Forsyth County Department of Planning & Community Development
110 E. Main Street, Suite 100 | Cumming, Georgia 30040 | (770) 781-2115 | forsythco.com

'17 APR 13 PM 4:31

Rezoning, CUP and Sketch Plat Application

This form is required for submittals of all rezoning, conditional use permit (CUP) and sketch plat applications. While this application provides some information regarding the necessary requirements to submit a complete application, the full application requirements (e.g. minimum site plan requirements) and process (e.g. flowcharts) can be found on the Web site at forsythco.com. From the main Web page, please choose **Planning** from the drop down *Department* menu then select **Long Range Planning Division** under *Subdepartments* on the left side of the page.

JBMITTAL TYPE

☑ Application for Zoning Review

If this submittal is a revision , please specify the previously assigned application number:

B. REQUESTED ACTION: PLEASE CHECK ALL THAT APPLY (E.G. REZONING, REZONING WITH A CUP, ETC.)

☑ Rezoning ☐ Conditional Use Permit (CUP)

☐ Sketch Plat ☐ CUP for a communication tower

C. APPLICANT INFORMATION

Applicant Status: ☑ Owner ☑ Authorized Agent

Name: MKW Capital, LLC

Address: PO Box 149, Jamestown, RI, 02835

Phone#: (770) 781-4100 E-mail Address: eunderwood@mhtlegal.com

TTORNEY REPRESENTATION INFORMATION (IF APPLICABLE)

Preferred Contact: ☐ Applicant ☑ Attorney

Name: Miles Hansford & Tallant, LLC - J. Ethan Underwood

Address: 202 Tribble Gap Road, Suite 200, Cumming, Georgia 30040

Phone#: (770) 781-4100 E-mail Address: eunderwood@mhtlegal.com

OPERTY INFORMATION

Tax Map & Parcel #(s): (e.g. xxx-xxx, xxx-xxx) 103-011, 103-301, 103-425 and 104-069

Current Zoning: A1, CR1 and R2R Proposed Zoning: RES2 Conservation

Proposed Use: Dwellings, Single Family Residential Property Acreage: 104.31

Proposed Road Access: Silverleaf Drive & Keithwood Drive

Does the subject property lie partly within or adjacent to the City of Cumming? ☐ Yes ☑ No

FOR STAFF USE ONLY
DATE & TIME STAMP
Application # ZA3862

F. DETAILS OF PROPOSED USE

1) Please complete if you are filing a **rezoning, conditional use permit or sketch plat** application.

a) ☒ This application contains a **residential** component. If checked, please fill out the following:

Residential Building Type	Ownership Type *** (Fee-Simple or Condominium)	# of Lots or Units	Minimum Heated Floor Area (sq. ft.)	Minimum Lot Size (sq. ft.)(If applicable)
☒ Single Family Detached	**Fee Simple**	**92**	**1,800**	**12,000**
☐ Single Family Attached				
☐ Townhouses				
☐ Quadriplexes				
☐ Triplexes				
☐ Duplexes				
☐ Apartments				N/A

*** The UDC requires that condominium-style ownership be specifically identified during the zoning process. While there may be little visual difference between the finished product types, condominium style ownership means that there will not be individually-owned (i.e. fee simple ownership) property associated with a specific type of development, rather there will just be individual ownership in building space (i.e. units) with joint ownership of all property. Some developments might contain both ownership types.

The total residential density (lots and/or units) proposed with this project is .89 units per acre.

b) ☐ This application contains a **non-residential** component. If checked, please fill out the following:

Total Building Area (sq. ft.) _____ # of Parking Spaces _____ Est. Bldg. Area of Out Parcels (sq. ft.) _____

c) What is the total amount of proposed open space (sq. ft. or acres) included with this application? **65.50**

d) Please indicate whether this project will be served by septic, county sewer, or city sewer: **City Sewer**

If the project will be served by either County or City Sewer, please also submit the results of the required pre-application meeting.

e) Will the proposed development exceed the threshold that triggers the need for a Development of Regional Impact (DRI) review?

☐ Yes ☒ No If yes, supplemental information shall be required in addition to this application.

f) Are you filing a rezoning application to rezone to MPD?

☐ Yes ☒ No If yes, please also submit the supplemental form "Supplemental Application - Master Planned District (MPD)."

The supplemental form can be found on our web site at forsythco.com.

F. DETAILS OF PROPOSED USE

1) Please complete if you are filing a **rezoning, conditional use permit or sketch plat** application.

a) ☒ This application contains a **residential** component. If checked, please fill out the following:

Residential Building Type	Ownership Type *** (Fee-Simple or Condominium)	# of Lots or Units	Minimum Heated Floor Area (sq. ft.)	Minimum Lot Size (sq. ft.)(If applicable)
☒ Single Family Detached	**Fee Simple**	**92**	**1,8000**	**12,000**
☐ Single Family Attached				
☐ Townhouses				
☐ Quadriplexes				
☐ Triplexes				
☐ Duplexes				
☐ Apartments				N/A

*** The UDC requires that condominium-style ownership be specifically identified during the zoning process. While there may be little visual difference between the finished product types, condominium style ownership means that there will not be individually-owned (i.e. fee simple ownership) property associated with a specific type of development, rather there will just be individual ownership in building space (i.e. units) with joint ownership of all property. Some developments might contain both ownership types.

The total residential density (lots and/or units) proposed with this project is .89 units per acre.

b) ☐ This application contains a **non-residential** component. If checked, please fill out the following:

Total Building Area (sq. ft.) ____ # of Parking Spaces ____ Est. Bldg. Area of Out Parcels (sq. ft.) ____

c) What is the total amount of proposed open space (sq. ft. or acres) included with this application? **65.50**

d) Please indicate whether this project will be served by septic, county sewer, or city sewer: **City Sewer**

If the project will be served by either County or City Sewer, please also submit the results of the required pre-application meeting.

e) Will the proposed development exceed the threshold that triggers the need for a Development of Regional Impact (DRI) review?

☐ Yes ☒ No If yes, supplemental information shall be required in addition to this application.

f) Are you filing a rezoning application to rezone to MPD?

☐ Yes ☒ No If yes, please also submit the supplemental form "Supplemental Application - Master Planned District (MPD)."

The supplemental form can be found on our web site at www.forsythco.com.

H. PROPERTY OWNER(S) AUTHORIZATION AFFIDAVIT: ADD ADDITIONAL SHEETS IF APPLICABLE

Notice to Applicant. This application must be signed by the owner(s) as listed on the deed of record for the subject property. If there is more than one property owner, additional affidavits can be found on the Web site at forsythco.com. Only the owner or authorized agent (i.e. applicant or representing attorney) may speak on behalf of this application at the public hearing. The undersigned hereby swear that he/she/they is/are the owner(s) of the subject property as identified on this application.

I /We hereby authorize the authorized agent or attorney listed on the front of this application to speak and act on behalf of the owner(s) in pursuit of the rezoning, conditional use permit, or sketch plat application on this property. I/We realize that any action granted for this property will be binding on the property regardless of ownership.

For those properties owned by a corporate entity, please complete the two statements below:

I am a duly authorized officer/member of the respective undersigned entity [corporate entity].
The respective undersigned entity [corporate entity]
is the owner of the property seeking rezoning, conditional use and/or sketch plat approval and I am fully vested with authority to act on behalf of the respective undersigned entity [corporate entity]
in submitting this application. In making this representation, I acknowledge that any person who knowingly and willfully … makes a false, fictitious, or fraudulent statement or representation … in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state, shall upon conviction thereof, be punished by a fine of not more than $1,000.00 or by imprisonment for not less than one nor more than five years, or both."

Owner Name #1: MKW Capital, LLC

Address: PO Box 149, Jamestown, RI, 02835

Phone#: (401) 529-4742 E-mail Address: jwayt@reynardllc.com

Signature of Owner: MKW Capital, LLC Date: 04/06/2017

Signature of Notary: Karen Montoya Date: 04/06/2017

KAREN MONTOYA
NOTARY PUBLIC-RHODE ISLAND
ID #43174
MY COMMISSION EXPIRES 07-01-2018

Owner Name #2: JOJO Capital, LLC

Address: PO Box 149, Jamestown, RI, 02835

Phone#: (401) 529-4742 E-mail Address: jwayt@reynardllc.com

Signature of Owner: MKW Capital, LLC Date: 04/06/2017

Signature of Notary: Karen Montoya Date: 04/06/2017

KAREN MONTOYA
NOTARY PUBLIC-RHODE ISLAND
ID #43174
MY COMMISSION EXPIRES 07-01-2018

Owner Name #3: Seven Branches Farm, LLC

Address: PO Box 149, Jamestown, RI, 02835

Phone#: (401) 529-4742 E-mail Address: jwayt@reynardllc.com

Signature of Owner: MKW Capital, LLC Date: 04/06/2017

Signature of Notary: Karen Montoya Date: 04/06/2017

KAREN MONTOYA
NOTARY PUBLIC-RHODE ISLAND
ID #43174
MY COMMISSION EXPIRES 07-01-2018

I. APPLICANT CERTIFICATION: PLEASE READ AND INITIAL THE FOLLOWING 9 STATEMENTS

_____ 1) I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on the Planning Commission and/or Board of Commissioners agenda for a public hearing.

_____ 2) I understand that my request will be rejected if all the necessary information and/or requirements are not presented.

_____ 3) I understand that I have an obligation to present all necessary information required by the Unified Development Code to enable the Planning Commission and/or Board of Commissioners to make an informed determination on my request. I will seek advice of Planning Staff or an attorney if I am not familiar with the zoning and land use requirements.

_____ 4) I understand that my request will be acted upon at the Planning Commission and/or Board of Commissioners public hearing and that I am required to be present or to be represented by the authorized representative as indicated on this application, so that someone is available to present all facts and answer questions. I understand that failure to appear at a public hearing may result in the postponement or denial of my request. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Forsyth County.

_____ 5) The Unified Development Code (UDC) of Forsyth County requires the landowner, applicant, or authorized representative to place an orange public participation sign(s) on the subject property during the entire Applicant Work Time. In order to insure that the correct information is included on the public participation sign(s), the Planning and Community Development Department will prepare the sign(s) and present it/them to the applicant at the Zoning Review Meeting. It is the applicant's responsibility to place the sign(s) on the subject property and to maintain the sign(s) during the entire duration of the Applicant Work Time, where the term "maintain" means that any and all meetings and/or application changes shall be updated on the sign(s), and that the sign(s) shall remain standing and readable until an application is withdrawn or the proposal is submitted for Board Consideration. A signed affidavit with a dated photo of each sign(s) placing said sign(s) against a verifiable property landmark shall be submitted to the Planning and Community Development Department within two (2) business days after the Zoning Review Meeting. Failure to submit the affidavit shall result in the public participation report being incomplete and the submittal for Board Consideration not being accepted until all posting requirements are complete.

_____ 6) The Unified Development Code (UDC) of Forsyth County requires that the yellow public hearing sign(s) be placed on the subject property at least twenty-one (21), but not more than forty-five (45) days prior to the public hearing. In order to insure that the correct information is included on the public hearing sign(s) and that it/they is/are posted within the specified time frame, the Planning and Community Development Department will prepare the sign(s) and post it/them on the subject property by replacing the already posted orange public participation sign(s) with the yellow public hearing sign(s). Once the yellow public hearing sign(s) is/are posted, it is the applicant's responsibility to maintain the sign(s) until an application is withdrawn or a decision is rendered by the Board of Commissioners. The term "maintain" means that the sign(s) shall remain standing, be readable, and be updated regarding any changes in the date of the public hearing. The applicant shall be responsible for removal of all public notice signs within three (3) days of the final motion or date of withdrawal. Failure to do so will result in a fine of one hundred dollars ($100) per day until the sign(s) is/are removed.

_____ 7) The Forsyth County Tree Preservation and Replacement Ordinance requires that all zoning applications submitted to the Department of Planning and Community Development include the following sworn statement: *"I hereby swear, under oath, that the property shown on attached plats and site plan has not been clear cut within three years prior to the zoning application date and that the property will not be clear cut prior to a decision by the Board of Commissioners on the zoning. I hereby understand that any property that has been clear cut within three years prior to the date of this application, shall not be eligible for rezoning for a period of three years from the date said property was clear cut. Clear cut is defined as a timber harvest performed in one cutting operation with any remaining trees having no merchantable value or forestry management purpose."*

_____ 8) In the event this zoning application is approved, please be aware that such approval shall not be deemed, and is not, a commitment or guarantee by Forsyth County as to the availability of sewer capacity and/or county water; nor shall this approval be construed as a commitment by Forsyth County to assist the developer with sewer easement acquisition. The developer shall be required to independently secure all necessary sewer easements. All sewer capacity agreements must be approved by the Forsyth County Board of Commissioners.

I. APPLICANT CERTIFICATION - CONTINUED

9) Please list the name(s) and dollar amount of any campaign contribution or gift (for gifts greater than $100) made to any Forsyth County elected official during the two years immediately preceding the filing of this application. If the applicant is a business, then such disclosure shall pertain to contributions made on behalf of the business as well as on behalf of the individual representing the business for purposes of this application submittal.

Please indicate the name of the elected official, date of gift, and dollar amount of any gift or contribution:

The undersigned has personally appeared before me, a Notary Public, and states upon oath and by initialling, that he/she has read, understands, and agrees to comply with each of the above nine (9) applicant certifications.

Printed Name of Applicant: MKW Capital, LLC Date: 04/06/2017

Signature of Applicant: _____ Date: 04/06/2017

Signature of Notary: _____ Date: 04/06/2017

KAREN MONTOYA
NOTARY PUBLIC-RHODE ISLAND
ID #43174
MY COMMISSION EXPIRES 07-01-2018

J. SIGN ORDINANCE ACKNOWLEDGEMENT

By signing below, applicant acknowledges and affirms that prior to submission of this application that he or she has read and reviewed the County regulations applying to such application, including the Forsyth County Sign Ordinance, and agrees to comply with the provisions of the Code.

Applicant Name: MKW Capital, LLC

Signature of Applicant: _____ Date: 04/06/2017

K. APPLICANT WITHDRAWAL (ONLY SIGN IF OFFICIALLY WITHDRAWING APPLICATION REQUEST)

Signature of Applicant: _____ Date: _____

UDC Chapter 8-5.4(G): Sewage Disposal

All Rezoning and Sketch Plat applications shall identify and specifically describe a sewage disposal system that conforms to the requirements of this Code.

Applicant: MKW Capital, LLC

Proposed Use: Dwellings, Single Family Residential

Forsyth County Service Area: No **City of Cumming Service Area:** Yes

Filing Deadline for Zoning Review: May 5, 2017

Pre-application meeting date: April 5, 2017

Tax Map and Parcel(s): 103-011, 103-301, 103-425, and 0104-069

Current Zoning: A1 & CR1 **Proposed Zoning:** Single Family Residential District (RES2) Conservation
R2R

Acreage: 104.31 acres **Proposed number of lots/ Building SF:** 92 lots

Sewer Capacity:

Availability: Yes, sewage treatment capacity is currently available to serve the property.

Treatment Location: City of Cumming Treatment Plant

Connection and Route of sewer lines: Tax Parcels: 080-123, 081-493, 104-137 and 104-066

W&S Sewer Staff: Webb Hansard

Sewer Phasing Plan – MKW Capital, LLC

(1) How the project coincides or differs from the Forsyth County Master Plan:

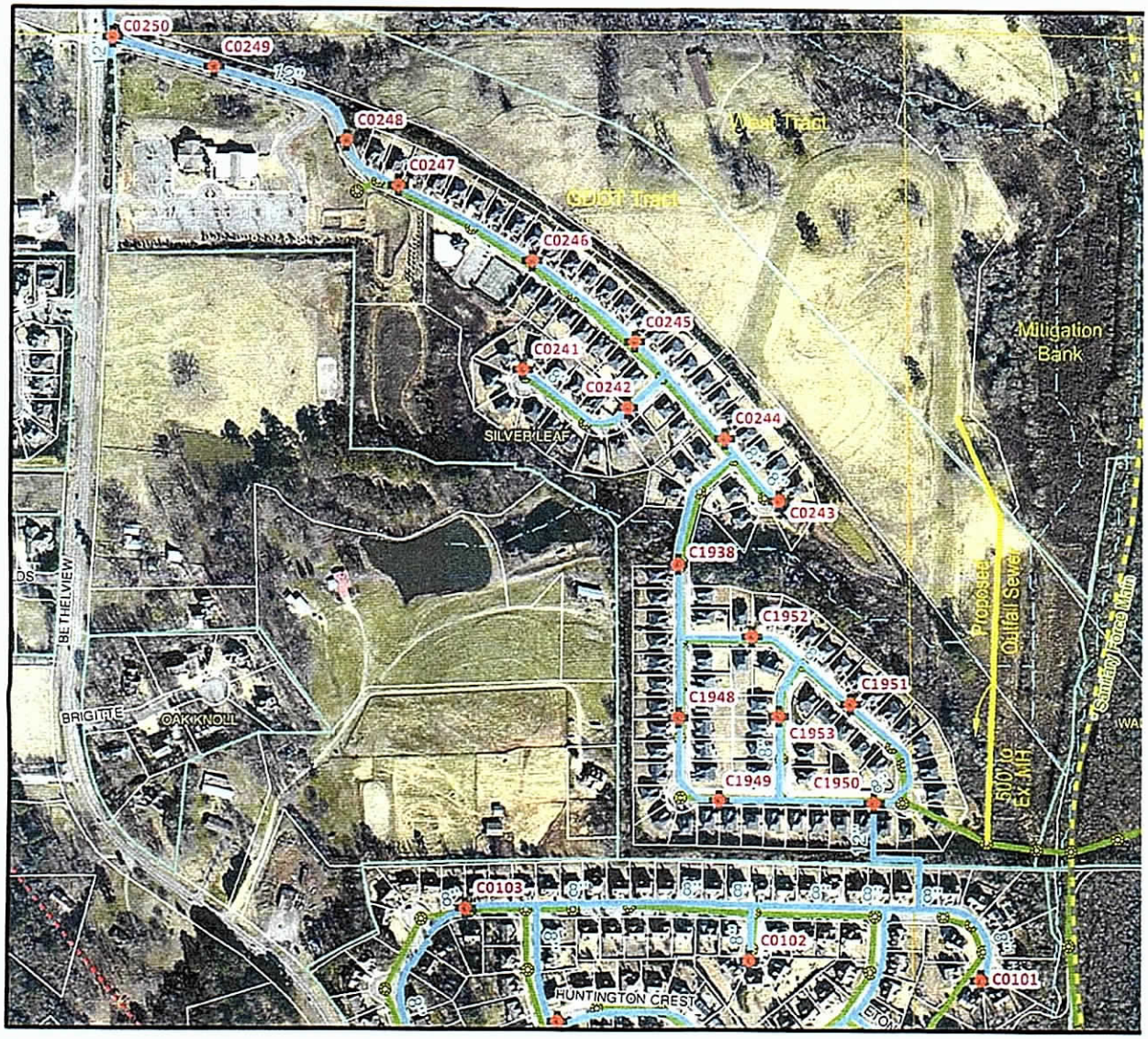
The project will coincide with the City of Cumming Master Plan.

(2) List all Tax Map and Parcels numbers through which any proposed sewer will lie.

080-123, 081-493, 104-137 and 104-066

(3) **Funding and construction time frame.**

The extension will be funded privately by the owner, who anticipates construction of the sanitary sewer line connection will be complete within 120 days of obtaining a site development permit.



City of Cumming Sewer Utility Map

Approx. Scale: 1"

Outfall Sanitary Sewer Design Note

The proposed outfall sanitary sewer will tie to the existing sewer on the west side of Big Creek as shown above. It may be necessary to run a parallel outfall sanitary sewer on the east side of Big Creek to service the East Tract. This option will have to be explored during the design of the subdivision.

Miles Hansford & Tallant, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	**MKW Capital, LLC**
Subject Property:	**103.23 Acres Designated as Forsyth County Tax Parcel(s): 103-011, 103-301 and 103-425**
Current Zoning:	**Agricultural District (A1), Single Family Community Residential (CR1) and Single Family Residential (R2R)**
Proposed Zoning:	**Single Family Residential District (RES2) with Conservation Overlay**
Proposed Use:	**92 Dwellings, Single Family Detached Units**
ROW Access:	**Silverleaf Drive**

This Reservation of Constitutional and Other Legal Rights ("the Reservation") is intended to supplement and form a part of the land use application (including any request for zoning, conditional use permit and variances) (collectively, the "Application") of the Applicant and the Owners of the Subject Property and to put the Forsyth County Board of Commissioners on notice of the Applicant's assertion of its constitutional and legal rights.

Denial of the Application or approval of the Application in any form that is different than as requested by the Applicant will impose a disproportionate hardship on the Applicant and Owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property other than as proposed by the Application and no resulting benefit to the public from denial of modification of the Application.

Any provisions in the Forsyth County Unified Development Code ("UDC") that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Zoning District at a density less than that requested by the Applicant, are unconstitutional in that they constitute a taking of the Applicant's and Owners' property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is presently suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density less than that requested by the Applicant. Failure to approve the Application as requested by the Applicant will constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the Forsyth County Board of Commissioners to approve the Application as requested by the Applicant will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Owners and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Furthermore, the Board of Commissioners cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the UDC. To do so not only will constitute a taking of the Subject Property as set forth above, but it will also amount to an unlawful delegation of the Board's authority in response to neighborhood opposition, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended. Any zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and Owners that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. As such, the Applicant and Owners reserve the right to challenge any such zoning conditions.

Finally, the Applicant and Owners assert that the UDC, Future Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Applicant's request based upon provisions illegally adopted will deprive the Applicant and Owners of due process under the law.

By filing this Reservation, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

The Applicant and Owners respectfully request that the Application be approved as requested by the Applicant and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Applicant's Application and we ask that the Forsyth County Department of Planning and Community Development include this Reservation with the Applicant's other application materials for presentation to the Board of Commissioners. The Applicant and Owners reserve the right to amend and supplement this Reservation at any time.

Sincerely,

Ethan Underwood

Ethan Underwood,
Attorney for the Applicant

Miles Hansford & Tallant, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

WRITTEN EVALUATION

Applicant:	**MKW Capital, LLC**
Subject Property:	**104.31 Acres Designated as Forsyth County Tax Parcel(s): 103-011, 103-301, 103-425 and 104-069**
Current Zoning:	**Agricultural District (A1), Single Family Community Residential (CR1) and Single Family Residential (R2R)**
Proposed Zoning:	**Single Family Residential District (RES2) Conservation**
Proposed Use:	**92 Dwellings, Single Family Detached Units**
ROW Access:	**Silverleaf Drive & Keithwood Drive**

This statement is intended to comply with application procedures established by Forsyth County, Georgia, and is intended to set forth a preliminary development plan for the Subject Property, to evaluate the proposed development and new zoning classification, conditional use and variances (if any), based upon factors set forth by Forsyth County and is otherwise intended as the Written Evaluation for the Subject Property required by UDC § 8-5.4(D). The Applicant has provided all required information and has submitted the appropriate application fees. The requested Application meets all judicial and statutory requirements for approval.

The Applicant intends to develop the Subject Property for the Proposed Use, as more fully described in the Application, incorporated herein by this reference. Any zoning request, conditional use permit, and variance applications submitted concurrently with the Application are also incorporated herein by this reference. The zoning request, conditional use permit, and variance applications, along with all supplemental plans and documents are collectively referred to as the "Applicant's Proposal."

COMPREHENSIVE PLAN

The Forsyth County Comprehensive Plan and the Future Development Map incorporated therein designates the Subject Property as located within the Suburban Living Character Area. The current zoning of the Subject Property does not comply with the Comprehensive Plan and has left the Subject Property undeveloped for an extensive period of time.

The Proposed Use does conform to the Comprehensive Plan and will facilitate the UDC's intent of "provid[ing] for subdivisions and neighborhoods consisting of detached single family dwellings surrounded by yards that provide a desirable and healthy environment. The RES2 Conservation district is appropriate in that the Proposed Use is a larger-scale subdivision that will be built to higher than minimum standards. The Proposed Use will be served by public water and public sewer with sufficient treatment capacity.

CONFORMANCE WITH SECTION 10-1.8

The Subject Property does not adjoin property outside of the Forsyth County Government jurisdiction. Therefore, the requirements set forth in UDC § 10-1.8 do not apply.

IMPACT ON THE LOCAL POPULATION DENSITY PATTERN AND PUBLIC INFRASTRUCTURE

(A) Public Road System

Permanent access to the subdivision will be from the ROW Access. All of the development's interior streets will be County-owned and maintained, unless the developer elects, and Forsyth County consents to, the development of private streets.

Access and traffic are not anticipated to be a problem as traffic generated from the development will be minimal and access to public thoroughfares will be at locations where sight distance is sufficient. All curb cuts will be coordinated and approved by Forsyth County and acceleration and deceleration lanes will be installed as required. All streets within the development will be constructed to conform to Forsyth County standards. Parking will be provided onsite as required by the UDC.

(B) County School System

Utilizing the market absorption and subdivision population figures set forth above, the Table below calculates the approximate number of school children expected to be generated by the project.

Year	Elementary	Junior High	High	Total
1	7	4	5	16
2	15	8	10	33
3	23	12	14	50
4	31	16	19	67

(C) Public Water and Waste Water Systems

The subdivision's water and sewer needs will be served by the City of Cumming. Please refer to the results of the water and sewer pre-application meeting, which has been submitted concurrently with this Written Evaluation.

(D) Utilities

With regard to public utilities, water, natural gas, electricity and cable are available to the Subject Property. Sanitary sewer is also available to the Subject Property. The impact on public utilities is anticipated to be minimal. The Applicant will install underground utility lines within the development to serve the project on an as-needed basis.

(E) Environmental Impact

The project should also have a minimal impact on the environment. There should be no impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from the Soil Conservation Service and Forsyth County.

The Applicant will submit plans detailing the development for approval by the Forsyth County Department of Planning and Community Development, the Forsyth County Department of Engineering, the Forsyth County Water and Sewer Department, the Forsyth County Health Department, and any other appropriate governmental agencies, based on conformity with subdivision and zoning requirements, as well as other ordinances, statutes and regulations.

Miles Hansford & Tallant, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

Supplement to Existing Features and Site Analysis Required by UDC Section 19-7.2(A)-(I)

Applicant:	**MKW Capital, LLC**
Subject Property:	**104.31 Acres Designated as Forsyth County Tax Parcel(s): 103-011, 103-301, 103-425 and 104-069**
Current Zoning:	**Agricultural District (A1), Single Family Community Residential (CR1) and Single Family Residential (R2R)**
Proposed Zoning:	**Single Family Residential District (RES2) Conservation**
Proposed Use:	**92 Dwellings, Single Family Detached Units**
ROW Access:	**Silverleaf Drive & Keithwood Drive**

The Applicant submits this Supplement to Existing Features and Site Analysis (the "Supplement") to comply with the requirements imposed by UDC Section 19-7.2(A)-(I). This Supplement is an integral part of the Applicant's rezoning application (the "Application") and is incorporated as part of the Application by this reference.

This Supplement and the documents incorporated herein by reference describe and analyze the following site features:

A. Significant wildlife habitats.

An Existing Features & Site Analysis Plan is attached as **Exhibit "A,"** and incorporated herein by reference, depicting the topographic and riparian attributes of the subject property.

The site as a whole is populated with wildlife indigenous to the area, including deer, fowl, squirrels, beavers, opossums and other animals. The Big Creek on the site is also home to aquatic life typical of this region, including fish (i.e. Alabama Hogsucker, Longnose Shiner, Redbreast Sunfish, Blackbanded Darter and Blue Gill) reptiles (i.e. snakes, turtles) amphibians (i.e. frogs, toads, salamanders) and crustaceans (i.e. crayfish). Part of the goal of this conservation subdivision is to provide a protected location for this wildlife to continue to exist on this site, within the Conservation Areas.

Preserving the proposed conservation areas, will directly contribute to maintaining downstream habitats of these species and other aquatic species, as well as water quality in the watershed down gradient of the proposed development.

B. Soils, including analysis of suitability for septic tanks, erosion potential, prime farmland and identification of hydric soils.

A soil analysis of the subject property is attached as **Exhibit "B,"** and incorporated herein by reference.

The proposed development will be serviced by City of Cumming Sewer; thus suitability for septic tanks is inapplicable to this application.

Due to the vegetative coverage of most of the terrain, erosion will not be of significant concern. BMPs will be used to develop this site with extra precaution where steep slopes are present or are to be graded.

Much of the land on the site has been used as farmland in the past, and is currently fenced as animal pasture on the west side of Big Creek. The East Tract in a mature hardwood forest.

C. Wetlands.

Big Creek flows through the site contains a significant amount of flood plain. Wetlands are primarily limited to bed and bank of the streams on-site.

Encroachments into sensitive habitat areas such as wetlands, streams and associated floodplains are minimal and only occur to achieve site access. The conservation of the above habitats, will sustain valuable ecological functions of these areas, as well as positively contribute to downstream water quality and associated aquatic habitats in the Big Creek watershed.

D. Floodplains.

The site does contain some areas of 100 year flood plain as identified on flood hazard boundary maps developed by the Federal Emergency Management Agency. The size and location of all floodplain areas are identified on the site plan, which is incorporated herein by reference.

E. Steep mountain slopes and steep slopes as defined in the UDC.

The UDC defines "Steep Mountain Slopes" as:

> *"An area that (1) is shown on a United States Geological Survey 1:24,000, 7.5 minute quadrangle topographic map to be higher than an elevation in feet of 1,900 feet; and (2) has a slope exceeding 25 percent; and (3) meets the definition of "natural conditions" provided in this Code. Steep mountain slopes shall include the crests, summits, and ridge tops which lie at elevations higher than those of adjacent steep mountain slopes (even though the crests, summits, and ridge tops may have a slope of less than 25 percent), provided that such crests, summits, and ridge tops are in a natural condition as defined by this Code."*

In this regard, the subject property contains steep slopes in areas depicted on **Exhibit "A,"** attached and incorporated herein by reference.

F. Historic, archaeological, and cultural features.

The subject property does not contain any historic, archaeological or cultural features.

G. Tree cover/woodlands.

The site contains a mixture of wooded areas and open pasture land, much of which will be preserved from development via the conservation easement. The Primary and Secondary Conservation areas and the existing tree canopy are identified on the site plan.

H. Views into and out from the site, and any scenic qualities.

This proposed development will have 3 main view sheds, mature hardwood forest, Big Creek flood plain (primary conservation area) and open pasture.

Lots 1 thru 6, 60 thru 64 and 47 thru 59

Located primarily in open pasture with views of wooded stream buffer.

Lots 7 thru 19

Located in open pasture with deep lots and views of pasture to the rear.

Lots 20 thru 40

Located primarily in open pasture with views of stream buffer and Big Creek flood plain.

Lots 41 thru 46

Located in wooded area with views of Park (approx. 300' x 100')

Lots 65 thru 74 and lot 92

Located in beautiful mature hardwood forest with views of greenway trail.

Lots 75 thru 91

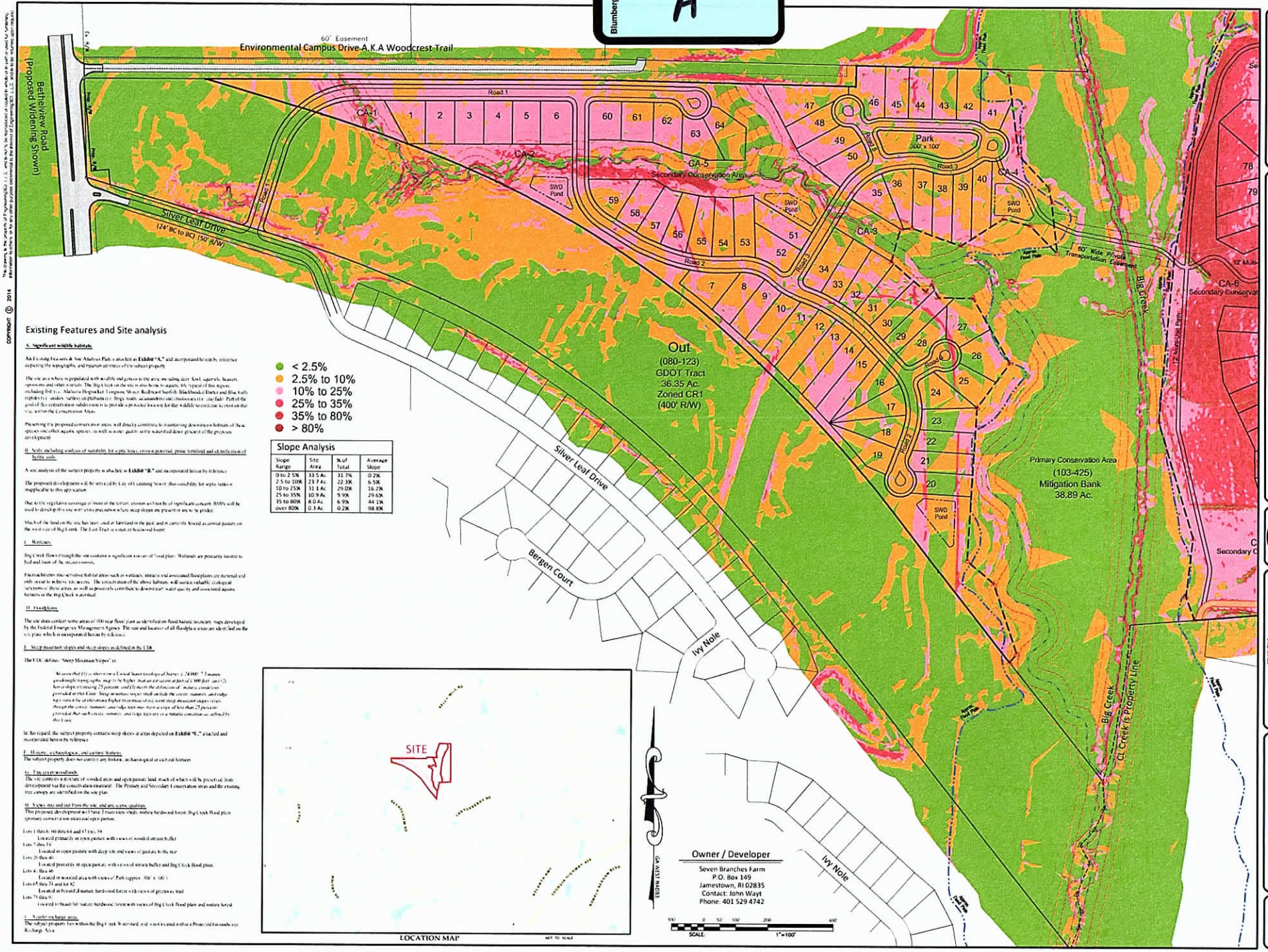
Located in beautiful mature hardwood forest with views of Big Creek flood plain and mature forest.

I. Aquifer recharge areas.

The subject property lies within the Big Creek Watershed, and is not located within a Protected Groundwater Recharge Area.

Blumberg No. 5119

EXHIBIT A



Existing Features and Site analysis

A. Significant wildlife habitats

An Existing Features & Site Analysis Plan is attached as **Exhibit "A,"** and incorporated herein by reference depicting the topographic, and riparian elements of the subject property.

The site as a whole is populated with wildlife and species to the area, including deer, fowl, squirrels, beavers, opossums and other animals. The Big Creek on the site is also home to aquatic life typical of this region, including fish (i.e. Alabama Hogsucker, Longnose Shiner, Redbreast Sunfish, Blackbanded Darter, and Blue, trail) reptiles (i.e. snakes, turtles) amphibians (i.e. frogs, toads, salamanders) and crustaceans (i.e. crayfish). Part of the goal of this conservation subdivision is to provide a protected location for that wildlife to continue to exist on the site within the Conservation Areas.

Preserving the proposed conservation areas will directly contribute to maintaining downstream habitats of these species and other aquatic species, as well as water quality in the watershed down gradient of the proposed development.

B. Soils, including analysis of suitability for septic tanks, erosion potential, prime farmland and identification of hydric soils

A soil analysis of the subject property is attached as **Exhibit "B"** and incorporated herein by reference.

The proposed development will be serviced by City of Cumming Sewer; thus suitability for septic tanks is inapplicable to this application.

Due to the vegetative coverage of most of the terrain, erosion as a result of significant concern. BMPs will be used to develop this site with extra precautions where steep slopes are present or are to be graded.

Much of the land on the site has been used as farmland in the past, and is currently fenced as pasture land on the west side of Big Creek. The East Tract is a mature hardwood forest.

C. Wetlands

Big Creek flows through the site contains a significant amount of flood plain. Wetlands are primarily located to feed and basin of the stream crossings.

Encroachments into sensitive habitat areas such as wetlands, streams and associated floodplains are minimal and only exist to access the areas. The conservation of the above habitats, will sustain valuable ecological functions in these areas, as well as preserves contribute to downstream water quality and associated aquatic harmony in the Big Creek watershed.

D. Floodplains

The site does contain some areas of 100 year flood plain as identified on flood hazard boundary maps developed by the Federal Emergency Management Agency. The size and location of all floodplain areas are identified on the site plan which is incorporated herein by reference.

E. Steep mountain slopes and steep slopes as defined in the UDC

The UDC defines "Steep Mountain Slopes" as:

> *An area that (1) is shown on a United States Geological Survey 1:24,000 7.5 minute quadrangle topographic map to be higher than an elevation at least of 1,900 feet; and (2) has a slope exceeding 25 percent; and (3) meets the definition of "natural conservation" provided in this Code. Steep mountain slopes shall include the crests, summits, and ridge tops within the elevations described in this clause of steep mountain slopes occurs through the crests, summits, and ridge tops that are a slope of less than 25 percent; provided, that such crests, summits, and ridge tops are in a natural condition as defined by this Code.*

In this regard, the subject property contains steep slopes in areas depicted on **Exhibit "C,"** attached and incorporated herein by reference.

F. Historic, archaeological, and cultural features

The subject property does not contain any historic, archaeological or cultural features.

G. Tree cover/woodlands

The site contains a mixture of wooded areas and open pasture land, much of which will be preserved in this development via the conservation easement. The Primary and Secondary Conservation areas and the existing tree canopy are identified on the site plan.

H. Views into and out from the site, and any scenic qualities

This proposed development will have 2 main views: single, mature hardwood forest, Big Creek flood plain (primary conservation areas) and open pasture.

Lots 1 thru 6, 60 thru 64 and 47 thru 59
Located primarily an open pasture with views of wooded stream buffer

Lots 7 thru 19
Located in open pasture with deep rear and views of pasture in the rear

Lots 20 thru 46
Located primarily in open pasture, with views of stream buffer and Big Creek flood plain.

Lots 4, thru 46
Located in mowed area with views of Park (approx. 100' x 100')

Lots 65 thru 74 and lot 92
Located in forested, mature hardwood forest with views of greenway trail

Lots 75 thru 91,
Located in forested, mature hardwood forest with views of Big Creek flood plain and mature forest

I. Aquifer recharge areas

The subject property lies within the Big Creek Watershed, and is not located within a Protected Groundwater Recharge Area

Slope Analysis			
Slope Range	Site Area	% of Total	Average Slope
0 to 2.5%	13.5 Ac.	31.7%	0.2%
2.5 to 10%	23.7 Ac.	22.3%	6.5%
10 to 25%	31.1 Ac.	29.0%	16.2%
25 to 35%	10.9 Ac.	9.9%	29.6%
35 to 80%	8.0 Ac.	6.9%	44.1%
over 80%	0.3 Ac.	0.2%	98.8%

- < 2.5%
- 2.5% to 10%
- 10% to 25%
- 25% to 35%
- 35% to 80%
- > 80%

Owner / Developer
Seven Branches Farm
P.O. Box 149
Jamestown, RI 02835
Contact: John Wayt
Phone: 401 529 4742

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Engineering 303 Stream Restoration

Rezone Conservation Zoning Exhibit for
Steep Slope Analysis
Seven Branches Farm
Land Lots 92, 93, 94, 122, 123, 124 & 125 — 2nd District, 1st Section — Forsyth County, Georgia

GEORGIA REGISTERED PROFESSIONAL ENGINEER NO. 23747

NO	REVISIONS DESCRIPTION	DATE

Civil Engineering, Land Surveying, Stream and Wetland Restoration
118 North Main Street, Suite B, Cumming, Ga. 30040
Phone: 770-442-0900 www.engineering303.com

Drawn: BJK
Date: 4-11-2017
Sheet: 1 of 2
Project Number: 15-3994

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REFERENCE MATERIAL:

1. Plat for Seven Branches Farm, prepared by Appalachian Surveying, dated Feb. 20, 2004. Revised Oct. 26, 2009

2. Forsyth County GIS mapping and FEMA mapping

FLOOD HAZARD NOTE:

A portion of this property is contained within the limits of a flood hazard zone as defined by the federal emergency management agency flood insurance rate map of Forsyth County, GA (community panel no. 13117C0129F), most recently revised March 4, 2013

TREE NOTE:

E303 has not inspected this property for the presence of specimen trees

Streams and Wetlands Note:

E303 recommends that a jurisdictional waters delineation be performed before perfecting any land plan for this property. E303 performed a site visit on June 13, 2015 and the streams as shown hereon represent all channels with flowing water on that date. E303 recommends having Forsyth County Engineering Department confirm all State Waters and their appropriate buffers

Existing Zoning District CR1
Proposed Zoning District Res2 Conservation

Requested Zoning
Res2 Conservation Development Standards:

Proposed Minimum Lot Size: 12,000 Square Feet
Proposed Minimum Lot Width: 60' (At Building Line)
Proposed Minimum Setbacks:
Front Yard: 15 Feet
Side Yard: 5 Feet (no less than 20 feet between structures)
Rear Yard: 20 Feet Interior
Exterior Setback: 50 Feet
Exterior Buffer: 25 Feet

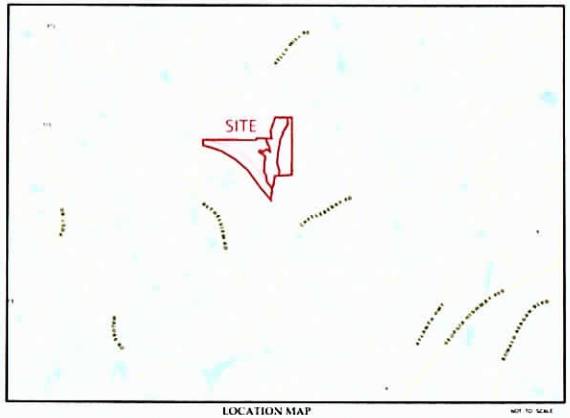
Proposed No. of Lots: 92 Lots
Site Area: 104.31± Acres
Proposed Density: 0.882 Units Per Acre

Minimum Open Space: 40% (41.72Acres)
Primary Conservation: 37.28% (38.89 Acres)
Secondary Conservation: 68.42% (26.61 Acres)

Major Utility Access Note:

All Major Utilities, (i.e. water, gas, electric, phone, cable etc.) except for sanitary sewer shall access this property from Silver Leaf Drive via the Proposed 50' Right of Way for Road 1.

The City of Cumming will provide public sanitary sewer for this subdivision. Sewer will be accessed on the west side of Big Creek



LOCATION MAP NOT TO SCALE

Owner / Developer

Seven Branches Farm
P.O. Box 149
Jamestown, RI 02835
Contact: John Wayt
Phone: 401 529 4742

Existing Tree Canopy Note

Please note the entire East Tract is Wooded. The Mitigation Bank Tract is wooded with new mixed hard wood plantings planted in 2008 and 2009, except for the sewer easement that runs along Big Creek. The West Tract is a combination of open pasture and mixed hard woods. See Tree Canopy line on said tract

Stormwater Note

The Hydrology Study will analyze the proposed development relative to the Big Creek drainage basin and should be able to exempt storm water detention. Water Quality will be provided thru small water quality ponds or thru individual on-site chamber systems on each lot where necessary. Due to the nature of this site the water quality analysis will use buffers credits in conjunction with individual treatment trains and water quality ponds where necessary.

- < 2.5%
- 2.5% to 10%
- 10% to 25%
- 25% to 35%
- 35% to 80%
- > 80%

Slope Analysis

Slope Range	Site Area	% of Total	Average Slope
0 to 2.5%	33.5 Ac	31.7%	0.2%
2.5 to 10%	23.7 Ac	22.3%	6.5%
10 to 25%	31.1 Ac	29.0%	16.2%
25 to 35%	10.9 Ac	9.9%	29.6%
35 to 80%	8.0 Ac	6.9%	44.1%
over 80%	0.3 Ac	0.2%	98.8%

Existing Features and Site analysis

A. Significant wildlife habitats

An Existing Features & Site Analysis Plan is attached as **Exhibit "A,"** and incorporated herein by reference, depicting the topographic and riparian attributes of the subject property.

The site as a whole is populated with wildlife and riparian to the area, including deer, fox, squirrels, beavers, opossums and other animals. The Big Creek on the site is also home to aquatic life typical of this region, including fish (e.g. Alabama Hogsucker, Longnose Shiner, Redbreast Sunfish, Blackspotted Darter and Blue Gill), reptiles (e.g. common turtles), amphibians (e.g. frogs, toads, salamanders) and crustaceans (e.g. crayfish). Part of the goal of this conservation subdivision is to provide a protected location for this wildlife to continue to exist on this site, within the Conservation Areas.

Preserving the proposed conservation areas, will directly contribute to maximizing downstream habitats of these species and other aquatic species, as well as water quality in the watershed down gradient of the proposed development.

B. Soils, including areas of unsuitability for septic, slope, erosion potential, prime farmland and identification of hydric soils

A soil analysis of the subject property is attached as **Exhibit "B,"** and incorporated herein by reference.

The proposed development will be served by City of Cumming Sewer. Site suitability for septic tanks is inapplicable to this application.

Due to the vegetative coverage of most of the terrain, erosion will not be of significant concern. BMPs will be used to develop this site with extra precaution where steep slopes are present or are to be graded.

Much of the land on the site has been used as farmland in the past, and was recently fenced as animal pasture on the west side of Big Creek. The East Tract is a mature hardwood forest

C. Wetlands

Big Creek flows through the site, contains a significant amount of flood plain. Wetlands are primarily limited to bed and banks of the streams onsite.

Encroachments into sensitive habitat areas such as wetlands, streams and associated floodplains are minimal and only occur to enhance site access. The connectivity of the above habitats, will remain naturally unaltered. Velocities of flow areas, as well as pollutants, contribute to downstream water quality and more fully define habitats on the Big Creek watershed.

D. Floodplains

The site does contain some areas of 100 year flood plain as identified on flood hazard boundary maps developed by the Federal Emergency Management Agency. The size and location of all floodplain areas are identified on the site plan, which is incorporated herein by reference.

E. Steep mountain slopes and rocky slopes as defined in the UDC

The UDC defines "Steep Mountain Slopes" as

> An area that: (1) is shown on a United States Geological Survey 1" 24,000' 7.5 minute quadrangle topographic map to be higher than an elevation of feet of 1,900 feet, and (2) has a slope exceeding 25 percent, and (3) meets the definition of "natural condition" provided in this Unit. Steep mountain slopes shall include the crests, summits, and ridge tops which lie at elevations higher than those of adjacent off-steep mountain slopes (even though the crests, summits, and ridge tops may have a slope of less than 25 percent) provided that such crests, summits, and ridge tops are of a uniform condition as defined by this Unit.

In this regard, the subject property contains steep slopes in areas depicted on **Exhibit "C,"** attached and incorporated herein by reference.

F. Historic, archaeological, and cultural features

The subject property does not contain any historic, archaeological or cultural features

G. Tree cover/canopy

The site contains a mixture of wooded areas and open pasture land, much of which will be preserved from development via the conservation covenant. The Primary and Secondary Conservation areas and the existing tree canopy are identified on the site plan.

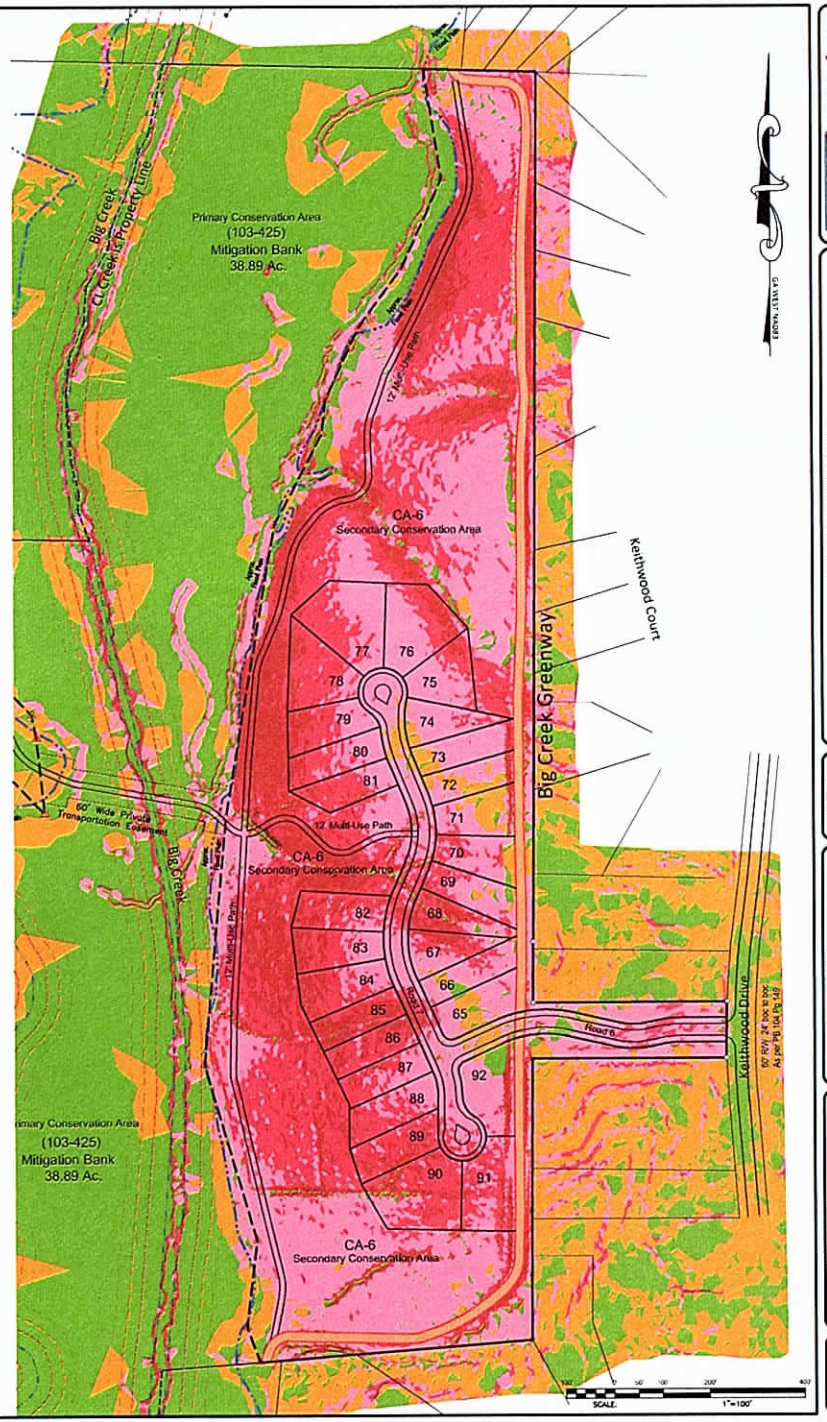
H. Views into and out from the site, and any scenic qualities

The proposed development will have 3 main view sheds. Mature hardwood forest, Big Creek flood plain (primary conservation areas) and open pasture.

Lots 1 thru 6, 60 thru 68 and 47 thru 59
Located primarily on open pasture with views of wooded stream buffer
Lots 7 thru 19
Located on open pasture with deep rear and views in pasture to the rear
Lots 20 thru 46
Located primarily on open pasture with views of stream buffer and Big Creek flood plain
Lots 4 thru 46
Located in wooded areas with views of Park (approx. 800' x 100')
Lots 69 thru 74 and lot 92
Located in beautiful mature hardwood forest with views of greenway trail
Lots 75 thru 91
Located in beautiful mature hardwood forest with views of Big Creek flood plain and mature forest

I. Aquifer recharge areas

The subject property lies within the Big Creek Watershed, and is not located within a Protected Groundwater Recharge Area



Engineering E303 Stream Restoration

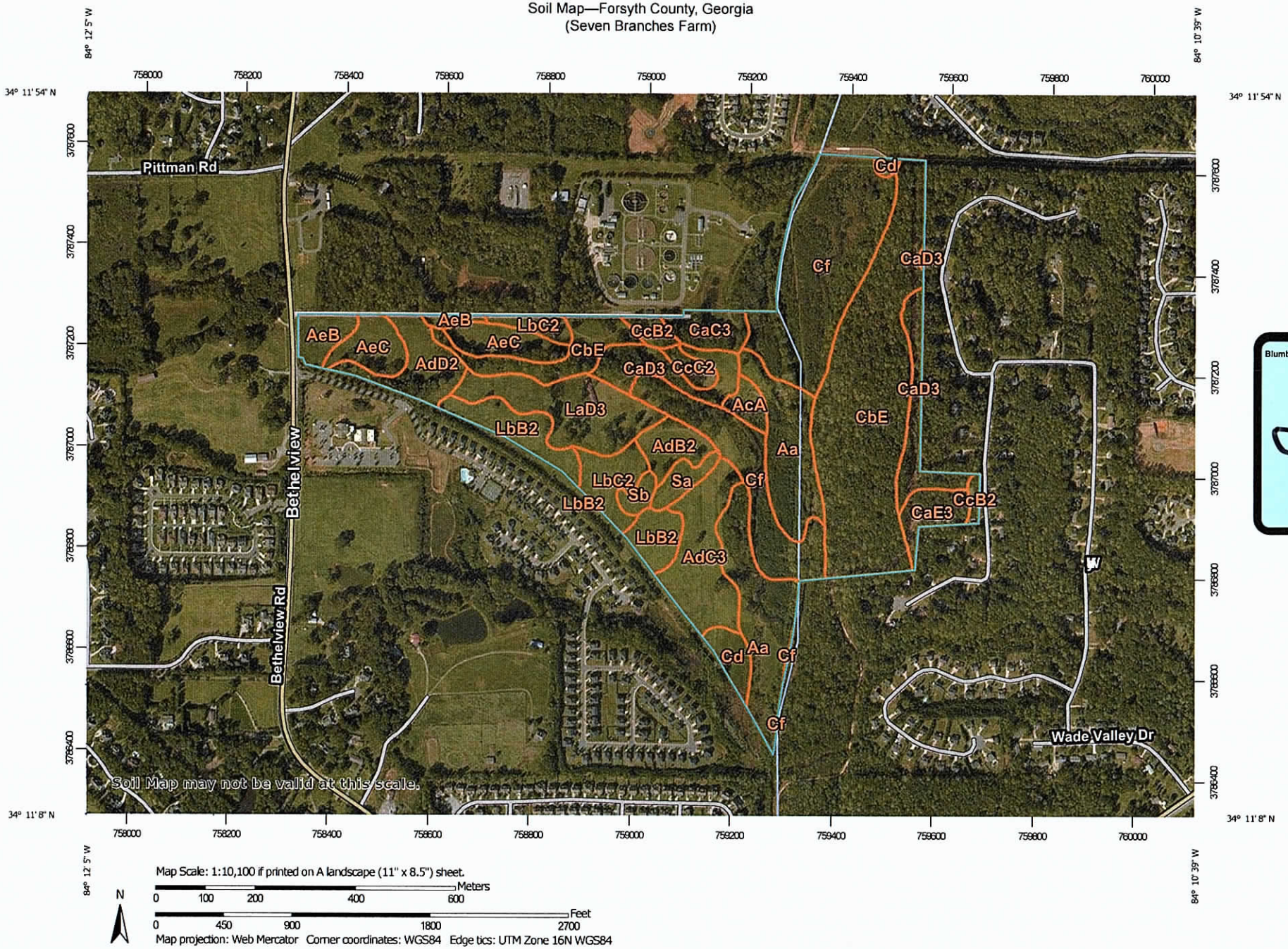
Civil Engineering, Land Surveying, Stream and Wetland Restoration
118 North Main Street, Suite B, Cumming, Ga. 30040
Phone: 770-442-0500 www.engineering303.com

Res2 Conservation Zoning Exhibit for
Steep Slope Analysis
Seven Branches Farm
Land Lots 92, 93, 94, 123, 124, 125, 144 & 145 2nd District, 1st Section Forsyth County, Georgia

REVISIONS
NO | DESCRIPTION | DATE

Drawn: BJK
Date: 4-11-2017
Sheet: 2 of 2
Project Number: 15-3994

Soil Map—Forsyth County, Georgia
(Seven Branches Farm)



Blumberg No. 5119
EXHIBIT B

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Forsyth County, Georgia
Survey Area Data: Version 9, Sep 13, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

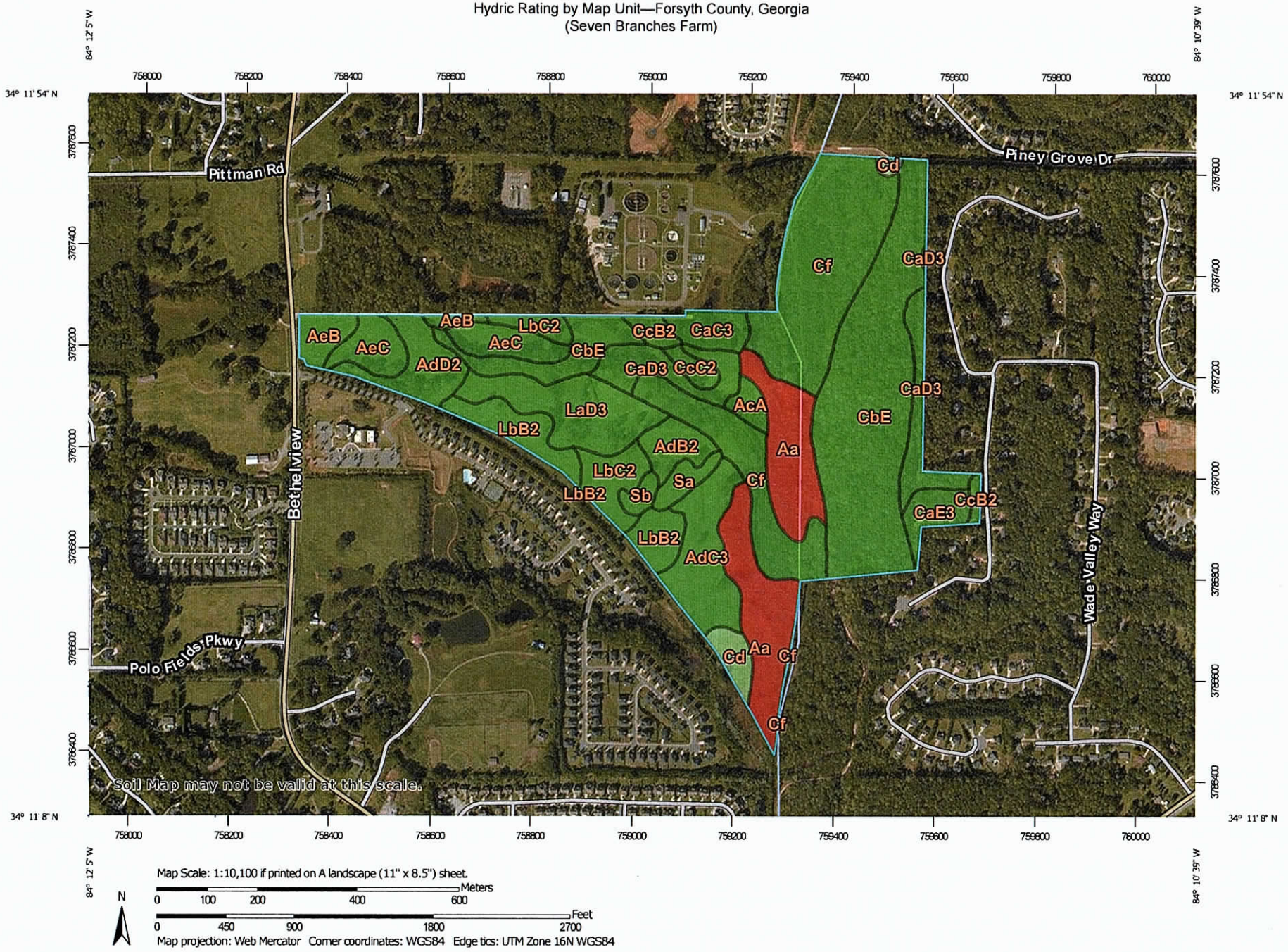
Date(s) aerial images were photographed: Oct 17, 2014—Oct 27, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Forsyth County, Georgia (GA117)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
Aa	Alluvial land, poorly drained	16.6	11.4%
AcA	Altavista fine sandy loam, level phase	1.4	0.9%
AdB2	Appling sandy clay loam, eroded very gently sloping phase	2.8	2.0%
AdC3	Appling sandy clay loam, severely eroded gently sloping phase	8.0	5.5%
AdD2	Appling sandy clay loam, eroded sloping phase	4.8	3.3%
AeB	Appling sandy loam, 2 to 6 percent slopes	2.8	1.9%
AeC	Appling sandy loam, 6 to 10 percent slopes	6.3	4.3%
CaC3	Cecil clay loam, severely eroded, gently sloping phase	2.7	1.9%
CaD3	Cecil clay loam, severely eroded sloping phase	8.7	5.9%
CaE3	Cecil clay loam, severely eroded moderately steep phase	2.6	1.8%
CbE	Cecil fine sandy loam, moderately steep phase	32.5	22.3%
CcB2	Cecil sandy loam, 2 to 6 percent slopes, moderately eroded	1.6	1.1%
CcC2	Cecil sandy loam, 6 to 10 percent slopes, moderately eroded	1.2	0.8%
Cd	Chewacla silt loam, 0 to 2 percent slopes, occasionally flooded	2.3	1.6%
Cf	Congaree silt loam	28.5	19.6%
LaD3	Lloyd clay loam, severely eroded sloping phase	8.9	6.1%
LbB2	Lloyd loam, eroded very gently sloping phase	6.5	4.5%
LbC2	Lloyd loam, eroded gently sloping phase	4.9	3.4%
Sa	Seneca fine sandy loam	1.7	1.1%
Sb	Severely gullied land	1.0	0.7%
Totals for Area of Interest		**145.8**	**100.0%**

Hydric Rating by Map Unit—Forsyth County, Georgia
(Seven Branches Farm)



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Forsyth County, Georgia
Survey Area Data: Version 9, Sep 13, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 17, 2014—Oct 27, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Hydric Rating by Map Unit— Summary by Map Unit — Forsyth County, Georgia (GA117)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Aa	Alluvial land, poorly drained	100	16.6	11.4%
AcA	Altavista fine sandy loam, level phase	0	1.4	0.9%
AdB2	Appling sandy clay loam, eroded very gently sloping phase	0	2.8	2.0%
AdC3	Appling sandy clay loam, severely eroded gently sloping phase	0	8.0	5.5%
AdD2	Appling sandy clay loam, eroded sloping phase	0	4.8	3.3%
AeB	Appling sandy loam, 2 to 6 percent slopes	0	2.8	1.9%
AeC	Appling sandy loam, 6 to 10 percent slopes	0	6.3	4.3%
CaC3	Cecil clay loam, severely eroded, gently sloping phase	0	2.7	1.9%
CaD3	Cecil clay loam, severely eroded sloping phase	0	8.7	5.9%
CaE3	Cecil clay loam, severely eroded moderately steep phase	0	2.6	1.8%
CbE	Cecil fine sandy loam, moderately steep phase	0	32.5	22.3%
CcB2	Cecil sandy loam, 2 to 6 percent slopes, moderately eroded	0	1.6	1.1%
CcC2	Cecil sandy loam, 6 to 10 percent slopes, moderately eroded	0	1.2	0.8%
Cd	Chewacla silt loam, 0 to 2 percent slopes, occasionally flooded	5	2.3	1.6%
Cf	Congaree silt loam	0	28.5	19.6%
LaD3	Lloyd clay loam, severely eroded sloping phase	0	8.9	6.1%
LbB2	Lloyd loam, eroded very gently sloping phase	0	6.5	4.5%

Hydric Rating by Map Unit— Summary by Map Unit — Forsyth County, Georgia (GA117)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
LbC2	Lloyd loam, eroded gently sloping phase	0	4.9	3.4%
Sa	Seneca fine sandy loam	0	1.7	1.1%
Sb	Severely gullied land	0	1.0	0.7%
Totals for Area of Interest			**145.8**	**100.0%**

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

RUSLE2 Related Attributes

This report summarizes those soil attributes used by the Revised Universal Soil Loss Equation Version 2 (RUSLE2) for the map units in the selected area. The report includes the map unit symbol, the component name, and the percent of the component in the map unit. Soil property data for each map unit component include the hydrologic soil group, erosion factors Kf for the surface horizon, erosion factor T, and the representative percentage of sand, silt, and clay in the mineral surface horizon. Missing surface data may indicate the presence of an organic surface layer. .

Report—RUSLE2 Related Attributes

Soil properties and interpretations for erosion runoff calculations. The surface mineral horizon properties are displayed. Organic surface horizons are not displayed.

RUSLE2 Related Attributes–Forsyth County, Georgia

Map symbol and soil name	Pct. of map unit	Slope length (ft)	Hydrologic group	Kf	T factor	Representative value		
						% Sand	% Silt	% Clay
Aa—Alluvial land, poorly drained								
Alluvial land	100	151	B/D	.28	5	24.6	52.4	23.0
AcA—Altavista fine sandy loam, level phase								
Altavista	100	151	C	.20	5	63.5	19.5	17.0
AdB2—Appling sandy clay loam, eroded very gently sloping phase								
Appling	100	121	B	.15	5	55.1	17.4	27.5
AdC3—Appling sandy clay loam, severely eroded gently sloping phase								
Appling	100	98	B	.15	4	55.1	17.4	27.5
AdD2—Appling sandy clay loam, eroded sloping phase								
Appling	100	79	B	.15	5	57.0	18.0	25.0
AeB—Appling sandy loam, 2 to 6 percent slopes								
Appling	100	121	B	.17	5	67.9	19.6	12.5
AeC—Appling sandy loam, 6 to 10 percent slopes								
Appling	100	98	B	.17	5	67.9	19.6	12.5
CaC3—Cecil clay loam, severely eroded, gently sloping phase								
Cecil	100	98	B	.24	4	33.5	36.5	30.0

RUSLE2 Related Attributes–Forsyth County, Georgia								
Map symbol and soil name	Pct. of map unit	Slope length (ft)	Hydrologic group	Kf	T factor	Representative value		
						% Sand	% Silt	% Clay
CaD3—Cecil clay loam, severely eroded sloping phase								
Cecil	100	79	B	.24	4	33.5	36.5	30.0
CaE3—Cecil clay loam, severely eroded moderately steep phase								
Cecil	100	59	B	.24	4	33.5	36.5	30.0
CbE—Cecil fine sandy loam, moderately steep phase								
Cecil	100	59	B	.24	5	67.3	20.2	12.5
CcB2—Cecil sandy loam, 2 to 6 percent slopes, moderately eroded								
Cecil, moderately eroded	100	121	B	.17	5	65.0	19.0	16.0
CcC2—Cecil sandy loam, 6 to 10 percent slopes, moderately eroded								
Cecil, moderately eroded	100	98	B	.17	5	65.0	19.0	16.0
Cd—Chewacla silt loam, 0 to 2 percent slopes, occasionally flooded								
Chewacla, occasionally flooded	95	151	B/D	.37	5	24.0	53.0	23.0
Cf—Congaree silt loam								
Congaree	100	151	B	.28	5	62.8	26.2	11.0
LaD3—Lloyd clay loam, severely eroded sloping phase								
Lloyd	100	59	B	.24	4	34.7	37.8	27.5
LbB2—Lloyd loam, eroded very gently sloping phase								
Lloyd	100	121	B	.28	5	39.8	37.7	22.5
LbC2—Lloyd loam, eroded gently sloping phase								
Lloyd	100	98	B	.37	5	45.7	41.8	12.5
Sa—Seneca fine sandy loam								
Seneca	100	151	A	.20	5	67.8	23.7	8.5
Sb—Severely gullied land								
Severely gullied land	100	59	B	.24	5	33.5	36.5	30.0

Data Source Information

Soil Survey Area: Forsyth County, Georgia
Survey Area Data: Version 9, Sep 13, 2016

GEORGIA CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE
BRIAN P. KEMP

HOME (/)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	**MKW Capital, LLC**	Control Number:	**13423787**
Business Type:	**Domestic Limited Liability Company**	Business Status:	**Active/Compliance**
Business Purpose:			
Principal Office Address:	**PO Box 149, Jamestown, RI, 02835, USA**	Date of Formation / Registration Date:	**6/14/2013**
State of Formation:	**Georgia**	Last Annual Registration Year:	**2017**

REGISTERED AGENT INFORMATION

Registered Agent Name:	**Jame T. Wayt**
Physical Address:	**4230 Exeter Close, Fulton, Atlanta, GA, 30327, USA**

Back

Filing History Name History

Return to Business Search

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Miles Hansford
& Tallant, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

Ethan Underwood
eunderwood@mhtlegal.com

April 13, 2017

Forsyth County Department of Planning & Community Development
Forsyth County Administration Building
110 East Main Street, Suite 100
Cumming, Georgia 30040

Re: Rezoning Application for MKW Capital, LLC

Pursuant to O.C.G.A § 36-67A-1, *et seq.* and Chapter 8 of the Forsyth County Unified Development Code, please be advised that Miles, Hansford & Tallant, LLC, has given the following campaign contributions and sponsorships:

1)	Commissioner Cindy Jones Mills	$250.00	May 5, 2015
2)	Sheriff Duane Piper	$500.00	November 13, 2015
3)	Judge Walker Bramblett	$500.00	March 3, 2016
4)	Commissioner Cindy Jones Mills	$250.00	April 29, 2016

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application and is forms a part of such application.

Sincerely,

Ethan Underwood

Ethan Underwood

Miles Hansford & Tallant, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

PUBLIC PARTICIPATION PLAN

Applicant:	**MKW Capital, LLC**
Subject Property:	**104.31 Acres Designated as Forsyth County Tax Parcel(s): 103-011, 103-301 and 103-425 and 104-069**
Current Zoning:	**Agricultural District (A1), Single Family Community Residential (CR1) and Single Family Residential (R2R)**
Proposed Zoning:	**Single Family Residential District (RES2) Conservation**
Proposed Use:	**92 Dwellings, Single Family Detached Units**
ROW Access:	**Silverleaf Drive & Keithwood Drive**

A. This Public Participation Plan (the "Plan") is submitted as required by the Unified Development Code of Forsyth County, and is attached and incorporated as a part of the Applicant's Forsyth County RES2 Conservation Zoning Application ("Application").

B. People who will be notified of this Application are:

1. Adjacent and nearby residents and property owners located within 500 feet of the subject property. The Forsyth County Department of Planning and Community Development will provide a list of the adjacent and nearby residents and property owners who must be notified.

2. Interested Parties – All persons on Forsyth County's Official Interested Parties List.

3. Political Jurisdictions:

   a. Board of Commissioners - District 3
      Commissioner Todd Levent

   b. Planning Commission - District 3
      Planning Commissioner Patrick Britt

4. Public Agencies – All involved departments of the Forsyth County Government.

5. Homeowner associations for neighborhoods located within 500 feet of any part of the subject property. The Forsyth County Department of Planning and Community Development will provide a list of the homeowner associations that must be notified.

C. Notification of interested and potentially affected parties:

a. All parties identified in Section B, Subsections 1 through 5 above, will be notified of this Application as follows:

i. Groups 1 and 2 will be informed by the public participation letter, public participation meeting notification sign, public participation meeting, the public hearing notification sign, the public hearing, and if requested by such persons, additional group or individual meeting(s). Attached is a draft copy of the public participation letter.

ii. Group 3 will be informed by the public participation letter, meeting or a combination thereof.

iii. Group 4 will be informed through the rezoning process and specifically through the staff review process.

iv. The Department of Planning and Community Development will notify Groups 2, 3 and 4 of this Application in accordance with UDC § 8-5.5(C)(2)(a).

v. Group 5 will be informed by the public participation letter, the public participation meeting notification sign, public participation meeting, the public hearing notification sign, the public hearing, and if requested by such entities, additional meeting(s).

b. Any modifications to the Application, including this Plan, will be performed in accordance with the requirements of the UDC.

D. All interested and potentially affected parties will be encouraged to discuss with the Applicant representatives any questions, concerns or other issues prior to the public hearing by way of private meetings, group meetings, letters, telephone conferences, e-mails or other appropriate means. Public questions, concerns or other issues will be addressed as they arise.

E. Completion of this Plan will be accomplished prior to the public hearing. A written public participation report outlining the results of this Plan's implementation will also be submitted prior to the public hearing.

F. The Applicant will keep the Department of Planning and Community Development informed as to the status of its public participation efforts through letters, e-mails, telephone conferences or meetings as required by the UDC.

Miles Hansford
& Tallant, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

[DATE]

Re: MKW Capital, LLC – ZA_____

Dear Neighbors:

Our firm is representing MKW Capital, LLC (the "Applicant") in its effort to rezone approximately 104.31 acres from Agricultural District (A1), Single Family Community Residential (CR1) and Single Family Residential (R2R) to a Single Family Residential District (RES2) Conservation for the purpose of developing a single family residential conservation subdivision.

Enclosed is a copy of the conceptual site plan depicting the subject property and the proposed project. Additional information about this application may be obtained at http://estatus.forsythco.com.

A public participation meeting will be held on _____ at _____. This meeting is **not** the public hearing. Its purpose is to provide neighbors and interested parties the opportunity to meet with the Applicant, ask questions and voice concerns regarding this application.

The Applicant is committed to keeping the public informed during the approval process. If you have any questions, comments or concerns, please contact our office.

Sincerely,

Ethan Underwood

Enclosure

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

MKW CAPITAL LLC & JOJO CAPITAL LLC
PO BOX 149

JAMESTOWN , RI 20835

Bill No	Due Date	TOTAL DUE
2016-251910	11/15/2016	$0.00

Map: 103 011

Last payment made on: 10/27/2016

Today's date: 4/12/2017

Location: BETHELVIEW RD

INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

Tax Payer:	**MKW CAPITAL LLC & JOJO CAPITAL LLC**
Map Code:	**103 011**
Description:	**2-1 92-125**
Location:	**BETHELVIEW RD**
Bill No:	**2016-251910**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$356,530.00	29.8100	$356,530.00	11/15/2016	

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$356,530.00	$142,612.00	$0.00	$142,612.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$356,530.00	$142,612.00	$0.00	$142,612.00	7.5340	$1,074.44	$0.00	$662.01
SALES TAX CREDIT			$0.00	$142,612.00	-2.8920	$0.00	-$412.43	$0.00
COUNTY BOND	$356,530.00	$142,612.00	$0.00	$142,612.00	1.4190	$202.37	$0.00	$202.37
SCHOOL M&O	$356,530.00	$142,612.00	$0.00	$142,612.00	17.3000	$2,467.19	$0.00	$2,467.19
SCHOOL BOND	$356,530.00	$142,612.00	$0.00	$142,612.00	2.4180	$344.84	$0.00	$344.84
FIRE DISTRICT	$356,530.00	$142,612.00	$0.00	$142,612.00	1.9750	$281.66	$0.00	$281.66
				Totals:	27.754	$4,370.50	-$412.43	$3,958.07

Current Due	$3,958.07
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$3,958.07
Back Taxes	$0.00
Total Due	$0.00

If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!

Secured by Thawte
2017-04-12

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

MKW CAPITAL LLC & JOJO CAPITAL LLC
PO BOX 149

JAMESTOWN , RI 20835

Bill No	Due Date	TOTAL DUE
2016-251911	11/15/2016	$0.00

Map: 103 301

Last payment made on: 10/27/2016

Today's date: 4/12/2017

Location: BETHELVIEW RD

INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

Tax Payer:	**MKW CAPITAL LLC & JOJO CAPITAL LLC**
Map Code:	**103 301**
Description:	**2-1 92-93-124-ETAL**
Location:	**BETHELVIEW RD**
Bill No:	**2016-251911**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$678,240.00	37.6800	$678,240.00	11/15/2016	

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$678,240.00	$271,296.00	$0.00	$271,296.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$678,240.00	$271,296.00	$0.00	$271,296.00	7.5340	$2,043.94	$0.00	$1,259.35
SALES TAX CREDIT			$0.00	$271,296.00	-2.8920	$0.00	-$784.59	$0.00
COUNTY BOND	$678,240.00	$271,296.00	$0.00	$271,296.00	1.4190	$384.97	$0.00	$384.97
SCHOOL M&O	$678,240.00	$271,296.00	$0.00	$271,296.00	17.3000	$4,693.42	$0.00	$4,693.42
SCHOOL BOND	$678,240.00	$271,296.00	$0.00	$271,296.00	2.4180	$655.99	$0.00	$655.99
FIRE DISTRICT	$678,240.00	$271,296.00	$0.00	$271,296.00	1.9750	$535.81	$0.00	$535.81
				Totals:	27.754	$8,314.13	-$784.59	$7,529.54

Current Due	$7,529.54
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$7,529.54
Back Taxes	$0.00
Total Due	$0.00

If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!

Secured by Thawte
2017-04-12

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

SEVEN BRANCHES FARM LLC
PO BOX 149

JAMESTOWN , RI 02835-0149

Bill No	Due Date	TOTAL DUE
2016-268690	11/15/2016	$0.00

Map: 103 425

Last payment made on: 10/27/2016

Today's date: 4/12/2017

Location: BETHELVIEW RD

INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

Tax Payer:	**SEVEN BRANCHES FARM LLC**
Map Code:	**103 425**
Description:	**2-1 92-124-125-164**
Location:	**BETHELVIEW RD**
Bill No:	**2016-268690**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$571,290.00	38.8900	$571,290.00	11/15/2016	

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$571,290.00	$228,516.00	$0.00	$228,516.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$571,290.00	$228,516.00	$0.00	$228,516.00	7.5340	$1,721.64	$0.00	$1,060.77
SALES TAX CREDIT			$0.00	$228,516.00	-2.8920	$0.00	-$660.87	$0.00
COUNTY BOND	$571,290.00	$228,516.00	$0.00	$228,516.00	1.4190	$324.26	$0.00	$324.26
SCHOOL M&O	$571,290.00	$228,516.00	$0.00	$228,516.00	17.3000	$3,953.33	$0.00	$3,953.33
SCHOOL BOND	$571,290.00	$228,516.00	$0.00	$228,516.00	2.4180	$552.55	$0.00	$552.55
FIRE DISTRICT	$571,290.00	$228,516.00	$0.00	$228,516.00	1.9750	$451.32	$0.00	$451.32
				Totals:	27.754	$7,003.10	-$660.87	$6,342.23

Current Due	$6,342.23
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$6,342.23
Back Taxes	$0.00
Total Due	$0.00

If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!

Secured by Thawte
2017-04-12

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

MKW CAPITAL LLC & JOJO CAPITAL LLC
PO BOX 149

JAMESTOWN , RI 20835

Bill No	Due Date	TOTAL DUE
2016-251912	11/15/2016	$0.00

Map: 104 069

Last payment made on: 10/27/2016

Today's date: 4/12/2017

Location: KEITHWOOD DR

INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

Tax Payer:	**MKW CAPITAL LLC & JOJO CAPITAL LLC**
Map Code:	**104 069**
Description:	**2-1 126 PO TRACT 2**
Location:	**KEITHWOOD DR**
Bill No:	**2016-251912**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$45,000.00	1.0100	$45,000.00	11/15/2016	

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$45,000.00	$18,000.00	$0.00	$18,000.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$45,000.00	$18,000.00	$0.00	$18,000.00	7.5340	$135.61	$0.00	$83.55
SALES TAX CREDIT			$0.00	$18,000.00	-2.8920	$0.00	-$52.06	$0.00
COUNTY BOND	$45,000.00	$18,000.00	$0.00	$18,000.00	1.4190	$25.54	$0.00	$25.54
SCHOOL M&O	$45,000.00	$18,000.00	$0.00	$18,000.00	17.3000	$311.40	$0.00	$311.40
SCHOOL BOND	$45,000.00	$18,000.00	$0.00	$18,000.00	2.4180	$43.52	$0.00	$43.52
FIRE DISTRICT	$45,000.00	$18,000.00	$0.00	$18,000.00	1.9750	$35.55	$0.00	$35.55
				Totals:	27.754	$551.62	-$52.06	$499.56

Current Due	$499.56
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$499.56
Back Taxes	$0.00
Total Due	$0.00

If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!



CERTIFICATE OF TITLE

TO REAL PROPERTY

For the Exclusive Use Of:

FORSYTH COUNTY, a political subdivision of the State of Georgia

Property of:

JOJO CAPITAL, LLC, a Georgia limited liability company, and MKW CAPITAL, LLC, a Georgia limited liability company

This is to certify that we have made careful examination of all conveyances correctly indexed as of record in the County in which said property hereinafter described in Exhibit "A" is located, and from this examination we are of the opinion that good record title is vested in

JOJO CAPITAL, LLC,
a Georgia limited liability company,
by virtue of a Trustee's Deed,
dated July 16, 2013, and
recorded July 23, 2013,
at Deed Book 6767, Page 629,
Forsyth County, Georgia Deed Records
(as to a one-third (1/3) undivided interest); and

MKW CAPITAL, LLC,
a Georgia limited liability company,
by virtue of a Trustee's Deed,
dated July 16, 2013, and
recorded July 23, 2013,
at Deed Book 6767, Page 609,
Forsyth County, Georgia Deed Records
(as to a two-thirds (2/3) undivided interest).

subject to the following objections:

1. Any action by any municipal or governmental agency for the purpose of regulating the use, occupancy or zoning of the property described in this Certificate of Title, or of any building or structure thereon.

2. The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which could be disclosed by an accurate survey and inspection of the property.

3. Possible liens of architects, laborers or materialmen for improvement of the property not filed for record at the effective date hereof.

4. Taxes and assessments for the year 2017 and subsequent years, liens not yet due and payable. (2016 Forsyth County ad valorem taxes, Parcel No. 104 069, in the amount of $499.56 have been paid.)

5. Rights, if any, of persons who may be in possession under claims not appearing of record.

6. Any consumer credit protection, truth-in-lending, or similar laws.

7. Any Federal Tax lien not indexed in the applicable records of this county.

8. Title to items of personalty used in connection with, or attached to the realty, which were not indexed upon the deed records.

9. No certification is provided as to the exact amount of acreage which may be contained within the property described herein.

10. Any mineral or mining interests which are not revealed during the examination period.

11. Availability of utilities or utility charges of whatsoever kind and character, not limited to electrical service and sanitary charges and assessments including any past due utility bills.

12. Pay-as-you-enter water or sewer lines which, while not technically liens, will be payable upon connection with such lines.

13. No certification is provided as to the presence or absence of any hazardous waste on or within the property, nor is certification provided as to whether a violation exists regarding hazardous waste under any and all Federal, and State environmental protection laws, rules or regulations.

14. Rights of upper and lower riparian owners to the streams, creeks, and branches crossing, abutting or located on the within described property, free from diminution or pollution thereof.

15. Any loss, claim or damage sustained as a result of forfeiture proceedings resulting from enforcement of Federal or State drug enforcement or racketeering laws, or claim for taxes by Federal or State governments not reflected within the public records of the county in which the property is located.

16. Loss, claim or damage sustained by irregularities in foreclosure proceedings, including but not limited to required notices, advertisements and like matters which are not reflected in the public records. Also excluded are losses, claims or damages sustained by reason of Federal bankruptcy proceedings by an owner or predecessor in

title to the property which proceedings are not reflected in public records of the county in which the property is located.

17. Subdivision restrictive covenants and matters revealed therein inclusive of any homeowners association dues or like charges or easements reflected therein as may affect the subject property, if not appearing, or not properly indexed in the public records of the Superior Court of Forsyth County, Georgia.

18. No certification is provided as to the fitness of the property for the intended uses or purposes by any purchaser.

19. No certification is provided as to the existence or absence of burial sites or archaeological sites which may affect the subject property, particularly those matters which are not reflected on a survey of the subject property.

20. No certification is provided as to whether the within described property may be located in "wet lands" which may subject the property and improvements constructed thereon to laws, rules and regulations affecting wet land areas.

21. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§1281 et seq.) or under similar state laws.

22. All matters disclosed on a plat of survey entitled :Plat for Seven Branches Farm", dated May 7, 2007, last revised July 10, 2007, prepared by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Georgia Registered Professional Land Surveyor No. 2207, and recorded December 6, 2007, at Plat Book 118, Page 175, Forsyth County, Georgia Records.

23. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated December 5, 1976, filed January 14, 1977, and recorded at Deed Book 160, Page 669, Forsyth County, Georgia Deed Records.

24. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated December 5, 1977, filed January 9, 1978, and recorded at Deed Book 172, Page 546, Forsyth County, Georgia Deed Records.

25. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated February 21, 1978, filed April 20, 1978, and recorded at Deed Book 175, Page 588, Forsyth County, Georgia Deed Records.

26. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated November 2, 1978, filed December 7, 1978, and recorded at Deed Book 183, Page 419, Forsyth County, Georgia Deed Records.

27. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated September 11, 1979, filed October 4, 1979, and recorded at Deed Book 194, Page 451, Forsyth County, Georgia Deed Records.

28. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated January 15, 1980, filed February 11, 1980, and recorded at Deed Book 199, Page 136, Forsyth County, Georgia Deed Records.

29. Right-of-Way Easement executed by A. J. Gantt in favor of Sawnee Electric Membership Corporation, dated March 5, 1980, filed April 2, 1980, and recorded at Deed Book 200, Page 610, Forsyth County, Georgia Deed Records.

30. The legal description attached hereto, while the vesting legal description by which the current title holder listed above acquired its interest in the subject property, cannot be certified. There is a discrepancy with the point of beginning for the record descriptions of the subject property and adjoining tracts. In addition, the dimensions of the subject property, as described on Exhibit "A", appear to contain up to twenty-five (25) feet by four hundred five feet (405) feet too much property along the northern boundary. Suggest a current survey and boundary line agreements with property adjacent to north, south and west property lines in order to remedy said discrepancies.

31. The Effective Date of this Certificate is March 28, 2017.

Witness the hand and seal of the undersigned this 13th day of April, 2017.

MAHAFFEY PICKENS TUCKER, LLP

By: _____
Jeffrey R. Mahaffey, Attorney

File No. 2881-0030 JRM/dg

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 126, Second District, First Section, Forsyth County, State of Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, start at the Southwest corner of Land Lot 126 in the aforesaid district, county, and state; thence in a Northerly direction along the West boundary of Land Lot 126 a distance of 580.08 feet to a point thereon, THE TRUE POINT OF BEGINNING; thence North 0 degrees 56 minutes 38 seconds East a distance of 216.40 feet to a point; thence South 89 degrees 24 minutes 23 seconds East a distance of 409.62 feet to a point on a way entitled "Keithwood Drive"; thence along the Western boundary of Keithwood Drive in a Southwesterly direction South 4 degrees 46 minutes 57 seconds West 23.72 feet, South 2 degrees 55 minutes 21 seconds West 74.12 feet, South 2 degrees 18 minutes 46 seconds West 44.32 feet, and South 1 degree 01 minutes 13 seconds West 74.10 feet; thence North 89 degrees 26 minutes 54 seconds West a distance of 404.32 feet to a point on the Western boundary of Land Lot 126, THE TRUE POINT OF BEGINNING.

The above premises contains 2.01 acres, more or less, and is shown on a plat of survey entitled "Estate of John A. Wayt, Sr.," dated December 3, 1985, prepared by David W. Bealle, Registered Land Surveyor, recorded in Plat Book ____, page _____, Clerk's Office, Forsyth County Superior Court, which plat and record thereof are incorporated herein for a more particular description of the above premises.

LESS AND EXCEPT THEREFROM, THE FOLLOWING:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd District and 1st Section of Forsyth County, Georgia, being 1.00 acre, Part of Tract 2, Estate of John A. Wayt, Sr., as shown on a survey or Thomas L. Garmon, prepared by David Bealle Surveyors, Ltd., David W. Bealle, Ga. RLS No. 1872, dated June 1, 1998, and being more particularly described as follows:

Beginning at an iron pin found on the West line of Land Lot 126, which pin is located 580.08 feet North of the Southwest corner of said land lot, as measured along said land lot line; run thence North 0° 56' 38" East 115.26 feet to an iron pin set; thence South 87° 18' 11" East 405.22 feet to an iron pin set on the Western right-of-way of Keithwood Drive; run thence along said right-of-way South 2° 18' 46" West 26.0 feet and South 0° 53' 49" West 74.1 feet to an iron pin found; thence leaving said right-of-way and running North 89° 26' 54" West 404.48 feet to an iron pin found, and the POINT OF BEGINNING.

160/669

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, A. J. Cantt

owner of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Forsyth State of Georgia, and more particularly described as follows:

A tract of land approximately ..... acres in area located ..... miles S.W. from the town of Cumming and bounded by land owned by for purpose of extending electric [illegible] to new house 52-24-

and ..... and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this 15 day of Dec 19 76

Signed, sealed and delivered in the presence of:

Elizabeth L. Hoebrook [signature] (L. S.)

Bette Anne Moore, N.P. [signature] (L. S.)

Jan 14 77
11:30 a.
160
14 Jan 76
Cecil Mallinc 60

T.P. FORM GA. 77

160/669

Ralph T. Christopher, Jr.

172/546

546

172/546

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, A. J. GANTT

owner of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of State of Georgia, and more particularly described as follows:

A tract of land approximately acres in area located miles S.W. from the town of and bounded by land owned by

to Wade Valley

and and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this day of 19

Signed, sealed and delivered in the presence of:

Mary Jane Sheridan (L. S.)

Betty Ann Moore, N.P. 9th (L. S.)

8:30 Jan. A. 78

Cecil McClure

Filed 9 Day Jan. 1978 at 8:30 o'clock A. M.
Recorded 9 Day Jan. 1978, Cecil McClure, Clerk

38

175/588

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, A. J. GANTT

.....owner of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of FORSYTH State of Georgia, and more particularly described as follows:

A tract of land approximately.....acres in area located.....miles S.W. from the town of Cumming and bounded by land owned by for purpose of extending electric service to F.B. Fowler 6-5-81

and.....and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

.....

.....

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this 21 day of Feb. 1978

Signed, sealed and delivered in the presence of:

[signature] [signature] (L. S.)

[signature] (L. S.)

11 April 20 78

Filed 20 Day Apr. 1978 at 11 o'clock A. M.
Recorded 20 Day Apr. 1978, Cecil McClure, Clerk

Cecil McClure

183/419

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, H. J. GANH

.....owner of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of FORSYTH State of Georgia, and more particularly described as follows:

A tract of land approximately.....acres in area located.....miles S.W. from the town of Cumming and bounded by land owned by for [illegible] [illegible] [illegible] [illegible] to JOE WISNER 84-5-82

and.....and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

.....

.....

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this 2 day of [illegible] 19[illegible]

Signed, sealed and delivered in the presence of:

Elizabeth L. Holbrook [signature] (L. S.)

[illegible] (L. S.)

[illegible] FORSYTH CO.
[illegible] Court
[illegible] Record [illegible]
[illegible] Dec. 1978
At 4 o'clock P. M. Recorded in
Book 183 Page 419, this
8 day of Dec. 1978
Cecil McClure, [illegible]

T.P. FORM GA. 77

419

194/451

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, A. J. Gantt

owner of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of FORSYTH State of Georgia, and more particularly described as follows:

A tract of land approximately ..... acres in area located ..... miles S.W. from the town of Cumming and bounded by land owned by for purpose of extending electric service to Joe Gantt Shop 64-5-92

and ..... and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this 11 day of Sept. 1979

Signed, sealed and delivered in the presence of:

Mary Jane Sheridan x [signature] (L. S.)

GEORGIA, FORSYTH CO.
Clerks Office Superior Court
Filed for record on the 11 (L. S.)
day of Oct. 1979.
At 10:30 o'clock A.M. Recorded in
Book 194 Page 1, this
11 day of Oct., 1979
[signature], Clerk

T.P. FORM GA. 77

451

C Dant

199/136

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, ...

A. J. Gant .....owner

of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Forsyth. .....State of Georgia, and more particularly described as follows:

A tract of land approximately.....acres in area located.....miles S.W. .....from the town of Cumming and bounded by land owned by For the purpose of extending Elec Service to John Kohli Map ref 64-05-95

and. .....and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

.....

.....

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this 15 day of Jan 1980

Signed, sealed and delivered in the presence of:

~~[illegible]~~ Emmett Day ..... A J Gant .....(L. S.)

Richard W. Freeman N.P. .....(L. S.)

My Comm. Expires 10/1/80

T.P. FORM GA. 77

GEORGIA, FORSYTH CO.
Clerks Office Superior Court
Filed for record on the 11
day of Feb. 1980.
At 10 o'clock A.M. Recorded in
Book 199 Page ____, this
11 day of Feb., 1980
Cecil McClure Clerk

610

200/610

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, A. J. GANTT

owner of land described herein, in consideration of the benefits to my land by the construction of an electric power line, and making service available to it, the receipt whereof is hereby acknowledged, I do hereby grant unto Sawnee Electric Membership Corporation, a corporation, whose post office address is Cumming, Georgia, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of FORSYTH State of Georgia, and more particularly described as follows:

A tract of land approximately ..... acres in area located ..... miles S.W. from the town of Cumming and bounded by land owned by for purpose of extending electric service to all lots NEW PART WADE VALLEY

and ..... and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highway abutting said lands and electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement it is understood that at pole locations, only a single pole and appurtenances will be used, and that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

It is further understood that, whenever necessary words used in this instrument in the singular shall be construed in the plural and that words used in the masculine gender shall be construed to read in the feminine.

In witness whereof, the undersigned has set his hand and seal, this 5 day of MAR. 1980

Signed, sealed and delivered in the presence of:

James Perry

A J Gantt (L. S.)

Richard D. Freeman N.P.

My Comm. Expires 10/1/80

(L. S.)

T.P. FORM GA. 77

Filed 2 Day April 1980 at 10:45 o'clock A M.
Recorded 2 Day April 1980, Cecil McClure, Clerk

00853
0373

853/373

After ... ing, Return To:
Zack H. Rice
Bolling, Rice & Battle
P.O. Box 244
Cumming, GA 30130
(404) 887-3162

Forsyth County
Clerks Office Superior Court
Filed for record on the 12th
day of May 19 95
at 2:20 o'clock P M. Recorded
in Book 853 Page 373 thru 379
15 day of May, 19 95
Cecil McClure, Clerk

Forsyth County, Georgia
Real Estate Transfer Tax
Paid -0-
Date May 12, 1995
Cecil McClure
Clerk of Superior Court

Chg. Zack

STATE OF GEORGIA

COUNTY OF FORSYTH

EXECUTOR'S DEED

Back Chain

THIS INDENTURE is made as of May 10, 1995, between **JOHN A. WAYT, JR. and W. BARNARD WINDHAM, as Co-Executors under the Will of JOHN A. WAYT, SR.** (hereinafter referred to as the "Deceased"), late of FULTON County, Georgia (hereinafter referred to as "Grantor") and **JOHN A. WAYT, JR., JOHN A. WAYT, III, REBECCA F. WAYT, JOHN FREDERICK WILLIAMS, MARY MOUNT WILLIAMS, as Trustees of the Martha K. Wayt Trust** (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR (acting under and by virtue of the power and authority contained in Item IV of the Will of the Deceased, it having been duly probated and recorded in the Court of Probate of FULTON County, Georgia), for and in consideration of the sum of ONE AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS in hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following property (hereinafter referred to as the "Land"), as more particularly described as follows:

An undivided two-thirds interest in and to:

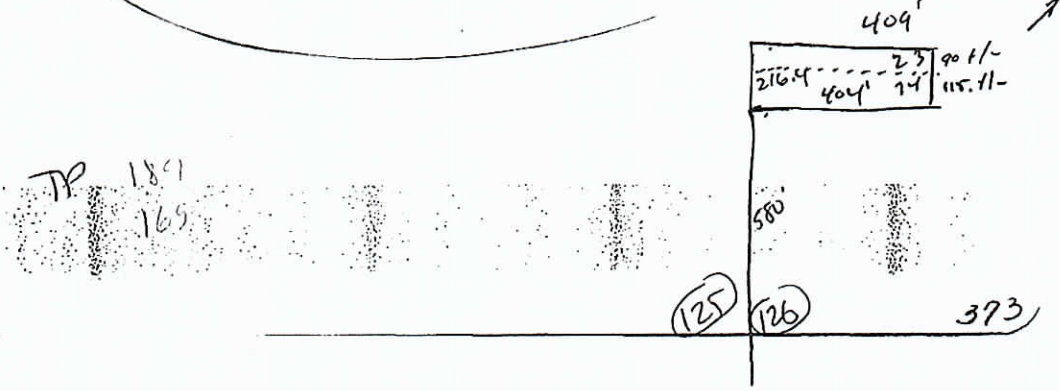
Tract 1:

All that tract or parcel of land lying and being in Land Lot 126, Second District, First Section, Forsyth County, State of Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, start at the Southwest corner of Land Lot 126 in the aforesaid district, county, and state; thence in a Northerly direction along the West boundary of Land Lot 126 a distance of 580.08 feet to a point thereon, THE TRUE POINT OF BEGINNING; thence North 0 degrees 56 minutes 38 seconds East a distance of 216.40 feet to a point; thence South 89 degrees 24 minutes 23 seconds East a distance of 409.62 feet to a point on a way entitled "Keithwood Drive"; thence along the Western boundary of Keithwood Drive in a Southwesterly direction South 4 degrees 46 minutes 57 seconds West 23.72 feet, South 2 degrees 56 minutes 21 seconds West 74.12 feet, South 2 degrees 18 minutes 46 seconds West 44.32 feet, and South 1 degree 01 minutes 13 seconds West 74.10 feet; thence North 89 degrees 26 minutes 54 seconds West a distance of 404.32 feet to a point on the Western boundary of Land Lot 126, THE TRUE POINT OF BEGINNING.

The above premises contains 2.01 acres, more or less, and is shown on a plat of survey entitled "Estate of John A. Wayt, Sr.," dated December 3, 1985, prepared by David W. Bealle, Registered Land Surveyor, recorded in Plat Book ____, page ____, Clerk's Office, Forsyth County Superior Court, which plat and record thereof are incorporated herein for a more particular description of the above premises.

SEE sell off @ 1333-221
? Pos For sell off Needs to be corrected



MAP Has Not switched

374

Tract 2:

All that tract or parcel of land lying and being in Land Lots 57 and 88, Second District, First Section, Forsyth County, State of Georgia, and being more particularly described as follows:

START at the common corner of Land Lots 56, 57, 88 and 89 in the aforesaid district, section, county, and state; thence North 00 degrees 44 minutes 20 seconds East a distance of 057.85 feet to a point; thence North 89 degrees 11 minutes 00 seconds East a distance of 473.50 feet to a point; thence South 20 degrees 43 minutes 13 seconds East a distance of 982.55 feet to a point on the centerline of Jason Lane a/k/a Jason Drive; thence North 72 degrees 56 minutes 54 seconds West a distance of 867.75 feet to a point; the POINT OF BEGINNING.

The above premises contains 11.310 acres, more or less, and is shown as Tract 18 on a plat of survey entitled "A Revision of Lots 16 Thru 23 Ridge Mill Acres," dated October 29, 1985, prepared by Thomas M. Patton, Registered Land Surveyor, recorded in Plat Book ___, page _____, Clerk's Office, Forsyth County Superior Court, which plat and record thereof are incorporated herein for a more particular description of the above-described premises.

This conveyance is subject to restrictive covenants of record and the first amendment thereto.

Tract 3:

All that tract or parcel of land lying and being in Land Lots 49, 50, 95 and 122 of the 2nd District, 1st Section, Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of Land Lot 95 with the Southwest intersection of the Southerly side of a county road running in a Northeasterly direction with the Westerly side of a county road running in a North-South direction; running thence West 178.7 feet to an iron pin on the Northerly side of the county road first mentioned above; running thence North 972 feet to an iron pin; thence West 93 feet to an iron pin; thence North 296 feet to an iron pin on the North line of Land Lot 50; thence North 89 degrees 45 minutes West along the North lines of Land Lot 50 and Land Lot 49, 1223 feet to an iron pin on the North line of Land Lot 49; running thence South 10 degrees 15 minutes East 110 feet to a point; thence South 16 degrees 20 minutes East 127 feet to the center line of a creek; thence Southeasterly along the center line of said creed 580 feet, more or less, to an iron pin; thence South 383 feet to an iron pin; thence East 110 feet to an iron pin; thence South 396 feet to an iron pin on the Northerly side of the county road first mentioned above; thence West along the Northerly side of said county road 110 feet to an iron pin; thence South 0 degrees 10 minutes West 1320 feet to an iron pin; thence South 77 degrees 30 minutes West 116 feet to an iron pin on the West line of Land Lot 122; thence South 0 degrees 45 minutes West along the West line of Land Lot 122, 391 feet to a point; thence South 80 degrees East 200 feet to a point; thence South 73 degrees East 206 feet to a point; thence South 66 degrees 30 minutes East 29 feet to a point; thence South 47 degrees 30 minutes East 114 feet to a point; thence South 63 degrees 30 minutes East 151 feet to a point; thence South 70 degrees 40 minutes East 51 feet to an iron pin; thence East 316 feet to a point on the Westerly side of the aforementioned county road which runs in a North-South direction; thence North along the West side of said road to the North line of Land Lot 122; thence continuing North along the West side of said road to an iron pin; thence continuing North along the West side of said road 940 feet to the POINT OF BEGINNING.

TRACT 4:

All that tract or parcel of land lying and being in Land Lots 17, 18, 53, 54, 55, 56, 92, 93, 94, 95, 122, 123, 124, 125, 164, 165 and 166 of the 2nd District, 1st Section, and Land Lot 1278 of the 3rd District, 1st Section, Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin and dead cherry tree at the Southeast corner of Land Lot 56 of the 2nd District, 1st Section, said county; running thence North 1° East along the East line of said Land Lot 56 1323 feet to an iron pin at the Northeast corner of said Land Lot 56; thence North along the East line of Land Lot 17 1287 feet to an iron pin at the Northeast corner of said Land Lot 17; thence North 89° 30' West along the North line of said Land Lot 17 1107 feet to an iron pin at the Northwest corner of said Land Lot 17; running thence North 4° 45' West in Land Lot 1278 of the 3rd District and 1st Section of said county 828 feet to an iron pin; thence South 86° West 356 feet to an iron pin; thence North 5° West 291 feet to an iron pin on the southerly side of Kelly Mill Road; running thence northwesterly along the southerly side of Kelly Mill Road the following courses and distances: North 84° 45' West 300 feet to a point; North 77° 30' West 200 feet to a point; North 75° 40' West 305 feet to a point; North 77° 30' West 228 feet, more or less, to an iron pin; running thence South along the West line of said Land Lot 1278 1295 feet to an iron pin at the Southwest corner of said Land Lot 1278; thence South 2° 30' East along the West line of Land Lot 18 of the 2nd District and 1st Section, said county, 1290 feet to the Southwest corner of said Land Lot 18; thence West along the North line of Land Lot 54 1407 feet to an iron pin at the Northwest corner of said Land Lot 54; thence South 74° West 270 feet to a point; thence South 9° West along the line of property now or formerly owned by Ralph Boles 278 feet to a point; thence southwesterly along the line of said Boles property the following courses and distances: South 67° West 150 feet to a point; South 45° West 134 feet to a point; South 22° West 102 feet to a point; South 20° 30' West 240 feet to a point; South 21° 30' West 382 feet to a point; running thence South 47° West 79 feet to a point on the North line of Land Lot 92; thence North 89° West along the North line of said Land Lot 92 633 feet to an iron pin at the Northwest corner of said Land Lot 92; thence South 1° 20' West along the West line of said Land Lot 92 996 feet to an iron pin; thence North 88° West 960 feet to an iron pin; thence West 1729 feet to an iron pin on the West right of way of a county road running in a North-South direction; running thence South along the West side of said county road to an iron pin, which iron pin is located at the Southeast corner of property conveyed this date by Grantor to Seven Branches Farm, Inc.; thence North 89° 55' East 900 feet to an iron pin; thence South 1° 45' West 649 feet to a point located in an abandoned road; running thence easterly and southeasterly along said abandoned road the following courses and distances: South 88° 30' East 97 feet to a point; South 76° East 53 feet to a point; South 66° 10' East 102 feet to a point; South 89° 20' East 211 feet to a point; North 89° 45' East 100 feet to a point; South 52° 50' East 78 feet to a point; South 62° East 99 feet to a point; South 55° East 158 feet to a point; South 67° 45' East 25 feet to a point on the West line of Land Lot 165; thence South 0° 30' West along the West line of said Land Lot 165 1052 feet to an iron pin at the Southwest corner of said Land Lot 165; thence South 88° 30' East along the South lines of Land Lots 165 and 164 1379 feet to a point; thence North 12° 35' East 53 feet to a point; thence North 01° West 98 feet to a point; thence North 10° 10' East 509 feet to a point; thence North 27° 30' East 85 feet to a point; thence North 0° 15' West 98 feet to a point; thence North 28° East 68 feet to a point; thence North 8° 35' East 285 feet to a point; thence North 11° 10' East 209 feet to an iron pin; running thence North 86° 30' East 783 feet to an iron pin and rock; thence North 1° East along the East line of said Land Lot 125 1298 feet to an iron pin at the Northeast corner of said Land Lot 125; thence continuing North 1° East along the East line of Land Lot 92 1290 feet to an iron pin and rock at the Northeast corner of Land Lot 92; thence South 87° 50' East along the South line of Land Lot 54 1390 feet to an iron pin and rock at the Southeast corner of said Land Lot 54; thence East along the South line of Land Lot 55 1288 feet to an iron pin and poplar tree at the Southeast corner of said Land Lot 55; thence East along the South line of Land Lot 56 1243 feet to an iron pin and dead cherry tree at the Southeast corner of said Land Lot 56 and the point of beginning.

The foregoing courses and distances are taken from a plat of survey entitled "Property of Samples Estate", dated July 5, 1965, revised September 21, 1965, prepared by Richard Williams, R. S.

Grantor intends to convey and has conveyed hereby all of said "Samples Estate" property except for the portions thereof in Land Lots 49, 50, 95 and 122 of the 2nd District, 1st Section, lying West of the above-mentioned county road which runs in a North-South direction, which property has this date been conveyed by Grantor to Seven Branches Farm, Inc.

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LESS AND EXCEPTED HEREFROM ARE THE FOLLOWING TRACTS:

TRACT A:

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, commence at the Northeast corner of Land Lot 93; thence South 00 degrees 21 minutes 11 seconds West along the East original line of said Land Lot 93 a distance of 988.68 feet to a point found thereon; thence North 89 degrees 00 minutes 32 seconds West 210.00 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING South 00 degrees 59 minutes 28 seconds West 35.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 742.82 feet to a point; thence South 89 degrees 41 minutes 20 seconds West 1020.34 feet to a point found on the Easterly right-of-way of Bethelview Road; thence North 03 degrees 47 minutes 19 seconds West along the Easterly right-of-way of Bethelview Road 30.00 feet to a point found thereon; thence leaving said right-of-way North 89 degrees 41 minutes 20 seconds East 1022.51 feet to a point; thence North 00 degrees 20 minutes 24 seconds East 5.00 feet to a point; thence South 89 degrees 00 minutes 32 seconds East 743.22 feet to the POINT OF BEGINNING.

Said property contains 1.71 acres and is identified as an "Access Strip" according to a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, as surveyed by Richard N. May, Registered Surveyor, which plat is incorporated herein by reference for a more complete description thereof.

TRACT B:

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING, commence at the Northeast corner of Land Lot 93; thence South 00 degrees 21 minutes 11 seconds West along the East original line of Land Lot 93 a distance of 988.68 feet to a point found thereon; thence North 89 degrees 00 minutes 32 seconds West 210 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING South 00 degrees 59 minutes 28 seconds West 35.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 742.82 feet to a point; thence South 89 degrees 41 minutes 20 seconds West 1620.34 feet to a point found on the Easterly right-of-way of Bethelview Road; thence South 03 degrees 47 minutes 19 seconds East along the Easterly right-of-way of Bethelview Road 30.06 feet to a point found thereon; thence leaving said right-of-way North 89 degrees 41 minutes 20 seconds East 1618.18 feet to a point; thence South 89 degrees 00 minutes 32 seconds East 772.48 feet to a point; thence North 00 degrees 59 minutes 28 seconds East 65.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 30 feet to the POINT OF BEGINNING.

Said property is identified as a 30 foot easement as shown on two plats for the City of Cumming, one being dated June 30, 1989, and revised May 18, 1990; the other being dated June 30, 1989, and revised July 10, 1989, May 4, 1990 and July 11, 1990, as surveyed by Richard N. May, Registered Surveyor, which plats are incorporated herein by reference for a more complete description of said easement.

TRACT C:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 53 and 54 of the 2nd District, 1st Section, Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at the point common to Land Lots 18, 19, 54 and 55 of the 2nd District, 1st Section, Forsyth County, Georgia and traveling thence along the line common to Land Lots 54 and 55 South 00° 46' 12" East a distance of 589.60 feet to a point; thence leaving said common line and traveling South 71° 20' 04" West a distance of 167.65 feet to a point; thence South 82° 40' 53" West a distance of 124.77 feet to a point; thence South 63° 31' 59" West a distance of 55.02 feet to a point; thence South 82° 38' 29" West a distance of 102.95 feet to a point; thence North 79° 35' 46" West a distance of 240.29 feet to a point; thence North 71° 00' 24" West a distance of 148.33 feet to a point; thence North 78° 34' 19" West a distance of 120.27 feet to a point; thence North 03° 18' 56" East a distance of 24.59 feet to a point; thence North 87° 28' 45" West a distance of 47.34 feet to a point; thence North 73° 38' 40" West a distance of 118.90 feet to a point; thence North 72° 06' 19" West a distance of 334.22 feet to a point; thence North 87° 27' 32" West a distance of 109.55 feet to a point; thence North 75° 31' 33" West a distance of 70.84 feet to a point; thence South 86° 03' 51" West a distance of 78.08 feet to a point; thence South 72° 34' 13" West a distance of 53.26 feet to a point; thence North 29° 39' 46" East a distance of 399.69 feet to a 3/4 inch open top pipe; thence North 68° 21' 07" East a distance of 128.77 feet to a point common to Land Lots 19, 20, 53 and 54; thence continuing along the line common to Land Lots 19 and 54 North 89° 46' 41" East a distance of 1385.67 feet to a point, said point being the TRUE POINT OF BEGINNING.

The property is shown on that certain plat for Cousins Real Estate Corp., prepared by Appalachian Survey Co., containing 20.70 acres. Said survey being incorporated herein by reference.

Together with all rights and easements contained in that certain Reciprocal Easement Agreement dated July 27, 1994, between John A. Wayt, Jr. and W. Barnard Windham as Co-Executors of the Estate of John A. Wayt, Sr., recorded in Deed Book 777, Page 736, Forsyth County, Georgia records.

TRACT D:

All that tract or parcel of land lying and being in Land Lot 1278 of the 3rd District and 1st Section, and Land Lots 17, 18, 55 and 56, of the 2nd District, 1st Section of Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at a point at the intersection of the southwest right-of-way of Kelly Mill Road (80 foot right-of-way) with the western line of Land Lot 1278; running thence southeasterly along the southwestern side of Kelly Mill Road, 1379.04 feet to a point at the intersection of the southerly right-of-way of Kelly Mill Road (80 foot right-of-way) with the east line of Land Lot 1278; thence south 0°26'02" west, 241.25 feet to a point; thence south 04°54'09" east, 827.25 feet to a point at the northwest corner of Land Lot 17; thence south 87°55'27" east along the north line of Land Lot 17, 1098.89 feet to the northeast corner of Land Lot 17; thence south 02°54'19" west along the east line of Land Lot 17, 1280.51 feet to the southeast corner of Land Lot 17; thence south 02°11'59" west along the east line of Land Lot 56, 287.56 feet to the center line of a branch; thence southwesterly, westerly, and northwesterly along the center line of said branch, and following the meander lines, 1524.52 feet to an iron pin set 60 feet from the center line of said branch; thence north 25°49'54" west, 429.69 feet to an iron pin set on the south line of Land Lot 18; thence north 60°01'25" west along a ditch, 204.42 feet to an iron pin set; thence north 64°43'05" west along said ditch, 168.05 feet to an iron pin set; thence north 60°13'41" west along said ditch and across a branch, 108.48 feet to an iron pin set; thence south 85°07'06" west, 367.62 feet to an iron pin set; thence south 60°54'30" west, 339.64 feet to an angle iron at the southwest corner of Land Lot 18; thence north 0°53'00" west along a fence and the west line of Land Lot 18, 1267.61 feet to the northwest corner of Land Lot 18 and the southwest corner of Land Lot 1278; thence north 02°36'12" east along a fence and the west line of Land Lot 1278, 1306.29 feet to the point of beginning; being 124.60 acres.

The above described property is bounded on the west by property now or formerly owned by Ed Barrett and E. A. Barrett; the southwest portion is bounded by property now or formerly owned by John Wayt; the southeast portion is bounded by a branch; the east lines are bounded by property now or formerly owned by Kelly Mill Road Associates.

This description is taken from a survey prepared by Clyde N. Mise, Land Surveyor, No. 1625, Mise Bros., Inc., Cumming, Georgia, dated February 2, 1981, for R. Joe Taylor, John Wayt, Jr. and Josephine and Frederic Williams.

TRACT E:

All that tract or parcel of land lying and being in the Second District and First Section of Forsyth County, Georgia, and being part of Land Lot 50 and possibly a small part of Land Lot 95, and is more fully described as follows:

BEGINNING at a point on the North boundary of a county road and at the Southeast corner of a tract in said Land Lot 50 marked "out", as shown on plat prepared by Richard Williams, Registered Surveyor No. 1059, dated July 5, 1995; thence from said beginning point proceed North along the East boundary of the tract marked "out" a distance of 344 feet; thence East along a line parallel to said county road a distance of 125 feet; thence South 344 feet to point on North boundary of county road; thence West along North boundary of county road 125 feet to POINT OF BEGINNING.

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

EXECUTED under seal as of the date above.

Signed, sealed and delivered

in the presence of:

Witness

John A. Wayt, Jr., as Executor under the Will of John A. Wayt, Sr., deceased (SEAL)

Notary Public My Commission Expires 1-24-97

(SEAL)

Witness

W. Barnard Windham, as Executor under the Will of John A. Wayt, Sr., deceased (SEAL)

Notary Public Commission Expires 1-24-97

(SEAL)

00853
0366

366 853/366

After Recording, Return To:
Zack A. Rice
Doling, Rice & Battle
P.O. Box 244
Cumming, GA 30130
(404) 887-3162

Forsyth County
Clerks Office Superior Court
Filed for record on the 12
day of May 1995
at 4:00 o'clock P.M. Recorded
in Book 853 Page 366-369
15 day of May, 1995
Cecil McClure, Clerk

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $10=
Date May 12, 1995
Cecil McClure
Clerk of Superior Court

STATE OF GEORGIA

COUNTY OF FORSYTH

Clk. Zack

EXECUTOR'S DEED

THIS INDENTURE is made as of May 10, 1995, between JOHN A. WAYT, JR. and W. BARNARD WINDHAM, as Co-Executors under the Will of JOHN A. WAYT, SR. (hereinafter referred to as the "Deceased"), late of FULTON County, Georgia (hereinafter referred to as "Grantor") and JOHN A. WAYT, JR., JOHN A. WAYT, III, REBECCA F. WAYT, JOHN FREDERICK WILLIAMS, MARY MOUNT WILLIAMS, as Trustees of the Josephine Wayt Williams Trust (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR (acting under and by virtue of the power and authority contained in Item IV of the Will of the Deceased, it having been duly probated and recorded in the Court of Probate of FULTON County, Georgia), for and in consideration of the sum of ONE AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS in hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following property (hereinafter referred to as the "Land"), as more particularly described as follows:

An undivided one-third interest in and to:

Tract 1:

All that tract or parcel of land lying and being in Land Lot 126, Second District, First Section, Forsyth County, State of Georgia, and being more particularly described as follows:

see sell/off @ 1333 · 221

TO FIND THE TRUE POINT OF BEGINNING, start at the Southwest corner of Land Lot 126 in the aforesaid district, county, and state; thence in a Northerly direction along the West boundary of Land Lot 126 a distance of 580.08 feet to a point thereon, THE TRUE POINT OF BEGINNING; thence North 0 degrees 56 minutes 38 seconds East a distance of 216.40 feet to a point; thence South 89 degrees 24 minutes 23 seconds East a distance of 409.02 feet to a point on a way entitled "Keithwood Drive"; thence along the Western boundary of Keithwood Drive in a Southwesterly direction South 4 degrees 46 minutes 57 seconds West 23.72 feet, South 2 degrees 55 minutes 21 seconds West 74.12 feet, South 2 degrees 18 minutes 46 seconds West 44.32 feet, and South 1 degree 01 minutes 13 seconds West 74.10 feet; thence North 89 degrees 26 minutes 54 seconds West a distance of 404.32 feet to a point on the Western boundary of Land Lot 126, THE TRUE POINT OF BEGINNING.

The above premises contains 2.01 acres, more or less, and is shown on a plat of survey entitled "Estate of John A. Wayt, Sr.," dated December 3, 1985, prepared by David W. Bealle, Registered Land Surveyor, recorded in Plat Book ____, page ____, Clerk's Office, Forsyth County Superior Court, which plat and record thereof are incorporated herein for a more particular description of the above premises.

Tract 2:

All that tract or parcel of land lying and being in Land Lots 57 and 88, Second District, First Section, Forsyth County, State of Georgia, and being more particularly described as follows:

START at the common corner of Land Lots 56, 57, 86 and 89 in the aforesaid district, section, county, and state; thence North 00 degrees 44 minutes 29 seconds East a distance of 657.85 feet to a point; thence North 89 degrees 11 minutes 00 seconds East a distance of 473.50 feet to a point; thence South 20 degrees 43 minutes 13 seconds East a distance of 982.55 feet to a point on the centerline of Jason Lane a/k/a Jason Drive; thence North 72 degrees 56 minutes 54 seconds West a distance of 867.75 feet to a point; the POINT OF BEGINNING.

The above premises contains 11.310 acres, more or less, and is shown as Tract 18 on a plat of survey entitled "A Revision of Lots 16 Thru 23 Ridge Mill Acres," dated October 29, 1985, prepared by Thomas M. Patton, Registered Land Surveyor, recorded in Plat Book ___, page ____, Clerk's Office, Forsyth County Superior Court, which plat and record thereof are incorporated herein for a more particular description of the above-described premises.

This conveyance is subject to restrictive covenants of record and the first amendment thereto.

Tract 3:

All that tract or parcel of land lying and being in Land Lots 49, 50, 95 and 122 of the 2nd District, 1st Section, Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of Land Lot 95 with the Southwest intersection of the Southerly side of a county road running in a Northeasterly direction with the Westerly side of a county road running in a North-South direction; running thence West 178.7 feet to an iron pin on the Northerly side of the county road first mentioned above; running thence North 972 feet to an iron pin; thence West 93 feet to an iron pin; thence North 296 feet to an iron pin on the North line of Land Lot 50; thence North 89 degrees 45 minutes West along the North lines of Land Lot 50 and Land Lot 49, 1223 feet to an iron pin on the North line of Land Lot 49; running thence South 10 degrees 15 minutes East 110 feet to a point; thence South 16 degrees 20 minutes East 127 feet to the center line of a creek; thence Southeasterly along the center line of said creed 580 feet, more or less, to an iron pin; thence South 383 feet to an iron pin; thence East 110 feet to an iron pin; thence South 396 feet to an iron pin on the Northerly side of the county road first mentioned above; thence West along the Northerly side of said county road 110 feet to an iron pin; thence South 0 degrees 10 minutes West 1329 feet to an iron pin; thence South 77 degrees 30 minutes West 116 feet to an iron pin on the West line of Land Lot 122; thence South 0 degrees 45 minutes West along the West line of Land Lot 122, 391 feet to a point; thence South 80 degrees East 200 feet to a point; thence South 73 degrees East 266 feet to a point; thence South 66 degrees 30 minutes East 29 feet to a point; thence South 47 degrees 30 minutes East 114 feet to a point; thence South 63 degrees 30 minutes East 151 feet to a point; thence South 70 degrees 40 minutes East 51 feet to an iron pin; thence East 316 feet to a point on the Westerly side of the aforementioned county road which runs in a North-South direction; thence North along the West side of said road to the North line of Land Lot 122; thence continuing North along the West side of said road to an iron pin; thence continuing North along the West side of said road 940 feet to the POINT OF BEGINNING.

TRACT 4:

All that tract or parcel of land lying and being in Land Lots 17, 18, 53, 54, 55, 56, 92, 93, 94, 95, 122, 123, 124, 125, 164, 165 and 166 of the 2nd District, 1st Section, and Land Lot 1278 of the 3rd District, 1st Section, Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin and dead cherry tree at the Southeast corner of Land Lot 56 of the 2nd District, 1st Section, said county; running thence North 1° East along the East line of said Land Lot 56 1323 feet to an iron pin at the Northeast corner of said Land Lot 56; thence North along the East line of Land Lot 17 1287 feet to an iron pin at the Northeast corner of said Land Lot 17; thence North 89° 30' West along the North line of said Land Lot 17 1107 feet to an iron pin at the Northwest corner of said Land Lot 17; running thence North 4° 45' West in Land Lot 1278 of the 3rd District and 1st Section of said county 828 feet to an iron pin; thence South 86° West 356 feet to an iron pin; thence North 5° West 291 feet to an iron pin on the southerly side of Kelly Mill Road; running thence northwesterly along the southerly side of Kelly Mill Road the following courses and distances: North 84° 45' West 300 feet to a point; North 77° 30' West 200 feet to a point; North 75° 40' West 305 feet to a point; North 77° 30' West 228 feet, more or less, to an iron pin; running thence South along the West line of said Land Lot 1278 1295 feet to an iron pin at the Southwest corner of said Land Lot 1278; thence South 2° 30' East along the West line of Land Lot 18 of the 2nd District and 1st Section, said county, 1290 feet to the Southwest corner of said Land Lot 18; thence West along the North line of Land Lot 54 1407 feet to an iron pin at the Northwest corner of said Land Lot 54; thence South 74° West 270 feet to a point; thence South 9° West along the line of property now or formerly owned by Ralph Boles 278 feet to a point; thence southwesterly along the line of said Boles property the following courses and distances: South 67° West 150 feet to a point; South 45° West 134 feet to a point; South 22° West 102 feet to a point; South 20° 30' West 240 feet to a point; South 21° 30' West 382 feet to a point; running thence South 47° West 79 feet to a point on the North line of Land Lot 92; thence North 89° West along the North line of said Land Lot 92 633 feet to an iron pin at the Northwest corner of said Land Lot 92; thence South 1° 20' West along the West line of said Land Lot 92 996 feet to an iron pin; thence North 88° West 960 feet to an iron pin; thence West 1729 feet to an iron pin on the West right of way of a county road running in a North-South direction; running thence South along the West side of said county road to an iron pin, which iron pin is located at the Southeast corner of property conveyed this date by Grantor to Seven Branches Farm, Inc.; thence North 89° 55' East 900 feet to an iron pin; thence South 1° 45' West 649 feet to a point located in an abandoned road; running thence easterly and southeasterly along said abandoned road the following courses and distances: South 88° 30' East 97 feet to a point; South 76° East 53 feet to a point; South 66° 10' East 102 feet to a point; South 89° 20' East 211 feet to a point; North 89° 45' East 100 feet to a point; South 52° 50' East 78 feet to a point; South 62° East 99 feet to a point; South 55° East 158 feet to a point; South 67° 45' East 25 feet to a point on the West line of Land Lot 165; thence South 0° 30' West along the West line of said Land Lot 165 1052 feet to an iron pin at the Southwest corner of said Land Lot 165; thence South 88° 30' East along the South lines of Land Lots 165 and 164 1379 feet to a point; thence North 12° 35' East 53 feet to a point; thence North 01° West 98 feet to a point; thence North 10° 10' East 509 feet to a point; thence North 27° 30' East 85 feet to a point; thence North 0° 15' West 98 feet to a point; thence North 28° East 68 feet to a point; thence North 8° 35' East 285 feet to a point; thence North 11° 10' East 209 feet to an iron pin; running thence North 86° 30' East 783 feet to an iron pin and rock; thence North 1° East along the East line of said Land Lot 125 1298 feet to an iron pin at the Northeast corner of said Land Lot 125; thence continuing North 1° East along the East line of Land Lot 92 1290 feet to an iron pin and rock at the Northeast corner of Land Lot 92; thence South 87° 50' East along the South line of Land Lot 54 1390 feet to an iron pin and rock at the Southeast corner of said Land Lot 54; thence East along the South line of Land Lot 55 1288 feet to an iron pin and poplar tree at the Southeast corner of said Land Lot 55; thence East along the South line of Land Lot 56 1243 feet to an iron pin and dead cherry tree at the Southeast corner of said Land Lot 56 and the point of beginning.

The foregoing courses and distances are taken from a plat of survey entitled "Property of Samples Estate", dated July 5, 1965, revised September 21, 1965, prepared by Richard Williams, R. S.

Grantor intends to convey and has conveyed hereby all of said "Samples Estate" property except for the portions thereof in Land Lots 49, 50, 95 and 122 of the 2nd District, 1st Section, lying West of the above-mentioned county road which runs in a North-South direction, which property has this date been conveyed by Grantor to Seven Branches Farm, Inc.

LESS AND EXCEPTED HEREFROM ARE THE FOLLOWING TRACTS:

TRACT A:

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, commence at the Northeast corner of Land Lot 93; thence South 00 degrees 21 minutes 11 seconds West along the East original line of said Land Lot 93 a distance of 988.68 feet to a point found thereon; thence North 89 degrees 00 minutes 32 seconds West 210.00 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING South 00 degrees 59 minutes 28 seconds West 35.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 742.62 feet to a point; thence South 89 degrees 41 minutes 20 seconds West 1620.34 feet to a point found on the Easterly right-of-way of Bethelview Road; thence North 03 degrees 47 minutes 19 seconds West along the Easterly right-of-way of Bethelview Road 30.06 feet to a point found thereon; thence leaving said right-of-way North 89 degrees 41 minutes 20 seconds East 1622.51 feet to a point; thence North 00 degrees 20 minutes 24 seconds East 5.00 feet to a point; thence South 89 degrees 00 minutes 32 seconds East 743.22 feet to the POINT OF BEGINNING.

Said property contains 1.71 acres and is identified as an "Access Strip" according to a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, as surveyed by Richard N. May, Registered Surveyor, which plat is incorporated herein by reference for a more complete description thereof.

TRACT B:

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING, commence at the Northeast corner of Land Lot 93; thence South 00 degrees 21 minutes 11 seconds West along the East original line of Land Lot 93 a distance of 988.68 feet to a point found thereon; thence North 89 degrees 00 minutes 32 seconds West 210 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING South 00 degrees 59 minutes 28 seconds West 35.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 742.62 feet to a point; thence South 89 degrees 41 minutes 20 seconds West 1620.34 feet to a point found on the Easterly right-of-way of Bethelview Road; thence South 03 degrees 47 minutes 19 seconds East along the Easterly right-of-way of Bethelview Road 30.06 feet to a point found thereon; thence leaving said right-of-way North 89 degrees 41 minutes 20 seconds East 1618.18 feet to a point; thence South 89 degrees 00 minutes 32 seconds East 772.48 feet to a point; thence North 00 degrees 59 minutes 28 seconds East 65.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 30 feet to the POINT OF BEGINNING.

Said property is identified as a 30 foot easement as shown on two plats for the City of Cumming, one being dated June 30, 1989, and revised May 18, 1990; the other being dated June 30, 1989, and revised July 10, 1989, May 4, 1990 and July 11, 1990, as surveyed by Richard N. May, Registered Surveyor, which plats are incorporated herein by reference for a more complete description of said easement.

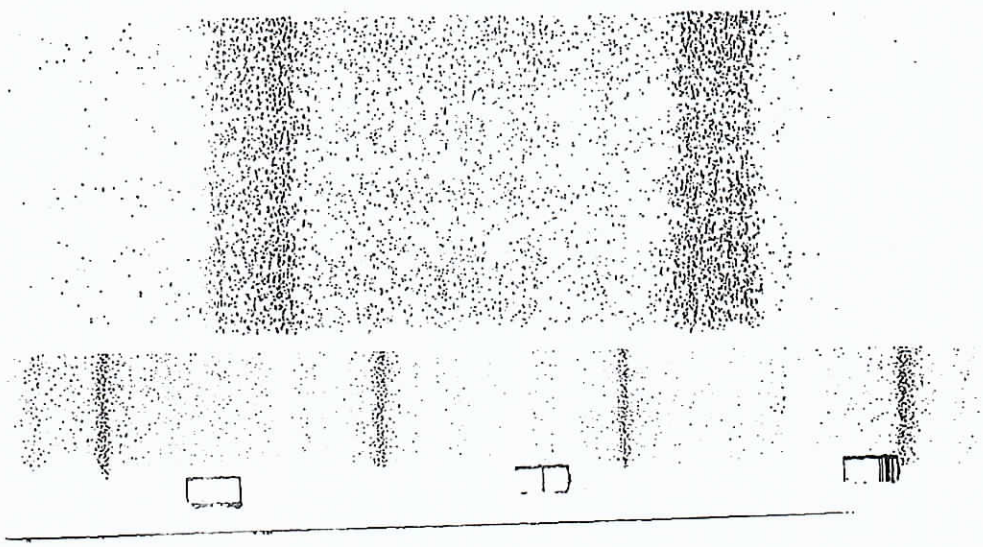
TRACT 3:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 53 and 54 of the 2nd District, 1st Section, Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at the point common to Land Lots 18, 19, 54 and 55 of the 2nd District, 1st Section, Forsyth County, Georgia and traveling thence along the line common to Land Lots 54 and 55 South 00° 46' 12" East a distance of 589.60 feet to a point; thence leaving said common line and traveling South 71° 20' 04" West a distance of 167.65 feet to a point; thence South 82° 40' 53" West a distance of 124.77 feet to a point; thence South 63° 31' 59" West a distance of 55.02 feet to a point; thence South 82° 38' 29" West a distance of 102.95 feet to a point; thence North 79° 35' 46" West a distance of 240.29 feet to a point; thence North 71° 00' 24" West a distance of 148.33 feet to a point; thence North 78° 34' 19" West a distance of 120.27 feet to a point; thence North 03° 18' 56" East a distance of 24.59 feet to a point; thence North 87° 28' 45" West a distance of 47.34 feet to a point; thence North 73° 38' 40" West a distance of 118.90 feet to a point; thence North 72° 06' 19" West a distance of 334.22 feet to a point; thence North 87° 27' 32" West a distance of 109.55 feet to a point; thence North 75° 31' 33" West a distance of 70.84 feet to a point; thence South 86° 03' 51" West a distance of 78.08 feet to a point; thence South 72° 34' 13" West a distance of 53.26 feet to a point; thence North 29° 39' 46" East a distance of 399.69 feet to a 3/4 inch open top pipe; thence North 68° 21' 07" East a distance of 128.77 feet to a point common to Land Lots 19, 20, 53 and 54; thence continuing along the line common to Land Lots 19 and 54 North 89° 46' 41" East a distance of 1385.67 feet to a point, said point being the TRUE POINT OF BEGINNING.

The property is shown on that certain plat for Cousins Real Estate Corp., prepared by Appalachian Survey Co., containing 20.70 acres. Said survey being incorporated herein by reference.

Together with all rights and easements contained in that certain Reciprocal Easement Agreement dated July 27, 1994, between John A. Wayt, Jr. and W. Barnard Windham as Co-Executors of the Estate of John A. Wayt, Sr., recorded in Deed Book 777, Page 736, Forsyth County, Georgia records.



TRACT D:

All that tract or parcel of land lying and being in Land Lot 1278 of the 3rd District and 1st Section, and Land Lots 17, 18, 55 and 56, of the 1st District, 1st Section of Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at a point at the intersection of the southwest right-of-way of Kelly Mill Road (80 foot right-of-way) with the western line of Land Lot 1278; running thence southeasterly along the southwestern side of Kelly Mill Road, 1379.04 feet to a point at the intersection of the southerly right-of-way of Kelly Mill Road (80 foot right-of-way) with the east line of Land Lot 1278; thence south 0°26'02" west, 241.25 feet to a point; thence south 04°54'09" east, 827.25 feet to a point at the northwest corner of Land Lot 17; thence south 87°55'27" east along the north line of Land Lot 17, 1098.89 feet to the northeast corner of Land Lot 17; thence south 02°54'19" west along the east line of Land Lot 17, 1280.51 feet to the southeast corner of Land Lot 17; thence south 02°11'59" west along the east line of Land Lot 56, 287.56 feet to the center line of a branch; thence southwesterly, westerly, and northwesterly along the center line of said branch, and following the meander lines, 1524.52 feet to an iron pin set 60 feet from the center line of said branch; thence north 25°49'54" west, 429.69 feet to an iron pin set on the south line of Land Lot 18; thence north 60°01'25" west along a ditch, 204.42 feet to an iron pin set; thence north 64°43'05" west along said ditch, 160.05 feet to an iron pin set; thence north 60°13'41" west along said ditch and across a branch, 108.48 feet to an iron pin set; thence south 05°07'06" west, 367.62 feet to an iron pin set; thence south 60°54'30" west, 339.64 feet to an angle iron at the southwest corner of Land Lot 18; thence north 0°53'00" west along a fence and the west line of Land Lot 18, 1267.61 feet to the northwest corner of Land Lot 18 and the southwest corner of Land Lot 1278; thence north 02°36'12" east along a fence and the west line of Land Lot 1278, 1306.29 feet to the point of beginning; being 124.60 acres.

The above described property is bounded on the west by property now or formerly owned by Ed Barrett and E. A. Barrett; the southwest portion is bounded by property now or formerly owned by John Wayt; the southeast portion is bounded by a branch; the east lines are bounded by property now or formerly owned by Kelly Mill Road Associates.

This description is taken from a survey prepared by Clyde N. Mise, Land Surveyor, No. 1625, Mise Bros., Inc., Cumming, Georgia, dated February 2, 1981, for R. Joe Taylor, John Wayt, Jr. and Josephine and Frederic Williams.

TRACT E:

All that tract or parcel of land lying and being in the Second District and First Section of Forsyth County, Georgia, and being part of Land Lot 50 and possibly a small part of Land Lot 95, and is more fully described as follows:

BEGINNING at a point on the North boundary of a county road and at the Southeast corner of a tract in said Land Lot 50 marked "out", as shown on plat prepared by Richard Williams, Registered Surveyor No. 1059, dated July 5, 1966; thence from said beginning point proceed North along the East boundary of the tract marked "out" a distance of 344 feet; thence East along a line parallel to said county road a distance of 125 feet; thence South 344 feet to point on North boundary of county road; thence West along North boundary of county road 125 feet to POINT OF BEGINNING.

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

EXECUTED under seal as of the date above.

Signed, sealed and delivered

in the presence of:

Witness

John A. Wayt, Jr. (SEAL)

John A. Wayt, Jr., as Executor under the Will of John A. Wayt, Sr., deceased

Notary Public
My Commission Expires 1-24-97
(SEAL)

Witness

W. Barnard Windham (SEAL)

W. Barnard Windham, as Executor under the Will of John A. Wayt, Sr., deceased

Notary Public Commission Expires 1-24-97
(SEAL)

00312
0393

312/393

FILED 16 DAY Dec 1985 AT 10:05 O'CLOCK A.M.
16 Dec 85

STATE OF GEORGIA, COUNTY OF FORSYTH

WARRANTY DEED

THIS INDENTURE, Made this 16th day of December, in the Year of our Lord One Thousand Nine Hundred and Eighty Five, between JERRY KEYSER AND DEBRA KEYSER, of the County of Cobb and State of Georgia, of the first part, and JOHN A. WAYT, JR., AND BANARD WINDHAM, AS COEXECUTORS OF THE ESTATE OF JOHN A. WAYT, SR., of the County of Forsyth and State of Georgia, of the second part:

DK DK

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lot 126, Second District, First Section, Forsyth County, State of Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, start at the Southwest corner of Land Lot 126 in the aforesaid district, county, and state; thence in a Northerly direction along the West boundary of Land Lot 126 a distance of 580.08 feet to a point thereon, THE TRUE POINT OF BEGINNING; thence North 0 degrees 56 minutes 38 seconds East a distance of 216.40 feet to a point; thence South 89 degrees 24 minutes 23 seconds East a distance of 409.62 feet to a point on a way entitled "Keithwood Drive;" thence along the Western boundary of Keithwood Drive in a Southwesterly direction South 4 degrees 46 minutes 57 seconds West 23.72 feet, South 2 degrees 55 minutes 21 seconds West 74.12 feet, South 2 degrees 18 minutes 46 seconds West 44.32 feet, and South 1 degree 01 minutes 13 seconds West 74.10 feet; thence North 89 degrees 26 minutes 54 seconds West a distance of 404.32 feet to a point on the Western boundary of Land Lot 126, THE TRUE POINT OF BEGINNING.

The above premises contains 2.01 acres, more or less, and is shown on a plat of survey entitled "Estate of John A. Wayt, Sr.," dated December 3, 1985, prepared by David W. Bealle, registered land surveyor, recorded in Plat Book _____, page _____, Clerk's Office, Forsyth County Superior Court, which plat and record thereof are incorporated herein for a more particular description of the above premises.

TO HAVE AND TO HOLD, The said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns forever in Fee Simple.

And the said parties of the first part, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said parties of the second part, their heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and affixed their seals the day and year first above written.

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $ 16.00
Date 12-16-85
Ceil Mullinax
Clerk of Superior Court

Signed, sealed and delivered
in the presence of:

Debra K. Keyser (SEAL)

Jerry Keyser (SEAL)

WITNESS

NOTARY PUBLIC

Notary Public, Georgia
My Commission Expires May 12, 1988

Date: 16 Dec 85

393

00213
0704

704

213/704

WARRANTY DEED—FORM 36.

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $ 16.00
STANDARD WARRANTY DEED 7-81
Date
Cecil McClure
Clerk of Superior Court

STATE OF GEORGIA,

FORSYTH County.

THIS INDENTURE, made this 1st day of April

in the year of our Lord One Thousand Nine Hundred and Eighty-one

between A. J. Gantt

of the State of Georgia and County of Forsyth of the first part

and JERRY KEYSER and DEBRA KEYSER

of the State of Georgia and County of Cobb of the second part

WITNESSETH: That the said party of the first part, for and in consideration of the sum of

TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS DOLLARS

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted, bargained, sold and conveyed and by these presents do es grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lot 126 of the 2nd District, 1st Section, Forsyth County, Georgia, being 4.00 acres according to a plat of survey for Jerry Keyser and Debra Keyser prepared by Woolley & Associates, Inc., Surveyors, dated March 26, 1981, and being more particularly described as follows:

BEGIN at an iron pin on the land lot line common to Land Lots 125 and 126, aforesaid, which pin is North 0 degrees 57 minutes 46 seconds East 580.08 feet from an iron pin found at the southwest corner of Land Lot 126; thence South 89 degrees 30 minutes East 404.93 feet to an iron pin on the westerly edge of the right of way of Keithwood Drive (60-foot right of way); thence northerly along said right of way an arc distance of 369.31 feet (said arc being subtended by a chord line running North 3 degrees 17 minutes 42 seconds East 369.15 feet to a point) to a point; thence North 6 degrees 16 minutes 45 seconds East 58 feet to an iron pin; thence North 89 degrees 24 minutes 23 seconds West 425.36 feet to an iron pin on the land lot line common to Land Lots 125 and 126; thence South 0 degrees 57 minutes 46 seconds West 427.14 feet to an iron pin and the point of beginning.

The within and foregoing property is subject to a prior security deed from Grantor to the Bank of Cumming, which is and shall be a continuing obligation of Grantor.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, IN FEE SIMPLE.

And the said party of the first part, for himself, his heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of

Unofficial witness

Notary Public, Ga. at Large

A. J. Gantt (Seal)

(Seal)

(Seal)

(Seal)

(Seal)

gc

Filed 27 Day April 19 81 at 10:55 o'clock A M.
Recorded 27 Day April 19 81, Cecil McClure, Clerk

163/385

NOT RELEVANT

Charles E. Evans
fd on
GRANTEES of this
DEED @ 155.74

STATE OF GEORGIA

COUNTY OF FULTON

DEED UNDER POWER OF SALE

THIS INDENTURE made the 12th day of April, 1977 by LOYD SMITH acting through his duly appointed agents and attorneys in fact Newman and Company, James W. Fluker, Jr., R. Turner Bartenfeld, J. Richard Stephens and Mrs. Charlotte S. Miller, as parties of the first part and NEWMAN AND COMPANY, JAMES W. FLUKER, JR., R. TURNER BARTENFELD, J. RICHARD STEPHENS and MRS. CHARLOTTE S. MILLER as parties of the second part.

W I T N E S S E T H:

WHEREAS, said Loyd Smith executed and delivered to Newman and Company, James W. Fluker, Jr., R. Turner Bartenfeld, J. Richard Stephens and Mrs. Charlotte S. Miller a certain Deed to Secure Debt dated September 24, 1974 and recorded in Deed Book 137, Page 560, Forsyth County Records, conveying the after-described property to secure payment of two promissory notes of even date therewith, in the collective original principal amount of One Hundred Twenty-six Thousand Seven Hundred Forty-four and 74/100 Dollars ($126,744.74); and

WHEREAS, default in the payment of the monthly installments under said note occurred, and whereby reason of said default, the said Newman and Company, James W. Fluker, Jr., R. Turner Bartenfeld, J. Richard Stephens and Mrs. Charlotte S. Miller elected to and did, pursuant to the terms of said deed and notes, declare the entire amount of principal and interest due under the said notes to be immediately due and payable; and

WHEREAS, said entire indebtedness still being in default, the said parties of the first part on behalf of the said Loyd Smith and according to the terms of said Deed to Secure Debt, did publish and advertise said property for sale once a week

for four weeks in a newspaper in Forsyth County, Georgia, wherein the sheriff publishes his advertisements, namely the Forsyth County News, said dates of publication being March 9, 16, 23 and 30, 1977; and

WHEREAS, for the purpose of paying said indebtedness including all interest and attorney's fees and all expenses of said sale the said parties of the first part did expose said land for sale to the highest bidder for cash on the first Tuesday in April, 1977 within the legal hours of sale at the usual place for conducting Sheriff's sales in Forsyth County before the courthouse door at Cumming, Georgia, in said County and offered said property for sale at public out-cry to the highest bidder for cash, when and where Newman and Company, James W. Fluker, Jr., R. Turner Bartenfeld, J. Richard Stephens and Mrs. Charlotte S. Miller bid One Hundred Six Thousand and no/100 Dollars ($106,000.00); and

WHEREAS, the said land was knocked off to the said parties of the second part for the sum of One Hundred Six Thousand and no/100 Dollars ($106,000.00).

NOW, THEREFORE, in consideration of the premises and said sum of money, and by virtue of and in the exercise of the power of sale contained in the aforesaid Deed to Secure Debt, parties of the first part have bargained, sold, granted and conveyed, and by these presents do bargain, sell, grant and convey to the parties of the second part, for themselves, their heirs, executors, administrators and assigns all that tract or parcel of land described in Exhibit "A" attached hereto and made a part hereof.

The afore-described property was sold and this conveyance is hereby made subject (as to a portion only of the afore-described property) to a prior Deed to Secure Debt from Newman and Company to J. T. Rivers and Virginia J. Rivers, dated February 22, 1972 and recorded in Deed Book 104, Page 783-785,

EXHIBIT "A"

All that tract or parcel of land lying and being in the Second District and First Section of Forsyth County, Georgia and being all of or part of land lots numbered 90, 91, 126, 127, 162, 163, 164, 198 and 199, and more particularly described as follows:

BEGINNING at an iron pin at the Northwest corner of Land Lot 91; thence S 87° 45' E 1382.9 feet; thence, S 89° 55' E 1534.8 feet to a point; said point being the Northeast corner of Land Lot 90; thence, S 1° 18' E 1183.8 feet to a point; thence, S 87° 32' W 1593.3 feet to a point; thence, S 0° 59' W 571.0 feet to a point at an old field road; thence, along and with said field road; S 72° 55' E 180.8 feet; thence, S 88° 18' E 152.3 feet; thence, S 82° 24' E 100.0 feet; thence, S 77° 27' E 144.8 feet; thence, N 88° 38' E 101.7 feet; thence N 74° 04' E 160.0 feet; thence, N 81° 58' E 185.0 feet; thence, N 64° 00' E 199.1 feet; thence, N 33° 13' E 180.0 feet; thence, N 44° 38' E 200.0 feet; thence, N 47° 48' E 245.0 feet to a point; thence, S 01° 55" E 679.5 feet to a point; thence, S 89° 16' W 399.0 feet; thence, N 89° 34' W 187.1 feet to a point in the center of a dirt public road, thence along and with said public road as follows: S 21° 07' E 205.0 feet; thence, S 24° 23' E 200.0 feet; thence, S 20° 27' E 100.0 feet; thence, S15° 29' E 100.0 feet; thence S 10° 09' E 100.0 feet; thence, S 5° 29' E 160.0 feet; thence, S 12° 04' E 120.0 feet; thence, S 5° 09' E 100.0 feet; thence S 6° 06' W 100.0 feet; thence, S 9° 32' W 160.0 feet; thence, S 12° 3' W 170.0 feet; thence, S 5° 31' N 100.0 feet to a point on the North right of way of a paved public road known as Castleberry Road thence in a southerly direction along and with said road as follows: S 70° 38' W 100.0 feet; thence, S 65° 41' W 100.0 feet; thence, S 64° 43' W 100.0 feet; thence, S 64° 14' W 200.0 feet; thence, S 62° 19' W 100.0 feet; thence, S 60° 07' W 100.0 feet; thence, S 57" 40' W 100.0 feet; thence, S 56° 09' W 180.0 feet; thence, S 54° 23' W 200.0 feet; thence, S 53° 57' W 100.0 feet; thence, S 58° 20' W 100.0 feet; thence, S 66° 08' W 100.0 feet; thence, S 71° 25' W 80.0 feet; thence, S 73° 32' W 75.6 feet to a point and an iron pin at a fence; thence, N 11° 06' W 95.2 feet; thence, N 50° 32' W 85.0 feet; thence, N 18° 19' W 47.4 feet; thence N 21° 55' E 185.0 feet to an iron pin; thence, N 88° 52' W 2170.0 feet to the center line of Big Creek; running thence northerly along the center line of Big Creek, and following the meanderings thereof, a distance of 1310 feet, more or less, to an iron pin found; thence N 85° 56' E 765 feet to an iron pin found; thence N 0° 52"E 2620.1 feet to an iron pin found, said iron pin being at the Northwest corner of Land Lot 91, said point being the true point of beginning. Said tract contains 259.81 acres, and is more fully shown on a plat of survey prepared by Bates-Long and Associates, dated October 23, 1972, and recorded in Plat Book , Page , Clerks Office, Forsyth Superior Court, said plat is made a part of this description by reference.

LESS AND EXCEPT, THEREFROM

All that tract or parcel of land lying and being in the Second District and First Section of Forsyth County, Georgia, being part of Land Lots Nos. 90 and 127, and is more fully described as follows:

TRACT NO. 1: Commencing at the Northeast corner of Land Lot 90; thence South 1 degree 16 minutes East along East original line of Land Lot 90 a distance of 1183.8 feet to corner; thence South 87 degrees 32 minutes West a distance of 1593.3 feet to corner on the West original line of Land Lot 90; thence North 0 degrees 59 minutes East a distance of 1254.5 feet along West original line of Land Lot 90 to Northwest corner thereof; thence South 89 degrees 55 minutes East along North original line of Land Lot 90 a distance of 1534.8 feet to Northeast corner of said land lotswhich is the point of beginning. Said Tract No. 1 contains 43.31 acres, and is more fully shown on plat prepared by Bates-Long and Associates, dated May 5, 1972, entitled "Survey for Newman and Company", and recorded in Plat Book _____, page _____, Clerk's Office, Forsyth Superior Court. Said plat is made a part of this description by reference.

Form No. 214 WARRANTY DEED (Long Form)

157/133

STATE OF GEORGIA, County of Fulton.

THIS INDENTURE, Made this 13th day of August in the Year of Our Lord One Thousand Nine Hundred and Seventy-Six between CHARLES C. EVANS of the State of Florida and County of Indian River of the first part, and A. J. GANTT of the State of Georgia and County of DeKalb of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 ($10.00)---------- Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all that tract or parcel of land being all of Land Lots 91, 126 and 163 and part of Land Lots 162, 164, 198 and 199, all of the 2nd District, 1st Section of Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northwest corner of said Land Lot 91 and running thence south 87 degrees 45 minutes east along the north line of said Land Lot 91 a distance of 1,382.9 feet to an iron pin found at the northeast corner of said Land Lot 91; running thence south 00 degrees 39 minutes west along the east line of said Land Lots 91 and 126 a distance of 2,004.4 feet to an iron pin found; running thence south 00 degrees 30 minutes east along the east line of said Land Lots 126 and 163 a distance of 1,396.2 feet to an iron pin found on the east line of said Land Lot 163; running thence south 65 degrees 18 minutes east a distance of 583 feet to an iron pin found; running thence south 19 degrees 38 minutes east a distance of 212.9 feet to an iron pin found on the north line of the right-of-way of Castleberry Road (an 80-foot right-of-way), which iron pin on the north line of the right-of-way of Castleberry Road is a distance of 700.4 feet westerly, as measured along the north line of said right-of-way of Castleberry Road with the west line of a 30-foot wide public dirt road, and running thence southwesterly along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, from the intersection of the north line of said right-of-way of Castleberry Road, and following the curvature thereof, a distance of 931.3 feet to an iron pin found; running thence north 11 degrees 06 minutes west along a fence line a distance of 95.2 feet to a point; running thence north 50 degrees 32 minutes west along a fence line a distance of 85 feet to a point; running thence north 18 degrees 19 minutes west along a fence line a distance of 47.4 feet to a point; running thence north 21 degrees 55 minutes east along a fence line a distance of 185 feet to an iron pin found on the south line of said Land Lot 163; running thence north 88 degrees 52 minutes west along the south line of said Land Lot 163 and along the south line of said Land Lot 164 a distance of 2,170 feet to the centerline of Big Creek; running thence northerly along the center line of Big Creek, and following the meanderings thereof, a distance of 1,310 feet, more or less, to an iron pin found; running thence north 85 degrees 56 minutes east a distance of 765 feet to an iron pin found at the southwest corner of said Land Lot 126 (being the northwest corner of said Land Lot 163), and running thence north 00 degrees 52 minutes east along the west line of said Land Lot 126 and the west line of said Land Lot 91 a distance of 2,620.1 feet to an iron pin found at the POINT OF BEGINNING, being 162.19 acres in area as shown on the blueprint of survey to which reference is made prepared by Fred Wilson Long, Registered Land Surveyor, dated May 4, 1972.

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $ 151.00
Date 8-31-76
Cecil McClure
Clerk of Superior Court

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said part y of the second part, his heirs and assigns, forever, in Fee Simple.

AND THE SAID part y of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said part y of the second part, his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said part y of the first part has hereunto set his hand and seal , the day and year above written.

Signed, sealed and delivered in presence of:

Jack C. Redish — Charles C. Evans (Seal)
CHARLES C. EVANS

Charlotte P. Cousins (Seal)

(Seal)

State of Florida
County of Indian River

Sworn and subscribed before me this 13th day of August, 1976, in the City of Vero Beach.

My Commission Expires:
Notary Public, State of Florida at Large
My commission expires May 29, 1977

Jack C. Redish
Notary Public

JACK C. REDISH NOTARY PUBLIC

WARRANTY DEED
(Long Form)

FROM CHARLES C. EVANS

TO A. J. GANTT

GEORGIA, County of Putnam

Clerk's Office, Superior Court

Filed for Record at 10:00 o'clock AM 8-31 19 76

Recorded in Deed Book Folio 8-31 19 76

Clerk

FORM NO. 214 IVAN ALLEN CO

155 /74

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $ 170.00
Date 6-17-76
Claudine Cowart
Clerk of Superior Court

DEED UNDER POWER OF SALE

GEORGIA, FORSYTH COUNTY

This instrument, made and executed this 1st day of June, 1976,

WITNESSETH THAT:

WHEREAS, on the 1st day of June, 1976, during the legal hours of sale, CHARLES C. EVANS, acting as agent and attorney in fact for NEWMAN AND COMPANY, did expose for sale at public outcry to the highest bidder for cash before the Courthouse Door in Forsyth County, Georgia, the lands hereinafter described, at which sale CHARLES C. EVANS was the highest and best bidder at and for $170,000.00, and said property was then and there knocked off to CHARLES C. EVANS at said sum. The said sale was made by CHARLES C. EVANS under and by virtue of the power and authority granted to him in a certain Deed to Secure Debt, executed by NEWMAN AND COMPANY to CHARLES C. EVANS on May 11, 1972, recorded in Deed Book 107, Pages 440 - 443, Forsyth County Land Records. Said sale was made after advertising the time, place and terms thereof in the Forsyth County News, having general circulation in Forsyth County, Georgia, and published in Forsyth County, Georgia, and being the publication in which Sheriff's advertisements for said County are now published once a week for four weeks prior to said sale, to-wit: May 5, May 12, May 19, May 26, 1976, and said advertisement in all respects complied with the requirements of the power of sale obtained in said Deed to Secure Debt. Said sale was made for the purpose of paying the indebtedness due to the said CHARLES C. EVANS secured by said Deed to Secure Debt and the expenses of the sale, all of which was matured and payable because of default of the said NEWMAN AND COMPANY in payment of a certain Promissory Note secured by said Deed to Secure Debt.

NOW, THEREFORE, the said Grantor, acting under and by virtue of the power of sale contained in said Deed to Secure Debt, for and in consideration of $10.00 paid for said land by virtue of the public sale aforesaid, and in consideration of the facts hereinbefore recited, has bargained, sold and conveyed, and does hereby bargain, sell and convey unto said CHARLES C. EVANS, his heirs, executors, administrators and assigns, the following described property:

All that tract or parcel of land being all of Land Lots 91, 126 and 163 and part of Land Lots 162, 164, 198 and 199, all of the 2nd District, 1st Section of Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northwest corner of said Land Lot 91 and running thence south 87 degrees 45 minutes east along the north line of said Land Lot 91 a distance of 1,382.9 feet to an iron pin found at the northeast corner of said Land Lot 91; running thence south 00 degrees 59 minutes west along the east line of said Land Lots 91 and 126 a distance of 2,004.4 feet to an iron pin found; running thence south 00 degrees 30 minutes east along the east line of said Land Lots 126 and 163 a distance of 1,396.2 feet to an iron pin found on the east line of said Land Lot 163; running thence south 65 degrees 18 minutes east a distance of 583 feet to an iron pin found; running thence south 19 degrees 38 minutes east a distance of 212.9 feet to an iron pin found on the north line of the right-of-way of Castleberry Road (an 80-foot right-of-way), which iron pin on the north line of the right-of-way of Castleberry Road is a distance of 700.4 feet westerly, as measured along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, from the intersection of the north line of said right-of-way of Castleberry Road with the west line of a 30-foot wide public dirt road, and running thence southwesterly along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, a distance of 931.3 feet to an iron pin found; running thence north 11 degrees 06 minutes west along a fence line a distance of 95.2 feet to a point; running thence north 50 degrees 32 minutes west along a fence line a distance of 85 feet to a point; running thence north 18 degrees 19 minutes west along a fence line a distance of 47.4 feet to a point; running thence north 21 degrees 55 minutes east along a fence line a distance of 185 feet to an iron pin found on the south line of said Land Lot 163; running thence north 88 degrees 52 minutes west along the south line of said Land Lot 163 and along the south line of said Land Lot 164 a distance of 2,170 feet to the center line of Big Creek; running thence northerly along the center line of Big Creek, and following the meanderings thereof, a distance of 1,310 feet, more or less, to an iron pin found; running thence north 85 degrees 56 minutes east a distance of 765 feet to an iron pin found at the southwest corner of said Land Lot 126 (being the northwest corner of said Land Lot 163), and running thence north 00 degrees 52 minutes east along the west line of said Land Lot 126 and the west line of said Land Lot 91 a distance of 2,620.1 feet to an iron pin found at the POINT OF BEGINNING, being 162.19 acres in area as shown on the blueprint of survey to which reference is made prepared by Fred Wilson Long, Registered Land Surveyor, dated May 4, 1972.

TO HAVE AND TO HOLD the said described property unto CHARLES C. EVANS, his heirs, executors, administrators and assigns, in fee simple.

It is the purpose and intent of this instrument to convey all of the right, title, equity and interest of said NEWMAN AND COMPANY and its legal representatives, heirs, successors and assigns, and all persons whomsoever claiming under it, in and to said land.

IN WITNESS of all of which the said Grantor has hereunto set his hand and affixed his seal and delivered this instrument, the day and year first above written.

Charles C. Evans (SEAL)
CHARLES C. EVANS

Signed, sealed and delivered in the presence of:

Betty H. Goodman

Helen M. Wright
Notary Public

Notary Public, Bought, State at Large
My Commission Expires Oct. 16, 1979

HELEN M. WRIGHT NOTARY PUBLIC

17 6 76 840
17 6 76

137/558

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $ 9-25-74

WARRANTY DEED—Form 36 — Cumming Printing, Cumming, Ga.

Cecil McClure SC
Clerk of Superior Court

STANDARD WARRANTY DEED

STATE OF GEORGIA,

FORSYTH County

THIS INDENTURE, made this 24th day of September

in the year of our Lord One Thousand Nine Hundred and Seventy-Four

Between Newman and Company, James W. Fluker, Jr., R. Turner Bartenfeld, J. Richard Stephens, Mrs. Charlotte S. Miller

of the State of Georgia and County of Fulton of the first part

and LOYD SMITH

of the State of Georgia and County of Forsyth of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS----------DOLLARS

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, ha granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all that tract and parcel of land lying and being in the Second (2nd) District and First (1st) Section of Forsyth County, Georgia and being all of or part of Land Lots Numbered 90, 91, 126,127, 162, 163, 164, 198, and 199 and more particularly described as follows:

BEGINNING at an iron pin at the Northwest corner of Land Lot 91; thence, S87°45' E 1382.9 feet; thence, S 89° 55' E 1534.8 feet to a point; said point being the Northeast corner of Land Lot 90; thence, S 1° 18' E 1183.8 feet to a point; thence, S 87° 32' W 1593.3 feet to a point; thence, S 0° 59' W 571.0 feet to a point at an old field road; thence, along and with said field road; S 72° 55' E 180.8 feet; thence, S 88° 18' E 152.3 feet; thence, S 82° 24' E 100.0 feet; thence, S 77° 27' E 144.8 feet; thence, N 88° 38' E 101.7 feet; thence N 74° 04' E 160.0 feet; thence, N 81° 58' E 185.0 feet; thence, N 64° 00' E 199.1 feet; thence, N 33° 13' E 180.0 feet; thence, N 44° 38' E 200.0 feet; thence, N 47° 48' E 245.0 feet to a point; thence, S 01° 55' E 679.5 feet to a point; thence, S 89° 16' W 399.0 feet; thence, N 89° 34' W 187.1 feet to a point in the center of a dirt public road, thence along and with said public road as follows: S 21° 07' E 205.0 feet; thence, S 24°23' E 200.0 feet; thence S 20° 27' E 100.0 feet; thence S 15° 29' E 100.0 feet; thence S 10° 09' E 100.0 feet; thence, S 5° 29' E 160.0 feet; thence, S 12° 04' E 120.0 feet; thence, S 5° 09' E 100.0 feet; thence S 6° 06' W 100.0 feet; thence, S 9° 32' W 160.0 feet; thence, S 12° 30' W 170.0 feet; thence, S 5° 31' N 100.0 feet to a point on the North right of way of a paved public road known as Castleberry Road thence in a southerly direction along and with said road as follows: S 70° 38' W 100.0 feet; thence, S 65° 41' W 100.0 feet; thence S 64° 43' W 100.0 feet; thence, S 64° 14' W 200.0 feet; thence, S 62° 19' W 100.0 feet; thence, S 60° 07' W 100.0 feet; thence, S 57° 40' W 100.0 feet; thence, S 56° 09' W 180.0 feet; thence, S 54° 23' W 200.0 feet; thence, S 53° 57' W 100.0 feet; thence, S 58° 20' W 100.0 feet; thence, S 66° 08' W 100.0 feet; thence, S 71° 25' W 80.0 feet; thence, S 73° 32' W 75.6 feet to a point and an iron pin at a fence; thence , N 11° 06' W 95.2 feet; thence, N 50° 32' W 85.0 feet; thence, N 18° 19' W 47.4 feet; thence N 21° 55' E 185.0 feet to an iron pin; thence, N 88° 52' W 2170.0 feet to the center line of Big Creek; running thence northerly along the center line of Big Creek, and following the meanderings thereof, a distance of 1310 feet, more or less, to an iron pin found; thence N 85° 56' E 765 feet to an iron pin found; thence N 0° 52' E 2620.1 feet to an iron pin found, said iron pin being at the Northwest corner of Land Lot 91, said point being the true point of beginning. Said Tract contains 259.81 acs., and is more fully shown on a plat of survey prepared by Bates-Long and Associates, dated October 23, 1972, and recorded in Plat Book 10 , Page 203 , Clekrs Office, Forsyth Superior Court. Said plat is made a part of this description by reference.

By acceptance of this Deed, Grantee herein assumes and agrees to pay as they become due in normal course the following notes of principal plus interest on the unpaid principal balance. (A) Note in the amount of $38,109.96 dated May 11, 1972 made by Newman and Company in favor of Kenneth H. Cree, which indebtedness is secured by that certain Deed to Secure Debt dated May 11, 1972, recorded in Deed Book 107, page 204-205, Forsyth County Records, the present approximate balance of which is $38,109.96. (B) Note in the amount of $151,700.00 dated May 11, 1972 made by Newman and Company in favor of Charles C. Evans, which indebtedness is secured by that certain Deed to Secure Debt dated May 11, 1972, recorded in Deed Book 107, page 440-443, Forsyth County Records. the present approximate balance of

(C) Note in the amount of $37,275.00 dated February 22, 1972 made by Newman and Company in favor of J. T. and Virginia Rivers, which indebtedness is secured by that certain Deed to Secure Debt dated February 22, 1972, recorded in Deed Book 104, page 783-785, Forsyth County Records, the present approximate balance of which is $29,820.00. This conveyance is made subject to the aforesaid deeds to secure debt, easements and reservations of record and ad valorem taxes for the current year.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said party of the second part, his & heirs and assigns forever, IN FEE SIMPLE.

And the said parties of the first part, for their heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said party of the second part, his heirs and assigns, against the lawful claims of all persons whomsoever claiming under by and through grantor.

IN WITNESS WHEREOF, That the said parties of the first part have hereunto set their hands and affixed their seals, the day and year above written.

Signed, sealed and delivered in the presence of

Newman and Company

By: J. Reed Stephens V.P. (Seal)

Turner W. Tucker by his Attorney in fact (Seal)

Newman and Company by J. Reed Stephens V.P. (Seal)

R. Turner Beatty III by his Attorney in fact (Seal)

Newman and Company by J. Reed Stephens (Seal) V.P.

J. Reed Stephens

Mrs. Charlotte S. Miller by her Attorney in fact Newman and Company by J. Reed Stephens V.P.

NOTARY PUBLIC

WARRANTY DEED

FROM

TO

GEORGIA, Forsyth County.
Clerk's Office Superior Court
Filed for Record at 10 o'clock A M.
Sept 25, 1974
Recorded Book Folio
19
Cecil McClure Clerk

STANDARD WARRANTY DEED

Filed 25 Day Sept 1974 at 10 o'clock A M.
Recorded 26 Day Sept 1974 Cecil McClure, Clerk

115/57

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE, made as of this 11th day of May in the year of our Lord One Thousand Nine Hundred and Seventy Two between Newman and Company, a Georgia corporation, party of the first part and R. Turner Bartenfeld, as to an undivided fifteen percent (15%) interest, James D. Fluker, Jr. as to an undivided fifteen percent (15%) interest, Mrs. Charlotte S. Miller as to an undivided five percent (5%) interest and J. Richard Stephens as to an undivided five percent (5%) interest, all of the State of Georgia parties of the second part,

W I T N E S S E T H;

That the said party of the first part, for and in consideration of the payment by each of the parties of the second part of the respective portion due by each of the parties of the second part for the acquisition of the Charles C. Evans property and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said parties of the second part, their respective heirs and assigns, an undivided forty percent (40%) interest in and to

All that tract or parcel of land being all of Land Lots 91, 126 and 163 and part of Land Lots 162, 164, 198 and 199, all of the 2nd District, 1st Section of Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northwest corner of said Land Lot 91 and running thence south 87 degrees

[illegible] County, Georgia
Real Estate Transfer Tax
Paid $ 10.00
Date 1-19-73
[illegible]
Clerk of Superior Court

45 minutes east along the north line of said Land Lot 91 a distance of 1,382.9 feet to an iron pin found at the northeast corner of said Land Lot 91; running thence south 00 degrees 59 minutes west along the east line of said Land Lots 91 and 126 a distance of 2,004.4 feet to an iron pin found; running thence south 00 degrees 30 minutes east along the east line of said Land Lots 126 and 163 a distance of 1,396.2 feet to an iron pin found on the east line of said Land Lot 163; running thence south 65 degrees 18 minutes east a distance of 583 feet to an iron pin found; running thence south 19 degrees 38 minutes east a distance of 212.9 feet to an iron pin found on the north line of the right-of-way of Castleberry Road (an 80-foot right-of-way), which iron pin on the north line of the right-of-way of Castleberry Road is a distance of 700.4 feet westerly, as measured along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, from the intersection of the north line of said right-of-way of Castleberry Road with the west line of a 30-foot wide public dirt road, and running thence southwesterly along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, a distance of 931.3 feet to an iron pin found; running thence north 11 degrees 06 minutes west along a fence line a distance of 95.2 feet to a point; running thence north 50 degrees 32 minutes west along a fence line a distance of 85 feet to a point; running thence north 18 degrees 19 minutes west along a fence line a distance of 47.4 feet to a point; running thence north 21 degrees 55 minutes east along a fence line a distance of 185 feet to an iron pin found on the south line of said Land Lot 163; running thence north 38 degrees 52 minutes west along the south line of said Land Lot 163 and along the south line of said Land Lot 164 a distance of 2,170 feet to the center line of Big Creek; running thence northerly along the center line of Big Creek, and following the meanderings thereof, a distance of 1,310 feet, more or less, to an iron pin found; running thence north 85 degrees 56 minutes east a distance of 765 feet to an iron pin found at the southwest corner of said Land Lot 126 (being the northwest corner of said Land Lot 163), and running thence north 00 degrees 52 minutes east along the west line of said Land Lot 126 and the west line of said Land Lot 91 a distance of 2,620.1 feet to an iron pin found at the POINT OF BEGINNING, being 162.19 acres in area as shown on the blueprint of survey to which reference is made prepared by Fred Wilson Long, Registered Land Surveyor, dated May 4, 1972.

TO HAVE AND TO HOLD an undivided forty percent (40%) interest in and to the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining to, the only property use, benefit and behoof of the said parties of the second part, their respective heirs and assigns forever in fee simple, as to said undivided forty percent (40%) interest.

The property described herein is conveyed subject to a Security Deed from Newman and Company to Charles C. Evans dated May 11, 1972 and recorded in Deed Book 107 page 440 of the Forsyth County Records. The property is also conveyed subject to those matters set forth in those special exceptions of Schedule "B" of Pioneer National Title Insurance Company Policy No. 44284.

The said party of the first part, for itself, its successors and assigns will warrant and forever defend the right to the above described property unto the said parties of the second part, their respective heirs and assigns, against the lawful claims of all persons claiming under party of the first party, except for the claims of the holder of said Deed to Secure Debt.

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

Signed, sealed and delivered in the presence of:

Elizabeth N. Rose

Unofficial Witness

Notary Public

NEWMAN AND COMPANY

By: [signature] (SEAL)
President

Attest: [signature] (SEAL)
Secretary

Filed 15 day Jan 1973 at 1:00 o'clock P M.
Recorded 19 day Jan 1973 [illegible], Clerk

107/438

WARRANTY DEED-Form 36B.

Fulton County, Georgia
Real Estate Transfer Tax
Paid $ 181.70
Date 5-13-72
Clerk of Superior Court

STATE OF GEORGIA

FULTON County

THIS INDENTURE, made this 11th day of May
in the year of our Lord One Thousand Nine Hundred and Seventy - Two
between CHARLES C. EVANS
of the State of Georgia and County of Fulton party of the first part
and NEWMAN AND COMPANY, a Georgia corporation
of the State of XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX and County of XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of
TEN DOLLARS ($10.00) AND OTHER VALUABLE CONSIDERATIONS----------XXXXXXX DOLLARS,
in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged
has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto
the said party of the second part, its successors heirs and assigns,
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
all that tract or parcel of land lying and being in

All that tract or parcel of land being all of Land Lots 91, 126 and 163 and part of Land Lots 162, 164, 198 and 199, all of the 2nd District, 1st Section of Forsyth County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northwest corner of said Land Lot 91 and running thence south 87 degrees 45 minutes east along the north line of said Land Lot 91 a distance of 1,382.9 feet to an iron pin found at the northeast corner of said Land Lot 91; running thence south 00 degrees 59 minutes west along the east line of said Land Lots 91 and 126 a distance of 2,004.4 feet to an iron pin found; running thence south 00 degrees 30 minutes east along the east line of said Land Lots 126 and 163 a distance of 1,396.2 feet to an iron pin found on the east line of said Land Lot 163; running thence south 65 degrees 18 minutes east a distance of 583 feet to an iron pin found; running thence south 19 degrees 38 minutes east a distance of 212.9 feet to an iron pin found on the north line of the right-of-way of Castleberry Road (an 80-foot right-of-way.), which iron pin on the north line of the right-of-way of Castleberry Road is a distance of 700.4 feet westerly, as measured along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, from the intersection of the north line of said right-of-way of Castleberry Road with the west line of a 30-foot wide public dirt road, and running thence southwesterly along the north line of said right-of-way of Castleberry Road, and following the curvature thereof, a distance of 931.3 feet to an iron pin found; running thence north 11 degrees 06 minutes west along a fence line a distance of 95.2 feet to a point; running thence north 50 degrees 32 minutes west along a fence line a distance of 85 feet to a point; running thence north 18 degrees 19 minutes west along a fence line a distance of 47.4 feet to a point; running thence north 21 degrees 55 minutes east along a fence line a distance of 185 feet to an iron pin found on the south line of said Land Lot 163; running thence north 88 degrees 52 minutes west along the south line of said Land Lot 163 and along the south line of said Land Lot 164 a distance of 2,170 feet to the center line of Big Creek; running thence northerly along the center line of Big Creek, and following the meanderings thereof, a distance of 1,310 feet, more or less, to an iron pin found; running thence north 85 degrees 56 minutes east a distance of 765 feet to an iron pin found at the southwest corner of said Land Lot 126 (being the northwest corner of said Land Lot 163), and running thence north 00 degrees 52 minutes east along the west line of said Land Lot 126 and the west line of said Land Lot 91 a distance of 2,620.1 feet to an iron pin found at the POINT OF BEGINNING, being 162.19 acres in area as shown on the blueprint of survey to which reference is made prepared by Fred Wilson Long, Registered Land Surveyor, dated May 4, 1972.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining to, the only proper use, benefit and behoof of the said party of the second part, its successors XXX heirs and assigns forever, IN FEE SIMPLE.

And the said party of the first part, for himself, his heirs, executors and administrators will warrant and forever defend the right to the above described property unto the said party of the second part, its successors XXX heirs and assigns, against the lawful claims of all persons ~~XXXXXXXXXX~~ claiming under party of the first part.

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

Signed, sealed and delivered in the presence of

Unofficial Witness — CHARLES C. EVANS (Seal)

Notary Public. Notary Public, Georgia, State at Large My Commission Expires March 13, 1973 (Seal)

(Seal)

WARRANTY DEED

FROM

CHARLES C. EVANS

TO

NEWMAN AND COMPANY, a Georgia corporation

GEORGIA, Fayette County
Clerk's Office Superior Court

Filed for Record at 8:30 o'clock A.M.
May 13, 1972

Recorded in Book ——, Folio ——
5-15-, 1972

Clerk

JDN/gdd

HANSELL, POST, BRANDON & DORSEY
THIRTY-THIRD FLOOR
FIRST NATIONAL BANK TOWER
ATLANTA, GA. 30303

STANDARD WARRANTY DEED

79/293

FORM GTI-WD (SHORT)

WARRANTY DEED

Guaranty Title Insurance Company

Atlanta, Georgia

Forsyth

79.00
8-10-68
[illegible]

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made this 7th day of August in the Year of Our Lord One Thousand Nine Hundred and Sixty-eight between

TRUETT W. OWENBY, of the State of Georgia and County of Fulton, and

J. E. RIVES,

of the State of Georgia and County of Forsyth, parties of the first part, and

CHARLES C. EVANS

of the State of Georgia and County of Fulton, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable consideration - - - - - - - - Dollars in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all that tract or parcel of land lying and being in Forsyth County, Georgia, to-wit:

All that tract or parcel of land lying and being in Land Lots 197, 198, 199, 162, 163, 164, 125, 126, 127, 90, 91, 92, 53, 54, and 55 of the 2nd District, 1st Section of Forsyth County, Georgia, containing 158.8 acres, more or less, according to a survey made March 12, 1965, by Thad P. Thomas & Associates, registered Georgia Land Surveyors, recorded in Plat Book 4, page 69, Forsyth County, Georgia records, and being more fully described as follows:

BEGINNING at a point along the center line of Big Creek, where the original east-west Land Lot line dividing Land Lot 164 from Land Lot 197 crosses said Big Creek; thence northeasterly along the center line of said Big Creek 1332.5 feet to a point where the original east-west Land Lot line between Land Lots 125 and 164 intersects Big Creek; thence in an easterly direction 775 feet to a point on the line that divides Land Lots 125 and 126 from Land Lots 163 and 164; thence in a northerly direction 2682.5 feet to a Rock Monument found; thence in an easterly direction 1397 feet to a Rock Monument found on the line formed by the intersection of Land Lots 54, 55, 90 and 91; thence 3435.5 feet to a point in a southerly direction along the line that divides Land Lots 90, 127 and 162 from Land Lots 91, 126 and 163; thence 589.5 feet in a southeasterly direction to a point; thence in a southerly direction 242.5 feet to a point on the center line of Castleberry Road; thence 940 feet in a southwesterly direction along the center line of said Castleberry Road; thence in a northerly direction 456 feet along a terrace and fence to a point on the line dividing Land Lots 163 and 198; thence in a westerly direction 2200.5 feet back to the point of beginning on the center line of Big Creek.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, his heirs and assigns, forever, in Fee Simple.

AND THE SAID parties of the first part, for themselves, their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said party of the second part, his heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and affixed their seals the day and year above written.

Signed, sealed and delivered in presence of:

[signature] Truett W. Owenby (Seal)

Truett W. Owenby

[signature] J. E. Rives (Seal)

Notary Public

(Seal)

177

56/177

WARRANTY DEED. (Form 554-2. (Rev. 8-53))

State of Georgia, County

Forsyth

This Indenture, Made the 13th day of March in the year of our Lord One Thousand, Nine Hundred and Sixty-five, between Truett W. Owenby of the County of Fulton and State of Georgia, of the first part, and James E. Rives of the County of Forsyth and State of Georgia, of the second part,

Witnesseth, That the said party of the first part, for and in consideration of the sum of Ten and 00/100 ($10.00) Dollars, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said party of the second part, his heirs and assigns, all that one half undivided interest in

All that tract or parcel of land lying and being in the Second District and First Section of Forsyth County, Georgia and being all of Land Lot No. 91, 125 and part of Land Lots No. 162, 164, 198 and 199 and more particularly described as follows:

BEGINNING at a rock monument located at the Northeast corner of Land Lot No. 91; thence, North 87½ degrees West 350 feet, thence, North 89½ degrees West 250 feet; thence, North 87½ degrees West 150 feet; thence North 88 degrees West 100 feet; thence, North 89 degrees West 150 feet; thence North 85 degrees West 100 feet; thence, North 84 degrees West 112 feet; thence, North 86½ degrees West 85 feet to a point located 23.5 feet North of a rock monument; thence, South 2½ degrees East 150 feet; thence, South 2½ degrees West 225 feet; thence, South 2 degrees East 150 feet; thence, South 5½ degrees East 100 feet; thence, South 2½ degrees West 225 feet, thence, South 2 degrees West 150 feet; thence, South 1½ degrees East 75 feet; thence, South 1½ Degrees East 125 feet; thence South 2½ degrees East 225 feet to a point on West side of Land Lot No. 125; thence, South 0 degrees 150 feet; thence, South 1-3/4 degrees East 125 feet; thence, South 4 degrees East 150 feet; thence, South 7½ degrees West 125 feet; thence, South 5½ degrees West 125 feet; thence, South 1-3/4 degrees East 150 feet; thence, South 1 degree East 150 feet; thence, South 3½ degrees East 308 feet to a point on South Line of Land Lot 126; thence, South 78-3/4 degrees West 150 feet; thence, South 77-3/4 degrees West 75 feet; thence, North 81½ degrees West 75 feet; thence, North 71½ degrees West 75 feet; thence, North 81½ degrees West 75 feet; thence, South 89 degrees West 70 feet; thence, South 74½ degrees West 255 feet to Big Creek in Land Lot No. 164; thence,

Southwest [illegible] and with the meanderings of Big Creek 1332.5 feet; thence, North 89-3/4 degrees East 587 feet; thence, North 88-3/4 degrees East 100 feet; thence, [illegible] degrees East 100 feet; thence, North 87-3/4 degrees East 100 feet; thence, South 89 degrees East 180 feet to a point located 13.5 feet North of a rock [illegible] Southeast Corner of Land Lot No. 164; thence, South 89 degrees East 1120 [illegible] to a point on South Line of Land Lot No. 163; thence, South 28-3/4 degrees West [illegible] feet; thence, South 3½ degrees West 42 feet; thence, South 23½ degrees West [illegible] feet; thence, South 22 degrees East 49 feet; thence, South 49½ degrees East [illegible] feet; thence, South 7-3/4 degrees East 76 feet to a point in Land Lot No. [illegible]; thence, South 7-3/4 degrees East 40 feet to a point on Center Line [illegible] Castleberry Paved Road; thence, North 72 degrees East 125 feet along and [illegible] said road, thence, North 67½ degrees East 100 feet along and with said [illegible] to a point in Land Lot No. 199; thence, North 60½ degrees East 100 feet [illegible] with said road; thence, North 54 degrees East 450 feet along and [illegible] said road; thence, North 56½ degrees East 165 feet along and with said [illegible] to a point in Land Lot No. 162; thence, North 20-3/4 degrees West 37 feet [illegible] point; thence, North 20-3/4 degrees West 205.5 feet; thence, North 64½ [illegible] West 589.5 feet; thence, North 4½ degrees West 300 feet; thence, North [illegible] degree West 300 feet; thence, North 3-3/4 degrees East 375 feet; thence, North 2½ degrees West 200 feet; thence, North 7 degrees West 246 feet to an [illegible]; thence, North 1/2 degree East 2020.5 feet to point of beginning.

Contains [illegible] all 158.8 acres, more or less, and all according to a Survey and Plat [illegible] Thomas and Associates, Registered Land Surveyor No. 1099, dated March [illegible] 1965 and recorded in Forsyth County Superior Court Clerks Records in [illegible] No. 4, Page 69. Said Plat incorporated herein and made a part hereof [illegible] reference.

Sellers [illegible] land and occupy all houses and buildings rent free, until loan is [illegible] paid in full. Buyer may pay loan off in full at any time and have [illegible] of property by giving seller six (6) months advance notice. [illegible] gather any crops planted prior to six (6) months notice.

To Have and to Hold [illegible] bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, [illegible] in anywise appertaining, to the only proper use, benefit, and behoof of James E. Dixon [illegible] part [illegible] of the second part, his heirs and assigns, forever, in fee simple.

And the said part[illegible] part, for his heirs, executors, and administrators, will warrant and forever defend the right and title [illegible] described property unto the said part[illegible] of the second part, his heirs and assigns, against the claims [illegible] whomsoever.

In Witness Whereof [illegible] part[illegible] of the first part has hereunto set his hand and affixed his seal, the [illegible] first above written.

Signed, sealed, and [illegible] presence of:

[illegible] Lucie T. W. Quarterly (Seal.)

James R. Kola[illegible] N.P. (Seal.)

24 July 65 10:50 A
26 July 65

51/672

WARRANTY DEED (Box [illegible]) (Rev. [illegible])

State [illegible] orgia, FORSYTH County

This Indenture, [illegible] 13th day of March in the year of our Lord One Thousand, Nine Hundred and S[illegible], between Johnnie B. Redd

of the County of [illegible] and State of Georgia, of the first part, and

Truett W. [illegible]

of the County of [illegible] and State of Georgia, of the second part,

Witnesseth, Th[illegible] y of the first part, for and in consideration of the sum of $10.00+

Ten dollars and [illegible] luable Considerations ----------Dollars,

in hand paid at and be[illegible] and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, [illegible], and by these presents do es grant, bargain, sell, and convey unto the said part y of the second part, h[illegible] and assigns, all that tract or parcel of land lying and being in

U.S. REVENUE STAMP TOTAL $ 42.90 PAID & CANCELLED

All [illegible] ct or parcel of land lying and being in the Second District and Fi[illegible] of Forsyth County, Georgia and being all of Land Lot No. 91, 125 and [illegible] parts of Land Lots No. 162, 164, 198 and 199 and more particularly [illegible] as follows:

BE[illegible] a rock monument located at the Northeast corner of Land Lot No. 91; [illegible] North 87½ degrees West 350 feet; thence, North 89½ degrees West 25[illegible] ence, North 87½ degrees West 150 feet; thence, North 88 degrees We[illegible]; thence, North 89 degrees West 150 feet; thence, North 85 degrees W[illegible]; thence, North 84 degrees West 112 feet; thence, North 86½ deg[illegible] 85 feet to a point located 23.5 feet North of a rock monument; th[illegible] th 2½ degrees East 150 feet; thence, South 2½ degrees West 225 fee[illegible] South 2 degrees East 150 feet; thence, South 5½ degrees East 100 fee[illegible] South 2½ degrees West 225 feet; thence, South 2 degrees West 150 fee[illegible] South 1½ degrees East 75 feet; thence, South 1½ Degrees East 125 fee[illegible] South 2½ degrees East 225 feet to a point on West side of Land Lo[illegible] thence, South 0 degrees 150 feet; thence, South 1-3/4 degrees East 15[illegible] ence, South 4 degrees East 150 feet; thence, South 7½ degrees West 15[illegible] ence, South 5½ degrees West 125 feet; thence, South 1-3/4 degrees E[illegible]; thence, South 1 degree East 150 feet; thence, South 3½ degrees E[illegible] to a point on South Line of Land Lot 125; thence, South 78-3/4 [illegible] 150 feet; thence, South 77-3/4 degrees West 75 feet; thence North 8[illegible] West 75 feet; thence, North 71½ degrees West 75 feet; thence, North 8[illegible] West 75 feet; thence, South 89 degrees West 70 feet; thence,

South 7[illegible] de[illegible] West 255 feet to Big Creek in Land Lot No. 164; thence, Southwest al[illegible] and with the meanderings of Big Creek 1332.5 feet; thence, North 8[illegible]-3/4 [illegible] East 587 feet; thence, North 88-3/4 degrees East 100 feet; thence, Nort[illegible] degrees East 100 feet; thence, North 87-3/4 degrees East 100 feet; thence [illegible] 89 degrees East 180 feet to a point located 13.5 feet North of a [illegible] at Southeast Corner of Land Lot No. 164; thence, South 89 degrees East 11[illegible] fe[illegible] a point on South Line of Land Lot No. 163; thence, South 28-3/4 degrees West [illegible] feet; thence, South 3½ degrees West 42 feet; thence, South 23½ degrees West [illegible] feet; thence, South 22 degrees East 49 feet; thence, South 49½ degrees East [illegible] feet; thence, South 7-3/4 degrees East 76 feet to a point in Land Lot No. [illegible] thence, South 7-3/4 degrees East 40 feet to a point on Center Line [illegible] Paved Road; thence, North 72 degrees East 125 feet along and wi[illegible] road; thence, North 67½ degrees East 100 feet along and with said ro[illegible] a point in Land Lot No. 199; thence, North 60½ degrees East 100 feet along [illegible] with said road; thence, North 54 degrees East 450 feet along and wi[illegible] road; thence, North 56½ degrees East 165 feet along and with said ro[illegible] a point in Land Lot No. 162; thence, North 20-3/4 degrees West 37 feet [illegible] point; thence, North 20-3/4 degrees West 205.5 feet; thence, North 6[illegible] deg[illegible] West 589.5 feet; thence, North 4½ degrees West 30[illegible] feet; thence, North [illegible] degree West 300 feet; thence, North 3-3/4 degrees East 375 feet; thence, [illegible] 2½ degrees West 200 feet; thence, North 7 degrees West 246 feet to an Ir[illegible]; thence, North 1/2 degree East 2020.5 feet to point of beginning.

Con[illegible] all 158.8 acres, more or less, and all according to a Survey and Plat by T[illegible] Thomas and Associates, Registered Land Surveyor No. 1099, dated March 1[illegible] 65 and recorded in Forsyth County Superior Court Clerks Records in Plat [illegible] No. 4, Page 69. Said Plat incorporated herein and made a part hereof by [illegible]ence.

Sel[illegible] land and occupy all houses and buildings rent free, until loan is [illegible] paid in full. Buyer May pay loan off in full at any time and have [illegible] of property by giving seller six (6) months advance notice. Sell[illegible] gather any crops planted prior to six (6) months notice.

To Have and to H[illegible] the [illegible]ained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, [illegible] in anywise appertaining, to the only proper use, benefit, and behoof of

Truett H. Orenby [illegible] part y of the second part, his heirs and assigns, forever, in fee simple.

And the said part y of [illegible] part, for his heirs, executors, and administrators, will warrant and forever defend the right and title [illegible] the [illegible]ed property unto the said part y of the second part, his heirs and assigns, against the claims [illegible] all p[illegible] homesoever.

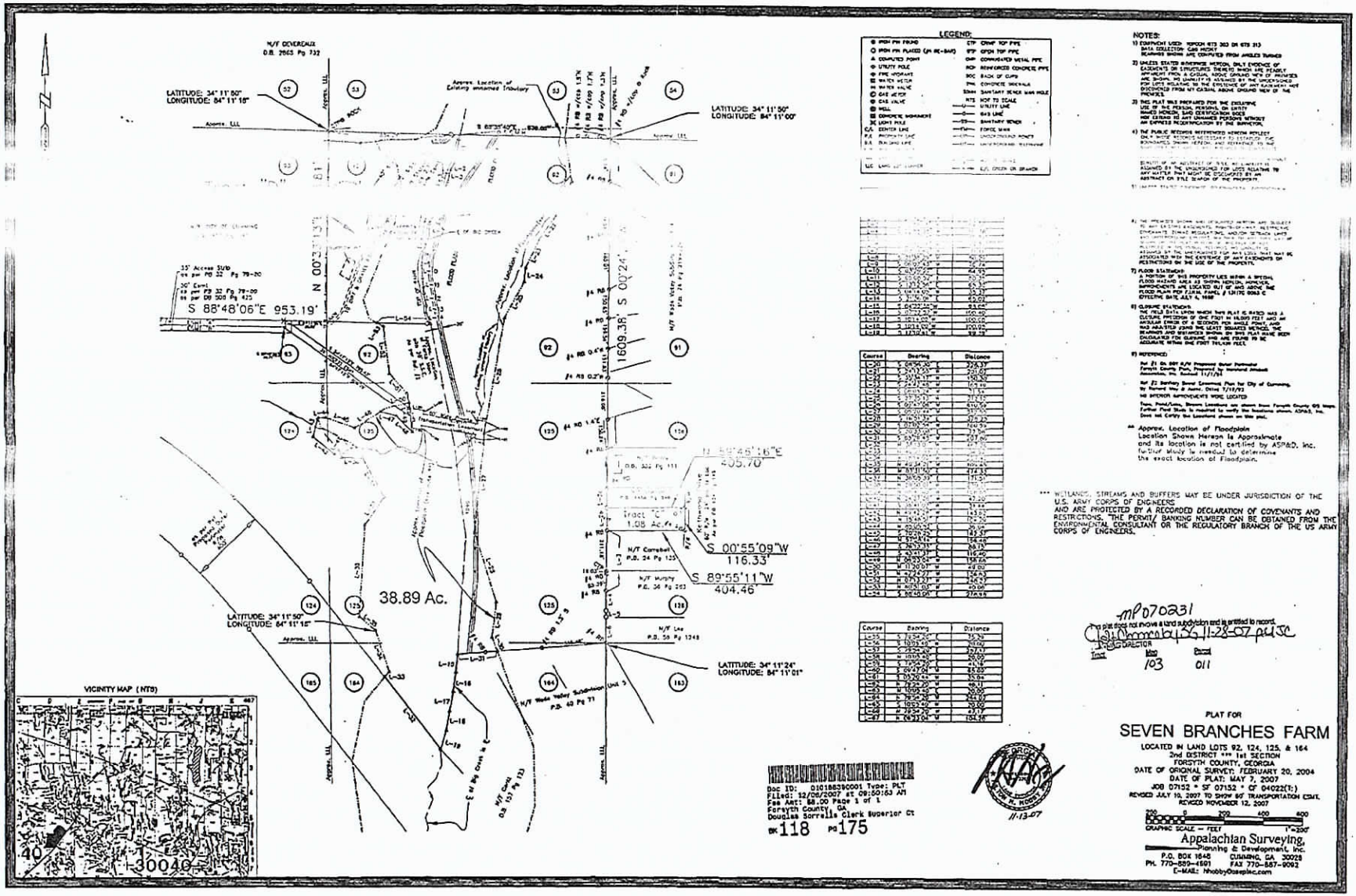
In Witness Whereof the [illegible] y of the first part has hereunto set his hand and affixed his seal, the day [illegible] first above written.

Signed, sealed, and delivered [illegible] presence of:

[illegible] John E. Red E. (Seal.)

James R. Robertson [illegible] (Seal.)

Filed 13 day Mar. 1965 at 9:37 o'clock A. M.
Recorded 13 Day Mar. 1965 [illegible] McClure, Clerk



LEGEND:

⊙ IRON PIN FOUND	CTP CRIMP TOP PIPE
○ IRON PIN PLACED (3/4 RE-BAR)	RTP OPEN TOP PIPE
▲ COMPUTED POINT	CMP CORRUGATED METAL PIPE
⊗ UTILITY POLE	RCP REINFORCED CONCRETE PIPE
⊕ FIRE HYDRANT	BOC BACK OF CURB
⊠ WATER METER	CONCRETE SIDEWALK
⊠ WATER VALVE	SSMH SANITARY SEWER MAN HOLE
⊙ GAS METER	NTS NOT TO SCALE
⊗ GAS VALVE	UTILITY LINE
⊙ MAIL	GAS LINE
⊞ CONCRETE MONUMENT	SANITARY SEWER
☼ LIGHT POLE	FORCE MAIN
C/L CENTER LINE	UNDERGROUND POWER
P/L PROPERTY LINE	UNDERGROUND TELEPHONE
R/W RIGHT OF WAY	
LOT LAND LOT CORNER	E/L OVER OR BEHIND

NOTES:

1) EQUIPMENT USED: TOPCON GTS 303 OR GTS 313
DATA COLLECTION: CAD HICKEY
BEARINGS SHOWN ARE COMPUTED FROM ANGLES TURNED

2) UNLESS STATED REFERENCE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE FOUND IMPLEMENT FROM A CASUAL ABOVE GROUND INSPECTION ARE SHOWN. NO WARRANTY IS ASSUMED BY THE UNDERSIGNED FOR LATER HOLDERS TO THE EXISTENCE OF ANY EASEMENT NOT DISCLOSED FROM MY CASUAL ABOVE GROUND VIEW OF THE PROPERTY.

3) THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS, PERSONS, OR ENTITY NAMED HEREON, SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSONS WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR.

4) THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON AND NOT REFERENCE TO THE

BENEFIT OF OR ABSTRACT OF TITLE. NO WARRANTY IS ASSUMED BY THE UNDERSIGNED FOR LATER HOLDERS TO ANY MATTER THAT MIGHT BE DISCLOSED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

5) [illegible]

6) THE UTILITIES SHOWN ARE DELINEATED HEREON ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS, SUBDIVISION REGULATIONS, AND/OR SETBACK LINES ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENTS OR RESTRICTIONS ON THE USE OF THE PROPERTY.

7) FLOOD STATEMENT:
A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN HEREON, ADVANCED IMPROVEMENTS ARE LOCATED OUT OF AND ABOVE SAID FLOOD PLAIN PER F.I.R.M. PANEL # 13117C 0063 C EFFECTIVE DATE: JULY 4, 1988

8) CLOSURE STATEMENT:
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 00 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THE BEARINGS AND DISTANCES SHOWN ON THIS PLAT WERE BOTH CALCULATED FOR CLOSURE AND ARE FOUND TO BE ACCURATE WITHIN ONE FOOT IN TEN FEET.

9) REFERENCE:
Ref #1 On 2007 A/N Proposed Water Distribution Forsyth County Plan, Prepared by: Appalachian Surveying & Development, Inc. Received 11/7/07

Ref #2 Sanitary Sewer Conceptual Plan for City of Cumming, by Planned Way & Assoc. Dated 7/19/93
NO SEPTIC SUITABILITY WAS LOCATED

Topo, Road/Utility, Wetland Locations are shown from Forsyth County GIS Maps. Certified Field Data is intended to verify the locations shown. ASP&D, Inc. does not certify the locations shown on this plat.

** Approx. Location of Floodplain
Location Shown Hereon is Approximate and its location is not certified by ASP&D, Inc. Further Study is needed to determine the exact location of Floodplain.

*** WETLANDS, STREAMS AND BUFFERS MAY BE UNDER JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND ARE PROTECTED BY A RECORDED DECLARATION OF COVENANTS AND RESTRICTIONS. THE PERMIT/ BANKING NUMBER CAN BE OBTAINED FROM THE ENVIRONMENTAL CONSULTANT OR THE REGULATORY BRANCH OF THE US ARMY CORPS OF ENGINEERS.

Course	Bearing	Distance
L-1	S 04°06'00" E	224.37'
L-2	S 24°13'00" E	201.00'
L-3	S 39°34'00" E	168.30'
L-4	S 24°31'00" E	84.00'
L-5	S 11°54'00" E	71.54'
L-6	S 01°07'00" E	117.00'
L-7	S 14°16'00" E	55.37'
L-8	S 01°07'00" E	53.01'
L-9	S 04°22'00" W	93.64'
L-10	S 07°22'30" W	100.00'
L-11	S 12°04'00" W	100.00'
L-12	S 12°04'00" W	100.00'
L-13	S 12°04'00" W	98.58'

Course	Bearing	Distance
L-14	S 04°06'00" E	224.37'
L-15	S 24°13'00" E	201.00'
L-16	S 39°34'00" E	168.30'
L-17	S 24°31'00" E	84.00'
L-18	S 11°54'00" E	71.54'
L-19	S 01°07'00" E	117.00'
L-20	S 14°16'00" E	55.37'
L-21	S 01°07'00" E	53.01'
L-22	S 04°22'00" W	93.64'
L-23	S 07°22'30" W	100.00'
L-24	S 12°04'00" W	100.00'
L-25	S 12°04'00" W	98.58'
L-26	S 12°04'00" W	100.00'
L-27	S 12°04'00" W	100.00'
L-28	S 12°04'00" W	98.58'
L-29	S 12°04'00" W	100.00'
L-30	S 12°04'00" W	100.00'
L-31	S 12°04'00" W	98.58'
L-32	S 12°04'00" W	100.00'
L-33	S 12°04'00" W	100.00'
L-34	S 12°04'00" W	98.58'
L-35	S 12°04'00" W	100.00'
L-36	S 12°04'00" W	100.00'
L-37	S 12°04'00" W	98.58'
L-38	S 12°04'00" W	100.00'
L-39	S 12°04'00" W	100.00'
L-40	S 12°04'00" W	98.58'
L-41	S 12°04'00" W	100.00'
L-42	S 12°04'00" W	100.00'
L-43	S 12°04'00" W	98.58'
L-44	S 12°04'00" W	100.00'
L-45	S 12°04'00" W	100.00'
L-46	S 12°04'00" W	98.58'
L-47	S 12°04'00" W	100.00'
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L-55	S 12°04'00" W	98.58'
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L-61	S 12°04'00" W	98.58'
L-62	S 12°04'00" W	100.00'
L-63	S 12°04'00" W	100.00'
L-64	S 12°04'00" W	98.58'
L-65	S 12°04'00" W	100.00'
L-66	S 12°04'00" W	100.00'
L-67	S 12°04'00" W	98.58'
L-68	S 12°04'00" W	100.00'
L-69	S 12°04'00" W	100.00'
L-70	S 12°04'00" W	98.58'
L-71	S 12°04'00" W	100.00'
L-72	S 12°04'00" W	100.00'
L-73	S 12°04'00" W	98.58'
L-74	S 12°04'00" W	100.00'
L-75	S 12°04'00" W	100.00'
L-76	S 12°04'00" W	98.58'
L-77	S 12°04'00" W	100.00'
L-78	S 12°04'00" W	100.00'
L-79	S 12°04'00" W	98.58'
L-80	S 12°04'00" W	100.00'
L-81	S 12°04'00" W	100.00'
L-82	S 12°04'00" W	98.58'
L-83	S 12°04'00" W	100.00'
L-84	S 12°04'00" W	100.00'
L-85	S 12°04'00" W	98.58'
L-86	S 12°04'00" W	100.00'
L-87	S 12°04'00" W	100.00'
L-88	S 12°04'00" W	98.58'
L-89	S 12°04'00" W	100.00'
L-90	S 12°04'00" W	100.00'
L-91	S 12°04'00" W	98.58'
L-92	S 12°04'00" W	100.00'
L-93	S 12°04'00" W	100.00'
L-94	S 12°04'00" W	98.58'
L-95	S 12°04'00" W	100.00'
L-96	S 12°04'00" W	100.00'
L-97	S 12°04'00" W	98.58'
L-98	S 12°04'00" W	100.00'
L-99	S 12°04'00" W	100.00'
L-100	S 12°04'00" W	98.58'

MP070231
This plat does not involve a land subdivision and is entitled to record.
[illegible] 11-28-07
DIRECTOR
Tract 103 Parcel 011

Doc ID: 010188396001 Type: PLT
Filed: 12/06/2007 at 09:50:50 AM
Fee Amt: $8.00 Page 1 of 1
Forsyth County, GA
Douglas Sorrells Clerk Superior Ct
BK 118 PG 175

11-13-07

PLAT FOR
SEVEN BRANCHES FARM
LOCATED IN LAND LOTS 92, 124, 125, & 164
2nd DISTRICT *** 1st SECTION
FORSYTH COUNTY, GEORGIA
DATE OF ORIGINAL SURVEY: FEBRUARY 20, 2004
DATE OF PLAT: MAY 7, 2007
JOB 07152 * SF 07152 * CF 04022(T)
REVISED JULY 10, 2007 TO SHOW 80' TRANSPORTATION CORR.
REVISED NOVEMBER 12, 2007

GRAPHIC SCALE – FEET 200 0 200 400 600 1"=200'

Appalachian Surveying, Planning & Development, Inc.
P.O. BOX 1648 CUMMING, GA. 30028
PH. 770-889-1501 FAX 770-887-9092
E-MAIL: NhobbyO@aspinc.com

11/8/11

01333
0221

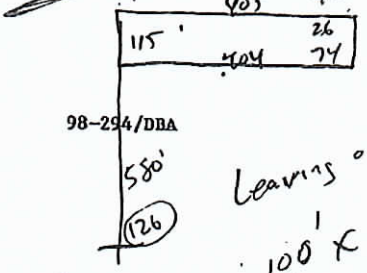
Part (5) with Key Attached on a Tax Map Along with current PTV (3951-680)

1333 / 221

Forsyth County
Clerks Office Superior Court
Filed for record on the 6
day of August 1998
at 10:15 o'clock A M. Recorded in
Book 1333 Page 221-223
day of 8-11 19 98
Douglas Annells, Clerk

Forsyth County, Georgia
Real Estate Transfer Tax
Paid 25.00
Date Aug. 6, 1998
Douglas Annells By MC
Clerk of the Superior Court

Sell off from (853-373)



Return to: Lipscomb, Johnson, Ashway & Sleister
112 North Main St.
Cumming, GA 30130 pd.

WARRANTY DEED

98-294/DBA

Leaving only 100' x 405'+/-

STATE OF GEORGIA,

County of FORSYTH

THIS INDENTURE, made this 5th day of ~~July~~ AUGUST

in the year of our Lord One Thousand Nine Hundred and Ninety-eight, between JOHN A. WAYT, JR., JOHN A. WAYT, III, REBECCA F. WAYT, JOHN FREDERICK WILLIAMS AND MARY MOUNT WILLIAMS, AS TRUSTEES OF THE JOSEPHINE WAYT WILLIAMS TRUST AND AS TRUSTEES OF THE MARTHA K. WAYT TRUST

of the County of _____ and State of Georgia, hereinafter referred to as GRANTOR,

and THOMAS L. GARMON

of the County of _____ and State of Georgia, hereinafter referred to as GRANTEE,

Tax map shows 90' for subject property

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee and Grantee's heirs and assigns, all the following described property, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

This may have an incorrect POB. I think it should start 680.08' North of LL corner? instead of 580' North of LL corner.

TO HAVE AND TO HOLD, the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of Grantee herein Grantee's heirs and assigns, forever in Fee Simple.

And the said Grantor, for Grantor's heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said Grantee, Grantee's heirs and assigns, against the claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered
in the presence of:

SEE SIGNATURE PAGE ATTACHED HERETO

_____ Witness

_____ (Seal) GRANTOR

_____ Notary Public

_____ (Seal) GRANTOR

My Commission Expires:

221

232

Josephine Wayt Williams Trust
and Martha K. Wayt Trust

Witness

Notary Public
Commission expires 1-6-01

By: _____
John A. Wayt, Jr., Trustee

Witness

Notary Public
Commission expires 1-6-01

By: _____
John A. Wayt, III, Trustee

Witness

Notary Public
Commission expires 1-6-01

By: _____
Rebecca F. Wayt, Trustee

Witness

Notary Public
Commission expires 1-6-01

By: _____
John Frederick Williams, Trustee

Witness

Notary Public
Commission expires 1-6-01

By: _____
Mary Mount Williams, Trustee

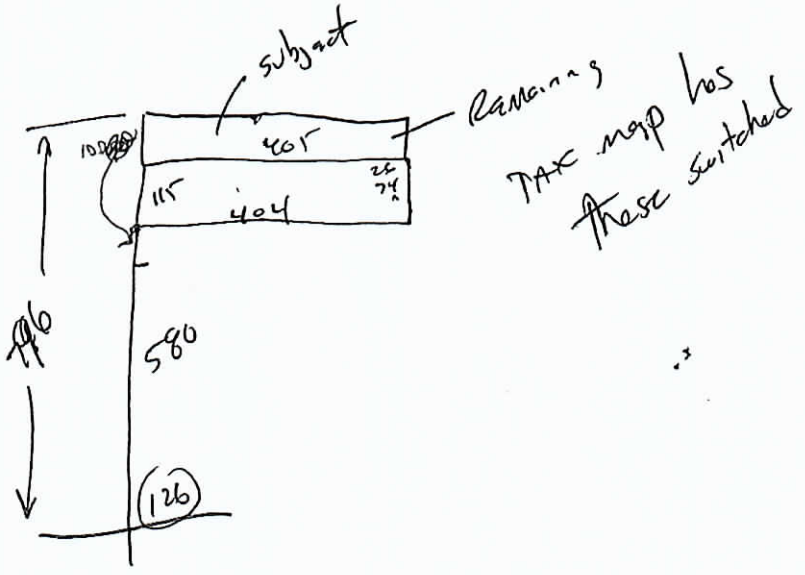
Witness

Notary Public
Commission expires 1-6-01

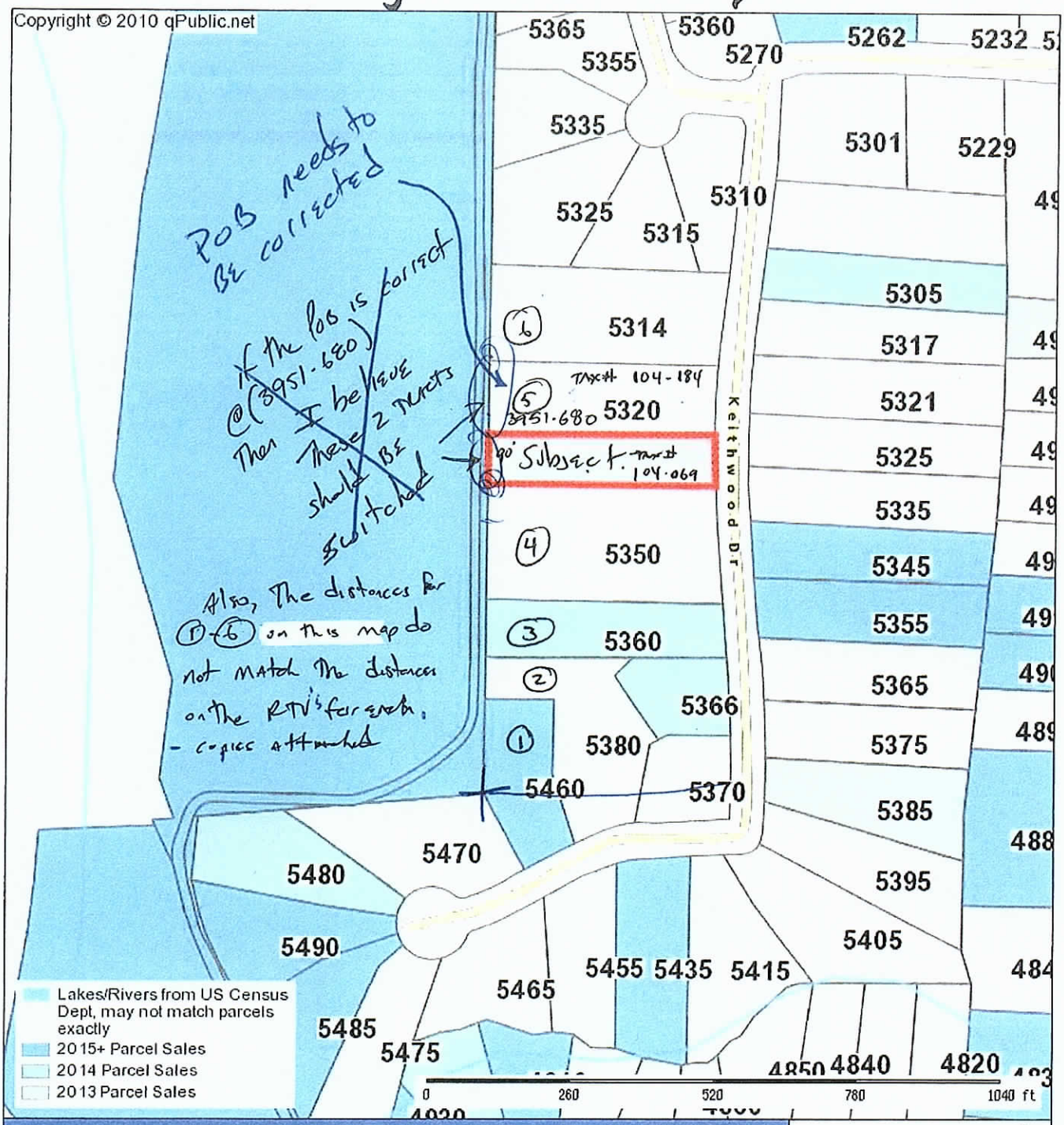
EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd District and 1st Section of Forsyth County, Georgia, being 1.00 acre, Part of Tract 2, Estate of John A. Wayt, Sr., as shown on a survey or Thomas L. Garmon, prepared by David Bealle Surveyors, Ltd., David W. Bealle, Ga. RLS No. 1872, dated June 1, 1998, and being more particularly described as follows:

Beginning at an iron pin found on the West line of Land Lot 126, which pin is located 580.08 feet North of the Southwest corner of said land lot, as measured along said land lot line; run thence North 0° 56' 38" East 115.26 feet to an iron pin set; thence South 87° 18' 11" East 405.22 feet to an iron pin set on the Western right-of-way of Keithwood Drive; run thence along said right-of-way South 2° 18' 46" West 26.0 feet and South 0° 53' 49" West 74.1 feet to an iron pin found; thence leaving said right-of-way and running North 89° 26' 54" West 404.48 feet to an iron pin found, and the POINT OF BEGINNING.



Adjacent tracts



POB needs to be corrected

If the POB is correct @ (3951-680) Then I believe these 2 parcels should be switched

Also, The distances for (1)-(6) on this map do not match the distances on the RTV's for each. - copies attached

Forsyth County Assessor

Parcel: 104 069 Acres: 1.01

Name:	MKW CAPITAL LLC &	Land Value:	45000
Site:	KEITHWOOD DR	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	45000



Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
Date printed: 04/10/17 : 14:04:47

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

MKW CAPITAL LLC & JOJO CAPITAL LLC
PO BOX 149

JAMESTOWN , RI 20835

Bill No	Due Date	TOTAL DUE
2016-251912	11/15/2016	$0.00

Map: 104 069

Last payment made on: 10/27/2016

Today's date: 4/10/2017

Location: KEITHWOOD DR

INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

Tax Payer:	**MKW CAPITAL LLC & JOJO CAPITAL LLC**
Map Code:	**104 069**
Description:	**2-1 126 PO TRACT 2**
Location:	**KEITHWOOD DR**
Bill No:	**2016-251912**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$45,000.00	1.0100	$45,000.00	11/15/2016	

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$45,000.00	$18,000.00	$0.00	$18,000.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$45,000.00	$18,000.00	$0.00	$18,000.00	7.5340	$135.61	$0.00	$83.55
SALES TAX CREDIT			$0.00	$18,000.00	-2.8920	$0.00	-$52.06	$0.00
COUNTY BOND	$45,000.00	$18,000.00	$0.00	$18,000.00	1.4190	$25.54	$0.00	$25.54
SCHOOL M&O	$45,000.00	$18,000.00	$0.00	$18,000.00	17.3000	$311.40	$0.00	$311.40
SCHOOL BOND	$45,000.00	$18,000.00	$0.00	$18,000.00	2.4180	$43.52	$0.00	$43.52
FIRE DISTRICT	$45,000.00	$18,000.00	$0.00	$18,000.00	1.9750	$35.55	$0.00	$35.55
				Totals:	27.754	$551.62	-$52.06	$499.56

If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!

Current Due	$499.56
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$499.56
Back Taxes	$0.00
Total Due	$0.00

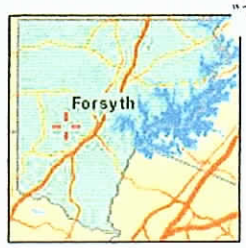
Secured by Thawte
2017-04-10



Forsyth County Assessor

Parcel: 104 069 Acres: 1.01

Name:	MKW CAPITAL LLC &	Land Value:	45000
Site:	KEITHWOOD DR	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	45000



Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
Date printed: 04/10/17 : 11:20:54

LL 126

FORSYTHCOUNTY
QUALITY. GROWTH. PROGRESS. GEORGIA – BOARD OF TAX ASSESSORS

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search | Forsyth Home

Owner and Parcel Information

Owner Name	MKW CAPITAL LLC & JOJO CAPITAL LLC	Today's Date	April 10, 2017
Mailing Address	PO BOX 149	Parcel Number	104 069
	JAMESTOWN, RI 20835	Tax District	0
Location Address	KEITHWOOD DR	Zoning	R2R
Legal Description	R2R	Acres	1.01
Property Class	R3-Residential Lots	Parcel Map	Show Parcel Map
Neighborhood	00448	Homestead	n
Legal Description	2-1 126 PO TRACT 2		Tax Commissioner

Assessment Information

Show Historical Assessments | Show Assessment Notice

Year	LUC	Land Value	Building Value	Total Value	Assessed Value
2016	0100	$ 45,000	$ 0	$ 45,000	$ 18,000

Land Information

Land Type	Land Code	Description	Square Feet	Acreage	Price
U	100		0		$ 45,000

Improvement Information

No improvement information available for this parcel

Accessory Information

Description	Year Built	Area	Grade	Value

No accessory information associated with this parcel.

Sale Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Validity	Grantee	Grantor
2013-07-16		TRUST DEED	6767	609	Qualified	X-UNKNOWN	MKW CAPITAL LLC &	WAYTJOHN A III ETAL TRUSTEES
2013-07-16		TRUST DEED	6767	629	Qualified	X-UNKNOWN	JOJO CAPITAL LLC	WAYT JOHN A III ETAL TRUSTEES

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search Page | Forsyth Home

Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Assessment information for all tax parcels included in this data is for the 2014 tax year and does not reflect any changes due to documents recorded after January 1, 2014. These changes may include but is not limited to ownership or property characteristics. Website Updated: April 8, 2017

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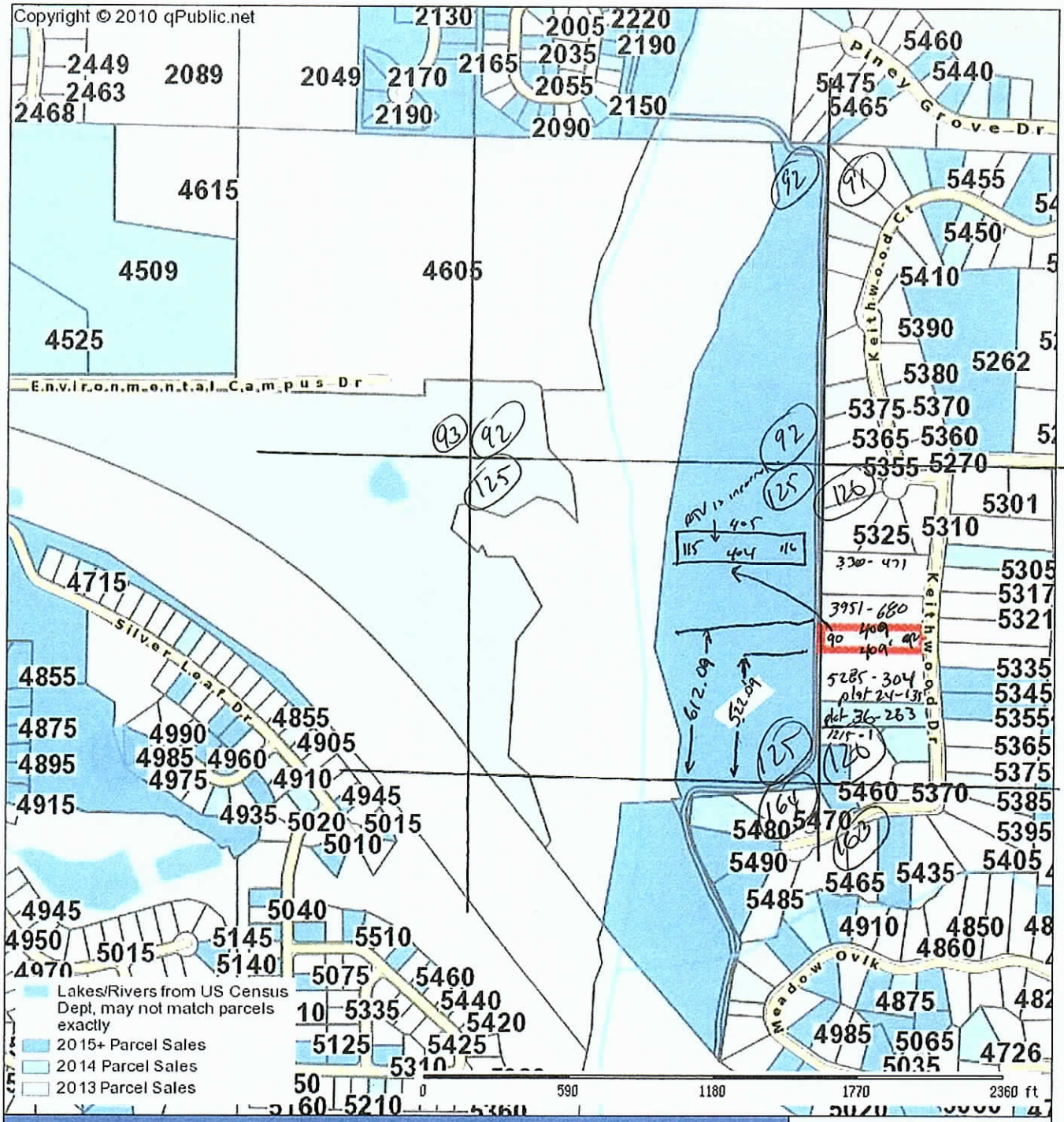
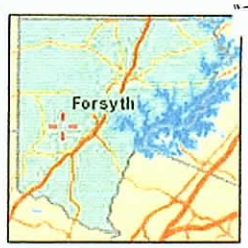


Forsyth County Assessor			
Parcel: 104 069 Acres: 1.01			
Name:	MKW CAPITAL LLC &	Land Value:	45000
Site:	KEITHWOOD DR	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	45000



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Date printed: 04/10/17 : 11:20:07

6767/629

RTV's

legal is incorrect.



Doc ID: 013700090020 Type: GLR
Recorded: 07/23/2013 at 03:04:10 PM
Fee Amt: $54.00 Page 1 of 20
Forsyth County, GA
Greg G. Allen Clerk Superior Ct
BK 6767 PG 629-648

1/3 und int

Subject Property is @ "Together with..." @ Exh "A2"

Ret

Return Recorded Document to:
J. Ethan Underwood
Lipscomb, Johnson, Sleister, Dailey and Smith, L.L.P.
112 North Main Street
Cumming, GA 30040
(770) 887-7761
File No. _____ – JEU

Title Not Certified – Deed Preparation Only

CROSS-REFERENCE TO:

1. Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records

2. Plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records.

3. Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records.

STATE OF GEORGIA

COUNTY OF FORSYTH

TRUSTEE'S DEED

THIS INDENTURE, made the 16th day of July, 2013, between **JOHN A. WAYT III, REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, AND JAMES T. WAYT, as Trustees of the Josephine Wayt Williams Trust created under Item VI of the Last Will and Testament of John A. Wayt, Sr., now deceased**, as parties of the first part (hereinafter collectively referred to as "Grantor"), and **JOJO CAPITAL, LLC, a Georgia limited liability company**, as party of the second part (hereinafter collectively referred to as "Grantee")("Grantor" and "Grantee" to include their respective heirs, successors, legal representatives and assigns where the context requires or permits),

WITNESS:

THAT GRANTOR, for and in consideration of the sum of TEN and No/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and does hereby grant, bargain, sell, alien, convey, and confirm, unto Grantee,

A) A one third (1/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A1," incorporated herein by this reference; and

B) A one third (1/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A2," incorporated herein by this reference; and

C) A one percent (1%) interest in the property more fully described in Exhibit "B," incorporated herein by this reference.

Also conveyed herewith are easement rights, which shall remain separate and run with title to the respective properties described herein, and shall not merge with title to the respective properties.

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

AND GRANTOR CONVEYS WITH all right, title and interest in the above-described property unto Grantee.

EXECUTED under seal as of the date above.

GRANTOR:

JOHN A. WAYT III, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-12

REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-12

[Signatures Continue on Following Page]

JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

JAMES T. WAYT, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

Exhibit "A1"

Legal Description - Eastern Property West of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 93, 94, 123, 124, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 34.523 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a crimp top pipe at a rock located at the intersection of the common boundary line of Land Lots 52, 53, 92, and 93; run thence along the common boundary line of Land Lots 92 and 93, South 00 degrees 33 minutes 13 seconds West a distance of 988.81 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 88 degrees 48 minutes 06 seconds East a distance of 260.67 feet to a point; run

thence South 60 degrees 51 minutes 03 seconds East a distance of 40.06 feet to a point; run

thence South 07 degrees 13 minutes 27 seconds East a distance of 248.27 feet to a point; run

thence South 42 degrees 24 minutes 27 seconds East a distance of 136.63 feet to a point; run

thence South 11 degrees 20 minutes 07 seconds East a distance of 49.00 feet to a point; run

thence South 06 degrees 23 minutes 04 seconds East a distance of 156.66 feet to a point; run

thence North 43 degrees 41 minutes 37 seconds West a distance of 119.40 feet to a point; run

thence North 76 degrees 13 minutes 35 seconds West a distance of 86.15 feet to a point; run

thence South 57 degrees 28 minutes 14 seconds West a distance of 156.48 feet to a point; run

thence North 70 degrees 28 minutes 25 seconds West a distance of 162.37 feet to a point; run

thence South 85 degrees 05 minutes 52 seconds West a distance of 36.04 feet to a point; run

thence South 15 degrees 48 minutes 51 seconds West a distance of 104.29 feet to a point; run

thence South 49 degrees 42 minutes 28 seconds East a distance of 143.62 feet to a point; run

thence North 36 degrees 41 minutes 02 seconds East a distance of 31.44 feet to a point; run

thence South 24 degrees 37 minutes 36 seconds East a distance of 47.20 feet to a point; run

thence South 88 degrees 41 minutes 03 seconds East a distance of 108.68 feet to a point; run

thence South 29 degrees 50 minutes 01 seconds East a distance of 230.21 feet to a point; run

thence South 36 degrees 05 minutes 39 seconds West a distance of 171.51 feet to a point; run

thence South 03 degrees 31 minutes 50 seconds West a distance of 474.33 feet to a point; run

thence South 49 degrees 34 minutes 21 seconds East a distance of 109.45 feet to a point; run

thence South 18 degrees 14 minutes 03 seconds East a distance of 227.42 feet to a point; run

thence South 40 degrees 07 minutes 53 seconds West a distance of 34.52 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 38 degrees 13 minutes 01 seconds West a distance of 630.53 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.66 feet, an arc length of 578.93 feet, and a chord bearing of North 42 degrees 20 minutes 31 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 3064.79 feet, an arc length of 994.97 feet, and a chord bearing of North 55 degrees 46 minutes 03 seconds West a distance of 990.60 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.48 feet, an arc length of 578.93 feet, and a chord bearing of North 69 degrees 11 minutes 34 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way) North 73 degrees 19 minutes 04 seconds West a distance of 374.06 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence leaving the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 89 degrees 53 minutes 22 seconds East a distance of 1240.36 feet to a point; run

thence South 88 degrees 48 minutes 30 seconds East a distance of 772.48 feet to a point; run

thence North 01 degrees 11 minutes 30 seconds West a distance of 65.00 feet to a point; run

thence South 88 degrees 48 minutes 06 seconds East a distance of 180.00 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 0.167 acres, more or less, and being a 5-foot wide strip of land, more fully described in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference

Exhibit "A2"

Legal Description - Eastern Property East of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 31.29 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 115.56 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 31 minutes 28 seconds West a distance of 312.60 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 17 minutes 57 seconds West a distance of 101.74 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 14 minutes 01 seconds West a distance of 31.49 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 16 minutes 51 seconds West a distance of 133.69 feet to an iron pin found (#4 rebar) located at the intersection of the common boundary line of Land Lots 125, 126, 163, and 164; run

thence South 85 degrees 29 minutes 45 seconds West a distance of 564.46 feet to a point; run

thence North 20 degrees 33 minutes 08 seconds West a distance of 77.08 feet to a point; run

thence North 07 degrees 02 minutes 54 seconds East a distance of 180.59 feet to a point; run

thence North 16 degrees 51 minutes 39 seconds West a distance of 378.25 feet to a point; run

thence North 05 degrees 20 minutes 44 seconds East a distance of 512.55 feet to a point; run

thence North 09 degrees 47 minutes 06 seconds East a distance of 610.59 feet to a point; run

thence North 27 degrees 35 minutes 13 seconds East a distance of 212.12 feet to a point; run

thence North 06 degrees 06 minutes 24 seconds East a distance of 71.54 feet to a point; run

thence North 24 degrees 42 minutes 46 seconds East a distance of 165.19 feet to a point; run

thence North 35 degrees 34 minutes 17 seconds East a distance of 150.30 feet to a point; run

thence North 24 degrees 12 minutes 55 seconds East a distance of 201.02 feet to a point; run

thence North 08 degrees 56 minutes 30 seconds West a distance of 228.37 feet to a point located along the common boundary line of Land Lots 53 and 92; run

thence along the common boundary line of Land Lots 53 and 92, South 88 degrees 35 minutes 40 seconds East a distance of 234.93 feet to an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 1.08 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

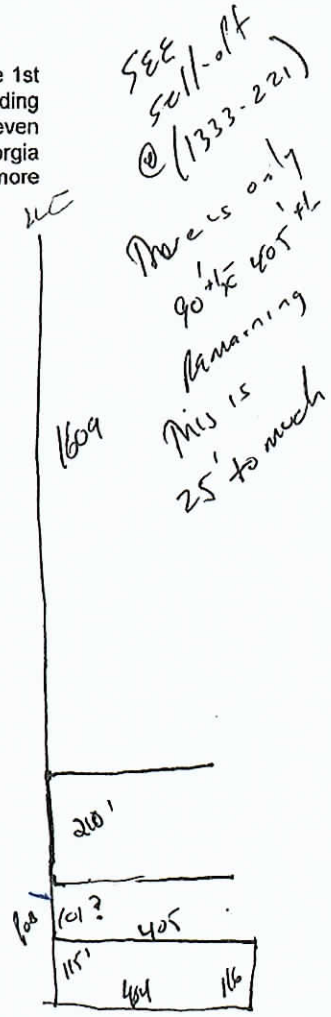
to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92; run thence along the common boundary line of Land Lots 91 and 92, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning; run

thence from the True Point of Beginning, North 89 degrees 46 minutes 16 seconds East a distance of 405.70 feet to an open top pipe found located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence along the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 00 degrees 55 minutes 09 seconds West a distance of 116.33 feet to an iron pin found (#4 rebar) located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence leaving the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 89 degrees 55 minutes 11 seconds West a distance of 404.46 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, North 00 degrees 19 minutes 00 seconds East a distance of 115.56 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning.



Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

4) Perpetual, non-exclusive easement over and across the "Continuation of 35 Foot Access Strip" more fully described in the body and Exhibit "B" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

5) Perpetual, non-exclusive easement over and across the "60-Foot Wide Transportation Easement" more fully described in the body and Exhibit "C" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION
R/W FOR BIG CREEK GREENWAY, PH 4

ALL THAT TRACT OR PARCEL OF LAND BEING LOCATED IN LAND LOTS 92, 125 & 164, 2ND DISTRICT, 1ST SECTION, FORSYTH COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CORNER COMMON TO LAND LOTS 53, 54, 91 & 92, THENCE N 88°09'17" W A DISTANCE OF 177.03 FEET TO THE TRUE POINT OF BEGINNING (KC250); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 41.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 63°25'02" E, AND A DISTANCE OF 37.35 FEET TO A POINT (KC9113); THENCE, N 70°39'58" E A DISTANCE OF 18.56 FEET TO A POINT (KC9114); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 153.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 54°28'33" E, AND A DISTANCE OF 130.84 FEET (KC9115); THENCE, S 00°22'52" W A DISTANCE OF 2399.71 FEET TO A POINT (KC9116); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 87.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 31°47'05" W, AND A DISTANCE OF 83.37 FEET TO A POINT (KC9117); THENCE, S 63°11'25" W A DISTANCE OF 92.44 FEET TO A POINT (KC9118); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 210.01 FEET, AND AN ARC DISTANCE OF 81.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 74°20'18" W, AND A DISTANCE OF 81.21 FEET (KC9119); THENCE, S 85°29'08" W A DISTANCE OF 47.73 FEET TO A POINT (KC9120); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 809.69 FEET, AND AN ARC DISTANCE OF 64.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 87°46'48" W, AND A DISTANCE OF 64.83 FEET (KC9121); THENCE, N 89°55'37" W A DISTANCE OF 173.14 FEET TO A POINT (KC9122); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 39.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 46°16'20" W, AND A DISTANCE OF 35.99 FEET TO A POINT (KC9123); THENCE, S 02°27'53" W A DISTANCE OF 11.53 FEET TO A POINT (KC9125); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 165.99 FEET, AND AN ARC DISTANCE OF 1.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 02°41'23" W A DISTANCE OF 1.25 FEET TO A POINT (KC2189); THENCE, S 85°29'10" W A DISTANCE OF 20.19 FEET TO A POINT (KC2187); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 145.99 FEET, AND AN ARC DISTANCE OF 3.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF, N 03°12'27" E A DISTANCE OF 3.70 FEET TO A POINT (KC9098); THENCE, N 02°27'34" E A DISTANCE OF 11.54 FEET TO A POINT (KC9100); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 70.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 46°16'29" E, AND A DISTANCE OF 63.68 FEET TO A POINT (KC9101); THENCE, S 89°55'37" E A DISTANCE OF 173.13 FEET TO A POINT (KC9102); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 790.22 FEET, AND AN ARC DISTANCE OF 63.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 87°46'46" E, AND A DISTANCE OF 63.23 FEET TO A POINT (KC9103); THENCE, N 85°29'12" E A DISTANCE OF 47.73 FEET TO A POINT (KC9104); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND AN

ARC DISTANCE OF 73.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 74°20'15" E, AND A DISTANCE OF 73.47 FEET TO A POINT (KC9105); THENCE, N 63°11'22" E A DISTANCE OF 92.44 FEET TO A POINT (KC9106); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.01 FEET, AND AN ARC DISTANCE OF 65.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 31°47'13" E, AND A DISTANCE OF 62.53 FEET (KC9107); THENCE, N 00°22'52" E A DISTANCE OF 2399.71 FEET TO A POINT (KC9108); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.00 FEET, AND AN ARC DISTANCE OF 114.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 54°28'33" W, AND A DISTANCE OF 98.13 FEET TO A POINT (KC9109); THENCE, S 70°39'59" W A DISTANCE OF 18.56 FEET TO A POINT (KC9110); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 74.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 62°50'18" W, AND A DISTANCE OF 66.73 FEET TO A POINT (KC9111); THENCE, N 16°11'45" W A DISTANCE OF 0.43 FEET TO A POINT (KC9112); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 146.00 FEET, AND AN ARC DISTANCE OF 5.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 17°28'00" W A DISTANCE OF 5.66 FEET TO A POINT (KC249); THENCE, S 88°09'17" E A DISTANCE OF 21.17 FEET TO A POINT (KC250), SAID POINT BEING THE TRUE POINT OF BEGINNING.

TRAIL PARCEL CONTAINS 1.4767 ACRES.

Exhibit "B"

Legal Description of Western Property

All that tract or parcel of land lying and being in Land Lots 95 & 122 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 41.013 acres, more or less, labeled as Tract "A," Tract "B," and Tract "C" according to a plat of survey dated October 22, 2009, prepared for Seven Branches Farm by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 66.46 feet, and a chord bearing of South 00 degrees 30 minutes 45 seconds East a distance of 66.46 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 06 minutes 26 seconds East a distance of 120.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 350.00 feet, an arc length of 10.17 feet, and a chord bearing of South 00 degrees 56 minutes 25 seconds East a distance of 10.17 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 01 degrees 46 minutes 23 seconds East a distance of 113.33 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 1560.00 feet, an arc length of 29.66 feet, and a chord bearing of South 01 degrees 13 minutes 42 seconds East a distance of 29.66 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 41 minutes 01 seconds East a distance of 111.68 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 630.00 feet, an arc length of 9.42 feet, and a chord bearing of South 01 degrees 06 minutes 43 seconds East a distance of 9.42 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot

right-of-way), South 01 degrees 32 minutes 24 seconds East a distance of 31.89 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run
thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 560.00 feet, an arc length of 21.43 feet, and a chord bearing of South 00 degrees 26 minutes 38 seconds East a distance of 21.42 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 39 minutes 08 seconds West a distance of 233.25 feet to an iron pin placed along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the right-of way of Bethelview Road (a 100-foot right-of-way), South 89 degrees 52 minutes 26 seconds West a distance of 312.61 feet to an iron pin placed; run

thence North 80 degrees 37 minutes 48 seconds West a distance of 35.91 feet to an iron pin found; run

thence North 65 degrees 19 minutes 14 seconds West a distance of 128.02 feet to an iron pin found; run

thence North 52 degrees 47 minutes 07 seconds West a distance of 164.98 feet to an iron pin placed; run

thence North 72 degrees 06 minutes 27 seconds West a distance of 207.50 feet to an iron pin placed; run

thence North 73 degrees 36 minutes 15 seconds West a distance of 80.81 feet to an iron pin found; run

thence North 79 degrees 30 minutes 01 seconds West a distance of 198.36 feet to an iron pin placed; run

thence North 81 degrees 37 minutes 48 seconds West a distance of 4.53 feet to an iron pin placed along the common boundary line of Land Lots 121 & 122; run

thence along the common boundary line of Land Lots 121 & 122, North 00 degrees 41 minutes 10 seconds East a distance of 384.97 feet to a one-inch (1") open top pin found located at the intersection of the common boundary line of Land Lots 95, 96, 121, & 122; run

thence leaving the intersection of the common boundary line of Land Lots 95, 96, 121, & 122, North 77 degrees 36 minutes 29 seconds East a distance of 123.47 feet to an iron pin placed; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 339.89 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 488.34 feet to an iron pin found located along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), North 89 degrees 34 minutes 47 seconds East a distance of 622.82 feet to a point located along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), with a curve to the left having a radius of 1250.00 feet, an arc length of 178.19 feet, and a chord bearing of North 85 degrees 29 minutes 45 seconds East a distance of 178.04 feet to a point along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), North 81 degrees 24 minutes 43 seconds East a distance of 134.48 feet to a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lots 95 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 9.120 acres, more or less, and is labeled as Tract "B" according to a plat of survey dated October 22, 2009, prepared for Seven Branches Farm by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South

03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the westerly right-of way of Bethelview Road (a 100-foot right-of-way), North 73 degrees 19 minutes 06 seconds West a distance of 993.13 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence South 73 degrees 19 minutes 06 seconds East a distance of 992.27 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is that same conveyed to the Georgia Department of Transportation as a result of the Consent Order and Final Judgment, dated October 31, 2000, of Civil Action File No. 99-CV-

0655 in the Superior Court of Forsyth County, Georgia, and is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

6767/609

Doc ID: 013700080020 Type: GLR
Recorded: 07/23/2013 at 03:03:30 PM
Fee Amt: $54.00 Page 1 of 20
Forsyth County, GA
Greg G. Allen Clerk Superior Ct
BK 6767 PG 609-628

Return Recorded Document to:
J. Ethan Underwood
Lipscomb, Johnson, Sleister, Dailey and Smith, L.L.P.
112 North Main Street
Cumming, GA 30040
(770) 887-7761
File No. _____ – JEU

SEE notes on FAEE Page 2 (6767-629)

Title Not Certified – Deed Preparation Only

CROSS-REFERENCE TO:

1. Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records

2. Plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records.

3. Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records.

STATE OF GEORGIA

COUNTY OF FORSYTH

TRUSTEE'S DEED

THIS INDENTURE, made the 16th day of July, 2013, between **JOHN A. WAYT III, REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, AND JAMES T. WAYT, as Trustees of the Martha K. Wayt Trust created under Item VI of the Last Will and Testament of John A. Wayt, Sr., now deceased**, as parties of the first part (hereinafter collectively referred to as "Grantor"), and **MKW CAPITAL, LLC, a Georgia limited liability company**, as party of the second part (hereinafter collectively referred to as "Grantee")("Grantor" and "Grantee" to include their respective heirs, successors, legal representatives and assigns where the context requires or permits),

WITNESS:

THAT GRANTOR, for and in consideration of the sum of TEN and No/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and does hereby grant, bargain, sell, alien, convey, and confirm, unto Grantee,

A) A two thirds (2/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A1," incorporated herein by this reference; and

B) A two thirds (2/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A2," incorporated herein by this reference; and

C) A two percent (2%) interest in the property more fully described in Exhibit "B," incorporated herein by this reference.

Also conveyed herewith are easement rights, which shall remain separate and run with title to the respective properties described herein, and shall not merge with title to the respective properties.

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

AND GRANTOR CONVEYS WITH all right, title and interest in the above-described property unto Grantee.

EXECUTED under seal as of the date above.

GRANTOR:

JOHN A. WAYT III, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

[Signatures Continue on Following Page]

JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

JAMES T. WAYT, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

Exhibit "A1"

Legal Description - Eastern Property West of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 93, 94, 123, 124, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 34.523 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a crimp top pipe at a rock located at the intersection of the common boundary line of Land Lots 52, 53, 92, and 93; run thence along the common boundary line of Land Lots 92 and 93, South 00 degrees 33 minutes 13 seconds West a distance of 988.81 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 88 degrees 48 minutes 06 seconds East a distance of 260.67 feet to a point; run

thence South 60 degrees 51 minutes 03 seconds East a distance of 40.06 feet to a point; run

thence South 07 degrees 13 minutes 27 seconds East a distance of 248.27 feet to a point; run

thence South 42 degrees 24 minutes 27 seconds East a distance of 136.63 feet to a point; run

thence South 11 degrees 20 minutes 07 seconds East a distance of 49.00 feet to a point; run

thence South 06 degrees 23 minutes 04 seconds East a distance of 156.66 feet to a point; run

thence North 43 degrees 41 minutes 37 seconds West a distance of 119.40 feet to a point; run

thence North 76 degrees 13 minutes 35 seconds West a distance of 86.15 feet to a point; run

thence South 57 degrees 28 minutes 14 seconds West a distance of 156.48 feet to a point; run

thence North 70 degrees 28 minutes 25 seconds West a distance of 162.37 feet to a point; run

thence South 85 degrees 05 minutes 52 seconds West a distance of 36.04 feet to a point; run

thence South 15 degrees 48 minutes 51 seconds West a distance of 104.29 feet to a point; run

thence South 49 degrees 42 minutes 28 seconds East a distance of 143.62 feet to a point; run

thence North 36 degrees 41 minutes 02 seconds East a distance of 31.44 feet to a point; run

thence South 24 degrees 37 minutes 36 seconds East a distance of 47.20 feet to a point; run

thence South 88 degrees 41 minutes 03 seconds East a distance of 108.68 feet to a point; run

thence South 29 degrees 50 minutes 01 seconds East a distance of 230.21 feet to a point; run

thence South 36 degrees 05 minutes 39 seconds West a distance of 171.51 feet to a point; run

thence South 03 degrees 31 minutes 50 seconds West a distance of 474.33 feet to a point; run

thence South 49 degrees 34 minutes 21 seconds East a distance of 109.45 feet to a point; run

thence South 18 degrees 14 minutes 03 seconds East a distance of 227.42 feet to a point; run

thence South 40 degrees 07 minutes 53 seconds West a distance of 34.52 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 38 degrees 13 minutes 01 seconds West a distance of 630.53 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.66 feet, an arc length of 578.93 feet, and a chord bearing of North 42 degrees 20 minutes 31 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 3064.79 feet, an arc length of 994.97 feet, and a chord bearing of North 55 degrees 46 minutes 03 seconds West a distance of 990.60 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.48 feet, an arc length of 578.93 feet, and a chord bearing of North 69 degrees 11 minutes 34 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way) North 73 degrees 19 minutes 04 seconds West a distance of 374.06 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence leaving the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 89 degrees 53 minutes 22 seconds East a distance of 1240.36 feet to a point; run

thence South 88 degrees 48 minutes 30 seconds East a distance of 772.48 feet to a point; run

thence North 01 degrees 11 minutes 30 seconds West a distance of 65.00 feet to a point; run

thence South 88 degrees 48 minutes 06 seconds East a distance of 180.00 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 0.167 acres, more or less, and being a 5-foot wide strip of land, more fully described in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference

Exhibit "A2"

Legal Description - Eastern Property East of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 31.29 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 115.56 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 31 minutes 28 seconds West a distance of 312.60 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 17 minutes 57 seconds West a distance of 101.74 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 14 minutes 01 seconds West a distance of 31.49 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 16 minutes 51 seconds West a distance of 133.69 feet to an iron pin found (#4 rebar) located at the intersection of the common boundary line of Land Lots 125, 126, 163, and 164; run

thence South 85 degrees 29 minutes 45 seconds West a distance of 564.46 feet to a point; run

thence North 20 degrees 33 minutes 08 seconds West a distance of 77.08 feet to a point; run

thence North 07 degrees 02 minutes 54 seconds East a distance of 180.59 feet to a point; run

thence North 16 degrees 51 minutes 39 seconds West a distance of 378.25 feet to a point; run

thence North 05 degrees 20 minutes 44 seconds East a distance of 512.55 feet to a point; run

thence North 09 degrees 47 minutes 06 seconds East a distance of 610.59 feet to a point; run

thence North 27 degrees 35 minutes 13 seconds East a distance of 212.12 feet to a point; run

thence North 06 degrees 06 minutes 24 seconds East a distance of 71.54 feet to a point; run

thence North 24 degrees 42 minutes 46 seconds East a distance of 165.19 feet to a point; run

thence North 35 degrees 34 minutes 17 seconds East a distance of 150.30 feet to a point; run

thence North 24 degrees 12 minutes 55 seconds East a distance of 201.02 feet to a point; run

thence North 08 degrees 56 minutes 30 seconds West a distance of 228.37 feet to a point located along the common boundary line of Land Lots 53 and 92; run

thence along the common boundary line of Land Lots 53 and 92, South 88 degrees 35 minutes 40 seconds East a distance of 234.93 feet to an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 1.08 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

> to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92; run thence along the common boundary line of Land Lots 91 and 92, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning; run
>
> thence from the True Point of Beginning, North 89 degrees 46 minutes 16 seconds East a distance of 405.70 feet to an open top pipe found located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run
>
> thence along the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 00 degrees 55 minutes 09 seconds West a distance of 116.33 feet to an iron pin found (#4 rebar) located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run
>
> thence leaving the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 89 degrees 55 minutes 11 seconds West a distance of 404.46 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run
>
> thence along the common boundary line of Land Lots 125 and 126, North 00 degrees 19 minutes 00 seconds East a distance of 115.56 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

4) Perpetual, non-exclusive easement over and across the "Continuation of 35 Foot Access Strip" more fully described in the body and Exhibit "B" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

5) Perpetual, non-exclusive easement over and across the "60-Foot Wide Transportation Easement" more fully described in the body and Exhibit "C" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION
R/W FOR BIG CREEK GREENWAY, PH 4

ALL THAT TRACT OR PARCEL OF LAND BEING LOCATED IN LAND LOTS 92, 125 & 164, 2ND DISTRICT, 1ST SECTION, FORSYTH COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CORNER COMMON TO LAND LOTS 53, 54, 91 & 92, THENCE N 88°09'17" W A DISTANCE OF 177.03 FEET TO THE TRUE POINT OF BEGINNING (KC250); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 41.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 63°25'02" E, AND A DISTANCE OF 37.35 FEET TO A POINT (KC9113); THENCE, N 70°39'58" E A DISTANCE OF 18.56 FEET TO A POINT (KC9114); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 153.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 54°28'33" E, AND A DISTANCE OF 130.84 FEET (KC9115); THENCE, S 00°22'52" W A DISTANCE OF 2399.71 FEET TO A POINT (KC9116); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 87.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 31°47'05" W, AND A DISTANCE OF 83.37 FEET TO A POINT (KC9117); THENCE, S 63°11'25" W A DISTANCE OF 92.44 FEET TO A POINT (KC9118); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 210.01 FEET, AND AN ARC DISTANCE OF 81.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 74°20'18" W, AND A DISTANCE OF 81.21 FEET (KC9119); THENCE, S 85°29'08" W A DISTANCE OF 47.73 FEET TO A POINT (KC9120); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 809.69 FEET, AND AN ARC DISTANCE OF 64.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 87°46'48" W, AND A DISTANCE OF 64.83 FEET (KC9121); THENCE, N 89°55'37" W A DISTANCE OF 173.14 FEET TO A POINT (KC9122); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 39.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 46°16'20" W, AND A DISTANCE OF 35.99 FEET TO A POINT (KC9123); THENCE, S 02°27'53" W A DISTANCE OF 11.53 FEET TO A POINT (KC9125); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 165.99 FEET, AND AN ARC DISTANCE OF 1.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 02°41'23" W A DISTANCE OF 1.25 FEET TO A POINT (KC2189); THENCE, S 85°29'10" W A DISTANCE OF 20.19 FEET TO A POINT (KC2187); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 145.99 FEET, AND AN ARC DISTANCE OF 3.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF, N 03°12'27" E A DISTANCE OF 3.70 FEET TO A POINT (KC9098); THENCE, N 02°27'34" E A DISTANCE OF 11.54 FEET TO A POINT (KC9100); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 70.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 46°16'29" E, AND A DISTANCE OF 63.68 FEET TO A POINT (KC9101); THENCE, S 89°55'37" E A DISTANCE OF 173.13 FEET TO A POINT (KC9102); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 790.22 FEET, AND AN ARC DISTANCE OF 63.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 87°46'46" E, AND A DISTANCE OF 63.23 FEET TO A POINT (KC9103); THENCE, N 85°29'12" E A DISTANCE OF 47.73 FEET TO A POINT (KC9104); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND AN

ARC DISTANCE OF 73.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 74°20'15" E, AND A DISTANCE OF 73.47 FEET TO A POINT (KC9105); THENCE, N 63°11'22" E A DISTANCE OF 92.44 FEET TO A POINT (KC9106); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.01 FEET, AND AN ARC DISTANCE OF 65.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 31°47'13" E, AND A DISTANCE OF 62.53 FEET (KC9107); THENCE, N 00°22'52" E A DISTANCE OF 2399.71 FEET TO A POINT (KC9108); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.00 FEET, AND AN ARC DISTANCE OF 114.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 54°28'33" W, AND A DISTANCE OF 98.13 FEET TO A POINT (KC9109); THENCE, S 70°39'59" W A DISTANCE OF 18.56 FEET TO A POINT (KC9110); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 74.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 62°50'18" W, AND A DISTANCE OF 66.73 FEET TO A POINT (KC9111); THENCE, N 16°11'45" W A DISTANCE OF 0.43 FEET TO A POINT (KC9112); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 146.00 FEET, AND AN ARC DISTANCE OF 5.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 17°28'00" W A DISTANCE OF 5.66 FEET TO A POINT (KC249); THENCE, S 88°09'17" E A DISTANCE OF 21.17 FEET TO A POINT (KC250), SAID POINT BEING THE TRUE POINT OF BEGINNING.

TRAIL PARCEL CONTAINS 1.4767 ACRES.

Exhibit "B"

Legal Description of Western Property

All that tract or parcel of land lying and being in Land Lots 95 & 122 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 41.013 acres, more or less, labeled as Tract "A," Tract "B," and Tract "C" according to a plat of survey dated October 22, 2009, prepared for Seven Branches Farm by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 66.46 feet, and a chord bearing of South 00 degrees 30 minutes 45 seconds East a distance of 66.46 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 06 minutes 26 seconds East a distance of 120.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 350.00 feet, an arc length of 10.17 feet, and a chord bearing of South 00 degrees 56 minutes 25 seconds East a distance of 10.17 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 01 degrees 46 minutes 23 seconds East a distance of 113.33 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 1560.00 feet, an arc length of 29.66 feet, and a chord bearing of South 01 degrees 13 minutes 42 seconds East a distance of 29.66 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 41 minutes 01 seconds East a distance of 111.68 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 630.00 feet, an arc length of 9.42 feet, and a chord bearing of South 01 degrees 06 minutes 43 seconds East a distance of 9.42 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot

right-of-way), South 01 degrees 32 minutes 24 seconds East a distance of 31.89 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run
thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 560.00 feet, an arc length of 21.43 feet, and a chord bearing of South 00 degrees 26 minutes 38 seconds East a distance of 21.42 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 39 minutes 08 seconds West a distance of 233.25 feet to an iron pin placed along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the right-of way of Bethelview Road (a 100-foot right-of-way), South 89 degrees 52 minutes 26 seconds West a distance of 312.61 feet to an iron pin placed; run

thence North 80 degrees 37 minutes 48 seconds West a distance of 35.91 feet to an iron pin found; run

thence North 65 degrees 19 minutes 14 seconds West a distance of 128.02 feet to an iron pin found; run

thence North 52 degrees 47 minutes 07 seconds West a distance of 164.98 feet to an iron pin placed; run

thence North 72 degrees 06 minutes 27 seconds West a distance of 207.50 feet to an iron pin placed; run

thence North 73 degrees 36 minutes 15 seconds West a distance of 80.81 feet to an iron pin found; run

thence North 79 degrees 30 minutes 01 seconds West a distance of 198.36 feet to an iron pin placed; run

thence North 81 degrees 37 minutes 48 seconds West a distance of 4.53 feet to an iron pin placed along the common boundary line of Land Lots 121 & 122; run

thence along the common boundary line of Land Lots 121 & 122, North 00 degrees 41 minutes 10 seconds East a distance of 384.97 feet to a one-inch (1") open top pin found located at the intersection of the common boundary line of Land Lots 95, 96, 121, & 122; run

thence leaving the intersection of the common boundary line of Land Lots 95, 96, 121, & 122, North 77 degrees 36 minutes 29 seconds East a distance of 123.47 feet to an iron pin placed; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 339.89 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 488.34 feet to an iron pin found located along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), North 89 degrees 34 minutes 47 seconds East a distance of 622.82 feet to a point located along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), with a curve to the left having a radius of 1250.00 feet, an arc length of 178.19 feet, and a chord bearing of North 85 degrees 29 minutes 45 seconds East a distance of 178.04 feet to a point along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), North 81 degrees 24 minutes 43 seconds East a distance of 134.48 feet to a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lots 95 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 9.120 acres, more or less, and is labeled as Tract "B" according to a plat of survey dated October 22, 2009, prepared for Seven Branches Farm by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South

03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the westerly right-of way of Bethelview Road (a 100-foot right-of-way), North 73 degrees 19 minutes 06 seconds West a distance of 993.13 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence South 73 degrees 19 minutes 06 seconds East a distance of 992.27 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is that same conveyed to the Georgia Department of Transportation as a result of the Consent Order and Final Judgment, dated October 31, 2000, of Civil Action File No. 99-CV-

0655 in the Superior Court of Forsyth County, Georgia, and is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

CERTIFICATE OF TITLE

TO REAL PROPERTY

For the Exclusive Use Of:

FORSYTH COUNTY, a political subdivision of the State of Georgia

Property of:

JOJO CAPITAL, LLC, a Georgia limited liability company, and MKW CAPITAL, LLC, a Georgia limited liability company

This is to certify that we have made careful examination of all conveyances correctly indexed as of record in the County in which said property hereinafter described in Exhibit "A1" and "A2" is located, and from this examination we are of the opinion that good record title is vested in

JOJO CAPITAL, LLC,
a Georgia limited liability company,
by virtue of a Trustee's Deed,
dated July 16, 2013, and
recorded July 23, 2013,
at Deed Book 6767, Page 629,
Forsyth County, Georgia Deed Records
(as to a one-third (1/3) undivided interest); and

MKW CAPITAL, LLC,
a Georgia limited liability company,
by virtue of a Trustee's Deed,
dated July 16, 2013, and
recorded July 23, 2013,
at Deed Book 6767, Page 609,
Forsyth County, Georgia Deed Records
(as to a two-thirds (2/3) undivided interest).

subject to the following objections:

1. Any action by any municipal or governmental agency for the purpose of regulating the use, occupancy or zoning of the property described in this Certificate of Title, or of any building or structure thereon.

2. The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which could be disclosed by an accurate survey and inspection of the property.

3. Possible liens of architects, laborers or materialmen for improvement of the property not filed for record at the effective date hereof.

4. Taxes and assessments for the year 2017 and subsequent years, liens due and payable. (2016 Forsyth County ad valorem taxes, Parcel No. 103 011, in the amount of $3,958.07, and Parcel No. 103 301 in the amount of $7,529.54 have been paid.)

5. Rights, if any, of persons who may be in possession under claims not appearing of record.

6. Any consumer credit protection, truth-in-lending, or similar laws.

7. Any Federal Tax lien not indexed in the applicable records of this county.

8. Title to items of personalty used in connection with, or attached to the realty, which were not indexed upon the deed records.

9. No certification is provided as to the exact amount of acreage which may be contained within the property described herein.

10. Any mineral or mining interests which are not revealed during the examination period.

11. Availability of utilities or utility charges of whatsoever kind and character, not limited to electrical service and sanitary charges and assessments including any past due utility bills.

12. Pay-as-you-enter water or sewer lines which, while not technically liens, will be payable upon connection with such lines.

13. No certification is provided as to the presence or absence of any hazardous waste on or within the property, nor is certification provided as to whether a violation exists regarding hazardous waste under any and all Federal, and State environmental protection laws, rules or regulations.

14. Rights of upper and lower riparian owners to the streams, creeks, and branches crossing, abutting or located on the within described property, free from diminution or pollution thereof.

15. Any loss, claim or damage sustained as a result of forfeiture proceedings resulting from enforcement of Federal or State drug enforcement or racketeering laws, or claim for taxes by Federal or State governments not reflected within the public records of the county in which the property is located.

16. Loss, claim or damage sustained by irregularities in foreclosure proceedings,

including but not limited to required notices, advertisements and like matters which are not reflected in the public records. Also excluded are losses, claims or damages sustained by reason of Federal bankruptcy proceedings by an owner or predecessor in title to the property which proceedings are not reflected in public records of the county in which the property is located.

17. Subdivision restrictive covenants and matters revealed therein inclusive of any homeowners association dues or like charges or easements reflected therein as may affect the subject property, if not appearing, or not properly indexed in the public records of the Superior Court of Forsyth County, Georgia.

18. No certification is provided as to the fitness of the property for the intended uses or purposes by any purchaser.

19. No certification is provided as to the existence or absence of burial sites or archaeological sites which may affect the subject property, particularly those matters which are not reflected on a survey of the subject property.

20. No certification is provided as to whether the within described property may be located in "wet lands" which may subject the property and improvements constructed thereon to laws, rules and regulations affecting wet land areas.

21. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§1281 et seq.) or under similar state laws.

22. Non-exclusive perpetual easement for access over and across property reserved in instrument between John A. Wayt, Jr. and W. Barnard Windham, as Executors of the Last Will and Testament of John A. Wayt, Sr., and the City of Cumming, a Georgia municipal corporation, dated July 21, 1989, filed August 1, 1989, and recorded at Deed Book 457, Page 639, Forsyth County, Georgia Deed Records; as revised by Corrective Sewer Easement, dated August 13, 1990, filed August 22, 1990, and recorded at Deed Book 506, Page 430, Forsyth County, Georgia Deed Records.

23. Non-exclusive perpetual easement for access over and across property reserve in instrument between John A. Wayt, Jr. and W. Barnard Windham, as Executors of the Last Will and Testament of John A. Wayt, Sr., and the City of Cumming, a Georgia municipal corporation, dated August 15, 1990, filed August 22 1989, and recorded at Deed Book 506, Page 425, Forsyth County, Georgia Deed Records.

24. The Effective Date of this Certificate is March 23, 2017.

Witness the hand and seal of the undersigned this 6th day of April, 2017.

MAHAFFEY PICKENS TUCKER, LLP

By: _____
Austen T. Mabe, Attorney

File No. 2881-0028A JRM/dg

Exhibit "A1"

Legal Description - Eastern Property West of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 93, 94, 123, 124, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 34.523 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a crimp top pipe at a rock located at the intersection of the common boundary line of Land Lots 52, 53, 92, and 93; run thence along the common boundary line of Land Lots 92 and 93, South 00 degrees 33 minutes 13 seconds West a distance of 988.81 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 88 degrees 48 minutes 06 seconds East a distance of 260.67 feet to a point; run

thence South 60 degrees 51 minutes 03 seconds East a distance of 40.06 feet to a point; run

thence South 07 degrees 13 minutes 27 seconds East a distance of 248.27 feet to a point; run

thence South 42 degrees 24 minutes 27 seconds East a distance of 136.63 feet to a point; run

thence South 11 degrees 20 minutes 07 seconds East a distance of 49.00 feet to a point; run

thence South 06 degrees 23 minutes 04 seconds East a distance of 156.66 feet to a point; run

thence North 43 degrees 41 minutes 37 seconds West a distance of 119.40 feet to a point; run

thence North 76 degrees 13 minutes 35 seconds West a distance of 86.15 feet to a point; run

thence South 57 degrees 28 minutes 14 seconds West a distance of 156.48 feet to a point; run

thence North 70 degrees 28 minutes 25 seconds West a distance of 162.37 feet to a point; run

thence South 85 degrees 05 minutes 52 seconds West a distance of 36.04 feet to a point; run

thence South 15 degrees 48 minutes 51 seconds West a distance of 104.29 feet to a point; run

thence South 49 degrees 42 minutes 28 seconds East a distance of 143.62 feet to a point; run

thence North 36 degrees 41 minutes 02 seconds East a distance of 31.44 feet to a point; run

thence South 24 degrees 37 minutes 36 seconds East a distance of 47.20 feet to a point; run

thence South 88 degrees 41 minutes 03 seconds East a distance of 108.68 feet to a point; run

thence South 29 degrees 50 minutes 01 seconds East a distance of 230.21 feet to a point; run

thence South 36 degrees 05 minutes 39 seconds West a distance of 171.51 feet to a point; run

thence South 03 degrees 31 minutes 50 seconds West a distance of 474.33 feet to a point; run

thence South 49 degrees 34 minutes 21 seconds East a distance of 109.45 feet to a point; run

thence South 18 degrees 14 minutes 03 seconds East a distance of 227.42 feet to a point; run

thence South 40 degrees 07 minutes 53 seconds West a distance of 34.52 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 38 degrees 13 minutes 01 seconds West a distance of 630.53 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.66 feet, an arc length of 578.93 feet, and a chord bearing of North 42 degrees 20 minutes 31 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 3064.79 feet, an arc length of 994.97 feet, and a chord bearing of North 55 degrees 46 minutes 03 seconds West a distance of 990.60 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.48 feet, an arc length of 578.93 feet, and a chord bearing of North 69 degrees 11 minutes 34 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way) North 73 degrees 19 minutes 04 seconds West a distance of 374.06 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence leaving the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 89 degrees 53 minutes 22 seconds East a distance of 1240.36 feet to a point; run

thence South 88 degrees 48 minutes 30 seconds East a distance of 772.48 feet to a point; run

thence North 01 degrees 11 minutes 30 seconds West a distance of 65.00 feet to a point; run

thence South 88 degrees 48 minutes 06 seconds East a distance of 180.00 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 0.167 acres, more or less, and being a 5-foot wide strip of land, more fully described in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference

Exhibit "A2"

Legal Description - Eastern Property East of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 31.29 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 115.56 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 31 minutes 28 seconds West a distance of 312.60 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 17 minutes 57 seconds West a distance of 101.74 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 14 minutes 01 seconds West a distance of 31.49 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 16 minutes 51 seconds West a distance of 133.69 feet to an iron pin found (#4 rebar) located at the intersection of the common boundary line of Land Lots 125, 126, 163, and 164; run

thence South 85 degrees 29 minutes 45 seconds West a distance of 564.46 feet to a point; run

thence North 20 degrees 33 minutes 08 seconds West a distance of 77.08 feet to a point; run

thence North 07 degrees 02 minutes 54 seconds East a distance of 180.59 feet to a point; run

thence North 16 degrees 51 minutes 39 seconds West a distance of 378.25 feet to a point; run

thence North 05 degrees 20 minutes 44 seconds East a distance of 512.55 feet to a point; run

thence North 09 degrees 47 minutes 06 seconds East a distance of 610.59 feet to a point; run

thence North 27 degrees 35 minutes 13 seconds East a distance of 212.12 feet to a point; run

thence North 06 degrees 06 minutes 24 seconds East a distance of 71.54 feet to a point; run

thence North 24 degrees 42 minutes 46 seconds East a distance of 165.19 feet to a point; run

thence North 35 degrees 34 minutes 17 seconds East a distance of 150.30 feet to a point; run

thence North 24 degrees 12 minutes 55 seconds East a distance of 201.02 feet to a point; run

thence North 08 degrees 56 minutes 30 seconds West a distance of 228.37 feet to a point located along the common boundary line of Land Lots 53 and 92; run

thence along the common boundary line of Land Lots 53 and 92, South 88 degrees 35 minutes 40 seconds East a distance of 234.93 feet to an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 1.08 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92; run thence along the common boundary line of Land Lots 91 and 92, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning; run

thence from the True Point of Beginning, North 89 degrees 46 minutes 16 seconds East a distance of 405.70 feet to an open top pipe found located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence along the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 00 degrees 55 minutes 09 seconds West a distance of 116.33 feet to an iron pin found (#4 rebar) located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence leaving the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 89 degrees 55 minutes 11 seconds West a distance of 404.46 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, North 00 degrees 19 minutes 00 seconds East a distance of 115.56 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

4) Perpetual, non-exclusive easement over and across the "Continuation of 35 Foot Access Strip" more fully described in the body and Exhibit "B" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

5) Perpetual, non-exclusive easement over and across the "60-Foot Wide Transportation Easement" more fully described in the body and Exhibit "C" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION
R/W FOR BIG CREEK GREENWAY, PH 4

ALL THAT TRACT OR PARCEL OF LAND BEING LOCATED IN LAND LOTS 92, 125 & 164, 2ND DISTRICT, 1ST SECTION, FORSYTH COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CORNER COMMON TO LAND LOTS 53, 54, 91 & 92, THENCE N 88°09'17" W A DISTANCE OF 177.03 FEET TO THE TRUE POINT OF BEGINNING (KC250); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 41.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 63°25'02" E, AND A DISTANCE OF 37.35 FEET TO A POINT (KC9113); THENCE, N 70°39'58" E A DISTANCE OF 18.56 FEET TO A POINT (KC9114); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 153.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 54°28'33" E, AND A DISTANCE OF 130.84 FEET (KC9115); THENCE, S 00°22'52" W A DISTANCE OF 2399.71 FEET TO A POINT (KC9116); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 87.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 31°47'05" W, AND A DISTANCE OF 83.37 FEET TO A POINT (KC9117); THENCE, S 63°11'25" W A DISTANCE OF 92.44 FEET TO A POINT (KC9118); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 210.01 FEET, AND AN ARC DISTANCE OF 81.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 74°20'18" W, AND A DISTANCE OF 81.21 FEET (KC9119); THENCE, S 85°29'08" W A DISTANCE OF 47.73 FEET TO A POINT (KC9120); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 809.69 FEET, AND AN ARC DISTANCE OF 64.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 87°46'48" W, AND A DISTANCE OF 64.83 FEET (KC9121); THENCE, N 89°55'37" W A DISTANCE OF 173.14 FEET TO A POINT (KC9122); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 39.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 46°16'20" W, AND A DISTANCE OF 35.99 FEET TO A POINT (KC9123); THENCE, S 02°27'53" W A DISTANCE OF 11.53 FEET TO A POINT (KC9125); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 165.99 FEET, AND AN ARC DISTANCE OF 1.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 02°41'23" W A DISTANCE OF 1.25 FEET TO A POINT (KC2189); THENCE, S 85°29'10" W A DISTANCE OF 20.19 FEET TO A POINT (KC2187); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 145.99 FEET, AND AN ARC DISTANCE OF 3.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF, N 03°12'27" E A DISTANCE OF 3.70 FEET TO A POINT (KC9098); THENCE, N 02°27'34" E A DISTANCE OF 11.54 FEET TO A POINT (KC9100); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 70.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 46°16'29" E, AND A DISTANCE OF 63.68 FEET TO A POINT (KC9101); THENCE, S 89°55'37" E A DISTANCE OF 173.13 FEET TO A POINT (KC9102); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 790.22 FEET, AND AN ARC DISTANCE OF 63.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 87°46'46" E, AND A DISTANCE OF 63.23 FEET TO A POINT (KC9103); THENCE, N 85°29'12" E A DISTANCE OF 47.73 FEET TO A POINT (KC9104); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND AN

ARC DISTANCE OF 73.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 74°20'15" E, AND A DISTANCE OF 73.47 FEET TO A POINT (KC9105); THENCE, N 63°11'22" E A DISTANCE OF 92.44 FEET TO A POINT (KC9106); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.01 FEET, AND AN ARC DISTANCE OF 65.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 31°47'13" E, AND A DISTANCE OF 62.53 FEET (KC9107); THENCE, N 00°22'52" E A DISTANCE OF 2399.71 FEET TO A POINT (KC9108); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.00 FEET, AND AN ARC DISTANCE OF 114.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 54°28'33" W, AND A DISTANCE OF 98.13 FEET TO A POINT (KC9109); THENCE, S 70°39'59" W A DISTANCE OF 18.56 FEET TO A POINT (KC9110); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 74.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 62°50'18" W, AND A DISTANCE OF 66.73 FEET TO A POINT (KC9111); THENCE, N 16°11'45" W A DISTANCE OF 0.43 FEET TO A POINT (KC9112); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 146.00 FEET, AND AN ARC DISTANCE OF 5.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 17°28'00" W A DISTANCE OF 5.66 FEET TO A POINT (KC249); THENCE, S 88°09'17" E A DISTANCE OF 21.17 FEET TO A POINT (KC250), SAID POINT BEING THE TRUE POINT OF BEGINNING.

TRAIL PARCEL CONTAINS 1.4767 ACRES.

CERTIFICATE OF TITLE

TO REAL PROPERTY

For the Exclusive Use Of:	Property of:
FORSYTH COUNTY, a political subdivision of the State of Georgia	**SEVEN BRANCHES FARM, LLC, a Georgia limited liability company**

This is to certify that we have made careful examination of all conveyances correctly indexed as of record in the County in which said property hereinafter described in Exhibit "A" is located, and from this examination we are of the opinion that good record title is vested in

SEVEN BRANCHES FARM, LLC,
a Georgia limited liability company,
by virtue of a Limited Warranty Deed,
dated November 2, 2007, and
recorded December 21, 2007,
at Deed Book 4989, Page 661,
Forsyth County, Georgia Deed Records.

subject to the following objections:

1. Any action by any municipal or governmental agency for the purpose of regulating the use, occupancy or zoning of the property described in this Certificate of Title, or of any building or structure thereon.

2. The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which could be disclosed by an accurate survey and inspection of the property.

3. Possible liens of architects, laborers or materialmen for improvement of the property not filed for record at the effective date hereof.

4. Taxes and assessments for the year 2017 and subsequent years, liens due and payable. (2016 Forsyth County ad valorem taxes, Parcel No. 103 425, in the amount of $6,342.23 have been paid.)

5. Rights, if any, of persons who may be in possession under claims not appearing of record.

6. Any consumer credit protection, truth-in-lending, or similar laws.

7. Any Federal Tax lien not indexed in the applicable records of this county.

8. Title to items of personalty used in connection with, or attached to the realty, which were not indexed upon the deed records.

9. No certification is provided as to the exact amount of acreage which may be contained within the property described herein.

10. Any mineral or mining interests which are not revealed during the examination period.

11. Availability of utilities or utility charges of whatsoever kind and character, not limited to electrical service and sanitary charges and assessments including any past due utility bills.

12. Pay-as-you-enter water or sewer lines which, while not technically liens, will be payable upon connection with such lines.

13. No certification is provided as to the presence or absence of any hazardous waste on or within the property, nor is certification provided as to whether a violation exists regarding hazardous waste under any and all Federal, and State environmental protection laws, rules or regulations.

14. Rights of upper and lower riparian owners to the streams, creeks, and branches crossing, abutting or located on the within described property, free from diminution or pollution thereof.

15. Any loss, claim or damage sustained as a result of forfeiture proceedings resulting from enforcement of Federal or State drug enforcement or racketeering laws, or claim for taxes by Federal or State governments not reflected within the public records of the county in which the property is located.

16. Loss, claim or damage sustained by irregularities in foreclosure proceedings, including but not limited to required notices, advertisements and like matters which are not reflected in the public records. Also excluded are losses, claims or damages sustained by reason of Federal bankruptcy proceedings by an owner or predecessor in title to the property which proceedings are not reflected in public records of the county in which the property is located.

17. Subdivision restrictive covenants and matters revealed therein inclusive of any homeowners association dues or like charges or easements reflected therein as may affect the subject property, if not appearing, or not properly indexed in the public records of the Superior Court of Forsyth County, Georgia.

18. No certification is provided as to the fitness of the property for the intended uses or purposes by any purchaser.

19. No certification is provided as to the existence or absence of burial sites or archaeological sites which may affect the subject property, particularly those matters which are not reflected on a survey of the subject property.

20. No certification is provided as to whether the within described property may be located in "wet lands" which may subject the property and improvements constructed thereon to laws, rules and regulations affecting wet land areas.

21. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§1281 et seq.) or under similar state laws.

22. All matters disclosed on a plat of survey entitled :Plat for Seven Branches Farm", dated May 7, 2007, last revised July 10, 2007, prepared by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Georgia Registered Professional Land Surveyor No. 2207, and recorded December 6, 2007, at Plat Book 118, Page 175, Forsyth County, Georgia Records.

23. Perpetual, non-exclusive easement for vehicular and pedestrian ingress and egress over, through and across that certain thirty-foot (30') access strip and thirty-five foot (35') access strip; and sixty-foot (60') wide private transportation easement reserved in Limited Warranty Deed between James T. Wayt (as successor Trustee to John A. Wayt, Jr.), John A. Wayt, III, Rebecca F. Wayt n/k/a Rebecca Wayt Beck, John Frederick Williams and Mary Mount Willians n/k/a Mary Williams Osborne as Co-Trustees of The Josephine Wayt Williams Trust (as to a one-third undivided interest) and James T. Wayt (as successor Trustee to John A. Wayt, Jr.), John a Wayt, III, Rebecca F. Wayt n/k/a Rebecca Wayt Buck, John Frederick Williams and Mary Mount Williams n/k/a Mary Williams Osborne as Co-Trustees of The Martha K. Wayt Trust (as to a two-thirds undivided interest) and Seven Branches Farm, LLC, a Georgia limited liability company, dated November 2, 2007, and recorded December 21, 2007, at Deed Book 4989, Page 661, Forsyth County, Georgia Deed Records.

24. Judgment of the Court styled City of Cumming, Georgia v. All that tract of parcel of land lying and being in Land Lots 92 and 125 of the Second District, First Section of Forsyth County, Georgia, being 1.049 acres and John A. Wayt, Jr. and W. Barnard Windham, as Co-Executors of the Estate of John A. Wayt, Sr., deceased, et al., Superior Court of Forsyth County, Georgia, Civil Action File No. 93-24, 262, dated January 12, 1994, and recorded January 14, 1994, at Deed Book 724, Page 763, Forsyth County, Georgia Deed Records.

25. Judgment of the Court styled City of Cumming, Georgia v. All that tract of parcel of land lying and being in Land Lot 92 of the Second District, First Section of Forsyth

County, Georgia, being .266 acres and John A. Wayt, Jr. and W. Barnard Windham, as Co-Executors of the Estate of John A. Wayt, Sr., deceased, et al., Superior Court of Forsyth County, Georgia, Civil Action File No. 93-24, 334, recorded January 14, 1994, at Deed Book 724, Page 767, Forsyth County, Georgia Deed Records.

26. Sewer Easement executed by John A. Wayt, Jr. and W. Barnard Windham, as Executors under the Last Will and Testament of John A. Wayt, Sr. in favor of the City of Cumming, a Georgia municipal corporation, dated July 20, 1989, filed July 31, 1989, and recorded at Deed Book 457, Page 489, Forsyth County, Georgia Deed Records.

27. Easement executed by John A. Wayt, Jr., individually, and as Executor of the Estate of John A. Wayt, Sr., deceased, et al. in favor of City of Cumming, a Georgia municipal corporation, dated September 27, 1993, and recorded at Deed Book 708, Page 742, Forsyth County, Georgia Deed Records.

28. Declaration of Covenants and Restrictions executed by Seven Branches Farm, LLC, a Georgia limited liability company, as Declarant, dated December 10, 2007, filed December 21, 2007, and recorded at Deed Book 4989, Page 670, Forsyth County, Georgia Deed Records.

29. The Effective Date of this Certificate is March 23, 2017.

Witness the hand and seal of the undersigned this 6th day of April, 2017.

MAHAFFEY PICKENS TUCKER, LLP

By: _____
Austen T. Mabe, Attorney

File No. 2881-0028B JRM/dg

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lots 92, 124, 125 and 164 of the 2nd District, 1st Section, Forsyth County, Georgia, and being shown as 38.89 acres per that certain plat for Seven Branches Farm prepared by Appalachian Surveying, Planning & Development, Inc., Hilton H. Hobby, Jr., Georgia RLS #2207, dated 11/13/07, and being more particularly described as follows:

To find the Point of Beginning commence at a crimp top pipe found at the corner common to Land Lots 52, 53, 92 and 93, aforesaid District, Section and County; proceed thence from said intersection along the land lot line common to Land Lots 53 and 92 in an easterly direction 682.27 feet to a point located in the centerline of Big Creek, said point being the POINT OF BEGINNING; and from said POINT OF BEGINNING and leaving said centerline of Big Creek and continue along the land lot line common to Land Lots 53 and 92 south 88°35'40" east 539.66 feet to a point; thence leaving said land lot line and proceed thence south 08°56'30" east 228.37 feet to a point; proceed thence south 24°21'55" west 201.02 feet to a point; proceed thence south 35°34'17" west 150.30 feet to a point; proceed thence south 24°42'46" west 165.19 feet to a point; proceed thence south 06°06'24" west 71.54 feet to a point; proceed thence south 27°35'13" west 212.12 feet to a point; proceed thence south 09°47'06" west 610.59 feet to a point; proceed thence south 05°20'44" west 512.55 feet to a point; proceed thence south 16°51'39: east 378.25 feet to a point; proceed thence south 07°02'54" west 180.59 feet to a point; proceed thence south 20°33'08" east 77.08 feet to a point; proceed thence south 85°29'45" west 207.86 feet to a point located in the centerline of Big Creek, said centerline being the property line; proceed thence along said centerline of Big Creek the following courses and distances: south 04°22'36" west 93.05 feet to a point; south 07°22'52" west 100.40 feet to a point; south 10°14'00" west 200.16 feet to a point; south 17°10'41" west 99.39 feet to a point; thence leaving said centerline and proceed north 38°13'01" west 467.26 feet to a point; proceed thence north 40°07'53" east 34.52 feet to a point; proceed thence north 18°14'03" west 227.42 feet to a point; proceed thence north 49°34'21" west 109.45 feet to a point; proceed thence north 03°31'50" east 474.33 feet to a point; proceed thence north 36°05'39" east 171.51 feet to a point; proceed thence north 29°50'01" west 230.21 feet to a point; proceed thence north 88°41'03" west 108.68 feet to a point; proceed thence north 24°37'36" west 47.20 feet to a point; proceed thence south 36°41'02" west 31.44 feet to a point; proceed thence north 49°42'28" west 143.62 feet to a point; proceed thence north 15°48'51" east 104.29 feet to a point; proceed thence north 85°05'52" east 36.04 feet to a point; proceed thence south 70°28'25" east 162.37 feet to a point; proceed thence north 57°28'14" east 156.48 feet to a point; proceed thence south 76°13'35" east 86.15 feet to a point; proceed thence south 43°41'37" east 119.40 feet to a point; proceed thence north 06°23'04" west 156.66 feet to a point; proceed thence north 11°20'07" west 49.0 feet to a point; proceed thence north 42°24'27" west 136.63 feet to a point; proceed thence north 07°13'27" west 248.27 feet to a point; proceed thence north 60°51'03" west 40.06 feet to a point; proceed thence south 88°48'06" east 278.98 feet to a point located in the centerline of Big Creek, said centerline of Big Creek being the property line; proceed thence along said centerline the following courses and distances: north 21°36'01" west 65.02 feet to a point; north 04°14'05" east 35.37 feet to a point; north 13°12'56" west 65.30 feet to a point; north 05°08'52" west 80.35 feet to a point; north 03°29'27" west 64.95 feet to a point; north 06°07'43" east 70.74 feet to a point; north 21°38'29" east 80.29 feet to a point; north 03°19'43" east 71.11 feet to a point; north 29°12'18" east 94.89 feet to a point; north 06°02'15" east 36.78 feet to a point; north 22°55'35" east 111.18 feet to a point; north 13°54'18" east 64.08 feet to a point; north 29°42'45" east 37.77 feet to a point; north 11°48'37" east 149.58 feet to the POINT OF BEGINNING.

RTV Deed

4989 /661

Doc ID: 010218680009 Type: GLR
Filed: 12/21/2007 at 04:05:18 PM
Fee Amt: $3,628.10 Page 1 of 9
Transfer Tax: $3,500.10
Forsyth County, GA
Douglas Sorrells Clerk Superior Ct
BK 4989 PG 661-669

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120

STATE OF GEORGIA
COUNTY OF FORSYTH

LIMITED WARRANTY DEED

THIS INDENTURE made as of the 2nd day of November, in the year two thousand and seven, between

James T. Wayt (as successor Trustee to John A. Wayt, Jr.), John A. Wayt, III, Rebecca F. Wayt n/k/a Rebecca Wayt Buck, John Frederick Williams and Mary Mount Williams n/k/a Mary Williams Osborne as Co-Trustees of The Josephine Wayt Williams Trust (as to a one-third undivided interest) and James T. Wayt (as successor Trustee to John A. Wayt, Jr.), John A. Wayt, III, Rebecca F. Wayt n/k/a Rebecca Wayt Buck, John Frederick Williams and Mary Mount Williams n/k/a Mary Williams Osborne as Co-Trustees of The Martha K. Wayt Trust (as to a two-thirds undivided interest)

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

Seven Branches Farm, LLC,
a Georgia limited liability company

as party or parties of the second part, hereinafter called Grantee, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold an conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 92, 124, 125, and 164 of the 2nd District, 1st Section, Forsyth County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

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

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

The property herein conveyed is conveyed together with a perpetual, non-exclusive easement for vehicular and pedestrian ingress and egress over, through and across that certain "30 Foot Access Strip" and "35 Foot Access Strip" on Sheet #1 and #2 of that certain plat prepared by Richard May & Associates, P.C., filed for record on 08/22/90 and recorded 08/23/90 in Plat Book 32, Pages 79 and 80, Forsyth County Records, said plat by this reference being made a part hereof and incorporated herein for a more complete description (the "Access Plat"). And also that certain "Continuation of 35 Foot Access Strip" which is more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

Grantor herein reserves a perpetual, non-exclusive easement for vehicular and pedestrian ingress and egress over, through and across that certain 60 Foot Wide Private Transportation Easement more particularly described on Exhibit "C" attached hereto and incorporated herein by reference. The easement herein reserved is for the benefit, of and as an appurtenance to, that certain property which is bounded as follows: on the west by the east property line of property herein conveyed; on the north by the land lot line common to Land Lots 92 and 53; on the south by the land lot line common to Land Lots 125 and 164; and on the east by the land lot line common to Land Lots 125 and 126 and the land lot line common to Land Lots 91 and 92.

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

[Execution on Following Pages]

Signed, sealed and delivered on
this 31st day of ~~November~~ October, 2007

Witness

(SEAL)
John A. Wayt, III, as Co-Trustee of the Josephine Wayt Williams Trust and the Martha K. Wayt Trust

Notary Public
My commission expires:
[Notary Seal]

ERLY A. TURCONE
OTARY PUBLIC
OF RHODE ISLAND
MISSION EXPIRES
TEMBER 27, 2011

STATE OF RHODE ISLAND NOTARY PUBLIC KIMBERLY A. TURCONE

[Signatures Continued on Following Pages]

Signed, sealed and delivered on
this 2 day of November, 2007

Witness

(SEAL)
Rebecca F. Wayt n/k/a Rebecca Wayt Buck, as Co-Trustee of the Josephine Wayt Williams Trust and the Martha K. Wayt Trust

Notary Public
My Commission Expires: October 25, 2010

[Signatures Continued on Following Pages]

Signed, sealed and delivered on
this 2nd day of November, 2007

Witness

Notary Public, Fulton County, Georgia
My Commission Expires October 23rd, 2010

(SEAL)
James T. Wayt, as Co-Trustee of the Josephine Wayt Williams Trust and the Martha K. Wayt Trust

[Signatures Continued on Following Pages]

Signed, sealed and delivered on
this 2 day of November, 2007

Witness

(SEAL)
John Frederick Williams, as Co-Trustee of the Josephine Wayt Williams Trust and the Martha K. Wayt Trust

Signed, sealed and delivered on
this 2 day of November, 2007

Witness

(SEAL)
Mary Mount Williams n/k/a Mary Williams Osborne, as Co-Trustee of the Josephine Wayt Williams Trust and the Martha K. Wayt Trust by John Frederick Williams, Attorney-In-Fact

Wayt\SevenBranchesFarm\LWD

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lots 92, 124, 125 and 164 of the 2nd District, 1st Section, Forsyth County, Georgia, and being shown as 38.89 acres per that certain plat for Seven Branches Farm prepared by Appalachian Surveying, Planning & Development, Inc., Hilton H. Hobby, Jr., Georgia RLS #2207, dated 11/13/07, and being more particularly described as follows:

To find the Point of Beginning commence at a crimp top pipe found at the corner common to Land Lots 52, 53, 92 and 93, aforesaid District, Section and County; proceed thence from said intersection along the land lot line common to Land Lots 53 and 92 in an easterly direction 682.27 feet to a point located in the centerline of Big Creek, said point being the POINT OF BEGINNING; and from said POINT OF BEGINNING and leaving said centerline of Big Creek and continue along the land lot line common to Land Lots 53 and 92 south 88°35'40" east 539.66 feet to a point; thence leaving said land lot line and proceed thence south 08°56'30" east 228.37 feet to a point; proceed thence south 24°21'55" west 201.02 feet to a point; proceed thence south 35°34'17" west 150.30 feet to a point; proceed thence south 24°42'46" west 165.19 feet to a point; proceed thence south 06°06'24" west 71.54 feet to a point; proceed thence south 27°35'13" west 212.12 feet to a point; proceed thence south 09°47'06" west 610.59 feet to a point; proceed thence south 05°20'44" west 512.55 feet to a point; proceed thence south 16°51'39: east 378.25 feet to a point; proceed thence south 07°02'54" west 180.59 feet to a point; proceed thence south 20°33'08" east 77.08 feet to a point; proceed thence south 85°29'45" west 207.86 feet to a point located in the centerline of Big Creek, said centerline being the property line; proceed thence along said centerline of Big Creek the following courses and distances: south 04°22'36" west 93.05 feet to a point; south 07°22'52" west 100.40 feet to a point; south 10°14'00" west 200.16 feet to a point; south 17°10'41" west 99.39 feet to a point; thence leaving said centerline and proceed north 38°13'01" west 467.26 feet to a point; proceed thence north 40°07'53" east 34.52 feet to a point; proceed thence north 18°14'03" west 227.42 feet to a point; proceed thence north 49°34'21" west 109.45 feet to a point; proceed thence north 03°31'50" east 474.33 feet to a point; proceed thence north 36°05'39" east 171.51 feet to a point; proceed thence north 29°50'01" west 230.21 feet to a point; proceed thence north 88°41'03" west 108.68 feet to a point; proceed thence north 24°37'36" west 47.20 feet to a point; proceed thence south 36°41'02" west 31.44 feet to a point; proceed thence north 49°42'28" west 143.62 feet to a point; proceed thence north 15°48'51" east 104.29 feet to a point; proceed thence north 85°05'52" east 36.04 feet to a point; proceed thence south 70°28'25" east 162.37 feet to a point; proceed thence north 57°28'14" east 156.48 feet to a point; proceed thence south 76°13'35" east 86.15 feet to a point; proceed thence south 43°41'37" east 119.40 feet to a point; proceed thence north 06°23'04" west 156.66 feet to a point; proceed thence north 11°20'07" west 49.0 feet to a point; proceed thence north 42°24'27" west 136.63 feet to a point; proceed thence north 07°13'27" west 248.27 feet to a point; proceed thence north 60°51'03" west 40.06 feet to a point; proceed thence south 88°48'06" east 278.98 feet to a point located in the centerline of Big Creek, said centerline of Big Creek being the property line; proceed thence along said centerline the following courses and distances: north 21°36'01" west 65.02 feet to a point; north 04°14'05" east 35.37 feet to a point; north 13°12'56" west 65.30 feet to a point; north 05°08'52" west 80.35 feet to a point; north 03°29'27" west 64.95 feet to a point; north 06°07'43" east 70.74 feet to a point; north 21°38'29" east 80.29 feet to a point; north 03°19'43" east 71.11 feet to a point; north 29°12'18" east 94.89 feet to a point; north 06°02'15" east 36.78 feet to a point; north 22°55'35" east 111.18 feet to a point; north 13°54'18" east 64.08 feet to a point; north 29°42'45" east 37.77 feet to a point; north 11°48'37" east 149.58 feet to the POINT OF BEGINNING.

JOHN WAYT\SEVENBRANCHESFARM\Legal

EXHIBIT "B"
35 FOOT ACCESS STRIP

ALL THAT TRACT or parcel of land lying and being in Land Lots 92, 93 and 125 of the 2nd District, 1st Section, Forsyth County, Georgia, and being that certain 35 Foot Access Easement per Boundary Survey for Seven Branches Farm prepared by Appalachian Surveying, Planning & Development, Inc., Hilton H. Hobby, Jr., Georgia RLS #2207, dated 05/07/07, las revised (the "Appalachian Survey"), and being more particularly described as follows:

COMMENCE at the northeasternmost terminus of the 35 Foot Access Strip per the Access Plat; proceed thence from said terminus south 54°47'12" east 785.43 feet to a point; proceed thence south 06°23'04" east 46.80 feet to a point; proceed thence north 54°47'12" west 805.79 feet to a point located on the southeasternmost terminus of the 35 Foot Access Strip; proceed thence along said terminus north 01°11'30" east 35.0 feet to the POINT OF BEGINNING.

EXHIBIT "C"
60 FOOT WIDE PRIVATE TRANSPORTATION EASEMENT

ALL THAT TRACT or parcel of land lying and being in Land Lot 125 of the 2nd District, 1st Section, Forsyth County, Georgia, and being that certain 60 Foot Wide Private Transportation Easement per Boundary Survey for Seven Branches Farm prepared by Appalachian Surveying, Planning & Development, Inc., Hilton H. Hobby, Jr., Georgia RLS #2207, dated 05/07/07, as revised (the "Appalachian Survey"), and being more particularly described as follows:

To find the Point of Beginning commence at the northeasternmost terminus of the 35 Foot Access Strip per the Access Plat; proceed thence from said terminus south 54°47'12" east 785.43 feet to a point, said point being the POINT OF BEGINNING; and from said POINT OF BEGINNING proceed thence south 79°54'20" east 75.29 feet to a point; proceed thence south 10°05'40" west 20.0 feet to a point; proceed thence south 79°54'20" east 287.17 feet to a point; proceed thence north 10°05'40" east 20.0 feet to a point; proceed thence south 79°54'20"east 41.16 feet to a point; proceed thence south 09°47'06" west 65.09 feet to a point; proceed thence south 05°20'44" west 35.04 feet to a point; proceed thence north 79°54'20" west 46.11 feet to a point; proceed thence north 10°05'40" east 20.0 feet to a point; proceed thence noreth 79°54'20" west 284.02 feet to a point; proceed thence south 10°05'40" west 20.0 feet to a point; proceed thence north 79°54'20" west 47.17 feet to a point; proceed thence north 06°23'04" west 104.28 feet to the POINT OF BEGINNING.

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

Bill No	Due Date	TOTAL DUE
2016-268690	11/15/2016	$0.00

Map: 103 425
Last payment made on: 10/27/2016
Today's date: 3/28/2017
Location: BETHELVIEW RD
INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

SEVEN BRANCHES FARM LLC
PO BOX 149

JAMESTOWN , RI 02835-0149

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

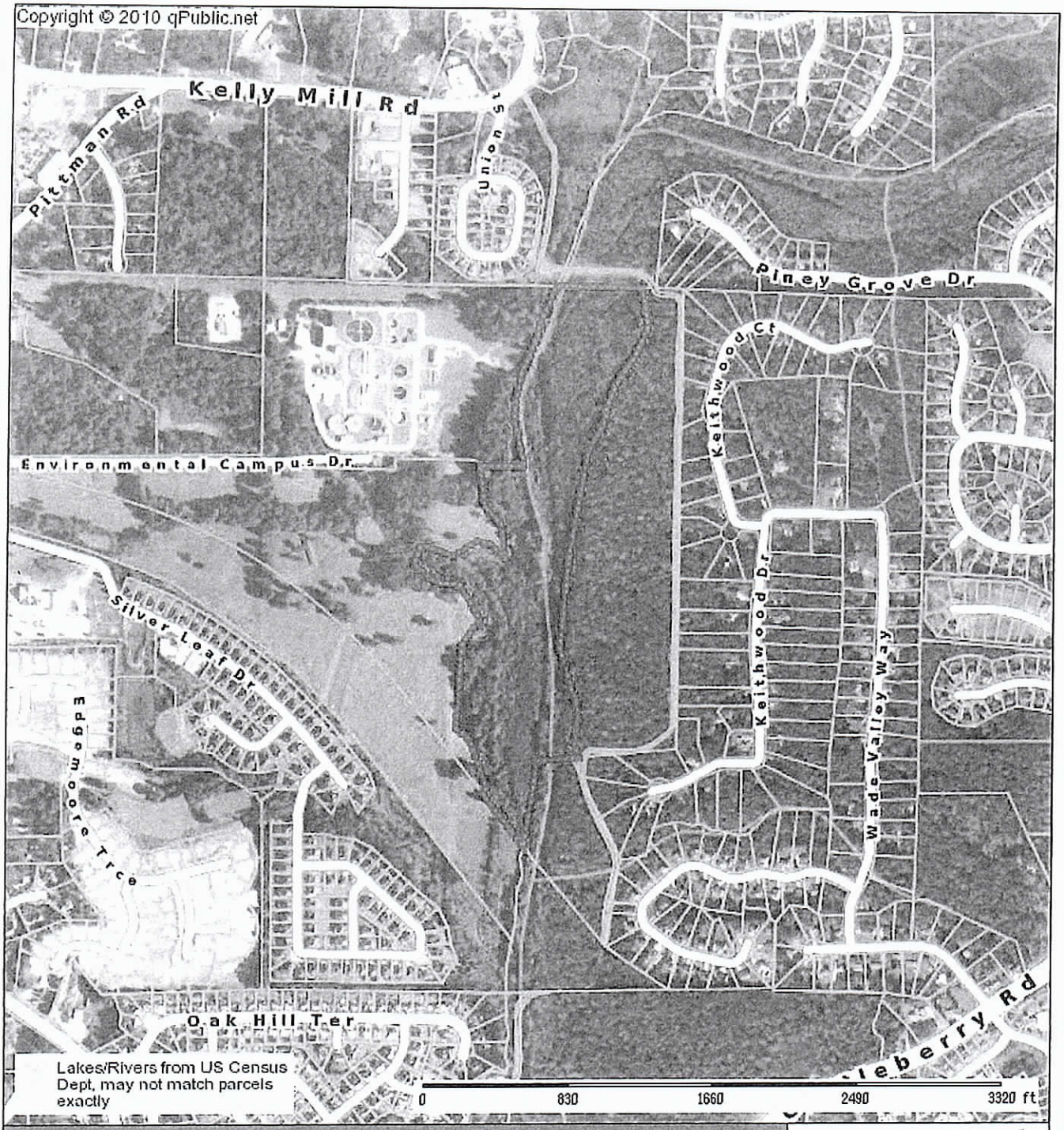
Tax Payer:	**SEVEN BRANCHES FARM LLC**
Map Code:	**103 425**
Description:	**2-1 92-124-125-164**
Location:	**BETHELVIEW RD**
Bill No:	**2016-268690**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$571,290.00	38.8900	$571,290.00	11/15/2016	

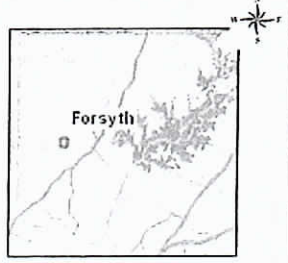
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$571,290.00	$228,516.00	$0.00	$228,516.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$571,290.00	$228,516.00	$0.00	$228,516.00	7.5340	$1,721.64	$0.00	$1,060.77
SALES TAX CREDIT			$0.00	$228,516.00	-2.8920	$0.00	-$660.87	$0.00
COUNTY BOND	$571,290.00	$228,516.00	$0.00	$228,516.00	1.4190	$324.26	$0.00	$324.26
SCHOOL M&O	$571,290.00	$228,516.00	$0.00	$228,516.00	17.3000	$3,953.33	$0.00	$3,953.33
SCHOOL BOND	$571,290.00	$228,516.00	$0.00	$228,516.00	2.4180	$552.55	$0.00	$552.55
FIRE DISTRICT	$571,290.00	$228,516.00	$0.00	$228,516.00	1.9750	$451.32	$0.00	$451.32
				Totals:	27.754	$7,003.10	-$660.87	$6,342.23

Current Due	$6,342.23
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$6,342.23
Back Taxes	$0.00

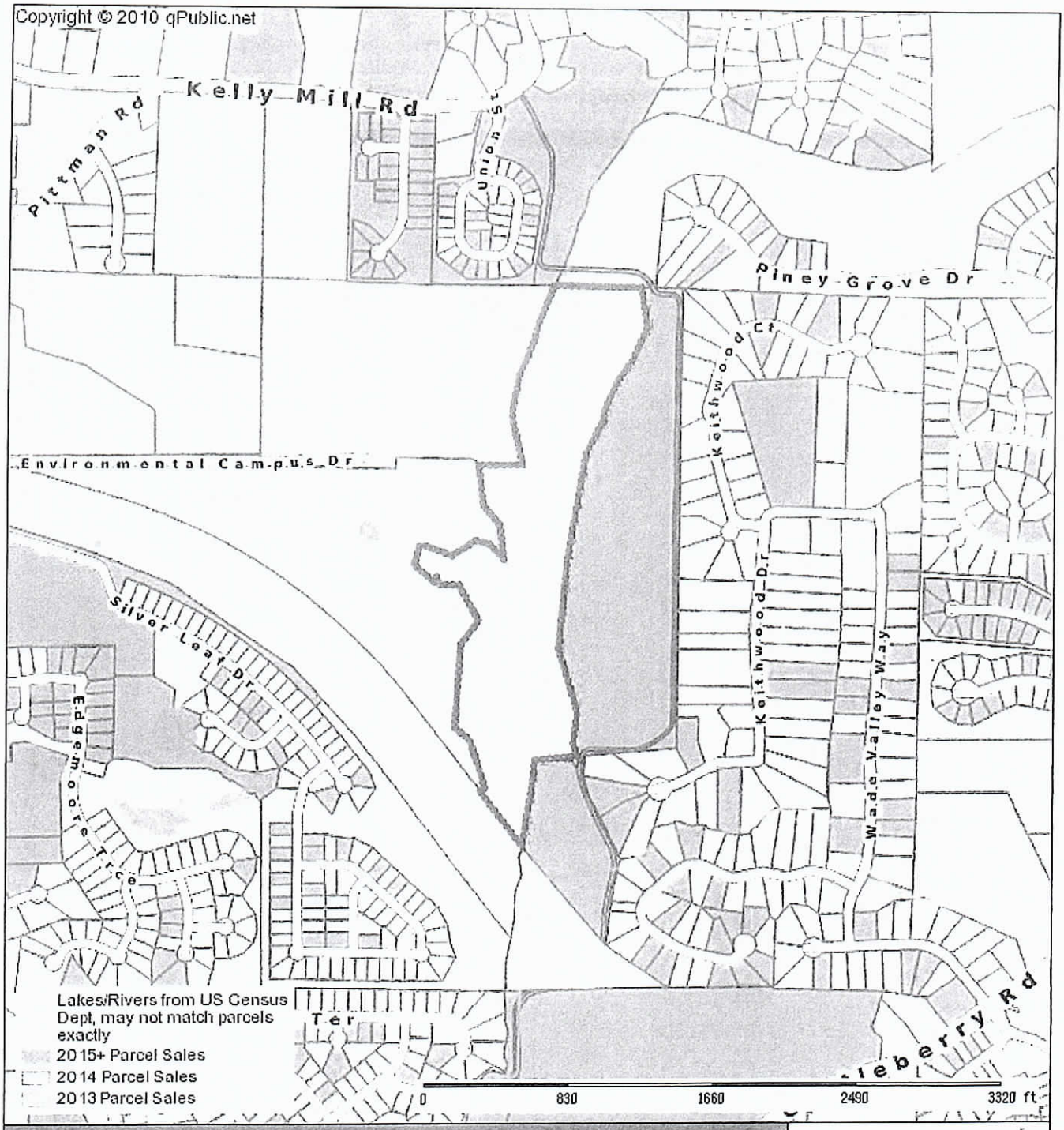
If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!



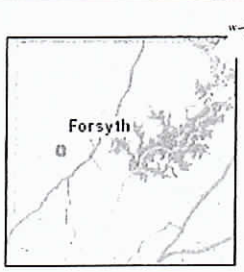
Forsyth County Assessor			
Parcel: 103 425 Acres: 38.89			
Name:	SEVEN BRANCHES FARM LLC	Land Value:	571290
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 02835-0149	Total Value:	571290



Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
Date printed: 04/03/17 : 18:27:49



Forsyth County Assessor			
Parcel: 103 425 Acres: 38.89			
Name:	SEVEN BRANCHES FARM LLC	Land Value:	571290
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 02835-0149	Total Value:	571290



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Date printed: 04/03/17 : 18:27:23

FORSYTHCOUNTY
QUALITY. GROWTH. PROGRESS. GEORGIA – BOARD OF TAX ASSESSORS

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search | Forsyth Home

Owner and Parcel Information

Owner Name	SEVEN BRANCHES FARM LLC	Today's Date	April 3, 2017
Mailing Address	PO BOX 149 JAMESTOWN, RI 02835-0149	Parcel Number	103 425
		Tax District	0
Location Address	BETHELVIEW RD	Zoning	CR1
Legal Description	CR1	Acres	38.89
Property Class	R5-Residential Large Tracts	Parcel Map	Show Parcel Map
Neighborhood	00300	Homestead	n
Legal Description	2-1 92-124-125-164		Tax Commissioner

Assessment Information

Show Historical Assessments | Show Assessment Notice

Year	LUC	Land Value	Building Value	Total Value	Assessed Value
2016	0100	$ 571,290	$ 0	$ 571,290	$ 228,516

Land Information

Land Type	Land Code	Description	Square Feet	Acreage	Price
A	100		691,733	15.88	$ 357,300
A	130		1,002,316	23.01	$ 213,990

Improvement Information

No improvement information available for this parcel

Accessory Information

Description	Year Built	Area	Grade	Value

No accessory information associated with this parcel.

Sale Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Validity	Grantee	Grantor
2007-11-02	$ 3,500,100	LIMITED WARRANTY DEED	4989	661	Unqualified	L-Related Individuals or Corporation	SEVEN BRANCHES FARM LLC	JOSEPHINE WAYT WILLIAMS TRUST

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search Page | Forsyth Home

Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Assessment information for all tax parcels included in this data is for the 2014 tax year and does not reflect any changes due to documents recorded after January 1, 2014. These changes may include but is not limited to ownership or property characteristics. Website Updated: April 3, 2017

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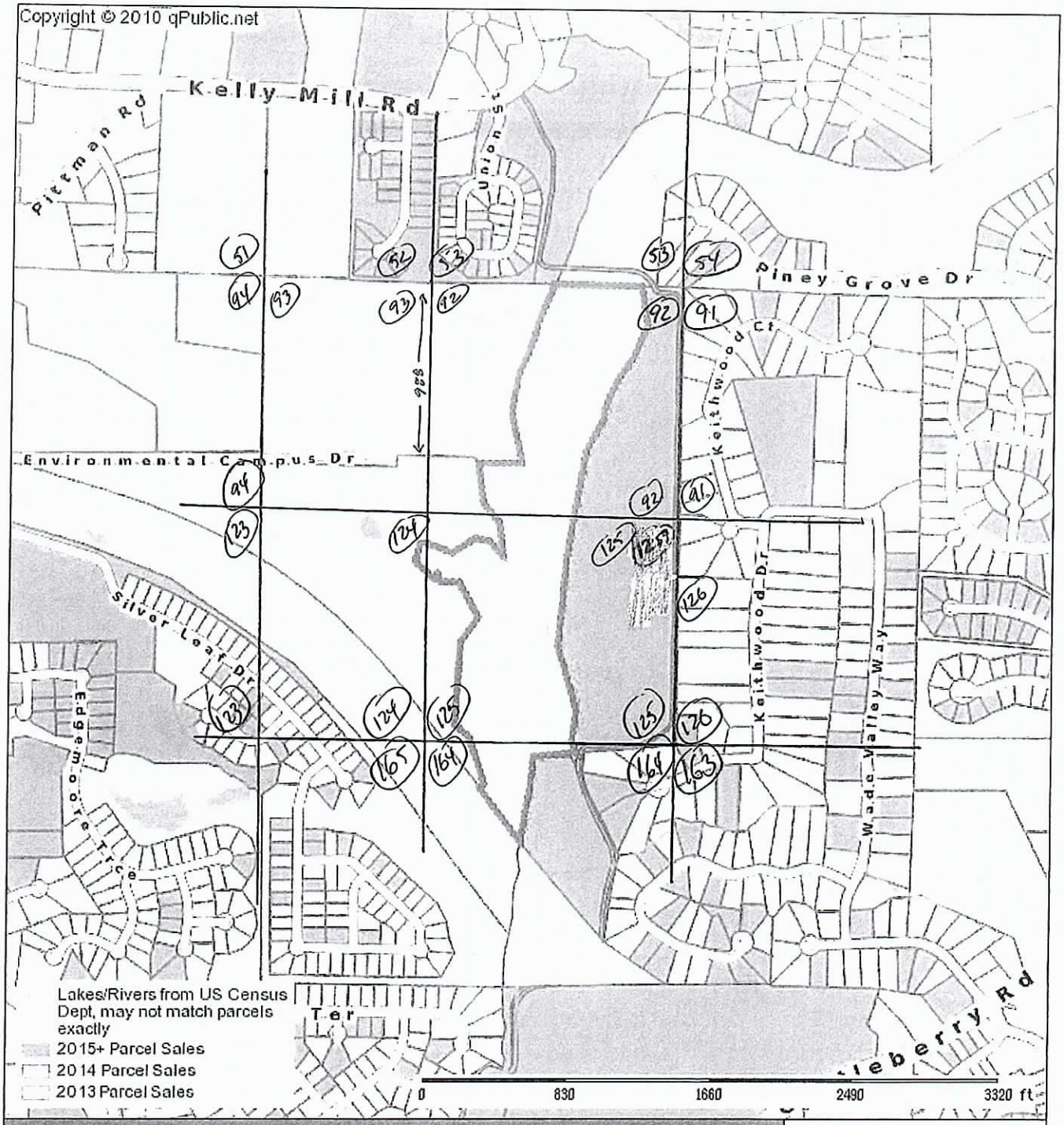

Forsyth County Assessor			
Parcel: 103 425 Acres: 38.89			
Name:	SEVEN BRANCHES FARM LLC	Land Value:	571290
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 02835-0149	Total Value:	571290



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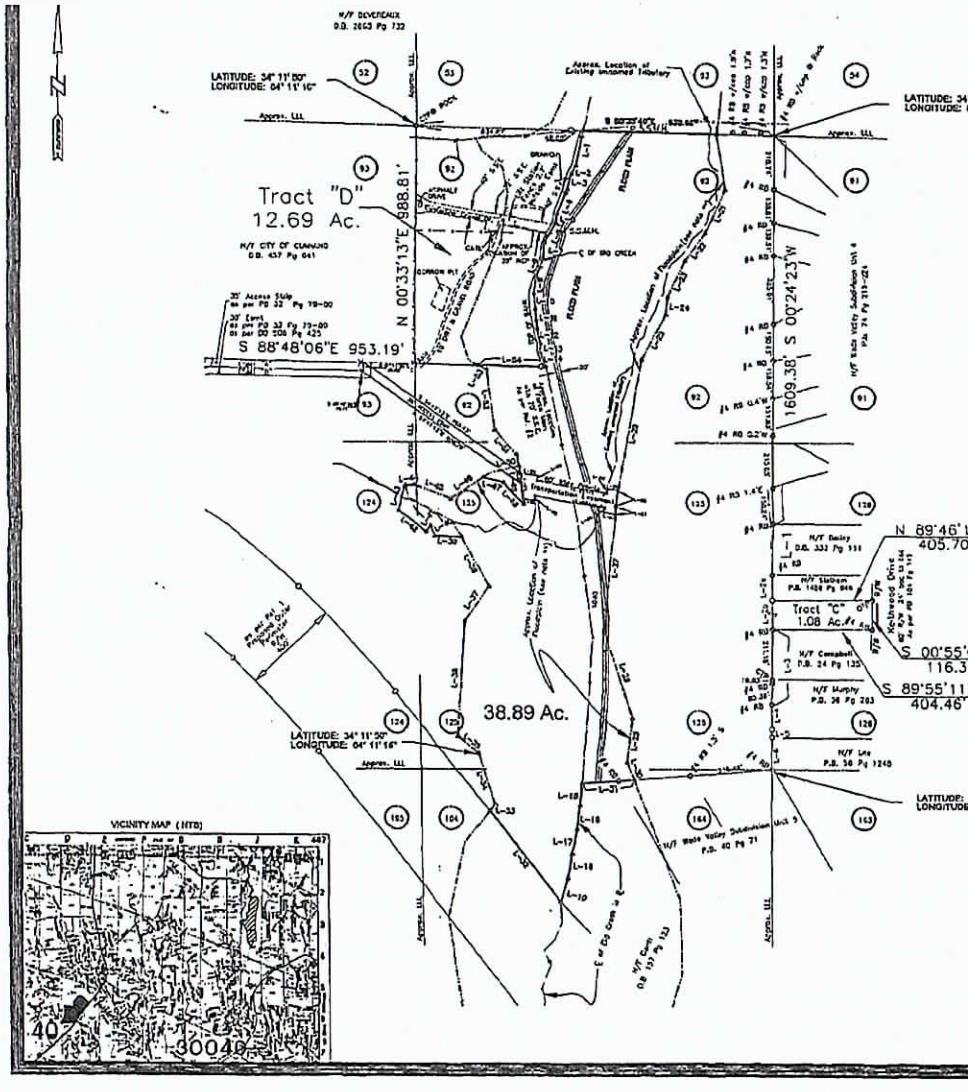


LEGEND:

⊙	IRON PIN FOUND	CTP	CORP TOP PIPE
○	IRON PIN PLACED (24 PE-SAN)	OTP	OPEN TOP PIPE
A	COMPUTED POINT	CMP	CORRUGATED METAL PIPE
⊕	UTILITY POLE	RCP	REINFORCED CONCRETE PIPE
⊕	FIRE HYDRANT	BOC	BACK OF CURB
⊠	WATER METER	CWK	CONCRETE SIDEWALK
⊠	WATER VALVE	SSMH	SANITARY SEWER MAN HOLE
⊙	GAS METER	NTS	NOT TO SCALE
⊙	GAS VALVE	—U—	UTILITY LINE
⊙	WELL	—G—	GAS LINE
⊠	CONCRETE MONUMENT	—SS—	SANITARY SEWER
⊠	LIGHT POLE	—FM—	FORCE MAIN
C/L	CENTER LINE	—UP—	UNDERGROUND POWER
P/L	PROPERTY LINE	—UT—	UNDERGROUND TELEPHONE
B/L	BUILDING LINE	—X—	FENCE
R/W	RIGHT-OF-WAY		NOT TO SCALE
L/L	LAND LOT LINE		C/L CREEK OR BRANCH
LLC	LAND LOT CORNER		

CENTERLINE OF CREEK

Course	Bearing	Distance
L-1	S 11°10'21" W	149.56'
L-2	S 18°42'42" W	25.27'
L-3	S 18°36'18" W	44.08'
L-4	S 21°37'35" W	111.16'
L-5	S 06°03'15" W	56.78'
L-6	S 23°21'06" W	94.88'
L-7	S 03°18'42" W	71.11'
L-8	S 06°05'24" W	60.75'
L-9	S 06°57'42" W	70.74'
L-10	S 03°53'37" W	44.43'
L-11	S 05°09'41" W	80.55'
L-12	S 13°15'56" W	45.30'
L-13	S 04°14'09" W	75.37'
L-14	S 21°36'01" E	52.07'
L-15	S 09°27'36" W	93.05'
L-16	S 07°22'53" W	100.41'
L-17	S 10°14'00" W	100.05'
L-18	S 10°15'00" W	100.00'
L-19	S 13°10'41" W	99.39'

Course	Bearing	Distance
L-20	S 09°56'30" E	228.37'
L-21	S 24°15'55" W	201.02'
L-22	S 35°54'17" W	150.30'
L-23	S 27°03'21" W	165.19'
L-24	S 09°09'24" W	71.54'
L-25	S 27°23'13" W	212.11'
L-26	S 09°27'04" W	310.59'
L-27	S 05°20'44" W	313.53'
L-28	S 14°51'29" E	376.25'
L-29	S 07°02'54" W	160.59'
L-30	S 20°33'08" E	77.06'
L-31	S 05°28'43" W	207.84'
L-32	N 34°12'01" W	407.06'
L-33	N 40°07'22" E	34.52'
L-34	N 10°14'01" W	123.42'
L-35	N 48°34'21" W	102.45'
L-36	N 03°31'40" E	474.33'
L-37	N 30°03'33" E	171.51'
L-38	N 29°50'01" W	230.31'
L-39	N 04°41'00" W	108.88'
L-40	N 24°37'44" W	47.10'
L-41	S 34°41'00" W	31.44'
L-42	N 49°42'26" W	145.63'
L-43	N 15°48'51" E	104.74'
L-44	N 05°03'33" E	30.08'
L-45	S 70°20'42" E	162.31'
L-46	S 57°35'44" E	155.48'
L-47	S 28°23'31" W	98.10'
L-48	S 43°41'31" W	116.40'
L-49	N 04°53'04" W	150.84'
L-50	N 11°30'07" W	49.00'
L-51	N 07°24'27" W	128.63'
L-52	N 07°23'27" W	148.27'
L-53	N 00°51'03" W	30.06'
L-54	S 08°38'06" E	174.98'

Course	Bearing	Distance
L-55	S 78°54'20" E	35.29'
L-56	S 10°02'40" W	30.06'
L-57	S 79°54'20" E	107.17'
L-58	N 10°05'40" E	30.00'
L-59	S 79°54'20" E	46.16'
L-60	S 09°47'04" W	18.02'
L-61	S 05°20'44" W	35.84'
L-62	N 72°54'20" W	46.11'
L-63	N 13°05'40" E	30.00'
L-64	N 78°54'20" W	164.63'
L-65	S 10°05'40" W	30.00'
L-66	N 79°54'20" W	47.17'
L-67	N 64°13'04" W	104.56'

NOTES:

1) EQUIPMENT USED: TOPCON GTS 303 OR GTS 313 DATA COLLECTOR: CAD MASTER
BEARINGS SHOWN ARE COMPUTED FROM ANGLES TURNED

2) UNLESS STATED OTHERWISE NOTED, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES, REVEALED WHEN ANY PERMITS APPARENT FROM A CASUAL ABOVE GROUND VIEW OF PREMISES ARE SHOWN. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO THE EXISTENCE OF ANY EASEMENT NOT DISCLOSED FROM MY CASUAL ABOVE GROUND VIEW OF THE PREMISES.

3) THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREIN, SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON'S WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR.

4) THE PUBLIC RECORDS REFERENCED HEREIN REFLECT ONLY SHOW RECORDS NECESSARY TO ESTABLISH THE EQUIPMENT SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT SAID IT NOT INTENDED TO CONSTITUTE A TITLE SEARCH ON THE OPINION UNLESS STATED OTHERWISE HEREIN. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE, NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCLOSED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

5) UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR WRITTEN EASEMENTS, IF ANY, WHICH MIGHT IMPACT ON THE USE OF THE PROPERTY, WERE NOT LOCATED. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS RELATING FROM THE EXISTENCE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THE PREMISES.

6) THE PREMISES SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EXISTING EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS, FORMS REGULATIONS, AND/OR RESTRICTIONS AND UNDERGROUND UTILITIES THAT MAY NOT BE SHOWN ON THE PLAT HEREON OR WHICH OR NOT REFERRED TO THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENTS OR RESTRICTIONS ON THE USE OF THE PROPERTY.

7) FLOOD STATEMENT:
A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN HEREON. HOWEVER, IMPROVEMENTS ARE LOCATED OUT OF AND ABOVE THE FLOOD PLAIN PER FIRM PANEL # 13117C 0063 E EFFECTIVE DATE JULY 4, 1993

8) CLOSURE STATEMENT:
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN HIGHER FEET AND AN ANGULAR ERROR OF 5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THE BEARINGS AND DISTANCES SHOWN ON THIS PLAT HAVE BEEN CALCULATED FOR CLOSURE AND ARE FOUND TO BE ACCURATE WITHIN ONE FOOT TO LESS FEET.

9) REFERENCE:
Ref #1 GA DOT R/W Proposed Outer Perimeter Forsyth County Plan, Prepared by Stanford Alcobell Association, Inc. Revised 11/1/94
Ref #2 Sanitary Sewer Easement Plan for City of Cumming, by Richard Ray & Assoc. Dated 7/19/93
NO INTERIOR IMPROVEMENTS WERE LOCATED
Topo, Pond/Lake, Stream Locations are shown from Forsyth County GIS Maps. Further Field Study is required to verify the locations shown. ASP&D, Inc. Does not Certify the Locations shown on this plat.

** Approx. Location of Floodplain
Location Shown Hereon is Approximate and its location is not certified by ASP&D, Inc. further study is needed to determine the exact location of Floodplain.

*** WETLANDS, STREAMS AND BUFFERS MAY BE UNDER JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND ARE PROTECTED BY A RECORDED DECLARATION OF COVENANTS AND RESTRICTIONS. THE PERMIT/ BANKING NUMBER CAN BE OBTAINED FROM THE ENVIRONMENTAL CONSULTANT OR THE REGULATORY BRANCH OF THE US ARMY CORPS OF ENGINEERS.

MP070231
This plat does not involve a land subdivision and is entitled to record.
[signature] 11-28-07 pm JC
DIRECTOR
Tract 103 Plat 011

Doc ID: 010168390001 Type: PLT
Filed: 12/06/2007 at 09:50:53 AM
Fee Amt: $8.00 Page 1 of 1
Forsyth County, GA
Douglas Sorrells Clerk Superior Ct
BK 118 PG 175

11-13-07

PLAT FOR

SEVEN BRANCHES FARM

LOCATED IN LAND LOTS 92, 124, 125, & 164
2nd DISTRICT *** 1st SECTION
FORSYTH COUNTY, GEORGIA
DATE OF ORIGINAL SURVEY: FEBRUARY 20, 2004
DATE OF PLAT: MAY 7, 2007
JOB 07152 * SF 07152 * CF 04022(1:)
REVISED JULY 10, 2007 TO SHOW 60' TRANSPORTATION EDMT.
REVISED NOVEMBER 12, 2007

200 0 200 400 600
GRAPHIC SCALE - FEET 1"=200'

Appalachian Surveying, Planning & Development, Inc.
P.O. BOX 1648 CUMMING, GA 30028
PH. 770-889-4891 FAX 770-887-9992
E-MAIL: NhobbyDesspInc.com

118/175

TAX # 103 42

724/763

Forsyth County
Clerks Office Superior Court
Filed for record on the 14th
day of January 1994
at 4:25 o'clock P.M. Recorded in
Book 724 Page ____ this
day of Jan 19, 1994
Cecil McClure, Clerk
Cty
Jeff Bagwy

IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

CITY OF CUMMING, GEORGIA, Plaintiff/Condemnor, v. All that tract or parcel of land lying and being in Land Lots 92 and 125 of the Second District, First Section of Forsyth County, Georgia, being 1.049 acres and JOHN A. WAYT, JR. AND W. BARNARD WINDHAM, as Co-Executors of the Estate of John A. Wayt, Sr., deceased, et al., Defendants/Condemnees	*	CIVIL ACTION FILE NO. 93-24,262

FORSYTH COUNTY GEORGIA
FILED IN OFFICE THIS
12 DAY OF Jan 1994
Cecil McClure
CLERK SUPERIOR COURT

Attachs
103 425

JUDGMENT OF THE COURT

It appearing to the Court that:

The Special Master, duly appointed and qualified, has made an award and findings in the above stated case;

All provisions of law as to service and notice on all parties interested in the property described in the Petition have been complied with, pursuant to orders and directions of the Court consistent with justice and due process of laws; and

That the condemnees herein have dismissed their exceptions as to non-value issues; therefore,

The award and findings of the Special Master, including the rulings on all non-value issues as well as value issues, are adopted by the Court; and

It is decreed, ordered and adjudged that the absolute title

Min 191, Page 493-496

763

764

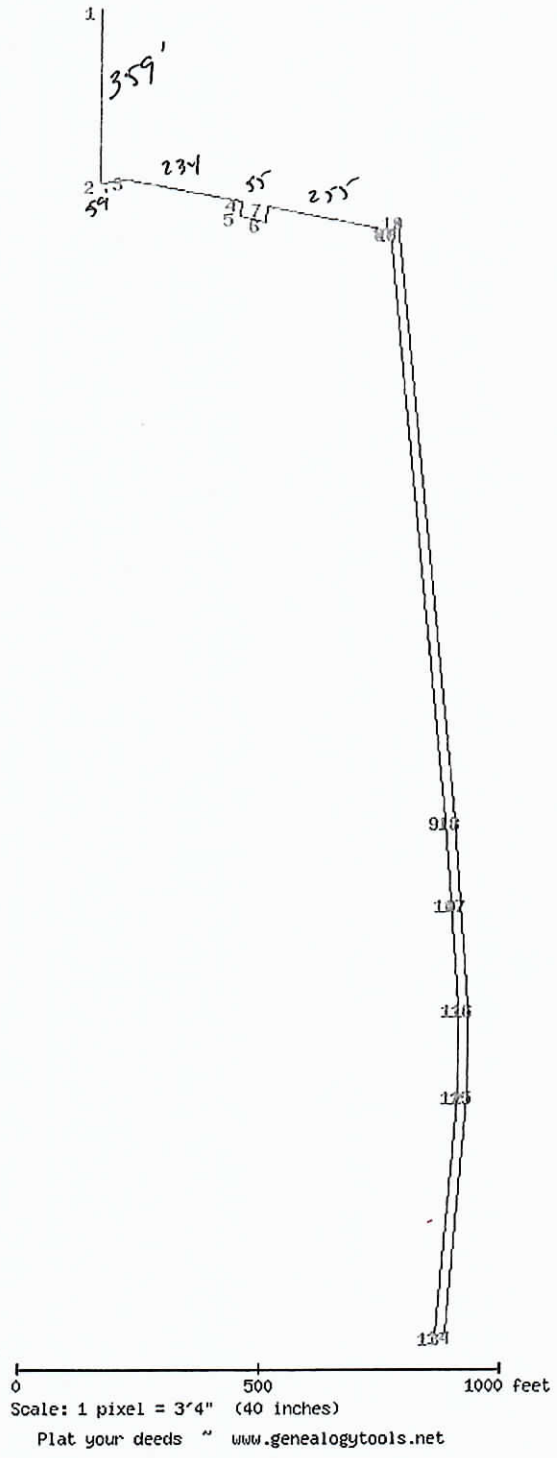
in and to an easement for a right-of-way described as:

All that tract or parcel of land lying and being in Land Lots 92 and 125 of the Second District, First Section of Forsyth County, Georgia, said tract being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the Land Lot Corner common to Land Lots 92, 93, 52 and 53 of said district, section and County and proceed along the western line of Land Lot 92, South 0 degrees 21 minutes 11 seconds West 359.40 feet to a point; thence leaving said land lot line, North 81 degrees 07 minutes 3 seconds East 59.87 feet; thence South 79 degrees 40 minutes 25 seconds East 234.73 feet to a point; thence South 10 degrees 19 minutes 35 seconds West 32.00 feet; thence South 79 degrees 40 minutes 25 seconds East 55.00 feet to a point; thence North 10 degrees 19 minutes 35 seconds East 32.00 feet to a point; thence South 79 degrees 40 minutes 25 seconds East 255.73 feet to the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING proceed South 06 degrees 07 minutes 12 seconds East 1215.22 feet; thence South 05 degrees 35 minutes 17 seconds East 170.28 feet; thence South 4 degrees 42 minutes 43 seconds East 212.72 feet; thence South 0 degrees 07 minutes 34 seconds East 180.62 feet; thence South 05 degrees 0 minutes 33 seconds West 496.79 feet to a point located on the southern land lot line of Land Lot 125, said district, section and County; thence proceeding along said land lot line North 85 degrees 31 minutes 11 seconds East 20.28 feet to a point; thence leaving said land lot line and proceeding North 5 degrees 0 minutes 33 seconds East 494.34 feet to a point; thence North 0 degrees 07 minutes 34 seconds West 182.32 feet; thence North 4 degrees 42 minutes 43 seconds West 213.68 feet; thence North 5 degrees 35 minutes 17 seconds West 170.52 feet; thence North 6 degrees 7 minutes 12 seconds West 1,235.44 feet; thence South 33 degrees 34 minutes 56 seconds West 27.17 feet; thence North 79 degrees 40 minutes 25 seconds West 2.75 feet to a point, which is the TRUE POINT OF BEGINNING.

The above described tract of land is more particularly shown on a plat designated as Exhibit "A" attached hereto and made a part hereof and shown on said Exhibit as "20 Foot Permanent Sanitary Sewer Easement".

Deed Title Deed from <grantor> to <grantee>, <place>, <date>, <reference>
[EDIT AS DESIRED]



Attacks
103.425

be and the same is hereby condemned; and upon the payment of the sum of Three Thousand Ninety-six and 25/100 ($3,096.25) Dollars into the registry of the Court, the Condemnor, City of Cumming, Georgia, and its successors and assigns, are hereby vested with the absolute title in and to said easements, together with the continuous right from time to time to go in and upon said right-of-way and to construct, erect, install, operate, maintain, inspect, reconstruct, repair, rebuild, renew and replace thereon sewage viaducts, manholes, and other necessary apparatus, fixtures and appliances for the proper flowage of sewage and affluent to the City of Cumming sewage treatment plant; also the right when required by law or government regulations to conduct scientific studies, including, but not limited to environmental and archaeological, above, on or below the ground surface; also the right to clear, keep clear, remove and dispose of all undergrowth, trees and other obstructions, objects, structures and improvements on said right-of-way which are inconsistent with the rights sought to be condemned and which may, in Petitioner's judgment, interfere with or endanger the construction, operation and maintenance of said sewage treatment truck lines; together with all rights and benefits necessary for the sole enjoyment of the easement condemned herein.

Let this judgment be filed as part of the record in this

case and also file in the deed records of said County.

This 13 day of January, 1994.

JUDGE, Superior Court
Blue Ridge Judicial Circuit

GEORGIA, FORSYTH COUNTY

I, Cecil McGee, Clerk of the Superior Court in and for said County, hereby certify that the above is a true and correct copy of the **JUDGMENT OF COURT** in the above stated case, as the same appears of file and of record in Civil Action Number 93-34,362 in Minute Book _____, Page _____, and in DEED BOOK 734, page 763-766, in this Office.

WITNESS MY HAND AND SEAL of said Court, this _____ day of _____, 1994.

CLERK, Superior Court,
Forsyth County, Georgia

other facilities and also the right to clear, keep clear, remove and dispose of all undergrowth, trees, and other obstructions, objects, structures and improvements on said right-of-way which are inconsistent with the rights sought to be condemned and which may, in the Petitioner's judgment, interfere with or endanger the ability to access the sewage treatment lines and facilities; together with all rights and benefits necessary for the sole enjoyment of the easement condemned herein.

Let this judgment be filed as part of the record in this case and also file in the deed records of said County.

This 12 day of January, 1994.

JUDGE, Superior Court
Blue Ridge Judicial Circuit

GEORGIA, FORSYTH COUNTY

I, Cecil McClure, Clerk of the Superior Court in and for said County, hereby certify that the above is a true and correct copy of the **JUDGMENT OF COURT** in the above stated case, as the same appears of file and of record in Civil Action Number 93-24,334, in Minute Book _____, Page _____, and in DEED BOOK 724, page 767-771, in this Office.

WITNESS MY HAND AND SEAL of said Court, this _____ day of _____, 1994.

CLERK, Superior Court,
Forsyth County, Georgia

00724
0767

724/767

Forsyth County
Clerks Office Superior Court
Filed for record on the 14th
day of January 1994
at 4:25 o'clock P M. Recorded in
Book 724 Page ____ this
day of Jan 19 ____, 1994
Cecil McClure, Clerk
by Deputy Clerk

IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

CITY OF CUMMING, GEORGIA,

Plaintiff/Condemnor,

v.

All that tract or parcel of land lying and being in Land Lot 92 of the Second District, First Section of Forsyth County, Georgia, being .266 acres and JOHN A. WAYT, JR. AND W. BARNARD WINDHAM, as Co-Executors of the Estate of John A. Wayt, Sr., deceased, et al.,

Defendants/Condemnees

CIVIL ACTION FILE NO.

93-24,334

FORSYTH COUNTY GEORGIA
FILED IN OFFICE THIS
12 DAY OF Jan 19 94
Cecil McClure
CLERK SUPERIOR COURT

Affix $3 Tax Stamp 103427

JUDGMENT OF THE COURT

It appearing to the Court that:

The Special Master, duly appointed and qualified, has made an award and findings in the above stated case;

All provisions of law as to service and notice on all parties interested in the property described in the Petition have been complied with, pursuant to orders and directions of the Court consistent with justice and due process of laws; and

That the condemnees herein have dismissed their exceptions as to non-value issues; therefore,

The award and findings of the Special Master, including the rulings on all non-value issues as well as value issues, are adopted by the Court; and

It is decreed, ordered and adjudged that the absolute title

Misc 191, Page 497-501

767

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in and to an easement for a right-of-way described as:

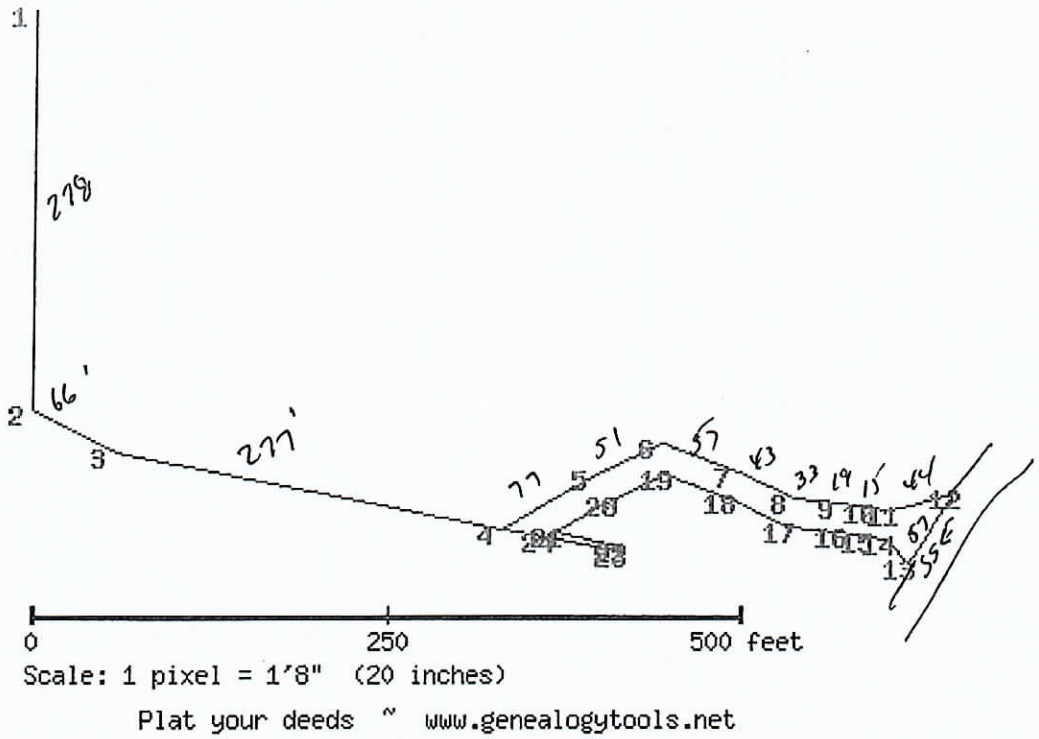
All that tract or parcel of land lying and being in Land Lot 92 of the 2nd District, 1st Section of Forsyth County, Georgia, said tract being more particularly described as follows:

Tract 1:

TO FIND THE TRUE POINT OF BEGINNING, commence at the land lot corner common to Land Lots 92, 93, 52 and 53 of said district, section and county and proceed along the Western line of Land Lot 92, South 0 degree 21 minutes 11 seconds West 278.79 feet to a point; thence leaving said land lot line, South 62 degrees 25 minutes 49 seconds East 66.44 feet to a point; thence South 79 degrees 40 minutes 25 seconds East 277.71 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING, proceed North 60 degrees 7 minutes 54 seconds East 77.04 feet; thence North 64 degrees 43 minutes 34 seconds East 51.90 feet; thence South 68 degrees 56 minutes 19 seconds East 57.01 feet; thence South 66 degrees 45 minutes 48 seconds East 43.71 feet; thence South 83 degrees 3 minutes 22 seconds East 33.43 feet; thence South 82 degrees 59 minutes 13 seconds East 19.54 feet; thence South 82 degrees 3 minutes 27 seconds East 15.89 feet; thence North 74 degrees 22 minutes 24 seconds East 44.66 feet to a point located on the existing boundary of a 20 foot sanitary sewer easement; thence along said sanitary sewer easement boundary, South 33 degrees 34 minutes 56 seconds West 57.25 feet to a point; thence leaving said Sanitary Sewer Easement Boundary, North 44 degrees 25 minutes 5 seconds West 22.52 feet; thence North 82 degrees 3 minutes 27 seconds West 14.05 feet; thence North 82 degrees 59 minutes 13 seconds West 19.37 feet; thence North 83 degrees 3 minutes 22 seconds West 36.28 feet; thence North 66 degrees 45 minutes 48 seconds West 46.20 feet; thence North 68 degrees 56 minutes 19 seconds West 48.07 feet; thence South 64 degrees 43 minutes 34 seconds West 42.54 feet; thence South 60 degrees 7 minutes 54 seconds West 44.95 feet; thence South 79 degrees 9 minutes 47 seconds East 46.42 feet; thence South 11 degrees 21 minutes 36 seconds West 4.50 feet; thence North 79 degrees 40 minutes 25 seconds West 52.16 feet; thence North 79 degrees 40 minutes 25 seconds West 30.99 feet to the TRUE POINT OF BEGINNING.

Attachs Tract # 103.425

Deed Title Deed from <grantor> to <grantee>, <place>, <date>, <reference>
[EDIT AS DESIRED]



	Markers	Neighbc
	Corner 1	
S 0 W **278.79 feet**		
	Line 1-2	
	Corner 2	
S 62 E **66.44 feet**		
	Line 2-3	

Said tract is described as Tract A & B on a Sanitary Sewer Easement Plan for the City of Cumming, Georgia prepared by Richard May & Associates, Inc. dated July 19, 1993, revised October 11, 1993 and further revised November 1, 1993.

The above described property contains a total of 0.157 acres.

Tract 2:

All that tract or parcel of land lying and being in Land Lot 92 of the Second District, First Section of Forsyth County, Georgia. Said tract being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the land lot corner common to Land Lots 92, 93, 52 and 53 of said district, section and county, and proceed along the Western land lot line of Land Lot 92, South 0 degree 21 minutes 11 seconds West 278.79 feet to a point; thence leaving said land lot line, South 62 degrees 25 minutes 49 seconds East 66.44 feet to a point; thence South 79 degrees 40 minutes 25 seconds East 197.33 feet to the TRUE POINT OF BEGINNING; from said POINT OF BEGINNING, proceed North 10 degrees 19 minutes 35 seconds East 16.55 feet to a point; thence South 79 degrees 40 minutes 25 seconds East 33.71 feet to a point; thence South 10 degrees 19 minutes 35 seconds West 16.55 feet to a point; thence North 79 degrees 40 minutes 25 seconds West 33.71 feet to the TRUE POINT OF BEGINNING.

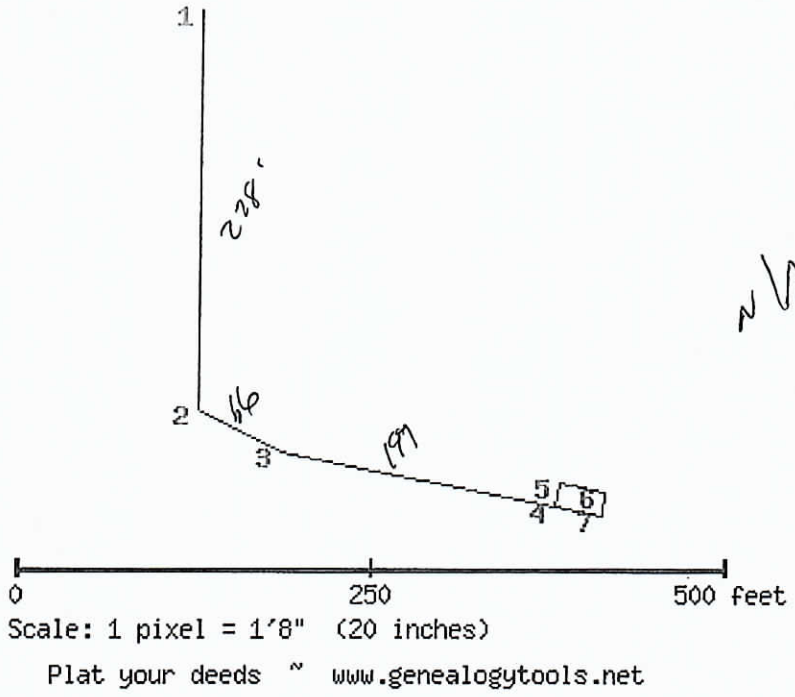
Said tract is designated as Tract C and "Drainage and Maintenance Easement" on a Sanitary Sewer Easement Plan for the City of Cumming, Georgia dated July 19, 1993, revised October 11, 1993 and November 1, 1993 to show ingress and egress easements, prepared by Richard May & Associates, Inc.

Said tract contains 0.013 acres.

Tract 3:

All that tract or parcel of land lying and being in Land Lot 92, Second District, First Section of Forsyth County, Georgia. Said tract being more particularly described as follows:

Deed Title Deed from <grantor> to <grantee>, <place>, <date>, <reference>
[EDIT AS DESIRED]



	Markers	Neighbo
	Corner 1	
S 0 W **278.79 feet**	Line 1-2	
	Corner 2	
S 62 E **66.44 feet**	Line 2-3	

770

TO FIND THE TRUE POINT OF BEGINNING, commence at the land lot corner common to Land Lots 92, 93, 52 and 53, said district, section and county and proceed along the Western line of Land Lot 92, South 0 degree 21 minutes 11 seconds West 359.40 feet to a point; thence leaving said land lot line North 81 degrees 7 minutes 3 seconds East 59.87 feet; thence South 79 degrees 40 minutes 25 seconds East 234.73 feet to a point; thence South 10 degrees 19 minutes 35 seconds West 32.0 feet; thence South 79 degrees 40 minutes 25 seconds East 55.00 feet to a point which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING proceed North 10 degrees 19 minutes 35 seconds East 32.00 feet; thence South 79 degrees 40 minutes 25 seconds East 238.48 feet; thence South 6 degrees 25 minutes 38 seconds East 24.42 feet; thence North 78 degrees 10 minutes 31 seconds West 51.21 feet; thence North 2 degrees 47 minutes 34 seconds East 10.27 feet; thence North 78 degrees 10 minutes 31 seconds West 93.58 feet; thence South 87 degrees 31 minutes 06 seconds West 101.96 feet to the TRUE POINT OF BEGINNING.

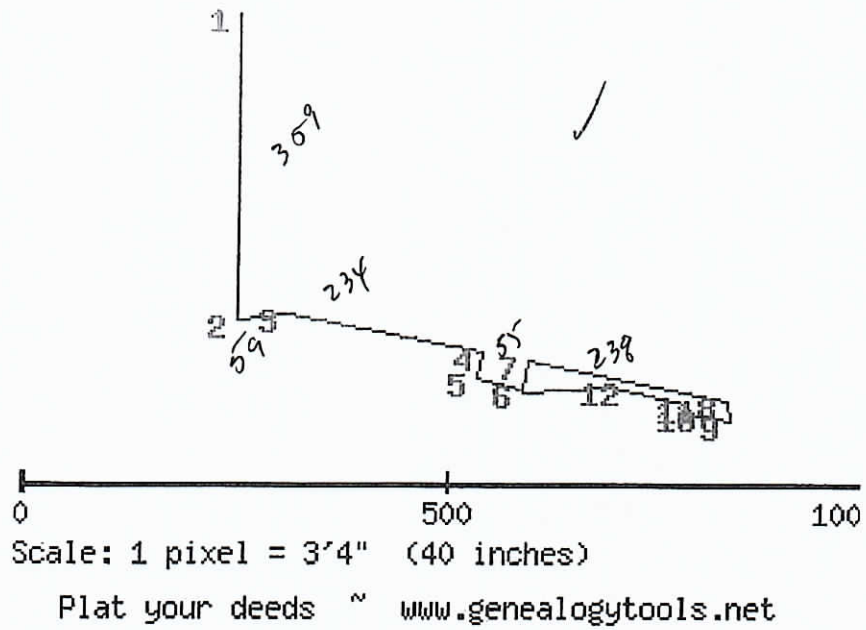
Said tract is designated as Tracts D & E "Ingress/Egress Easement" on a Sanitary Sewer Easement Plan for the City of Cumming, Georgia dated July 19, 1993, revised October 11, 1993 and November 1, 1993 to show ingress/egress easements, prepared by Richard May & Associates, Inc.

Said tract contains a total of .096 acres.

The above described tracts of land are more particularly shown on a plat designated Exhibit "A" attached hereto and made a part hereof and shown on said exhibit as Tracts A, B, C, D & E containing a total of 0.266 acres.

be and the same is hereby condemned; and upon the payment of the sum of **Three Thousand Ninety-six and 25/100 ($3,096.25) Dollars** into the registry of the Court, the Condemnor, City of Cumming, Georgia, and its successor s and assigns, are hereby vested with the absolute title in and to said easements, together with the continuous right from time to time to go in and upon said right-of-way and to access the City of Cumming sewage treatment lines and

Deed Title Deed from <grantor> to <grantee>, <place>, <date>, <refe
[EDIT AS DESIRED]



Markers

Corner 1

S 0 W
359.40 feet

Line 1-2

Corner 2

N 81 E
59.87 feet

00457
0489

457/489

GEORGIA, FORSYTH CO.
Clerks Office Superior Court
Filed for record on the 31st
day of July, 1989
At 3:15 o'clock P M. Recorded in
Book 457 Page 489-490 this
1 day of Aug. 1989
Cecil McClure, Clerk

STATE OF GEORGIA

COUNTY OF FORSYTH

See Correct Sewer Easement Bk 506 pg 430

Chg. + Plat Zach

SEWER EASEMENT

The undersigned, for and in consideration of the sum of $1.00, in hand paid, the receipt whereof is hereby acknowledged, grant unto the CITY OF CUMMING, A GEORGIA MUNICIPAL CORPORATION, a perpetual easement across the lands of the undersigned Grantors, hereinafter described, for the purposes of laying, constructing, maintaining, operating, repairing, and replacing pipes and all other apparatus necessary and incident to the implementation of sewer system improvements for the City of Cumming, together with all rights and benefits necessary for the sole enjoyment of the easement granted herein, including the right of ingress and egress over and across other lands of the undersigned for the above enumerated purposes.

Plat 30-119 Attached

DESCRIPTION:

Tract 1: All that tract or parcel of land lying and being in Land Lots 53, 54, 55 and 56 of the Second District and First Section of Forsyth County, Georgia, and being a 20 foot wide easement, being 10 feet on each side of the center line identified as a "20' perm. san. sewer easement" and depicted on a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, as surveyed by Richard N. May, Registered Surveyor, which plat is recorded at Plat Book 30 page 119 of the Forsyth County Records and incorporated herein by reference for a more complete description thereof. The center line of said easement extends from STA 6 + 15.49 to STA 58 + 34.68 as more fully described on the above referenced plat.

Tract 2: All that tract or parcel of land lying and being in Land Lot 92 of the Second District and First Section of Forsyth County, Georgia, and being a 40 foot wide easement identified as "40' perm. san. sewer easement" as more fully depicted on a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, as surveyed by Richard N. May, Registered Surveyor, which plat is recorded at Plat Book 30 page 119 of the Forsyth County Records and incorporated herein by reference for a more complete description thereof. Said easement extends from STA 0 + 00 to STA 6 + 15.49 as more fully described on the above-referenced plat.

Grantee hereby agrees, at Grantee's sole expense: (a) to exercise its rights under this easement with as little inconvenience to Grantors as is reasonably possible; (b) to cover over neatly such excavation as is required by the exercise of its rights hereunder; (c) to repair, replace, and reconstruct any improvements or ground cover of Grantors damaged by construction and maintenance of the easement; (d) to remove all mud and debris; (e) to repave any portion of pavement disturbed in the immediate easement area; (f) to maintain at all times said sanitary

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sewer and to do whatever may be required in order for said sewer to function properly; and (g) to comply with all orders and regulations of any governmental authority either now or in the future in connection with the aforesaid sewer line.

Grantee's right of entry to the easement area shall be limited to (a) those acts reasonably necessary to construct, install, inspect, maintain, repair and replace the easement; and (b) those roadways and drives reasonably necessary to gain access to the Servient Tract, which shall be subject to the reasonable approval of Grantors. Furthermore, such construction, installation, inspection, maintenance, repair and replacement of the easement and easement area shall be accomplished in a workmanlike manner, during reasonable hours, and in a manner which does not unreasonably interfere with Grantors' normal use of their property. ← ACCESS

Grantee herein agrees that its sewer customers will not be allowed to connect sewer lines directly to the sewer treatment plant located on the 21.84 acre tract acquired simultaneously herewith, but instead said customers must connect onto sewer trunk lines at some point East of the Eastern boundary of said 21.84 acre tract.

TO HAVE AND TO HOLD said easement unto the City of Cumming for the purposes described herein.

IN WITNESS WHEREOF, Grantors hereunto set their hands and seals, this the 20 day of July, 1989.

Signed, sealed and delivered in the presence of:

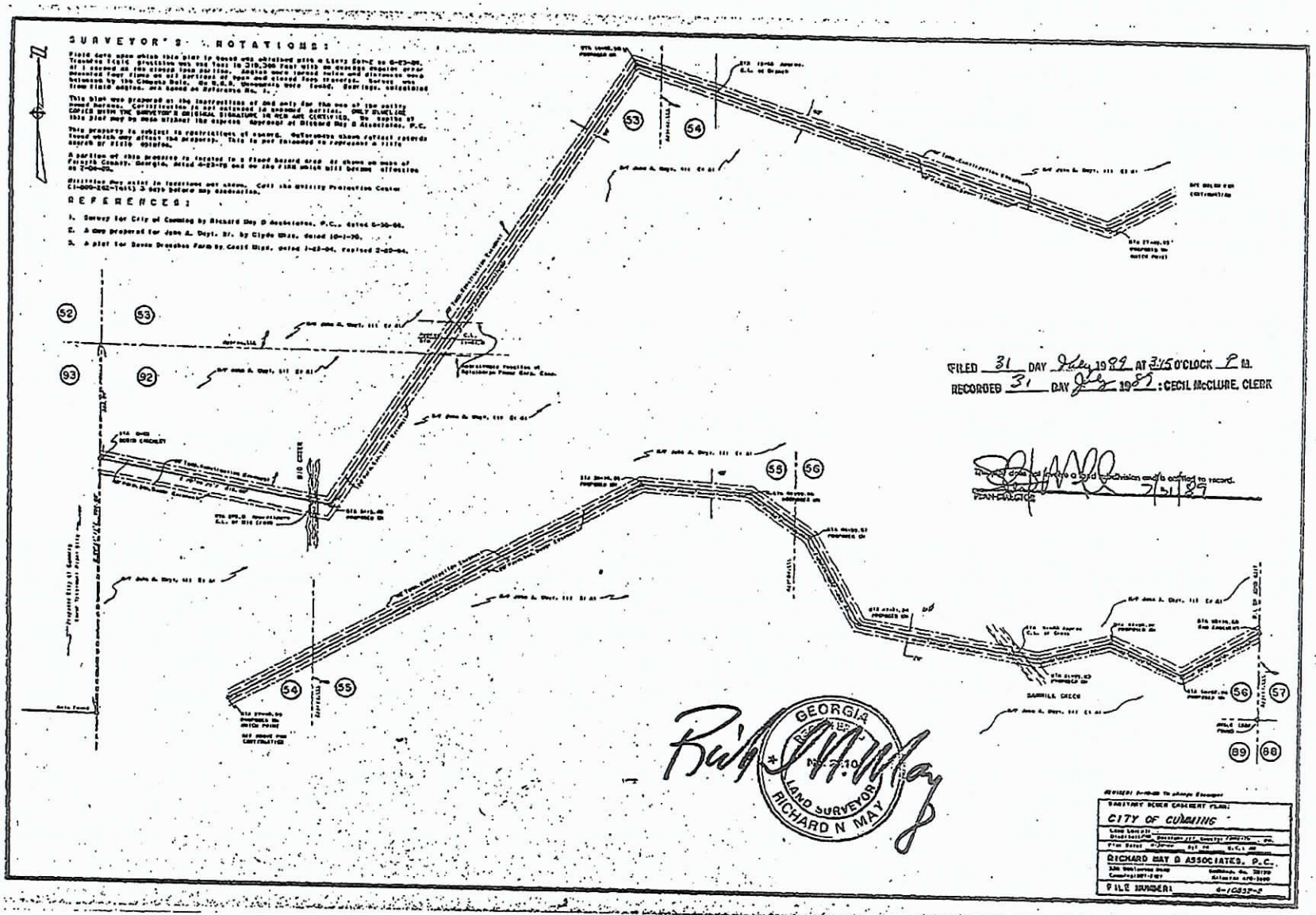
Allen F. Kersey
Witness

Annette Adams
Notary Public 2-7-93

NOTARY PUBLIC

John A. Wayt Jr (SEAL)
JOHN A. WAYT, JR.

W. Barnard Windham (SEAL)
W. BARNARD WINDHAM
AS EXECUTORS UNDER THE
LAST WILL AND TESTAMENT OF
JOHN A. WAYT, SR.


SURVEYOR'S NOTATIONS:
REFERENCES:
FILED 31 DAY July 1989 AT 3:15 O'CLOCK P M.
RECORDED 31 DAY July 1989 : CECIL McCLURE, CLERK
GEORGIA
LAND SURVEYOR
RICHARD N MAY
SANITARY SEWER EASEMENT PLAN:
CITY OF CUMMING
RICHARD MAY & ASSOCIATES, P.C.
FILE NUMBER:

30 / 119

00708
0742

ENFORCE 742

708/742

Forsyth County
Clerks Office Superior Court
Filed for record on the 24th
day of November 1993
at 11:25 o'clock A.M. Recorded in
Book 708 Page 742-743 this
day of Nov. 24, 1993
Cecil McClure, Clerk
chg. Jeff Bergey

GEORGIA

FORSYTH COUNTY

EASEMENT

The undersigned, for and in consideration of the sum of $1.00, in hand paid, the receipt whereof is hereby acknowledged, grant unto The City of Cumming, a Georgia Municipal Corporation, a non-exclusive perpetual easement across the lands of the undersigned Grantors, hereinafter described, for the purposes of laying, constructing, maintaining, operating, repairing, and replacing pipes and all other apparatus necessary and incident to the implementation of sewer system improvements for The City of Cumming, together with all rights and benefits necessary for the sole enjoyment of the easement granted herein, including the right of ingress and egress over and across other lands of the undersigned for the above enumerated purposes.

All that tract or parcel of land lying and being in Land Lot 92 of the Second District, First Section of Forsyth County, Georgia, and being more particularly described as follows:

The area enclosed within a dotted line shown as "Rip Rap", the area enclosed by a fence ranging from 2.5 to 2.9 feet north of the current easement boundary, the area denoted as a concrete wall, the end being 17.2 feet South of the current easement boundary in the area enclosed by the point at which the head wall is 1.9 feet South of the current easement boundary and following the dotted lines denoted as 36 inch RCP until it intersects with the current easement boundary and also the area encompassed by the dotted lines shown as gravel flume, all as depicted on a sanitary sewer easement plan for The City of Cumming, Georgia dated July 19, 1993, prepared by Richard May & Associates, Richard N. May, RLS No. 2210, and

plot 38.106 attached

Affects 103 425

recorded at Plat Book 38, page 106, in the Office of the Clerk of Superior Court of Forsyth County, Georgia.

TO HAVE AND TO HOLD said easement unto The City of Cumming for the purposes described herein.

IN WITNESS WHEREOF, Grantors hereunto set their hands and seals, this 27 day of September, 1993.

Witness

Notary Public

John A. Wayt, Jr., Individually and as Executor of the Estate of John A. Wayt, Sr., deceased

Witness

Notary Public

W. Barnard Windham, as Executor of the Estate of John A. Wayt, Sr., deceased

Witness

Notary Public

Sandra Brown Wayt

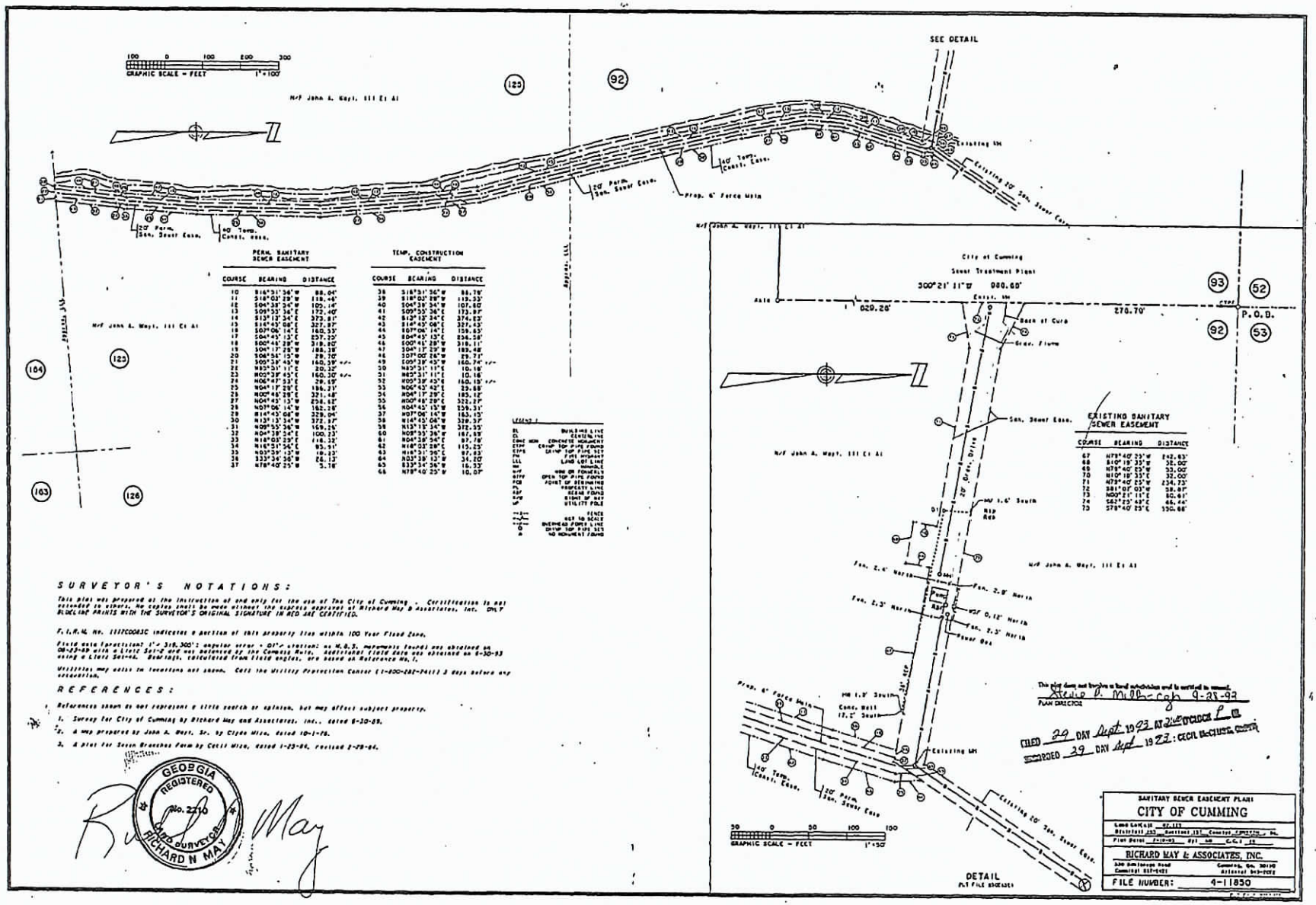
Witness

Notary Public

My Commission Expires 1-24-97

John A. Wayt, III

NOTARY PUBLIC



PERM. SANITARY SEWER EASEMENT

COURSE	BEARING	DISTANCE
10	S16°31'36"W	88.04'
11	S18°03'28"W	118.46'
12	S04°38'34"W	102.14'
13	S09°53'34"E	173.40'
14	S13°12'34"E	372.81'
15	S61°43'08"E	327.83'
16	S07°06'16"E	268.33'
17	S04°43'13"E	257.22'
18	S00°48'28"W	318.80'
19	S04°17'28"W	188.38'
20	S08°56'13"W	78.70'
21	S03°53'43"W	160.39' +/-
22	N85°31'11"E	20.32'
23	N00°28'45"E	160.30' +/-
24	N04°47'53"E	28.69'
25	N04°17'28"E	186.21'
26	N07°06'16"W	291.48'
27	N04°43'13"W	258.62'
28	N07°06'16"W	182.28'
29	N16°43'08"W	329.04'
30	N13°12'34"W	372.97'
31	N09°53'34"W	169.26'
32	N04°38'34"E	100.23'
33	N18°03'28"E	116.33'
34	N16°31'36"E	85.91'
35	N30°39'13"W	18.33'
36	S30°39'13"E	18.33'
37	N78°40'25"W	5.16'

TEMP. CONSTRUCTION EASEMENT

COURSE	BEARING	DISTANCE
38	S16°31'36"W	88.76'
39	S18°03'28"W	119.30'
40	S04°38'34"W	101.60'
41	S09°53'34"E	173.81'
42	S13°12'34"E	374.63'
43	S61°43'08"E	327.43'
44	S07°06'16"E	268.93'
45	S04°43'13"E	258.58'
46	S00°48'28"W	318.11'
47	S04°17'28"W	189.48'
48	S07°06'26"W	82.71'
49	S05°38'45"W	160.74' +/-
50	N85°31'11"E	10.16'
51	N85°31'11"E	10.16'
52	N00°28'45"E	160.15' +/-
53	N06°47'53"E	29.58'
54	N04°17'28"E	185.38'
55	N07°06'26"E	532.37'
56	N04°43'13"W	259.31'
57	N07°06'16"W	163.15'
58	N16°43'08"W	330.37'
59	N13°12'34"W	372.95'
60	N09°53'34"W	167.89'
61	N04°38'34"E	97.78'
62	N18°03'28"E	115.23'
63	N16°31'36"E	87.83'
64	N30°39'13"W	24.20'
65	S33°34'36"W	10.32'
66	N78°40'25"W	10.07'

EXISTING SANITARY SEWER EASEMENT

COURSE	BEARING	DISTANCE
67	N78°40'25"W	242.83'
68	S16°31'36"W	38.00'
69	N78°40'25"W	32.00'
70	N16°31'36"E	32.00'
71	N78°40'25"W	234.73'
72	S81°08'03"W	38.97'
73	N00°21'11"E	80.61'
74	S89°38'49"E	68.44'
75	S78°40'25"E	330.68'

LEGEND

BUILDING LINE
CENTERLINE
CONCRETE MONUMENT
CROW TOP PIPE FOUND
CURB
FIRE HYDRANT
LAND LOT LINE
MANHOLE
IRON OR POWERLINE
OPEN TOP PIPE FOUND
POINT OF BEGINNING
PROPERTY LINE
REBAR FOUND
RIGHT OF WAY
UTILITY POLE
FENCE
NOT TO SCALE
OVERHEAD POWER LINE
OVER TOP PIPE SET
POWERLINE
SQ. INCHES / FOOT

SURVEYOR'S NOTATIONS:

This plat was prepared at the instruction of and only for the use of The City of Cumming . Certification is not extended to others. No copies shall be made without the express approval of Richard May & Associates, Inc. ONLY BLUELINE PRINTS WITH THE SURVEYOR'S ORIGINAL SIGNATURE IN RED ARE CERTIFIED.

F.I.R.M. No. 13117C0083C indicates a portion of this property lies within 100 Year Flood Zone.

Field data for closure of 1' in 315,300'; angular error = 01" a station; on N.G.S. monuments found) was obtained by GPS-RTK-NAD with a Trimble Set-II unit was customized by the Cumming Note. Additional field data was obtained on 8-30-93 using a Lietz Set-4x. Description, calculated from field angles, are based on Reference No. 1.

Utilities may exist in locations not shown. Call the Utility Protection Center (1-800-282-7411) 3 days before any excavation.

REFERENCES:

1. References shown do not represent a title search or opinion, but may affect subject property.
1. Survey for City of Cumming by Richard May and Associates, Inc., dated 8-30-89.
2. A map prepared by John A. Wayt, Sr. by Cleon Wise, dated 10-1-76.
3. A plat for Seven Branches Farm by Cecil Wise, dated 1-23-86, revised 2-28-86.

GEORGIA REGISTERED No. 2210 LAND SURVEYOR RICHARD N MAY

Richard May

This plat does not imply a land subdivision and is certified as exempt.
Stella D. Millergh 9-28-93
PLAN DIRECTOR

FILED 29 DAY Sept 1993 AT 2:40 O'CLOCK P M.
RECORDED 29 DAY Sept 1993: CECIL McGHEE, CLERK

SANITARY SEWER EASEMENT PLANS
CITY OF CUMMING
Land Lot(s) 97,122
District(s) 2nd Section(s) 1st County Forsyth, Ga.
Plat Dated 7-29-93 Rev. on 8-30-93

RICHARD MAY & ASSOCIATES, INC.
Civil Engineers & Land Surveyors
246 Dahlonega Road Cumming, Ga. 30130
Commercial 887-4481 Residential 889-0028

FILE NUMBER: 4-11850

38/106

4989 / 670

Doc ID: 010218610014 Type: GLR
Filed: 12/21/2007 at 04:09:20 PM
Fee Amt: $36.00 Page 1 of 14
Forsyth County, GA
Douglas Sorrells Clerk Superior Ct
BK4989 PG670-683

Return to: Richard S Abram, Esq.
The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338

Cross reference to that certain Limited Warranty Deed from James T. Wayt (as successor Trustee to John A. Wayt, Jr.), John A. Wayt, III, Rebecca F. Wayt n/k/a Rebecca Wayt Buck, John Frederick Williams and Mary Mount Williams n/k/a Mary Williams Osborne as Co-Trustees of The Josephine Wayt Williams Trust (as to a one-third undivided interest) and James T. Wayt (as successor Trustee to John A. Wayt, Jr.), John A. Wayt, III, Rebecca F. Wayt n/k/a Rebecca Wayt Buck, John Frederick Williams and Mary Mount Williams n/k/a Mary Williams Osborne as Co-Trustees of The Martha K. Wayt Trust (as to a two-thirds undivided interest) to SEVEN BRANCHES FARM, LLC dated November 2, 2007 recorded immediately preceding this Declaration of Covenants and Restrictions in the Forsyth County Records (the "Deed").

STATE OF GEORGIA
COUNTY OF FORSYTH

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS AND RESTRICTIONS (the "Declaration") is hereby made by Seven Branches Farm, LLC, a Georgia limited liability company, the undersigned "Declarant" and/or "Owner". Declarant is the owner in fee simple of a certain tract of real property in Forsyth County, Georgia. This tract of land was conveyed on November 2, 2007 from the above referenced parties pursuant to the Deed. Owner comes now and declares restrictions on the property hereinafter described. A legal description of the specific parcel of Property subject to this Declaration is more particularly described in Exhibit "A" hereto attached and made a part hereof. The Declaration hereinafter stated shall apply to the Property described in Exhibit "A" and is by reference incorporated herein for a description and for all other legal purposes.

PREMISES

WHEREAS, Declarant was issued a Banking Instrument by the US Army Corps of Engineers ("USACE") having reference number of 200601070 (the "BI") dated August 9, 2007 pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) or Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401) under the administrative regulatory authority of the USACE Savannah District, Regulatory Branch, setting forth authorization for certain restoration activities in waters of the United States, including wetlands and streams; and,

WHEREAS, the BI approval letter and Executive Summary are attached hereto as Exhibit "B" and by this reference is made a part hereof; and

WHEREAS, dredge and/or discharge of fill materials in jurisdictional waters of the United States including wetlands and streams pursuant to the Clean Water Act, Section 404, and/or Rivers and Harbors Act of 1899, Section 10, require compensatory mitigation and perpetual protection of the mitigation property; and

WHEREAS, a dated platted survey with seal affixed by a Georgia registered surveyor of the bearings and distances and coordinate values of the boundary of the Property referenced as Exhibit "A" has been recorded at Plat Book 118, Page 175, aforesaid records (the "Survey"). The Survey is made part of this Declaration and is incorporated by reference.

WHEREAS, the conservation functions and values are summarized and described in the BI and are included in Exhibit "B"; and

WHEREAS, the Property is being preserved, restored, established or enhanced as a wetland, buffer to wetlands, stream, streamside buffer, and/or upland buffer to jurisdictional waters of the United States, as well as to non-jurisdictional waters of the United States where such property has been accepted as compensatory mitigation pursuant to the BI; and

WHEREAS, the Property has been set aside for its conservation use. If the restricted Property is part of, or in the future made part of, a residential or mixed-use development, the Property may be designated as common property or as an undeveloped lot, buffer or open area and will not now, nor in the future, be made part of any residential lot or lots in a residential or mixed use subdivision or development, but rather the Property shall be held and managed by the owner, developer or homeowner association as an open, common and undeveloped natural conservation area; and

WHEREAS, Owner of the property shall develop and implement a management plan in keeping with the conservation functions provided by the protected Property, and shall submit said management plan, if requested, to the USACE. Owner and its successors shall pay the costs of the long term management and protection of the wetland/stream/waters of the U.S., and buffer subject to this Declaration.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the Declarant and each and every subsequent owner and occupant of the Property, and as required mitigation for restoration and preservation of areas within or adjacent to waters of the United States including wetlands and streams, Declarant has promised to place certain restrictions on the Property exclusively for conservation purposes, in order that it shall remain substantially in its restored, enhanced, preserved, open, natural and/or scenic condition, in perpetuity.

Declarant does hereby declare that all of the Property described hereinafter shall be held, transferred, sold, conveyed and occupied subject to the terms and conditions of the covenants, easements and affirmative obligations all of which shall run with the Property and will be binding on all persons, firms, associations, corporations or governmental entities having or hereafter acquiring any right, title or interest in said Property, or any part thereof, their heirs, executors, administrators, successors and assigns. The terms and conditions of this Declaration shall be both implicitly and explicitly included in any subsequent transfer, conveyance, or encumbrance affecting all or any part of the Property. It shall set forth the terms and conditions of this document either by reference to this document and its recorded location or attached and incorporated by reference. It shall not be amended or extinguished except by written approval of the USACE, or its successor in administration of the Clean Water Act or the Rivers and Harbors Act of 1899.

Except as necessary (1) to carry out wetland/stream and/or buffer restoration, enhancement and/or establishment in keeping with the mitigation plan set forth in the BI as approved by USACE; or, (2) to fence the Property to keep out livestock, domestic animals, trespassers, or for protection or enhancement of the Property; or, (3) to carry out management and maintenance of the Property for routine vegetation management activities associated with the removal of invasive and exotic species that are damaging or degrading to the overall wetland, stream, riparian and upland buffer such as herbicide application and use, mowing, clearing, bush hogging, burning and removal of invasive and exotic vegetation species as approved in writing by the USACE; the actions encompassed as prohibited by this covenant shall include, but shall not be limited to the following:

A. Clearing, cutting or mowing;

B. Earthmoving, grading, removal of topsoil, cultivation, burning, filling or changes in the topography of the land in any manner;

C. Placement of refuse, wastes, sewage, dredged spoil, solid waste, incinerator residue, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, or agricultural waste on the Property;

D. Draining, ditching, diking, dredging, channelizing, pumping, impounding, excavating;

E. Diverting or affecting the natural flow of surface or underground waters within, or out of the Property;

F. Mining and drilling;

G. Burning, systematically removing or cutting timber or otherwise destroying any vegetation. Upon approval from the USACE, selective pruning, unsafe trees or exotic non-native

vegetation may be removed in accordance with current scientific best management practices as set out by the U.S. Forest Service or the Georgia Forestry Commission;

H. Spraying with biocides;

I. Introducing exotic species on the Property or otherwise altering the natural state of the wetlands or streams or causing erosion or sedimentation;

J. Grazing of domesticated animals such that animal wastes enter soil and water;

K. Construction of any kind in the wetlands, streams, buffers or uplands, whether temporary or permanent except as authorized by the BI or approved in writing by USACE the Property may have: (1) narrow pedestrian walking trail in the uplands or upland buffer using pervious materials, (2) minimal structures and boardwalks for the observation of wildlife and wetland/stream ecology, (3) crops for wildlife or placement of temporary hunting stands in uplands.

L. Display of billboards, signs, or advertisements on or over the Property, except for the posting of no trespassing signs, temporary signs indicating the Property is for sale, signs identifying the trees, vegetation, wetlands or conservation values of the Property and/or signs identifying the owner of the Property.

M. Upon notice to USACE, conservation and wildlife habitat management plans may be implemented by the Georgia Department of Natural Resources Wildlife Resource Division, US Forest Service, conservation land trusts holding conservation easements, or other conservation management entities where the management does not result in any impacts to the wetlands/streams/riparian corridors and its buffers, or to Property protected for its historical, cultural and/or archeological value, and where the proposal would enhance the management of the Property for its conservation use.

Notwithstanding the prohibited actions referenced in Items A. through M. above, the owner of the Property shall be entitled to use the Property in conformance with the BI and/or as shown on the Survey for the following uses, which uses are approved by USACE: hunting, fishing, and passive pedestrian uses such as permitted stream access; use and maintenance of existing trails and roads, construction of narrow pervious mulch foot trails/paths, and observation pavilion/platforms for the observation and education of wildlife and/or stream and wetland ecology in the uplands or upland buffer, provided these areas do not interfere with the restoration plan or ecological integrity of the site.

A. The Property is free and clear of any and all liens, loans, claims, restrictions, easements and encumbrances, except as otherwise identified in this document and its exhibits, to include those matters shown on the Survey.

B. Existing utility line easements, roads, right-of-ways, access easements and structures on the Property, if any, are shown on the Survey to the extent they have been able to be located by the Georgia Registered Surveyor who prepared the Survey.

C. Environmental impacts, if any, caused by existing easements such as roads, utility lines or pipelines, where such easements are in place as of the date of the recording of this restrictive covenant, and where the easements are shown on the Survey, shall not be considered as causing any prohibited impacts to the Property by their use and maintenance.

D. Should an easement on the Property, not listed in paragraph (3)(A), or not meeting the criteria of paragraph (3)(A) and prior in time and recording to this restrictive covenant, be exercised in such a manner that it conflicts with the prohibited uses of the Property set out in this restrictive covenant, then the owners of the Property, whether the Declarant of this covenant or any heirs, executors, administrators, successors or assigns, shall be responsible for providing alternative conservation mitigation in such amounts and of such value and function as the USACE or any enforcer of this covenant shall determine in accordance with the terms of the BI/banking instrument and with Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899 and their implementing regulations.

Declarant represents and warrants that after reasonable investigation, and to the best of Declarant's knowledge:

A. No substance defined, listed, or otherwise classified pursuant to any federal, state, or local law, or regulation, as hazardous, toxic, polluting, or otherwise contaminating to the water or soil, has been released, generated, treated, stored, used, disposed of, deposited, abandoned, or transported in, on, from, or across the Property;

B. There are no underground storage tanks located on the Property, whether presently in service or closed, abandoned, or decommissioned;

C. The Property is in compliance with all federal, state and local laws and regulations and there is no pending or threatened litigation in any way affecting, involving or relating to the Property and its use.

D. The Property is not land-locked and there is access to the protected property by road, dedication of pathway or by an access easement.

Declarant, its personal representatives, heirs, executors, administrators, successors and assigns, reserve all other rights accruing from its ownership of the Property including but not limited to the exclusive possession of the property, the right to transfer or assign their interest in the same, the right to take action necessary to prevent erosion on the Property, to protect the Property from losing its conservation values and functions, or to protect public health or safety;

and the right to use the Property in any manner not prohibited by this Declaration and which would not defeat or diminish the conservation purpose of this Declaration.

-6-

It is expressly understood and agreed that this covenant does not necessarily grant or convey to members of the general public, any rights of ownership, interest in, or use of the Property unless so designated by the owner for such purpose. Nonetheless, the Property has significant aesthetic and conservation value in its present or restored state as a predominately natural area which has not been subject to extensive development or exploitation. The protection of jurisdictional and non-jurisdictional waters of the United States, their buffers and uplands, floodplains, vegetation, scenic, open space, aquatic and wildlife habitat are considered of great importance to the well being of the general public and to all citizens of Georgia and are worthy of preservation and conservation.

-7-

The USACE and/or the Environmental Protection Agency, or its successors, as third party beneficiaries hereof, are hereby specifically granted the authority to enforce the provisions of this Declaration of Covenants and Restrictions pursuant to the Clean Water Act Section 404 and the Rivers & Harbors Act of 1899, Section 10, and implementing regulations. Appropriate remedy for violation of this section is contemplated to include, without limitation, injunctive relief to restrain such violation, restoration, administrative, civil or criminal penalties as well as any other remedy available under law or equity. However, no violation of this covenant shall result in a forfeiture or reversion of title. It shall not be a defense, for purposes of this covenant, that the conservation functions and values of the Property were impacted without the owner's knowledge or consent, or that the waters on the Property are deemed to be non-jurisdictional waters of the United States either by their function or by statute, in that the Property was offered and accepted as mitigation and is therefore subject to the contractual terms of the BI and this Declaration. Loss of conservation functions and values shall not be required to be replaced if damage is due to acts of God so long as there has been completion of the mitigation requirements of the BI as to restoration, enhancement, establishment and monitoring.

-8-

The USACE, and/or the Environmental Protection Agency, their assigned agents and contractors, shall at reasonable times and upon notice to the owner, have an access easement for the right of ingress and egress to inspect the Property in order to monitor and to ascertain whether there has been compliance with this Declaration. Posted signs declaring the Property to be conservation property shall be posted by the owner in order to provide notice of the land use designation.

-9-

This covenant shall not terminate upon some fixed amount of time but shall run with the Property in perpetuity both as to benefit and as to burden and shall be enforceable against

Declarant and all present and future owners, tenants and other holders of any interest in the Property. This covenant is established for the purpose of preserving, enhancing and conserving wetlands and streams, non-jurisdictional wetlands and streams accepted as mitigation, buffers, uplands, open areas and the associated conservation values and functions. Furthermore, this covenant carries out the statutory requirement of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act and the implementing regulations.

-10-

The intent of this document is that the Property be perpetually protected as conservation lands. Amendments to the restrictive covenant for the purpose of proposing additional impact are not favored and will be considered only in rare circumstances following the USACE policy and procedures.

-11-

The intent of the Clean Water Act ("CWA") Section 404 is to restore and maintain the chemical, physical and biological integrity of the Nation's waters. The District Commander, United States Department of the Army, Corps of Engineers, Savannah District, or his successor, shall be provided with written notice of any legal action affecting this covenant. The covenant is intended to survive foreclosure, tax sales, bankruptcy proceedings, zoning changes, adverse possession, abandonment, condemnation and similar doctrines or judgments affecting the Property.

-12-

If any or part of the Property is taken by exercise of the power of eminent domain, so as to terminate this restrictive covenant, in whole or in part, USACE shall be given notification for the purpose of providing the condemnor with the value and cost of the replacement of the ecological units and the conservation functions and values of waters of the United States on the Property. Subject to approval by the USACE, options for compliance with the CWA Section 404 or the Rivers & Harbors Act of 1899 Section 10 by the condemnor are contemplated to include: (1) Re-recordation of the USACE model Declaration of Conservation Covenants and Restrictions on the Property by the new owner thereby preserving the existing waters of the U.S and their buffers on the site; (2) Acquisition and protection of alternative real property in the same watershed providing equivalent conservation functions and values of wetlands, streams, creeks, shorelines, other waters of the U.S. and their buffers; or (3) If available, the option to purchase conservation mitigation credits from an authorized wetland/stream mitigation bank, (4) Payment to a wetlands/streams trust account approved by the USACE in an amount sufficient to purchase and protect alternative real property in the same watershed with the equivalent conservation functions and values, or (5) Any other alternative conservation mitigation as may be approved by USACE in compliance with the regulations and requirements.

-13-

The USACE reserves the right to remove a legal action affecting waters of the United States to the United States Federal District Court in the district where the Property lies.

Declarant shall execute and record this instrument in timely fashion in the official records of the Office of the Clerk of Superior Court in the county in which this Property lies and shall provide the USACE with a copy of the recorded restrictive covenant and exhibits. Declarant may re-record this instrument at any time as may be required to preserve its rights.

This Declaration is executed pursuant to the authority evidenced within Exhibit "C" attached hereto and incorporated herein by reference.

[remainder of this page left intentionally blank]

IN WITNESS WHEREOF Declarant has duly executed this covenant on this the 10th day of ~~November~~ December, 2007.

Signed, sealed and delivered in the presence of:

SEVEN BRANCHES FARM, LLC

Witness

BY: _____ (SEAL)
John A. Wayt, III, Manager

Notary Public
My commission expires:
[Notary Seal]

NOTARY PUBLIC
STATE OF RHODE ISLAND
COMMISSION EXPIRES
SEPTEMBER 27, 2011

Witness

BY: _____ (SEAL)
James T. Wayt, Manager

Notary Public, Fulton County, Georgia
My Commission Expires: October 23rd, 2010
[Notary Seal]

Witness

BY: _____ (SEAL)
John F. Williams, Manager

Notary Public
Notary Public, Fulton County, Georgia
My Commission Expires: October 23rd, 2010

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

ALL THAT TRACT or parcel of land lying and being in Land Lots 92, 124, 125 and 164 of the 2nd District, 1st Section, Forsyth County, Georgia, and being shown as 38.89 acres per that certain plat for Seven Branches Farm prepared by Appalachian Surveying, Planning & Development, Inc., Hilton H. Hobby, Jr., Georgia RLS #2207, dated 05/07/07, and being more particularly described as follows:

To find the Point of Beginning commence at a crimp top pipe found at the corner common to Land Lots 52, 53, 92 and 93, aforesaid District, Section and County; proceed thence from said intersection along the land lot line common to Land Lots 53 and 92 in an easterly direction 682.27 feet to a point located in the centerline of Big Creek, said point being the POINT OF BEGINNING; and from said POINT OF BEGINNING and leaving said centerline of Big Creek and continue along the land lot line common to Land Lots 53 and 92 south 88°35'40" east 539.66 feet to a point; thence leaving said land lot line and proceed thence south 08°56'30" east 228.37 feet to a point; proceed thence south 24°21'55" west 201.02 feet to a point; proceed thence south 35°34'17" west 150.30 feet to a point; proceed thence south 24°42'46" west 165.19 feet to a point; proceed thence south 06°06'24" west 71.54 feet to a point; proceed thence south 27°35'13" west 212.12 feet to a point; proceed thence south 09°47'06" west 610.59 feet to a point; proceed thence south 05°20'44" west 512.55 feet to a point; proceed thence south 16°51'39: east 378.25 feet to a point; proceed thence south 07°02'54" west 180.59 feet to a point; proceed thence south 20°33'08" east 77.08 feet to a point; proceed thence south 85°29'45" west 207.86 feet to a point located in the centerline of Big Creek, said centerline being the property line; proceed thence along said centerline of Big Creek the following courses and distances: south 04°22'36" west 93.05 feet to a point; south 07°22'52" west 100.40 feet to a point; south 10°14'00" west 200.16 feet to a point; south 17°10'41" west 99.39 feet to a point; thence leaving said centerline and proceed north 38°13'01" west 467.26 feet to a point; proceed thence north 40°07'53" east 34.52 feet to a point; proceed thence north 18°14'03" west 227.42 feet to a point; proceed thence north 49°34'21" west 109.45 feet to a point; proceed thence north 03°31'50" east 474.33 feet to a point; proceed thence north 36°05'39" east 171.51 feet to a point; proceed thence north 29°50'01" west 230.21 feet to a point; proceed thence north 88°41'03" west 108.68 feet to a point; proceed thence north 24°37'36" west 47.20 feet to a point; proceed thence south 36°41'02" west 31.44 feet to a point; proceed thence north 49°42'28" west 143.62 feet to a point; proceed thence north 15°48'51" east 104.29 feet to a point; proceed thence north 85°05'52" east 36.04 feet to a point; proceed thence south 70°28'25" east 162.37 feet to a point; proceed thence north 57°28'14" east 156.48 feet to a point; proceed thence south 76°13'35" east 86.15 feet to a point; proceed thence south 43°41'37" east 119.40 feet to a point; proceed thence north 06°23'04" west 156.66 feet to a point; proceed thence north 11°20'07" west 49.0 feet to a point; proceed thence north 42°24'27" west 136.63 feet to a point; proceed thence north 07°13'27" west 248.27 feet to a point; proceed thence north 60°51'03" west 40.06 feet to a point; proceed thence south 88°48'06" east 278.98 feet to a point located in the centerline of Big Creek, said centerline of Big Creek being the property line; proceed thence along said centerline the following courses and distances: north 21°36'01" west 65.02 feet to a point; north 04°14'05" east 35.37 feet to a point; north 13°12'56" west 65.30 feet to a point; north 05°08'52" west 80.35 feet to a point; north 03°29'27" west 64.95 feet to a point; north 06°07'43" east 70.74 feet to a point; north 21°38'29" east 80.29 feet to a point; north 03°19'43" east 71.11 feet to a point; north 29°12'18" east 94.89 feet to a point; north 06°02'15" east 36.78 feet to a point; north 22°55'35" east 111.18 feet to a point; north 13°54'18" east 64.08 feet to a point; north 29°42'45" east 37.77 feet to a point; north 11°48'37" east 149.58 feet to the POINT OF BEGINNING.

EXHIBIT "B"
APPROVAL LETTER AND EXECUTIVE SUMMARY

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
PIEDMONT BRANCH
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

November 2, 2007

Regulatory Division
200601070

Mr. John Wayt, III
PO Box 149
Jamestown, Rhode Island 02835

Dear Mr. Wayt:

As Chair of the Interagency Review Team (IRT) for the "Seven Branches Farm Mitigation Bank" in Forsyth County, Georgia, I solicited concurrence for approval from the IRT for the "Revised Banking Instrument for the Seven Branches Farm Mitigation Bank, August 9, 2007". I received concurrence from participating members of the IRT:

US Fish and Wildlife Service elected not to participate in the IRT for this bank.
US Environmental Protection Agency, in a letter dated 29 October 2007, Robert J. Lord found the Banking Instrument consistent with the "Guidelines for the Establishment and Operation of Wetland and Stream Mitigation Banks in Georgia."
Georgia Environmental Protection Division, in an email dated 30 October 2007, Mr.Keith Parsons provided preliminary concurrence for Seven Branches Farm Mitigation Bank.

Your banking instrument, "Revised Banking Instrument for the Seven Branches Farm Mitigation Bank, August 9, 2007" will generate 57,429.5 stream credits. The banking instrument is in effect as of the date of this letter.

If you have any questions contact me at 678-422-2728.

Sincerely,

Gary L. Craig
Senior Project Manager
Piedmont Branch

EXECUTIVE SUMMARY

The proposed Seven Branches Farm Mitigation Bank (SBFMB) will be a commercial stream mitigation bank providing mitigation credits for sale to public and private permittees that receive a Section 404 permit and Section 401 certification from the U.S. Army Corps of Engineers (USACE) and Georgia Environmental Protection Division (GEPD), respectively. The proposed SBFMB is approximately 38.5 acres in size and is accessed from Bethelview Road in Forsyth County, Georgia.

Currently, the proposed SBFMB is comprised primarily of improved pasture within the 100-year floodplain of Big Creek. The bank site includes two unnamed tributaries to Big Creek, which had been previously channelized. The primary mitigation actions within the SBFMB include the restoration of these tributaries to their former natural and sinuous stream channels. Additionally, bottomland tree seedlings will be planted within the riparian zones of Big Creek and both restored channels, which will reestablish functional and forested riparian zones. The success of the mitigation effort will be monitored, and contingency plans are in place should a site fail to meet the success criteria.

This Banking Instrument has been prepared in accordance with USACE, Savannah District's *Guidelines on the Establishment & Operation of Wetland Mitigation Banks in Georgia*, updated in March 2006.

EXHIBIT "C"
RESOLUTION

The undersigned, being the entire Board of Managers of **Seven Branches Farm, LLC, a Georgia Limited Liability Company** (the "Company"), a Company duly chartered and existing under the Laws of the State of Georgia, do hereby certify that the following resolution was presented to the Board of Managers of said Company, unanimously passed in lieu of a meeting and has not been amended or rescinded, to wit:

> "RESOLVED, that John A Wayt, III (the "Chairman") has been duly elected as the Chairman of the Board of Managers of the Company pursuant to the Operating Agreement of the Company: the Chairman is hereby authorized and directed to execute that certain Declaration of Covenants and Restrictions to which this resolution is attached, as well as any other documents required by the United States Army Corps of Engineers in connection with Banking Instrument #200601070.

IN WITNESS WHEREOF, the undersigned, being the entire Board of Managers of the Company, have executed this Resolution as of the ___ day of November, 2007.

_____(SEAL)
John A. Wayt, III

_____(SEAL)
John F. Williams

_____(SEAL)
James T. Wayt

2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

MKW CAPITAL LLC & JOJO CAPITAL LLC
PO BOX 149

JAMESTOWN , RI 20835

Bill No	Due Date	TOTAL DUE
2016-251910	11/15/2016	$0.00

Map: 103 011
Last payment made on: 10/27/2016
Today's date: 3/28/2017
Location: BETHELVIEW RD
INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

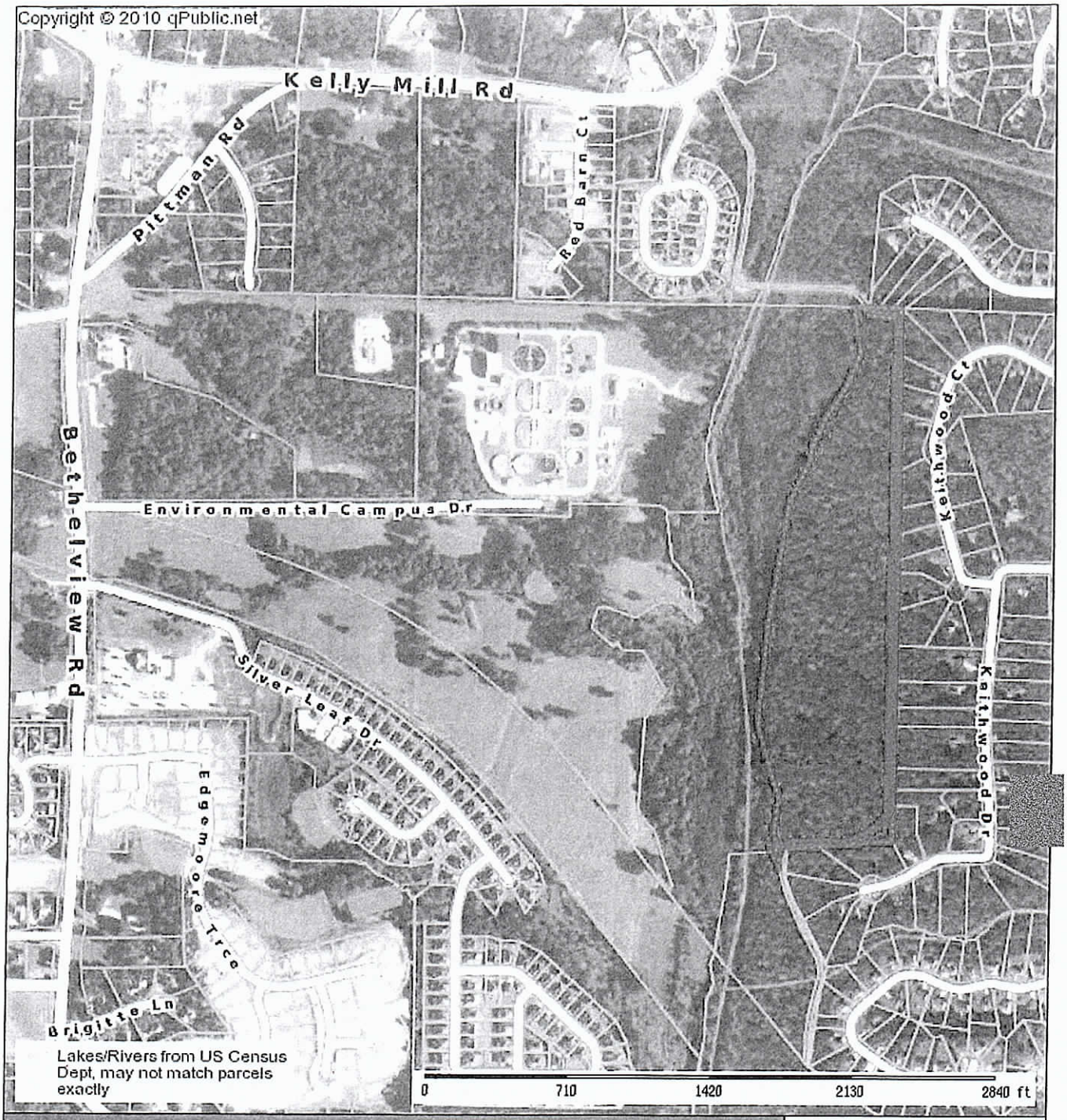
Tax Payer:	**MKW CAPITAL LLC & JOJO CAPITAL LLC**
Map Code:	**103 011**
Description:	**2-1 92-125**
Location:	**BETHELVIEW RD**
Bill No:	**2016-251910**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$356,530.00	29.8100	$356,530.00	11/15/2016	

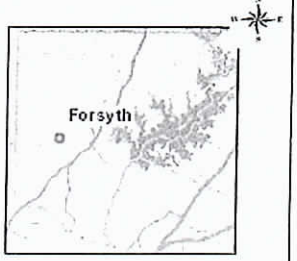
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$356,530.00	$142,612.00	$0.00	$142,612.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$356,530.00	$142,612.00	$0.00	$142,612.00	7.5340	$1,074.44	$0.00	$662.01
SALES TAX CREDIT			$0.00	$142,612.00	-2.8920	$0.00	-$412.43	$0.00
COUNTY BOND	$356,530.00	$142,612.00	$0.00	$142,612.00	1.4190	$202.37	$0.00	$202.37
SCHOOL M&O	$356,530.00	$142,612.00	$0.00	$142,612.00	17.3000	$2,467.19	$0.00	$2,467.19
SCHOOL BOND	$356,530.00	$142,612.00	$0.00	$142,612.00	2.4180	$344.84	$0.00	$344.84
FIRE DISTRICT	$356,530.00	$142,612.00	$0.00	$142,612.00	1.9750	$281.66	$0.00	$281.66
				Totals:	27.754	$4,370.50	-$412.43	$3,958.07

Current Due	$3,958.07
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$3,958.07
Back Taxes	$0.00

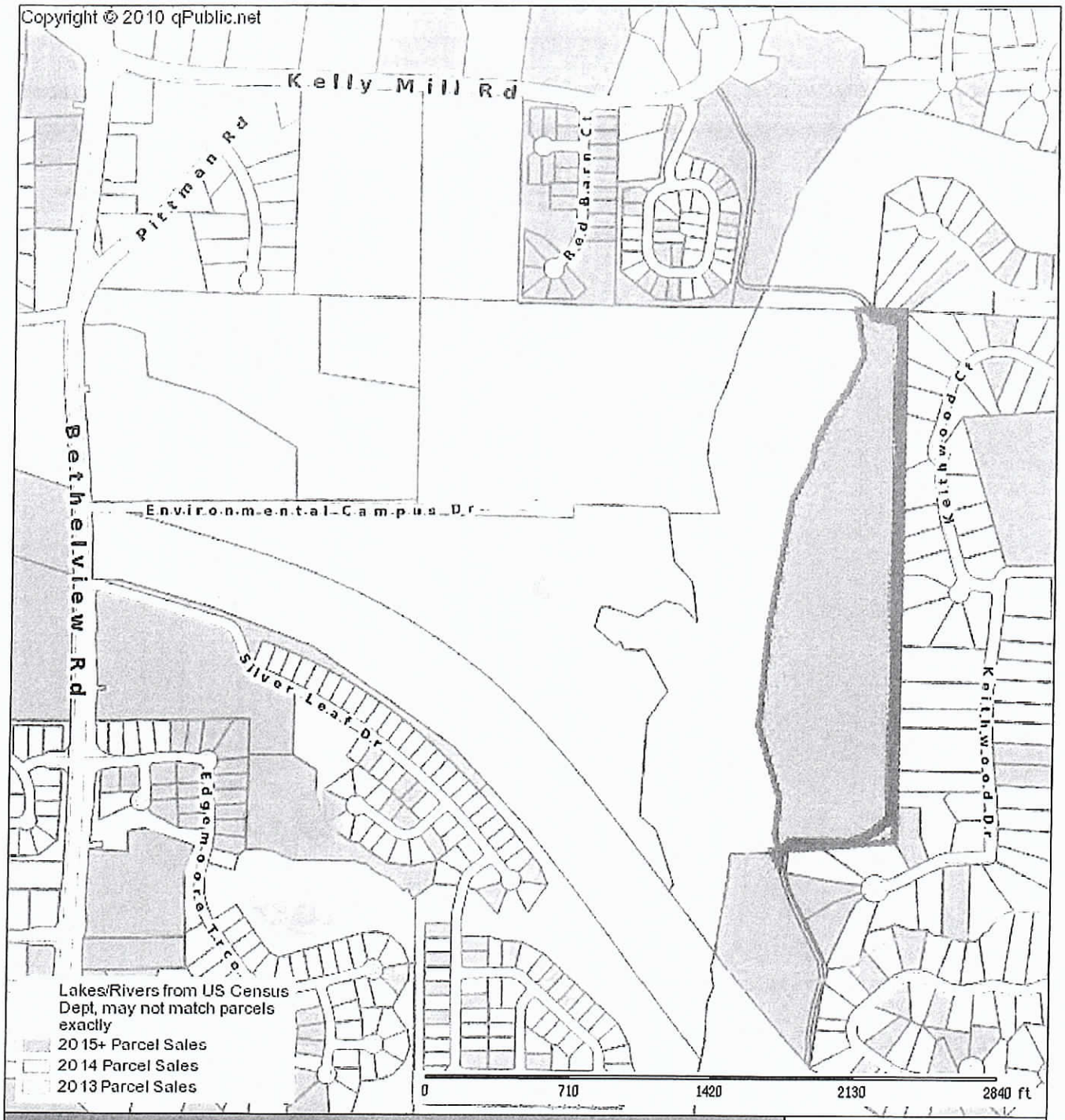
If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!



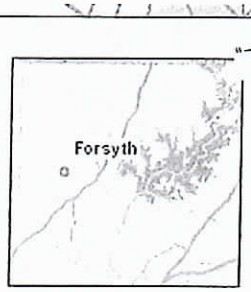
Forsyth County Assessor			
Parcel: 103 011 Acres: 29.81			
Name:	MKW CAPITAL LLC &	Land Value:	356530
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	356530



Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
Date printed: 04/03/17 : 18:29:17



Forsyth County Assessor			
Parcel: 103 011 Acres: 29.81			
Name:	MKW CAPITAL LLC &	Land Value:	356530
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	356530



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Date printed: 04/03/17 : 18:29:01

FORSYTHCOUNTY
QUALITY. GROWTH. PROGRESS. GEORGIA - BOARD OF TAX ASSESSORS

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search | Forsyth Home

Owner and Parcel Information

Owner Name	MKW CAPITAL LLC & JOJO CAPITAL LLC	Today's Date	April 3, 2017
Mailing Address	PO BOX 149	Parcel Number	103 011
	JAMESTOWN, RI 20835	Tax District	0
Location Address	BETHELVIEW RD	Zoning	A1
Legal Description	A1	Acres	29.82
Property Class	A5-Agricultural Large Tracts	Parcel Map	Show Parcel Map
Neighborhood	00300	Homestead	n
Legal Description	2-1 92-125		Tax Commissioner

Assessment Information

Show Historical Assessments | Show Assessment Notice

Year	LUC	Land Value	Building Value	Total Value	Assessed Value
2016	0140	$ 356,530	$ 0	$ 356,530	$ 142,612

Land Information

Land Type	Land Code	Description	Square Feet	Acreage	Price
A	140		1,298,959	29.82	$ 356,650

Improvement Information

No improvement information available for this parcel

Accessory Information

Description	Year Built	Area	Grade	Value

No accessory information associated with this parcel.

Sale Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Validity	Grantee	Grantor
2016-06-27		CORRECTIVE RIGHT OF WAY	7866	86	Qualified	X-UNKNOWN	FORSYTH COUNTY	MKW CAPITAL LLC &
2013-07-16		TRUST DEED	6767	609	Qualified	X-UNKNOWN	MKW CAPITAL LLC &	WAYTJOHN A III ETAL TRUSTEES
2013-07-16		TRUST DEED	6767	629	Qualified	X-UNKNOWN	JOJO CAPITAL LLC	WAYT JOHN A III ETAL TRUSTEES
2013-06-17		RIGHT OF WAY/DEPT OF TRANS	6775	451	Qualified	X-UNKNOWN	FORSYTH COUNTY	WAYT III JOHN A ETAL
1990-08-15		WARRANTY DEED	506	425	Qualified	X-UNKNOWN	CITY OF CUMMING	WAYT JOHN A SR ESTATE

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search Page | Forsyth Home

Forsyth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Assessment information for all tax parcels included in this data is for the 2014 tax year and does not reflect any changes due to documents recorded after January 1, 2014. These changes may include but is not limited to ownership or property characteristics. Website Updated: April 3, 2017

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2016 Property Tax Statement

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Forsyth County Tax Commissioner

MKW CAPITAL LLC & JOJO CAPITAL LLC
PO BOX 149

JAMESTOWN , RI 20835

Bill No	Due Date	TOTAL DUE
2016-251911	11/15/2016	$0.00

Map: 103 301
Last payment made on: 10/27/2016
Today's date: 3/28/2017
Location: BETHELVIEW RD

INTEREST, PENALTIES, AND OTHER FEES WILL APPLY AFTER DUE DATE.

If taxes are paid by your mortgage company, send them the top portion of your statement only.

Matthew C. Ledbetter
Forsyth County Tax Commissioner
1092 Tribble Gap Rd
Cumming , GA 30040-2236

Phone: (770) 781-2110 Fax: (678) 455-1207

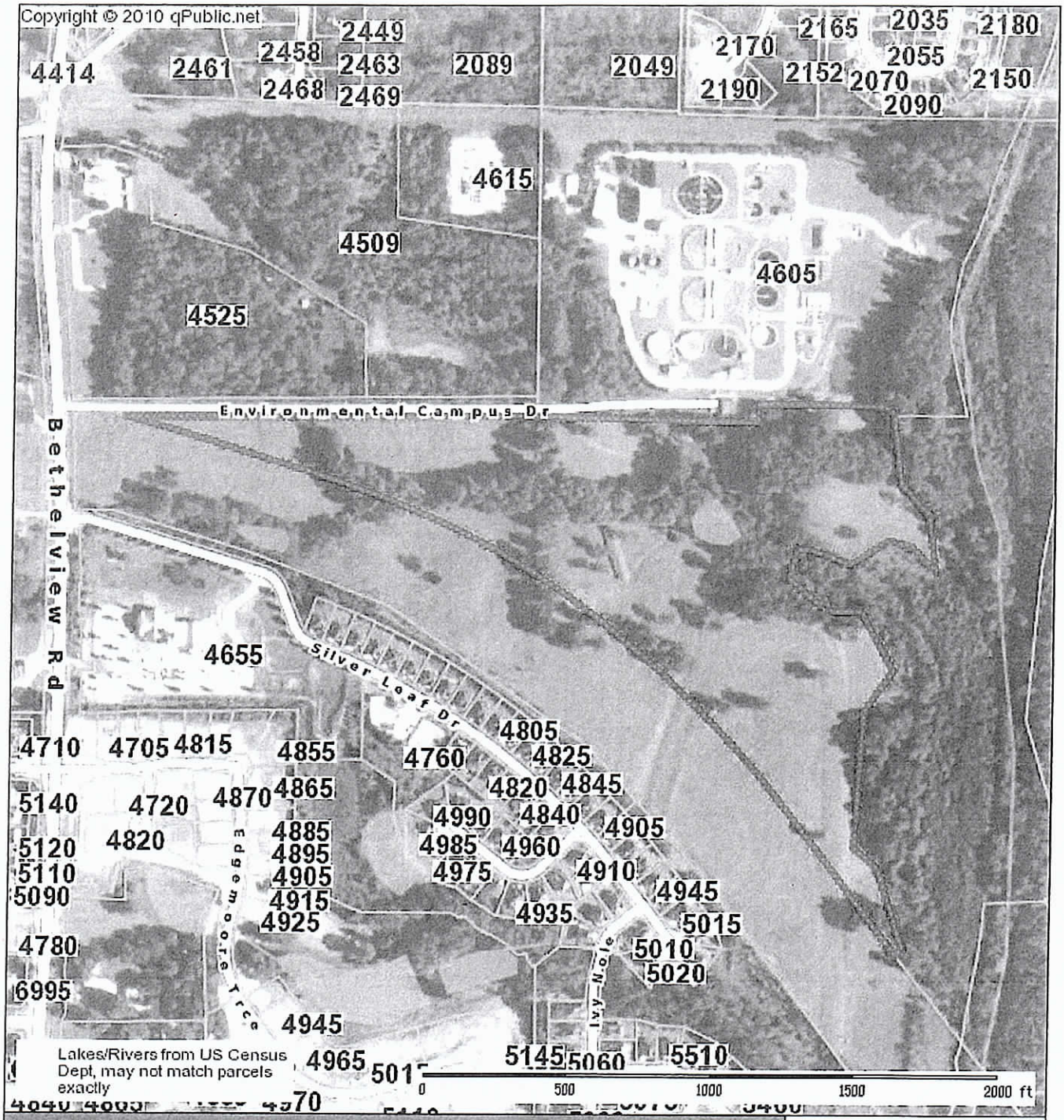
Tax Payer:	**MKW CAPITAL LLC & JOJO CAPITAL LLC**
Map Code:	**103 301**
Description:	**2-1 92-93-124-ETAL**
Location:	**BETHELVIEW RD**
Bill No:	**2016-251911**
District:	**001 FORSYTH COUNTY AT LARGE**

Building Value	Land Value	Acres	Fair Market Value	Due Date	Exemptions
$0.00	$678,240.00	37.6800	$678,240.00	11/15/2016	

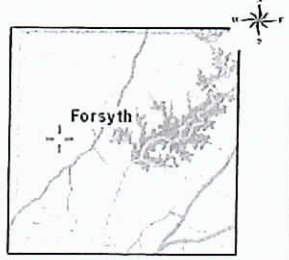
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	$678,240.00	$271,296.00	$0.00	$271,296.00	0.0000	$0.00	$0.00	$0.00
COUNTY M&O	$678,240.00	$271,296.00	$0.00	$271,296.00	7.5340	$2,043.94	$0.00	$1,259.35
SALES TAX CREDIT			$0.00	$271,296.00	-2.8920	$0.00	-$784.59	$0.00
COUNTY BOND	$678,240.00	$271,296.00	$0.00	$271,296.00	1.4190	$384.97	$0.00	$384.97
SCHOOL M&O	$678,240.00	$271,296.00	$0.00	$271,296.00	17.3000	$4,693.42	$0.00	$4,693.42
SCHOOL BOND	$678,240.00	$271,296.00	$0.00	$271,296.00	2.4180	$655.99	$0.00	$655.99
FIRE DISTRICT	$678,240.00	$271,296.00	$0.00	$271,296.00	1.9750	$535.81	$0.00	$535.81
Totals:					27.754	$8,314.13	-$784.59	$7,529.54

Current Due	$7,529.54
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$7,529.54
Back Taxes	$0.00

If Back Taxes Are Due Please Call for correct amount due as interest continues to accrue!



Forsyth County Assessor			
Parcel: 103 301 Acres: 37.68			
Name:	MKW CAPITAL LLC &	Land Value:	678240
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	678240



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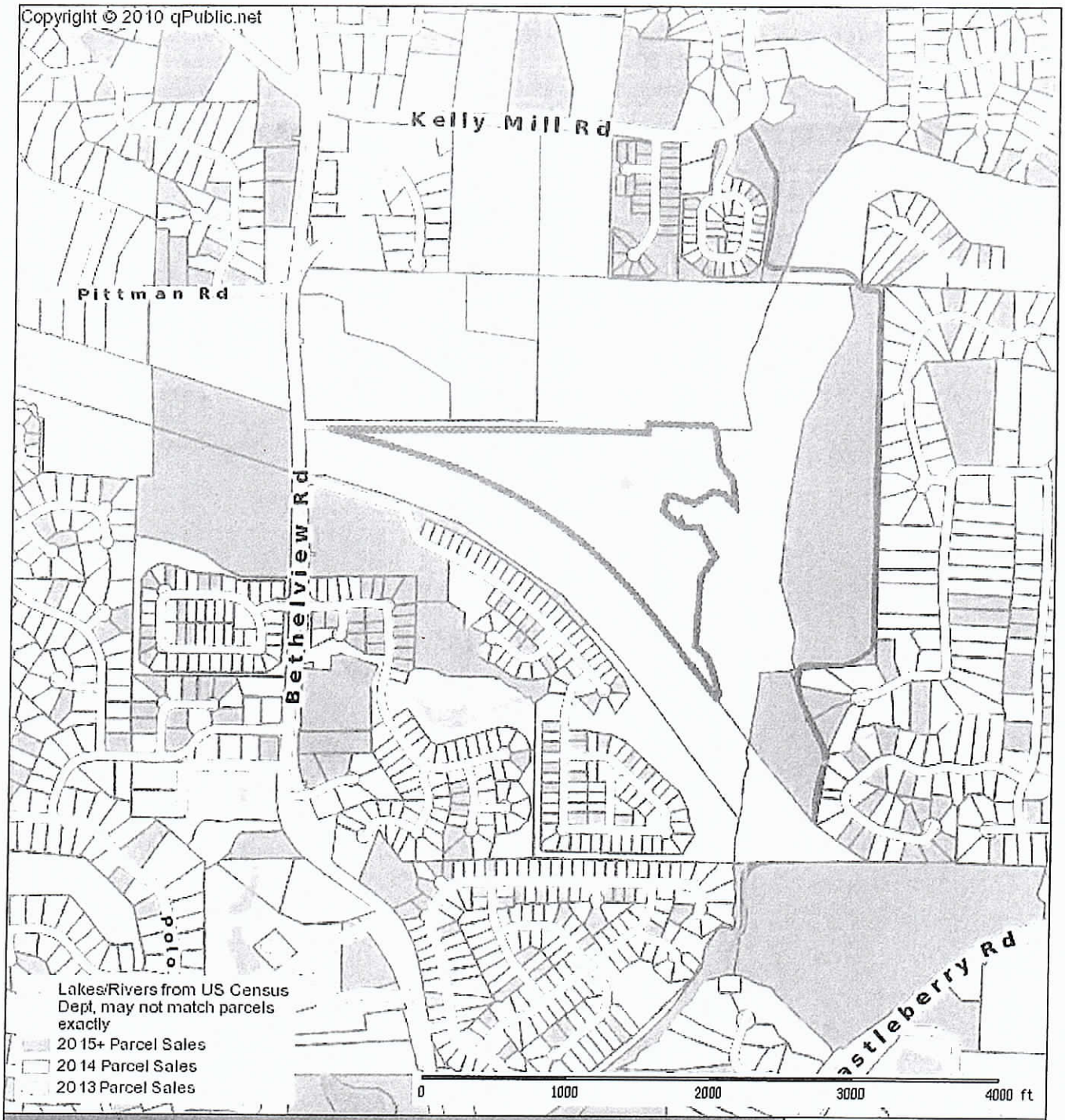
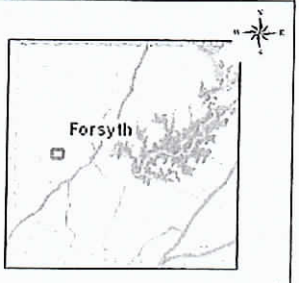
Date printed: 04/03/17 : 18:25:12



Forsyth County Assessor			
Parcel: 103 301 Acres: 37.68			
Name:	MKW CAPITAL LLC &	Land Value:	678240
Site:	BETHELVIEW RD	Building Value:	0
Sale:		Misc Value:	
Mail:	PO BOX 149 JAMESTOWN, RI 20835	Total Value:	678240



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Date printed: 04/03/17 : 18:24:04

FORSYTHCOUNTY
QUALITY. GROWTH. PROGRESS. GEORGIA - BOARD OF TAX ASSESSORS

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search | Forsyth Home

Owner and Parcel Information

Owner Name	MKW CAPITAL LLC & JOJO CAPITAL LLC	Today's Date	April 3, 2017
Mailing Address	PO BOX 149	Parcel Number	103 301
	JAMESTOWN, RI 20835	Tax District	0
Location Address	BETHELVIEW RD	Zoning	CR1
Legal Description	CR1	Acres	37.68
Property Class	R5-Residential Large Tracts	Parcel Map	Show Parcel Map
Neighborhood	00300	Homestead	n
Legal Description	2-1 92-93-124-ETAL		Tax Commissioner

Assessment Information

Show Historical Assessments | Show Assessment Notice

Year	LUC	Land Value	Building Value	Total Value	Assessed Value
2016	0100	$ 678,240	$ 0	$ 678,240	$ 271,296

Land Information

Land Type	Land Code	Description	Square Feet	Acreage	Price
A	100		1,641,341	37.68	$ 678,240

Improvement Information

No improvement information available for this parcel

Accessory Information

Description	Year Built	Area	Grade	Value

No accessory information associated with this parcel.

Sale Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Validity	Grantee	Grantor
2013-07-16			6767	609	Qualified	X-UNKNOWN	MKW CAPITAL LLC &	WAYTJOHN A III ETAL TRUSTEES
2013-07-16			6767	629	Qualified	X-UNKNOWN	JOJO CAPITAL LLC	WAYT JOHN A III ETAL TRUSTEES

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search Page | Forsyth Home

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00457
0639

22,988

Georgia Real Estate Transfer Tax
$ 17.10
Date 8/1/89
Cecil McClure
Clerk of Superior Court

GEORGIA, FORSYTH CO.
Clerks Office Superior Court
Filed for record on the 1
day of August, 1989
At 1:30 o'clock P.M. Recorded in
Book ____ Page ____ this
2 day of August 1989
Cecil McClure, Clerk

457/639

SEE PLAT RECORDED @ 506.430 ATTACHED

SEE RESERVED EASEMENT

STATE OF GEORGIA

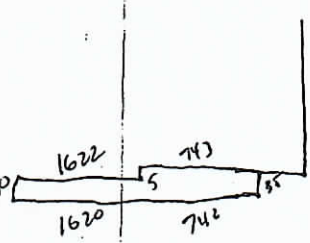
COUNTY OF FORSYTH

THIS INDENTURE, Made this the 21 day of July, in the year of our Lord one thousand nine hundred Eighty-Nine (19 89), between JOHN A. WAYT, JR. and W. BARNARD WINDHAM as Executors of the last will and testament of John A. Wayt, Sr. late of the State of Georgia, and County of , deceased, of the First Part, (hereinafter called "grantor") and CITY OF CUMMING, A GEORGIA MUNICIPAL CORPORATION of the State of Georgia and County of Forsyth, of the Second Part, (hereinafter called "grantee"); the words "grantor" and "grantee" to include their respective heirs, successors and assigns where the context requires or permits:

WITNESSETH: That the said grantor (acting under and by virtue of the power and authority contained in the said will, the same having been duly probated and recorded in the Court of Ordinary of County, Georgia), for and in consideration of the sum of Ten Dollars & Other Good and Valuable Consideration--------- ($ 10.00) DOLLARS in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said grantee, ~~all that tract or parcel of~~ land lying and being

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING, commence at the Northeast corner of Land Lot 93; thence South 00 degrees 21 minutes 11 seconds West along the East original line of said Land Lot 93 a distance of 988.68 feet to a point found thereon; thence North 89 degrees 00 minutes 32 seconds West 210.00 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING South 00 degrees 59 minutes 28 seconds West 35.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 742.82 feet to a point; thence South 89 degrees 41 minutes 20 seconds West 1620.34 feet to a point found on the Easterly right-of-way of Bethelview Road; thence North 03 degrees 47 minutes 19 seconds West along the Easterly right-of-way of Bethelview Road 30.06 feet to a point found thereon; thence leaving said right-of-way North 89 degrees 41 minutes 20 seconds East 1622.51 feet to a point; thence North 00 degrees 20 minutes 24 seconds East 5.00 feet to a point; thence South 89 degrees 00 minutes 32 seconds East 743.22 feet to the POINT OF BEGINNING.



Said property contains 1.71 acres and is identified as an "Access Strip" according to a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, as surveyed by Richard N. May, Registered Surveyor, which plat is incorporated herein by reference for a more complete description thereof.
(CONTINUED ON REVERSE SIDE)

639

640

Grantors reserve a non-exclusive perpetual easement for access over and across the within described property. Said easement is reserved for the purpose of providing Grantors access to and from Bethelview Road and Grantors adjoining property lying North and South of the property described herein.

This property is conveyed subject to an easement from John A. Wayt, Jr. and Barnard Windham, As Executors Under the Last Will and Testament of John A. Wayt, Sr., to John A. Wayt, Jr., John A. Wayt, III and Sandra Brown Wayt recorded at Deed Book 287, page 412 of the Forsyth County Deed Records.

Grantee herein agrees to be solely responsible for all future maintenance, upkeep and future improvements of the within described property.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said grantee forever, IN FEE SIMPLE: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, each grantor herein has hereunto set hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

(Unofficial Witness)

(Notary Public) 2-7-93

NOTARY PUBLIC FULTON COUNTY, GA.

John A. Wayt, Jr. (SEAL)
JOHN A. WAYT, JR.

W. Barnard Windham (SEAL)
W. BARNARD WINDHAM, AS EXECUTORS UNDER THE LAST WILL AND TESTAMENT OF JOHN A. WAYT, SR.

EXECUTOR'S DEED
(Under Power)

FROM

TO

Dated _____, 19__

GEORGIA, _____ County.

Clerk's Office, Superior Court.

Filed for record at ___ o'clock ___ M., _____, 19__.

Recorded in Book _____, page _____, 19__.

_____ Clerk.

GEORGIA, FORSYTH CO.
Clerks Office Superior Court
Filed for record on the 22nd.
day of August, 1990
At 2:15 o'clock P M. Recorded in
Book 506 Page 430-43 this
24 day of Aug., 1990
Cecil McClure, Clerk
by Jack

STATE OF GEORGIA

COUNTY OF FORSYTH

CORRECTIVE SEWER EASEMENT

The undersigned, for and in consideration of the sum of $1.00, in hand paid, the receipt whereof is hereby acknowledged, grant unto the CITY OF CUMMING, A GEORGIA MUNICIPAL CORPORATION, a perpetual easement across the lands of the undersigned Grantors, hereinafter described, for the purposes of laying, constructing, maintaining, operating, repairing, and replacing pipes, and all other apparatus necessary and incident to the implementation of sewer system improvements for the City of Cumming, together with all rights and benefits necessary for the sole enjoyment of the easement granted herein, including the right of ingress and egress over and across other lands of the undersigned for the above enumerated purposes.

DESCRIPTION:

Tract 1: All that tract or parcel of land lying and being in Land Lots 53, 54, 55, and 56 of the Second District and First Section of Forsyth County, Georgia, and being a 20 foot wide easement, being 10 feet on each side of the center line identified as a "20' perm. san. sewer easement" and depicted on a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, and revised May 4, 1990, as surveyed by Richard N. May, Registered Surveyor, which plat is recorded at Plat Book 32, page 81 of the Forsyth County Records and incorporated herein by reference for a more complete description thereof. The center line of said easement extends from STA 6 + 15.49 to STA 58 + 34.68 as more fully described on the above-referenced plat.

32. 81 Plat Attached

Tract 2: All that tract or parcel of land lying and being in Land Lot 92 of the Second District and First Section of Forsyth County, Georgia, and being identified as "perm. san. sewer easement", as more fully depicted on a plat for the City of Cumming, dated June 30, 1989, and revised July 10, 1989, and revised May 4, 1990, as surveyed by Richard N. May, Registered Surveyor, which plat is recorded at Plat Book 32, page 81 of the Forsyth County Records and incorporated herein by reference for a more complete description thereof. Said easement extends from STA 0 + 00 to STA 6 + 15.49 as more fully described on the above-referenced plat.

Grantee hereby agrees, at Grantee's sole expense: (a) to exercise its rights under this easement with as little inconvenience to Grantors as is reasonably possible; (b) to cover over neatly such excavation as is required by the exercise of its rights hereunder; (c) to repair, replace, and reconstruct any improvements or ground cover of Grantors damaged by construction and maintenance of the easement; (d) to remove all mud and debris; (e) to

repave any portion of pavement disturbed in the immediate easement area; (f) to maintain at all times said sanitary sewer and to do whatever may be required in order for said sewer to function properly; and (g) to comply with all orders and regulations of any governmental authority either now or in the future in connection with the aforesaid sewer line.

Grantee's right of entry to the easement area shall be limited to (a) those acts reasonably necessary to construct, install, inspect, maintain, repair and replace the easement; and (b) those roadways and drives reasonably necessary to gain access to the Servient Tract, which shall be subject to the reasonable approval of Grantors. Furthermore, such construction, installation, inspection, maintenance, repair and replacement of the easement and easement area shall be accomplished in a workmanlike manner, during reasonable hours, and in a manner which does not unreasonably interfere with Grantors' normal use of their property.

Grantee herein agrees that its sewer customers will not be allowed to connect sewer lines directly to the sewer treatment plant located on the 21.84 acre tract acquired simultaneously herewith, but instead said customers must connect onto sewer trunk lines at some point East of the Eastern boundary of said 21.84 acre tract.

This easement is executed solely for the purpose of correcting the description in a prior easement between these parties recorded at Deed Book 457, page 489 of the Forsyth County Deed Records.

TO HAVE AND TO HOLD said easement unto the City of Cumming for the purposes described herein.

IN WITNESS WHEREOF, Grantors hereunto set their hands and seals, this the 13th day of AUGUST, 1990.

Signed, sealed and delivered in the presence of:

Chad McPherson
Witness

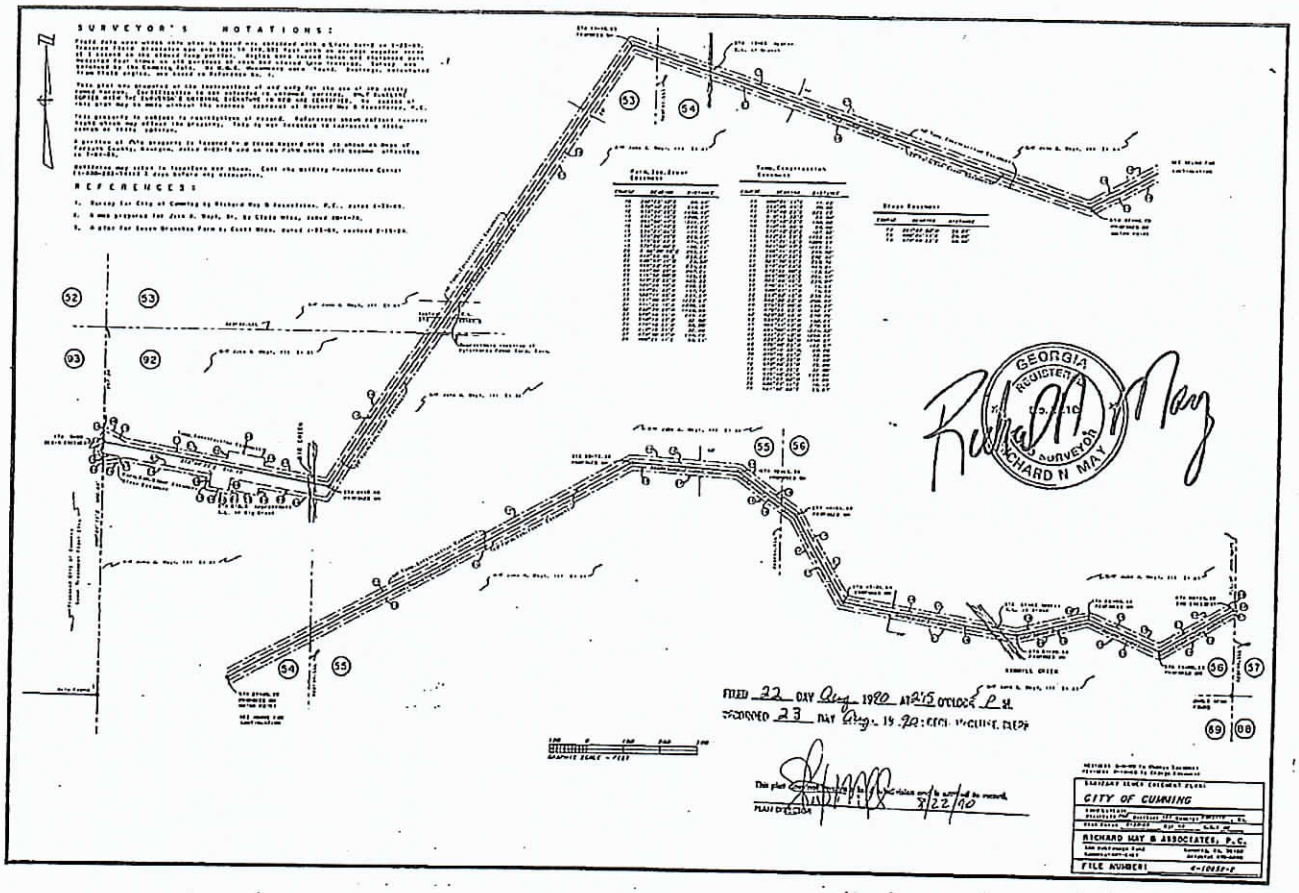
Arielle Adams
Notary Public
My Commission expires 2-7-93

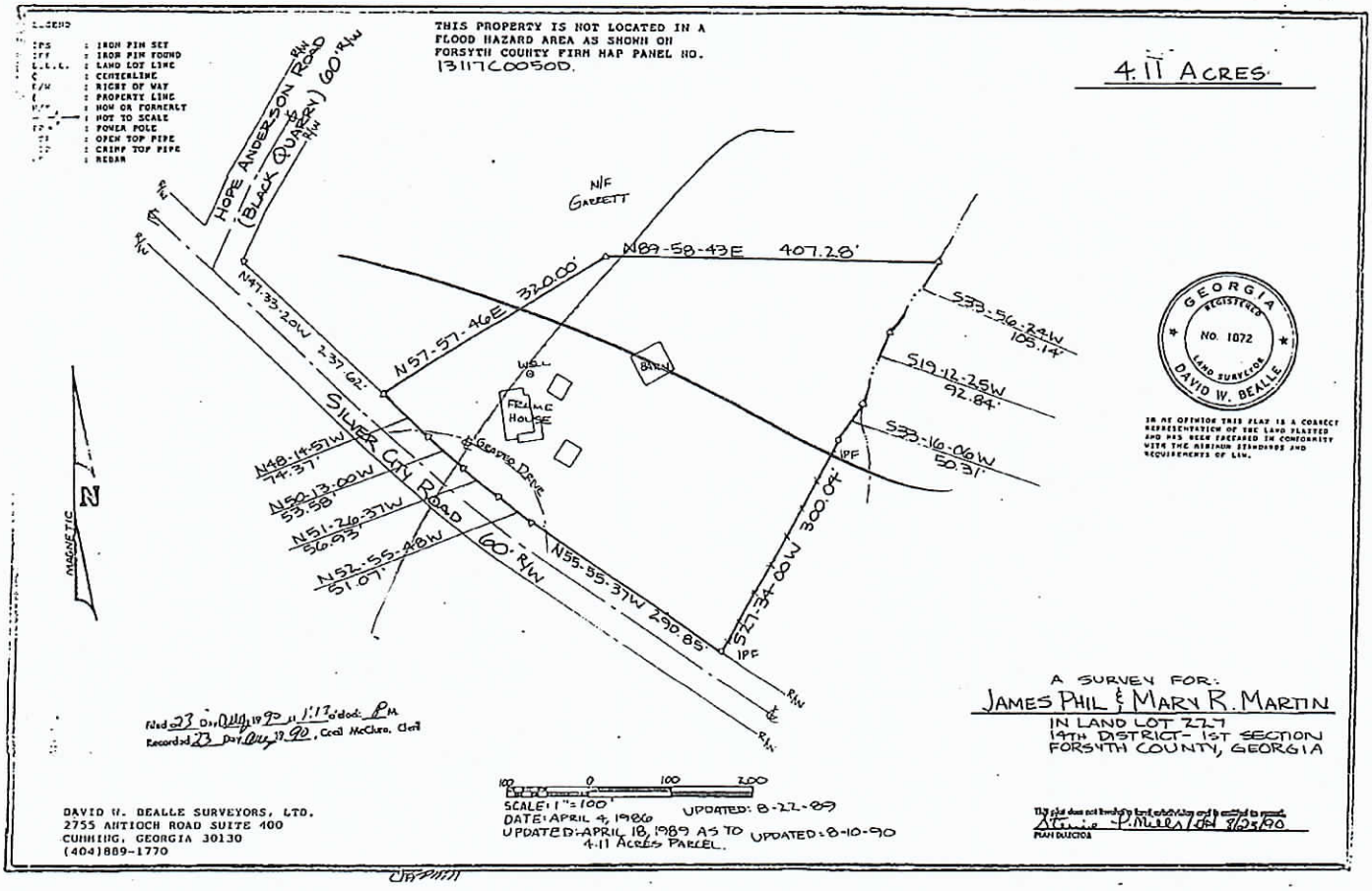
NOTARY PUBLIC FULTON COUNTY

John A. Wayt Jr (SEAL)
JOHN A. WAYT, JR.

W. Barnard Windham (SEAL)
W. BARNARD WINDHAM
AS EXECUTORS UNDER THE
LAST WILL AND TESTAMENT OF
JOHN A. WAYT, SR.

32/81


SURVEYOR'S NOTATIONS:
REFERENCES:
GEORGIA REGISTERED LAND SURVEYOR RICHARD N MAY
FILED 22 DAY Aug 1990 AT 2:15 O'CLOCK P M.
RECORDED 23 DAY Aug 1990
CITY OF CUMMING
RICHARD MAY & ASSOCIATES, P.C.
FILE NUMBER: C-10659-P


LEGEND
IPS : IRON PIN SET
IPF : IRON PIN FOUND
L.L.L. : LAND LOT LINE
℄ : CENTERLINE
R/W : RIGHT OF WAY
(: PROPERTY LINE
P/P : HOW OR FORMERLY
HOT TO SCALE
PP : POWER POLE
OTP : OPEN TOP PIPE
CTP : CRIMP TOP PIPE
RB : REBAR
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FORSYTH COUNTY FIRM MAP PANEL NO. 13117C0050D.
4.11 ACRES
HOPE ANDERSON ROAD (BLACK QUARRY) 60' R/W
N/F GARRETT
N89-58-43E 407.28'
N57-57-46E 320.00'
N47-33-20W 237.62'
S33-56-24W 105.14'
S19-42-25W 92.84'
S33-16-06W 60.31'
S21-34-06W 300.04'
N55-55-37W 290.85'
N48-14-51W 74.37'
N50-13-00W 55.58'
N51-26-37W 56.93'
N52-55-48W 51.07'
SILVER CITY RD 60' R/W
GRAPEVINE DRIVE
FRAME HOUSE
BARN
WELL
IPF
MAGNETIC N
GEORGIA REGISTERED NO. 1072 LAND SURVEYOR DAVID W. BEALLE
IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
A SURVEY FOR:
JAMES PHIL & MARY R. MARTIN
IN LAND LOT 227
14TH DISTRICT- 1ST SECTION
FORSYTH COUNTY, GEORGIA
Filed 23 Day Aug 1990 at 1:17 o'clock PM
Recorded 23 Day Aug 1990, Carol McClure, Clerk
DAVID W. BEALLE SURVEYORS, LTD.
2755 ANTIOCH ROAD SUITE 400
CUMMING, GEORGIA 30130
(404)889-1770
SCALE: 1"=100'
DATE: APRIL 4, 1986
UPDATED: APRIL 18, 1989 AS TO 4.11 ACRES PARCEL.
UPDATED: 8-22-89
UPDATED: 8-10-90
PLAT DELETION

00506
0425

22,988

506/425

GEORGIA, FORSYTH CO.
Clerks Office Superior Court
Filed for record on the 22
day of August, 1990
At 2:15 o'clock P M. Recorded in
Book 506 Page 425-427 this
24 of Aug. 1990
Cecil McClure, Clerk
Chg. Zack

Forsyth County, Georgia
Real Estate Transfer Tax
Paid $17.10
Date Aug. 22, 1990
Cecil McClure
Clerk of Superior Court

STATE OF GEORGIA

COUNTY OF FORSYTH

THIS INDENTURE, Made this the 15 day of Aug., in the year of our Lord one thousand nine hundred Ninety (1990), between JOHN A. WAYT, JR. and W. BARNARD WINDHAM as Executors of the last will and testament of John A. Wayt, Sr. late of the State of Georgia, and County of Forsyth, deceased, of the First Part, (hereinafter called "grantor") and CITY OF CUMMING, A GEORGIA MUNICIPAL CORPORATION of the State of Georgia and County of Forsyth, of the Second Part, (hereinafter called "grantee"); the words "grantor" and "grantee" to include their respective heirs, successors and assigns where the context requires or permits:

WITNESSETH: That the said grantor (acting under and by virtue of the power and authority contained in the said will, the same having been duly probated and recorded in the ~~Court of Ordinary~~ Probate Court of Forsyth County, Georgia), for and in consideration of the sum of Ten Dollars & Other Good And Valuable Consideration---------- ($ 10.00) DOLLARS in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said grantee, ~~all that tract or parcel of land lying and being~~

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more fully described on Exhibit "A" attached hereto and made a part hereof by reference.

Plat book 32 pages 79 & 80

SEE RESERVED ACCESS EASEMENT

425

Grantor reserves a non-exclusive perpetual easement for access over and across the within described property. Said easement is reserved for the purpose of providing Grantors access to and from Bethelview Road and Grantor's adjoining property lying North and South of the property described herein.

Grantee herein agrees to be solely responsible for all future ~~maintenance, upkeep and~~ future improvements of the within described property.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said grantee forever, IN FEE SIMPLE: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, each grantor herein has hereunto set hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

John A Wayt Jr (SEAL)
JOHN A. WAYT, JR.

W Barnard Windham (SEAL)
W. BARNARD WINDHAM, AS EXECUTORS UNDER THE WILL OF JOHN A. WAYT, SR.

Chad McPherson
(Unofficial Witness)

Priscilla Adams
(Notary Public)
My Commission Expires
2-7-93

NOTARY PUBLIC

EXECUTOR'S DEED
(Under Power)

FROM

TO

Dated _____, 19__.

GEORGIA _____ County.

Clerk's Office, Superior Court.

Filed for record at ___ o'clock ___ M., _____, 19__.

Recorded in Book _____, page _____, 19__.

Clerk.

All that tract or parcel of land lying and being in Land Lots 93 and 94 of the Second District and First Section of Forsyth County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING, commence at the Northeast corner of Land Lot 93; thence South 00 degrees 21 minutes 11 seconds West along the East original line of Land Lot 93 a distance of 988.68 feet to a point found thereon; thence North 89 degrees 00 minutes 32 seconds West 210 feet to a point, which is the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING South 00 degrees 59 minutes 28 seconds West 35.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 742.82 feet to a point; thence South 89 degrees 41 minutes 20 seconds West 1620.34 feet to a point found on the Easterly right-of-way of Bethelview Road; thence South 03 degrees 47 minutes 19 seconds East along the Easterly right-of-way of Bethelview Road 30.06 feet to a point found thereon; thence leaving said right-of-way North 89 degrees 41 minutes 20 seconds East 1618.18 feet to a point; thence South 89 degrees 00 minutes 32 seconds East 772.48 feet to a point; thence North 00 degrees 59 minutes 28 seconds East 65.00 feet to a point; thence North 89 degrees 00 minutes 32 seconds West 30 feet to the POINT OF BEGINNING.

Said property is identified as a 30 foot easement as shown on two plats for the City of Cumming, one being dated June 30, 1989, and revised May 18, 1990; the other being dated June 30, 1989, and revised July 10, 1989, May 4, 1990, and July 11, 1990, as surveyed by Richard N. May, Registered Surveyor, which plats are incorporated herein by reference for a more complete description of said easement.

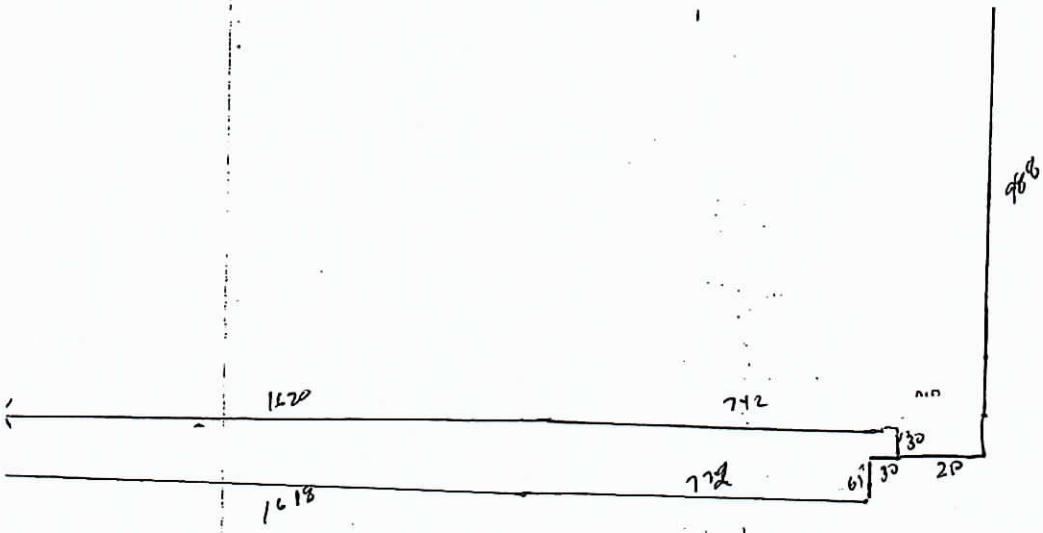


EXHIBIT A

427

RTV Deed

1/3 undivided interest

6767/629

A) 1/3 interest Exh A1 TAX # 103 301

B) 1/3 interest Exh A2 TAX # 103 011

C) ~~1/3 interest~~ N/A



Doc ID: 013700090020 Type: GLR
Recorded: 07/23/2013 at 03:04:10 PM
Fee Amt: $54.00 Page 1 of 20
Forsyth County, GA
Greg G. Allen Clerk Superior Ct
BK 6767 PG 629-648

Ret

Return Recorded Document to:
J. Ethan Underwood
Lipscomb, Johnson, Sleister, Dailey and Smith, L.L.P.
112 North Main Street
Cumming, GA 30040
(770) 887-7761
File No. ____ – JEU

TAX # 103 011

& TAX # 103 301

Title Not Certified – Deed Preparation Only

CROSS-REFERENCE TO:

1. Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records

2. Plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records.

3. Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records.

STATE OF GEORGIA

COUNTY OF FORSYTH

TRUSTEE'S DEED

THIS INDENTURE, made the 16th day of July, 2013, between **JOHN A. WAYT III, REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, AND JAMES T. WAYT, as Trustees of the Josephine Wayt Williams Trust created under Item VI of the Last Will and Testament of John A. Wayt, Sr., now deceased**, as parties of the first part (hereinafter collectively referred to as "Grantor"), and **JOJO CAPITAL, LLC, a Georgia limited liability company**, as party of the second part (hereinafter collectively referred to as "Grantee")("Grantor" and "Grantee" to include their respective heirs, successors, legal representatives and assigns where the context requires or permits),

WITNESS:

THAT GRANTOR, for and in consideration of the sum of TEN and No/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and does hereby grant, bargain, sell, alien, convey, and confirm, unto Grantee,

A) A one third (1/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A1," incorporated herein by this reference; and

B) A one third (1/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A2," incorporated herein by this reference; and

C) A one percent (1%) interest in the property more fully described in Exhibit "B," incorporated herein by this reference. N/A

Also conveyed herewith are easement rights, which shall remain separate and run with title to the respective properties described herein, and shall not merge with title to the respective properties.

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

AND GRANTOR CONVEYS WITH all right, title and interest in the above-described property unto Grantee.

EXECUTED under seal as of the date above.

GRANTOR:

JOHN A. WAYT III, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

[Signatures Continue on Following Page]

JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

JAMES T. WAYT, Trustee of the Josephine Wayt Williams Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

Exhibit "A1"

Legal Description - Eastern Property West of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 93, 94, 123, 124, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 34.523 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

TAFT #
103 301

to find the True Point of Beginning, commence from a crimp top pipe at a rock located at the intersection of the common boundary line of Land Lots 52, 53, 92, and 93; run thence along the common boundary line of Land Lots 92 and 93, South 00 degrees 33 minutes 13 seconds West a distance of 988.81 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 88 degrees 48 minutes 06 seconds East a distance of 260.67 feet to a point; run

thence South 60 degrees 51 minutes 03 seconds East a distance of 40.06 feet to a point; run

thence South 07 degrees 13 minutes 27 seconds East a distance of 248.27 feet to a point; run

thence South 42 degrees 24 minutes 27 seconds East a distance of 136.63 feet to a point; run

thence South 11 degrees 20 minutes 07 seconds East a distance of 49.00 feet to a point; run

thence South 06 degrees 23 minutes 04 seconds East a distance of 156.66 feet to a point; run

thence North 43 degrees 41 minutes 37 seconds West a distance of 119.40 feet to a point; run

thence North 76 degrees 13 minutes 35 seconds West a distance of 86.15 feet to a point; run

thence South 57 degrees 28 minutes 14 seconds West a distance of 156.48 feet to a point; run

thence North 70 degrees 28 minutes 25 seconds West a distance of 162.37 feet to a point; run

thence South 85 degrees 05 minutes 52 seconds West a distance of 36.04 feet to a point; run

thence South 15 degrees 48 minutes 51 seconds West a distance of 104.29 feet to a point; run

thence South 49 degrees 42 minutes 28 seconds East a distance of 143.62 feet to a point; run

thence North 36 degrees 41 minutes 02 seconds East a distance of 31.44 feet to a point; run

thence South 24 degrees 37 minutes 36 seconds East a distance of 47.20 feet to a point; run

thence South 88 degrees 41 minutes 03 seconds East a distance of 108.68 feet to a point; run

thence South 29 degrees 50 minutes 01 seconds East a distance of 230.21 feet to a point; run

thence South 36 degrees 05 minutes 39 seconds West a distance of 171.51 feet to a point; run

thence South 03 degrees 31 minutes 50 seconds West a distance of 474.33 feet to a point; run

thence South 49 degrees 34 minutes 21 seconds East a distance of 109.45 feet to a point; run

thence South 18 degrees 14 minutes 03 seconds East a distance of 227.42 feet to a point; run

thence South 40 degrees 07 minutes 53 seconds West a distance of 34.52 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 38 degrees 13 minutes 01 seconds West a distance of 630.53 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.66 feet, an arc length of 578.93 feet, and a chord bearing of North 42 degrees 20 minutes 31 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 3064.79 feet, an arc length of 994.97 feet, and a chord bearing of North 55 degrees 46 minutes 03 seconds West a distance of 990.60 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.48 feet, an arc length of 578.93 feet, and a chord bearing of North 69 degrees 11 minutes 34 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way) North 73 degrees 19 minutes 04 seconds West a distance of 374.06 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence leaving the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 89 degrees 53 minutes 22 seconds East a distance of 1240.36 feet to a point; run

thence South 88 degrees 48 minutes 30 seconds East a distance of 772.48 feet to a point; run

thence North 01 degrees 11 minutes 30 seconds West a distance of 65.00 feet to a point; run

thence South 88 degrees 48 minutes 06 seconds East a distance of 180.00 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 0.167 acres, more or less, and being a 5-foot wide strip of land, more fully described in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference

Exhibit "A2"

Legal Description - Eastern Property East of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 31.29 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

TAX #
103 011

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 115.56 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 31 minutes 28 seconds West a distance of 312.60 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 17 minutes 57 seconds West a distance of 101.74 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 14 minutes 01 seconds West a distance of 31.49 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 16 minutes 51 seconds West a distance of 133.69 feet to an iron pin found (#4 rebar) located at the intersection of the common boundary line of Land Lots 125, 126, 163, and 164; run

thence South 85 degrees 29 minutes 45 seconds West a distance of 564.46 feet to a point; run

thence North 20 degrees 33 minutes 08 seconds West a distance of 77.08 feet to a point; run

thence North 07 degrees 02 minutes 54 seconds East a distance of 180.59 feet to a point; run

thence North 16 degrees 51 minutes 39 seconds West a distance of 378.25 feet to a point; run

thence North 05 degrees 20 minutes 44 seconds East a distance of 512.55 feet to a point; run

thence North 09 degrees 47 minutes 06 seconds East a distance of 610.59 feet to a point; run

thence North 27 degrees 35 minutes 13 seconds East a distance of 212.12 feet to a point; run

thence North 06 degrees 06 minutes 24 seconds East a distance of 71.54 feet to a point; run

thence North 24 degrees 42 minutes 46 seconds East a distance of 165.19 feet to a point; run

thence North 35 degrees 34 minutes 17 seconds East a distance of 150.30 feet to a point; run

thence North 24 degrees 12 minutes 55 seconds East a distance of 201.02 feet to a point; run

thence North 08 degrees 56 minutes 30 seconds West a distance of 228.37 feet to a point located along the common boundary line of Land Lots 53 and 92; run

thence along the common boundary line of Land Lots 53 and 92, South 88 degrees 35 minutes 40 seconds East a distance of 234.93 feet to an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 1.08 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92; run thence along the common boundary line of Land Lots 91 and 92, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning; run

thence from the True Point of Beginning, North 89 degrees 46 minutes 16 seconds East a distance of 405.70 feet to an open top pipe found located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence along the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 00 degrees 55 minutes 09 seconds West a distance of 116.33 feet to an iron pin found (#4 rebar) located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence leaving the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 89 degrees 55 minutes 11 seconds West a distance of 404.46 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, North 00 degrees 19 minutes 00 seconds East a distance of 115.56 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

4) Perpetual, non-exclusive easement over and across the "Continuation of 35 Foot Access Strip" more fully described in the body and Exhibit "B" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

5) Perpetual, non-exclusive easement over and across the "60-Foot Wide Transportation Easement" more fully described in the body and Exhibit "C" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION
R/W FOR BIG CREEK GREENWAY, PH 4

ALL THAT TRACT OR PARCEL OF LAND BEING LOCATED IN LAND LOTS 92, 125 & 164, 2ND DISTRICT, 1ST SECTION, FORSYTH COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CORNER COMMON TO LAND LOTS 53, 54, 91 & 92, THENCE N 88°09'17" W A DISTANCE OF 177.03 FEET TO THE TRUE POINT OF BEGINNING (KC250); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 41.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 63°25'02" E, AND A DISTANCE OF 37.35 FEET TO A POINT (KC9113); THENCE, N 70°39'58" E A DISTANCE OF 18.56 FEET TO A POINT (KC9114); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 153.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 54°28'33" E, AND A DISTANCE OF 130.84 FEET (KC9115); THENCE, S 00°22'52" W A DISTANCE OF 2399.71 FEET TO A POINT (KC9116); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 87.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 31°47'05" W, AND A DISTANCE OF 83.37 FEET TO A POINT (KC9117); THENCE, S 63°11'25" W A DISTANCE OF 92.44 FEET TO A POINT (KC9118); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 210.01 FEET, AND AN ARC DISTANCE OF 81.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 74°20'18" W, AND A DISTANCE OF 81.21 FEET (KC9119); THENCE, S 85°29'08" W A DISTANCE OF 47.73 FEET TO A POINT (KC9120); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 809.69 FEET, AND AN ARC DISTANCE OF 64.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 87°46'48" W, AND A DISTANCE OF 64.83 FEET (KC9121); THENCE, N 89°55'37" W A DISTANCE OF 173.14 FEET TO A POINT (KC9122); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 39.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 46°16'20" W, AND A DISTANCE OF 35.99 FEET TO A POINT (KC9123); THENCE, S 02°27'53" W A DISTANCE OF 11.53 FEET TO A POINT (KC9125); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 165.99 FEET, AND AN ARC DISTANCE OF 1.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 02°41'23" W A DISTANCE OF 1.25 FEET TO A POINT (KC2189); THENCE, S 85°29'10" W A DISTANCE OF 20.19 FEET TO A POINT (KC2187); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 145.99 FEET, AND AN ARC DISTANCE OF 3.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF, N 03°12'27" E A DISTANCE OF 3.70 FEET TO A POINT (KC9098); THENCE, N 02°27'34" E A DISTANCE OF 11.54 FEET TO A POINT (KC9100); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 70.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 46°16'29" E, AND A DISTANCE OF 63.68 FEET TO A POINT (KC9101); THENCE, S 89°55'37" E A DISTANCE OF 173.13 FEET TO A POINT (KC9102); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 790.22 FEET, AND AN ARC DISTANCE OF 63.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 87°46'46" E, AND A DISTANCE OF 63.23 FEET TO A POINT (KC9103); THENCE, N 85°29'12" E A DISTANCE OF 47.73 FEET TO A POINT (KC9104); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND AN

ARC DISTANCE OF 73.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 74°20'15" E, AND A DISTANCE OF 73.47 FEET TO A POINT (KC9105); THENCE, N 63°11'22" E A DISTANCE OF 92.44 FEET TO A POINT (KC9106); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.01 FEET, AND AN ARC DISTANCE OF 65.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 31°47'13" E, AND A DISTANCE OF 62.53 FEET (KC9107); THENCE, N 00°22'52" E A DISTANCE OF 2399.71 FEET TO A POINT (KC9108); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.00 FEET, AND AN ARC DISTANCE OF 114.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 54°28'33" W, AND A DISTANCE OF 98.13 FEET TO A POINT (KC9109); THENCE, S 70°39'59" W A DISTANCE OF 18.56 FEET TO A POINT (KC9110); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 74.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 62°50'18" W, AND A DISTANCE OF 66.73 FEET TO A POINT (KC9111); THENCE, N 16°11'45" W A DISTANCE OF 0.43 FEET TO A POINT (KC9112); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 146.00 FEET, AND AN ARC DISTANCE OF 5.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 17°28'00" W A DISTANCE OF 5.66 FEET TO A POINT (KC249); THENCE, S 88°09'17" E A DISTANCE OF 21.17 FEET TO A POINT (KC250), SAID POINT BEING THE TRUE POINT OF BEGINNING.

TRAIL PARCEL CONTAINS 1.4767 ACRES.

NOP

Exhibit "B"

Legal Description of Western Property

All that tract or parcel of land lying and being in Land Lots 95 & 122 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 41.013 acres, more or less, labeled as Tract "A," Tract "B," and Tract "C" according to a plat of survey dated October 22, 2009, prepared for Seven Branches Farm by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 66.46 feet, and a chord bearing of South 00 degrees 30 minutes 45 seconds East a distance of 66.46 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 06 minutes 26 seconds East a distance of 120.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 350.00 feet, an arc length of 10.17 feet, and a chord bearing of South 00 degrees 56 minutes 25 seconds East a distance of 10.17 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 01 degrees 46 minutes 23 seconds East a distance of 113.33 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 1560.00 feet, an arc length of 29.66 feet, and a chord bearing of South 01 degrees 13 minutes 42 seconds East a distance of 29.66 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 41 minutes 01 seconds East a distance of 111.68 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 630.00 feet, an arc length of 9.42 feet, and a chord bearing of South 01 degrees 06 minutes 43 seconds East a distance of 9.42 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot

right-of-way), South 01 degrees 32 minutes 24 seconds East a distance of 31.89 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run
thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 560.00 feet, an arc length of 21.43 feet, and a chord bearing of South 00 degrees 26 minutes 38 seconds East a distance of 21.42 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 00 degrees 39 minutes 08 seconds West a distance of 233.25 feet to an iron pin placed along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the right-of way of Bethelview Road (a 100-foot right-of-way), South 89 degrees 52 minutes 26 seconds West a distance of 312.61 feet to an iron pin placed; run

thence North 80 degrees 37 minutes 48 seconds West a distance of 35.91 feet to an iron pin found; run

thence North 65 degrees 19 minutes 14 seconds West a distance of 128.02 feet to an iron pin found; run

thence North 52 degrees 47 minutes 07 seconds West a distance of 164.98 feet to an iron pin placed; run

thence North 72 degrees 06 minutes 27 seconds West a distance of 207.50 feet to an iron pin placed; run

thence North 73 degrees 36 minutes 15 seconds West a distance of 80.81 feet to an iron pin found; run

thence North 79 degrees 30 minutes 01 seconds West a distance of 198.36 feet to an iron pin placed; run

thence North 81 degrees 37 minutes 48 seconds West a distance of 4.53 feet to an iron pin placed along the common boundary line of Land Lots 121 & 122; run

thence along the common boundary line of Land Lots 121 & 122, North 00 degrees 41 minutes 10 seconds East a distance of 384.97 feet to a one-inch (1") open top pin found located at the intersection of the common boundary line of Land Lots 95, 96, 121, & 122; run

thence leaving the intersection of the common boundary line of Land Lots 95, 96, 121, & 122, North 77 degrees 36 minutes 29 seconds East a distance of 123.47 feet to an iron pin placed; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 339.89 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 488.34 feet to an iron pin found located along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), North 89 degrees 34 minutes 47 seconds East a distance of 622.82 feet to a point located along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), with a curve to the left having a radius of 1250.00 feet, an arc length of 178.19 feet, and a chord bearing of North 85 degrees 29 minutes 45 seconds East a distance of 178.04 feet to a point along the southerly right-of way of Pittman Road (a 60-foot right-of-way); run

thence along the southerly right-of way of Pittman Road (a 60-foot right-of-way), North 81 degrees 24 minutes 43 seconds East a distance of 134.48 feet to a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lots 95 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 9.120 acres, more or less, and is labeled as Tract "B" according to a plat of survey dated October 22, 2009, prepared for Seven Branches Farm by Appalachian Surveying, Planning & Development, Inc., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a point located at the intersection of the southerly right-of way of Pittman Road (a 60-foot right-of-way) and the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South

03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the westerly right-of way of Bethelview Road (a 100-foot right-of-way), North 73 degrees 19 minutes 06 seconds West a distance of 993.13 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence South 73 degrees 19 minutes 06 seconds East a distance of 992.27 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is that same conveyed to the Georgia Department of Transportation as a result of the Consent Order and Final Judgment, dated October 31, 2000, of Civil Action File No. 99-CV-

0655 in the Superior Court of Forsyth County, Georgia, and is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

RTV Deed

2/3 undivided interest

6767/609

A) 2/3 interest exh A1 TAX # 103-301

B) 2/3 interest exh A2 TAX # 103 011

C) ~~2% interest~~ N/A

Doc ID: 013700080020 Type: GLR
Recorded: 07/23/2013 at 03:03:30 PM
Fee Amt: $54.00 Page 1 of 20
Forsyth County, GA
Greg G. Allen Clerk Superior Ct
BK 6767 PG 609-628

Return Recorded Document to:
J. Ethan Underwood
Lipscomb, Johnson, Sleister, Dailey and Smith, L.L.P.
112 North Main Street
Cumming, GA 30040
(770) 887-7761
File No. ____ – JEU

TAX # 103 011

& TAX # 103 301

Title Not Certified – Deed Preparation Only

CROSS-REFERENCE TO:

1. Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records

2. Plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records.

3. Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records.

STATE OF GEORGIA

COUNTY OF FORSYTH

TRUSTEE'S DEED

THIS INDENTURE, made the 16th day of July, 2013, between **JOHN A. WAYT III, REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, AND JAMES T. WAYT, as Trustees of the Martha K. Wayt Trust created under Item VI of the Last Will and Testament of John A. Wayt, Sr., now deceased**, as parties of the first part (hereinafter collectively referred to as "Grantor"), and **MKW CAPITAL, LLC, a Georgia limited liability company**, as party of the second part (hereinafter collectively referred to as "Grantee")("Grantor" and "Grantee" to include their respective heirs, successors, legal representatives and assigns where the context requires or permits),

WITNESS:

THAT GRANTOR, for and in consideration of the sum of TEN and No/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and does hereby grant, bargain, sell, alien, convey, and confirm, unto Grantee,

A) A two thirds (2/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A1," incorporated herein by this reference; and

B) A two thirds (2/3) interest in the property and all attached and unattached buildings thereon, more fully described in Exhibit "A2," incorporated herein by this reference; and

C) A two percent (2%) interest in the property more fully described in Exhibit "B," incorporated herein by this reference. N/A

Also conveyed herewith are easement rights, which shall remain separate and run with title to the respective properties described herein, and shall not merge with title to the respective properties.

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

AND GRANTOR CONVEYS WITH all right, title and interest in the above-described property unto Grantee.

EXECUTED under seal as of the date above.

GRANTOR:

JOHN A. WAYT III, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

REBECCA WAYT BUCK F/K/A REBECCA F. WAYT F/K/A REBECCA WAYT BUCK, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

[Signatures Continue on Following Page]

JOHN FREDERIC WILLIAMS A/K/A JOHN FREDERICK WILLIAMS, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

MARY MOUNT WILLIAMS F/K/A MARY WILLIAMS OSBORNE, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

JAMES T. WAYT, Trustee of the Martha K. Wayt Trust

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 1-1-17

Exhibit "A1"

Legal Description - Eastern Property West of Mitigation Bank

All that tract or parcel of land lying and being in Land Lots 92, 93, 94, 123, 124, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 34.523 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

TAX # 103 301

to find the True Point of Beginning, commence from a crimp top pipe at a rock located at the intersection of the common boundary line of Land Lots 52, 53, 92, and 93; run thence along the common boundary line of Land Lots 92 and 93, South 00 degrees 33 minutes 13 seconds West a distance of 988.81 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 88 degrees 48 minutes 06 seconds East a distance of 260.67 feet to a point; run

thence South 60 degrees 51 minutes 03 seconds East a distance of 40.06 feet to a point; run

thence South 07 degrees 13 minutes 27 seconds East a distance of 248.27 feet to a point; run

thence South 42 degrees 24 minutes 27 seconds East a distance of 136.63 feet to a point; run

thence South 11 degrees 20 minutes 07 seconds East a distance of 49.00 feet to a point; run

thence South 06 degrees 23 minutes 04 seconds East a distance of 156.66 feet to a point; run

thence North 43 degrees 41 minutes 37 seconds West a distance of 119.40 feet to a point; run

thence North 76 degrees 13 minutes 35 seconds West a distance of 86.15 feet to a point; run

thence South 57 degrees 28 minutes 14 seconds West a distance of 156.48 feet to a point; run

thence North 70 degrees 28 minutes 25 seconds West a distance of 162.37 feet to a point; run

thence South 85 degrees 05 minutes 52 seconds West a distance of 36.04 feet to a point; run

thence South 15 degrees 48 minutes 51 seconds West a distance of 104.29 feet to a point; run

thence South 49 degrees 42 minutes 28 seconds East a distance of 143.62 feet to a point; run

thence North 36 degrees 41 minutes 02 seconds East a distance of 31.44 feet to a point; run

thence South 24 degrees 37 minutes 36 seconds East a distance of 47.20 feet to a point; run

thence South 88 degrees 41 minutes 03 seconds East a distance of 108.68 feet to a point; run

thence South 29 degrees 50 minutes 01 seconds East a distance of 230.21 feet to a point; run

thence South 36 degrees 05 minutes 39 seconds West a distance of 171.51 feet to a point; run

thence South 03 degrees 31 minutes 50 seconds West a distance of 474.33 feet to a point; run

thence South 49 degrees 34 minutes 21 seconds East a distance of 109.45 feet to a point; run

thence South 18 degrees 14 minutes 03 seconds East a distance of 227.42 feet to a point; run

thence South 40 degrees 07 minutes 53 seconds West a distance of 34.52 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 38 degrees 13 minutes 01 seconds West a distance of 630.53 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.66 feet, an arc length of 578.93 feet, and a chord bearing of North 42 degrees 20 minutes 31 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 3064.79 feet, an arc length of 994.97 feet, and a chord bearing of North 55 degrees 46 minutes 03 seconds West a distance of 990.60 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.48 feet, an arc length of 578.93 feet, and a chord bearing of North 69 degrees 11 minutes 34 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way) North 73 degrees 19 minutes 04 seconds West a distance of 374.06 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence leaving the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 89 degrees 53 minutes 22 seconds East a distance of 1240.36 feet to a point; run

thence South 88 degrees 48 minutes 30 seconds East a distance of 772.48 feet to a point; run

thence North 01 degrees 11 minutes 30 seconds West a distance of 65.00 feet to a point; run

thence South 88 degrees 48 minutes 06 seconds East a distance of 180.00 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 0.167 acres, more or less, and being a 5-foot wide strip of land, more fully described in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference

Exhibit "A2"

Legal Description - Eastern Property East of Mitigation Bank

TAX #
103 011

All that tract or parcel of land lying and being in Land Lots 92, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 31.29 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 115.56 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 31 minutes 28 seconds West a distance of 312.60 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 17 minutes 57 seconds West a distance of 101.74 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 14 minutes 01 seconds West a distance of 31.49 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 16 minutes 51 seconds West a distance of 133.69 feet to an iron pin found (#4 rebar) located at the intersection of the common boundary line of Land Lots 125, 126, 163, and 164; run

thence South 85 degrees 29 minutes 45 seconds West a distance of 564.46 feet to a point; run

thence North 20 degrees 33 minutes 08 seconds West a distance of 77.08 feet to a point; run

thence North 07 degrees 02 minutes 54 seconds East a distance of 180.59 feet to a point; run

thence North 16 degrees 51 minutes 39 seconds West a distance of 378.25 feet to a point; run

thence North 05 degrees 20 minutes 44 seconds East a distance of 512.55 feet to a point; run

thence North 09 degrees 47 minutes 06 seconds East a distance of 610.59 feet to a point; run

thence North 27 degrees 35 minutes 13 seconds East a distance of 212.12 feet to a point; run

thence North 06 degrees 06 minutes 24 seconds East a distance of 71.54 feet to a point; run

thence North 24 degrees 42 minutes 46 seconds East a distance of 165.19 feet to a point; run

thence North 35 degrees 34 minutes 17 seconds East a distance of 150.30 feet to a point; run

thence North 24 degrees 12 minutes 55 seconds East a distance of 201.02 feet to a point; run

thence North 08 degrees 56 minutes 30 seconds West a distance of 228.37 feet to a point located along the common boundary line of Land Lots 53 and 92; run

thence along the common boundary line of Land Lots 53 and 92, South 88 degrees 35 minutes 40 seconds East a distance of 234.93 feet to an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 1.08 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

> to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92; run thence along the common boundary line of Land Lots 91 and 92, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning; run
>
> thence from the True Point of Beginning, North 89 degrees 46 minutes 16 seconds East a distance of 405.70 feet to an open top pipe found located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run
>
> thence along the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 00 degrees 55 minutes 09 seconds West a distance of 116.33 feet to an iron pin found (#4 rebar) located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run
>
> thence leaving the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 89 degrees 55 minutes 11 seconds West a distance of 404.46 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run
>
> thence along the common boundary line of Land Lots 125 and 126, North 00 degrees 19 minutes 00 seconds East a distance of 115.56 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

1) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lots 93 & 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide easement, more fully described in the Executors' Deed, from John A. Wayt, Jr. and W. Barnard Windham, Co-Executors of the Last Will and Testament of John A. Wayt, Sr. to the City of Cumming, Georgia, dated August 15, 1990, recorded August 22, 1990 in Deed Book 506, Page 425, Forsyth County Georgia Records, incorporated herein by this reference, and depicted on a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

2) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 94 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 30-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

3) Perpetual, non-exclusive easement over and across all that tract or parcel of land lying and being in Land Lot 93 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, being a 35-foot wide access strip, more fully described and depicted in a plat of survey prepared for the City of Cumming by Richard May & Associates, P.C., certified by Richard N. May, Georgia Registered Land Surveyor No. 2210, filed on August 22, 1990 and recorded on August 23, 1990 in Plat Book 32, Pages 79-80, Forsyth County Georgia Records, said plat being incorporated herein by this reference.

4) Perpetual, non-exclusive easement over and across the "Continuation of 35 Foot Access Strip" more fully described in the body and Exhibit "B" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

5) Perpetual, non-exclusive easement over and across the "60-Foot Wide Transportation Easement" more fully described in the body and Exhibit "C" of the Limited Warranty Deed from James T. Wayt, Trustee, *et al.* to Seven Branches Farm, LLC, dated November 2, 2007, recorded December 21, 2007 in Deed Book 4989, Pages 661-669, Forsyth County, Georgia Records, incorporated herein by this reference.

All such easement areas are depicted in a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and such plat is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION
R/W FOR BIG CREEK GREENWAY, PH 4

ALL THAT TRACT OR PARCEL OF LAND BEING LOCATED IN LAND LOTS 92, 125 & 164, 2ND DISTRICT, 1ST SECTION, FORSYTH COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CORNER COMMON TO LAND LOTS 53, 54, 91 & 92, THENCE N 88°09'17" W A DISTANCE OF 177.03 FEET TO THE TRUE POINT OF BEGINNING (KC250); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 41.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 63°25'02" E, AND A DISTANCE OF 37.35 FEET TO A POINT (KC9113); THENCE, N 70°39'58" E A DISTANCE OF 18.56 FEET TO A POINT (KC9114); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 153.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 54°28'33" E, AND A DISTANCE OF 130.84 FEET (KC9115); THENCE, S 00°22'52" W A DISTANCE OF 2399.71 FEET TO A POINT (KC9116); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 87.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 31°47'05" W, AND A DISTANCE OF 83.37 FEET TO A POINT (KC9117); THENCE, S 63°11'25" W A DISTANCE OF 92.44 FEET TO A POINT (KC9118); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 210.01 FEET, AND AN ARC DISTANCE OF 81.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 74°20'18" W, AND A DISTANCE OF 81.21 FEET (KC9119); THENCE, S 85°29'08" W A DISTANCE OF 47.73 FEET TO A POINT (KC9120); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 809.69 FEET, AND AN ARC DISTANCE OF 64.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 87°46'48" W, AND A DISTANCE OF 64.83 FEET (KC9121); THENCE, N 89°55'37" W A DISTANCE OF 173.14 FEET TO A POINT (KC9122); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 39.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 46°16'20" W, AND A DISTANCE OF 35.99 FEET TO A POINT (KC9123); THENCE, S 02°27'53" W A DISTANCE OF 11.53 FEET TO A POINT (KC9125); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 165.99 FEET, AND AN ARC DISTANCE OF 1.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 02°41'23" W A DISTANCE OF 1.25 FEET TO A POINT (KC2189); THENCE, S 85°29'10" W A DISTANCE OF 20.19 FEET TO A POINT (KC2187); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 145.99 FEET, AND AN ARC DISTANCE OF 3.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF, N 03°12'27" E A DISTANCE OF 3.70 FEET TO A POINT (KC9098); THENCE, N 02°27'34" E A DISTANCE OF 11.54 FEET TO A POINT (KC9100); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 70.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 46°16'29" E, AND A DISTANCE OF 63.68 FEET TO A POINT (KC9101); THENCE, S 89°55'37" E A DISTANCE OF 173.13 FEET TO A POINT (KC9102); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 790.22 FEET, AND AN ARC DISTANCE OF 63.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 87°46'46" E, AND A DISTANCE OF 63.23 FEET TO A POINT (KC9103); THENCE, N 85°29'12" E A DISTANCE OF 47.73 FEET TO A POINT (KC9104); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND AN

ARC DISTANCE OF 73.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 74°20'15" E, AND A DISTANCE OF 73.47 FEET TO A POINT (KC9105); THENCE, N 63°11'22" E A DISTANCE OF 92.44 FEET TO A POINT (KC9106); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.01 FEET, AND AN ARC DISTANCE OF 65.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 31°47'13" E, AND A DISTANCE OF 62.53 FEET (KC9107); THENCE, N 00°22'52" E A DISTANCE OF 2399.71 FEET TO A POINT (KC9108); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.00 FEET, AND AN ARC DISTANCE OF 114.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 54°28'33" W, AND A DISTANCE OF 98.13 FEET TO A POINT (KC9109); THENCE, S 70°39'59" W A DISTANCE OF 18.56 FEET TO A POINT (KC9110); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 74.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 62°50'18" W, AND A DISTANCE OF 66.73 FEET TO A POINT (KC9111); THENCE, N 16°11'45" W A DISTANCE OF 0.43 FEET TO A POINT (KC9112); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 146.00 FEET, AND AN ARC DISTANCE OF 5.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 17°28'00" W A DISTANCE OF 5.66 FEET TO A POINT (KC249); THENCE, S 88°09'17" E A DISTANCE OF 21.17 FEET TO A POINT (KC250), SAID POINT BEING THE TRUE POINT OF BEGINNING.

TRAIL PARCEL CONTAINS 1.4767 ACRES.

03 degrees 00 minutes 23 seconds West a distance of 62.04 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the left having a radius of 2375.00 feet, an arc length of 316.88 feet, and a chord bearing of South 00 degrees 48 minutes 58 seconds East a distance of 316.64 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 04 degrees 38 minutes 18 seconds East a distance of 331.62 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 1625.00 feet, an arc length of 70.08 feet, and a chord bearing of South 03 degrees 24 minutes 10 seconds East a distance of 70.08 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 32.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning; run

thence from the True Point of Beginning, along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), South 02 degrees 10 minutes 02 seconds East a distance of 319.78 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), with a curve to the right having a radius of 4700.00 feet, an arc length of 102.51 feet, and a chord bearing of South 01 degrees 32 minutes 32 seconds East a distance of 102.51 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way); run

thence leaving the westerly right-of way of Bethelview Road (a 100-foot right-of-way), North 73 degrees 19 minutes 06 seconds West a distance of 993.13 feet to a point; run

thence North 01 degrees 54 minutes 14 seconds West a distance of 422.01 feet to an iron pin found; run

thence South 73 degrees 19 minutes 06 seconds East a distance of 992.27 feet to a point located along the westerly right-of way of Bethelview Road (a 100-foot right-of-way), which is the True Point of Beginning.

Said property is that same conveyed to the Georgia Department of Transportation as a result of the Consent Order and Final Judgment, dated October 31, 2000, of Civil Action File No. 99-CV-

0655 in the Superior Court of Forsyth County, Georgia, and is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

Legal Description – West Tract

All that tract or parcel of land lying and being in Land Lots 92, 93, 94, 123, 124, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 34.523 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from a crimp top pipe at a rock located at the intersection of the common boundary line of Land Lots 52, 53, 92, and 93; run thence along the common boundary line of Land Lots 92 and 93, South 00 degrees 33 minutes 13 seconds West a distance of 988.81 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 88 degrees 48 minutes 06 seconds East a distance of 260.67 feet to a point; run

thence South 60 degrees 51 minutes 03 seconds East a distance of 40.06 feet to a point; run

thence South 07 degrees 13 minutes 27 seconds East a distance of 248.27 feet to a point; run

thence South 42 degrees 24 minutes 27 seconds East a distance of 136.63 feet to a point; run

thence South 11 degrees 20 minutes 07 seconds East a distance of 49.00 feet to a point; run

thence South 06 degrees 23 minutes 04 seconds East a distance of 156.66 feet to a point; run

thence North 43 degrees 41 minutes 37 seconds West a distance of 119.40 feet to a point; run

thence North 76 degrees 13 minutes 35 seconds West a distance of 86.15 feet to a point; run

thence South 57 degrees 28 minutes 14 seconds West a distance of 156.48 feet to a point; run

thence North 70 degrees 28 minutes 25 seconds West a distance of 162.37 feet to a point; run

thence South 85 degrees 05 minutes 52 seconds West a distance of 36.04 feet to a point; run

thence South 15 degrees 48 minutes 51 seconds West a distance of 104.29 feet to a point; run

thence South 49 degrees 42 minutes 28 seconds East a distance of 143.62 feet to a point; run

thence North 36 degrees 41 minutes 02 seconds East a distance of 31.44 feet to a point; run

thence South 24 degrees 37 minutes 36 seconds East a distance of 47.20 feet to a point; run

thence South 88 degrees 41 minutes 03 seconds East a distance of 108.68 feet to a point; run

thence South 29 degrees 50 minutes 01 seconds East a distance of 230.21 feet to a point; run

thence South 36 degrees 05 minutes 39 seconds West a distance of 171.51 feet to a point; run

thence South 03 degrees 31 minutes 50 seconds West a distance of 474.33 feet to a point; run

thence South 49 degrees 34 minutes 21 seconds East a distance of 109.45 feet to a point; run

thence South 18 degrees 14 minutes 03 seconds East a distance of 227.42 feet to a point; run

thence South 40 degrees 07 minutes 53 seconds West a distance of 34.52 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 38 degrees 13 minutes 01 seconds West a distance of 630.53 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.66 feet, an arc length of 578.93 feet, and a chord bearing of North 42 degrees 20 minutes 31 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 3064.79 feet, an arc length of 994.97 feet, and a chord bearing of North 55 degrees 46 minutes 03 seconds West a distance of 990.60 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), with a curve to the left having a radius of 4020.48 feet, an arc length of

578.93 feet, and a chord bearing of North 69 degrees 11 minutes 34 seconds West a distance of 578.43 feet to an iron pin placed (#4 rebar) located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way) North 73 degrees 19 minutes 04 seconds West a distance of 374.06 feet to a point located along the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way); run

thence leaving the right-of-way of the Proposed Outer Perimeter (a 400-foot right-of-way), North 89 degrees 53 minutes 22 seconds East a distance of 1240.36 feet to a point; run

thence South 88 degrees 48 minutes 30 seconds East a distance of 772.48 feet to a point; run

thence North 01 degrees 11 minutes 30 seconds West a distance of 65.00 feet to a point; run

thence South 88 degrees 48 minutes 06 seconds East a distance of 180.00 feet to an axle located along the common boundary line of Land Lots 92 and 93, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

Legal Description – Seven Branches Farm, LLC

ALL THAT TRACT or parcel of land lying and being in Land Lots 92, 124, 125 and 164 of the 2nd District, 1st Section, Forsyth County, Georgia, and being shown as 38.89 acres per that certain plat for Seven Branches Farm prepared by Appalachian Surveying, Planning & Development, Inc., Hilton H. Hobby, Jr., Georgia RLS #2207, dated 11/13/07, and being more particularly described as follows:

To find the Point of Beginning commence at a crimp top pipe found at the corner common to Land Lots 52, 53, 92 and 93, aforesaid District, Section and County; proceed thence from said intersection along the land lot line common to Land Lots 53 and 92 in an easterly direction 682.27 feet to a point located in the centerline of Big Creek, said point being the POINT OF BEGINNING; and from said POINT OF BEGINNING and leaving said centerline of Big Creek and continue along the land lot line common to Land Lots 53 and 92 south 88°35'40" east 539.66 feet to a point; thence leaving said land lot line and proceed thence south 08°56'30" east 228.37 feet to a point; proceed thence south 24°21'55" west 201.02 feet to a point; proceed thence south 35°34'17" west 150.30 feet to a point; proceed thence south 24°42'46" west 165.19 feet to a point; proceed thence south 06°06'24" west 71.54 feet to a point; proceed thence south 27°35'13" west 212.12 feet to a point; proceed thence south 09°47'06" west 610.59 feet to a point; proceed thence south 05°20'44" west 512.55 feet to a point; proceed thence south 16°51'39: east 378.25 feet to a point; proceed thence south 07°02'54" west 180.59 feet to a point; proceed thence south 20°33'08" east 77.08 feet to a point; proceed thence south 85°29'45" west 207.86 feet to a point located in the centerline of Big Creek, said centerline being the property line; proceed thence along said centerline of Big Creek the following courses and distances: south 04°22'36" west 93.05 feet to a point; south 07°22'52" west 100.40 feet to a point; south 10°14'00" west 200.16 feet to a point; south 17°10'41" west 99.39 feet to a point; thence leaving said centerline and proceed north 38°13'01" west 467.26 feet to a point; proceed thence north 40°07'53" east 34.52 feet to a point; proceed thence north 18°14'03" west 227.42 feet to a point; proceed thence north 49°34'21" west 109.45 feet to a point; proceed thence north 03°31'50" east 474.33 feet to a point; proceed thence north 36°05'39" east 171.51 feet to a point; proceed thence north 29°50'01" west 230.21 feet to a point; proceed thence north 88°41'03" west 108.68 feet to a point; proceed thence north 24°37'36" west 47.20 feet to a point; proceed thence south 36°41'02" west 31.44 feet to a point; proceed thence north 49°42'28" west 143.62 feet to a point; proceed thence north 15°48'51" east 104.29 feet to a point; proceed thence north 85°05'52" east 36.04 feet to a point; proceed thence south 70°28'25" east 162.37 feet to a point; proceed thence north 57°28'14" east 156.48 feet to a point; proceed thence south 76°13'35" east 86.15 feet to a point; proceed thence south 43°41'37" east 119.40 feet to a point; proceed thence north 06°23'04" west 156.66 feet to a point; proceed thence north 11°20'07" west 49.0 feet to a point; proceed thence north 42°24'27" west 136.63 feet to a point; proceed thence north 07°13'27" west 248.27 feet to a point; proceed thence north 60°51'03" west 40.06 feet to a point; proceed thence south 88°48'06" east 278.98 feet to a point located in the centerline of Big Creek, said centerline of Big Creek being the property line; proceed thence along said centerline the following courses and distances: north 21°36'01" west 65.02 feet to a point; north 04°14'05" east 35.37 feet to a point; north 13°12'56" west 65.30 feet to a point; north 05°08'52" west 80.35 feet to a point; north 03°29'27" west 64.95 feet to a point; north 06°07'43" east 70.74 feet to a point; north 21°38'29" east 80.29 feet to a point; north 03°19'43" east 71.11 feet to a point; north 29°12'18" east 94.89 feet to a point; north 06°02'15" east 36.78 feet to a point; north 22°55'35" east 111.18 feet to a point; north 13°54'18" east 64.08 feet to a point; north 29°42'45" east 37.77 feet to a point; north 11°48'37" east 149.58 feet to the POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

Legal Description – East Tract

All that tract or parcel of land lying and being in Land Lots 92, 125, & 164 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 31.29 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning; run

thence from the True Point of Beginning, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 115.56 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 31 minutes 28 seconds West a distance of 312.60 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 17 minutes 57 seconds West a distance of 101.74 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 14 minutes 01 seconds West a distance of 31.49 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 16 minutes 51 seconds West a distance of 133.69 feet to an iron pin

found (#4 rebar) located at the intersection of the common boundary line of Land Lots 125, 126, 163, and 164; run

thence South 85 degrees 29 minutes 45 seconds West a distance of 564.46 feet to a point; run

thence North 20 degrees 33 minutes 08 seconds West a distance of 77.08 feet to a point; run

thence North 07 degrees 02 minutes 54 seconds East a distance of 180.59 feet to a point; run

thence North 16 degrees 51 minutes 39 seconds West a distance of 378.25 feet to a point; run

thence North 05 degrees 20 minutes 44 seconds East a distance of 512.55 feet to a point; run

thence North 09 degrees 47 minutes 06 seconds East a distance of 610.59 feet to a point; run

thence North 27 degrees 35 minutes 13 seconds East a distance of 212.12 feet to a point; run

thence North 06 degrees 06 minutes 24 seconds East a distance of 71.54 feet to a point; run

thence North 24 degrees 42 minutes 46 seconds East a distance of 165.19 feet to a point; run

thence North 35 degrees 34 minutes 17 seconds East a distance of 150.30 feet to a point; run

thence North 24 degrees 12 minutes 55 seconds East a distance of 201.02 feet to a point; run

thence North 08 degrees 56 minutes 30 seconds West a distance of 228.37 feet to a point located along the common boundary line of Land Lots 53 and 92; run

thence along the common boundary line of Land Lots 53 and 92, South 88 degrees 35 minutes 40 seconds East a distance of 234.93 feet to an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION

REQUIRED R/W FOR BIG CREEK GREENWAY, PH 4

JOHN A. WAYT, SEVEN BRANCHES FARM

ALL THAT TRACT OR PARCEL OF LAND BEING LOCATED IN LAND LOTS 92, 125 & 164, 2ND DISTRICT, 1ST SECTION, FORSYTH COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CORNER COMMON TO LAND LOTS 53, 54, 91 & 92, THENCE N 88°09'17" W A DISTANCE OF 177.03 FEET TO THE TRUE POINT OF BEGINNING (KC250); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 41.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 63°25'02" E, AND A DISTANCE OF 37.35 FEET TO A POINT (KC9113); THENCE, N 70°39'58" E A DISTANCE OF 18.56 FEET TO A POINT (KC9114); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 153.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 54°28'33" E, AND A DISTANCE OF 130.84 FEET (KC9115); THENCE, S 00°22'52" W A DISTANCE OF 2399.71 FEET TO A POINT (KC9116); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, AND AN ARC DISTANCE OF 87.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 31°47'05" W, AND A DISTANCE OF 83.37 FEET TO A POINT (KC9117); THENCE, S 63°11'25" W A DISTANCE OF 92.44 FEET TO A POINT (KC9118); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 210.01 FEET, AND AN ARC DISTANCE OF 81.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 74°20'18" W, AND A DISTANCE OF 81.21 FEET (KC9119); THENCE, S 85°29'08" W A DISTANCE OF 47.73 FEET TO A POINT (KC9120); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 809.69 FEET, AND AN ARC DISTANCE OF 64.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 87°46'48" W, AND A DISTANCE OF 64.83 FEET (KC9121); THENCE, N 89°55'37" W A DISTANCE OF 173.14 FEET TO A POINT (KC9122); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 26.00 FEET, AND AN ARC DISTANCE OF 39.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 46°16'20" W, AND A DISTANCE OF 35.99 FEET TO A POINT (KC9123); THENCE, S 02°27'53" W A DISTANCE OF 11.53 FEET TO A POINT (KC9125); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 165.99 FEET, AND AN ARC DISTANCE OF 1.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S 02°41'23" W A DISTANCE OF 1.25 FEET TO A POINT (KC2189); THENCE, S 85°29'10" W A DISTANCE OF 20.19 FEET TO A POINT (KC2187); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 145.99 FEET, AND AN ARC DISTANCE OF 3.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF, N 03°12'27" E A DISTANCE OF 3.70 FEET TO A POINT (KC9098); THENCE, N 02°27'34" E A DISTANCE OF 11.54 FEET TO A POINT (KC9100); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00

FEET, AND AN ARC DISTANCE OF 70.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 46°16'29" E, AND A DISTANCE OF 63.68 FEET TO A POINT (KC9101); THENCE, S 89°55'37" E A DISTANCE OF 173.13 FEET TO A POINT (KC9102); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 790.22 FEET, AND AN ARC DISTANCE OF 63.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 87°46'46" E, AND A DISTANCE OF 63.23 FEET TO A POINT (KC9103); THENCE, N 85°29'12" E A DISTANCE OF 47.73 FEET TO A POINT (KC9104); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND AN ARC DISTANCE OF 73.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 74°20'15" E, AND A DISTANCE OF 73.47 FEET TO A POINT (KC9105); THENCE, N 63°11'22" E A DISTANCE OF 92.44 FEET TO A POINT (KC9106); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.01 FEET, AND AN ARC DISTANCE OF 65.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 31°47'13" E, AND A DISTANCE OF 62.53 FEET (KC9107); THENCE, N 00°22'52" E A DISTANCE OF 2399.71 FEET TO A POINT (KC9108); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 60.00 FEET, AND AN ARC DISTANCE OF 114.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 54°28'33" W, AND A DISTANCE OF 98.13 FEET TO A POINT (KC9109); THENCE, S 70°39'59" W A DISTANCE OF 18.56 FEET TO A POINT (KC9110); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE RIGHT HAVING A RADIUS OF 46.00 FEET, AND AN ARC DISTANCE OF 74.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 62°50'18" W, AND A DISTANCE OF 66.73 FEET TO A POINT (KC9111); THENCE, N 16°11'45" W A DISTANCE OF 0.43 FEET TO A POINT (KC9112); THENCE, FOLLOWING THE CURVATURE OF AN ARC TO THE LEFT HAVING A RADIUS OF 146.00 FEET, AND AN ARC DISTANCE OF 5.66 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N 17°28'00" W A DISTANCE OF 5.66 FEET TO A POINT (KC249); THENCE, S 88°09'17" E A DISTANCE OF 21.17 FEET TO A POINT (KC250), SAID POINT BEING THE TRUE POINT OF BEGINNING.

TRAIL PARCEL CONTAINS 1.4767 ACRES.

This legal description is prepared solely for the purpose of facilitating a zoning application and should not be relied upon for any other purpose.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

All that tract or parcel of land lying and being in Land Lot 126 of the 2nd Land District of the 1st Section, Forsyth County, Georgia, containing approximately 1.08 acres, more or less, according to a plat of survey, dated February 20, 2004, last revised October 26, 2009, prepared for Seven Branches Farm by Appalachian Surveying Co., certified by Hilton H. Hobby, Jr., Georgia Registered Land Surveyor No. 2207 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from an iron pin found (#4 rebar) with cap at a rock located at the intersection of the common boundary line of Land Lots 53, 54, 91, and 92; run thence along the common boundary line of Land Lots 91 and 92, South 00 degrees 24 minutes 23 seconds West a distance of 1609.38 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 23 minutes 44 seconds West a distance of 210.59 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run thence along the common boundary line of Land Lots 125 and 126, South 00 degrees 19 minutes 00 seconds West a distance of 101.01 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning; run

thence from the True Point of Beginning, North 89 degrees 46 minutes 16 seconds East a distance of 405.70 feet to an open top pipe found located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

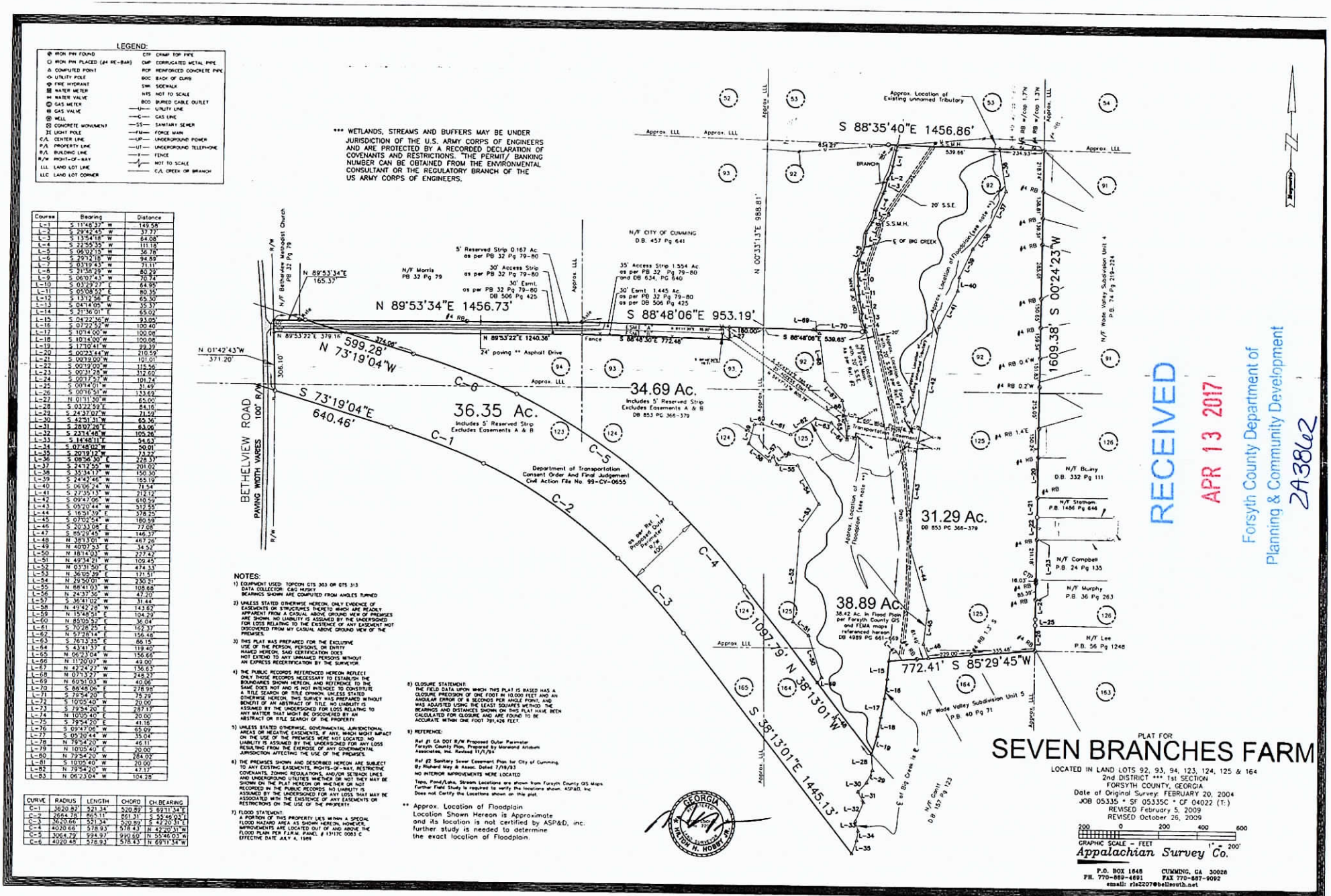
thence along the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 00 degrees 55 minutes 09 seconds West a distance of 116.33 feet to an iron pin found (#4 rebar) located along the right-of-way of Keithwood Drive (a 60-foot right-of-way); run

thence leaving the right-of-way of Keithwood Drive (a 60-foot right-of-way), South 89 degrees 55 minutes 11 seconds West a distance of 404.46 feet to an iron pin found (#4 rebar) located along the common boundary line of Land Lots 125 and 126; run

thence along the common boundary line of Land Lots 125 and 126, North 00 degrees 19 minutes 00 seconds East a distance of 115.56 feet to an iron pin placed (#4 rebar) located along the common boundary line of Land Lots 125 and 126, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

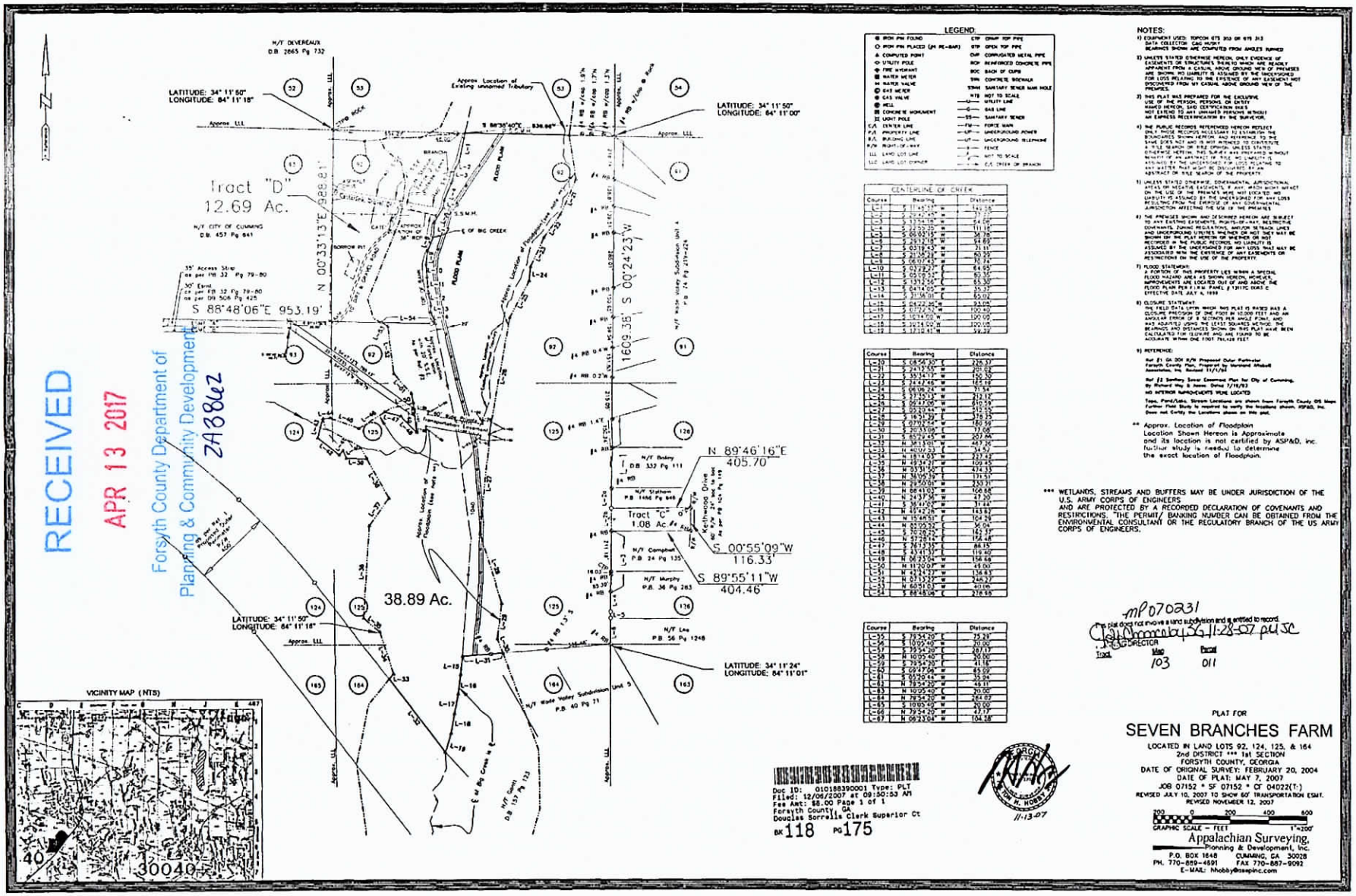
This legal description is prepared solely for the purpose of facilitating a zoning application and should not be relied upon for any other purpose.

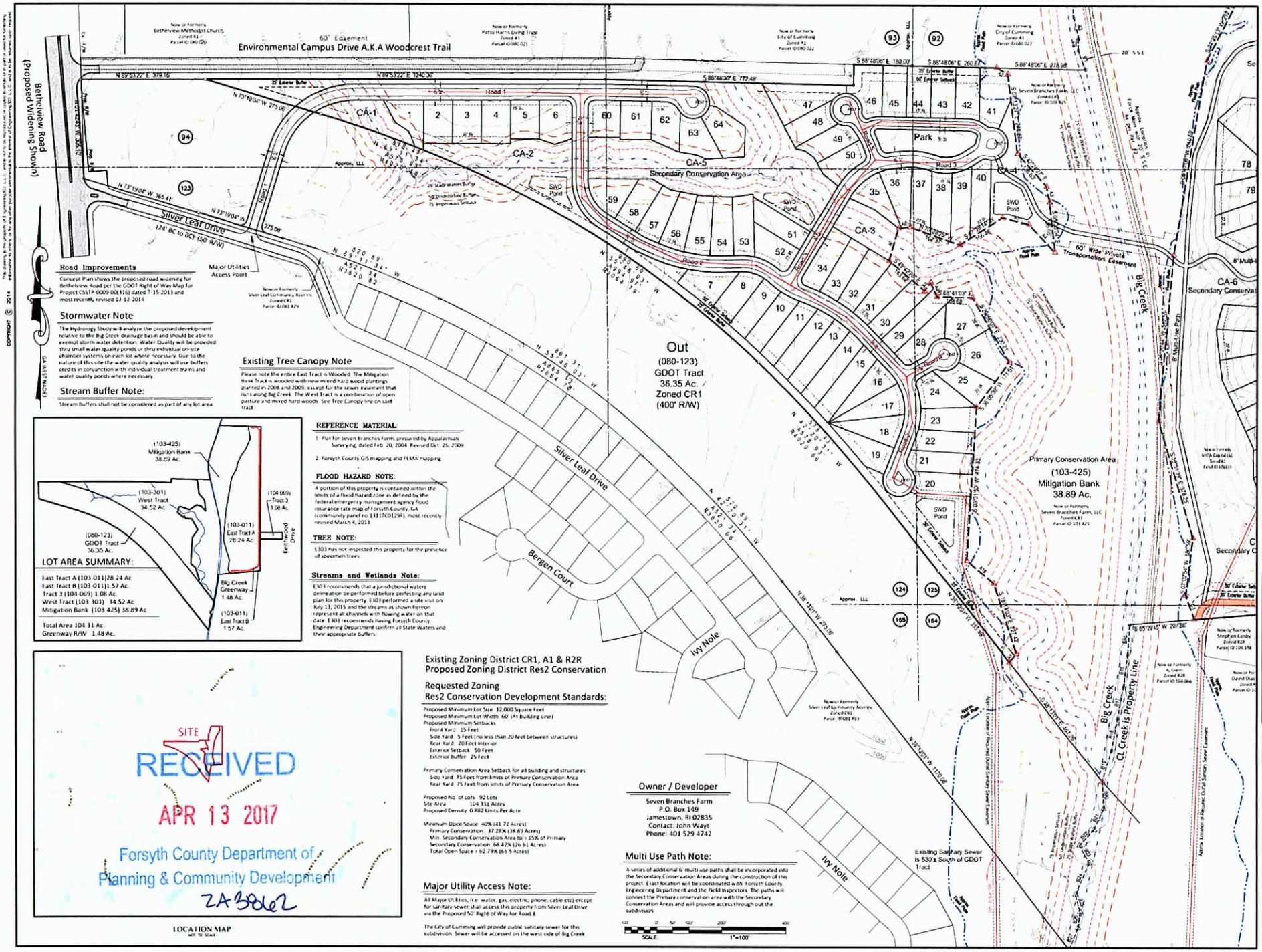


Course	Bearing	Distance
L-1	S 11°48'37" W	149.58'
L-2	S 29°43'45" W	37.77'
L-3	S 13°54'18" W	64.08'
L-4	S 22°55'35" W	111.18'
L-5	S 06°02'15" W	36.76'
L-6	S 29°12'15" W	94.89'
L-7	S 03°19'43" W	71.11'
L-8	S 21°38'29" W	80.29'
L-9	S 06°07'43" W	70.74'
L-10	S 03°29'27" E	64.95'
L-11	S 05°08'52" E	80.35'
L-12	S 13°12'56" E	65.50'
L-13	S 04°14'05" W	35.37'
L-14	S 21°36'01" E	65.02'
L-15	S 04°22'36" W	93.05'
L-16	S 01°22'52" W	100.40'
L-17	S 10°14'00" W	100.06'
L-18	S 10°14'00" W	100.08'
L-19	S 17°10'41" W	99.39'
L-20	S 00°23'44" W	210.59'
L-21	S 00°19'00" W	101.01'
L-22	S 00°19'00" W	115.56'
L-23	S 00°31'28" W	312.60'
L-24	S 00°17'52" W	101.74'
L-25	S 00°14'01" W	31.49'
L-26	S 00°16'51" W	133.62'
L-27	N 01°11'50" W	65.00'
L-28	S 03°22'59" E	84.16'
L-29	S 24°37'02" W	71.59'
L-30	S 42°51'31" W	65.36'
L-31	S 28°07'26" E	63.06'
L-32	S 23°14'48" W	105.26'
L-33	S 14°48'11" E	94.63'
L-34	S 07°48'02" W	50.01'
L-35	S 20°19'12" W	73.22'
L-36	S 08°56'30" E	228.53'
L-37	S 24°12'55" W	201.02'
L-38	S 35°34'17" W	150.30'
L-39	S 24°42'46" W	165.19'
L-40	S 06°06'24" W	71.54'
L-41	S 27°35'13" W	212.12'
L-42	S 09°47'06" W	610.59'
L-43	S 05°20'44" W	512.55'
L-44	S 16°51'39" E	378.25'
L-45	S 07°02'54" W	180.59'
L-46	S 20°33'08" E	77.08'
L-47	S 85°29'45" W	146.37'
L-48	N 38°13'01" W	467.26'
L-49	N 40°07'53" E	34.52'
L-50	N 18°14'03" W	227.42'
L-51	N 49°34'21" W	109.45'
L-52	N 03°31'50" E	474.33'
L-53	N 36°05'39" E	171.51'
L-54	N 29°50'01" W	230.21'
L-55	N 68°41'03" W	109.68'
L-56	N 24°37'36" W	47.20'
L-57	S 36°41'02" W	31.44'
L-58	N 49°42'28" W	143.82'
L-59	N 15°48'31" W	104.29'
L-60	N 85°05'52" E	36.04'
L-61	S 70°28'25" E	152.37'
L-62	N 57°28'14" E	156.68'
L-63	S 76°13'35" E	86.15'
L-64	S 43°41'37" E	119.40'
L-65	N 06°23'04" W	156.66'
L-66	N 11°20'07" W	49.00'
L-67	N 42°24'27" W	136.63'
L-68	N 07°13'27" W	248.27'
L-69	N 60°51'03" W	40.06'
L-70	S 88°48'06" E	278.98'
L-71	S 79°54'20" E	75.29'
L-72	S 10°05'40" W	20.00'
L-73	S 79°54'20" E	287.17'
L-74	N 10°05'40" E	20.00'
L-75	S 79°54'20" E	41.16'
L-76	S 09°47'06" W	65.09'
L-77	S 05°20'44" W	35.04'
L-78	N 79°54'20" W	46.11'
L-79	N 10°05'40" E	20.00'
L-80	N 79°54'20" W	264.02'
L-81	S 10°05'40" W	20.00'
L-82	N 79°54'20" W	47.17'
L-83	N 06°23'04" W	104.28'

CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
C-1	3620.82'	521.34'	520.89'	S 69°11'34" E
C-2	2664.78'	865.11'	861.31'	S 55°46'03" E
C-3	3620.66'	521.34'	520.99'	S 42°20'31" E
C-4	4020.66'	578.93'	578.43'	N 42°20'31" W
C-5	3064.79'	994.97'	990.60'	N 55°46'03" W
C-6	4020.48'	578.93'	578.43'	N 69°11'34" W

NOTES:
1) EQUIPMENT USED: TOPCON GTS 303 OR GTS 313 DATA COLLECTOR: C&G HE5PY BEARINGS SHOWN ARE COMPUTED FROM ANGLES TURNED
2) UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE READILY APPARENT FROM A CASUAL ABOVE GROUND VIEW OF PREMISES ARE SHOWN. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO THE EXISTENCE OF ANY EASEMENT NOT DISCOVERED FROM MY CASUAL ABOVE GROUND VIEW OF THE PREMISES.
3) THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSONS WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR
4) THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION. UNLESS STATED OTHERWISE HEREON, THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.
5) UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENTS, IF ANY, WHICH MIGHT IMPACT ON THE USE OF THE PREMISES WERE NOT LOCATED. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THE PREMISES.
6) THE PREMISES SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EXISTING EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS, ZONING REGULATIONS, AND/OR SETBACK LINES, AND UNDERGROUND UTILITIES WHETHER OR NOT THEY MAY BE SHOWN ON THE PLAT HEREON OR WHETHER OR NOT RECORDED IN THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENTS OR RESTRICTIONS ON THE USE OF THE PROPERTY.
7) FLOOD STATEMENT: A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN HEREON, HOWEVER, IMPROVEMENTS ARE LOCATED OUT OF AND ABOVE THE FLOOD PLAIN PER F.I.R.M. PANEL # 13117C 0083 C EFFECTIVE DATE JULY 6, 1998
8) CLOSURE STATEMENT: THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 8 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THE BEARINGS AND DISTANCES SHOWN ON THIS PLAT HAVE BEEN CALCULATED FOR CLOSURE AND ARE FOUND TO BE ACCURATE WITHIN ONE FOOT 791,426 FEET.
9) REFERENCE:
Ref #1 GA DOT R/W Proposed Outer Parameter Forsyth County Plan, Prepared by Moreland Altobelli Associates, Inc. Revised 11/1/94
Ref #2 Sanitary Sewer Easement Plan for City of Cumming By Richard May & Assoc. Dated 7/19/93
NO INTERIOR IMPROVEMENTS WERE LOCATED
Tops, Pond/Lake, Stream Locations are shown from Forsyth County GIS Maps Further Field Study is required to verify the locations shown. ASP&D, Inc Does not Certify the Locations shown on this plat.
** Approx. Location of Floodplain
Location Shown Hereon is Approximate and its location is not certified by ASP&D, inc. further study is needed to determine the exact location of Floodplain.


RECEIVED
APR 13 2017
Forsyth County Department of
Planning & Community Development
Tract "D"
12.69 Ac.
Tract "C"
1.08 Ac.
38.89 Ac.
S 88°48'06"E 953.19'
N 00°33'13"E 988.81'
S 00°24'23"W
1609.38'
N 89°46'16"E
405.70
S 00°55'09"W
116.33'
S 89°55'11"W
404.46'
LATITUDE: 34° 11' 50"
LONGITUDE: 84° 11' 18"
LATITUDE: 34° 11' 50"
LONGITUDE: 84° 11' 00"
LATITUDE: 34° 11' 24"
LONGITUDE: 84° 11' 01"
Approx. Location of Existing unnamed Tributary
Approx. Location of Floodplain (see note **)
E of BIG CREEK
FLOOD PLAIN
S.S.M.H.
N/F DEVEREAUX D.B. 2665 Pg 732
N/F CITY OF CUMMING D.B. 457 Pg 841
N/F Bailey D.B. 332 Pg 111
N/F Statham P.B. 1146 Pg 848
N/F Campbell P.B. 24 Pg 135
N/F Murphy P.B. 36 Pg 263
N/F Lee P.B. 56 Pg 1248
N/F Wade Valley Subdivision Unit 3 P.B. 40 Pg 71
N/F Wade Valley Subdivision Unit 4 P.B. 24 Pg 223-224
Kathwood Drive
35' Access Strip as per PB 32 Pg 79-80
35' Esmt as per PB 32 Pg 79-80 as per DB 506 Pg 425
Approx. Location of Floodplain (see note **)
Approx. LLL
Approx. Location of Floodplain (see note **)
Approx. Location of Floodplain (see note **)
Approx. Location of Floodplain (see note **)


60' Easement
Environmental Campus Drive A.K.A Woodcrest Trail
Bethelview Road
(Proposed Widening Shown)
Silver Leaf Drive
(24' BC to BC) (50' R/W)
Road 1
Road 2
Road 3
CA-1
CA-2
CA-3
CA-4
CA-5
Secondary Conservation Area
CA-6
Secondary Conservat
Park
SWD Pond
Out
(080-123)
GDOT Tract
36.35 Ac.
Zoned CR1
(400' R/W)
Primary Conservation Area
(103-425)
Mitigation Bank
38.89 Ac.
Big Creek
8' Multi-Use Path
60' Wide Private Transportation Easement
Bergen Court
Ivy Nole
Big Creek
CL Creek is Property Line
Existing Sanitary Sewer
is 530± South of GDOT
Tract
Major Utilities
Access Point
Road Improvements
Concept Plan shows the proposed road widening for Bethelview Road per the GDOT Right of Way Map for Project CSSTP 0009-00(116) dated 7-15-2013 and most recently revised 12-12-2014
Stormwater Note
The Hydrology Study will analyze the proposed development relative to the Big Creek drainage basin and should be able to exempt storm water detention. Water Quality will be provided thru small water quality ponds or thru individual on-site chamber systems on each lot where necessary. Due to the nature of this site the water quality analysis will use buffers credits in conjunction with individual treatment trains and water quality ponds where necessary.
Stream Buffer Note:
Stream Buffers shall not be considered as part of any lot area
Existing Tree Canopy Note
Please note the entire East Tract is Wooded. The Mitigation Bank Tract is wooded with new mixed hard wood plantings planted in 2008 and 2009, except for the sewer easement that runs along Big Creek. The West Tract is a combination of open pasture and mixed hard woods. See Tree Canopy line on said tract
(103-425)
Mitigation Bank
38.89 Ac.
(103-301)
West Tract
34.52 Ac.
(080-123)
GDOT Tract
36.35 Ac.
(103-011)
East Tract A
28.24 Ac.
(104 069)
Tract 3
1.08 Ac.
Kenwood Drive
Big Creek
Greenway
1.48 Ac.
(103-011)
East Tract B
1.57 Ac.
LOT AREA SUMMARY:
East Tract A (103 011)28.24 Ac.
East Tract B (103-011)1.57 Ac.
Tract 3 (104-069) 1.08 Ac.
West Tract (103 301) 34.52 Ac.
Mitigation Bank (103 425) 38.89 Ac.
Total Area 104.31 Ac.
Greenway R/W 1.48 Ac.
REFERENCE MATERIAL
1. Plat for Seven Branches Farm, prepared by Appalachian Surveying, dated Feb. 20, 2004. Revised Oct. 25, 2009
2. Forsyth County GIS mapping and FEMA mapping
FLOOD HAZARD NOTE:
A portion of this property is contained within the limits of a flood hazard zone as defined by the federal emergency management agency flood insurance rate map of Forsyth County, GA (community panel no 13117C0129F), most recently revised March 4, 2013
TREE NOTE:
E303 has not inspected this property for the presence of specimen trees
Streams and Wetlands Note:
E303 recommends that a jurisdictional waters delineation be performed before perfecting any land plan for this property. E303 performed a site visit on July 13, 2015 and the streams as shown hereon represent all channels with flowing water on that date. E303 recommends having Forsyth County Engineering Department confirm all State Waters and their appropriate buffers.
SITE
RECEIVED
APR 13 2017
Forsyth County Department of
Planning & Community Development
ZA 39062
LOCATION MAP
Existing Zoning District CR1, A1 & R2R
Proposed Zoning District Res2 Conservation
Requested Zoning
Res2 Conservation Development Standards:
Proposed Minimum Lot Size: 12,000 Square Feet
Proposed Minimum Lot Width: 60' (At Building Line)
Proposed Minimum Setbacks
Front Yard: 15 Feet
Side Yard: 5 Feet (no less than 20 feet between structures)
Rear Yard: 20 Feet Interior
Exterior Setback: 50 Feet
Exterior Buffer: 25 Feet
Primary Conservation Area Setback for all building and structures
Side Yard: 75 Feet from limits of Primary Conservation Area
Rear Yard: 75 Feet from limits of Primary Conservation Area
Proposed No. of Lots: 92 Lots
Site Area: 104.31± Acres
Proposed Density: 0.882 Units Per Acre
Minimum Open Space: 40% (41.72 Acres)
Primary Conservation: 37.28% (38.89 Acres)
Min. Secondary Conservation Area to = 15% of Primary
Secondary Conservation: 68.42% (26.61 Acres)
Total Open Space = 62.79% (65.5 Acres)
Owner / Developer
Seven Branches Farm
P.O. Box 149
Jamestown, RI 02835
Contact: John Wayt
Phone: 401 529 4742
Multi Use Path Note:
A series of additional 6' multi use paths shall be incorporated into the Secondary Conservation Areas during the construction of this project. Exact location will be coordinated with Forsyth County Engineering Department and the Field Inspectors. The paths will connect the Primary conservation area with the Secondary Conservation Areas and will provide access through out the subdivision
Major Utility Access Note:
All Major Utilities, (i.e. water, gas, electric, phone, cable etc) except for sanitary sewer shall access this property from Silver Leaf Drive via the Proposed 50' Right of Way for Road 1
The City of Cumming will provide public sanitary sewer for this subdivision. Sewer will be accessed on the west side of Big Creek
SCALE: 1"=100'
Engineering
E303
Stream Restoration
Res2 Conservation Zoning Exhibit for
MKW Capital, LLC
Civil Engineering, Land Surveying,
Stream and Wetland Restoration
116 North Main Street, Suite B, Cumming, Ga. 30040
Phone: 770-442-0000 www.engineering303.com
GEORGIA REGISTERED
NO. 23747
PROFESSIONAL ENGINEER
REVISIONS
NO. DESCRIPTION DATE
Drawn: BJK
Date: 4-13-2017
Sheet
1 of 2
Project Number
15-3994

Property Line Table		
LINE	BEARING	DISTANCE
A1	N 01°11'30" E	64.90'
A2	S 60°51'03" E	40.06'
A3	S 11°20'07" E	49.00'
A4	N 43°41'37" W	119.40'
A5	N 76°13'35" W	86.15'
A6	S 65°05'52" W	36.04'
A7	S 15°48'51" W	104.29'
A8	N 39°41'02" E	31.44'
A9	S 24°37'36" E	47.20'
A10	S 49°34'21" E	109.45'
A11	S 40°07'53" W	34.52'

Property Line Table		
LINE	BEARING	DISTANCE
B1	N 21°36'01" W	65.02'
B2	N 04°14'05" E	35.37'
B3	N 13°17'56" W	65.30'
B4	N 05°08'52" W	80.35'
B5	N 03°29'27" W	64.95'
B6	N 06°07'43" E	70.74'
B7	N 21°36'29" E	80.29'
B8	N 03°19'43" E	71.11'
B9	N 29°12'18" E	94.89'
B10	N 06°02'15" E	36.78'
B11	N 22°55'35" E	111.18'
B12	N 13°54'18" E	64.08'
B13	N 29°42'45" E	37.77'
B14	N 11°48'37" E	149.94'
b15	S 04°22'36" W	93.05'
B16	S 07°22'52" W	100.40'
B17	S 10°14'00" W	100.08'
B18	S 10°14'00" W	100.08'
B19	S 17°10'41" W	99.39'
B20	S 03°22'59" E	84.16'
B21	S 24°37'07" W	71.59'
B22	S 42°51'31" W	65.36'
B23	S 28°07'26" E	63.06'
B24	S 23°14'48" W	105.26'
B25	S 14°48'11" E	54.63'
B26	S 07°48'02" W	50.01'
B27	S 20°19'12" W	73.22'

Property Line Table		
LINE	BEARING	DISTANCE
C1	S 20°33'08" E	77.08'
C2	S 06°06'24" W	71.54'

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Stream Buffer Note:

Stream Buffers shall not be considered as part of any lot area

Existing Zoning District CR1, A1 & R2R
Proposed Zoning District Res2 Conservation

Requested Zoning
Res2 Conservation Development Standards:

Proposed Minimum Lot Size: 12,000 Square Feet
Proposed Minimum Lot Width: 60' (At Building Line)
Proposed Minimum Setbacks
Front Yard: 15 Feet
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Side Yard: 75 Feet from limits of Primary Conservation Area
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Proposed No. of Lots: 92 Lots
Site Area: 104.31± Acres
Proposed Density: 0.882 Units Per Acre

Minimum Open Space: 40% (41.72 Acres)
Primary Conservation: 37.28% (38.89 Acres)
Min. Secondary Conservation Area to = 15% of Primary
Secondary Conservation: 68.42% (26.61 Acres)
Total Open Space = 62.79% (65.5 Acres)

Major Utility Access Note:

All Major Utilities, (i.e. water, gas, electric, phone, cable etc) except for sanitary sewer shall access this property from Silver Leaf Drive via the Proposed 50' Right of Way for Road 1

The City of Cumming will provide public sanitary sewer for this subdivision. Sewer will be accessed on the west side of Big Creek

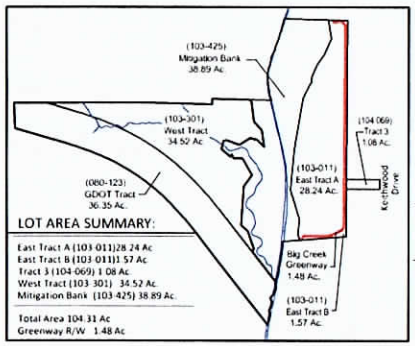


City of Cumming Sewer Utility Map

Approx. Scale: 1" = 400'

Outfall Sanitary Sewer Design Note

The proposed outfall sanitary sewer will tie to the existing sewer on the west side of Big Creek as shown above. It may be necessary to run a parallel outfall sanitary sewer on the east side of Big Creek to service the East Tract. This option will have to be explored during the design of the subdivision.



LOT AREA SUMMARY:

East Tract A (103-011) 28.24 Ac
East Tract B (103-011) 1.57 Ac
Tract 3 (104-069) 1.08 Ac.
West Tract (103-301) 34.52 Ac.
Mitigation Bank (103-425) 38.89 Ac.

Total Area 104.31 Ac
Greenway R/W 1.48 Ac

REFERENCE MATERIAL:

1. Plat for Seven Branches Farm, prepared by Appalachian Surveying, dated Feb. 20, 2004. Revised Oct. 26, 2009
2. Forsyth County GIS mapping and FEMA mapping

FLOOD HAZARD NOTE:

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TREE NOTE:

E303 has not inspected this property for the presence of specimen trees.

Streams and Wetlands Note:

E303 recommends that a jurisdictional waters delineation be performed before perfecting any land plan for this property. E303 performed a site visit on July 13, 2015 and the streams as shown hereon represent all channels with flowing water on that date. E303 recommends having Forsyth County Engineering Department confirm all State Waters and their appropriate buffers.

Existing Tree Canopy Note

Please note the entire East Tract is Wooded. The Mitigation Bank Tract is wooded with new mixed hard wood plantings planted in 2008 and 2009, except for the sewer easement that runs along Big Creek. The West Tract is a combination of open pasture and mixed hard woods. See Tree Canopy line on said tract.

Stormwater Note

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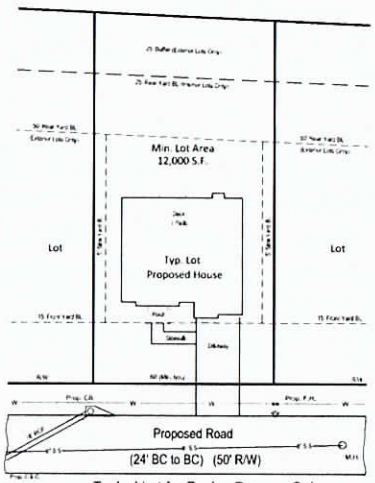
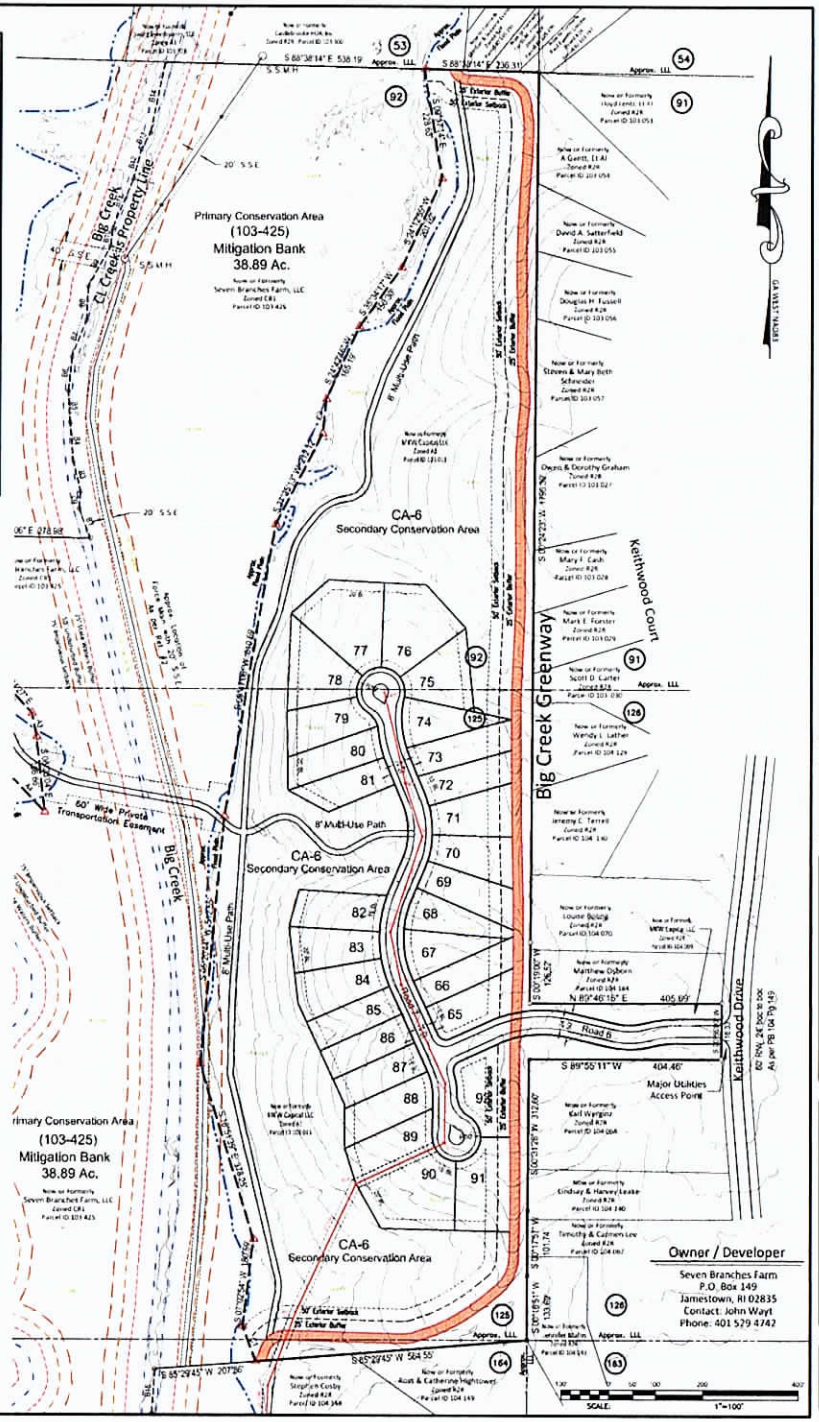


Typical Lot for Zoning Purpose Only



LOCATION MAP NOT TO SCALE



Engineering E303 Stream Restoration

Res2 Conservation Zoning Exhibit for

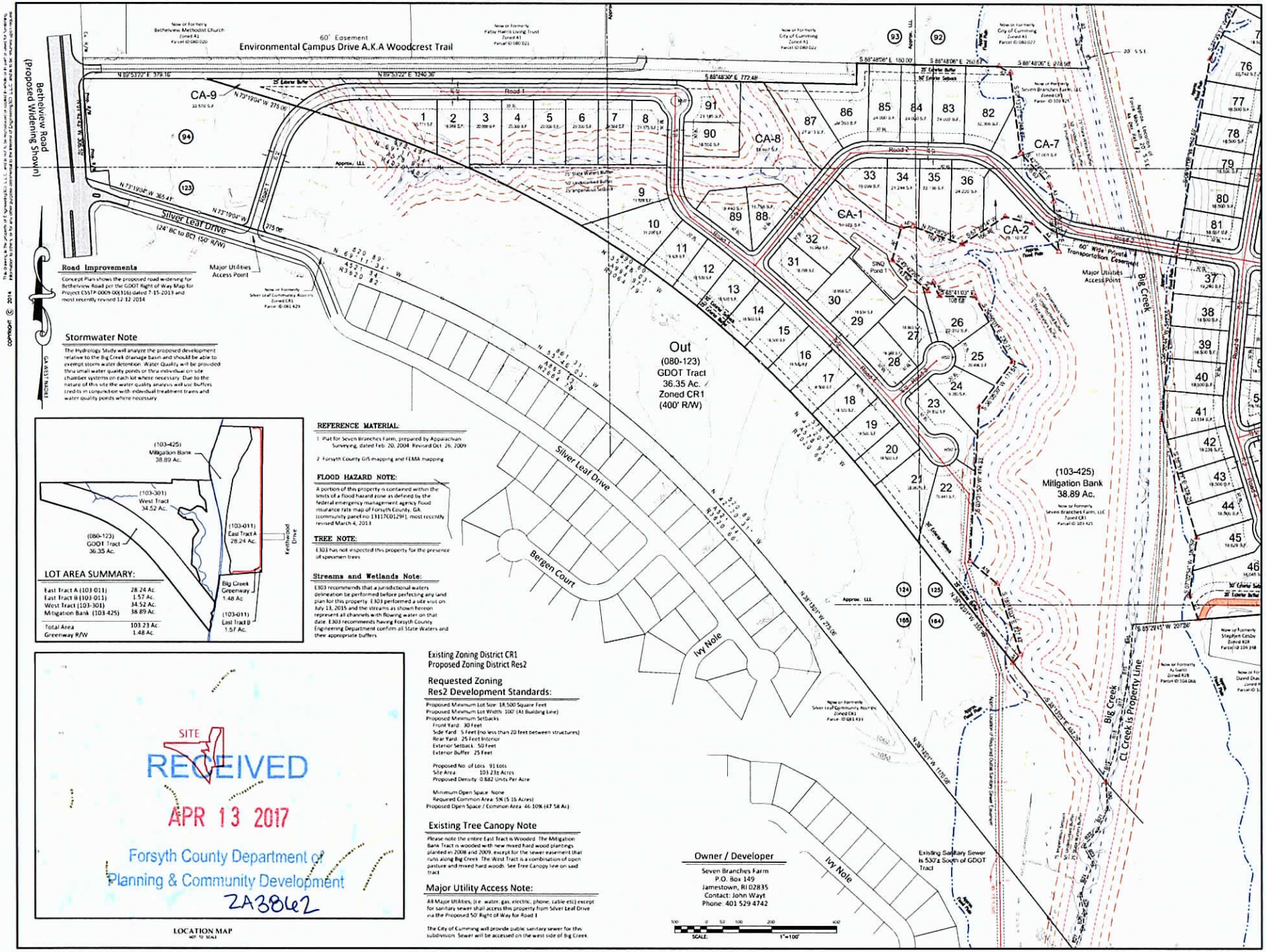
MKW Capital, LLC

Land Lots 92, 93, 94, 123, 125, 164 & 165
2nd District, 1st Section
Forsyth County, Georgia

REVISIONS
NO. DESCRIPTION DATE

Civil Engineering, Land Surveying, Stream and Wetland Restoration
116 North Main Street, Suite B, Cumming, Ga. 30040
Phone 770-442-0660 www.engineering303.com

Drawn: BJH
Date: 4-13-2017
Sheet
2 of 2
Project Number
15-3994



Road Improvements

Concept Plan shows the proposed road widening for Bethelview Road per the GDOT Right of Way Map for Project CSSTP-0009-00(316) dated 7-15-2013 and most recently revised 12-12-2014

Stormwater Note

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SITE
RECEIVED
APR 13 2017
Forsyth County Department of
Planning & Community Development
ZA3862

LOCATION MAP
NOT TO SCALE

Existing Zoning District CR1
Proposed Zoning District Res2

Requested Zoning Res2 Development Standards:

Proposed Minimum Lot Size: 18,500 Square Feet
Proposed Minimum Lot Width: 100' (At Building Line)
Proposed Minimum Setbacks:
Front Yard: 30 Feet
Side Yard: 5 Feet (no less than 20 feet between structures)
Rear Yard: 25 Feet Interior
Exterior Setback: 50 Feet
Exterior Buffer: 25 Feet

Proposed No. of Lots: 91 Lots
Site Area: 103.23± Acres
Proposed Density: 0.882 Units Per Acre

Minimum Open Space: None
Required Common Area: 5% (5.16 Acres)
Proposed Open Space / Common Area: 46.10% (47.58 Ac)

Existing Tree Canopy Note

Please note the entire East Tract is Wooded. The Mitigation Bank Tract is wooded with new mixed hard wood plantings planted in 2008 and 2009, except for the sewer easement that runs along Big Creek. The West Tract is a combination of open pasture and mixed hard woods. See Tree Canopy line on said tract

Major Utility Access Note:

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The City of Cumming will provide public sanitary sewer for this subdivision. Sewer will be accessed on the west side of Big Creek.

Owner / Developer

Seven Branches Farm
P.O. Box 149
Jamestown, RI 02835
Contact: John Wayt
Phone: 401 529 4742

SCALE: 1"=100'

Engineering E303 Stream Restoration

Res2 Zoning Exhibit For:
Yield Plan
Seven Branches Farm

Forsyth County, Georgia
2nd District, 1st Section
Land Lots 92, 93, 94, 123, 124, 125, 164 & 165

GEORGIA NO. 23747 4-7-2017 BRIAN J. KIRK

REVISIONS:

NO.	DESCRIPTION	DATE

Civil Engineering, Land Surveying, Stream and Wetland Restoration
116 North Main Street, Suite B, Cumming, Ga. 30040
Phone: 770-442-0500 www.engineering303.com

Drawn: BJK
Date: 4-7-2017
Sheet
1 of 2
Project Number
15-3994

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Property Line Table		
LINE	BEARING	DISTANCE
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Proposed Zoning District Res2

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City of Cumming Sewer Utility Map

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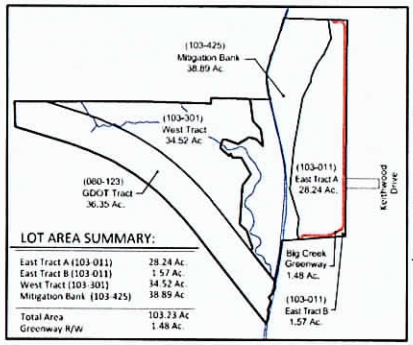

LOT AREA SUMMARY:

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Total Area	103.23 Ac
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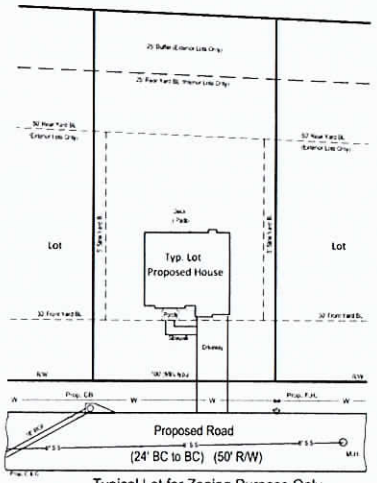
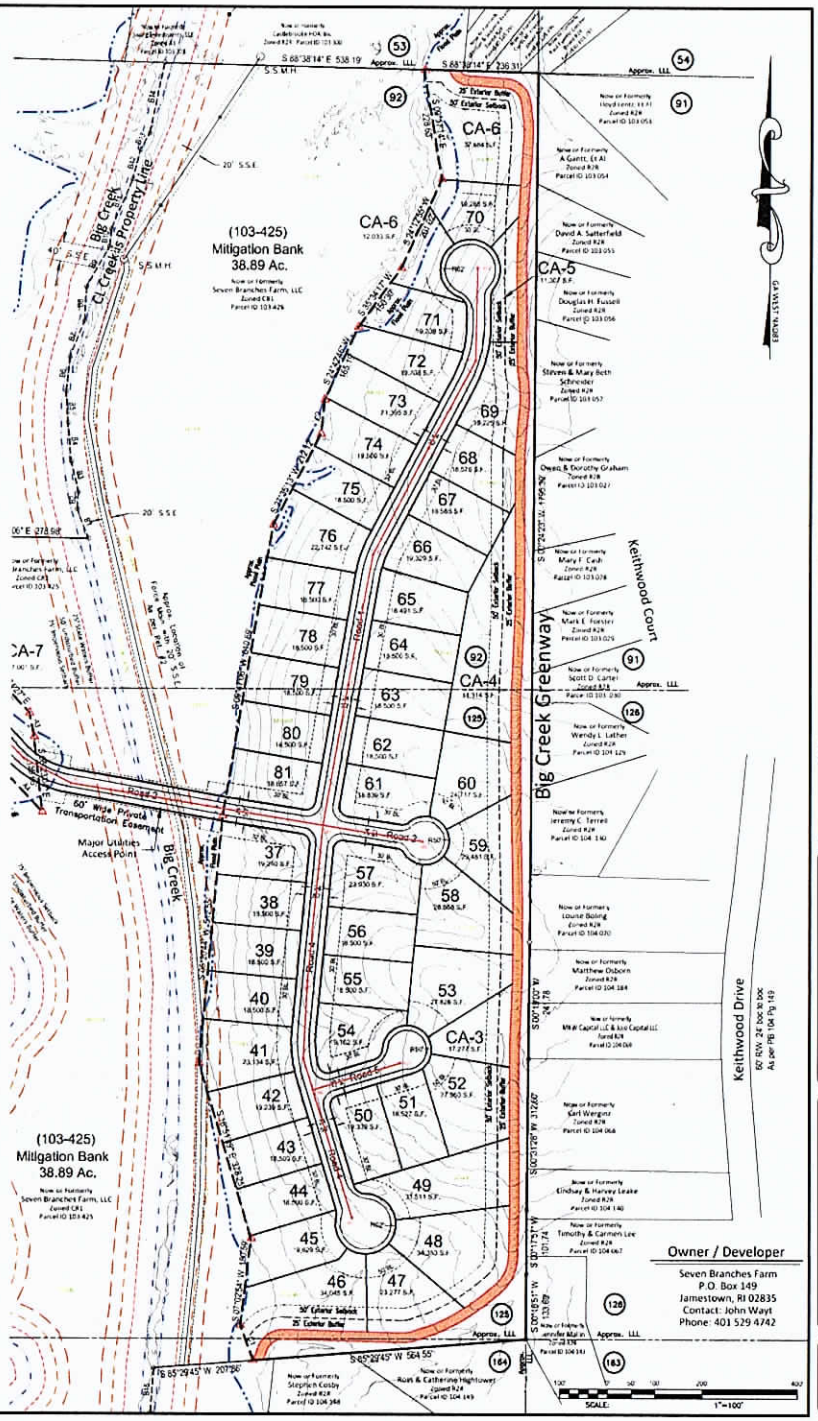


Typical Lot for Zoning Purpose Only



LOCATION MAP NOT TO SCALE



Engineering 303 Stream Restoration

Res2 Zoning Exhibit For

Seven Branches Farm

Civil Engineering, Land Surveying, Stream and Wetland Restoration
118 North Main Street, Suite B, Cumming, Ga. 30040
Phone: 770-442-0060 www.engineering303.com

GEORGIA REGISTERED LANDSCAPE ARCHITECT NO. 2374 BRIAN E. KING

REVISIONS
NO. DESCRIPTION DATE

Drawn: BJK
Date: 4-7-2017
Sheet: 2 of 2
Project Number: 15-3994