

**Action Requested/Required:**

- ☐ Vote/Action Requested
☐ Discussion or Presentation Only
☒ Public Hearing
Report Date: 11/21/22
Hearing Date: 12/1/22
Voting Date: 12/15/22

Department: Community Development **Presenter(s) & Title:** Steve Green, Zoning Administrator

Agenda Item Title:

RZON2209-006/CUP2209-00 - Request to rezone and obtain Conditional Use approval for 710 Marietta Road, 12, 50 and 70 Marietta Circle - Mondo Land Planning and Design, LLC

Summary:

The applicant seeks to rezone the subject properties from O-RT and RA-6 to RA-8 for the development of Phase 2 which will contain 24 new living units. These will consist of 5 quadplex buildings, one single family home converted to a duplex and the renovation of 2 single family detached homes. These new units will be combined with the existing 25 units in Phase 1 for a single development.

The applicant is also seeking buffer variances along the north and south property lines due to the proposed zoning. The applicant also seeks to increase the maximum allowed number of parking spaces to 3 spaces per unit.

The CUP request is due to the proposed 5 quadplex buildings.

Budget Implications:

Budgeted? ☐ Yes ☐ No ☒ N/A

Total Cost of Project: Check if Estimated ☐

Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other:

Staff Recommendations:

Conditions for consideration will be provided for the action meeting staff report.

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? ☐ Yes ☐ No

Attachments:

Application, site plan, survey, Letter of Intent.



Land Use Petitions: RZON2209-006/CUP2209-007
Date of Staff Report Preparation: November 8, 2022
Mayor and City Council Public Hearing Date: December 1, 2022
Action Date: December 15, 2022

Project Name/Applicant: Mondo Land Planning and Design, LLC

Property Location: 718 Marietta Road, 12, 50 and 70 Marietta Circle

Parcel ID: Tax Map Book 91N18, Parcels D022, D014, D015 and D016

District/Land Lot: 14th District, Land Lot 165

Acreage: 6.58

Existing Zoning District: O-RT and RA-6

Proposed Zoning: RA-8 (Residential Attached, 8 du/acre)

Existing Land Use: Phase 1, Duplexes, Proposed Phase 2, Single family detached homes

Future Development Map Designation: Traditional Neighborhood Redevelopment Area, Sunnyside

Proposed Development: Construction of 5 quadplexes, conversion of a single family home into a duplex and the renovation of 2 existing single family homes.

Owner/Petitioner: Latimer Apartments, LLC

District Standards:

___ Zoning District Standards (Primary Street)			
Impervious Surface (max.)	60%	Front Yard Setback (min.)	20'
Open Space (min.)	40%	Side Yard Setback (min.)	20'
Building Height (max.)	40'	Rear Yard Setback (min.)	20'
Building Height (min.)	N/A	Buffer Planting (min.)	*
Zoning Buffer	*	Overlay Zone	N/A

*The requested zoning, if approved, will result in a 25' buffer requirement along the southern property line (RA-8 abutting R-40) and a 50' buffer requirement along the northern property line (RA-8 abutting O-RT). Both of these are existing conditions and no new development is proposed along these two property lines.

Surrounding Land Uses and Zoning:

homes – RA-6

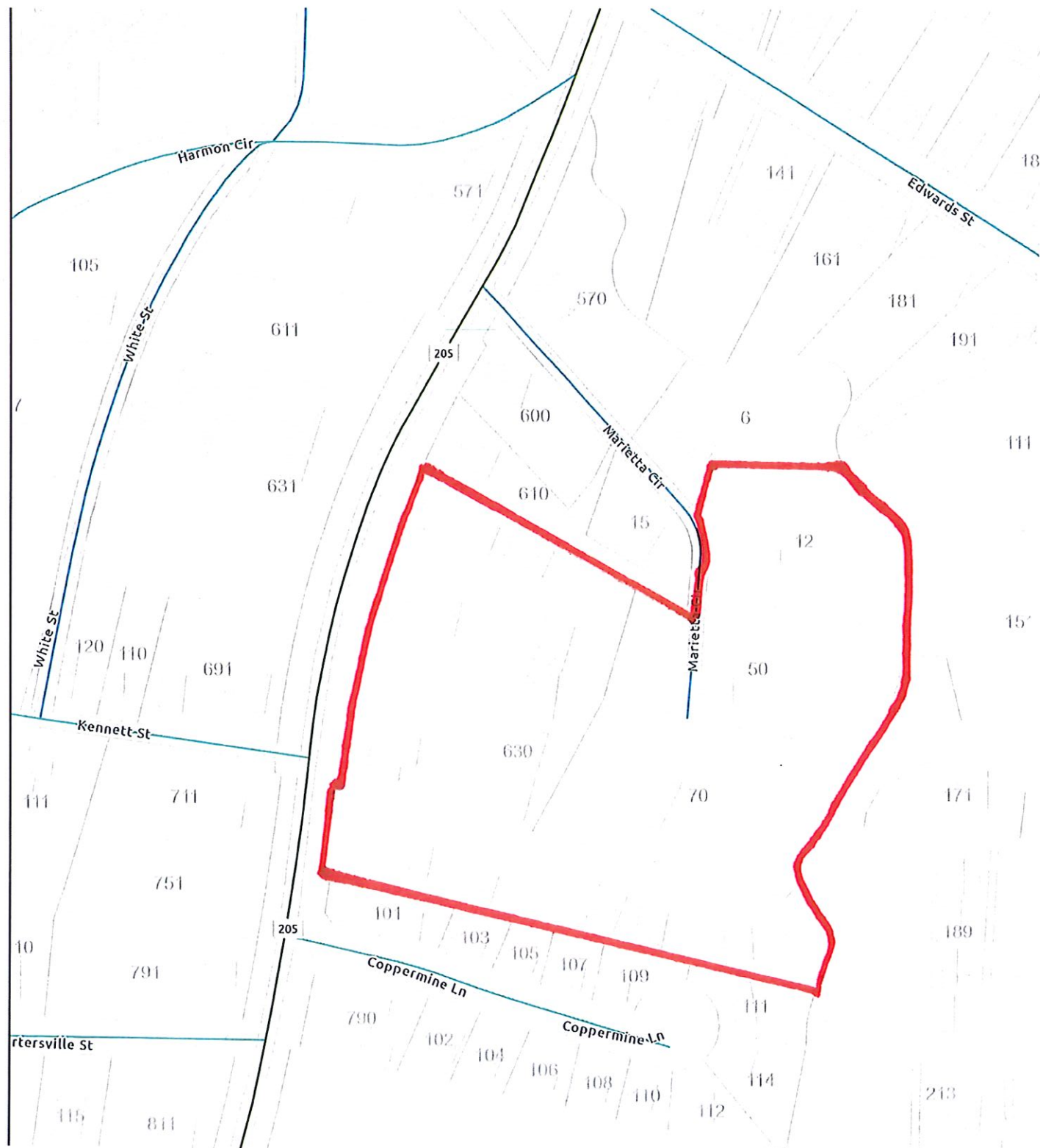
detached homes – O-RT

North – Single family detached homes – O-RT

South – Single family detached homes – R-4

East – Duplexes and single family detached

West – Across Marietta Road, single family



CANTON

Existing Land Use Map





Future Development Map





Site Description: The subject properties are currently occupied by single family homes (4) and 12 duplex buildings (24 living units).

Site History: Phase 1 of the application was built in the latter part of 2009/early part of 2010. The single family homes in Phase 2 appear to have been constructed in the 1960's/70's.

CRITERIA TO BE APPLIED – LAND USE PETITION (REZONING)

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties; **The proposed development will be part of an existing project that provides rental duplex units.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The existing zoning, (RA-6), does provide reasonable economic use.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; **The proposed zoning will result in additional use of the streets, schools and utilities. However it should not be burdensome. The proposed number of units did not require a review by the school system.**
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map; **The proposed use of the property, residential, is in keeping with the Future Land Use Plan. The character area calls for medium density at 4-6 du/acre. The proposed development density is 7.45 du/acre.**
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **The proposed development will be combined with existing duplex structures.**



7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. **There will be no adverse effects to any historic building/site/district or archaeological resources.**
8. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the Comprehensive Plan, the Character Areas, and any Overlay Districts. **The architectural design will be approved by the Design Review Team.**

CRITERIA TO BE APPLIED – CONDITIONAL USE PERMIT

- a. Whether the proposed use is consistent with the comprehensive plan and other adopted policies of the City; **The proposed use is consistent with the Sunnyside character however the proposed density exceeds what is recommended in the Future Land Use Plan.**
- b. Whether the proposed use complies with the requirements of this zoning ordinance; **The proposed use complies with the UDC with the exception of the requested variances.**
- c. Whether public services, public facilities and utilities are adequate to serve the proposed use; **Public services, facilities and utilities are adequate to serve the proposed use.**
- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of:
 1. Noise, smoke, order, dust or vibration generated by the proposed use;
 2. Hours or manner of operation of the proposed use; and
 3. Traffic volumes generated by the proposed use; **Adverse impacts will not be created.**



- e. Whether the proposed use would result in an over-concentration of the subject use type within the area of the proposed use; **The applicant has several rental communities in the general area. There are very seldom any vacant units.**
- f. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the comprehensive plan, the character areas, and all applicable zoning ordinance regulations; **The Design Review Team will review and approve the townhome and duplex units.**and
- g. Whether the proposed use is compatible with adjacent properties and land uses, based on consideration of the size, scale and massing of proposed buildings and the overall site design. **The proposed use is compatible with the use of adjacent and nearby properties.**

DEPARTMENT COMMENTS

BUILDING AND SAFETY SERVICES

- BUILDING SERVICES:
No comment
- SAFETY SERVICES:
-
- **International Building Code, 2018 Edition, with Georgia Amendments (2020), (2022)**
- **International Residential Code, 2018 Edition, with Georgia Amendments (2020)**
- **International Fire Code, 2018 Edition (Contact State Fire Marshal Below)**
- **International Plumbing Code, 2018 Edition, with Georgia Amendments (2020), (2022)**
- **International Mechanical Code, 2018 Edition, with Georgia Amendments (2020)**



- International Fuel Gas Code, 2018 Edition, with Georgia Amendments (2020), (2022)
- National Electrical Code, 2020 Edition, with Georgia Amendments (2021)
- International Energy Conservation Code, 2015 Edition, with Georgia Supplements and Amendments (2020), (2022)
- International Swimming Pool and Spa Code, 2018 Edition, with Georgia Amendments (2020)

The City of Canton has an automatic sprinkler system ordinance. All multi-family residential construction (three family dwellings or more) requires an NFPA 13R automatic sprinkler system. For commercial development, any structure over 3,500 square feet shall require an NFPA 13 automatic sprinkler system.

This project may require two or more entrances based on the number of dwelling units constructed. This requirement is in the City of Canton Unified Development Code (UDC), section 109.03.12 - Development access and the 2018 International Fire Code Appendix "D".

The minimum diameter fire main size is 8". Fire hydrant placement is based on both the City of Canton UDC, section 110.02.02 (f)- Design criteria and appendix B and C of the 2018 International Fire Code which has been adopted as law in the City of Canton.

Mail Kiosks shall meet the 2010 Federal ADA standard and USPS-STD-4C. A van accessible handicap parking space and access aisle is required to serve an accessible route to the mail kiosk.

Specific 2018 IFC requirements for civil plans:

1. The 2018 International Fire Code, appendix "D" requires fire apparatus access roads not exceed 10% grade and for local Cherokee County fire apparatus requirements, access road cross grades may not exceed 5%.
2. Roads throughout the development must be at minimum made of asphalt or concrete capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.



3. Turn radiuses for all streets shall be 35' minimum for development entrances and 25' for interior streets. Proof of turning radius compliance shall be demonstrated using software analysis such as "AutoTURN" or other clearance/swept path analysis software. For tire curb clearances, bumper swing clearances or inside crimp angles, contact Cherokee County Fire & Emergency Services.

4. Dead end fire apparatus access roads in excess of 150 feet in length shall be provided an approved area for turning around fire apparatus.

5. Aerial fire apparatus streets are required where the vertical distance between the grade plane and the highest roof surface exceeds 30'. The required width of an aerial apparatus road shall be 26' minimum and constructed as noted in note #2 above. One or more of the aerial access routes meeting the building height condition shall be located not less than 15' and not greater than 30' from the building and shall be positioned parallel to one entire side of the building. Overhead utilities and power lines shall not be located over the aerial apparatus road.

Conditions for Consideration

COMMUNITY DEVELOPMENT

The applicant seeks to rezone 6.58 acres in order to construct five (5) 4 unit townhome buildings and renovate three (3) existing single family homes. With the rezoning request the applicant is also seeking two variances: 1) Increase the maximum parking allowance from 2.5 spaces per unit to 3 spaces per unit and 2) Eliminate the required buffers along the north and south property lines. These buffers are required due to the requested zoning category. There will be no construction where the buffers would be required. The existing conditions will remain as is.

The applicant also seeks approval of a Conditional Use Permit due to the proposed townhome buildings.

There is concern regarding access to the proposed living units. Marietta Circle is a narrow roadway that provides access to 12, 50 and 70 Marietta Circle. The proposed site plan indicates access to the new units from both Marietta Road and Marietta Circle. It is the applicants intent for access to the new units to be solely from Marietta Road and Marietta Circle being used only in a emergency situation.

Conditions for Consideration



DEVELOPMENT SERVICES

The proposed project will be required to provide green infrastructure during the development process.

Conditions for Consideration

POLICE DEPARTMENT

Conditions for Consideration

PUBLIC WORKS

Conditions for Consideration

UTILITY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

Conditions for Consideration

CHEROKEE COUNTY (AS NEEDED)

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT



Conditions for Consideration

CHEROKEE COUNTY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY FIRE MARSHAL

Conditions for Consideration

STAFF CONDITIONS FOR CONSIDERATION



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

REVISED
11-3-22

Public Hearing Application

Project # KZON 2209-006

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State N/A, where Not Applicable
2. Please make your check payable to "City of Canton."
3. If you have questions regarding this form please contact the Department of Planning and Zoning by calling (770) 704-1530.

This form is to be executed under oath. I, Melissa Costeel, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, Melissa Costeel, have received and thoroughly read the Public Hearing Procedures.

[Signature] This 1 day of September, 2022.
Applicant: Mondo Land Planning and Design, LLC Print Name: Melissa Costeel

Applicant Information: c/o Melissa Costeel

Name: Mondo Land Planning and Design, LLC
Address: 8020 Main St

City: Woodstock
State: GA Zip Code: 30188
Telephone: 770 402 3719
Fax Number: 866 321 0203
Email Address: mrcasteel@mondo-lpd.com

Owner Information:

Name: Lafayette Apartments, LLC
Address: 255 Debat St

City: Ball Ground
State: GA Zip Code: 30107
Telephone: 770 294 8502
Fax Number: _____
Email Address: wea@lafayetteconstruction.com

This Application For (Check Only One):

- ☐ A Annexation
☒ B Rezoning
☐ C Master Plans
☐ D Master Plan Revisions
☐ E Conditional Use Permit
☐ F Land Use Modification

☐ G Zoning Condition Amendment
☐ H Density Transfer within Master Plan

- ☐ I Temporary Use Permit
☐ J Zoning Ordinance Text Amendment
☐ K Variance : Pre-Construction
☐ K Variance : Post-Construction
☐ Appeal

☐ Adjustment
☐ Special Exception

Fee Schedule:

Application Type _____
Base Fee _____ + (#Acres _____ x \$25.00 = _____) = _____
+ (#Acres _____ x \$50.00 = _____) = _____
Advertising Fee _____

Staff Use Only

Amount Due: _____
Amount Due: _____
Total Fee: _____

Received By: _____ Date: _____

Amount Paid: _____



Community Development Department

110 Academy Street, Canton, Georgia 30114

770-704-1500

Authorization Of Property Owner

This form is to be executed under oath. I, Wes Latimer, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 1st day of September, 2022.

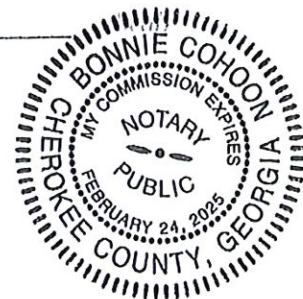
Owner Signature: Wes Latimer Print Name: Wes Latimer

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton:

- | | |
|---|--|
| ☐ A Annexation | ☐ G Zoning Condition Amendment |
| ☒ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☐ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Sworn To And Subscribed Before Me This 1st Day Of September, 2022.

Notary Signature: Bonnie Cohoon





Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Authorization Of Applicant

This form is to be executed under oath. I, Wes Latimer, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 1st day of September, 20 22.

Owner Signature: Wes Latimer Print Name: Wes Latimer

I, the above signed legal owner of the subject property, do hereby authorize the person named below to act as applicant in the pursuit of a request for:

- | | |
|---|--|
| ☐ A Annexation | ☐ G Zoning Condition Amendment |
| ☒ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☐ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Name of Authorized Applicant: Mondo Land Planning + Design, LLC

Signature: [Signature] c/o Melissa Casteel, PCA

Mailing Address: 8020 Main Street

City: Woodstock

State: GA Zip Code: 30188

Telephone: 770 402 3719

Fax Number: 866 334 0203

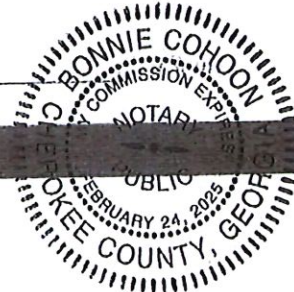
E-mail: mccasteel@mondo-lpd.com

Applicant Status:

- | |
|--|
| ☐ Owner |
| ☐ Option to Purchase |
| ☐ Leasee |
| ☐ Area Resident |
| ☒ Other (Explain): <u>Owner Representative</u> |

This Authorization of Applicant Form has been completed and the property owner's signature is Sworn To And Subscribed Before Me This 1st Day Of September, 20 22.

Notary Signature: Bonnie Cohoon





Community Development Department

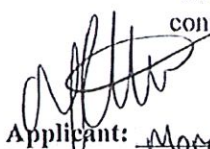
110 Academy Street, Canton, Georgia 30114
770-704-1500

Public Hearing Application

Project # _____

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State N/A, where Not Applicable
2. Please make your check payable to "City of Canton."
3. If you have questions regarding this form please contact the Department of Planning and Zoning by calling (770) 704-1530.

This form is to be executed under oath. I, Melissa Casteel, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, Melissa Casteel, have received and thoroughly read the Public Hearing Procedures.

 This 1 day of September, 20 22.
Applicant: Mondo Land Planning and Design, LLC Print Name: Melissa Casteel

Applicant Information:

c/o Melissa Casteel
Name: Mondo Land Planning and Design, LLC
Address: 8020 Main St
City: Woodstock
State: GA Zip Code: 30188
Telephone: 770 402 3719
Fax Number: 866 334 0203
Email Address: mccasteel@mondo-lpd.com

Owner Information:

Name: Latimore Apartments, LLC
Address: 255 Depot St
City: Bell Ground
State: GA Zip Code: 30107
Telephone: 770 294 8502
Fax Number: _____
Email Address: wes@latimoreresidential.com

This Application For (Check Only One):

- | | |
|--|--|
| ☐ A Annexation | ☐ I Temporary Use Permit |
| ☐ B Rezoning | ☐ J Zoning Ordinance Text Amendment |
| ☐ C Master Plans | ☐ K Variance : Pre-Construction |
| ☐ D Master Plan Revisions | ☐ K Variance : Post-Construction |
| ☒ E Conditional Use Permit | ☐ Appeal |
| ☐ F Land Use Modification | |
| ☐ G Zoning Condition Amendment | ☐ Adjustment |
| ☐ H Density Transfer within Master Plan | ☐ Special Exception |

Fee Schedule:

Application Type _____
Base Fee _____ + (#Acres _____ x \$25.00 = _____) = _____
+ (#Acres _____ x \$50.00 = _____) = _____
Advertising Fee _____ = _____

Staff Use Only

Amount Due: _____
Amount Due: _____
Total Fee: _____

Received By: _____

Date: _____

Amount Paid: _____



Community Development Department

110 Academy Street, Canton, Georgia 30114

770-704-1500

Authorization Of Property Owner

This form is to be executed under oath. I, Wes Latimer, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 1st day of September, 2022.

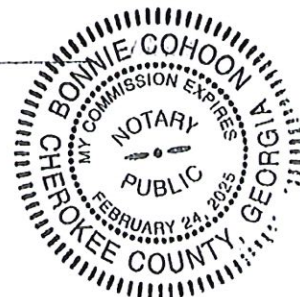
Owner Signature: Wes Latimer Print Name: Wes Latimer

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton:

- | | |
|--|--|
| ☐ A Annexation | ☐ G Zoning Condition Amendment |
| ☐ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☒ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Sworn To And Subscribed Before Me This 1st Day Of September, 2022.

Notary Signature: Bonnie Cohoon





Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Authorization Of Applicant

This form is to be executed under oath. I, Wes Latimer, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 1st day of September, 2022.

Owner Signature: Wes Latimer Print Name: Wes Latimer

I, the above signed legal owner of the subject property, do hereby authorize the person named below to act as applicant in the pursuit of a request for:

- | | |
|--|--|
| ☐ A Annexation | ☐ G Zoning Condition Amendment |
| ☐ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☒ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Name of Authorized Applicant: Mondo Land Planning + Design, LLC

Signature: [Signature] % Melissa Casteel

Mailing Address: 8020 Main Street

City: Woodstock

State: GA Zip Code: 30188

Telephone: 770 402 3719

Fax Number: 866 334 0203

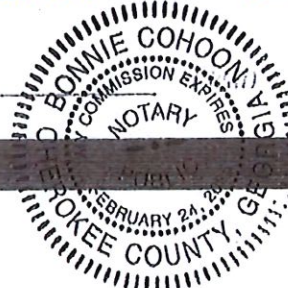
E-mail: mrcasteel@mondo-lpd.com

Applicant Status:

- | |
|--|
| ☐ Owner |
| ☐ Option to Purchase |
| ☐ Leasee |
| ☐ Area Resident |
| ☒ Other (Explain): <u>Owner Representative</u> |

This Authorization of Applicant Form has been completed and the property owner's signature is Sworn To And Subscribed Before Me This 1st Day Of September, 2022.

Notary Signature: Bonnie Cohoon





Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Disclosure Form

O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an applicant or opponent of a public hearing petition. Applicants must file this form with the Department of Planning and Zoning.

1. Name of Applicant/Opponent: Wes Letimer Type Or Print All Responses

Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Planning Commission or the City of Canton Mayor and Council?
☐ YES ☒ NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?
☐ YES ☒ NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?
☐ YES ☒ NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?
☐ YES ☒ NO

Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made *(Please use a separate form for each official to whom a contribution has been made in the past (2) years):*
NA

2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

	Description
\$	<u>NA</u>
\$	
\$	

Note: Complete a separate form for each authorized applicant.



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Disclosure Form

O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an applicant or opponent of a public hearing petition. Applicants must file this form with the Department of Planning and Zoning.

1. Name of Applicant/Opponent: Melissa Carter Please Print All Responses

Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Planning Commission or the City of Canton Mayor and Council?
☐ YES ☒ NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?
☐ YES ☒ NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?
☐ YES ☒ NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?
☐ YES ☒ NO

Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made *(Please use a separate form for each official to whom a contribution has been made in the past (2) years):*

2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

	Description
\$	
\$	
\$	

Note: Complete a separate form for each authorized applicant.



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Property Information:

Address: 718 Marietta Rd, 12 Marietta Circle, 50 Marietta Circle, 70 Marietta Circle
Land Lot(s): 1105 District: 14 Section: _____ Map #: 911118 Parcel #: (718) - D022
Existing Zoning Of Property: PA-6 / 02-T ☒ City ☐ County Total Acreage Of Property: 6.58 (12) - D014 (50) - D015
Proposed Zoning Of Property: PA-8 Existing Use(s) Of Property: Residential
Directions to property from Main Street in downtown Canton:
South on Dr. John T. Bell St to Marietta Rd. Left on Marietta Rd.
Left on Marietta Circle.

Adjacent Property/Owner Information: Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

	OWNER NAME/ADDRESS	CURRENT ZONING	CURRENT LAND USE
NORTH			
SOUTH			
EAST			
WEST			
OTHER			

↑
List to be provided by City
↓

UTILITY INFORMATION

How is sewage from this development to be managed? City online sewer
Proposed managing jurisdiction: City of Canton
How will water be provided to the site? City online water
Proposed managing jurisdiction: City of Canton Size Limit: _____



Dear Applicant,

By signing this letter you have acknowledged that you have read and understand the City of Canton's "Housing Needs Assessment & Market Study". A copy of this study may be found on the City's website, www.cantonga.gov.

In addition by signing this letter you have acknowledged that you have read and understand the City of Canton's "Roadmap for Success". This plan was adopted by the Mayor and City Council on December 17, 2020. A copy of this document may also be found on the City's website, www.cantonga.gov. *

I, Melissa Cartmel, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton "Housing Needs Assessment & Market Study". The proposed project meets the tenets of success and assists the City in reaching goals through the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.

[Signature] Date: 9/1/22
Signature

Melissa Cartmel
Printed Name

I, Melissa Cartmel, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton's "Roadmap for Success". The proposed project has implemented the "Roadmap for Success" or portions thereof within the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.

[Signature] Date: 9/1/22
Signature

Melissa Cartmel
Printed Name

*Please be prepared to discuss the items with the City staff.



Dear Applicant,

By signing this letter you have acknowledged that you have read and understand the City of Canton's "Housing Needs Assessment & Market Study". A copy of this study may be found on the City's website, www.cantonga.gov.

In addition by signing this letter you have acknowledged that you have read and understand the City of Canton's "Roadmap for Success". This plan was adopted by the Mayor and City Council on December 17, 2020. A copy of this document may also be found on the City's website, www.cantonga.gov. *

I, Wes Latimer, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton "Housing Needs Assessment & Market Study". The proposed project meets the tenets of success and assists the City in reaching goals through the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.

Wes Latimer Date: Sept. 1, 2022
Signature

Wes Latimer
Printed Name

I, Wes Latimer, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton's "Roadmap for Success". The proposed project has implemented the "Roadmap for Success" or portions thereof within the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.

Wes Latimer Date: Sept. 1, 2022
Signature

Wes Latimer
Printed Name

*Please be prepared to discuss the items with the City staff.



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

PUBLIC SCHOOL POLICY STATEMENT

The Mayor and Council of the City of Canton hereby recognize that growth and development can, at times, have an effect on school capacity within the county and therefore recognize the need to share information on developments that have regional impact. In an effort to cooperate with the Cherokee County School Board and share information on residential rezoning requests, master plan applications, and land use modifications to the comprehensive land use plan, the Mayor and Council hereby encourage open dialogue and meeting between the applicant and the appropriate school board representative. Therefore, developers whose projects consist of 25 or more residential units shall contact the Cherokee County School Board and communicate with a school board representative to discuss their intent. This communication between the applicant and the school board shall take place, at a minimum, prior to the Planning Commission meeting in which the application is scheduled to be heard. The applicant should be prepared to address such communication if requested by the Mayor and Council at the meeting in which final action is to be taken. (Section 8-8-B-37) (Amended: 12/07/00)

County Schools serving this development:

HIGH Cherokee HS
MIDDLE Tearley MS
ELEMENTARY Holly ES

TRAFFIC INFORMATION

Road/Street providing access: Proposed - Kenneth Street
Existing - Marietta Road
Width at property: (Road) 12' pavement (Right-of-way) Varies / 15' average
Distance to nearest major thoroughfare: 410' Thoroughfare Name: Marietta Road
Description of Road accessing property (Classification): Arterial Minor Collector

In support of this request, I submit the following items, which are attached and made a part of this application:

- | | |
|--|--|
| ☒ Boundary Survey | ☒ Master Plan <u>(Site Plan)</u> |
| ☒ Legal Description | ☒ Location Map |
| ☒ Letter of Intent | ☐ Hydrology Study |
| ☒ Planning Commission Review Criteria Response | ☐ Traffic Analysis Report |
| | (Guidelines available from Planning & Zoning Dept.) |
| ☐ Board of Zoning Appeals Review Criteria Response | ☐ Elevation Plans |
| ☐ Petition Requesting Annexation | |
| ☐ Other (please explain) _____ | |

Canton Planning Commission Review Criteria

(Applications Type A – J : ONLY)

How will this proposal be compatible with surrounding properties? _____

_____ *See Letter of Intent* _____

How will this proposal affect the use and value of surrounding properties? _____

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

What would be the increase to population and traffic if the proposal were approved? _____

What would be the impact to schools and utilities if the proposal were approved? _____

How is the proposal consistent with the Comprehensive Land Use Plan, particularly the Future Land Use Map?

Are there existing or changing conditions which affect the development of the property and support the proposed request? _____

* Please provide a Letter of Intent, which provides the necessary information to support your application.

FIELD WORK: FK/MH/TP
DRAWN BY: CAP/MDP
JOB NO: 4461
FILE NO: 4461

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.

OWNER(S) CERTIFICATE

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE
PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS
LOCATED WITHIN THE JURISDICTION OF CHEROKEE
COUNTY, GEORGIA

OWNER

OWNER

OWNER

SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land
and does not subdivide or create a new parcel or make any changes
to any real property boundaries. The recording information of the
documents, maps, plats, or other instruments which created the
parcel or parcels are stated herein.

RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY
LOCAL JURISDICTION, AVAILABILITY OF PERMITS COMPLIANCE WITH
LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY
USE OR PURPOSE OF THE LAND.

Furthermore, the undersigned Land Surveyor certifies that this plat
complies with the minimum technical standards for property surveys
in Georgia as set forth in the rules and regulations of the Georgia
Board of Registration for Professional Engineers and Land Surveyors
and as set forth in O.C.G.A. Section 15-6-67.

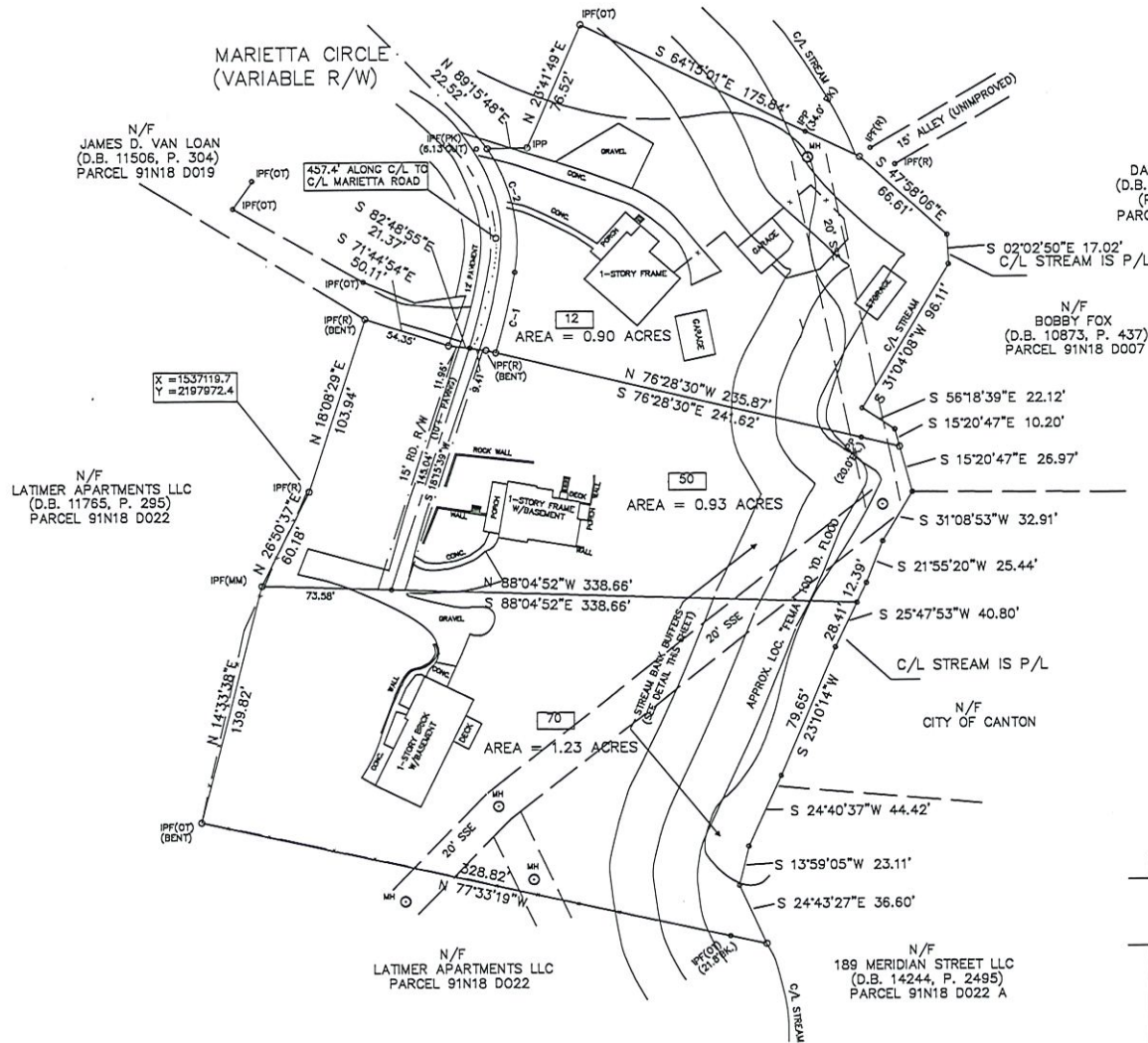
CURVE DATA

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH.BEARING
C-1	391.95'	47.44'	6°56'04"	47.41'	N13°31'50"E
C-2	96.52'	74.20'	44°02'38"	72.39'	N11°57'31"W

N/F
FERIDA CLOUD
(D.B. 929, P. 229)
PARCEL 91N18 D013

"F.I.R.M. FEDERAL INSURANCE RATE
MAP" COMMUNITY NO130039 PAGE
251 F. DATED 7/2/2019 SHOWS THIS
PROPERTY TO BE IN AN AREA
HAVING SPECIAL FLOOD HAZARDS.

DWG NO 20-4461-33 C



AREA = 3.06 ACRES

SURVEY OF TAX PARCELS
91N18 D014, D015 & D016

FOR:

LATIMER APARTMENTS LLC

PART OF:
LAND LOT 165
14th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GEORGIA
CITY OF CANTON
SCALE: 1" = 50'
FIELD WORK: MARCH 19, 2020
PREPARED: MARCH 25, 2020
REVISED: JUNE 03, 2020 (ADDED PARCEL D014)

CHEROKEE SURVEYING CO., INC.

P.O. BOX 329
CANTON, GEORGIA 30169
2623 MARIETTA HIGHWAY
CANTON, GEORGIA 30114
TEL 770 479 5940

email: cherokeesurveying@windstream.net

DWG NO 20-4461-33 C

- LEGEND
1. IPP - IRON PIN PLACED (1/2" RD)
 2. IPF - IRON PIN FOUND
 3. CT - CRIMP TOP PIN
 4. OT - OPEN TOP PIN
 5. R - REINFORCING BAR
 6. LL - LAND LOT LINE
 7. R/W - RIGHT OF WAY
 8. P/L - PROPERTY LINE
 9. C/L - CENTER LINE
 10. B/L - BUILDING LINE
 11. F/L - FENCE LINE
 12. P - POWER LINE
 13. A - ADDRESS
 14. CWF - CONC W/ON FOUND
 15. MH - MANHOLE
 16. CO - CLEANOUT
 17. WM - WATER METER
 18. XMR - TRANSFORMER

THIS MAP OR PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE WITHIN
ONE (1) FOOT IN 78,234 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT
IS BASED HAS A CLOSURE PRECISION OF 1 FOOT
IN 78,234 FEET AND AN ANGULAR ERROR
OF 1" PER ANGLE POINT, AND WAS
ADJUSTED USING THE N/A RULE.

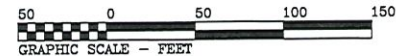
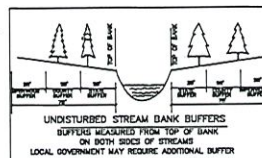
THIS PLAT HAS BEEN PREPARED USING A TOPCON
TOTAL STATION READING DIRECTLY TO 5 SECONDS
OF ARC AND ONE THOUSANDTH OF A FOOT.

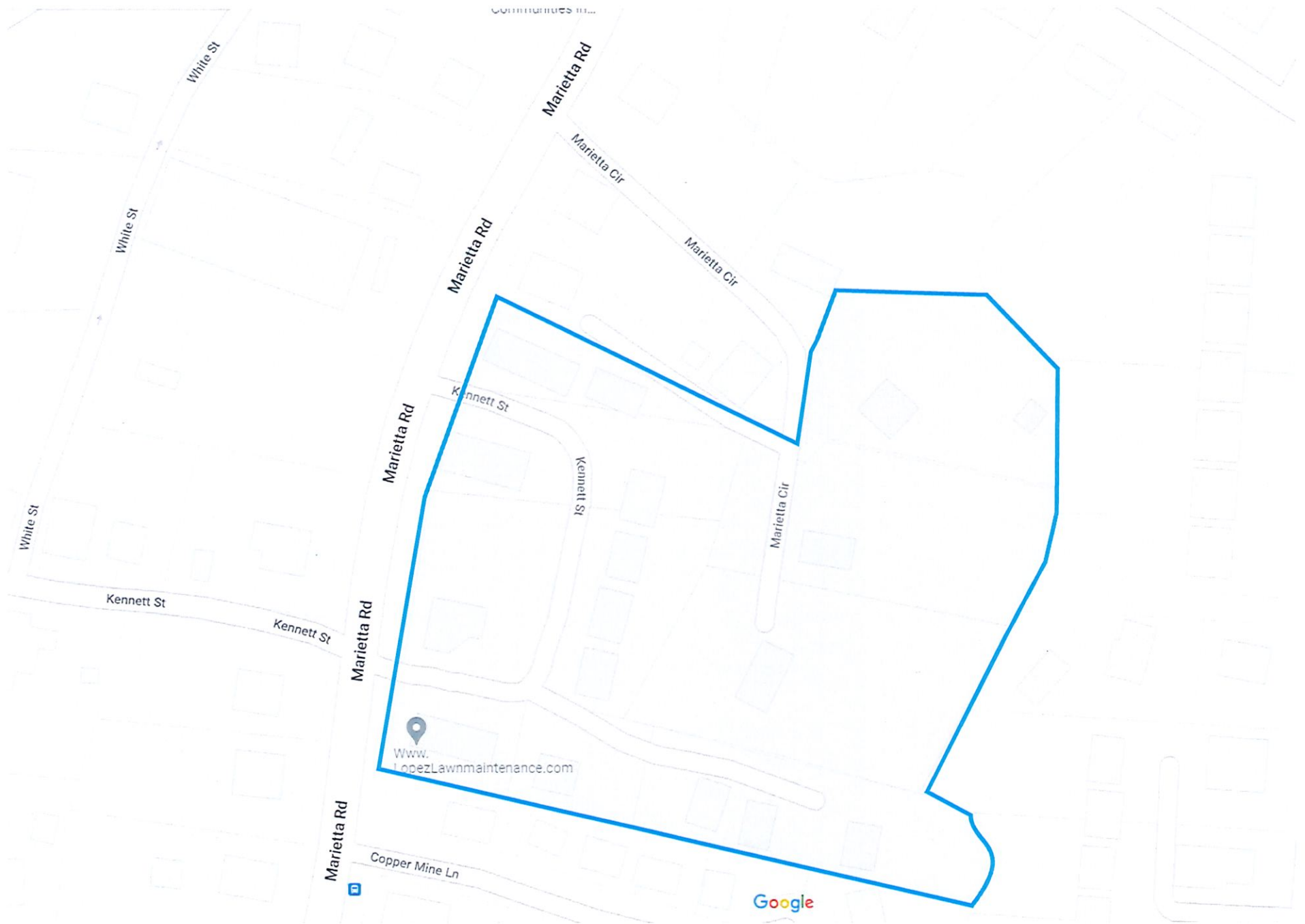
GENERAL NOTES:

- 1.) ALL MATTERS OF TITLE ARE EXCEPTED.
- 2.) ZONING INFORMATION, ADDRESS, PARCEL NUMBERS &
ADJOINING OWNERS FROM CHEROKEE COUNTY ONLINE GIS.
- 3.) STATE PLANE COORDINATES OBTAINED USING CARLSON
BRX6 ROVER AND eGPS SOLUTIONS, INC. NETWORK.
- 4.) ALL MEASUREMENTS SHOWN ARE GROUND MEASURED.

SURVEY NOTES:

- 1.) REFERENCE DEEDS: D.B. 1165, P. 191, D.B. 11755, P. 284
D.B. 2045, P. 132
- 2.) REFERENCE PLATS: P.B. 2, P. 12 & P.B. 23, P. 1





Location Map (12, 50 and 70 Marietta Circle)

710 Marietta Road Ph 2 - Existing Zoning



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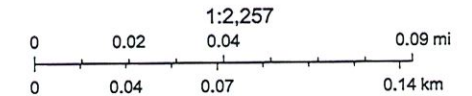
Parcels
Parcel Street Number

Zoning

GC General Commercial
R-40 Single-Family Residential (40,000 sq ft) / GC General Commercial
NC Neighborhood Commercial
CBD Central Business District
MHP Manufactured Home Park

L-I Light Industrial
O-I Office-Institutional
O-RT Office-Residential Transition
PD-R Planned Development (Residential)
PD-BO Planned Development (Business/Office)
PD-MU Planned Development (Mixed Use)
PD-TN Planned Development (Traditional Neighborhood)

RA-6 Residential Attached (6 du/acre)
RA-8 Residential Attached (8 du/acre)
RM-15 Multiple-Family Residential (15 du/acre)
R-4 Single-Family Residential (4,000 sq ft)
R-10 Single-Family Residential (10,000 sq ft)
R-15 Single-Family Residential (15,000 sq ft)
R-20 Single-Family Residential (20,000 sq ft)



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710 Marietta Road Ph 2 - Future Development

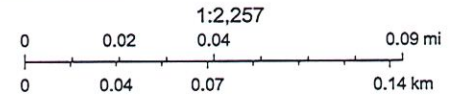


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- Parcels
- Parcel Street Number
- Character Area (Future Land Use)
 - DUC Downtown/Urban Center
 - MHC Major Highway Corridor
 - HTNS Historic/Traditional Neighborhood-Stable
 - SDA Suburban Development Area
 - CLMURC Community Level Mixed Use/Retail Center
- TNRA Traditional Neighborhood Redevelopment Area
- NL Neighborhood Living
- SE Suburban Estates
- NA Natural Area
- EC Employment Center
- AI Area of Influence
- Future Growth Boundary

- Lake
- Canton Parks
- River/Stream
 - Etowah River
 - Little River
 - Creek
 - Local; Minor Local; Unclassified; Cul-de-sac/deadend
 - Major Collector; Minor Collector

- Highway/Arterial
- Cherokee Boundary
- Cherokee Cities Outline
- City of Canton Outline
- Points of Interest
 - Cultural/Arts
 - Education
 - Golf
 - Government
 - Hospital
 - Library
 - Public Safety
 - Utilities



City of Canton, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, GIS

Letter of Intent

718 Marietta Road and 12, 50 & 70 Marietta Circle – Request to Rezone to RA-8 (Office – Residential Transition) with Conditional Use Permit for Quadraplex Units and Concurrent Variances to Parking Maximum and Buffers

The following serves as Letter of Intent and provides responses to the Canton Planning Commission Review Criteria form.

The subject application serves to request **Rezoning of the subject parcels from RA-6 (Residential 6 UPA) and O-RT (Office Residential Transition) to RA-8 (Residential 8 UPA) in order to add a second phase to Phase 1 located at 718 Marietta Road.** The parcels are located within the Sunnyside District.

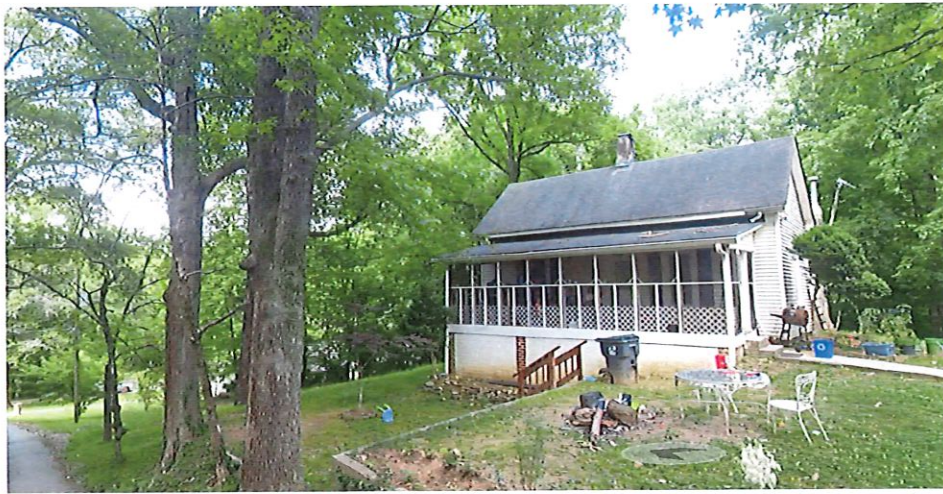
RA-8 residential attached (eight du/acre). This district is intended to provide for high density residential attached residences (duplexes, tri-plexes, and quad-plexes) which are connected to public water and public sewer systems.

The subject property located at 718 Marietta Road contains 25 single and duplex residential units. 12, 50 and 70 Marietta Circle currently contain three single-family homes. The Owner, Latimer Apartments, LLC proposes to assemble these parcels to total 6.58 acres and contain 49 total dwelling units for a density of 7.45 overall units per acre. Three existing homes will be renovated. The intent of the project serves to support the goals of the Sunnyside Roadmap for Success by offering safe, attractive, connected, and inviting neighborhoods built with quality housing.

Located across the stream from other renovated duplex units, and likewise proposing to expand on an existing attached residential development, the proposed site development is highly consistent and compatible with surrounding land use conditions. Likewise, the project is in the Sunnyside neighborhood area, which is outlined in the Canton Housing Needs Assessment and Market Study as being a target area for construction of additional affordable housing units. This project will add 24 units for a total of 49 renovated, or new construction, affordable housing units for workforce and families.

Existing homes at 12, 50 and 70 Marietta Circle. All three homes will be renovated.



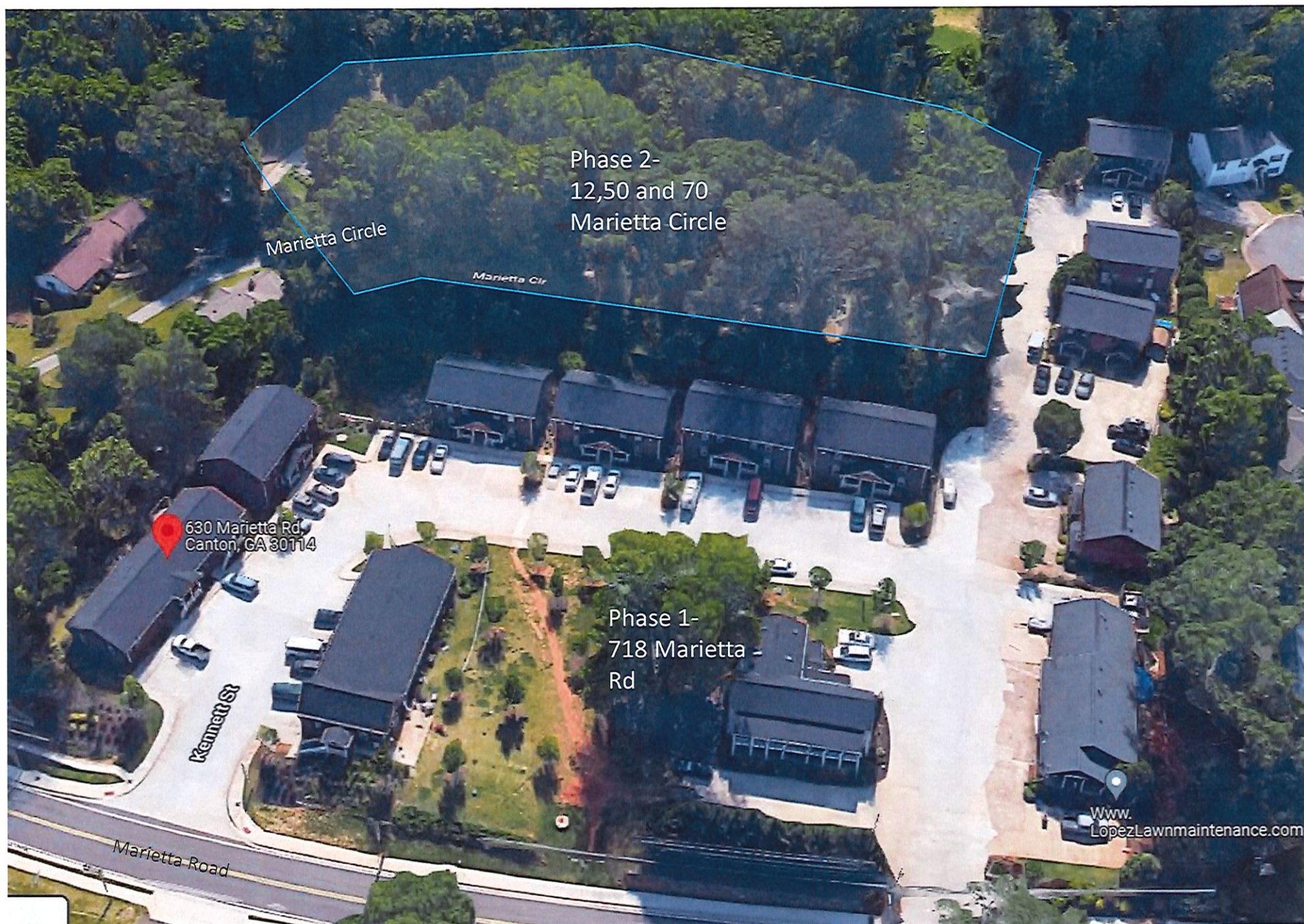


The existing pedestrian sidewalk network will be expanded to serve Ph 2 and link through Ph 1 to existing City of Canton sidewalks along Marietta Road. This in turn will provide pedestrian access to a future proposed nearly transit stop location anticipated to the north of the subject property.

Automobile access to Phase 2 is proposed to be accessed through Ph 1 as to both make the development cohesive and to avoid adding auto traffic to Marietta Circle.

The site's utilities are proposed to be provided by City of Canton as those in Phase 1 currently utilize, which will increase demand on water and water treatment. An existing sewer line and associated easement located at the eastern end of the project will be realigned to accommodate the proposed unit construction.

Renovated and new units will be built to complement the existing, all-brick units. Phase 1 is currently landscaped throughout with accent trees and shrubs. This palette of plantings will continue through Phase 2. High quality materials utilized with aesthetics and maintenance in



Not to Scale – Reference Only

mind, the renovation of older homes, and expansion of aesthetic plantings will serve to further property values in the area.

The photo below is of a Duplex unit located in Phase 1. The proposed architectural style, materials and colors of Ph 2 renovations and new construction are to be consistent with Phase 1.



Conditional Use Permit for Quadraplex Units

Phase 2 is proposed to contain a series of quadraplex building units. Latimer Apartments, the Owner, is applying through the U.S Department of Housing and Urban Development (HUD) program to obtain financing for phase 2 development and construction. Due to recent misinterpretation of the basis of intent for 'For Rent' housing developments, the Multifamily Insured Mortgage Project HUD program required minimum 50% of units be constructed as quadraplex units. Twenty of the newly proposed units in Ph 2 are proposed to be constructed as quadraplex units. This is approximately 96% of the new construction units (however less than 41% of the net total units of the overall project after the two phases are combined.) One additional new unit is proposed as an addition to one of the existing single-family structures. The subject application, per code, serves to request a Conditional Use Permit for the 20 quadraplex units (five total buildings) as a means to satisfy conditions of the HUD financing.

Concurrent Variances to Parking Maximum

The addition of 21 units (24 overall with inclusion of 3 existing) will provide residence for 24 families. These units can typically hold families of 4-6 people including 2-4 children, on average. Considering that these families are sometimes blended and multi-generational, parking has been proposed at a rate of 3 spaces per unit. This exceeds the 2.5 maximum unit in the City of Canton code. The applicant wishes to request the 3 units to facilitate the parking demands of the residents and their guests. The current maximum rate of 2.5 spaces often does not provide for the demands of the residents, but then also does not provide much room for guests. The Owner wishes to provide for more parking in a way built to City standards.

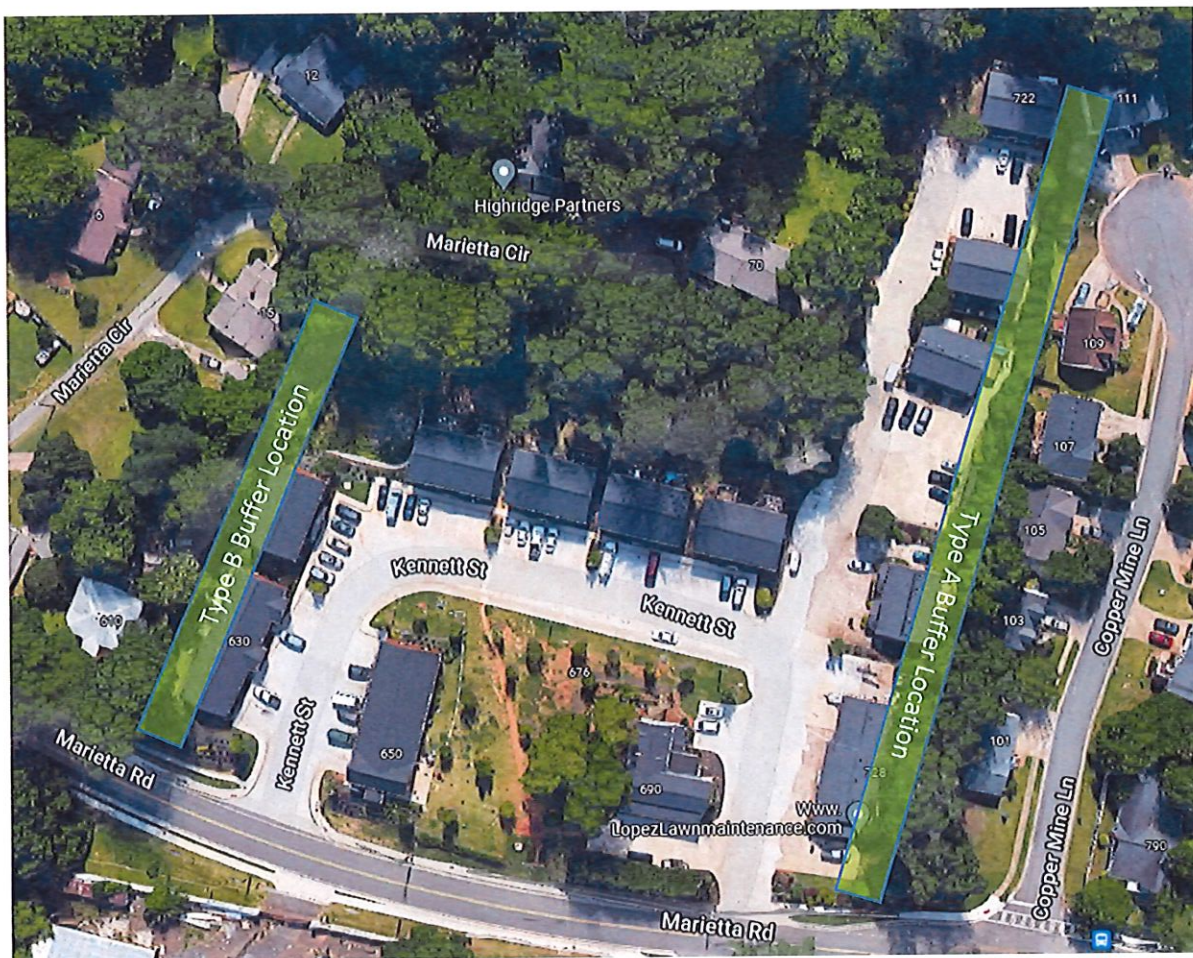
Concurrent Variances to Buffers

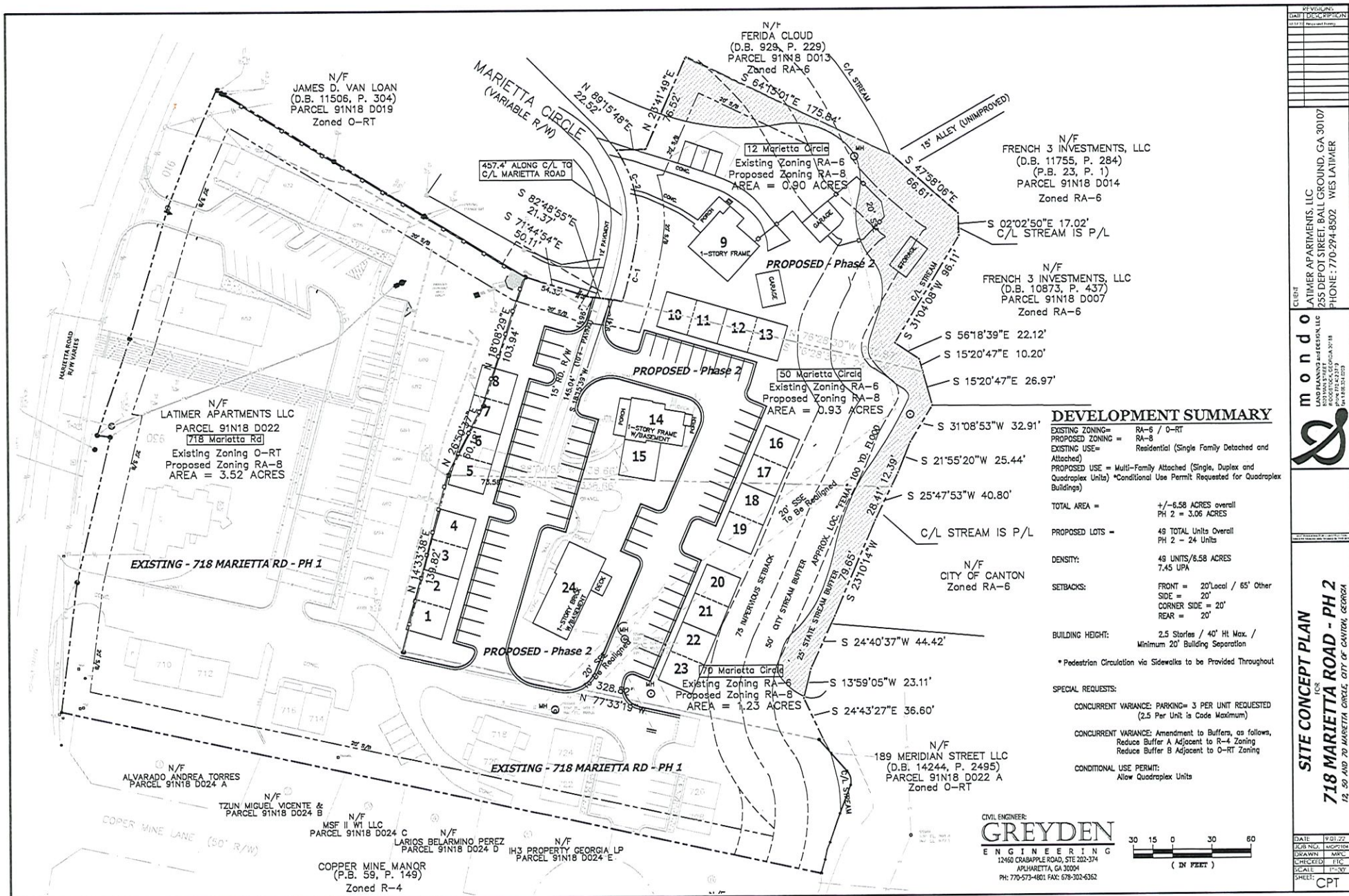
The subject request includes rezoning of 718 Marietta Road (Ph 1) to RA-8. This transition in zoning will add the requirement of two different buffers along shared property lines.

- 25' Type A buffer would be required along the southern property line adjacent to R-4 zoning.
- 50' Type B buffer would be required along the northern boundary of the Phase 1 area adjacent to O-RT zoned properties.

The application requests to effectively eliminate these buffers due to built conditions. Phase 1, as seen in photo below, is fully constructed at the time of this application. No additions or site renovations proposed within these areas therefore the existing conditions are proposed to remain the same with no reduction in vegetative cover. In many locations along both property lines past landscaping has served to infill plant. Privacy fences exist along portions of the same.

A small portion of Phase 2 (50 Marietta Circle parcel) will share approximately 55' linear feet with an OR-T zoned property along the northern boundary. Request is for reduction of this segment of buffer to the maximum extent necessary to construction Phase 2 (all infrastructure, buildings and parking) and then replant the remaining open space area to buffer standards.





DEVELOPMENT SUMMARY

EXISTING ZONING =	RA-8 / O-RT
PROPOSED ZONING =	RA-8
EXISTING USE =	Residential (Single Family Detached and Attached)
PROPOSED USE =	Multi-Family Attached (Single, Duplex and Quadplex Units) *Conditional Use Permit Requested for Quadplex Buildings
TOTAL AREA =	+/- 6.58 ACRES overall PH 2 = 3.06 ACRES
PROPOSED LOTS =	48 TOTAL Units Overall PH 2 = 24 Units
DENSITY:	48 UNITS/6.58 ACRES 7.45 UPA
SETBACKS:	FRONT = 20' Local / 65' Other SIDE = 20' CORNER SIDE = 20' REAR = 20'
BUILDING HEIGHT:	2.5 Stories / 40' Ht. Max. / Minimum 20' Building Separation
* Pedestrian Circulation via Sidewalks to be Provided Throughout	
SPECIAL REQUESTS:	
CONCURRENT VARIANCE: PARKING = 3 PER UNIT REQUESTED (2.5 Per Unit is Code Maximum)	
CONCURRENT VARIANCE: Amendment to Buffers, as follows, Reduce Buffer A Adjacent to R-4 Zoning Reduce Buffer B Adjacent to O-RT Zoning	
CONDITIONAL USE PERMIT: Allow Quadplex Units	

DATE: 9/21/22
JOB NO.: 1202204
DRAWN: MKL
CHECKED: JTC
SCALE: 1"=50'
SHEET: CPT

PT. VIOLATION
DATE: 12/1/22
DESCRIPTION: (None)

CLIENT: LATIMER APARTMENTS, LLC
LAND PLANNING AND DESIGN, LLC
255 DEPOT STREET, BALL GROUND, GA 30107
PHONE: 770-294-8502, WES LATIMER

mondo

LAND PLANNING AND DESIGN, LLC
255 DEPOT STREET, BALL GROUND, GA 30107
PHONE: 770-294-8502, WES LATIMER

SITE CONCEPT PLAN

FOR

718 MARIETTA ROAD - PH 2

12, 50 AND 70 MARIETTA CIRCLE, CITY OF CANTON, GEORGIA

CIVIL ENGINEER:

GREYDEN

ENGINEERING

12460 CUMBERLAND ROAD, STE 302-374

ALPHARETTA, GA 30004

PH: 770-573-4801 FAX: 678-302-6352

Geocortex Essentials Parcel Report

Cherokee County, GA

TIN: 91N18 D022

Report generated 11/1/2022 1:16:58 PM



Vicinity Map

1: 19,915.91



Tax parcel highlighted in cyan

1: 3,719.66

Tax Parcel Information

Owner: LATIMER RESIDENTIAL PROPERTIES LLC

Property Address: 718 Marietta Rd, Canton 30114

Subdivision:

TIN: 91N18 D022

PIN: 14-0165-0114

Mailing Address: 828 BEAVERS RD, CANTON, GA 30115

Acreage: 3.519

Lot #: 160

PB/PG:

DB/PG:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



William E. Whitaker P.C.
340 E Main Street
Canton, GA 30114

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CHEROKEE

THIS INDENTURE, made this 30th day of November, 2020 between **Latimer Apartments LLC, a Georgia limited liability company** of the first part, and **Latimer Residential Properties LLC, a Georgia limited liability company** of the State of Georgia of the second part,

WITNESSETH: That the said party of the first part, in consideration of Ten Dollars, and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is 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, its successors and assigns:

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly in Exhibit "A" attached hereto and incorporated herein by reference for a more complete description of the property.

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 and **Latimer Residential Properties LLC**, its successors and assigns forever in FEE SIMPLE and the said party of the first part, for its successors and assigns, will warrant and forever defend the right and title to the above described property unto the said party of the second part, its successors and assigns, against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of

Latimer Apartments LLC

By:

Wesley Latimer, Member

Witness

Notary



Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia being more particularly described as follows:

Tract 1:

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia being more particularly described as follows:

BEGIN at an iron pin at the intersection of the Eastern Right-of-Way of Marietta Road (Variable Right-of-Way) and the Northern boundary of a Plat of Survey for Copper Mine Manor recorded in Plat 59 Page 149, Cherokee County Records, which Plat is incorporated herein by reference for a more complete description of the beginning point; thence, following the Eastern Right-of-Way of Marietta Road, North 07 degrees 20 minutes 25 seconds East 100.30 feet to a point; thence, North 06 degrees 29 minutes 32 seconds East 61.01 feet to a point; thence, North along an arc to the right with radius of 1,069.03 feet an arc distance of 53.40 feet to a point subtended by a chord with an bearing of North 08 degrees 09 minutes 28 seconds East and a distance of 53.40 feet; thence, South 80 degrees 24 minutes 40 seconds East 10.00 feet to a point; thence, North along an arc to the right with radius of 1,059.03 feet an arc distance of 281.40 feet to an iron pin at the point subtended by a chord with an bearing of North 17 degrees 12 minutes 03 seconds East and a distance of 280.57 feet; thence, leaving said Right-of-Way, South 58 degrees 14 minutes 19 seconds East 278.71 feet to an iron pin; thence, South 18 degrees 01 minute 03 seconds West 104.19 feet to an iron pin; thence, South 26 degrees 56 minutes 05 seconds West 60.21 feet to an iron pin; thence, South 14 degrees 30 minutes 58 seconds West 139.67 feet to an iron pin; thence, South 77 degrees 34 minutes 45 seconds East 328.60 feet to a point at the centerline of a stream; thence, following said stream centerline, South 26 degrees 58 minutes 37 seconds East 11.70 feet to a point; thence South 42 degrees 06 minutes 29 seconds East 18.05 feet to a point; thence, South 10 degrees 59 minutes 55 seconds East 11.64 feet to a point; thence South 19 degrees 08 minutes 20 seconds West 23.14 feet to a point; thence, South 21 degrees 07 minutes 10 seconds West 23.14 feet to a point; thence, South 15 degrees 31 minutes 58 seconds West 13.63 feet to a point; thence, South 15 degrees 37 minutes 22 seconds West 10.79 feet to a point; thence, leaving said stream centerline, North 77 degrees 31 minutes 06 seconds West 594.46 feet to an iron pin which is the POINT OF BEGINNING.

The above property is the tract more particularly described in a Plat of Survey for Latimer Apartments, LLC dated November 16, 2020, which Plat is incorporated herein by reference for a more complete description of the property and describes property known as parcel 91N17- D022, Cherokee County Georgia Tax Records and also known as 630 -728, Marietta Road, Cherokee County, Georgia 30114.

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

Tract 2:

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia being more particularly described as follows:

BEGIN at an iron pin at the Southwest corner of Lot 14 of the Copper Mine Manor Subdivision, more particularly described in the Subdivision Plat recorded in Plat 59 Page 149, Cherokee County Records, which Plat is incorporated herein by reference for a more complete description of the beginning point; thence, South 77 degrees 46 minutes 48 seconds East 234.49 feet to an iron pin; thence, South 78 degrees 23 minutes 55 seconds East 340.40 feet to a point at the center of a stream; thence, following said stream centerline, South 64 degrees 49 minutes 25 seconds East 73.40 feet to a point; thence, South 46 degrees 47 minutes 35 seconds West 44.65 feet to a point; thence South 70 degrees 19 minutes 45 seconds West 60.50 feet to a point; thence, South 26 degrees 09 minutes 00 seconds West 14.12 feet to a point; thence, South 44 degrees 28 minutes 45 seconds West 13.91 feet to a point; thence, South 10 degrees 04 minutes 40 seconds East 93.26 feet to a point; thence, South 27 degrees 46 minutes 18 seconds East 26.50 feet to a point; thence, South 15 degrees 30 minutes 30 seconds West 45.40 feet to a point; thence, leaving said stream centerline, North 50 degrees 16 minutes 24 seconds West 107.64 feet to a point; thence North 77 degrees 51 minutes 20 seconds West 516.71 feet to a point at the Eastern Right-of-Way of Marietta Road (Variable Right-of-Way); thence, following said Right-of-Way, North 14 degrees 01 minute 38 seconds East 105.08 feet to a point; thence, North 12 degrees 22 minutes 22 seconds East 104.84 feet to a point; thence, North 77 degrees 46 minutes 48 seconds West 10.00 feet to an iron pin which is the POINT OF BEGINNING.

The above property is the 2.925 acres more particularly described in a Plat of Survey for Latimer Apartments, LLC dated November 20, 2020, which Plat is incorporated herein by reference for a more complete description of the property and describes property known as parcel 91N17- D025, Cherokee County Georgia Tax Records and property also known as 792 -828, Marietta Road, Cherokee County, Georgia 30114.

PT-61 (Rev. 2/18)

To be filed in **CHEROKEE COUNTY**

PT-61 028-2020-013851

SECTION A – SELLER'S INFORMATION (Do not use agent's Information)				SECTION C – TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME Latimer Apartments LLC				Exempt Code If no exempt code enter NONE	Corporation to Corporation
MAILING ADDRESS (STREET & NUMBER) P.O. Box 4038				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		DATE OF SALE 11/30/2020		1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B – BUYER'S INFORMATION (Do not use agent's Information)				2. Fair market value of Personal Property only	\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Latimer Residential Properties LLC				3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 828 Beavers Rd.				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30115 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION			SUITE NUMBER
COUNTY CHEROKEE		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 91N18-D022, D025	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE	

ADDITIONAL BUYERS

None

2021 Property Tax Statement

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Make Check or Money Order Payable to:
Cherokee County Tax Commissioner

LATIMER RESIDENTIAL PROPERTIES LLC
828 BEAVERS RD
CANTON, GA 30115

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2021-70277	11/15/2021	\$0.00	\$21505.90	\$0.00	Paid 10/26/2021

Map: 91N18 D022

Printed: 11/01/2022

Location: 630 MARIETTA RD

If you have sold this property, fax a copy of the settlement statement to 678-493-6423. If you have an escrow forward tax bill to your mortgage company as soon as possible. Interest will accrue at the rate prescribed by law starting November 16th and the 16th of each month until paid. The penalty will accrue at the rate prescribed by law. ** Pay online at www.cherokeega.com ** Please note: There is a 2.5 % Merchant fee for Visa, MasterCard & Discover. There is a 3% Merchant Fee charged for American Express. (These Merchant fees are not collected by Cherokee County.)

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: LATIMER RESIDENTIAL PROPERTIES LLC
Map Code: 91N18 D022 Real
Description: LL 165 14TH D
Location: 630 MARIETTA RD
Bill No: 2021-70277
District: 003

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions
1,149,910.00	613,100.00	3.5200	\$1,763,010.00	11/15/2021			

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
CITY OF CANTON	\$1,763,010	\$705,204	\$0	\$705,204	5.400000	\$3,808.10	\$0.00	\$3,808.10
COUNTY M&O	\$1,763,010	\$705,204	\$0	\$705,204	5.212000	\$3,675.52	\$0.00	\$3,675.52
PARKS BOND	\$1,763,010	\$705,204	\$0	\$705,204	0.434000	\$306.06	\$0.00	\$306.06
SCHOOL BOND	\$1,763,010	\$705,204	\$0	\$705,204	1.250000	\$881.51	\$0.00	\$881.51
SCHOOL M&O	\$1,763,010	\$705,204	\$0	\$705,204	18.200000	\$12,834.71	\$0.00	\$12,834.71
TOTALS					30.496000	\$21,505.90	\$0.00	\$21,505.90

If you need to - change your mailing address / are a new resident / person 62 or older and/or disabled you should call the Tax Assessors office at 678-493-6120 to find out about qualifications for exemptions. April 1 of each year is the deadline to apply with The Tax Assessors Office for any exemptions. If you feel your property value is too high, you should file a return with the Tax Assessor's Office no later than April 1st.

Current Due	\$21,505.90
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$21,505.90
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	10/26/2021

Geocortex Essentials Parcel Report

Cherokee County, GA

TIN: 91N18 D014

Report generated 8/31/2022 11:16:08 AM



Vicinity Map

1: 17,167.85



Tax parcel highlighted in cyan

1: 1,956.75

Tax Parcel Information

Owner:

Property Address: Control Script failed for control TextBox6 , Source== Property_Address + " , " + Property_City +

Subdivision:

TIN: 91N18 D014

PIN: 14-0165-0115

Mailing Address: Control Script failed for control TextBox27 , Source== Mailing_Address + " , " + Mailing_City +

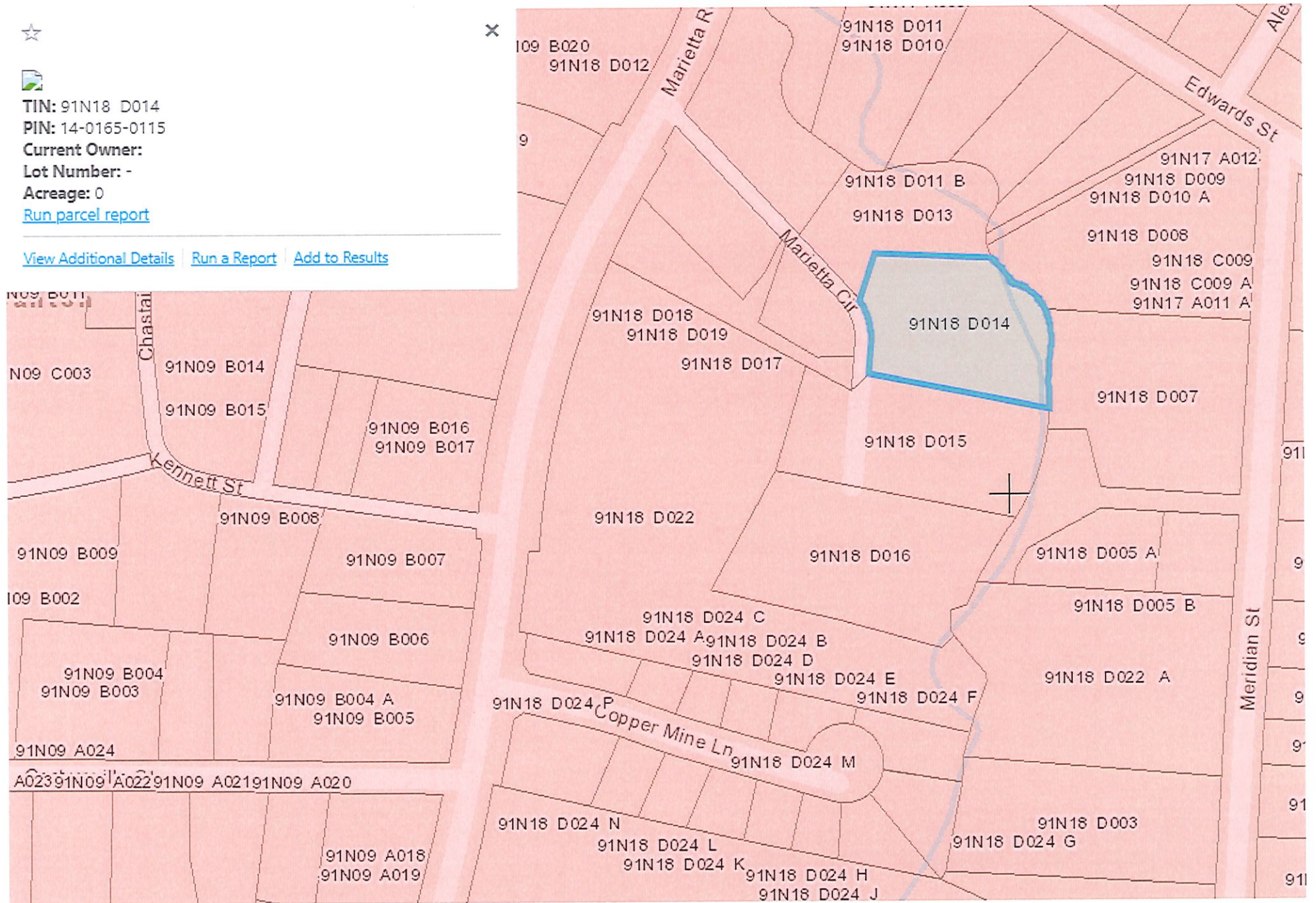
Acreage: 0

Lot #: -

PB/PG: [Click here to view the plat book and page](#)

DB/PG: [Control Script failed for control TextBox5 , Source== DEEDBOOK + "/" + DEEDPAGE](#)

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

[View Additional Details](#) | [Run a Report](#) | [Add to Results](#)

12 Marietta Circle

DEED BOOK:14484 PG:168 Filed: 06/08/2020 01:45 PM Clerk File Number: 28-2020-022329

Rec: \$25.00 TRANSFER TAX \$127.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

William E. Whitaker P.C.
340 E Main Street
Canton, GA 30114

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CHEROKEE

THIS INDENTURE, made this 5th day of June, 2020 between **Daniel A. Dixon** of the State of Georgia of the first part, and **Latimer Apartments LLC** of the State of Georgia of the second part,

WITNESSETH: That the said party of the first part, in consideration of Ten Dollars, and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is 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, its successors and assigns:

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for a more complete description of the property.

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 **Latimer Apartments LLC**, its successors and assigns forever in FEE SIMPLE and the said party of the first part, for his heirs, successors and assigns, will warrant and forever defend the right and title to the above described property unto the said party of the second part, its successors and assigns, against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of

James Parker
Witness

Daniel Dixon
Daniel A. Dixon

William E. Whitaker
Notary



DEED BOOK:14484 PG:169 Filed: 06/08/2020 01:45 PM Clerk File Number: 28-2020-022329

Rec: \$25.00 TRANSFER TAX \$127.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

Beginning at an iron pin located on the northeasterly right of way of Marietta Circle, which iron pin is located 343.3 feet along said right of way in a southeasterly direction from the intersection of said right of way and the right of way of Marietta Road; thence continuing along the easterly right of way of Marietta Circle 124.49 feet to an iron pin; thence South 76 degrees 28 minutes 30 seconds West 239.34 feet to the center line of a stream; thence leaving the center line of said stream and continuing North 63 degrees 57 minutes 00 seconds West 175.84 feet to an iron pin; thence South 23 degrees 59 minutes 50 seconds West 76.52 feet to an iron pin; thence South 88 degrees 37 minutes 50 seconds West 28.65 feet to an iron pin, the point of beginning. Said tract containing .884 acres according to plat of survey by Jerry Thacker and Associates, RS 1960 and being recorded in Plat Book 23, Page 1, Cherokee County, Georgia Records, which plat is incorporated herein by reference thereto for a more complete description of the captioned premises.

COPY

DEED BOOK:14484 PAGE:168 Filed: 06/08/2020 01:45 PM Clerk File Number: 28-2020-022329

PT-61 (Rev. 2/18) To be filed in **CHEROKEE COUNTY** PT-61 028-2020-005516

SECTION A – SELLER'S INFORMATION (Do not use agent's information)				SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME Dixon	FIRST NAME Daniel	MIDDLE A	Exempt Code If no exempt code enter NONE	NONE	
MAILING ADDRESS (STREET & NUMBER) 12 Marietta Circle			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown		\$127,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		DATE OF SALE 6/5/2020	1A. Estimated fair market value of Real and Personal property		\$0.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only		\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Latimer Apartments LLC			3. Amount of liens and encumbrances not removed by transfer		\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) P.O. Box 4038			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)		\$127,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)		\$127.00
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION			SUITE NUMBER
COUNTY CHEROKEE		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 91N18-D014	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE	

ADDITIONAL BUYERS
None

COPY

2021 Property Tax Statement

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Make Check or Money Order Payable to:
Cherokee County Tax Commissioner

LATIMER APARTMENTS LLC
PO BOX 4038
CANTON, GA 30114

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2021-70255	11/15/2021	\$0.00	\$1546.03	\$0.00	Paid 11/09/2021

Map: 91N18 D014

Printed: 08/31/2022

Location: 12 MARIETTA CR

If you have sold this property, fax a copy of the settlement statement to 678-493-6423. If you have an escrow forward tax bill to your mortgage company as soon as possible. Interest will accrue at the rate prescribed by law starting November 16th and the 16th of each month until paid. The penalty will accrue at the rate prescribed by law. ** Pay online at www.cherokeega.com Please note: There is a 2.5 % Merchant fee for Visa, MasterCard & Discover. There is a 3% Merchant Fee charged for American Express. (These Merchant fees are not collected by Cherokee County.)

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: LATIMER APARTMENTS LLC
Map Code: 91N18 D014 Real
Description: LL 165; 14TH D
Location: 12 MARIETTA CR
Bill No: 2021-70255
District: 003

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions	
88,240.00	38,500.00	0.0000	\$126,740.00	11/15/2021				
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
CITY OF CANTON	\$126,740	\$50,696	\$0	\$50,696	5.400000	\$273.76	\$0.00	\$273.76
COUNTY M&O	\$126,740	\$50,696	\$0	\$50,696	5.212000	\$264.23	\$0.00	\$264.23
PARKS BOND	\$126,740	\$50,696	\$0	\$50,696	0.434000	\$22.00	\$0.00	\$22.00
SCHOOL BOND	\$126,740	\$50,696	\$0	\$50,696	1.250000	\$63.37	\$0.00	\$63.37
SCHOOL M&O	\$126,740	\$50,696	\$0	\$50,696	18.200000	\$922.67	\$0.00	\$922.67
TOTALS					30.496000	\$1,546.03	\$0.00	\$1,546.03

If you need to - change your mailing address / are a new resident / person 62 or older and/or disabled you should call the Tax Assessors office at 678-493-6120 to find out about qualifications for exemptions. April 1 of each year is the deadline to apply with The Tax Assessors Office for any exemptions. If you feel your property value is too high, you should file a return with the Tax Assessor's Office no later than April 1st.

Current Due	\$1,546.03
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$1,546.03
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/09/2021

Geocortex Essentials Parcel Report

Cherokee County, GA

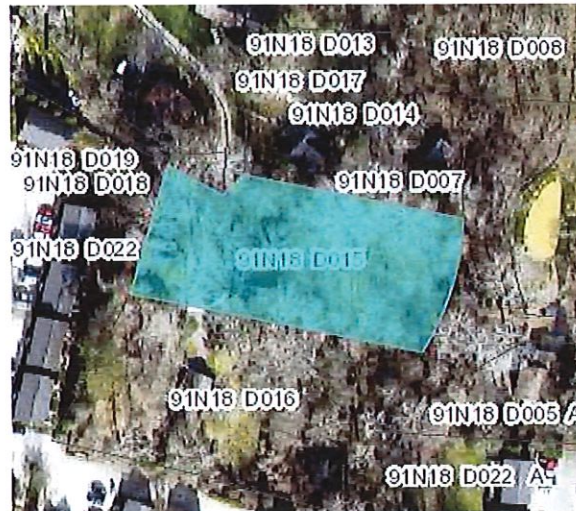
TIN: 91N18 D015

Report generated 8/31/2022 11:15:25 AM



Vicinity Map

1: 17,156.48



Tax parcel highlighted in cyan

1: 2,293.91

Tax Parcel Information

Owner:

Property Address: Control Script failed for control TextBox6 , Source== Property_Address + " " + Property_City + "

Subdivision:

TIN: 91N18 D015

PIN: 14-0165-0219

Mailing Address: Control Script failed for control TextBox27 , Source== Mailing_Address + " " + Mailing_City + "

Acreage: 0

Lot #: 165

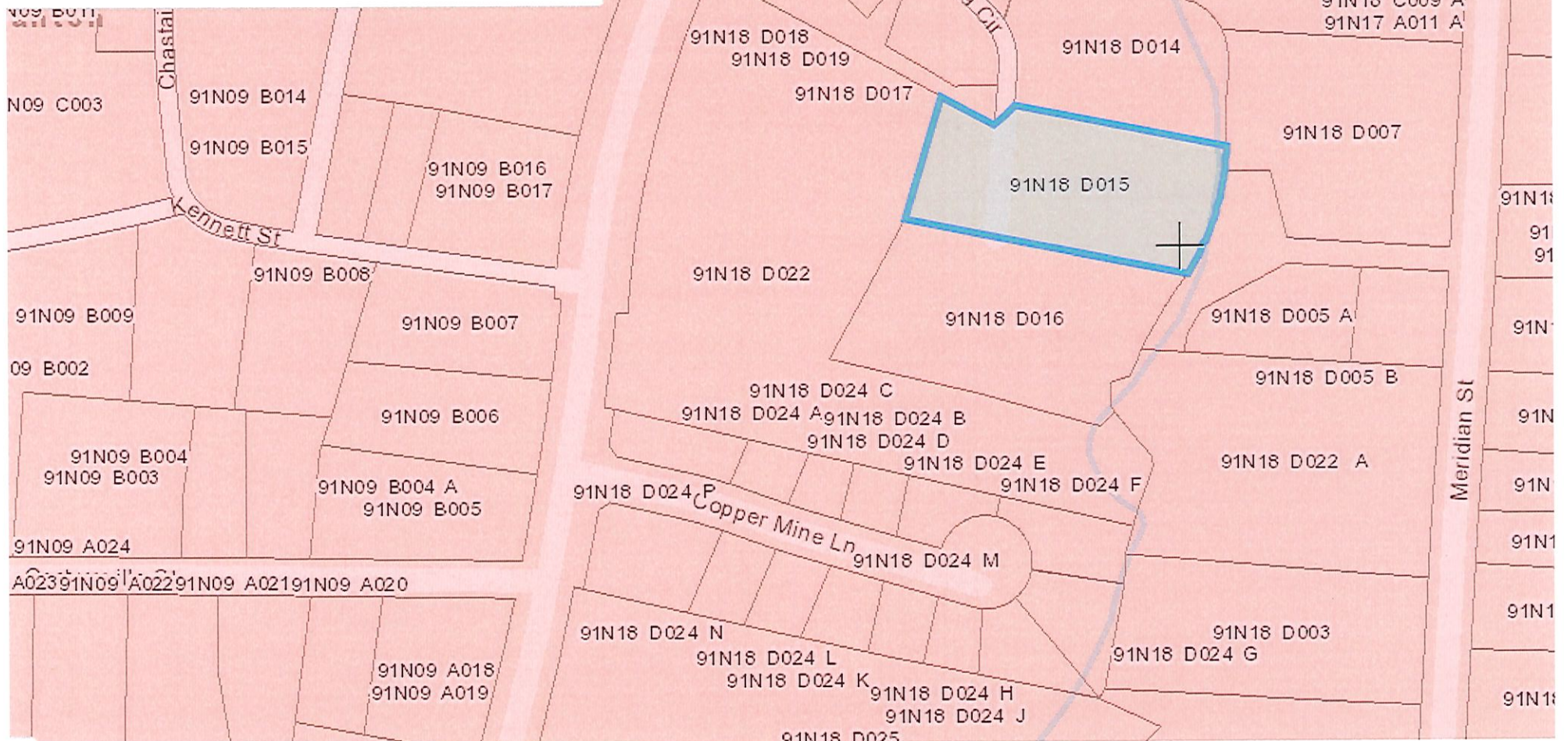
PB/PG: [Click here to view the plat book and page](#)

DB/PG: [Control Script failed for control TextBox5 , Source== DEEDBOOK + "/" + DEEDPAGE](#)



TIN: 91N18 D015
PIN: 14-0165-0219
Current Owner:
Lot Number: 165
Acreage: 0
[Run parcel report](#)

[View Additional Details](#) [Run a Report](#) [Add to Results](#)



50 Marietta Circle

DEED BOOK:14441 PG:1272 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004975
 Rec: \$25.00 TRANSFER TAX \$175.00
 Patty Baker, Clerk of Superior Court - Cherokee County, GA

William E. Whitaker P.C.
340 E Main Street
Canton, GA 30114

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CHEROKEE

THIS INDENTURE, made this 21st day of February, 2020 between **Wanda Kathryn Fraser** fka **Kathryn Fraser Dupont** of the State of Delaware and **Susan Fraser Ramage** of the State of Georgia of the first part, and **Latimer Apartments LLC** of the State of Georgia of the second part,

WITNESSETH: That the said parties of the first part, in consideration of Ten Dollars, and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is 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, its successors and assigns:

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for a more complete description of the property.

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 and **Latimer Apartments LLC**, its successors and assigns forever in FEE SIMPLE and the said parties of the first part, for their heirs and assigns, will warrant and forever defend the right and title to the above described property unto the said party of the second part, its successors 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 seals the day and year above written.

Signed, sealed and delivered in the presence of

[Signature]
 Witness
[Signature]
 Notary
[Signature]
 Witness
[Signature]
 Notary

AARON M. WRIGHT
 NOTARY PUBLIC
 STATE OF DELAWARE
 My Commission Expires May 8, 2022

[Signature]
 Wanda Kathryn Fraser fka
 Kathryn Fraser Dupont
 SWE GSKED 11 "P"

[Signature]
 Susan Fraser Ramage



DEED BOOK:14441 PG:1273 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004975

Rec: \$25.00 TRANSFER TAX \$175.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly described as follows:

BEGINNING on the Northwest side of proposed street or alley that is to run parallel with Marietta Road and at a marble marker directly at the Northeast corner of present Frank A. Brown property as shown in deed of Mary M. McAfee to Frank A. Brown dated February 3, 1913 and recorded on March 3, 1913 on Page 721 on Book II of deeds in office of Clerk of Superior Court, Cherokee County, and running an easterly direction 230 3/4 feet to a rock at Copper Mine Branch; thence running up the branch a southerly course 105 feet to a sweet gum sapling and marble marker at same; thence running a southwesterly direction 330 feet to West side of street and marble marker at same; thence running a northerly direction 164 3/4 feet right along present Frank A. Brown's East line to starting point, together with improvements on said place. The above property being the eastern portion of property deeded on October 19, 1907 by Ollie McClure to Mary M. McAfee and recorded October 22, 1907 on Page 40 in Book II of deed in office of Clerk of Court, Cherokee County, the western portion having been deeded by Mary M. McAfee to Frank A. Brown on February 3, 1913 as recorded in Book II of deeds, Page 721. This deed also includes the property deeded by Ollie McClure to Mary M. McAfee on May 8, 1908 and recorded on Page 265 in Book II of deeds, office of Clerk of Court said county. One-half (1/2) of the mineral rights in above property is reserved in previous deed. Also a fifteen foot street running North and South on the West side of said property is included in above description but is to be used at any time for the purpose of opening a street through said property.

COPY

DEED BOOK:14441 PG:1274 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004975

Rec: \$25.00 TRANSFER TAX \$175.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT "B"



IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE

IN AND FOR THE COUNTY OF NEW CASTLE

IN RE:

KATHRYN FRASER DUPONT

TO

WANDA KATHRYN FRASER

C.A. NO. 2002-09-500

Petitioner's Date of Birth: 11/12/54

CHANGE OF NAME

ORDER

This 7th day of October, A.D., 2002, the Verified Petition in this Matter having been heard and considered;

IT IS SO ORDERED that the Petitioner from this day forward and for all purposes shall bear the name of **WANDA KATHRYN FRASER**.


JUDGE/COMMISSIONER

CERTIFIED AS A TRUE COPY
ATTEST: FREDERICK KIRCH
CLERK OF THE COURT

BY 
DATE 10/7/02

DEED BOOK:14441 PAGE:1272 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004975

PT-61 (Rev. 2/18) To be filed in **CHEROKEE COUNTY** PT-61 028-2020-001233

SECTION A – SELLER'S INFORMATION (Do not use agent's information)			SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME Ramage	FIRST NAME Susan	MIDDLE Fraser	Exempt Code If no exempt code enter NONE	NONE
MAILING ADDRESS (STREET & NUMBER) 1155 Rolling Green Drive			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$175,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Acworth, GA 30102 USA		DATE OF SALE 2/10/2020	1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only	\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Latimer Apartments LLC			3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) P.O. Box 4038			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$175,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$175.00
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))				
HOUSE NUMBER & EXTENSION (ex 285A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION		SUITE NUMBER
COUNTY CHEROKEE	CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 91N18-D015	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT
SUB LOT & BLOCK				
SECTION E – RECORDING INFORMATION (Official Use Only)				
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE

ADDITIONAL BUYERS

None

COPY

2021 Property Tax Statement

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Make Check or Money Order Payable to:
Cherokee County Tax Commissioner

LATIMER APARTMENTS LLC
PO BOX 4038
CANTON, GA 30114

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2021-70256	11/15/2021	\$0.00	\$2059.08	\$0.00	Paid 11/09/2021

Map: 91N18 D015

Printed: 08/31/2022

Location: 50 MARIETTA CR

If you have sold this property, fax a copy of the settlement statement to 678-493-6423. If you have an escrow forward tax bill to your mortgage company as soon as possible. Interest will accrue at the rate prescribed by law starting November 16th and the 16th of each month until paid. The penalty will accrue at the rate prescribed by law. ** Pay online at www.cherokeega.com ** Please note: There is a 2.5 % Merchant fee for Visa, MasterCard & Discover. There is a 3% Merchant Fee charged for American Express. (These Merchant fees are not collected by Cherokee County.)

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: LATIMER APARTMENTS LLC
Map Code: 91N18 D015 Real
Description: LL 165 DIST 14
Location: 50 MARIETTA CR
Bill No: 2021-70256
District: 003

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions
130,300.00	38,500.00	0.0000	\$168,800.00	11/15/2021			

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
CITY OF CANTON	\$168,800	\$67,520	\$0	\$67,520	5.400000	\$364.61	\$0.00	\$364.61
COUNTY M&O	\$168,800	\$67,520	\$0	\$67,520	5.212000	\$351.91	\$0.00	\$351.91
PARKS BOND	\$168,800	\$67,520	\$0	\$67,520	0.434000	\$29.30	\$0.00	\$29.30
SCHOOL BOND	\$168,800	\$67,520	\$0	\$67,520	1.250000	\$84.40	\$0.00	\$84.40
SCHOOL M&O	\$168,800	\$67,520	\$0	\$67,520	18.200000	\$1,228.86	\$0.00	\$1,228.86
TOTALS					30.496000	\$2,059.08	\$0.00	\$2,059.08

If you need to - change your mailing address / are a new resident / person 62 or older and/or disabled you should call the Tax Assessors office at 678-493-6120 to find out about qualifications for exemptions. April 1 of each year is the deadline to apply with The Tax Assessors Office for any exemptions. If you feel your property value is too high, you should file a return with the Tax Assessor's Office no later than April 1st.

Current Due	\$2,059.08
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$2,059.08
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/09/2021

Geocortex Essentials Parcel Report

Cherokee County, GA

TIN: 91N18 D016

Report generated 8/31/2022 11:13:54 AM



Vicinity Map

1: 17,411.19



Tax parcel highlighted in cyan

1: 2,446.73

Tax Parcel Information

Owner:

Property Address: Control Script failed for control TextBox6 , Source== Property_Address + " , " + Property_City +

Subdivision:

TIN: 91N18 D016

PIN: 14-0165-0139

Mailing Address: Control Script failed for control TextBox27 , Source== Mailing_Address + " , " + Mailing_City +

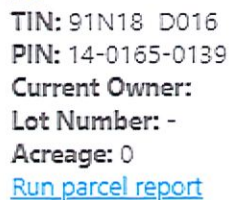
Acreage: 0

Lot #: -

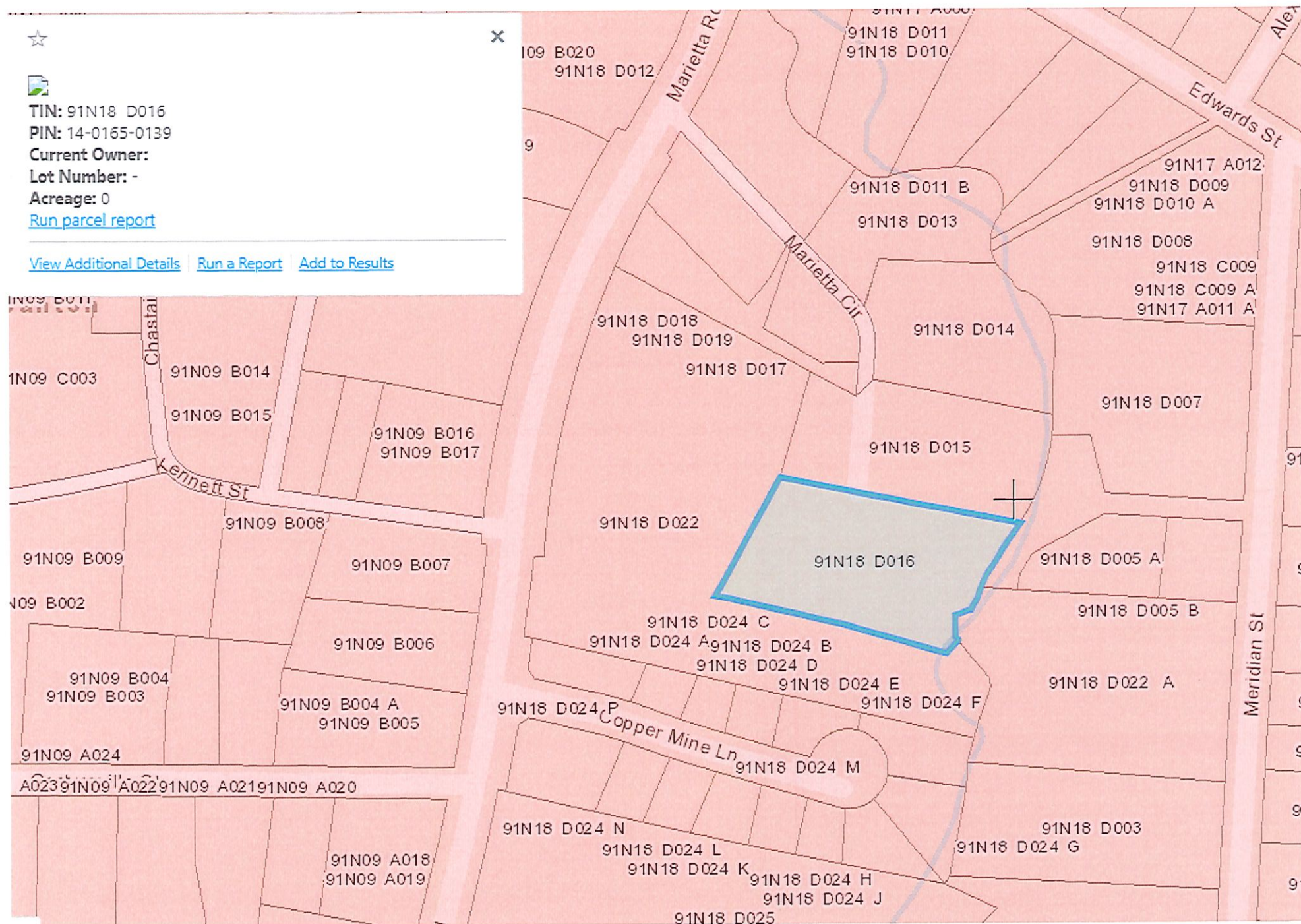
PB/PG: [Click here to view the plat book and page](#)

DB/PG: [Control Script failed for control TextBox5 , Source== DEEDBOOK + "/" + DEEDPAGE](#)

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



TIN: 91N18 D016
PIN: 14-0165-0139
Current Owner:
Lot Number: -
Acreage: 0
[Run parcel report](#)

[View Additional Details](#) | [Run a Report](#) | [Add to Results](#)

70 Marietta Circle

DEED BOOK:14441 PG:1270 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004974
Rec: \$25.00 TRANSFER TAX \$0.00
Patty Baker, Clerk of Superior Court - Cherokee County, GA

William E. Whitaker P.C.
340 E Main Street
Canton, GA 30114

QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF CHEROKEE

THIS INDENTURE, made this 10th day of February, 2020 between Latimer Construction Company, Inc. of the State of Georgia of the first part, and Latimer Apartments LLC of the State of Georgia of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of One Dollar and other valuable consideration in hand paid, the receipt whereof is acknowledged, has bargained, sold and by these presents does remise, convey and forever QUIT-CLAIM to the said party of the second part, its successors and assigns:

Any interest it has in all that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for a more complete description of the property.

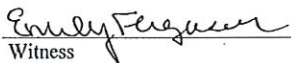
Also any interest it has in the easement conveyed to it on November 12, 2019 in a document recorded in Deed Book 14414 Page 2029, Cherokee County Records, which document is incorporated herein for a more complete description of the easement.

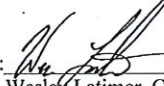
TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor its successors or assigns, nor any other person or persons claiming under it shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid property.

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

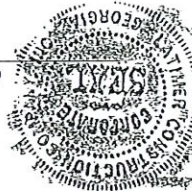
Signed, sealed and delivered in the presence of

Latimer Construction Company, Inc.


Witness

By: 
Wesley Latimer, CFO


Notary



DEED BOOK:14441 PG:1271 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004974

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 165 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly described as follows:

BEGINNING on the Northwest side of proposed street or alley that is to run parallel with Marietta Road and at a marble marker directly at the Northeast corner of present Frank A. Brown property as shown in deed of Mary M. McAfee to Frank A. Brown dated February 3, 1913 and recorded on March 3, 1913 on Page 721 on Book II of deeds in office of Clerk of Superior Court, Cherokee County, and running an easterly direction 230 3/4 feet to a rock at Copper Mine Branch; thence running up the branch a southerly course 105 feet to a sweet gum sapling and marble marker at same; thence running a southwesterly direction 330 feet to West side of street and marble marker at same; thence running a northerly direction 164 3/4 feet right along present Frank A. Brown's East line to starting point, together with improvements on said place. The above property being the eastern portion of property deeded on October 19, 1907 by Ollie McClure to Mary M. McAfee and recorded October 22, 1907 on Page 40 in Book II of deed in office of Clerk of Court, Cherokee County, the western portion having been deeded by Mary M. McAfee to Frank A. Brown on February 3, 1913 as recorded in Book II of deeds, Page 721. This deed also includes the property deeded by Ollie McClure to Mary M. McAfee on May 8, 1908 and recorded on Page 265 in Book II of deeds, office of Clerk of Court said county. One-half (1/2) of the mineral rights in above property is reserved in previous deed. Also a fifteen foot street running North and South on the West side of said property is included in above description but is to be used at any time for the purpose of opening a street through said property.

DEED BOOK:14441 PAGE:1270 Filed: 02/10/2020 02:45 PM Clerk File Number: 28-2020-004974

PT-61 (Rev. 2/18)

To be filed in **CHEROKEE COUNTY****PT-61 028-2020-001235**

SECTION A – SELLER'S INFORMATION (Do not use agent's Information)				SECTION C – TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME Latimer Construction Company, Inc.				Exempt Code If no exempt code enter NONE	Deed Confirming Title Already Vested
MAILING ADDRESS (STREET & NUMBER) P.O. Box 4038				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		DATE OF SALE 2/10/2020		1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B – BUYER'S INFORMATION (Do not use agent's Information)				2. Fair market value of Personal Property only	\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Latimer Apartments LLC				3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) P.O. Box 4038				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION			SUITE NUMBER
COUNTY CHEROKEE		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 91N18-D016	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE	

ADDITIONAL BUYERS

None

COPY

2021 Property Tax Statement

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Make Check or Money Order Payable to:
Cherokee County Tax Commissioner

LATIMER APARTMENTS LLC
PO BOX 4038
CANTON, GA 30114

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2021-70257	11/15/2021	\$0.00	\$2060.30	\$0.00	Paid 11/09/2021

Map: 91N18 D016

Printed: 08/31/2022

Location: 70 MARIETTA RD

If you have sold this property, fax a copy of the settlement statement to 678-493-6423. If you have an escrow forward tax bill to your mortgage company as soon as possible. Interest will accrue at the rate prescribed by law starting November 16th and the 16th of each month until paid. The penalty will accrue at the rate prescribed by law. ** Pay online at www.cherokeega.com ** Please note: There is a 2.5 % Merchant fee for Visa, MasterCard & Discover. There is a 3% Merchant Fee charged for American Express. (These Merchant fees are not collected by Cherokee County.)

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: LATIMER APARTMENTS LLC
Map Code: 91N18 D016 Real
Description: LL 165 DIST 14
Location: 70 MARIETTA RD
Bill No: 2021-70257
District: 003

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions	
133,900.00	35,000.00	0.0000	\$168,900.00	11/15/2021				
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
CITY OF CANTON	\$168,900	\$67,560	\$0	\$67,560	5.400000	\$364.82	\$0.00	\$364.82
COUNTY M&O	\$168,900	\$67,560	\$0	\$67,560	5.212000	\$352.12	\$0.00	\$352.12
PARKS BOND	\$168,900	\$67,560	\$0	\$67,560	0.434000	\$29.32	\$0.00	\$29.32
SCHOOL BOND	\$168,900	\$67,560	\$0	\$67,560	1.250000	\$84.45	\$0.00	\$84.45
SCHOOL M&O	\$168,900	\$67,560	\$0	\$67,560	18.200000	\$1,229.59	\$0.00	\$1,229.59
TOTALS					30.496000	\$2,060.30	\$0.00	\$2,060.30

If you need to - change your mailing address / are a new resident / person 62 or older and/or disabled you should call the Tax Assessors office at 678-493-6120 to find out about qualifications for exemptions. April 1 of each year is the deadline to apply with The Tax Assessors Office for any exemptions. If you feel your property value is too high, you should file a return with the Tax Assessor's Office no later than April 1st.

Current Due	\$2,060.30
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$2,060.30
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/09/2021



FIELD WORK: FK/MH/TP
DRAWN BY: CAP/MDP
JOB NO: 4461
FILE NO: 4461

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.

OWNER(S) CERTIFICATE

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE
PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS
LOCATED WITHIN THE JURISDICTION OF CHEROKEE
COUNTY, GEORGIA

OWNER

OWNER

OWNER

SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land
and does not subdivide or create a new parcel or make any changes
to any real property boundaries. The recording information of the
documents, maps, plats, or other instruments which created the
parcel or parcels are stated hereon.

RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY
LOCAL JURISDICTION, AVAILABILITY OF PERMITS COMPLIANCE WITH
LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY
USE OR PURPOSE OF THE LAND.

Furthermore, the undersigned Land Surveyor certifies that this plat
complies with the minimum technical standards for property surveys
in Georgia as set forth in the rules and regulations of the Georgia
Board of Registration for Professional Engineers and Land Surveyors
and as set forth in O.C.G.A. Section 15-6-67.

- LEGEND
1. IPP - IRON PIN PLACED(1/2" RB)
 2. IPF - IRON PIN FOUND
 3. CT - CRMP TOP PIN
 4. OT - OPEN TOP PIN
 5. R - REINFORCING BAR
 6. LLL - LAND LOT LINE
 7. R/W - RIGHT OF WAY
 8. P/L - PROPERTY LINE
 9. C/L - CENTER LINE
 10. B/L - BUILDING LINE
 11. -X- - FENCE LINE
 12. -P- - POWER LINE
 13. -CONC- - CONCRETE
 14. CWF-CONC MGN FOUND
 15. MH - MANHOLE
 16. CO - CLEANOUT
 17. WM - WATER METER
 18. X/MR - TRANSFORMER

THIS MAP OR PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE WITHIN
ONE (1) FOOT IN 76,254 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT
IS BASED HAS A CLOSURE PRECISION OF 1 FOOT
IN OPEN FEET AND AN ANGULAR ERROR
OF N/A PER ANGLE POINT, AND WAS
ADJUSTED USING N/A RULE.

THIS PLAT HAS BEEN PREPARED USING A TOPCON
TOTAL STATION READING DIRECTLY TO 5 SECONDS
OF ARC AND 1 ONE THOUSANDTH OF A FOOT.

GENERAL NOTES:

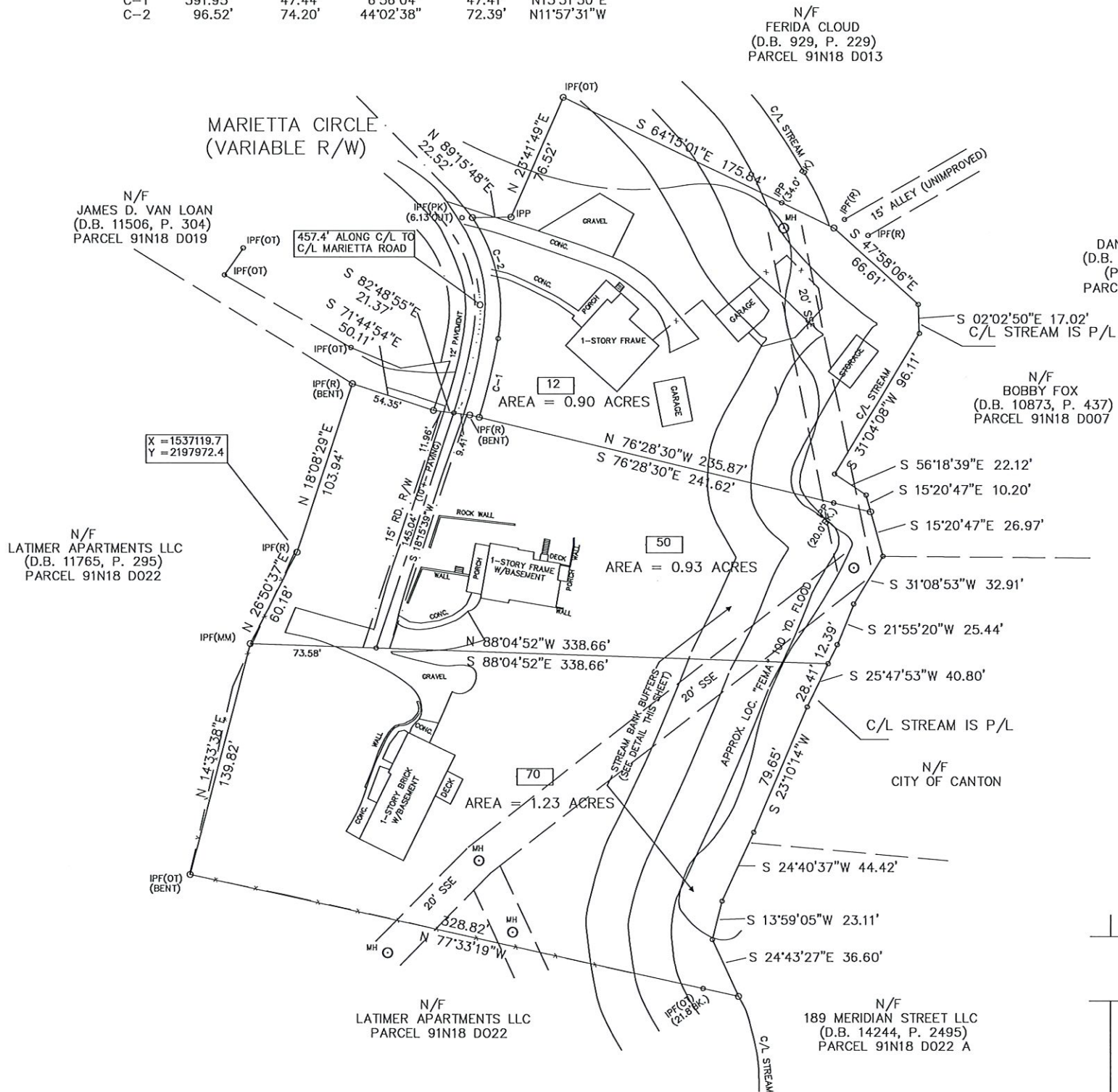
- 1.) ALL MATTERS OF TITLE ARE EXCEPTED.
- 2.) ZONING INFORMATION, ADDRESS, PARCEL NUMBERS &
ADJOINING OWNERS FROM CHEROKEE COUNTY ONLINE GIS.
- 3.) STATE PLANE COORDINATES OBTAINED USING CARLSON
BRx6 ROVER AND eGPS SOLUTIONS, INC. NETWORK.
- 4.) ALL MEASUREMENTS SHOWN ARE GROUND MEASURED.

SURVEY NOTES:

- 1.) REFERENCE DEEDS: D.B. 1165, P. 191, D.B. 11755, P. 284
D.B. 2045, P. 132
- 2.) REFERENCE PLATS: P.B. 2, P. 12 & P.B. 23, P. 1

CURVE DATA

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH.BEARING
C-1	391.95'	47.44'	6°56'04"	47.41'	N13°31'50"E
C-2	96.52'	74.20'	44°02'38"	72.39'	N11°57'31"W



"F.I.R.M. FEDERAL INSURANCE RATE
MAP" COMMUNITY NO130039, PAGE
251.E., DATED 06/17/2019, SHOWS THIS
PROPERTY TO BE IN AN AREA
HAVING SPECIAL FLOOD HAZARDS.

N/F
DANIEL A. DIXON
(D.B. 11755, P. 284)
(P.B. 23, P. 1)
PARCEL 91N18 D014

N/F
BOBBY FOX
(D.B. 10873, P. 437)
PARCEL 91N18 D007

AREA = 3.06 ACRES

SURVEY OF TAX PARCELS
91N18 D014, D015 & D016

FOR:

LATIMER APARTMENTS LLC

PART OF:
LAND LOT 165
14th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GEORGIA
CITY OF CANTON
SCALE: 1" = 50'
FIELD WORK: MARCH 19, 2020
PREPARED: MARCH 25, 2020
REVISED: JUNE 03, 2020 (ADDED PARCEL D014)

CHEROKEE SURVEYING CO., INC.

P.O. BOX 329
CANTON, GEORGIA 30169
2623 MARIETTA HIGHWAY
CANTON, GEORGIA 30114
TEL 770 479 5940

email: cherokeesurveying@windstream.net

DWG NO 20-4461-33 C

