



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2016-24

LEGISTAR: 20160678

LANDOWNERS: Wade Holdings, LLC
2255 Northwest Parkway
Marietta, GA 30067

APPLICANT: Chuck Clancy Ford of Marietta, LLC
200 SW 1st Avenue
14th Floor
Fort Lauderdale, FL 33301

AGENT: John H. Moore, Esq.
Moore, Ingram, Johnson, & Steele, LLP
326 Roswell Street
Marietta, GA 30060

PROPERTY ADDRESS: 2255 Northwest Parkway

PARCEL DESCRIPTION: 17 07280 0040

AREA: ±3.75 acres

COUNCIL WARD: 7A

EXISTING ZONING: Light Industrial (Cobb County)

REQUEST: Light Industrial (City)

FUTURE LAND USE MAP

RECOMMENDATION: IW (Industrial Warehousing)

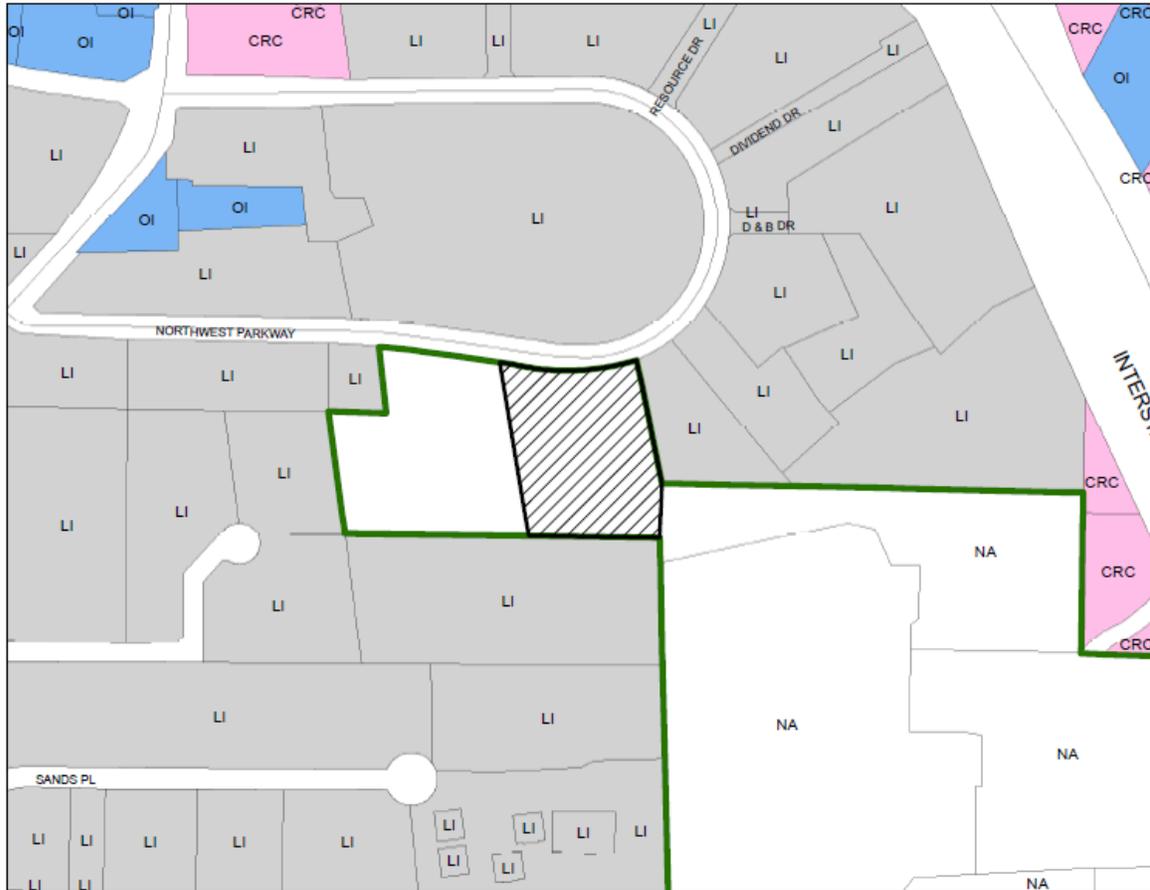
REASON FOR REQUEST:

PLANNING COMMISSION HEARING: Tuesday, August 2, 2016 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, August 10, 2016 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map

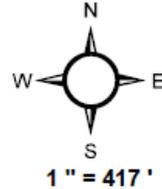


Zoning	District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	COMMERCIAL NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MXD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	07280	0040	LI (County) LI (City)

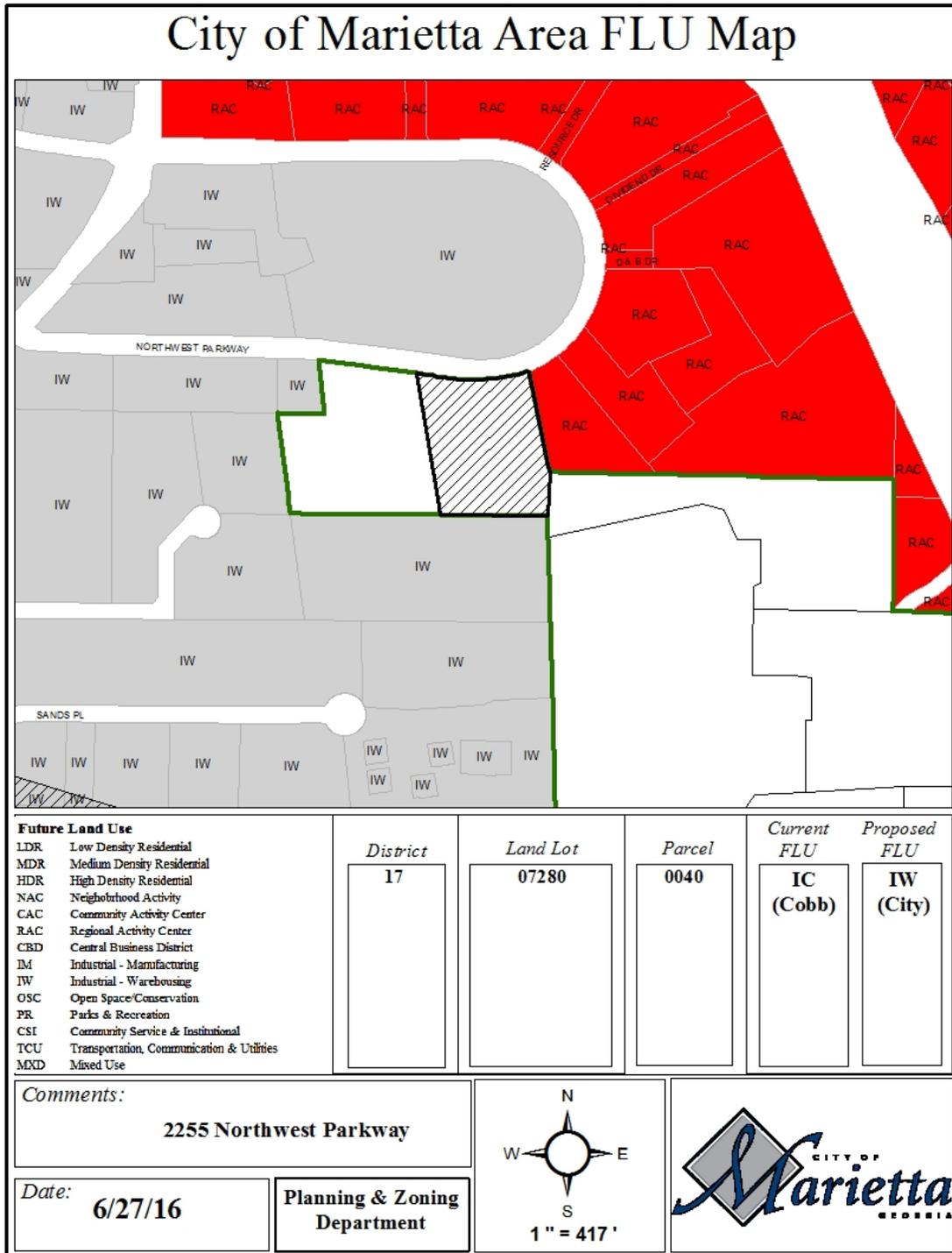
Comments:
 2255 Northwest Parkway

Date: **6/27/2016**

Planning & Zoning Department




FLU MAP



PICTURES OF PROPERTY



2255 Northwest Parkway



2255 Northwest Parkway

STAFF ANALYSIS

Location Compatibility

The agent, John Moore, representing the applicant, Chuck Clancy Ford of Marietta, LLC, and the property owner, Wade Holdings LLC, is requesting to annex and rezone a 3.75 acre parcel of property located at 2255 Northwest Parkway from LI (Light Industrial) in Cobb County to LI (Light Industrial) in City of Marietta. There is an existing office/warehouse building on the property that Chuck Clancy Ford of Marietta, LLC, would like to occupy in order to operate an auto body repair and painting service – specializing in the restoration of vehicles after a collision occurs.

Properties to the north and south are located in the City of Marietta and are zoned LI (Light Industrial). There are two adjacent properties to the east – one is located in Cobb County and is zoned LI (Light Industrial) and the other is located in the City of Marietta and is zoned LI (Light Industrial). The property to the east is located in Cobb County and is zoned LI, and is also requesting to be annexed into the City of Marietta.

Use Potential and Impacts

The applicant intends to renovate the existing office/warehouse building currently located on the subject property to accommodate the proposed auto body repair and painting service. Although the annexation and rezoning request is for LI (Light Industrial) - the same zoning category that it is currently zoned in the City - the list of permitted uses is slightly different in the City of Marietta, as compared to those allowed in the County under the LI (Light Industrial) category, and that is the primary reason for the requested annexation.

Further, because the zoning request is for the same classification as the property's current zoning in the County, there should be little change in the existing or proposed use potential. As a result, there should be no adverse impacts on the surrounding area as a whole as a result of this rezoning.

The Cobb County Future Land Use Map designates this area as Industrial Compatible (IC), an appropriate category for light industrial uses. The City of Marietta Comprehensive Plan and the Future Land Use map designates the adjacent areas that are within the city limits as Industrial Warehousing (IW). The IW category is similar in nature to the IC category in Cobb County. The purpose of the Industrial Warehousing category is to provide for areas that can support light industrial, office/warehouse and distribution uses, and the vehicular traffic associated with those uses. The LI zoning category is compatible with the future land use designations both Cobb County and the City of Marietta.



STAFF ANALYSIS CONTINUED

Environmental Impacts

There are no indications of flood plain, wetlands, streams or endangered species on the property. The property is located within the Rottenwood Creek drainage basin.

Economic Functionality

The applicant's request to rezone from LI in the County to LI in the City does not constitute a request to change the use associated with the property, only a change in jurisdiction in which it is located.

Infrastructure

Since this property is currently developed as an office/warehouse, this annexation and rezoning request will not increase demand for the City's water, school, electrical, or sewer infrastructure.

History of Property

Because the subject property is currently located in Cobb County, there is no history of variances, rezoning, or special land use permits on file in City records.



ANALYSIS & CONCLUSION

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Prepared by: *Rusty Roth*

Approved by: _____



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	10 inch
Capacity of the water line?	Fire flow test may be needed
Approximate water usage by proposed use?	Not provided

CITY OF MARIETTA - SEWER

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	8 inch
Capacity of the sewer line?	A.D.F. Capacity Available
Estimated waste generated by proposed development?	Peak
Treatment Plant Name?	Not Provided
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County



DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Rottenwood Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	N/A
Do stream bank buffers exist on the parcel?	Yes
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

TRANSPORTATION

What is the road effected by the proposed change?	Northwest Pkwy
What is the classification of the road?	Local
What is the traffic count for the road?	N/A
Estimated # of trips generated by the proposed development?	N/A
Estimated # of pass-by cars entering proposed development?	N/A
Do sidewalks exist in the area?	No
Transportation improvements in the area?	No
If yes, what are they?	N/A

- Change in use of building. Confirm that proper infrastructure for auto body repair exists or will be installed.



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	Marietta Station 55 1160 Franklin Gateway
Distance of the nearest station?	1 mile
Most likely station for 1 st response?	Marietta Station 55 1160 Franklin Gateway
Service burdens at the nearest city fire station (under, at, or above capacity)?	No service burdens

The fire department has no objection to the zoning requested by F&L Investments (John Moore) for 2255 Northwest Parkway. The property is subject to the 2012 Life Safety Code with GA State Modifications if the occupancy classification changes.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes x No

If not, can this site be served? Yes No

What special conditions would be involved in serving this site?

Additional comments:



Department of Development Services
 205 Lawrence Street
 Marietta, Georgia 30060
 Phone (770) 794-5440
 Brian Binzer, AICP, Director

APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)

For Office Use Only:

Application #: 22016-24 Legistar #: 20160678 PZ #: — A2016-04
CA 2016-07
 Planning Commission Hearing: 08/02/2016 City Council Hearing: 08/10/2016

Owner's Name Wade Holdings, LLC Email Address: billf430@gmail.com

Mailing Address 2255 Northwest Parkway Zip Code: 30067 Telephone Number (770) 953-0303

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant Representative: John H. Moore – Moore Ingram Johnson & Steele, LLP

Applicant: Chuck Clancy Ford of Marietta, LLC

Mailing Address 200 SW 1st Avenue, 14th floor
Fort Lauderdale, FL Zip Code: 33301

Telephone Number (954) 769-6680 Email Address: _____

Address of property to be rezoned: 2255 Northwest Parkway

Land Lot (s) 07280 District 17th Parcel 0040 Acreage 3.750± Ward 7A Future Land Use: IW

Present Zoning Classification: LI Proposed Zoning Classification: LI
 (Cobb County) (City of Marietta)

REQUIRED INFORMATION

Applicant must submit the following information by **4:00 p.m.** on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

1. **ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk. The original application must be submitted with ALL original signatures – Copies of the application or signature(s) will NOT be accepted.**
2. Legal Description. **Legal description must be in a WORD DOCUMENT.**
3. Application fee (\$500)
4. Copy of the deed that reflects the current owner(s) of the property.
5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
3. Site plan/plat/survey prepared by an architect, engineer (P.E. or Civil Engineer), landscape architect or land surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey. Five (5) copies, drawn to scale and no larger than 24" x 36"; and one (1) copy 11' x 17' or smaller, must be submitted. The following information must be included:
 - Specific use or uses proposed for the site
 - Acreage, bearing and distances, other dimensions, and location of the tract(s)
 - Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
 - Detention/retention areas, and utility easements
 - Public or private street(s) - right of way and roadway widths, approximate grades
 - Location and size of parking area with proposed ingress and egress
 - Specific types and dimensions of protective measures, such as buffers
 - Landscaping
 - Wetlands, stream buffers, and 100 year floodplain
4. A detailed written description of the proposed development/project must be submitted with the application.

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Legistar No.: _____
Hearing Dates: **August 2, 2016**
August 10, 2016

Applicant: **Chuck Clancy Ford of Marietta, LLC,**
a Delaware limited liability company
Property Owner: **Wade Holdings, LLC**

DESCRIPTION OF PROPOSED DEVELOPMENT/PROJECT

The property which is the subject of the Application for Rezoning by Chuck Clancy Ford of Marietta, LLC, as Applicant (hereinafter "Applicant"), and Property Owner, Wade Holdings, LLC (hereinafter "Owner") consists of a total tract of 3.750 acres, more or less, and is located on the southerly side of Northwest Parkway, easterly of Franklin Road, at 2255 Northwest Parkway, Land Lot 728, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). Contemporaneously with the filing of the Application for Rezoning, the Owner applied for annexation of the Property into the City of Marietta, which necessitates rezoning of the Property to a comparable zoning category. The Rezoning Application seeks approval of a request to rezone the Subject Property from its existing Light Industrial zoning category, as designated by Cobb County, Georgia, to the Light Industrial ("LI") category within the City of Marietta, Georgia. Applicant is seeking rezoning for redevelopment of the Subject Property for the operation of an auto body repair and painting service, specializing in the restoration of vehicles after an altering impact occurs. The repairs will relate to structural integrity, mechanical functionality, and safety of the vehicle; as well as the physical appearance.

The proposed project is a redevelopment of the existing structure upon the Subject Property. Applicant will renovate the interior; as well as, the exterior of the structure to accommodate the proposed use. Additionally, parking will be divided to allow for customers retrieving vehicles and a holding area for vehicles waiting or being repaired. Any landscaping enhancement will be along the frontage of Northwest Parkway and will be professionally designed, implemented, and maintained.

Applicant is very excited with the opportunity of bringing its collision care center to the proposed location in the City of Marietta; as well as, being able to revitalize an existing property for a more economic viable use. The annexation and rezoning of the Subject Property into the City of Marietta will upgrade not only the Subject Property, but the businesses and properties surrounding it. The project will meet, and exceed, the standards established by Applicant in similar facilities in the Metropolitan Atlanta area; as well as all standards and ordinances established by the City for similar developments and uses.

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: July 15, 2016

PUBLIC NOTICE OF REZONINGS, SPECIAL LAND USE PERMITS, AND VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, August 2, 2016, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, August 10, 2016, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2016-24 [REZONING] WADE HOLDINGS, LLC is requesting the rezoning of 3.75 acres located in Land Lot 728, District 17, Parcel 0040, 2nd Section, Marietta, Cobb County, Georgia, and being known as 2255 Northwest Parkway from LI (Cobb County) to LI (City). Ward 7A.

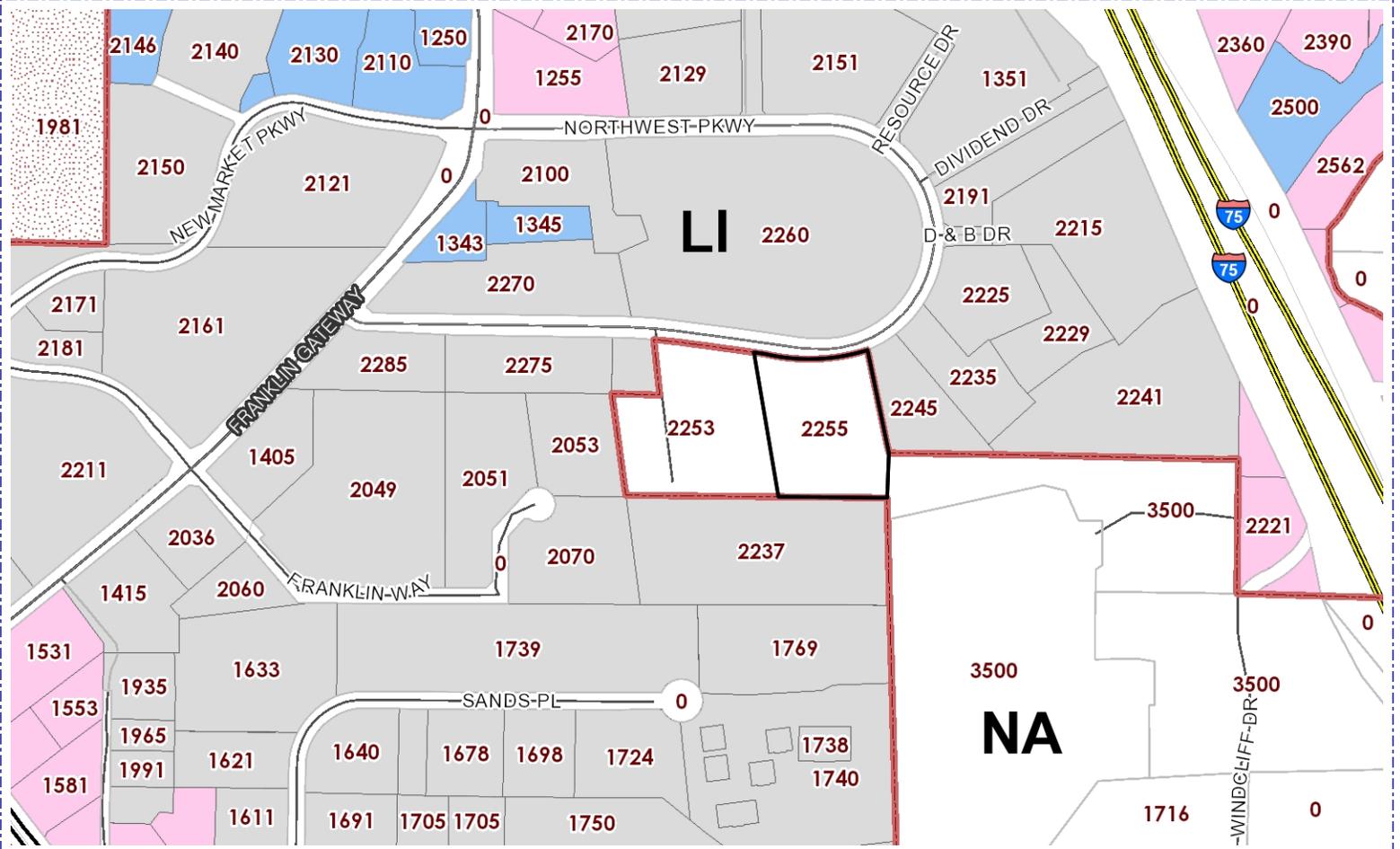
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
2255 NORTHWEST PKWY	C	4.494			

Property Owner:	Wade Holdings, LLC		Zoning Symbols
Applicant:	John H. Moore/Moore, Ingram, Johnson & Steele		
Proposed Zoning:	LI (Cty) to LI (City)		
Agent:			
Proposed Use:			
Planning Commission Date:	08/02/2016		
City Council Hearing Date:	08/10/2016	Case Number: Z2016-24	
City of Marietta Planning & Zoning			



Address	Parcel Number	Acreage	Ward	Zoning	FLU
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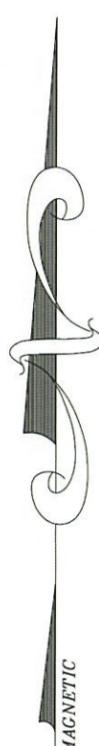
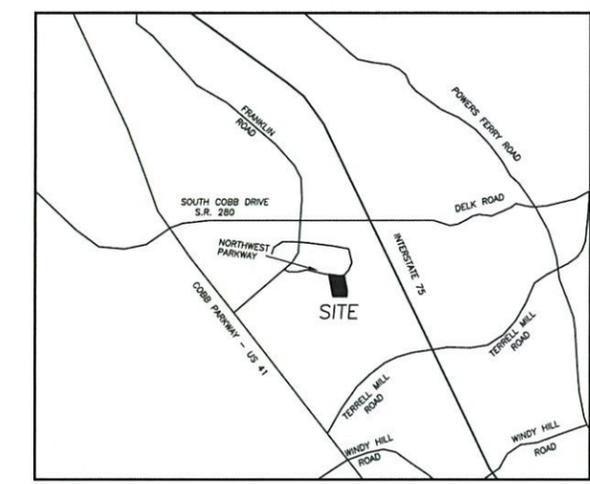
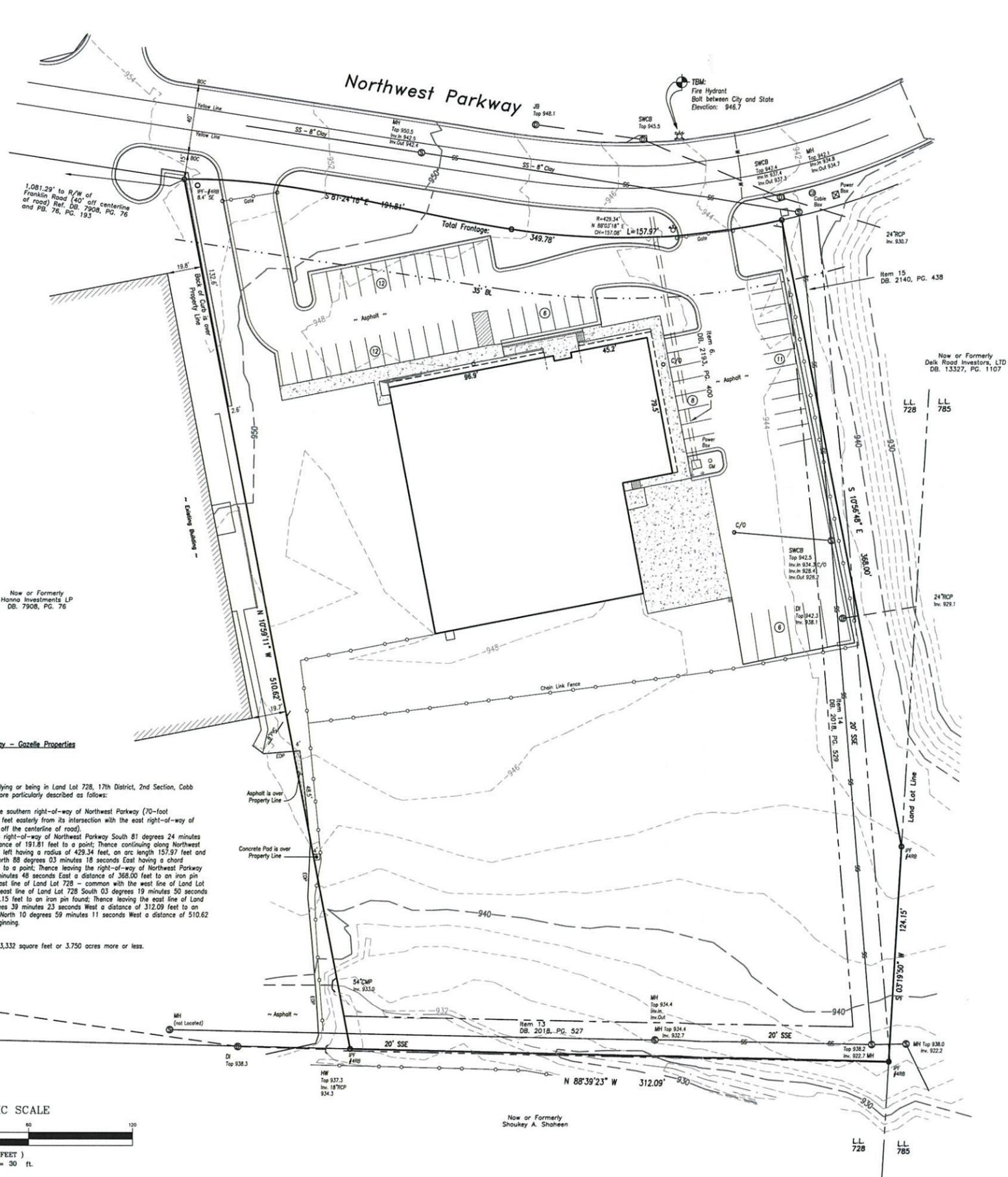
2255 NORTHWEST PKWY	C	4.494			
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Property Owner:	Wade Holdings, LLC
Applicant:	John H. Moore/Moore, Ingram, Johnson & Steele
City Council Hearing Date:	08/10/2016
Planning Commission Hearing Date:	08/02/2016
BZA Hearing Date:	Case Number: Z2016-24
Comments:	

Legend

- Railroads
- City Limits
- Cobb County Pockets

- LEGEND:**
- POB - POINT OF BEGINNING
 - POC - POINT OF COMMENCEMENT
 - IPF - IRON PIN FOUND
 - IPS - IRON PIN SET
 - #4RB - 1/2" REBAR
 - OT - OPEN TOP
 - PKS - "PK" NAIL SET IN PAVING
 - L - ARC
 - R - RADIUS
 - CH - CHORD
 - R/W - RIGHT-OF-WAY
 - BL - BUILDING LINE
 - HW - HEADWALL
 - CB - CATCH BASIN
 - SWCB - SINGLE WING CATCH BASIN
 - DWCB - DOUBLE WING CATCH BASIN
 - JB - JUNCTION BOX
 - DI - DRAIN INLET
 - YI - YARD INLET
 - DE - DRAINAGE EASEMENT
 - SSE - SANITARY SEWER EASEMENT
 - C/O - SANITARY SEWER CLEAN OUT
 - LLL - LAND LOT LINE
 - RCP - REINFORCED CONCRETE PIPE
 - CMP - CORRUGATED METAL PIPE
 - PVC - POLY VINYL CHLORIDE
 - N/F - NOW OR FORMERLY
 - SSMH - SANITARY SEWER MANHOLE
 - EOP - EDGE OF PAVEMENT
 - BOC - BACK OF CURB
 - EX - EXISTING
 - FH - FIRE HYDRANT
 - PP - POWER POLE
 - LP - LIGHT POLE
 - WM - WATER METER
 - WV - WATER VALVE
 - GM - GAS METER
 - GV - GAS VALVE
 - ICV - IRRIGATION CONTROL VALVE
 - CANTEX -
 - CHAIN LINK FENCE -



Northwest Parkway - Gazelle Properties

All that parcel of land lying or being in Land Lot 728, 17th District, 2nd Section, Cobb County, Georgia, and more particularly described as follows:

Begin at a point on the southern right-of-way of Northwest Parkway (70-foot right-of-way), 1081.29 feet easterly from its intersection with the east right-of-way of Franklin Road (40-foot off the centerline of road). Thence along the south right-of-way of Northwest Parkway South 81 degrees 24 minutes 16 seconds East a distance of 191.81 feet to a point; Thence continuing along Northwest Parkway a curve to the left having a radius of 429.34 feet, an arc length 157.97 feet and a chord which bears North 88 degrees 03 minutes 18 seconds East having a chord distance of 157.08 feet to a point; Thence leaving the right-of-way of Northwest Parkway South 10 degrees 56 minutes 48 seconds East a distance of 368.00 feet to an iron pin found located on the east line of Land Lot 728 - common with the west line of Land Lot 785; Thence along the east line of Land Lot 728 South 03 degrees 19 minutes 50 seconds West a distance of 124.15 feet to an iron pin found; Thence leaving the east line of Land Lot 728 North 88 degrees 39 minutes 23 seconds West a distance of 312.09 feet to an iron pin found; Thence North 10 degrees 59 minutes 11 seconds West a distance of 510.62 feet to the Point of Beginning.

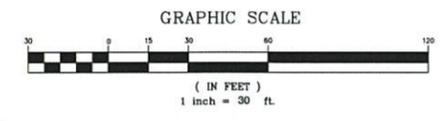
Said parcel contains 163,332 square feet or 3.750 acres more or less.

- Matters of Title - Schedule "B" - Section - 2**
- Item 4. DB. 2015, PG. 494 Restrictions and Conditions are applicable. Easement area has become a publicly dedicated road "Northwest Parkway"
 - Item 5. DB. 2015, PG. 481 Subordination Agreement is applicable-not plottable
 - Item 6. DB. 2193, PG. 400 Distribution Line Permit is applicable
 - Item 7. DB. 1907, PG. 159 Declaration of Protective Covenants has expired. DB. 2291, PG. 23 Assignment and assumption of Declaration of Protective Covenants - is applicable. DB. 2322, PG. 3 Waiver of Protective Covenants is not applicable to our property. DB. 6208, PG. 106 Consent and Waiver of Protective Covenants is not applicable to our property. DB. 11441, PG. 508 First Amendment to Declaration of Protective Covenants for Northwest Business Center is applicable. Protective Covenants re-recorded in DB. 11561, PG. 16 is applicable. DB. 11561, PG. 45 assignment of Declaration of Protective Covenants is applicable.
 - Item 8. DB. 1559, PG. 210 Declaration of Easement and DB. 2322, PG. 151 First Amendment of Easement has terminated - road has been dedicated to public - is not applicable.
 - Item 9. DB. 148, PG. 175 Right-of-Way easement to Georgia Power Company - is not applicable.
 - Item 10. DB. 148, PG. 177 Right-of-Way easement to Georgia Power Company - is not applicable.
 - Item 11. DB. 1617, PG. 420 General Utility Easement to Georgia Power Company - is not applicable.
 - Item 12. DB. 1188, PG. 83 Easement from Cobb County is not applicable.
 - Item 13. DB. 2018, PG. 527 Easement to Board of Lights and Water Works is applicable
 - Item 14. DB. 2018, PG. 529 Easement to Board of Lights and Water Works is applicable
 - Item 15. DB. 2140, PG. 438 Easement to Board of Lights and Water Works is applicable

The undersigned hereby certifies, as of August 4, 2004, to Gazelle Partners, L.L.C., W.W. Grainger, Inc. and its successors and assigns and Chicago Title Insurance Company, that he is a duly registered land surveyor of the State of Georgia; that this plot of survey is made at least in accordance with the minimum standards established by said state for surveys and land surveys and with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys as adopted by the American Land Title Association and American Congress on Surveying and Mapping for urban surveys, including items no. 1,2,3,4,5,6,7(a)(b)(1),8,9,10,11(a) and 13 of Table A thereto; that this survey correctly shows the location of all buildings, structures and other improvements situated on the subject premises; and that, except as shown, there are no visible easements or rights of way across said premises or any other easements or rights of way of which the undersigned has been advised, no party walls, no encroachments onto adjoining premises, streets or alleys by any of said buildings, structures or other improvements, and no encroachments onto said premises by buildings, structures or other improvements situated on adjoining premises. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, the undersigned further certifies that Proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements which control Land Boundaries for ALTA/ACSM Land Title Surveys."

Date: August 6, 2004
 Anastasio Costarides, RLS 2448

Area:
 163,332 sq. ft.
 3.750 acres



LAND SURVEYORS INCORPORATED
 3450 Acworth Due West Rd.
 Suite 218
 Acworth, Georgia 30101
 (770) 975-3933
 Fax: (770) 975-3501

REGISTERED LAND SURVEYOR
 No. 2448
 ANASTASIOS COSTARIDES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF:
 GAZELLE PARTNERS, L.L.C., W
 NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON OR TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

BOUNDARY and TOPOGRAPHICAL SURVEY FOR:
GAZELLE PARTNERS, L.L.C., IV
W.W. GRAINGER, INC.,
CHICAGO TITLE INSURANCE COMPANY
 LAND LOT 728 ~ 17th DISTRICT ~ 2nd SECTION
 COBB COUNTY ~ GEORGIA

DRAWN: WH		
DESIGNED: TC		
CHECKED: TC		
SCALE: 1" = 30'		
FIELD DATE: 07-20-04		
DRAFTING DATE: 08-05-04		
REVISIONS:		
NO.	DATE	PURPOSE
1.	8-26-04	Add Legal Description and POB
2.	10-6-04	Certification and Title Block
SHEET: OF:		
1 1		
JOB No.: D 04-0577		
DISC No.: 2004		

NO N.G.S. MONUMENTS FOUND WITHIN 500' OF THIS PROJECT.

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE; THEREFORE, THE UNDERSIGNED AND C&L LAND SURVEYORS, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.

THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENTS' CONVENIENCE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN. THE SURVEYOR ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. THIS PLAN IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

2004/04-0577-BT-Bob Blockwell-Northwest Parkway