

Affidavit of Public Notification

Public Notification Requirements

Per Article 13 and 14 of the City of Powder Springs Unified Development Code, I certify that I have met the advertising requirements of Article 13 and Article 14 for a Special Use, Variance or Rezoning application for subject property located at _____

Notices were mailed to all persons owning property located in whole or in part within 200 feet of any portion of the property that is the subject of the rezoning, special use or variance application. The written notice was mailed to the property owners as such names and addresses appear on the County's current ad valorem tax records on _____. Said notices were mailed at least 15 days but no more than 45 days prior to the Mayor and Council first public hearing date.

Signs were placed on the subject property advertising said hearing on _____. One sign was placed at each road frontage at least 15 days prior to the Mayor and Council first hearing date.

Please attach the following to affidavit: notices, list of addresses, picture of sign posted on property and any receipt or documentation that was provided at the post office.

Please sign affidavit after letters have been mailed out to neighboring lot owners within 200 feet of the subject site and sign/s have been posted on subject site.

Notary Attestation

Executed in Kennesaw (City), GA (State).

Minh Vy Nguyen
Signature of Applicant

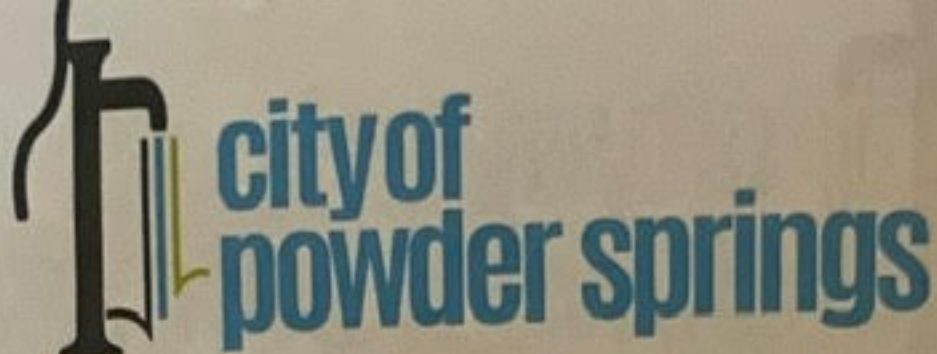
Minh Vy Nguyen 1/6/2023
Printed Name Date

Subscribed and sworn before me this 6 day of Jun 2023

[Signature]
Signature of Notary Public

Jeffrey Miller 9/29/2025
Name of Notary Public My Commission Expires





Variance Request Owner's Authorization Form

Owner's Authorization

Applicant Name <u>Minh Vy Nguyen</u>	Applicant's Address <u>352 Brooks Lane</u>
Property Address <u>352 Brooks Lane</u> Powder Springs, GA	Property PIN

This is to certify that I am or We are or I am the Authorized Representative of a Corporation that is the owner of a majority interest in the subject property of the attached application. By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

Check all that apply:

Rezoning <input type="checkbox"/>	Special Use <input type="checkbox"/>	Hardship Variance <input type="checkbox"/>
Special Exception <input checked="" type="checkbox"/>	Flood Protection Variance <input type="checkbox"/>	Appeal of Administrative Decision <input checked="" type="checkbox"/>

Signature of Property Owner(s)

<u>Minh Vy Nguyen</u> Signature of Owner	<u>Minh Vy Nguyen</u> Printed Name	<u>1/6/2023</u> Date
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State of GA, County of Cobb.

This instrument was acknowledged before me this 6 day of January month.

2023, by Minh Vy Nguyen name of signer. Identification Presented: GA DL



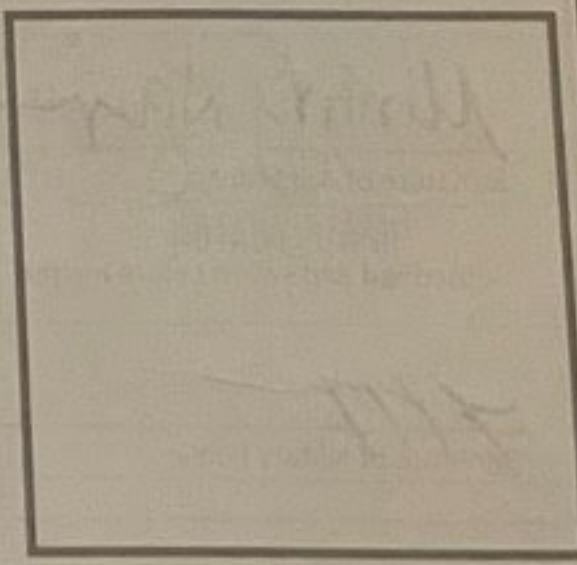
<u>Jeffrey Miller</u> Signature of Notary Public	<u>Jeffrey Miller</u> Name of Notary Public	<u>9/29/2025</u> My Commission Expires
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_____ Signature of Owner	_____ Printed Name	_____ Date
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State of _____, County of _____.

This instrument was acknowledged before me this _____ day of _____ month.

20____, by _____ name of signer. Identification Presented: _____



_____ Signature of Notary Public	_____ Name of Notary Public	_____ My Commission Expires
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city of powder springs

Variance Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name Minh ry Nguyen

Applicant's Address 3152 Brooks Lane

Applicant's Attorney _____

Attorney's Address _____

Campaign Contribution Disclosure

The following information is provided in accordance with the Georgia Conflict of Interest in Zoning Actions Act, O.C.G.A. 36-67A-1 et seq.

The property that is the subject of the attached application is owned by:

- Individual(s)
- Corporation
- Partnership
- Limited Partnership
- Joint Venture

All persons, corporations, partners, limited partners, or joint ventures party to ownership of the property that is the subject of the attached application are listed below:

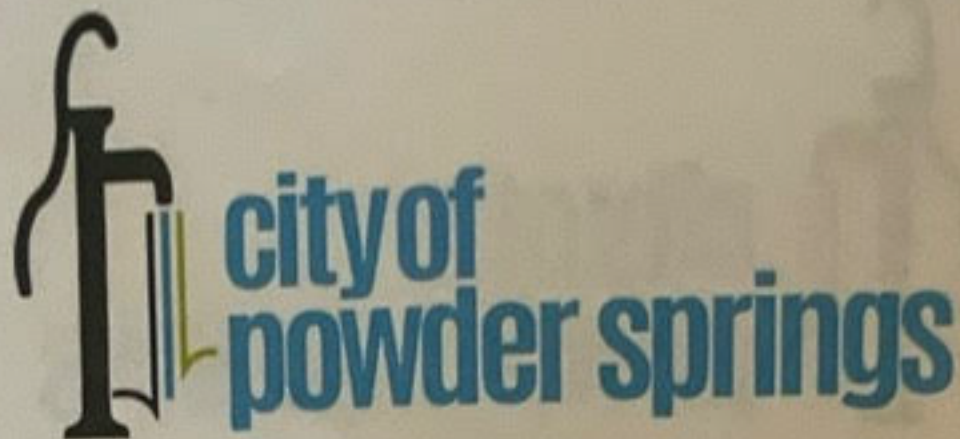
Minh ry Nguyen _____

APPLICANT: Within the two years preceding the date of the attached application, the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
_____	_____	_____

ATTORNEY: Within the two years preceding the date of the attached application, the attorney representing the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
_____	_____	_____



Variance Request

Applicant's Written Analysis

Applicant Information

Name Minh Vy Nguyen

Phone [REDACTED]

Mailing Address 3152 Brooks Lane

Email [REDACTED]

Written Analysis In details please address these Variance Criteria:

- a. Are there extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
NO, there are no exceptional circumstances that are not applicable to other structures within the district.
- b. A literal interpretation of the provisions of this development code would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.
NO, Requested provisions will not directly affect other properties within the district / neighborhood.
- c. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located
NO, the proposed variance will not grant me any special privileges within the district or the property.
- d. The requested variance will be in harmony with the purpose and intent of this development code and will not be injurious to the neighborhood or to the general welfare.
NO, the requested variance will not be injurious to the neighborhood or the general welfare.
- e. The special circumstances are not the result of the actions of the applicant.
NO, there are no special circumstances as a result of the applicant.
- f. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed. The request variance is the exact square footage proposed by the applicant.
- g. The variance shall not permit a use of land, building or structures, which is not permitted by right in the zoning district overlay district involved.
NO, the requested variance will not affect the current zoning.

Applicant Signature

Minh Vy Nguyen Minh Vy Nguyen 1/6/2023
 Signature of Applicant Printed Name Date



city of
powder springs
Variance Request
Notice of Intent

Applicant Information

Name Minh Vy Nguyen

Phone [REDACTED]

Mailing Address 3152 Brooks Lane

Email [REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this application is to request a variance for an accessory use structure outside the guidelines of Article 4-05.

PART II. Please list all requested variances:

Requested variance is to increase the accessory buildings area from 40'x30 to 40'x120, exceeding 50 percent of the principal building's floor area.

Part III. Existing use of subject property:

Existing use of subject property is storage.

Part IV. Proposed use of subject property:

Proposed use of subject property is storage.

Part V. Other Pertinent Information (List or attach additional information if needed):

Applicant Signature

Minh Vy Nguyen
Signature of Applicant

Minh Vy Nguyen
Printed Name

1/6/2023
Date



city of powder springs
Variance Request
 Application Form

Applicant Information

Name Minh Vy Nguyen Phone [REDACTED]
 Mailing Address 3152 Brooks Lane Email [REDACTED]

Variance Request Property Information

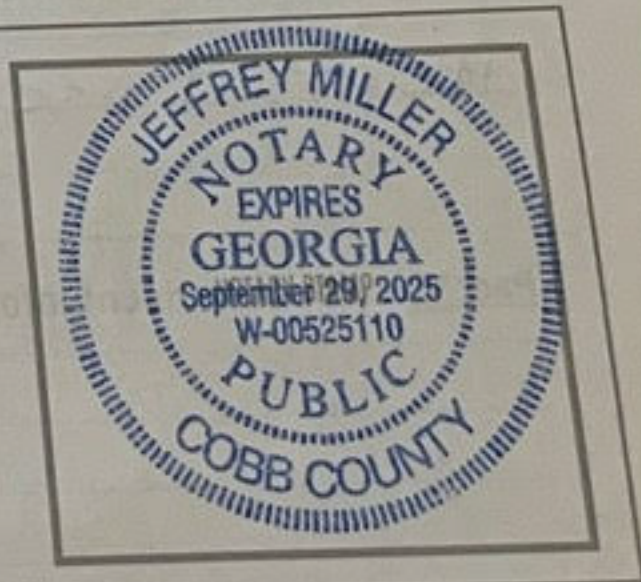
Address 3152 Brooks Lane Parcel ID / Lot#
 Acreage 5.813 Present Zoning R20
 Variance Request Increase current storage unit from 40'x30' to 40'x120'
 Source of Water Supply Cobb County Source of Sewage Disposal Cobb County

Additional Information, If Applicable

Elementary School and School's Capacity N/A Middle School and School's Capacity N/A
 High School and School's Capacity N/A Peak Hours Trips Generated N/A

Notary Attestation

Executed in Kennesaw (City), GA (State).
Minh Vy Nguyen Minh Vy Nguyen 1/4/2023
 Signature of Applicant Printed Name Date
 Subscribed and sworn before me this 6 day of Jun month, 2023
[Signature] Jeffrey Miller 9/29/2025
 Signature of Notary Public Name of Notary Public My Commission Expires



For Official Use Only

PZ # City Council Hearing
 Planning Commission Hearing Reason for Withdrawal
 Withdrawal Date



city of
powder springs
Variance Request
Application Checklist

Applicant Information

Name <u>Minh Vy Nguyen</u>	Phone <u>[REDACTED]</u>
Mailing Address <u>3152 Brooks Lane</u>	Email <u>[REDACTED]</u>

Application Checklist

The following information will be required:

1. Application
 2. Notice of Intent
 3. Applicant's Written Analysis
 4. Campaign Contribution Disclosure
 5. Owner's Authorization, if applicable.
 6. Legal Description and Survey Plat of the property
 7. Application Fee (summary of fees attached)
 8. Copy of the Deed that reflects the current owners name
 9. Vicinity Map outlining the parcel/s in relation to the surrounding area
 10. Site plan, plat or survey prepared by an architect, engineer. The following information **must** be included:
 Specific use or uses proposed for the site. Acreage, bearing and distances, other dimensions, and location of the tract(s). Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area, height, for residential number of units, Square footage of heated floor area. Detention/retention areas, and utility easements. Location of dumpsters. Public or private street(s) - right of way and roadway widths, approximate grades. Location and size of parking area with proposed ingress and egress. Specific types and dimensions of protective measures, such as buffers. Landscaping. Wetlands, stream buffers, and 100 year floodplain.
 11. Sketch Plan/ Architectural Rendering, if applicable
 12. Traffic Study required for development with 500,000 sf of nonresidential floor area or 350 dwelling units or more.
- List additional attachments:

Note Carefully

If your application qualifies as a "Development of Regional Impact" (see Article 13) then you must follow additional procedures BEFORE your application can be considered. The Community Development Department will assist you with the DRI process, which is mandated by State and GRTA requirements.

Indicate the current zoning district of the property, and the zoning district you are requesting. File a separate application for each Rezoning request naming a different zoning district. A Special Use request, Variance request can be filed concurrently with a Rezoning request on the same property by separate application.

Loan Details

#1027699495



VERIFICATION OF MORTGAGE

01/05/2023

MINH VY CHRISTINE NGUYEN

3152 BROOKS LN POWDER SPRINGS, GA 30127

PROPERTY ADDRESS:

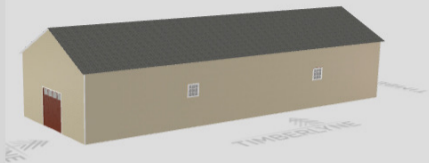
3152 BROOKS LN POWDER SPRINGS, GA 30127

Borrower/Balance Information

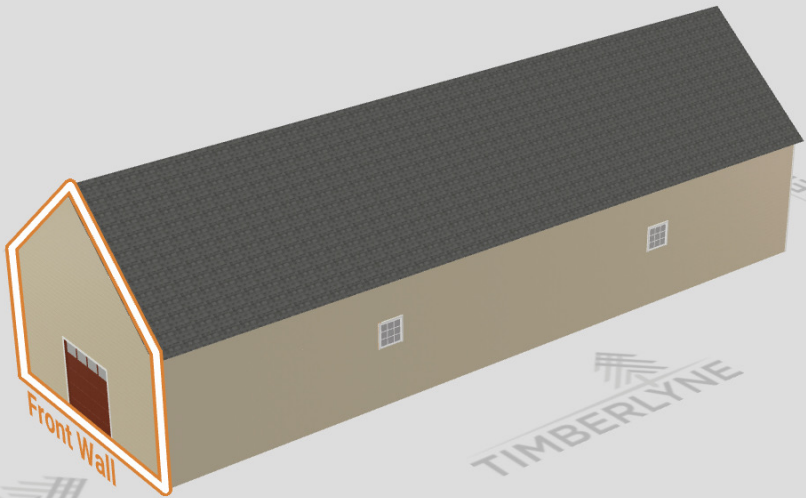


Balance Information:

ORIGINAL BALANCE:	\$471,200.00
PRINCIPAL BALANCE:	\$456,063.83
ESCROW BALANCE:	\$1,559.59
TOTAL PAST DUE:	\$0.00
UNAPPLIED BALANCE:	\$0.00



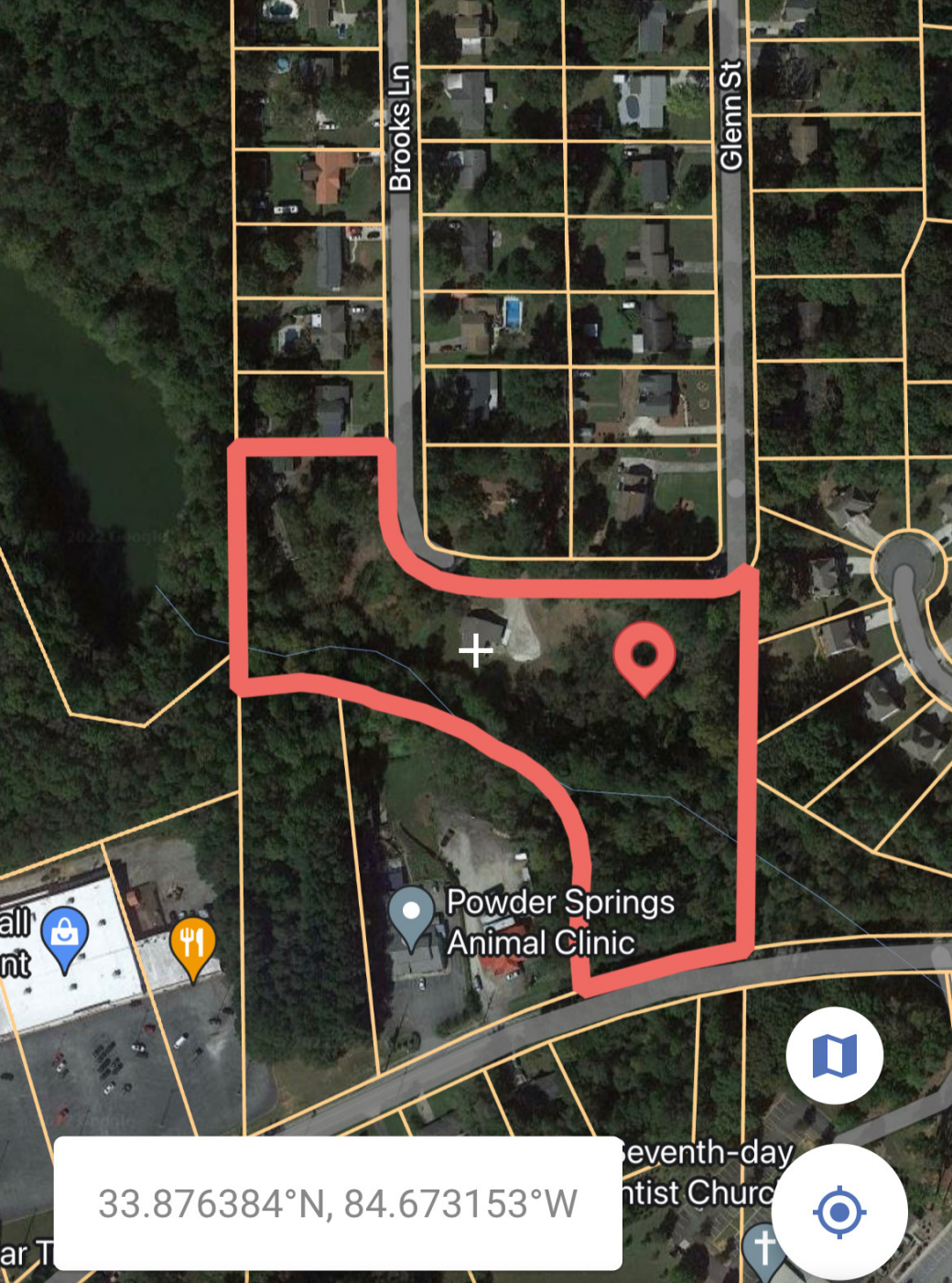
Center Section: 40' W x 120' L x 20' H



Front Wall

Center Section: 40' W x 120' L x





33.876384°N, 84.673153°W

FOY GREGORY T

Owner

3152 BROOKS

Address

19072500120

Parcel ID

SITE PLAN

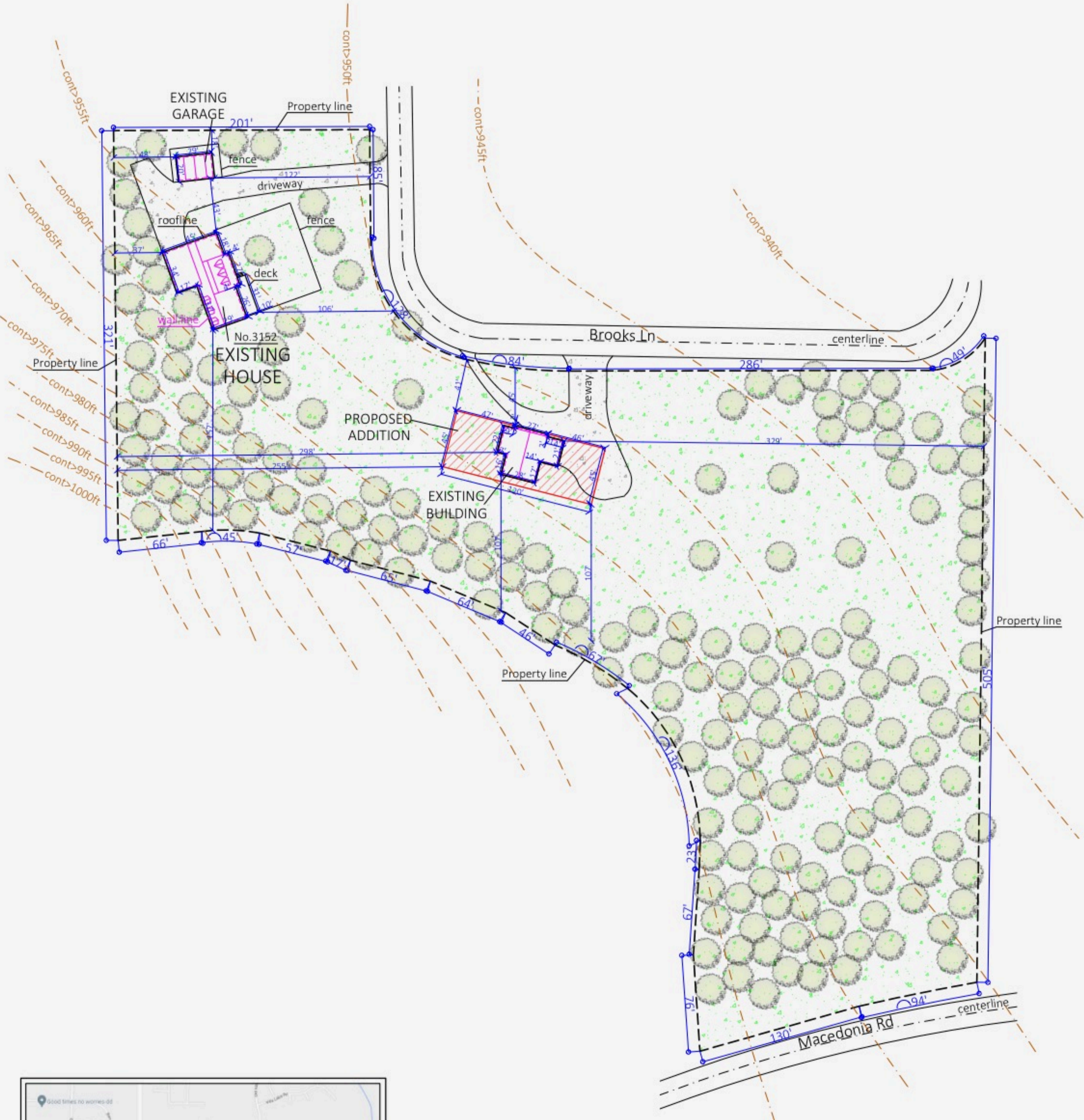
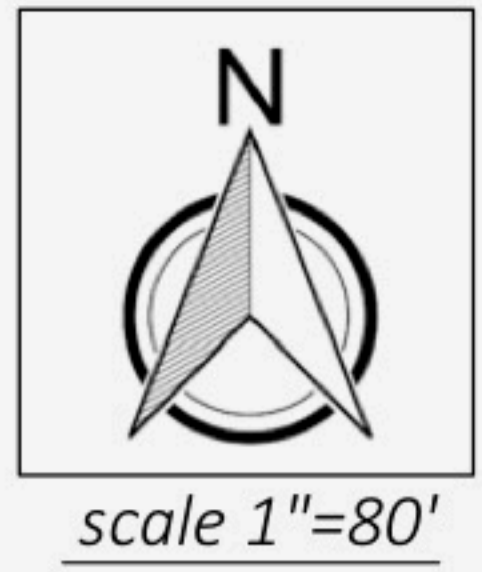
3152 Brooks Ln

Powder Springs, GA 30127

Parcel ID: 19072500120

Lot area: 5.62 Acres

Plot Size: 11"x17"



Created by:

GETASITEPLAN.COM
WITH BEST QUALITY IN SHORT TIME

Return to:
DAVIS & ASSOCIATES ATTORNEYS AT LAW, LLC
3475 DALLAS HIGHWAY, SUITE 112
MARIETTA, GEORGIA 30064
File # 22-646H

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS INDENTURE, made the 8th day of June, 2022, between

GREGORY T FOY ,

as party or parties of the first part, hereinafter called Grantor, hereinafter referred to as Grantor, and

MINH VY CHRISTINE NGUYEN ,

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, convey and confirm unto said Grantee the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 725 OF THE 19TH DISTRICT, 2ND SECTION, CITY OF POWDER SPRINGS, COBB COUNTY, GEORGIA, CONTAINING 5.618 ACRES AND SHOWN AS TRACT 1 ON THAT CERTAIN PLAT OF SURVEY PREPARED FOR MARILYN AUSTIN BY BENJAMIN W. CRUSSELLE, GEORGIA REGISTERED LAND SURVEYOR, DATED NOVEMBER 19, 2004, WHICH PLAT IS BY REFERENCE INCORPORATED HEREIN AND MADE A PART HEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY OF MACEDONIA ROAD, (50-FOOT RIGHT-OF-WAY), BEING LOCATED AT IT'S INTERSECTION WITH THE EAST LAND LOT LINE OF LAND LOT 725, SAME BEING THE WEST LAND LOT LINE OF LAND LOT 724, SAID DISTRICT AND SECTION; RUN THENCE SOUTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF MACEDONIA ROAD AN ARC DISTANCE OF 247.59 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 75 DEGREES 03 MINUTES 28 SECONDS WEST, 247.31 FEET, HAVING A RADIUS OF 1515.94 FEET), TO AN IRON PIN; RUN THENCE NORTH 00 DEGREES 28 MINUTES 54 SECONDS EAST, 218.06 FEET TO A POINT LOCATED AT THE CENTERLINE OF A BRANCH; RUN THENCE ALONG SAID CENTERLINE OF BRANCH THE FOLLOWING COURSES AND DISTANCES: NORTH 54 DEGREES 55 MINUTES 59 SECONDS WEST, 68.15 FEET; NORTH 36 DEGREES 48 MINUTES 06 SECONDS WEST, 93.55 FEET; NORTH 68 DEGREES 18 MINUTES 37 SECONDS WEST, 83.75 FEET; NORTH 74 DEGREES 42 MINUTES 00 SECONDS WEST, 122.01 FEET; NORTH 64 DEGREES 15 MINUTES 11 SECONDS WEST, 37.12 FEET; SOUTH 75 DEGREES 14 MINUTES 31 SECONDS WEST, 46.03 FEET; NORTH 89 DEGREES 32 MINUTES 39 SECONDS WEST, 13.73 FEET TO A POINT A CORNER; RUN THENCE NORTH 01 DEGREES 36 MINUTES 36 SECONDS WEST, 322.15 FEET TO AN IRON PIN LOCATED ON THE NORTH LAND LOT LINE OF LAND LOT 725; RUN THENCE SOUTH 89 DEGREES 47 MINUTES 09 SECONDS EAST, ALONG SAID LAND LOT LINE, 200.26 FEET TO AN IRON PIN LOCATED ON THE WESTERLY RIGHT-OF-WAY OF BROOKS DRIVE, (40 FOOT RIGHT-OF-WAY); RUN THENCE SOUTH 01 DEGREES 07 MINUTES 34 SECONDS EAST, ALONG SAID RIGHT-OF-WAY 44.82 FEET TO A POINT; CONTINUE THENCE SOUTHEASTERLY ALONG RIGHT-OF-WAY AN ARC DISTANCE OF 55.18

FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 04 DEGREES 29 MINUTES 31 SECONDS EAST, 55.15 FEET, HAVING A RADIUS OF 469.68 FEET); CONTINUE THENCE AN ARC DISTANCE OF 15.56 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 08 DEGREES 48 MINUTES 23 SECONDS EAST, 15.56 FEET, HAVING A RADIUS OF 469.68); CONTINUING SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY AN ARC DISTANCE OF 93.44 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 48 DEGREES 06 MINUTES 00 SECONDS EAST, 88.49 FEET, HAVING A RADIUS OF 82.14 FEET), TO A POINT; THENCE SOUTH 80 DEGREES 41 MINUTES 25 SECONDS EAST, ALONG SAID RIGHT-OF-WAY 38.50 FEET TO AN IRON PIN; RUN THENCE NORTH 09 DEGREES 18 MINUTES 35 SECONDS EAST, 40.00 FEET TO AN IRON PIN; AUN THENCE SOUTH 82 DEGREES 35 MINUTES 25 SECONDS EAST, 107.36 FEET TO AN IRON PIN; THENCE SOUTH 82 DEGREES 38 MINUTES 54 SECONDS EAST, 184.73 FEET TO A POINT LOCATED ON THE WESTERLY RIGHT-OF-WAY OF GLENN STREET, (40-FOOT RIGHT-OF-WAY); RUN THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY AN ARC DISTANCE OF 84.41 FEET, (SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 61 DEGREES 15 MINUTES 10 SECONDS EAST, 74.74 FEET, HAVING A RADIUS OF 50.00 FEET), TO A CONCRETE FLUME LOCATED ON THE EAST LAND LOT LINE OF LAND LOT 725; AUN THENCE ALONG SAID LAND LOT LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 00 DEGREES 26 MINUTES 55 SECONDS EAST, 45.51 FEET; SOUTH 00 DEGREES 26 MINUTES 23 SECONDS EAST, 138.80 FEET; SOUTH 00 DEGREES 24 MINUTES 45 SECONDS EAST, 25.15 FEET; SOUTH 00 DEGREES 27 MINUTES 30 SECONDS EAST, 236.25 FEET TO AN IRON PIN LOCATED ON THE NORTHERLY RIGHT-OF-WAY OF MACEDONIA ROAD, AND THE POINT OF BEGINNING.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE

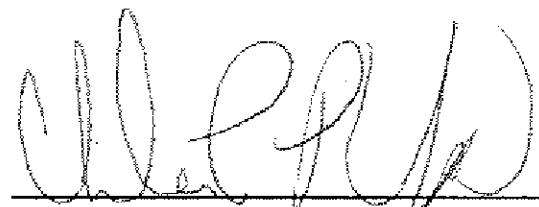
TO HAVE AND TO HOLD said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of said Grantee forever in FEE SIMPLE.

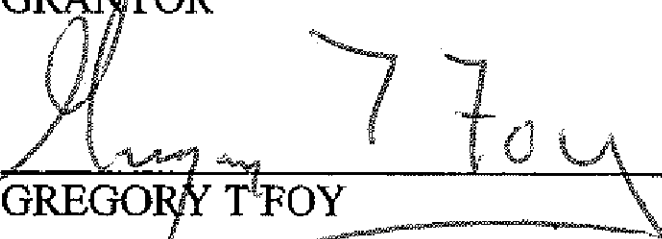
AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons claiming by and through Grantor.

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:

GRANTOR


Witness


GREGORY T. FOY (Seal)

(Seal)

(Seal)

(Seal)

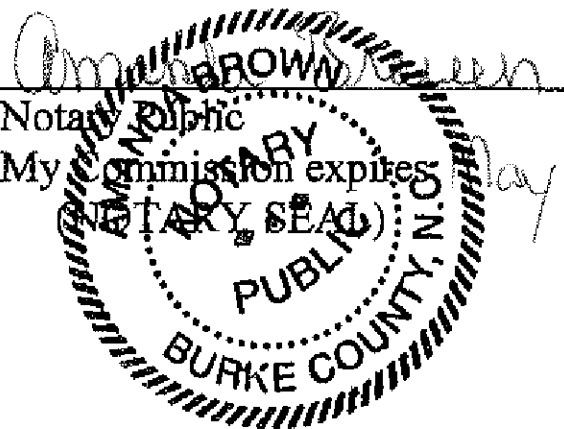

Amanda Brown
Notary Public
My commission expires May 27 2023
NOTARY SEAL
BURKE COUNTY, N.C.

Exhibit "A"

PLAT OF SURVEY FOR
GREG FOY
 LOCATED IN LAND LOT 725, 19TH DISTRICT,
 2ND SECTION, COBB COUNTY, GEORGIA
 CITY OF POWDER SPRINGS
TOTAL AREA = 5.813 ACRES
 (1253,203 SQ. FT.)
TRACT 1 = 5.618 ACRES
 (1244,730 SQ. FT.)
TRACT 2 = 0.195 ACRES
 (8,472 SQ. FT.)

TECHNICAL DATA
 1. - 1" = 50' SCALE
 2. - THIS SURVEY IS A RE-SURVEY OF AN EXISTING SURVEY AND DOES NOT REPRESENT A NEW SURVEY.
 3. - ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
 4. - ALL BEARINGS ARE TRUE BEARINGS.
 5. - ALL CURVES ARE CIRCULAR.
 6. - ALL POINTS ARE TO BE MARKED AS SHOWN ON THIS SURVEY.
 7. - THIS SURVEY WAS MADE BY THE SURVEYOR IN THE FIELD AND IN HIS OFFICE.
 8. - THIS SURVEY WAS MADE ON THE 12TH DAY OF MARCH, 2003.
 9. - THIS SURVEY WAS MADE AT THE CITY OF POWDER SPRINGS, GEORGIA.

FLOOD STATEMENT
 I HAVE THE DATE EXAMINED THE ABOVE SURVEY AND HAVE FOUND THAT THE SAME IS CORRECT AND ACCURATE AND THAT THE SAME IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLOOD DAMAGE PREVENTION ACT AND THE FLOOD DAMAGE PREVENTION REGULATIONS.

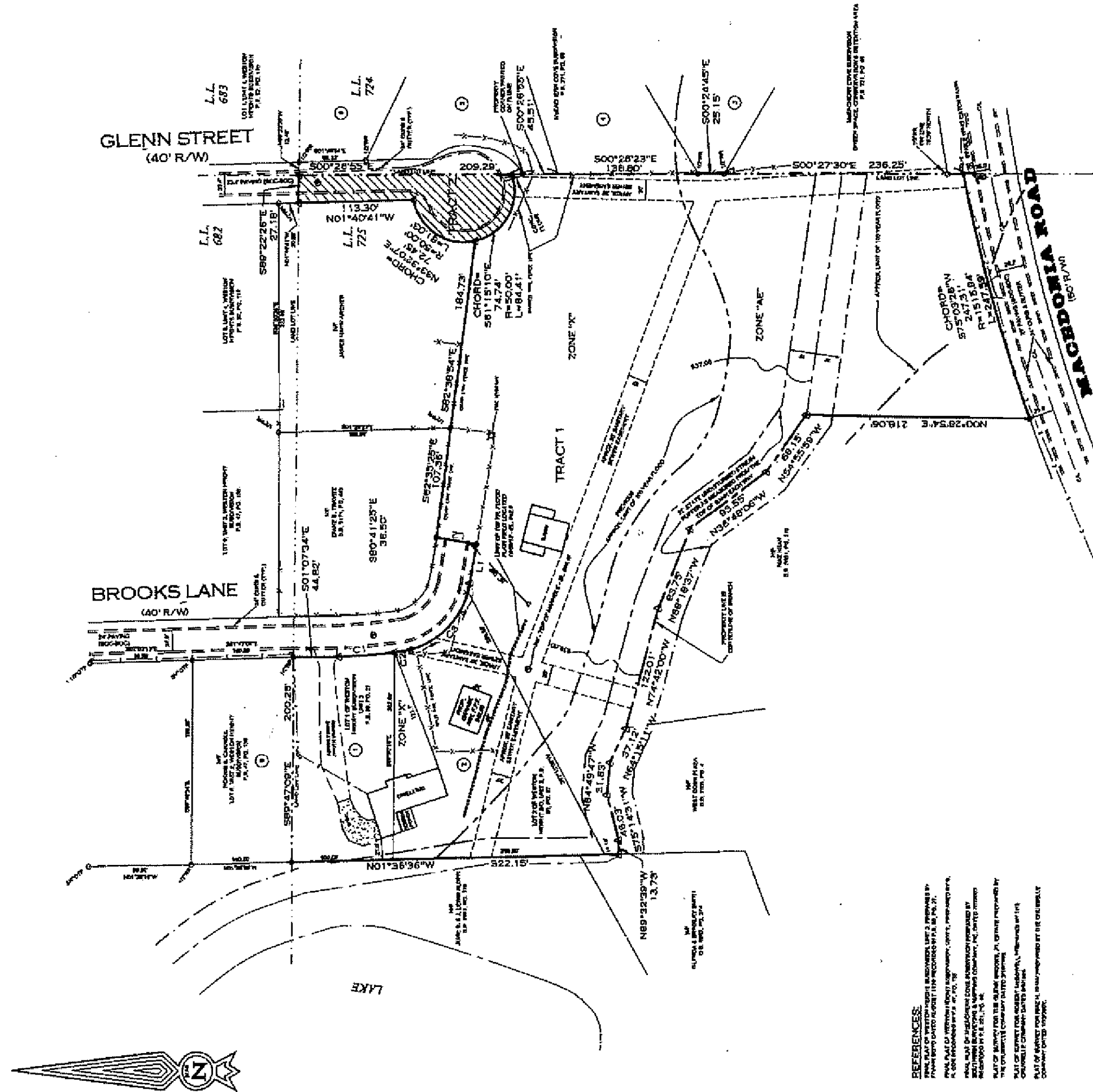
THE RUSSELL COMPANY
 PROFESSIONAL LAND SURVEYORS
 1000 N. GUNN ST., SUITE 100
 ATLANTA, GA 30309
 PHONE: 404.525.1111
 FAX: 404.525.1112
 EMAIL: INFO@RUSSELLCOMPANY.COM
 WWW.RUSSELLCOMPANY.COM

LINE TABLE

LINE	LENGTH	BEARING
1	500.2730	S89°22'26"E
2	113.30	N11°15'10"E
3	184.73	S89°41'25"E
4	501.0734	S50°15'10"E
5	209.29	S80°41'25"E
6	500.2723	S89°22'26"E
7	236.25	N00°28'54"E
8	500.2730	N88°19'57"W
9	247.31	N58°48'06"W
10	247.31	N88°19'57"W
11	500.2730	N89°22'26"E
12	500.2730	N89°22'26"E

CURVE TABLE

CHORD	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH				
1	S89°41'25"E	184.73	S89°41'25"E	184.73				
2	S50°15'10"E	74.74	S50°15'10"E	74.74				
3	S80°41'25"E	74.74	S80°41'25"E	74.74				
4	S89°22'26"E	27.18	S89°22'26"E	27.18				
5	S89°41'25"E	184.73	S89°41'25"E	184.73				
6	S50°15'10"E	74.74	S50°15'10"E	74.74				
7	S80°41'25"E	74.74	S80°41'25"E </tr <tr> <td>8</td> <td>S89°22'26"E</td> <td>27.18</td> <td>S89°22'26"E</td> <td>27.18</td> </tr>	8	S89°22'26"E	27.18	S89°22'26"E	27.18
8	S89°22'26"E	27.18	S89°22'26"E	27.18				



REFERENCES:
 1. - PLAT OF SURVEY FOR LAND LOT 725, 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, DEED BOOK 16065, PAGE 1832.
 2. - PLAT OF SURVEY FOR LAND LOT 725, 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, DEED BOOK 16065, PAGE 1832.
 3. - PLAT OF SURVEY FOR LAND LOT 725, 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, DEED BOOK 16065, PAGE 1832.
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 10. - PLAT OF SURVEY FOR LAND LOT 725, 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, DEED BOOK 16065, PAGE 1832.