South 58 degrees 48 minutes 20 seconds West, a distance of 372.99 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 48 degrees 31 minutes 39 seconds West, a distance of 13.69 feet to a 1/2 inch rebar found; thence along a curve to the left, said curve having an arc length of 27.85 feet with a radius of 131.39 feet, being subtended by a chord bearing of South 35 degrees 30 minutes 32 seconds West, a distance of 27.79 feet to a nail set; thence South 29 degrees 26 minutes 08 seconds West, a distance of 141.10 feet to a nail set; thence along a curve to the left, said curve having an arc length of 17.02 feet with a radius of 303.36 feet, being subtended by a chord bearing of South 31 degrees 02 minutes 34 seconds West, a distance of 17.02 feet to a nail set; thence along a curve to the left, said curve having an arc length of 6.28 feet with a radius of 27.00 feet, being subtended by a chord bearing of South 25 degrees 58 minutes 53 seconds West, a distance of 6.27 feet to a nail set; thence along a curve to the right, said curve having an arc length of 97.01 feet with a radius of 350.00 feet, being subtended by a chord bearing of South 44 degrees 27 minutes 06 seconds West, a distance of 96.70 feet to a nail set; thence along a curve to the right, said curve having an arc length of 81.23 feet with a radius of 302.36 feet, being subtended by a chord bearing of South 59 degrees 45 minutes 17 seconds West, a distance of 80.99 feet to a nail set; thence South 67 degrees 26 minutes 54 seconds West, a distance of 34.87 feet to a nail set; thence along a curve to the right, said curve having an arc length of 115.56 feet with a radius of 347.00 feet, being subtended by a chord bearing of South 76 degrees 59 minutes 11 seconds West, a distance of 115.03 feet to a nail set; thence along a curve to the right, said curve having an arc length of 323.11 feet with a radius of 623.13 feet, being subtended by a chord bearing of North 78 degrees 37 minutes 28 seconds West, a distance of 319.50 feet to a nail set; thence North 63 degrees 46 minutes 24 seconds West, a distance of 332.42 feet to a nail set; thence along a curve to the right, said curve having an arc length of 218.97 feet with a radius of 311.00 feet, being subtended by a chord bearing of North 43 degrees 36 minutes 27 seconds West, a distance of 214.48 feet to a nail set; thence North 23 degrees 26 minutes 29 seconds West, a distance of 139.20 feet to a nail set; thence along a curve to the right, said curve having an arc length of 111.43 feet with a radius of 296.99 feet, being subtended by a chord bearing of North 12 degrees 41 minutes 45 seconds West, a distance of 110.78 feet to a nail set; thence North 01 degrees 57 minutes 01 seconds West, a distance of 216.73 feet to a nail set; thence along a curve to the right, said curve having an arc length of 116.80 feet with a radius of 2283.00 feet, being subtended by a chord bearing of North 00 degrees 29 minutes 06 seconds West, a distance of 116.79 feet to a 5/8 inch rebar set; thence North 00 degrees 58 minutes 49 seconds East, a distance of 38.93

feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 99.82 feet with a radius of 7018.44 feet, being subtended by a chord bearing of North 00 degrees 34 minutes 20 seconds East, a distance of 99.82 feet to a 5/8 inch rebar set; thence North 00 degrees 57 minutes 32 seconds East, a distance of 390.76 feet to a 1/2 inch rebar found; thence along a curve to the right, said curve having an arc length of 197.89 feet with a radius of 233.00 feet, being subtended by a chord bearing of North 36 degrees 51 minutes 10 seconds East, a distance of 192.00 feet to a 1/2 inch rebar found; thence along a curve to the left, said curve having an arc length of 13.45 feet with a radius of 27.00 feet, being subtended by a chord bearing of North 46 degrees 55 minutes 32 seconds East, a distance of 13.31 feet to a 5/8 inch rebar set on the Southerly right-of-way of Sweetbriar Road (variable right-of-way); thence along said right-of-way South 20 degrees 54 minutes 10 seconds East, a distance of 54.88 feet to a nail set; thence along a curve to the right, said curve having an arc length of 118.33 feet with a radius of 182.00 feet, being subtended by a chord bearing of North 81 degrees 31 minutes 39 seconds East, a distance of 116.26 feet to a 5/8 inch rebar set; thence South 79 degrees 50 minutes 46 seconds East, a distance of 344.04 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 186.10 feet with a radius of 219.00 feet, being subtended by a chord bearing of South 55 degrees 30 minutes 10 seconds East, a distance of 180.55 feet to a 5/8 inch rebar set; thence South 31 degrees 09 minutes 35 seconds East, a distance of 67.78 feet to a 5/8 inch rebar set; thence along a curve to the left, said curve having an arc length of 102.25 feet with a radius of 217.00 feet, being subtended by a chord bearing of South 44 degrees 39 minutes 28 seconds East, a distance of 101.31 feet to a 5/8 inch rebar set; thence North 40 degrees 25 minutes 58 seconds East, a distance of 60.81 feet to a 3/4 inch rebar found; thence leaving said right-of-way South 89 degrees 24 minutes 31 seconds East, a distance of 295.17 feet to a 1/2 inch rebar found; thence South 89 degrees 22 minutes 16 seconds East, a distance of 227.46 feet to a 3/4 inch crimp top pipe found; thence South 89 degrees 18 minutes 45 seconds East, a distance of 172.42 feet to a 1/2 inch rebar found; thence South 89 degrees 35 minutes 34 seconds East, a distance of 197.03 feet to a 1/2 inch rebar found; thence South 89 degrees 35 minutes 34 seconds East, a distance of 194.13 feet to a 5/8 inch rebar set on the Westerly right-of-way of Lawrenceville Highway; thence along said right-of-way South 22 degrees 48 minutes 07 seconds West, a distance of 28.21 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 65 degrees 23 minutes 44 seconds West, a distance of 56.53 feet to a 5/8 inch rebar set; thence North 89 degrees 35 minutes 34 seconds West, a distance of 346.32 feet to a 1/2 inch rebar found; thence South 00 degrees 17 minutes 10 seconds West, a distance of 24.24 feet to a nail found; thence along a curve to the right, said curve having an arc length of 161.32 feet with a radius of 114.00 feet, being subtended by a chord bearing of South 48 degrees 56 minutes 11 seconds East, a distance of 148.19 feet to a nail set; thence South 08 degrees 24 minutes 17 seconds East, a distance of 175.89 feet to a nail found; thence along a curve to the left, said curve having an arc length of 51.69 feet with a radius of 33.00 feet, being subtended by a chord bearing of South 53 degrees 24 minutes 16 seconds East, a distance of 46.56 feet to a nail found; thence North 81 degrees 33 minutes 14 seconds East, a distance of 48.82 feet to a nail found; thence along a curve to the right, said curve having an arc length of 64.57 feet with a radius of 441.76 feet, being subtended by a chord bearing of North 85 degrees 52 minutes 43 seconds East, a distance of 64.52 feet to a nail set; thence along a curve to the left, said curve having an arc length of 39.15 feet with a radius of 48.00 feet, being subtended by a chord bearing of North 66 degrees 41 minutes 00 seconds East, a distance of 38.07 feet to a nail found on the Westerly right-of-way of Lawrenceville Highway; thence along said right-of-way, along a curve to the left, said curve having an arc length of 78.21 feet with a radius of 1203.92 feet, being subtended by a chord bearing of South 05 degrees 39 minutes 35 seconds West, a distance of 78.20 feet to a nail set; thence South 05 degrees 14 minutes 03 seconds West, a distance of 100.92 feet to a 5/8 inch rebar set; thence South 84 degrees 45 minutes 57 seconds East, a distance of 8.00 feet to a 5/8 inch rebar set; thence

South 05 degrees 14 minutes 44 seconds West, a distance of 145.00 feet to a concrete monument found, said point being the True Point of Beginning.

Said tract of land contains 48.306 Acres

LESS AND EXCEPT THE FOLLOWING TRACT OF LAND

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the Easterly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar set; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence along a tie-line North 58 degrees 10 minutes 08 seconds West, a distance of 84.98 feet to a nail set, said point being the True Point of Beginning; thence South 81 degrees 34 minutes 33 seconds West, a distance of 304.00 feet to a nail set; thence North 08 degrees 25 minutes 27 seconds West, a distance of 368.00 feet to a drill hole found; thence North 81 degrees 34 minutes 33 seconds East, a distance of 398.04 feet to a nail set; thence South 08 degrees 25 minutes 27 seconds East, a distance of 200.00 feet to a drill hole found; thence South 81 degrees 34 minutes 33 seconds West, a distance of 94.04 feet to a drill hole found; thence South 08 degrees 25 minutes 27 seconds East, a distance of 168.00 feet to a nail set, said point being the True Point of Beginning.

Said tract of land contains 3.000 Acres.

Legal Description
Survey Tract Two

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the Westerly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar set; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence along a tie-line North 58 degrees 10 minutes 08 seconds West, a distance of 84.98 feet to a nail set, said point being the True Point of Beginning; thence South 81 degrees 34 minutes 33 seconds West, a distance of 304.00 feet to a nail set; thence North 08 degrees 25 minutes 27 seconds West, a distance of 368.00 feet to a drill hole found; thence North 81 degrees 34 minutes 33 seconds East, a distance of 398.04 feet to a nail set; thence South 08 degrees 25 minutes 27 seconds East, a distance of 200.00 feet to a drill hole found; thence South 81 degrees 34 minutes 33 seconds West, a distance of 94.04 feet to a drill hole found; thence South 08 degrees 25 minutes 27 seconds East, a distance of 168.00 feet to a nail set, said point being the True Point of Beginning.

Said tract of land contains 3.000 Acres.

Legal Description
Survey Tract Three

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the Westerly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar set, said point being the True Point of Beginning; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence South 08 degrees 28 minutes 09 seconds East, a distance of 110.00 feet to a 5/8 inch rebar set; thence North 81 degrees 27 minutes 16 seconds East, a distance of 125.23 feet to a 5/8 inch rebar set on the Northerly right-of-way of Stone Mountain Freeway; thence along said right-of-way North 58 degrees 48 minutes 20 seconds East, a distance of 2.92 feet to a concrete monument found; thence North 58 degrees 57 minutes 28 seconds East, a distance of 154.17 feet to a 5/8 inch rebar set, said point being the True Point of Beginning.

Said tract of land contains 0.581 Acres.

Legal Description
Survey Tract Four

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the Northerly right-of-way of Sweet Briar Road (variable right-of-way) with the Easterly right-of-way of Birch Road (60 foot right-of-way); thence along said right-of-way of Birch Road North 09 degrees 14 minutes 08 seconds East, a distance of 86.03 feet to a 5/8 inch rebar set; thence North 17 degrees 25 minutes 03 seconds East, a distance of 109.86 feet to a 1/2 inch rebar found; thence leaving said right-of-way South 72 degrees 13 minutes 06 seconds East, a distance of 236.14 feet to a 1/2 inch rebar found; thence South 12 degrees 22 minutes 11 seconds West, a distance of 30.67 feet to a 5/8 inch rebar set; thence South 71 degrees 24 minutes 15 seconds East, a distance of 160.12 feet to a 5/8 inch rebar set; thence South 11 degrees 56 minutes 08 seconds West, a distance of 109.33 feet to a 1/2 inch rebar found on the Northerly right-of-way of Sweet Briar Road; thence along said right-of-way North 79 degrees 52 minutes 39 seconds West, a distance of 400.37 feet to a 1/2 inch rebar found, said point being the True Point of Beginning.

Said tract of land contains 1.439 Acres.

Legal Description
Survey Tract Five

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the Southerly right-of-way of North Druid Hills Road (100 foot right-of-way) with the Westerly right-of-way of Birch Road 60 foot right-of-way); thence along said right-of-way of Birch Road South 17 degrees 52 minutes 15 seconds West, a distance of 11.94 feet to a 5/8 inch rebar set; thence leaving said right-of-way North 71 degrees 05 minutes 44 seconds West, a distance of 27.36 feet to a 5/8 inch rebar set; thence North 17 degrees 52 minutes 15 seconds East, a distance of 11.94 feet to a 5/8 inch rebar set on the Southerly right-of-way of North Druid Hills Road; thence along said right-of-way South 71 degrees 05 minutes 44 seconds East, a distance of 27.36 feet to a 1/2 inch rebar found, said point being the True Point of Beginning.

Said tract of land contains 0.007 Acres.

Site Description
Tract 1

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of Dekalb County, Georgia and more particularly described as follows

To find the Point of Beginning commence at the intersection of the southerly Right of Way line of North Druid Hills Road (100' Right of Way) and the easterly Right of Way line of Birch Road (60' Right of Way), thence along the easterly Right of Way line of Birch Road South 16 Degrees 56 Minutes 09 Seconds West, 79 78 feet to a point, thence continue along the easterly Right of Way line of Birch Road South 16 Degrees 32 Minutes 47 Seconds West, 119 73 feet to a point and The Point of Beginning, thence leaving the easterly Right of Way line of Birch Road South 73 Degrees 36 Minutes 03 Seconds East, 236 20 feet to a point, thence South 10 Degrees 59 Minutes 14 Seconds West, 30 67 feet to a point, thence South 72 Degrees 55 Minutes 55 Seconds East, 160 00 feet to a point, thence South 10 Degrees 34 Minutes 49 Seconds West, 109 33 feet to a point on the northerly Right of Way line of Sweet Briar Road (60' Right of Way) thence along the northerly Right of Way line of Sweet Briar Road North 81 Degrees 14 Minutes 23 Seconds West, 160 00 feet to a point, thence continue along the northerly Right of Way line of Sweet Briar Road North 81 Degrees 22 Minutes 09 Seconds West, 240 29 feet to a point located at the intersection of the northerly Right of Way line of Sweet Briar Road and the easterly Right of Way line of Birch Road, thence along the easterly Right of Way line of Birch Road North 07 Degrees 50 Minutes 46 Seconds East, 86 02 feet to a point, thence continue along the easterly Right of Way line of Birch Road North 16 Degrees 01 Minutes 44 Seconds East, 109 85 feet to The Point of Beginning containing 1 44 Acres

Site Description
Tract 2

All that tract or parcel of land lying and being in Land Lots 100 of the 18th District of Dekalb County Georgia and more particularly described as follows

To find The Point of Beginning commence at the intersection of the southerly Right of Way line of North Druid Hills Road (100' Right of Way) and the westerly Right of Way line of Birch Road (60' Right of Way), thence along the westerly Right of Way line of Birch Road South 16 Degrees 31 Minutes 00 Seconds West, 11 94 feet to a point, thence continue along the

westerly Right of Way line of Birch Road South 16 Degrees 31 Minutes 00 Seconds West, 177 58 feet to a point, thence continue along the westerly Right of Way line of Birch Road South 16 Degrees 34 Minutes 33 Seconds West, 74 93 feet to a point, thence continue along the westerly Right of Way line of Birch Road South 13 Degrees 44 Minutes 04 Seconds West 9 23 feet to a point and The Point of Beginning, thence continue along the westerly Right of Way line of Birch Road South 13 Degrees 44 Minutes 04 Seconds West, 55 21 feet to a point, thence continue along the westerly Right of Way line of Birch Road South 07 Degrees 21 Minutes 03 Seconds West, 86 12 feet to a point, thence continue along the westerly Right of Way line of Birch Road South 18 Degrees 30 Minutes 57 Seconds East, 43 28 feet to a point on the northerly Right of Way line of Sweet Briar Road (60' Right of Way) thence along the northerly Right of Way line of Sweet Briar Road following the curvature thereof to the right an arc distance of 13 45 feet, said curvature having a chord bearing and distance of South 45 Degrees 32 Minutes 09 Seconds West, 13 31 feet and having a radius of 27 00 feet, thence along the northwesterly Right of Way line of Birch Road following the curvature thereof to the left an arc distance of 197 94 feet, said curvature having a chord bearing and distance of South 35 Degrees 27 Minutes 47 Seconds West, 192 04 feet and having a radius of 233 00 feet, thence leaving the northwesterly Right of Way line of Sweet Briar Road South 89 Degrees 58 Minutes 00 Seconds West, 52 54 feet to a point on the Land Lot Line separating land Lots 100 and 101, thence in a northerly direction along said Land Lot Line North 00 Degrees 37 Minutes 46 Seconds West, 401 24 feet to a point, thence leaving said Land Lot Line South 73 Degrees 36 Minutes 36 Seconds East, 196 22 feet to The Point of Beginning containing 1 20 Acres

TRACT 1

SITE DESCRIPTION

TAX ID 18 100 02 005

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 18th District of DeKalb County, Georgia and more particularly described as follows:

MALL PREMISES

Beginning at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right-of-Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway) from the intersection of said northwestern Right-of-Way line of Lawrenceville Highway with the southwestern Right-of-Way line of North Druid Hills Road (100 foot a Right-of-Way) and a running thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; running thence South 86 degrees 06 minutes 00 seconds East along an offset in the northwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; running thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U. S. Highway #78) (variable Right-of-Way); running thence in a southwesterly direction along said northwestern Right-of-Way line of Stone Mountain Parkway the following courses and distances: South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument; South 57 degrees 35 minutes 43 seconds West 154.08 feet to a concrete monument, and South 57 degrees 26 minutes 26 seconds West 375.90 feet to a point; thence leaving said northwestern Right-of-Way line of Stone Mountain Parkway and running North 49 degrees 45 minutes 51 seconds West 13.77 feet to a point; running thence in a southwesterly direction along the arc of a 131.39 foot radius curve an arc distance of 27.85 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 34 degrees 09 minutes 05 seconds West 27.80 feet); running thence South 28 degrees 04 minutes 41 seconds West 141.13 feet to a point; running thence in a southwesterly direction the following two courses and distances: along the slight arc of a 303.36 foot radius curve an arc distance of 17.02 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 29 degrees 41 minutes 07 seconds West 17.02 feet), and along the arc of a 27.00 foot radius curve an arc distance of 6.29 feet (said arc being subtended by a chord lying to the southeast thereof and bearing South 24 degrees 37 minutes 26 seconds West 6.27 feet); running thence South 54 degrees 48 minutes 39 seconds East 113.92 feet to a point; running thence in a southeasterly direction along the arc of a 240.00 foot radius curve an arc distance of 138.55 feet to a point on the northwestern Right-of-Way line of Stone Mountain Parkway (said arc being subtended by a chord lying to the southwest thereof and bearing South 38 degrees 16 minutes 24 seconds East 136.63 feet); running thence in a southwesterly direction along the northwestern Right-of-Way line of Stone Mountain Parkway the following three courses and distances: South 28 degrees 43 minutes 36 seconds West 243.86 feet to a point; South 39 degrees 20 minutes 39 seconds West 200.01 feet to a point, and South 51 degrees 12 minutes 45 seconds West 153.58 feet to a point in the center line of the South Fork of Peachtree Creek (said point hereinafter referred to as "Point A"); running thence in a northwesterly direction along the center line of the South Fork of Peachtree Creek and following the meandering thereof 658.12 feet, more or less, to a point (said point hereinafter referred to as Point "B"); said Point A and Point B being connected by traverse lines commencing at Point A and terminating at Point B as follows: North 51 degrees 26 minutes 36 seconds West 146.06 feet; North 54 degrees 43 minutes 18 seconds West 194.09 feet; North 46 degrees 25 minutes 57 seconds West 204.54 feet, and North 61 degrees 42 minutes 30 seconds West 113.43 feet; and continuing thence in a generally northwesterly direction along the center line of said Creek, and the following meandering thereof, 1965.00 feet, more or less to an iron pin found; (said point hereinafter referred to as Point "C"); said Point B and Point C being connected by traverse line commencing at Point B and terminating at Point C as follows: North 66 degrees 01 minutes 29 seconds West 1,827.06 feet; thence leaving the center line of said creek and running North 60 degrees 42 minutes 04 seconds East 574.8 feet to a point; running thence North 89 degrees 00 minutes 04 seconds East 678.00 feet to an axle on the Land Lot line common to said Land Lots 100 and 101; running thence North 01 degrees 10 minutes 31 seconds West along said Land Lot line 382.26 feet to an iron pin found; running thence North 00 degrees 01 minute 12 seconds West along said Land Lot line 109.05 feet to a nail placed in root of beech tree; running thence North 89 degrees 58 minutes 00 seconds East 52.54 feet to a point; running thence in a northeasterly direction the following two courses and distances: along the arc of a 233.00 foot radius curve an arc distance of 197.94 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing North 35 degrees 27 minutes 47 seconds East 192.04 feet), and along the arc of a 27.00 foot radius curve an arc distance of 13.45 feet to a point (said arc being subtended by a chord lying to the northwest thereof and bearing North 45 degrees 32 minutes 09 seconds East 13.31 feet); running thence South 22 degrees 17 minutes 33 seconds East 54.88 feet to a point; running thence in a northeasterly direction along the arc of an 182.00 foot radius curve an arc distance of 118.33 feet to a point (said arc being subtended by a chord lying to the south thereof and bearing North 80 degrees 06 minutes 37 seconds East 116.26 feet); running thence South 81 degrees 15 minute 48 seconds East 344.04 feet to a point; running thence in a southeasterly direction along the arc of a 219.00 foot radius curve an arc distance of 186.09 feet to a point said arc being subtended by a chord lying to the southeast thereof and bearing South 56 degrees 55 minutes 12 seconds East 180.55 feet); running thence South 32 degrees 34 minutes 37 seconds East 67.78 feet to a point; running thence in a southeasterly direction along the arc of a 217.00 foot radius curve an arc distance of 102.26 feet to a point (said arc being subtended by a chord lying to the northeast thereof and bearing South 46 degrees 04 minutes 34 seconds East 101.31 feet); running thence North 39 degrees 02 minutes 55 seconds East 60.81 feet to an iron pin found; running thence North 89 degrees 12 minutes 26 seconds East 1,086.71 feet to the iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway at THE POINT OF BEGINNING.

The above referenced property is shown, excluding the Less and Except tracts herein below described, as a 75.858 acre tract being known as "Marketsquare at North Dekalb, C-FH North Dekalb Center Associates"; said survey being incorporated herein by reference and made a part of this description.

The property described below is included in addition to the ENTIRE PREMISES:

Less and Except from the above-described property are the following tracts:

RICH'S

TAX ID 18 100 02 040

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of Dekalb County, Georgia, and more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, Begin at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8, and U.S. Highway # 29) (100 foot Right-of-Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway from the intersection of said northwestern Right-of-Way line of Lawrenceville Highway with the southwestern Right-of-Way line of North Druid Hills Road (100 foot Right-of-Way); run thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; run thence South 86 degrees 06 minutes 00 seconds East along an offset in the northwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; run thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U. S. Highway # 78) (variable Right-of-Way); run thence along said northwestern Right-of-Way line of Stone Mountain Parkway South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument; continue thence South 57 degrees 35 minutes 43 seconds West along said right-of-way line 0.71 feet to a point; thence leave said Right-of-Way line and run North 09 degrees 49 minutes 00 seconds West 49.5 feet to a point; run thence South 80 degrees 11 minutes 00 seconds West 335.15 feet to a point, and run thence North 09 degrees 49 minutes 00 seconds West 55.00 feet to a point which marks the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, running thence South 80 degrees 11 minutes 00 seconds West 304.00 feet to a point; running thence North 09 degrees 49 minutes 00 seconds West 368.00 feet to a point; running thence North 80 degrees 11 minutes 00 seconds East 398.04 feet to a point; running thence South 09 degrees 49 minutes 00 seconds East 200.00 feet to a point; running thence South 80 degrees 11 minutes 00 seconds West 94.04 feet to a point; and running thence South 09 degrees 49 minutes 00 seconds East 168.00 feet to the POINT OF BEGINNING.

The above referenced property is shown as a 3.000 acre tract designated "Rich's" on the survey.

RICH'S ACCESSORY AREA

TAX ID 18 100 02 041

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County, Georgia and more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, Begin at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8, and U.S. Highway #29) (100 foot Right-of-Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway from the intersection of said northwestern Right-of-Way line of North Druid Hills Road (100 foot Right-of-Way); run thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; run thence South 06 degrees 06 minutes 00 seconds East along an offset in the northwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; run thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable Right-of-Way); run thence along said northwestern Right-of-Way line of Stone Mountain Parkway South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument; continue thence South 57 degrees 35 minutes 43 seconds West along said Right-of-Way line 0.71 feet to a point which marks the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING, as thus established, continuing thence South 57 degrees, 35 minutes 43 seconds West along said Right-of-Way line 154.17 feet to a concrete monument; continuing thence South 57 degrees 26 minutes 26 seconds West along said Right-of-Way line 2.92 feet to a point; thence leaving said Right-of-Way line and running South 80 degrees 11 minutes 00 seconds West 125.17 feet to a point; running thence North 09 degrees 49 minutes 00 seconds West 110.0 feet to a point; running thence North 80 degrees 11 minutes 00 seconds East 270.15 feet to a point; running thence South 09 degrees 49 minutes 00 seconds East 49.50 feet to the northwestern Right-of-Way line of Stone Mountain Parkway and the POINT OF BEGINNING.

The above referenced property is shown as a 0.582 acre tract designated "Rich's Accessory Area" on the survey.

Site Description

TAX ID 18 100 02 056

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 18th District of DeKalb County, Georgia and more particularly described as follows:

GOLDEN CORRAL

To find The Point of Beginning commence at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right-of-Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway) from the intersection of said northwestern Right-of-Way line of Lawrenceville Highway with the southwestern Right-of-Way line of North Druid Hills Road (100 foot a Right-of-Way); thence along the northwestern Right-of-Way line of Lawrenceville Highway South 21 degrees 50 minutes 00 seconds West 26.81 feet to a point and The Point of Beginning; and a running thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 93.19 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 189.07 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 10 degrees 39 minutes 19 seconds West 188.88 feet); thence leaving the northwestern Right-of-Way line of Lawrenceville Highway along the arc of a 48.00 foot radius curve to the right an arc distance of 38.19 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 65 degrees 11 minutes 05 seconds West 38.11 feet); thence along the arc of a 441.76 foot radius curve to the left an arc distance of 64.64 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 84 degrees 22 minutes 48 seconds West 64.58 feet); thence South 80 degrees 11 minutes 20 seconds West 48.81 feet to a point; thence along the arc of a 33.00 foot radius curve to the right an arc distance of 51.84 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing North 54 degrees 48 minutes 40 seconds West 46.67 feet); thence North 09 degrees 48 minutes 40 seconds East 175.86 feet to a point; thence along the arc of a 114.00 foot radius curve to the left an arc distance of 161.29 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing North 50 degrees 20 minutes 34 seconds West 148.17 feet); thence North 00 degrees 12 minutes 34 seconds West 24.25 feet to a point; thence North 89 degrees 12 minutes 26 seconds East 346.11 feet to a point; thence South 68 degrees 10 minutes 00 seconds East 56.53 feet to the point of Beginning containing 1.78 Acres.

TRACT 2

Site Description

TAX ID 18 100 02 057

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 18th District of DeKalb County, Georgia and more particularly described as follows:

HENDON RING ROAD

To find The Point of Beginning commence at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right-of-Way of this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway) from the intersection of said northwestern Right-of-Way line of Lawrenceville Highway with the southwestern Right-of-Way line of North Druid Hills Road (100 foot a Right-of-Way); and a running thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; running thence South 86 degrees 06 minutes 00 seconds East along an offset in the northwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; running thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U. S. Highway #78) (Variable Right-of-Way); running thence in a southwesterly direction along said northwestern Right-of-Way line of Stone Mountain Parkway the following courses and distances: South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument; South 57 degrees 35 minutes 43 seconds West 154.88 feet to a concrete monument, and South 57 degrees 26 minutes 26 seconds West 375.90 feet to a point; thence leaving said northwestern Right-of-Way line of Stone Mountain Parkway and running North 49 degrees 45 minutes 51 seconds West 13.77 feet to a point; running thence in a southwesterly direction along the arc of a 131.39 foot radius curve an arc distance of 27.85 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 34 degrees 09 minutes 05 seconds West 27.80 feet); running thence South 28 degrees 04 minutes 41 seconds West 141.13 feet to a point; running thence in a southwesterly direction along the arc of a 303.36 foot radius curve an arc distance of 17.02 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearing South 29 degrees 41 minutes 07 seconds West 17.02 feet); running thence in a southwesterly direction along the arc of a 27.00 foot radius curve an arc distance of 6.29 feet to THE POINT OF BEGINNING (said arc being subtended by a chord lying to the southeast thereof and bearing South 24 degrees 37 minutes 26 seconds West 6.27 feet); running thence South 54 degrees 48 minutes 39 seconds East 113.92 feet to a point; running thence in a southeasterly direction along the arc of a 240.00 foot radius curve a arc distance of 138.55 feet to a point on the northwestern Right-of-Way line of Stone Mountain Parkway (said arc being subtended by a chord lying to the southwest thereof and bearing South 38 degrees 16 minutes 24 seconds East 136.63 feet) running thence in a southwesterly direction along the northwestern Right-of-Way line of Stone Mountain Parkway the following three courses and distances: South 28 degrees 43 minutes 36 seconds West 243.86 feet to a point; South 39 degrees 20 minutes 39 seconds West 200.01 feet to a point, and South 51 degrees 12 minutes 45 seconds West 153.58 feet to a point in the center line of the South Fork of Peachtree Creek (said point hereinafter referred to as "Point A"); running thence in a northwesterly direction along the center line of the South Fork of Peachtree Creek and following the meandering thereof 658.12 feet, more or less, to a point (said point hereinafter referred to as Point "B"); said Point A and Point B being connected by traverse lines commencing at Point A and terminating at Point B as follows: North 51 degrees 26 minutes 36 seconds West 146.06 feet; North 54 degrees 43 minutes 18 seconds West 194.09 feet; North 46 degrees 25 minutes 57 seconds West 204.54 feet, and North 61 degrees 42 minutes 30 seconds West 113.43 feet; and continuing thence in a generally northwesterly direction along the center line of said Creek, and the following meandering thereof, 1965.00 feet, more or less to an iron pin found; (said point hereinafter referred to as Point "C"); said Point B and Point C being connected by traverse line commencing at Point B and terminating at Point C as follows: North 66 degrees 01 minutes 29 seconds West 1,827.06 feet; thence leaving the center line of said creek and running North 60 degrees 42 minutes 04 seconds East 574.8 feet to a point; running thence North 89 degrees 00 minutes 04 seconds East 293.00 feet to a point; thence North 06 Degrees 39 Minutes 43 Seconds West 201.36 feet to a point on the southerly Right of Way of Latham Road (60' Right of Way); thence along the southerly Right of Way line of Latham Road the following 2 calls: North 78 Degrees 26 Minutes 50 seconds East 89.54 feet; North 61 degrees 46 minutes 52 seconds East 90.11 feet; thence leaving said Right of Way South 28 degrees 02 minutes 46 seconds East 289.62 feet to a point; running thence North 89 degrees 00 minutes 04 seconds East 105.00 feet to an axle on the Land Lot line common to said Land Lots 100 and 101; running thence North 01 degrees 10 minutes 31 seconds West along said Land Lot line 382.26 feet to an iron pin found; running thence North 00 degrees 01 minute 12 seconds West along said Land Lot line 109.05 feet to a nail placed in root of beech tree; running thence North 89 degrees 58 minutes 00 seconds East 52.54 feet to a point; running thence South 00 Degrees 25 Minutes 26 Seconds East 390.67 feet to a point; running thence in a Southeasterly direction along the arc of a 7018.44-foot radius curve an arc distance of 99.80 feet to a point (said arc being subtended by a chord lying to the east thereof and bearing South 00 Degrees 48 Minutes 36 Seconds East 99.80 feet); running thence South 00 Degrees 24 Minutes 09 Seconds East 38.92 feet to a point; running thence in a Southeasterly direction along the arc of a 2283.00-foot radius curve an arc distance of 116.77 feet to a point (said arc being subtended by a chord lying to the East thereof and bearing South 01 Degrees 52 Minutes 04 Seconds East 116.76 feet); running thence South 03 Degrees 19 Minutes 59 Seconds East 216.68 feet to a point; running thence in Southeasterly direction along the arc of a 296.99-foot radius curve an arc distance of 111.40 feet to a point (said arc being subtended by a chord lying to the Northeast thereof and bearing South 14 Degrees 04 Minutes 43 Seconds East 110.75 feet); running thence South 24 Degrees 49 Minutes 27 Seconds East 139.17 feet to a point; running thence in a Southeasterly direction along the arc of a 311.00-foot radius curve an arc distance of 218.92 feet to a point (said arc being subtended by a chord lying to the Northeast thereof and bearing South 44 Degrees 59 Minutes 25 Seconds East 214.43 feet); running thence South 65 Degrees 09 Minutes 22 Seconds East 332.34 feet to a point;

beginning thence in a Southeasterly direction along the arc of a 623.13-foot radius curve an arc distance of 323.03 feet to a point (said arc being subtended by a chord lying to the North thereof and bearing South 80 Degrees 00 Minutes 26 Seconds East 319.43 feet); running thence in a Northeasterly direction along the arc of a 347.00-foot radius curve an arc distance of 115.53 feet to a point (said arc being subtended by a chord lying to the Northwest thereof and bearing North 75 Degrees 36 Minutes 13 Seconds East 115.00 feet); running thence North 66 Degrees 03 Minutes 56 Seconds East 34.86 feet to a point; running thence in a Northeasterly direction along the arc of a 302.36-foot radius curve an arc distance of 81.21 feet to a point (said arc being subtended by a chord lying to the Northwest thereof and bearing North 58 Degrees 22 Minutes 19 Seconds East 80.97 feet); running thence in a Northeasterly direction along the arc of a 350.00-foot radius curve an arc distance of 96.99 feet to a point at THE POINT OF BEGINNING, (said arc being subtended by a chord lying to the Northwest thereof and bearing North 43 Degrees 04 Minutes 08 Seconds East 96.68 feet); containing 25.16 Acres

Together With:

TAX ID 18 100 02 055

Beginning at the intersection of the southerly Right of Way line of North Druid Hills Road (100' Right of Way) and the westerly Right of Way line of Birch Road (60' Right of Way); thence along the westerly Right of Way line of Birch Road South 16 Degrees 31 Minutes 00 Seconds West, 11.94 feet to a point; thence leaving the westerly Right of Way line of Birch Road North 27 Degrees 26 Minutes 59 Seconds West, 27.36 feet to a point; thence North 16 Degrees 31 Minutes 00 Seconds East, 11.94 feet to a point on the southerly Right of Way line of North Druid Hills Road; thence along the southerly Right of Way line of North Druid Hills Road South 72 Degrees 26 Minutes 59 Seconds East, 27.36 feet to The Point of Beginning containing 0.01 Acres.

Outparcel C & D included within Hendon Ring Road.

Site Description
OutParcel C

TAX ID 18 101 02 093

All that tract or parcel of land lying and being in Land Lot 101 of the 18th District, Dekalb County, Georgia being all of Lot 5 Block D of the Pine Ridge Park Subdivision, as recorded in Plat Book 25, Page 96, Dekalb County, Georgia records as further revised and recorded in Plat Book 85, Page 31, Dekalb County, Georgia records being more particularly described as follows:

To find the Point of Beginning commence at an axle found on the Land Lot Line separating Land Lots 101 and 100 located at the southeast corner of Lot 3 Block D of above described subdivision; thence South 89 Degrees 00 Minutes 04 Seconds West 255.00 feet to a point and The Point of Beginning; thence South 89 Degrees 00 Minutes 04 Seconds West 130.00 feet to a point; thence North 06 Degrees 39 Minutes 43 Seconds West, 201.36 feet to a point on the southerly Right of Way line of Latham Road (60' Right of Way); thence along the southerly Right of Way line of Latham Road following the curvature thereof to the left the following chord bearing and distance, North 78 Degrees 26 Minutes 50 Seconds East, 89.55 feet; thence South 16 Degrees 55 Minutes 22 Seconds East, 225.39 feet to The Point of Beginning containing 0.53 Acres.

Site Description
OutParcel D

TAX ID 18 101 02 094

All that tract or parcel of land lying and being in Land Lot 101 of the 18th District, Dekalb County, Georgia being all of Lot 4 Block D of the Pine Ridge Park Subdivision, as recorded in Plat Book 25, Page 96, Dekalb County, Georgia records as further revised and recorded in Plat Book 85, Page 31, Dekalb County, Georgia records being more particularly described as follows:

To find the Point of Beginning commence at an axle found on the Land Lot Line separating Land Lots 101 and 100 located at the southeast corner of Lot 3 Block D of above described subdivision; thence South 89 Degrees 00 Minutes 04 Seconds West 105.00 feet to a point and The Point of Beginning; thence South 89 Degrees 00 Minutes 04 Seconds West 150.00 feet to a point; thence North 16 Degrees 55 Minutes 22 Seconds West, 225.39 feet to a point on the southerly Right of Way line of Latham Road (60' Right of Way); thence along the southerly Right of Way line of Latham Road following the curvature thereof to the left the following chord bearing and distance North 61 Degrees 46 Minutes 15 Seconds East, 90.13 feet; thence South 28 Degrees 02 Minutes 46 Seconds East, 289.62 feet to The Point of Beginning containing 0.67 Acres.