

Community Development Department 110 Academy Street, Canton, Georgia 30114 770-704-1500

Public	Hearing	Application	U
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Project # VAR2403-001

	nformation supplied on the f wrately before signing this for		that all spaces are filled out oplicable
2. Please make your o	check payable to "City of Can	ton."	
3. If you have question calling (770) 704-1		se contact the Department	of Planning and Zoning by
solemnly informati contains n	n is to be executed under oath. swear and attest, subject to er on provided in the Application o misleading information. I, received and thoroughly reac is 12th day of February	iminal penalties for false sw n for Public Hearing is true Danny Lankford	and correct and, have ures. 4
Applicant Information		Owner Informa	tion:
Name: Danny Lankf Address: 2285Park C		Name: Target C Address: 1000 N	orporation icolett Mall,TPN12H
City: Stonecrest State: GA Telephone: 404-983- Fax Number: Email Address: dlankfo		City: Minneapolis State: MN Telephone: 612- Fax Number: Email Address:	Zip Code: 55403
This Application For (Checo A Annexation B Rezoning C Master Plans D Master Plan Revisi E Conditional Use Per F Land Use Modification G Zoning Condition	ons X K ermit X tion	Temporary Use Permit Zoning Ordinance Text Amerology Variance: Pre-Construction Variance: Post-Construction Appeal Adjustment Special Exception	ndinent
Fee Schedule: Application Type Base Fee Advertising Fee	+ (#Acres x \$50.0	0 = = =	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, Brynn Anderson, do solemnly swear and attest, subject to criminal penalites 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 theron.	
This29th_day ofFebruary	
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 □ K Variance	
Sworn To And Subscribed Before Me This 29th Day Of February , 20 24	
Notary Signature: AMBER ROSE HAGUE Notary Public-Minnesota My Commission Expires Jan 31, 202	6



Community Development Department 110 Academy Street, Canton, Georgia 30114 770-704-1500

Authorization Of Applicant

This form is to be executed under oath. I, Brynn Anderson, do solemnly swear and attest, subject to criminal penalites 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 theron. This29th_ day of
Owner Signature: Print Name: Brynn Anderson
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: Danny Lankford
Signature:
Mailing Address: 2285 Park Central Boulevard Applicant Status: Owner
City: Lilburn
State: GA Zip Code: 30035
Telephone: 404-983-5851 Area Resident
Fax Number: Other (Explain):
E-mail: dlankford@henryinc.com
This Authorization of Applicant Form has been completed and the property owner's signature is
Sworn To And Subscribed Before Me This 29th Day Of February , 20 24 .
Notary Signature: AMBER ROSE HAGUE Notary Public-Minnesota My Commission Expires Jan 31, 2026



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.

				9
1. Name o	of Applicant/Opponent:	Danny Lankford	· Please type	Or Prina All Responses
Section 1	the answer to any of the fo	ollowing question	ns is "Yes," co	mplete Section 2.
	City of Canton Plann			he subject property, a member of the Canton Mayor and Council? X NO
	B) Does an official of su which has a property	interest in the si		ncial interest in any business entity? NO
	C) Does a member of the described in (A) and	(B)?	officials have	an interest in the subject property as
		ven gifts to such	public official	application have you made campaign s aggregating \$250 or more?
Section 2				whom the campaign contribution was phom a contribution has been made
2.	List the dollar amount/va past two (2) years by the		nent to the nan	npaign contribution made over the ned Canton Official:
\$		N/A	DC	set tpuon
\$		N/A		
\$		N/A		
-				

Note: Complete a separate form for each authorized applicant.



Community Development Department 110 Academy Street, Canton, Georgia 30114 770-704-1500

Property Information:

Address:	2202 Cumming Highway					
Land Lot	(s): 238, 239 Di	strict:	14th	Section:	Map #:	Parcel #: 14N23 090
Existing 2	Zoning Of Property: Commercial	Ē	City County	Total Acreage	e Of Property: <u>12.37</u>	7
Proposed	Zoning Of Property: Commercia	ıl		Existing Use(s) Of Property:reta	il
Head ea	s to property from Main Street ast on E Main St toward Cha ee Boulevard, Turn left onto	mlee	Lane. Co	ontinue straigh	nt onto GA-20 E.Tur	n.right.onto Northside
	nt Property/Owner Informs, including property connec					
NORTH	OWNER NAME/ADDR	ESS	CUR1	RENT ZONIN	G CURRENT Retail	LAND USE
SOUTH	Northside Hospital- Cherokee Inc.			PD		
EAST	Kohl's Department Stores Inc		-	PD	Retail	
WEST	Canton Marketplace Owner			PD	Retail	
OTHER						
UTILIT	Y INFORMATION					
How is se	ewage from this development to	o be m	anaged?	N/A		
Proposed	managing jurisdiction: N/A					
How will	water be provided to the site?	N/A				
Proposed	managing jurisdiction:N/A		_	Size	Limit: N/A	



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)

/)N/A
oroughfare Name: N/A
Major Thoroughfare
which are attached and made a part of this
Master Plan / Site Plan Location Map Hydrology Study Traffic Analysis Report (Guidelines available from Planning & Zoning Dept.) Elevation Plans



Community Development Department

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Canton Board of Zoning Appeals Review Criteria

Article H, Section 8-8-H-195 empowers the Zoning Board of Appeals to authorize variances from provisions of the Zoning Code pursuant to a finding based in the criteria listed below. Please respond to the following.

(Applications Type K: ONLY)

Are there any extraordinary and exceptional conditions pertaining to the subject property because of its size,
shape or topography?Yes, the request is due to DOT road constrution. The sign previously existing at the center required removal for the widening
project. A variance is necessary to allow for a replacement sign.
Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary
hardship? Yes, standard set backs, if enforced, would not allow for the sign to be replaced.
Has the condition from which relief or variance is sought been a result from action by the applicant? No.
DOT road widening and loss of available frontage has necessitated the request.
Are there conditions peculiar to the subject property? The applicant and the DOT have negotiated a location for the replacement sign. The proposed and agreed to location offers limited visibility because of the improvements by the DOT however it is the only location offering some relief.
It is not possible to install the sign using allowable setbacks. To mitigate damages, the applicant needs a variance to allow for the sign placement as agreed to wit the DOT. The road construction and the elimination of property frontage result in limited options for sign placement.
Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Specifically, would the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare or the inhabitants or the City?
No, the sign was currently existing at this property and was required to be removed due to DOT construction. A setback variance is required for the applican
to milligate it's damages and reinstall the proposed replacement sign.
* Please provide a Letter of Intent, which provides the necessary information to support your application for Variance.

Deed Book 9861 Pg 298 Filed and Recorded 9/28/2007 10:21:00 AM 28-2007-047436

Transfer Tax \$2000.00 Patty Baker Clerk of Superior Court Cherokee Cty, GA

UPON RECORDING RETURN TO:

Piedmont Title Insurance Agency, Inc. Attn: Isabel Garcia, Esq. 150 East Ponce de Leon Avenue, Suite 330 Decatur, Georgia 30030

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CHEROKEE

WITNESSETH:

Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land described on Exhibit A attached hereto and made a part hereof together with all permits, privileges, improvements, fixtures, trees, timber, and other crops and plants located thereon; however, Grantor specifically reserves unto itself, all rights and privileges provided to Grantor in that certain Agreement Regarding the Sale of Real Property by and between Grantor, Williams G. Hasty, Jr. and Garry Haygood, dated August 10, 2005, recorded in Deed Book 8128, page 75, Cherokee County, Georgia records.

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

Without expanding by implication the limited warranty of title contained herein, this Deed and the warranty of title contained herein are made expressly subject to the items set forth on Exhibit B attached hereto and made a part hereof.

903151-1 4709.0231000

Grantor will warrant and forever defend the right and title to the above described property unto Grantee against the claims of all persons owning, holding or claiming by, through or under Grantor but not otherwise.

(The words "Grantor" and "Grantee" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits.)

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the

presence of:

(NOTARY SEAL)

My Commission Expires:

_ Quant 1,200

CANTON MARKETPLACE, LLC, a Georgia limited liability company

By: Sembler Family Partnership #36, Ltd., a Florida limited partnership, its Manager

> Sembler Retail, Inc., a Florida corporation, as General Partner

[CORPORATE SEAL]

EXHIBIT "A"

Property Description Target Tract Canton Marketplace Cherokee County, Georgia

All that tract or parcel of land lying and being in Land Lots 238 & 239 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

BEGINNING at a point at the intersection of the Southerly right of way of Cumming Highway (State Route 20, variable R/W) and the Easterly right of way miter of Canton Parkway (120' R/W); thence leaving said Southerly right of way of Cumming Highway and following along said miter South 55 degrees 46 minutes 42 seconds West, 91.86 feet to a point; thence leaving said Easterly miter and continuing along the Easterly right of way of Canton Parkway South 11 degrees 18 minutes 43 seconds West, 309.19 feet to a point, said point being the POINT OF BEGINNING. Thence leaving said Easterly right of way of Canton Parkway South 76 degrees 01 minutes 45 seconds East, 606.55 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 26.50 feet to a point; thence South 76 degrees 01 minutes 45 seconds East, 6.00 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 181.00 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 41.87 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 284.98 feet to a point; thence South 76 degrees 01 minutes 45 seconds East, 2.42 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 447.38 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 32.08 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 15.00 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 152.00 feet to a point; thence North 13 degrees 58 minutes 15 seconds East, 15.00 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 377.18 feet to a point on the Easterly right of way of Canton Parkway (120' R/W); thence following along said Easterly right of way of Canton Parkway North 13 degrees 58 minutes 25 seconds East, 543.44 feet to a point; thence along a curve to the left, an arc distance of 281.52 feet, said curve having a radius of 6,060.00 feet and being subtended by a chord of 281.50 feet, at North 12 degrees 38 minutes 34 seconds East to a point; thence North 11 degrees 18 minutes 43 seconds East, 115.12 feet to a point, said point being the POINT OF BEGINNING.

Target Tract contains 12.37 acres, more or less.

EXHIBIT "B"

Permitted Title Exceptions Target Tract

- 1. All Cherokee County real property taxes for the year 2008 and subsequent years and all City of Canton real property taxes for the year 2007 and subsequent years as to Parcel 1, a lien not yet due and payable.
- 2. Easement from W. L. Manous to Georgia Power Company, dated June 23, 1954, recorded in Deed Book 31, page 298, aforesaid records.
- 3. Easement from Hoyt Heard to Georgia Power Company, dated May 9, 1959, recorded in Deed Book 51, page 107, aforesaid records
- 4. Agreement to Restrict Property between Canton Marketplace, LLC and Northside Hospital- Cherokee, Inc., dated December 19, 2006, recorded in Deed Book 9295, page 68, aforesaid records.
- 5. Terms and conditions of that certain Development Agreement by and between the City of Canton, Georgia and Canton Marketplace, LLC, dated August 14, 2007, recorded in Deed Book 9798, page 349, aforesaid records.

PT-61 (Rev. 11/04) To	o be file	d in C	HEROKEE	COUNT	Y	PT-61 02	8-2007-010730
SECTION A - SELLER'S INFORMATION (Do not use agent's information)			SECTION C - TAX COMPUTATION		TATION		
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME			Exempt Code If no exempt code enter NONE		NONE		
MAILING ADDRESS (STREET & NUMBER) 1450 South Johnson Ferry Road			Actual Value of consideration received by seller Complete Line 1A if actual value unknown		\$2,000,000.00		
CITY, STATE / PROVINCE / I		COUNTRY	9/26/2007	,	1A. Estimated fair market value of Real and Personal property		\$0.00
SECTION B - BU	YER'S INFORMATION	ON (Do not u	e agent's informatio	on)	2. Fair market valu	e of Personal Property only	\$0.00
BUYERS'S BUSINESS / ORG		RNAME			Amount of liens and encumbrances not removed by transfer		\$0.00
	MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 1000 Nicollet Mall Real Estate - Property Development				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)		\$2,000,000.00
	CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Minneapolis, MN 55403 USA Check Buyers Intended Use () Residential (x) Commercial () Agricultural () Industrial			Commercial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)		\$2,000.00
	SEC	TION D - PRO	PERTY INFORMATION	ON (Location	of Property (Street	, Route, Hwy, etc))	
HOUSE NUMBER & EXTEN			TION, STREET NAME				SUITE NUMBER
COUNTY CITY (IF APPLICABLE) CHEROKEE Canton					MAP & PARCEL N 14N23 001 V	UMBER	ACCOUNT NUMBER
TAX DISTRICT	GMD	The same of	AND DISTRICT	ACRES		238 & 239	SUB LOT & BLOCK
		SEC	TION E - RECORDIN	NG INFORMA	TION (Official Use	Only)	
DATE		DEED BOOK		DEED PAGE		PLAT BOOK	PLAT PAGÉ

Section.

ADDITIONAL BUYERS
None

Printed: 03/28/2024 10:51:26 AM



Official Tax Receipt Cherokee County, GA 2780 Marietta Hwy Canton, 30114 --Online Receipt-- Phone: 678-493-6400

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2023- 112905	14N23 090	LL 238, 239 14TH DISTRICT	\$230,997.04	\$0.00 Fees: \$0.00	\$0.00	\$230,997.04	\$0.00
		Totals:	\$230,997.04	\$0.00	\$0.00	\$230,997.04	\$0.00

Paid Date: 11/03/2023

Charge Amount: \$230,997.04

TARGET CORPORATION C/O PROPERTY TAX DEPARTMENT P O BOX 9456 MINNEAPOLIS, MN 554409456



Scan this code with your mobile phone to view this bill

EXHIBIT A

PARCEL 1 (TARGET FEE)

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 238 and 239 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia and being more particularly described as follows:

BEGINNING at a point at the intersection of the southerly right of way of Cumming Highway (State Route 20, variable R/W) and the easterly right of way miter of Canton Parkway (120' R/W); thence leaving said southerly right of way of Cumming Highway and following along said miter South 55 degrees 46 minutes 42 Seconds West, 91.86 feet to a point; thence leaving said easterly miter and continuing along the easterly right of way of Canton Parkway South 11 degrees 18 minutes 43 seconds West, 309.19 feet to a point, said point being the POINT OF BEGINNING.

Thence leaving said easterly right of way of Canton Parkway South 76 degrees 01 minutes 45 seconds East, 606.55 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 26.50 feet to a point; thence South 76 degrees 01 minutes 45 seconds East, 6.00 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 181.00 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 41.87 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 284.98 feet to a point; thence South 76 degrees 01 minutes 45 seconds East, 2.42 feet to a point; thence South 13 degrees 58 minutes 15 seconds West, 447.38 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 32.08 feet to a point; thence South 13 degrees 58 minutes 15 seconds West 15.00 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 152.00 feet to a point; thence North 13 degrees 58 minutes 15 seconds East, 15.00 feet to a point; thence North 76 degrees 01 minutes 45 seconds West, 377.18 feet to a point on the easterly right of way of Canton Parkway (120' R/W); thence following along said easterly right of way of Canton Parkway North 13 degrees 58 minutes 25 seconds East, 543.44 feet to a point; thence along a curve to the left, an arc distance of 281.52 feet, said curve having a radius of 6060.00 feet and being subtended by a chord of 281.50 feet, at North 12 degrees 38 minutes 34 seconds East, to a point; thence North 11 degrees 18 minutes 43 seconds East, 115.12 feet to a point. Said point being the POINT OF BEGINNING.

Target Tract contains 12.369 acres more or less and is more particularly shown on that certain ALTA/ACSM Land Title survey for Target Corporation, Canton Marketplace, LLC and First American Title Insurance Company, prepared by Gaskins, signed, sealed and certified by Donaloy Hutchins, Georgia Registered Land Surveyor No. 2011, dated June 15, 2007, last revised September 6, 2007, signed June 21, 2007.

[Continued to following Page]

TOGETHER WITH PARCEL 2

Rights, benefits and easements contained in that certain Operation and Easement Agreement among Target Corporation, Kohl's Department Stores, Inc., Lowe's Home Centers, Inc., and Canton Marketplace, LLC for Canton Marketplace Shopping Center, dated September 26, 2007, recorded in Deed Book 9861, page 322, Cherokee County, Georgia Records.

TOGETHER WITH PARCEL 3

Rights, benefits and easements contained in that certain Reciprocal Easement and Restriction Agreement by and between Canton Marketplace, LLC and William G. Hasty, Jr. and Garry Haygood, dated June 19, 2007, recorded in Deed Book 9669, page 271, aforesaid records; as affected by that certain First Amendment to Reciprocal Easement and Restriction Agreement by and between said parties, dated September 12, 2007, recorded in Deed Book 9861, page 277, aforesaid records.

To: City of Canton Board of Zoning Appeals C/O City of Canton Community Development 11 O Academy St., Canton GA 30114

Re: Variance Request for Freestanding Signage Target Store T2476- Canton (2202 Cumming Hwy, Canton GA)

Dear Members of the Zoning Appeals Board,

On behalf of Target Stores, we are requesting your favorable consideration for setback variances to allow for the installation of a freestanding sign to replace a sign that was existing on this site at essentially the same location being proposed for the new sign.

The sections of code from which we are requesting variance relief are as follows:

"Chapter 103 - SITE PLANNING AND PROJECT DESIGN

STANDARDS ...B.Location restrictions.1)Unless otherwise provided in this UDC, all signs shall be located on private property and in no case on public property or within the public right-of-way, private right-of-way, ingress and egress easements, driveway and maneuvering areas, or within utility easements, except with respect to swinging or projecting signs in the downtown district that meet the standards of section 103.05.10.B.3.

2)No freestanding sign may be located within 30 feet of the intersection of street right-of-way lines extended parallel or at a location that would cause an obstruction to vision of vehicular or pedestrian traffic.

... C.Setbacks.1)Unless otherwise provided for herein, all signs shall be located outside public or private rights-of-way or at least ten feet from the back of the curb or edge of pavement of the adjacent street, whichever is greater.

2) Signs located on a corner lot shall be no closer than 30 feet from the intersection of street right-of-way lines and shall be set back outside of the public or private right-of-way, or 15 feet from the back of the curb or edge of pavement of the adjacent street, whichever is greater."

The existing sign located along the Cumming Hwy frontage was required to be removed to allow for highway expansion being performed by the Georgia Department of Transportation as part of the improvements being made to Cumming Hwy along the frontage of the Canton Market Place Shopping Center.

With the taking of the frontage for this improvement, there remains no practical location for this sign to be placed that would meet current setback requirements. Because of this, Target and their representatives have worked with the Georgia D.O.T, to identify a location in the easement area that would allow for the installation of the sign and not impact required utility improvements along the frontage. The location agreed to by Target and the DOT places the sign in a dedicated sign easement free and clear of utilities and in a location that will not impact access for required access to Georgia D.O.T. traffic control devises or street lighting.

While the proposed and agreed to location is not ideal for signage, it does offer the only reasonable visibility site lines to the proposed sign from traffic along Cumming Hwy and is in a position where it will not impact or impair visibility to motorists along the highway nor impact visibility to vehicles entering and existing the shopping center.

The sign has been designed dimensionally to be smaller than the former sign at this location. This being done so the sign could fit withing the confines of the dedicated sign easement. The previously existing sign maintained dimensions of roughly 24' in width and 10' in height. The proposed sign is proposed at just under 8' in width and at 1 0' in height, approximately 33% of the size of the sign that has been removed. Again, these reduced dimensions reflect limitations of the agreed to sign easement, the only reasonable location for the sign.18ft from the edge of the road. The proposed sign location will be set back 18' south from the edge of the outermost east bound travel lane of Cumming Hwy and 30'to the east of the entrance of Market Place Drive.

We are asking for your favorable consideration of this for relief of undue hardships created by the highway expansion project and utility improvements along Cumming Hwy. These hardships are no fault of the applicant, Target Stores, and the requested relief is the minimum relief to allow for Target to present their signage in a reasonable and safe position to allow for the continued success of their store.

Because of the recent road expansion project, there exists extraordinary and exceptional conditions pertaining to the property in the form of limited frontage for signage, hampered visibility site lines and sign location limitations due to access requirements for DOT service vehicles. Granting the requested setback variance will not cause any substantial detriment to the public good and would result in the minimum relief required to allow for reasonable use of sign area for this location., As is apparent, this stretch of highway has become an extremely busy thoroughfare and it is essential for reasonable signage along this frontage to identify the entrances to this site for the convenience and safety of Target guests.

Thanks for your consideration of this request.

Boyd Hippenstiel/Federal Heath Sign Company Target Consultant 813-244-5854 WITH MARKETPLACE SHOPPING COVER PROPERTY LINE DESCRIPTION

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FIELD BOO	K : 476	F-20-OF ADDIS AUX \$ 10 COST.

ALTA/ACSU LAND TITLE SURVEY FOR: CANTON MARKETPLACE, LLC & FIDELITY NATIONAL TITLE INSURANCE COMPANY, WACHOVIA BANK, NATIONAL ASSOCIATION LOCATED IN L.L. 230, 231, 238, 239 & 267 14th DISTRICT, 2nd SECTION CITY OF CANTON CHEROKEE COUNTY, GA.

FEBLITY MATIONAL TITLE HISURANCE COMPANY POLICY MARRIER SUIT-1082881 REPLACEMENT POLICY FOR SUIT-9823848 EXPERTING BAILS ANDUST 17, 2008 AT 4-04 P.M.

ONDIALE # - CONTINUED

5. DEADWIGE EXCIDENTS CONTAINED IN THAT CORTAIN MONT OF MAY DEED FROM CANTON CONTON MILLS TO THE MOMENT MEMBER OF NATURAL WIGH TELL MECONDED IN DEED BOOK 12, MAIG STR. DESCRIPE COUNTY, GEORGIA RECORDES, (APPECES SIZIALEET MOMENTY). FOR CANTON MAKRETPLACE TRACT 1,2,3 & E (ON - GAS METER THIS PARCEL OF LAND IS NOT IN THE TOT TEAR FLOOD
PLAN AND IS N FORM S. ACCORDING TO FLEAK FLOOD
COMMAND THANKEY F. STANDAYS MAY PLAND
LISTED CORES D. DATED SETTIMETER 29, 2005 CH-65.92' H-189.50' L-66.26' O CTF- CRIMP TOF PIFE FOU O OTF- OPEN TOP MAR FOUND

B RAW MON. - MONT-OF-MAY MONN. DI - DESTRUCTION BOY

DI - DESTRUCT / WAS INLET DEVELOPER ZOS C B - CATCH BASH E E E R C.P. - RENFORCED ROPERTY, AS SHOWN ON SURVEY.) TRACT "3" (ATTECTS SOURCE PROPERTY, IS SOURCE AND ASSEMBLY FOR CITE, ACTION AS BOTH STYLED THE EXPLANATION FOR MAJORITHM FOR THE MAJORITHM FOR YEL 143,275 ACTION FOR MAJORITHM FOR YEL 143,275 ACTION FOR THE ACTION FOR ACTION FOR A PROPERTY IS ACTIONATED ASSEMBLY ASSEMBLY IS ACTIONATED ASSEMBLY INCOMEDY IS ACTIONATED ASSEMBLY PROPERTY AS ACTION E = T C.M.P. - COMPUGATED METAL PIPE C.F.E. - FINISHED FLOOR ELEMITON 3 EXEMPLE TROM WELLIM G. INSTY, IR. AND LINDA IX. MASTY TO GEORGA POINTS COMPANY, LINCATED, RECORDED IN SEED BOOK SAY, AND EAST, APPRICAD RECORDS, FORD, CORDIAN POINTS COMPANY CLARES HAT RAPISE STREETS IN THE ARRIVELENTIMED EXEMPLE TECTORY THE HON'T TO OWNERT, MANTAN, RESIDED AND ARRIVES EXEMPLE PROJECTED SANCE FOR THIS OWNERT, MANTAN, RESIDED AND ARRIVES EXEMPLE PROJECTED SANCE FOR THIS AND CONTINUES OF SAN 2000 POR POWENDON POR POWERBOX -----CAS LINE EASIMENT AND ADMINISTRY AND BITHEEN JOHN R. KOZA AND R. C. MOCHE, P. AND DECEMBER ST. 1988, RECORDED IN DEED BOOK SOR, PAGE 671, L.L.239 ECT PROPERTY AS SHOWN ON SUPPLY.) 12. TOWNSTON OF PROF. LESSENT AND OWNER OF AND EXCELLENT BY AND
RETHERN CANNON WINDERFLOAT, LEE FORWITTEN AND THE LANDON GROOM, AND
RETHERN CANNON WINDERFLOAT, LEE FORWITTEN AND THE LANDON GROOM, AND
RETHERN PROPRIETS OF DEPROPRIED AND RECEIVE CONLINEARY OWNER
LAND AS OF AUGUST 12, 2005, PECONDED AN DEED BOOK BYTE, PAGE 58,
RETHERN SEASON OF THE PROPRIETS AND THE PROPRI ECT PROPERTY, AS SHOWN ON SUPPLEY,) 13 RESTRICTIONS CONTINUED IN THAT CREAM ARREQUENT TO RESTRICT PROPORTY PROVINCESTOR MORPHISTS OF CHRONIE COUNTY, GONDAL LLC TO MORPHISCO MORPHIST MC, DATE OCTOBER 25, DOIS, MCDOPOL IN GEOLOGIC ACT, AND COUNTY OF A APPRIANT MCCORNE, OFFICE AND ACT APPRIANT MCCORNE.
(APPRICES DR. 1830 MC. "DECORPRICE TRACT") 130 L.L.235 1.1.231 IN. DEED TO SECURE DEST, ASSIGNMENT OF RENTS HIS SECURITY ADREDUCT S
AND RETREEN CHATCH WHATEFFACE, LLC AND WACHING BANK, MATERIAL
ASSIGNMENT, DATED MAY 26, 2006, RECORDED IN DEED SOOK SETT, PAGE 215,
ANNEXAND RECORDS TRACT "1" RECORDS SUMMOTOR'S CONTROLING שרפנית ויתיא טל גל L AUSTIN FLYNT DETENTION POND TRACT 4.95 AC. HOME 'S 57601'45T 100 PE Dutch Alas 5 002738" W AUCUST 14, 2007 DATED 25.00 ~AREA TABLE~ KEYSTONE PROPERTIES OF CHEROKEE COUNTY, LLC 174,775 SQ.F DEVELOPER TRACT 2 DEVELOPER TRACT 2 DEVELOPER TRACT 3 15 m 4.95 ACRE SPITAL BLVD. COUNSE BEARING DISTANCE 1.03 ACRES M7113/35 W 36.75" M32/36/39 W 61.99" 2.09 ACRES OUTPARCEL "H PROPOSED ROAD PARKWAY (120 R/W) 2.35 ACRES 1.58 ACRES 58,967 50.F1 70,416 50.F1 OUTPARCEL UTPARCEL TO - 10.50 AC. D 85 ACRES 57504'49'E CANTON MARKETPLACE, LLC TOTAL 68.13 ACRES 2.967,576 SQ.FT. THE LANDON GROUP 538,775 50,8 KOHL'S TRACT 5.47 ACRES 281,809 50.1 NZ. CA 12.34 ACRES LOWE'S TRACT HOPPING CENTER TOTAL: 99.31 ACRES 4,325,552 5Q.FT KEY di une HAYGOOD ADDITIONAL TRACTS TOTAL: 5.61 ACRES 244.489 SQ.FT 9JJ.92* 588*50*45*Z LL.238 L.L.267 SCALE IN FEET LL 231 L.L. 238 CITY OF CANTON LOT LAND ALTA/ACSM LAND TITLE SURVEY FOR: CANTON MARKETPLACE, LLC, FIDELITY NATIONAL TITLE INSURANCE L.L. 232 L.L. 237 FIDELITY NATIONAL TITLE INSURAL COMPANY, KOAL'S DEPARTMENT STORES, INC., FIRST AMERICAN TSURSURANCE COMPANY, WACHOMA BANK, MATIONAL ASSOCIATION OCCATED IN 230, 231, 238, 239 & 287 .

14th DISTRICT. 2nd SECTION COST OF CANTON ELD BOOK (4) L.L.268 GASKINS SURVEYING & ENGINEERING COMPANY FOR TRACT GREENSPACE ONLY

THIS PARCEL OF LAND IS IN THE 100 YEAR FLOOD
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LINE TABLE - FOR DEVELOPERS TRACT T

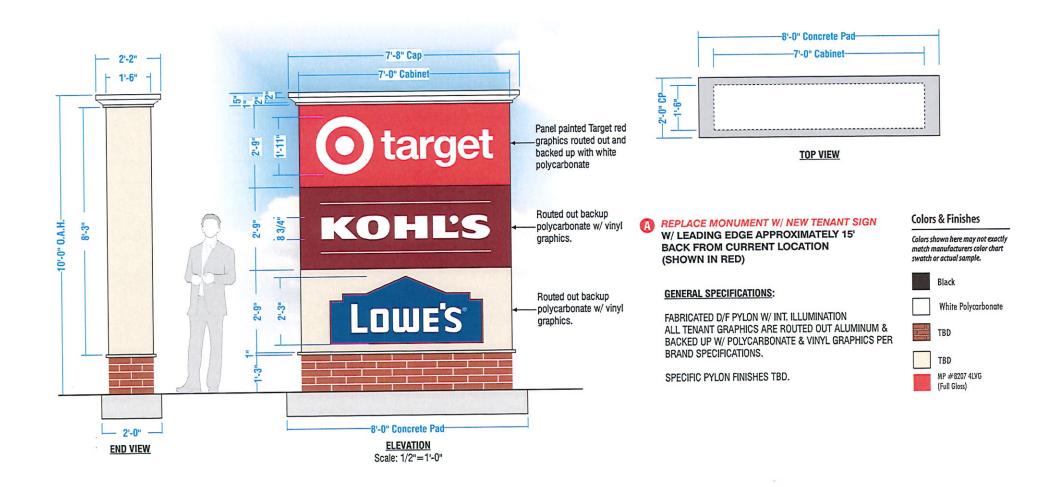
COUNSE BEARING DISTANCE RADRES CHARGE

LEGEND

O MM - SANITARY SENSE WANTER

LP - UGHT POLE

COURSE BEARING DISTANCE PADRUS CHINE





Manufacturing Facilities Office Locations

Oceanside, CA - Las Vegas, NY - Laughtri, AZ daho Rais, 30 - Elans, TX - Jacksonville, TX - San Antonio, Houston, TX - Corpus Christi, TX - Indianapois, IN Lousville, KY - Knowille, TN - Crafton, Wi - Delaware, OH WISTOMOTOCK, E. - TUTICA, MS - ABIATCA, GA

R1 8-14-20 YA Rev. Sign A Opt.2 layout & add Sign B. R2 8.19.20 GB Reduce Sign A/Opt.2 per Mark-up R3 9.8.20 BW Revise lace specs for sign B, R4 9.11.20 BW Reverso aption 1 & option 2

This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Ma

Building Quality Signage Since 1901 Landlord Approval/Date

R5 12.09.20 BW Revise position of sign, make pad above grade & revise notes & grows as per mark-up.

\$7 4.29.21 WS Update notes on pa. 3 per mark-up.

\$8 9.9.21 BW Reduce averall size & revise as per mark-up.

\$9.9.10.21 BW lacrosos height as per mark-up. Account Rep Project Manage

Gene Bourbonnais Underwriters Laboratories Inc. ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 400 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS

Boyd Hippenstiel

Donna Copp

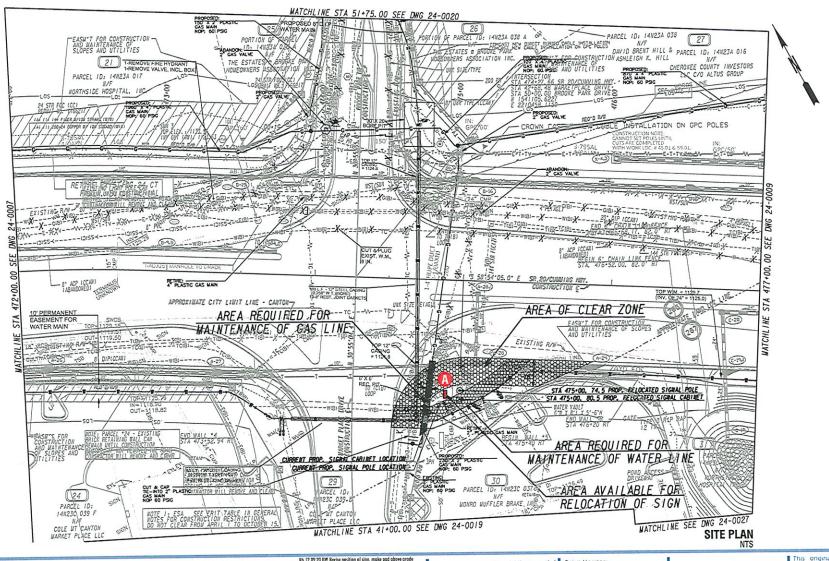
Project / Location:

Store: T2476 2022 Cumming Hwy. Canton, GA 30115

23-61364-10 December 9, 2020

23-61364-10 R10a **EXHIBIT**

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Manu	fecturing Fection	si .
uce, CA - Euless	TX - Judisonville,	TX - Delaware, CH

Building Quality Signage Since 1901 Landlord Approval/Da

Office Locations Oceanside, CA - Las Yegas, NY - Laughtri, AZ daho Rais, ID - Buless, TX - Jacksonwile, TX - San Antonio, Houston, TX - Corpus Christi, TX - Indianapois, IN Louisville, XY - Knowvile, TN - Grafton, WI - Delaware, Oh Brook & - Turica, MS - Atlanca, CA Turnou El « Destroya Smarth, El » Oriendo, El.

R1 8-14-20 YA Rev. Sign A Opt.2 layout & add Sign B. R2 B.19 20 GB Reduce Sign A/Opt 2 per Mark-up

R3 9.8.20 BW Revise fore specs for sign B.
R4 9.11.20 BW Reverse option 1 & option 2
R5 12.08.20 JP/JK Reverse to show option
actived expo page, site plan & foundation

R6 12.09.20 BW Ravise position of sign, make pad above grade Ro 12,072,0 BM Rowine position on sign, make pod above 2 revise notes & arrows as per mark-up. 17 4,29,21 MS Update notes on pp. 3 per mark-up. RB 8,9,21 BM Reduce percell size & revise as per mark-up. RB 9,10,21 BM Increase height as per mark-up. RB 12,6,21 BM Rowine size as per mark-up.

Gene Bourbonnais Underwriters COMPONENTS AND SHALL MEET
ALL N.E.C. STANDARDS ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 400 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Donna Copp

Account Rep:

Project Manager

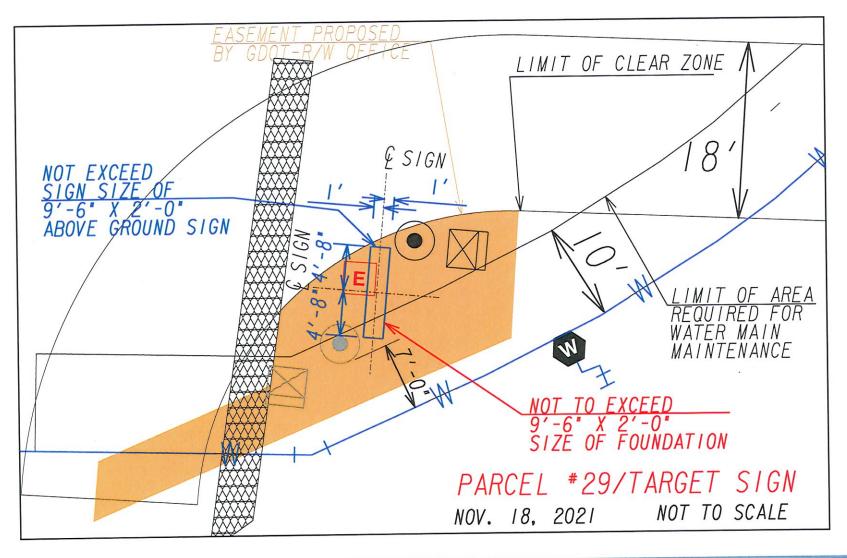
Boyd Hippenstiel Project / Location:

Store: T2476 2022 Cumming Hwy. Canton, GA 30115

23-61364-10 December 9, 2020 23-61364-10 R10a

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Manufacturing Facilities:
Desirade, CA - Euless, TX - Judissonville, TX - Desawore, CM
Office Locations:
Ocuerade, CA - Las Vegas, NY - Laughtin, AZ

Land Jack D. - Landowski, Tr. - Sin Aramin, Tr. - Sin Aramin, Tr. - Cons. Dr. - Landowski, Tr. - Cons. Dr. - Cons.

Revisions.

Ri B-14-20 VA Rev. Sign A Opt 2 legent 5 add Sign B.

Ri B-14-20 VA Rev. Sign A Opt 2 legent 5 add Sign B.

Ri B-14-20 VA Rev. Sign A Opt 2 legent 5 add Sign B.

Ri B-14-20 VA Rev. Sign A Opt 2 legent 5 add Sign B.

Ri B-14-20 VA Rev. Sign A Opt 2 legent 6 add Sign B.

Ri B-14-20 VA Rev. Sign A Opt 2 legent 6 add Sign B.

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Account Rep: Boyd Hippenstiel

Project / Location:

Project / Location:

Donna Copp

Drawn By: Gene Bourbonnais

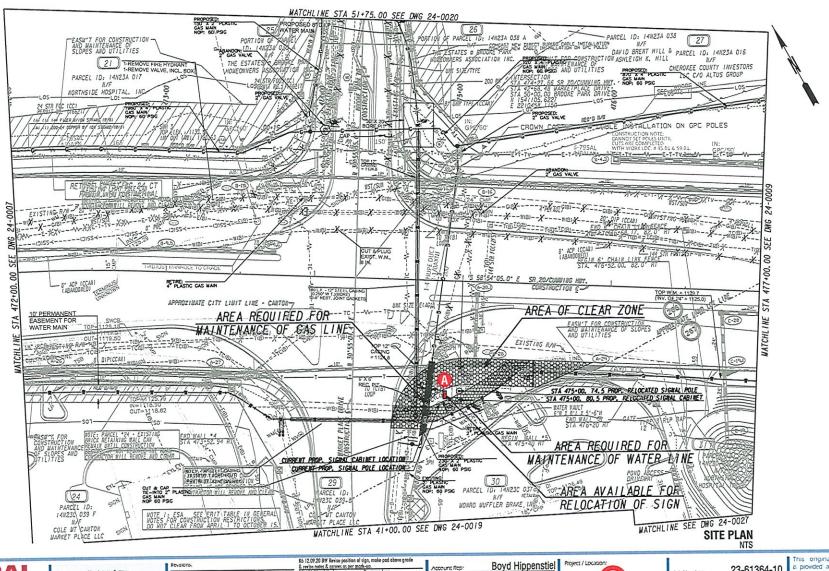
Store

Up Underwrites (ne)

2022 CUI

Store: T2476 2022 Cumming Hwy. Canton, GA 30115

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	Manufacturing Facilities:
nude,	CA - Euless, TX - Judisonville, TX - Delaware, OH
	Office Locations:
	mitte Co. Las Sances MA - Laurence A7

Building Quality Signage Since 1901 Landlord Approval/Date

Oceanside, CA - Las Yeiges, NY - Lessghitt, AZ dishor Palis, ID - Euleris, TX - Jacksonside, TX - San Anzenio, TX Houston, TX - Corpus Christ, TX - Indianapola, IN Louisville, XY - Krowskii, TX - Grafton, W1 - Detaware, OH willowbrock, IL - Tuxus, NY - Adhares, CA Tampa, IL - Daytona Beach, IL - Orismoo, FL

R1 8-14-20 YA Rer. Sign A Opt.2 legrout & add Sign B. 82 8-19-20 GB Reduce Sign A/Opt.2 per Mark-up R3 9-8-20 BW Revise lace specs for sign B. 84 9-11-20 BW Reverse option 1 & option 2 RS 12.08.20 JP/JK Reverse to show option 1 of ground sign added engl. page, site plan & foundation and base pad.

Client Approval/Date

R5 12.09.20 BW Revise position of sign, make pad above grade & revise nates & grows so per mark-up. R7 4.29.21 WS Update nates on pp. 3 per mark-up. R8 8.9.7 BW Reduce sweed! size & revise of per mark-up. R9 8.10.21 BW Increase height as per mark-up. R8 10.12.6.21 BW Revise size as per mark-up.

Project Manage

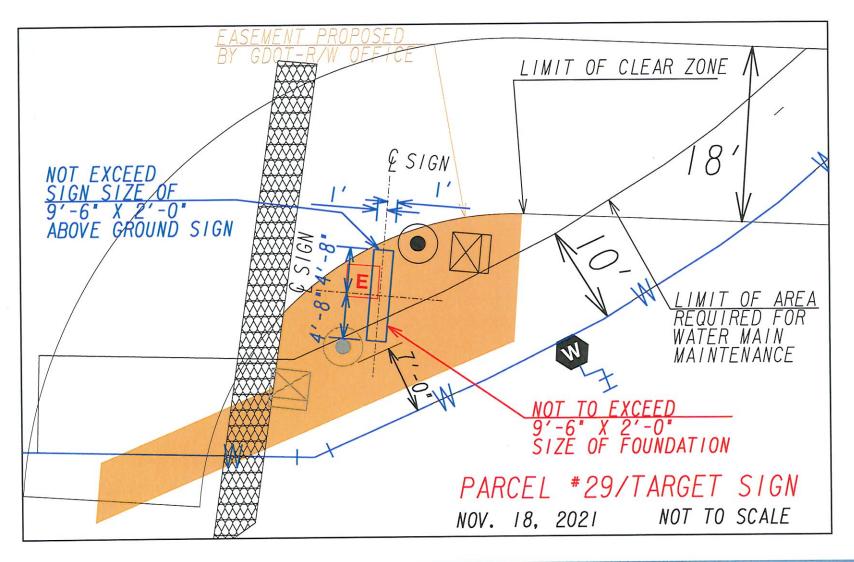
Donna Copp Gene Bourbonnais Underwriters Laboratories Inc.

Underwriters COMPONENTS AND SHALL MEET ALL N.E. C. STANDARDS ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 400 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Store: T2476 2022 Cumming Hwy. Canton, GA 30115

23-61364-10 December 9, 2020 23-61364-10 R10a **EXHIBIT**

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Committee Locations:

Committee, T.A. - Law Yonger, N. N. - Lawghist, A.Z.

II. D. - Eulers, T.K. - Jockson-Wei, T.K. - Son Antonio, T.K.

ston, T.K. - Corpus Christs, T.K. - Indianapolis, N.

II. K. F. Knowski, T.N. - Cardon, W. - Delaware, O.H.

Willowbrook, R. - Turick, M.S. - Atlanta, G.A. Building Quality Signage Since 1901 Landlord Approval/Da

R1 8-14-20 VA Rev. Sign A Opt.2 layout & add Sign E R2 B 19 20 GB Reduce Sign A/Opt.2 per Mark-up

R6 12.09.20 BW Ravise position of sign, make pad above grade 8 revise notes & arrows as per mark-up. R7 4.29.21 WS Update notes on pg. 3 per mark-up. R6 8.9.21 BW Reduce everall size & revise as eer mark-up.

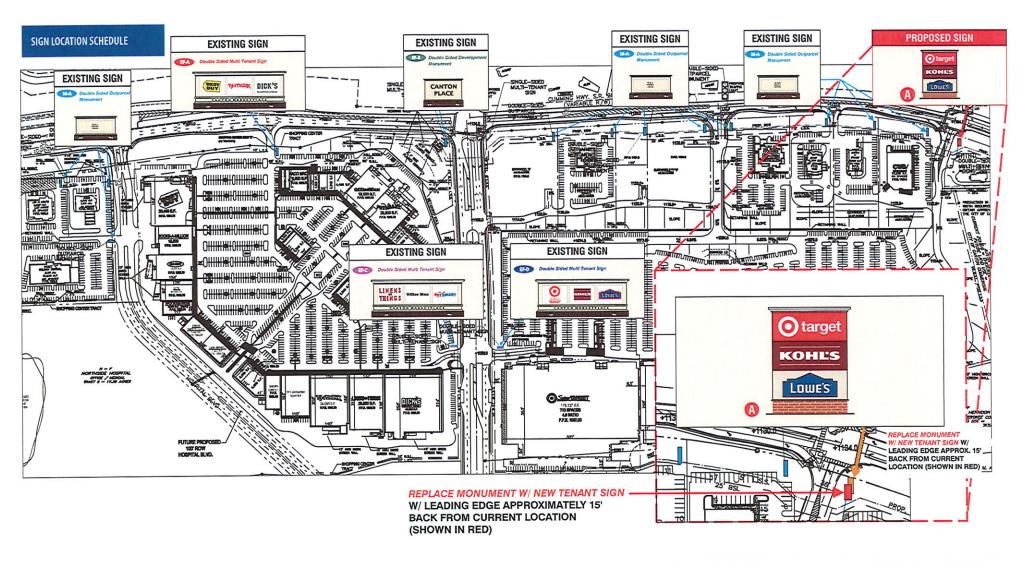
Boyd Hippenstiel Project / Location: Donna Copp Project Manager Gene Bourbonnais Underwriters
Laboratories Inc.

BLECTRICAL TO USE U.L. USTED COMPONENTS AND SHALL MEET
ALL N.E.C. STANDARDS ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING

Store: T2476 2022 Cumming Hwy. Canton, GA 30115

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R6 12.09.20 BW Revise position of sign, make pad above grade & revise notes & grows as per mark-up.

R7 42921 WS Update notes on pg. 3 per mark-up.

R8 8,921 BW Reduct overall size & revise as per mark-up.

R9 8,1021 BW lacrease height as per mark-up. R1 8-14-20 YA Rev. Sign A Opt.2 layout & add Sign B. 82 8 19:20 GB Reduce Sign A/Opt.2 per Mark-up R3 9.8.20 BW Revise fore specs for sign B. R4 9.11.20 BW Reverse option 1 & option 2 Oceanyable, CA.—Las Vegal, IN Y-Lascylhiri, AZ 5 Falls, ID.—Eulers, TX.—Jackson-wile, TX.—San Antonio, TX Houston, TX.—Corpus Christi, TX.—Indiansposi, IN Jackst, XY.—Excassie, TN.—Cardino, Y.—Obenswer, CH Willow-brock, IL.—Tunck, NS.—Atlanto, GA Tampa, FL.—Deytona Beach, FL.—Orlendo, FL RS 12.08.20 JP/JK Reverse to show option 1 of ground sig added engl. page, site plan & foundation and base pad Client Approval/Date Building Quality Signage Since 1901 Landlord Approval/Dat

Boyd Hippenstiel Donna Copp roject Manager Gene Bourbonnais ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

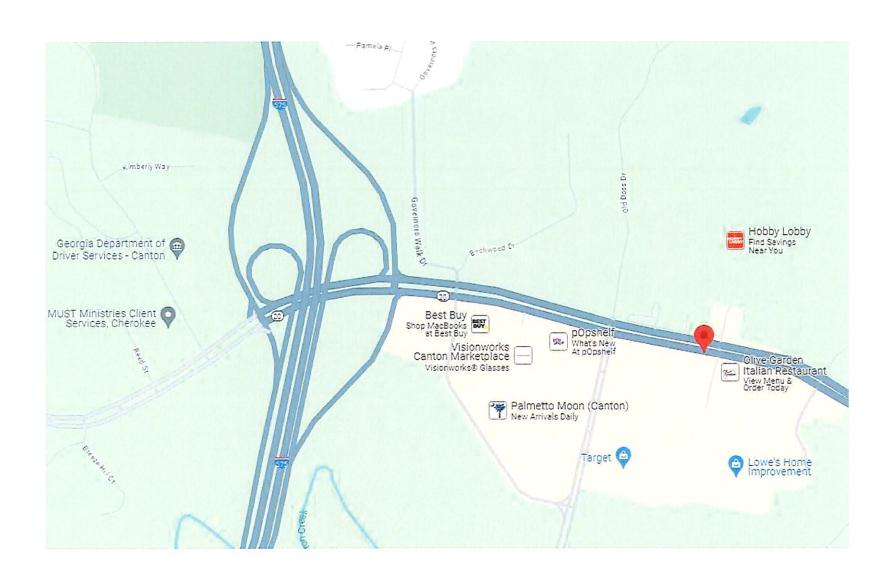
Project / Location:

Store: T2476 2022 Cumming Hwy. Canton, GA 30115

23-61364-10 December 9, 2020 23-61364-10 R10a

EXHIBIT

This original drawing is provided as part of a planned project and is not to be exhibited. copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © FHSC



IN THE SUPERIOR COURT OF CHEROKEE COUNTY STATE OF GEORGIA

DEPARTMENT OF TRANSPORTATION,)
Condemnor,))
v.	CIVIL ACTION FILE NO.
0.285 ACRES OF LAND; and COLE MT.) 19CVE1714
CANTON MARKETPLACE, LLC; WELLS))
FARGO BANK, NATIONAL ASSOCIATION,	PARCEL 29
AS TRUSTEE FOR MORGAN STANLEY BANK OF AMERICA MERRILL LYNCH)
TRUST 2013-C10, COMMERCIAL PASS-	<i>)</i>)
THROUGH CERTIFICATES 2013-C10;	,)
TARGET CORPORATION; KOHL'S)
DEPARTMENT STORES, INC.; and TAX COMMISSIONER OF CHEROKEE COUNTY,) \
individually,))
Condemnees.	<i>)</i>)

CONSENT ORDER AMENDING PETITION AND ORDER AND JUDGMENT

WHEREAS, this action is an *in rem* condemnation proceeding brought by Condemnor Department of Transportation (hereinafter "Condemnor") against certain property owned on the date of taking by Condemnee Cole Mt. Canton Marketplace, LLC (hereinafter the "Subject Property") to acquire 0.2855 acres of land in fee simple right of way as more particularly described in the Petition for Condemnation and Declaration of Taking (hereinafter "Petition") filed on September 5, 2019 (hereinafter "date of taking")

WHEREAS, the Court entered an Order and Judgment on September 16, 2019 ("Order and Judgment") vesting title in the Condemnor, which included a description of the property condemned, including right of way and certain easement rights, and the Order and Judgment was recorded in the Deed Records of Cherokee County at Deed Book 14397, Page 237; and

WHEREAS, Cole Mt. Canton Marketplace, LLC and Target Corporation were the only parties who filed a Notice of Appeal or any other pleading in response to the Petition for Condemnation; and

WHEREAS, Cole Mt. Canton Marketplace, LLC previously filed a Notice of Assignment with this Court on April 20, 2023 assigning its claim for just and adequate compensation in this condemnation action, under and pursuant to the Notice of Appeal filed by Cole Mt. Canton Marketplace, LLC on September 18, 2019, to Canton Marketplace Owner, LLC; and

WHEREAS, Condemnor and Cole Mt. Canton Marketplace, LLC, Canton Marketplace Owner, LLC and Target Corporation are in agreement that the Right of Way Plan sheets 60-0009 (page 9 of 39) and 60-0034 (page 34 of 39) and the legal descriptions attached to the Petition and Declaration of Taking as part of "Appendix "A" – Annex 1-A" shall be replaced with the attached **Exhibit A** and identified as Right of Way Plan sheets 60-0009 (page 9 of 39) and 60-0034 (page 34 of 39) dated June 16, 2017, last revised on February 28, 2022 and the Legal Description, in order to change a portion of the right of way to a permanent easement for the construction and maintenance of slopes and placement of utilities, and to permit a sign to be placed in the permanent easement area:

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that:

- (1) The Petition and Declaration of Taking and Order and Judgment are hereby amended by substituting Right of Way Plan Sheets 60-0009 and 60-0034, dated June 16, 2017, and last revised on February 28, 2022 for the plan sheets attached to the Petition and Declaration of Taking; and
- (2) The Petition and Declaration of Taking and Order and Judgment are hereby amended by substituting the Legal Description attached to this Order for the original Legal Description attached to the Petition and Declaration of Taking; and
- (3) All other terms and conditions of the Petition, Declaration of Taking and the Order and Judgment shall remain in full force and effect; and
- (4) This Order shall be filed on the deed records of Cherokee County with a reference to the Deed Book and Page at which the Order and Judgment are recorded.

4th		August	
SO ORDERED this	day of	J	, 2023

Judge, Cherokee County Superior Court

Consented to by:

/s/ Audrey N. Conley (signed w/ express

permission by I.Cadle)

Robert M. Dyer

Georgia Bar No. 236880

Alicia M. Argo

Georgia Bar No. 859330

Audrey N. Conley

Georgia Bar No. 904614

DYER & RUSBRIDGE, P.C.

291 East Main Street

Canton, GA 30114 (770) 479-7418

(Telephone)

rmd@dyruslaw.com

aliciaargo@dyruslaw.com

Audreyconley@dyruslaw.com

Attorneys for Condemnor

/s/ Elizabeth R. Story (signed w/ express

permission by I.Cadle)

Christian F. Torgrimson

Georgia Bar No. 714749

Elizabeth R. Story

Georgia Bar No. 275637

PARKER POE ADAMS & BERNSTEIN LLP

1075 Peachtree Street NE, Suite 1500

Atlanta, Georgia 30309

(678) 690-5750 (Telephone)

(404) 869-6972 (Facsimile)

christiantorgrimson@parkerpoe.com

elizabethstory@parkerpoe.com

Attorneys for Condemnee Cole Mt. Canton

Marketplace, LLC and Canton Marketplace

Owner, LLC

/s/ Ivy N. Cadle

Ivy N. Cadle

Georgia Bar No. 353227

J. Tyler Cox

Georgia Bar No. 876435

Baker Donelson

Monarch Plaza, Suite 1600

3414 Peachtree Road

Atlanta, GA 30326

404 577-6000

icadle@bakerdonelson.com

tcox@bakerdonelson.com

Attorney for Target Corporation

EXHIBIT "A"

PROJECT NO.: CSSTP-0009-00(164) CHEROKEE County

P. I. NO.: 0009164

PARCEL NO.: 29

DATE OF R/W PLANS: 6/16/2017

REVISION DATE: 2/28/22 Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 266 & 267 of the 14 Land District of CHEROKEE County, Georgia, being more particularly described as follows:

RIGHT OF WAY

Beginning at a point 85.13 feet Right of and opposite Station 473+74.77 on the construction centerline of SR 20; running thence S 58^22'14.8" E a distance of 86.47 feet to a point 85.93 feet right of and opposite station 474+61.23 on said construction centerline laid out for S.R. 20; thence N 68^43'10.2" E a distance of 54.54 feet to a point 42.73 feet right of and opposite station 474+94.53 on said construction centerline laid out for S.R. 20; thence southeasterly 10.70 feet along the arc of a curve (said curve having a radius of 1798.10 feet and a chord distance of 10.70 feet on a bearing of S 57^41'36.0" E) to the point 42.96 feet right of and opposite station 475+05.22 on said construction centerline laid out for S.R. 20; thence northwesterly 27.05 feet on a bearing of South 32^36'15.2" West to a point 70 feet right of and opposite station 475+04.51 on said construction centerline laid out for S.R. 20; thence 27.22 feet along the arc of a curve (said curve having a radius of 31.79 feet and a chord distance of 26.40 feet on a bearing of N83³7'07.4" West to a point 81.04 feet right of and opposite station 474+80.53 on said construction centerline laid out for S.R. 20; thence S 36^4516.9" W a distance of 7.66 feet to a point 88.66 feet right of and opposite station 47+79.78 on said construction centerline laid out for S.R. 20; thence N 84^29'52.8" W a distance of 19.20 feet to a point 96.95 feet right of and opposite station 474+62.46 on said construction centerline laid out for S.R. 20; thence S 33^59'41.2" W a distance of 6.24 feet to a point 103.18 feet right of and opposite station 474+62.15 on said construction centerline laid out for S.R. 20; thence S33^59'.41.2" West a distance of 111.51 feet to a point 20.33 right of and opposite station 40+51.71 on the construction centerline laid out for Marketplace Drive; thence S 10^24'05.2" W a distance of 47.69 feet to a point 32.96 feet right of and opposite station 40+05.72 on said construction centerline laid out for Marketplace Drive; thence S 80^02'40.2" W a distance of 9.80 feet to a point 25.00 feet right of and opposite station 40+00.00 on said construction centerline laid out for Marketplace Drive; thence N 64^14'53.4" W a distance of 42.67 feet to a point 17.67 feet left of and opposite station 40+00.00 on said construction centerline laid out for Marketplace Drive: thence N 25^39'42.2" E a distance of 25.99 feet to a point 17.71 feet left of and opposite station 40+25.99 on said construction centerline for Marketplace Drive; thence N 14^49'55.2" E a distance of 165.19 feet back to the point of beginning.

Containing 0.274 acres more or less.

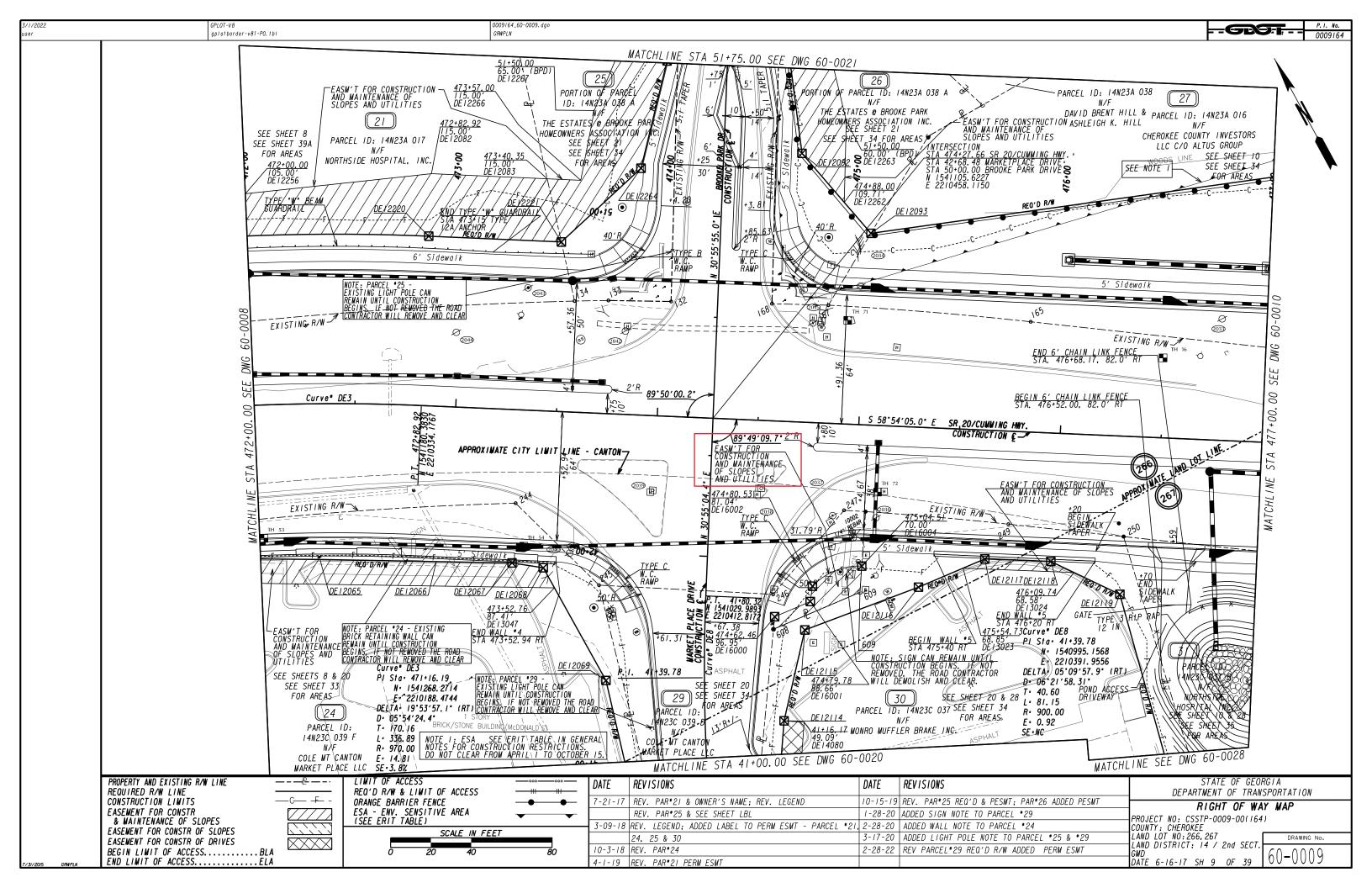
PERMANENT EASEMENT

ALSO, granted is the right to construct and maintain any required slopes and the placement of utilities within the easement area shown on the attached plat, being more particularly described as follows:

Beginning at a point 96.95 feet right of and opposite station 474+62.46 on the construction centerline laid out for S.R. 20; thence S84^29'52.8" E 19.20 feet to a point 88.66 right of and opposite station 474+79.78 on said construction centerline laid out for S.R. 20; thence N36^45'16.9" E 7.66 feet to a point 81.04 right of and opposite station 474+80.53 on said construction centerline laid out for S.R. 20; thence 27.22 feet along the arc of a curve (said curve having a radius of 31.79 feet and a chord distance of 26.40 feet on a bearing of S83^37'07.4"E to a point 70.00 right of and opposite station 475+04.51 on said construction

centerline laid out for S.R. 20; thence S32^36'15.2"W a distance of 13.06 feet to a point 83.06 feet right of and opposite station 475+04.17 on said construction centerline laid out for S.R. 20; thence N84^29'52.8"W a distance of 46.59 feet to a point 103.18 feet right of and opposite station 474+62.15 on said construction centerline laid out for S.R. 20; thence N33^59'41.2"E a distance of 6.24 feet back to the point of beginning. **Containing 0.011 acres more or less.**

The title, estate or interest in the above described lands, required by condemnor and now taken by condemnor for public use is as follows: A permanent easement is condemned for the right to construct and maintain slopes and placement of utilities and is shown described within on the attached plats dated June 16, 2017; Last Revised: Sheet Nos. 60-0009 and 60-0034 on February 28, 2022 and attached hereto as Annex 1-A. The owner retains the right to place and maintain a sign in the easement area. The owner also retains the right to supply said sign with electricity in a reasonable manner. Should the sign be damaged by the condemnor, its agents and/or contractors, while doing work in the adjacent easement in a reasonable and workmanlike manner, owner shall be responsible for repairs to the sign."



0009164_60-0034. dgn aplotborder-v81-P0. tbl 27) PARCEL ID: 14N23A 016 PARCEL ID: 14N23C 037 PORTION OF PARCEL ID: 14N23A 038 A N/F N/F N/F THE ESTATES @ BROOKE PARK MONRO MUFFLER BRAKE INC. SEE SHEET 9, 20 & 28 CHEROKEE COUNTY INVESTORS LLC C/O ALTUS GROUP SEE SHEET 9 & 10 PARCEL 27 REQ'D R/W DEREOD27 PORTION OF PARCEL ID: 14N23A 038 A HOWEOWNERS ASSOCIATION INC. SEE SHEET 9 & 21 ************************************ N/F THE ESTATES @ BROOKE PARK PARCEL 30 REQ'D R/W DEREQD30 HOMEOWNERS ASSOCIATION INC. PARCEL 26 REQ'D R/W DEREQD26 ***************** PNT OFFSET/ STATION/ ALIGNMENT
DIST BEARING ALIGNMENT BEARING SEE SHEET 9 & 21 PNT OFFSET/ STATION/ PNT OFFSET/ STATION/ ALIGNMENT ***************** BEARING UISI DEMILITU

107 50 47 1 474+82 38 S.R. 20 PARCEL 25 REQ'D R/W DEREQD25 167 58.47 L 474+82.38 S.R. 20
41.40 N 59*10'22.5* E
DE12093 95.00 L 475+01.86 S.R. 20
231.51 S 69*21'13.5* E
DE12094 137.00 L 477+29.54 S.R. 20
125.59 S 82*12'16.4* E
DE12095 186.68 I 478+44 88 S R 20 ______ 168 58.00 L 474+54.36 S.R. 20 125.16 N 30*08'27.5* E 322 25.15 R 51+83.07 CR 2648 / Brooke Park D ARC LENGTH = 60.00 10002 42.96 R 475+05.22 ARC LENGTH = 71.07 CHORD BEAR = S 56°23'26.2" E 137.00 L 125.59 CR 2648 / Brooke Park Drive 5.0. <u>5.....</u> LNTH CHORD = 71.06 473+56.52 S.R. 20 .00 N 16*00'27.5* E 473+48.71 S.R. 20 .82 N 75*49'10.9* E CHORD BEAR = N 35°48'41.0" E RADIUS = 1798, 10 186.68 L 239.94 TH CHORD : 59.30 RADIUS : 303.13 DEGREE : 18:54'05.0" CR 2648 / Brooke Park Drive 30.00 LNTH CHORD = 59.90 DE I 2095 478+44.88 DEGREE = 3'11'11.3" 84.00 L 41. 53.82 DE | 2221 S 61°21′54.3° E R 475+76. 22 S. R. 57. 47 S 55° 15′ 30. 8″ E R 476+33. 57 S. R. S. R. 20 174.29 L 48 107.23 481+23.91 S. R. 20 23 S 14*05'53.3* W 122. 24 L 54. 70 DE I 2096 473+86.58 24.87 R 67. 38 L 40. 74. 97 N / 1 L 480+54. 49 DE I 2264 S. R. 20 481+33.07 S. R. N 77*23'53.7" W N 42°14′30.0" E S 11°52′57.2" W 151.71 DE I 2090 30.00 R 52+44 37 CR 2648 / Brooke Park Drive 30.00 L 51+75.99 CR 2648 / Brooke Park Drive DE12265 476+83.50 604 192.98 R S. R. 20 ARC LENGTH = 55.31 N 30°55′55.0" E 12.57 N 76°23′03.8° W CHORD BEAR = S 35 53 00.0 W DE I 2086 51+83.88 CR 2648 / Brooke Park Drive LNTH CHORD = 55.24 RADIUS = 320.00 476+71.51 CHORD BEAR = N 66 17 34.7 W DE12120 S. R. 20 ARC LENGTH = 91.82 LNTH CHORD = 238.38 124.49 N 13°03′13.7° E CHORD BEAR = N 37*51'14.9" E DEGREE = 17.54'17.8" R 476+32.95 S. R. 37.89 N 35°59'08.0" W RADIUS = 618, 80 S. R. 20 DE12119 DEGREE = 9°15′33.0" 0 L 478+08.45 LNTH CHORD = 91.60 CR 2648 / Brooke Park Drive DE I 209 I 30.00 R 51+83.88 133.07 L 41. 52.32 S 12. 475+01.86 S 50 S 21 13 39.9" W RADIUS = 380.00 475+98.05 DE12118 S. R. 20 DE I 2092 226.00 N 55°11′13.7° W DEGREE = 15°04'40.2" N 59°11′23.0° W 32.74 S 12°12′34.5" E 475+82.93 S. R. 20 DE I 2087 30.00 L 52+68.45 CR 2648 / Brooke Park Drive 475+65.31 DE12117 S. R. 20 ARC LENGTH = 100.63 DE I 2093 S 55°15′07.7" E 35.74 N 84°26′03.4° W S 59'10'22.5" W CHORD BEAR = N 56°43'26.7" W S.R. 20 N 59 51 '32.5" W '54.36 52+69, 27 320 25.05 L CR 2648 / Brooke Park Drive '5+33.06 S.R. 20 N 82°01'57.1' W 474+82. 38 DE12116 475+33.06 LNTH CHORD = 100.62 ARC LENGTH = 93.00 RADIUS = 1857.30 28. 02 60.18 CHORD BEAR = \$ 37.41'08.4" W 58.00 L 474+54.36 REQD R/W = 3299.61 58.00 L 474+77.72 DEGREE = 3°05'05.6" LNTH CHORD = 92.73 474+82.38 S. R. 20 S 41°29′49.4" W REQD R/W = 0.076 ACRES
REMAINDER = +/- 0.16 ACRES REQD R/W = 63616.58 SF RADIUS = 353.13 41+17.28 DE12114 Marketplace Drive REOD R/W = 1.460 ACRES REMAINDER = +/- 1.7 ACRES DEGREE = 16°13′30.4" S 32°54′24.4″W 61 54 CR 2648 / Brooke Park Drive PARCEL 26 REQ'D PERM. EASM'T FOR THE CONSTR. & DEPESMT26 24.85 L 51+82.39 40+55.43 Marketplace Drive DE12113 31.65 R \$ 30°08′27.5" W 04.37 S.R. 20 125.42 PARCEL ID: 14N23C 039 D S 33°12′56.2" W 30.69 474+04.37 N/F 40+25.00 27.67 R DE I 226 I Marketplace Drive 31.08 N 60°26′12.5" W N 10°24′05.2° E COLE NT CANTON MARKET PLACE LLC SEE SHEET 9 & 20 PNT OFFSET/ STATION/ ALIGNMENT 27.70 473+73.31 S. R. 20 PNI OFFSETY STATIONY ALIGNMENT DIST BEARING 40+51.71 20.33 R Marketplace Drive 16. 82 N 62*27' 16. 82 N 62*27 N 62°27′12.5" W PARCEL 29 REQ'D R/W DEREQD29 N 33°59′41.2° E 111.51 DE12262 109.71 L 474+88.00 S.R. 20 32.10 N 12*12'34.5* W DE12092 133.07 L 474+65.98 S.R. 20 51.66 N 21*13'39.9 E 474+62. 15 PNT OFFSET/ STATION/ ALIGNMENT DIST BEARING 46. 59 S 84*29′52. 8* E R 475+04. 17 S. R. 20 REQD R/W = 0.089 ACRES
REMAINDER = +/- 0.31 ACRES DISI BEAKING

245 85.13 R 473+74.77 S.R. 20
86.47 S 58*22'14.8* E

246 85.93 R 474+61.23 S.R. 20
54.54 N 68*43'10.2* E

247 42.73 R 474+94.53 S.R. 20
APPLICACETH & 10.70 N 32°36′15.2° E 40.11 30.00 R 51+83.88 CR 2648 / Brooke Park Drive DE I 209 I ARC LENGTH = 55.3/ CHORD BEAR = N 35 53 00.0 E LNTH CHORD = 55.24 RADIUS = 320.00 ********************* 42.96 R 475+05.22 PARCEL 25 REQ'D PERM. EASM'T FOR THE CONSTR. & MAINT. OF SLOPES AND UTILITIES (DEPESMT25) REQD R/W = 6602.49 SF REQD R/W = 0.152 ACRES
REMAINDER = +/- 0.64 ACRES STATION/ ALIGNMENT ARC LENGTH = 10.70 DEGREE = 17.54'17.8" DIST BEARING CR 2648 / Brooke Park Drive CHORD BEAR = S 57°41'36.0" E PARCEL 30 REQ'D PERM. EASM'T FOR THE CONSTR. &
MAINT. OF SLOPES AND UTILITIES (DEPESMT30) 30.00 R 52+44.37 DE I 2090 LNTH CHORD = 10.70 D101 D2...... S 15°05′19.8″ W CR 2648 / Brooke Park Drive 92.42 473+48.71 S.R. 20 11 N 16*00'27.5" E 473+40.35 S.R. 20 65 S 58*54'05.0" E RADIUS = 1798, 10 84.00 L 473+48.71 DE I 2263 60.00 R 51+50.00 40.47 \$ 29*59'46.0" W 109.71 L 474*88.00 \$.R. REQD EASMT = 2003.04 \$F REQD EASMT = 0.046 ACRES DEGREE - 3°11'11.3" 115.00 L 415 STATION/ ALIGNMENT 42. 96 R 475+05. 22 S. R. 27. 05 S 32 36 15. 2 W S. R. 20 10002 S. R. 20 DIST BEARING DE I 2083 115.00 L 35.20 475+04.51 ______ 473+57.00 68. 85 R 475+54. 73 S. R. 20 S. R. 20 ARC LENGTH = 27.22 CHORD BEAR = N 83°37'07.4" W DE 12266 N 39°37′47.0" E 11.72 \$ 84°26′03.4° E 63.80 R 475+65.31 \$ S.R. 32.74 \$ 59°11′23.0° E PARCEL 29 REQ'D PERM. EASM'T FOR THE CONSTR. & MAINT. OF SLOPES AND UTILITIES DEPESMT29
PNT OFFSET/ STATION/ ALIGNMENT LNTH CHORD = 26.40 51+50.00 DE I 2267 65.00 L CR 2648 / Brooke Park Drive S. R. 20 DE12117 RADIUS = 31.79 133.03 N 51°10′47.1° E DEGREE = 180°13'07.3" CR 2648 / Brooke Park Drive DE I 2087 DE12118 63. 63 R 475+98. 05 DE16002 81.04 R 474+80.53 S. R. 20 DIST BEARING ARC LENGTH = 91.82 66 S 36°45′16. 9° W 474+79. 78 S. R. S 35°59′08.0" E 12.69 DE16000 96.95 R 474+62.46 S.R. 20 19.20 S 84*29'52.8* E DE16001 88.66 R 474+79.78 S.R. 20 7.66 N 36*45'16.9* E DE16002 81.04 R 474+80.53 S.R. 20 CHORD BEAR = S 37°51'14.9" W 88.66 R 19.20 N 84*29'52.8 N 96.95 R 474*62.46 S.R. 6.24 S 33*59'41.2* W S.R. 476+09.74 DE I 3024 S. R. 20 LNTH CHORD = 91.60 55.01 N 59°11′23.0" W 68.85 R 475+54.73 REQD EASMT = 219.36 SF RADIUS = 380.00 S. R. 20 DEGREE = 15°04'40.2" 103.18 R 474+62.15 CR 2648 / Brooke Park Drive DE I 2086 51+83. 88 30.00 L S. R. S 33*59'41.2* W REQD EASMT = 0.005 ACRES S 30°55′55.0" W CR 2648 / Brooke Park Drive 111.51 ARC LENGTH = 27.22 40+51.71 Marketplace Drive *********************** 51+75.99 DE I 2265 30.00 L CHORD BEAR = S 83*37'07.4" E S 10°24′05.2° W PARCEL 30 REQ'D DRWY. EASM'T. DEDWESMT30 S 42°14′30.0" W LNTH CHORD = 26,40 54.70 2 Marketplace Drive S 80°02′40.2° W 40+05.72 *********************** 122. 24 L 473+86. 58 53. 82 S 75 84. 00 L 473+48. 71 REOD EASMT = 3354. 62 DE I 2264 S 75°49′10.9" W DEGREE = 180°13′07.3° 40+00.00 Marketplace Drive S. R. 20 DE I 6004 475+04.51 _____ N 64°14′53.4° W 42.67 13.06 S 32°36′15.2° W 40+55.43 DE12113 40+00.00 Marketplace Drive 475+04.17 S. R. 20 N 25°39′42.2° E Marketplace Drive 25.99 DE12114 39.14 R 41+17.28 REQD EASMT = 0.077 N 84°29′52.8° W 46.59 17.71 L 40+25.99 Marketplace Drive DE I 4080 49.09 R 41+16.17 , 474+62. 15 S. R. Y4 N 33°59′41. 2°E Marketplace Drive 608 N 14°49′55.2° E 103.18 R S. R. 20 165. 19 N 14*45 85. 13 R 473+74. 77 DE I 408 I 41.57 R 40+54.18 6. 24 N 33 59 96. 95 R 474+62. 46 REOD EASMT = 476. 75 SF Marketplace Drive DE12113 31.65 R 40+55.43 Marketplace Drive DE I 6000 S. R. 20 REQD R/W = 11956.04 SF REQD R/W = 0.274 ACRES
REMAINDER = +/- 3.8 ACRES NUMBER OF DRIVEWAYS = 1 REQD EASMT = 0.011 ACRES PROPERTY AND EXISTING R/W LINE LIMIT OF ACCESS STATE OF GEORGIA DATE REVISIONS REVISIONS REQ'D R/W & LIMIT OF ACCESS REQUIRED R/W LINE DEPARTMENT OF TRANSPORTATION —C— ₣ -7-21-17 REV. PAR*25; REV. LEGEND CONSTRUCTION LIMITS ORANGE BARRIER FENCE RIGHT OF WAY MAP ESA - ENV. SENSITIVE AREA (SEE ERIT TABLE) **FASEMENT FOR CONSTR** 3-09-18 REV. LEGEND; ADDED LABEL TO PERM ESMT - PARCEL *25 PROJECT NO: CSSTP-0009-00(164) & MAINTENANCE OF SLOPES COUNTY: CHEROKEE LAND LOT NO: EASEMENT FOR CONSTR OF SLOPES 10-09-19 REV. PAR*30 RED'D R/W EASEMENT FOR CONSTR OF DRIVES LAND DISTRICT: 14 / 2nd SECT. 10-15-19 REV. PAR*25 REQ'D & PESMT; PAR*26 ADDED PESMT BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS. -28-20EV PAR*29 REQ'D R/W ADDED PERM ESMT DATE 6-16-17 SH 34 OF 39