

**SAMS, LARKIN & HUFF**

A LIMITED LIABILITY PARTNERSHIP  
SUITE 100

376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

GARVIS L. SAMS, JR.  
JOEL L. LARKIN  
PARKS F. HUFF

TELEPHONE

FACSIMILE

October 28, 2022

**VIA ELECTRONIC FORMAT**

Mr. Shaun Myers  
Planning and Zoning Manager  
City of Powder Springs  
4488 Pineview Drive  
Powder Springs, Georgia 30127

Re: Applications of SCP Acquisitions, LLC to Annex and Rezone a 45.3 Acre Tract from R-20, NRC, LRO to Conditional MXU– Land Lots 717, 718, 764 and 765, 19<sup>th</sup> District, 2nd Section, Cobb County, Georgia

Dear Mr. Myers:

This firm has been engaged by and represents SCP Acquisitions, LLC (“SCP”) concerning the above-captioned Applications for Rezoning and Annexation. Additionally, we represent Traton Homes (“Traton”) which will be the builder/developer of two (2) of the three (3) residential components. In that regard, enclosed please find the Rezoning Original Applications and the following:

1. Copies of the Deeds reflecting the record titleholders.
2. Legal descriptions of the Subject Property sought to be rezoned, as contained in the above referenced Deeds.
3. Five (5) copies of a Site Plan prepared by B&C Studio drawn to scale and two (2) 8½” x 11” copies of same.
4. A copy of the of the 2022 paid tax receipts for Cobb County.
5. A “Pathway of Contiguity” Vicinity Map Exhibit outlining the parcels in relation to the surrounding area.
6. A site plan of the totality of the properties to be Annexed and Rezoned.

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7. Copies of Architectural Renderings/Elevations depicting the proposed products will be submitted under separate cover shortly hereafter.
8. A Trip Generation Memorandum prepared by A&R Engineering Inc.
9. A copy of the Variance Application will be submitted under separate cover if the need for waivers or variances presents itself.
10. Payment of the Rezoning Application fee, sign deposit fee, and notification sign costs will be presented concurrently with the submittal of the applications.

Based upon all of these factors, the Applicant has produced sufficient information which will allow the City to fully consider all relevant factors and to demonstrate that the Annexation and Rezoning Applications comply with applicable requirements and are otherwise consistent with the policies reflected and the factors enumerated within the UDC.

Please do not hesitate to contact Parks Huff or me should you or your staff have any questions or require any additional information or documentation. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.

GLS, Jr./jac  
Enclosures/Attachments

cc: ON FOLLOWING PAGE

# SAMS, LARKIN & HUFF

A LIMITED LIABILITY PARTNERSHIP

## **VIA ELECTRONIC FORMAT**

Mr. Shaun Myers

Planning and Zoning Manager

City of Powder Springs

October 28, 2022

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cc: Ms. Pam Conner, City Manager (via email w/attachments)  
Ms. Tina Garver, Community Development Director (via email w/attachments)  
Mr. John Long, South City Partners (via email w/attachments)  
Mr. Will Casaday, South City Partners (via email w/attachments)  
Mr. Cliff Poston, Traton Homes (via email w/attachments)  
Mr. Richard E. Parvey, Traton Homes (via email w/attachments)



Community Development Dept.  
4488 Pineview Drive  
Powder Springs, GA 30127  
commdev@cityofpowdersprings.org  
770-943-1666

# Annexation Application

Applicant Or Agent Must Be Present At All Public Hearings

## Applicant Information

Name: SCP Acquisitions, LLC

Address: 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

Phone:

Email:

Property Owner

Elector

Primary Contact Person

## Property Owner Information

Complete if different than applicant.

Name: William D Brown

Address: 6652 Earnest Barrett Pkwy, Marietta, GA 30064

Phone:

Email:

## Property Information

Address:

Parcel ID Number: 19079000010

Land Lot: 717 & 764

District: 19

Number of Acres: 0.845

Current County Zoning: NRC

If residential, how many residents?

Proposed City Zoning:

## Notary Attestation

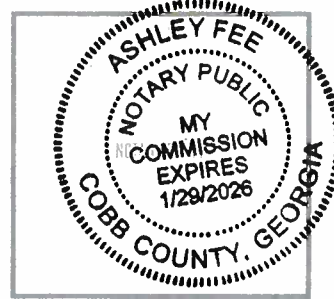
I attest that this application and its attachments are accurate to the best of my knowledge and certify that the described property adjoins and is contiguous to the existing corporate limits of the City of Powder Springs, Georgia:

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

[Signature] John W. Lang Oct. 26, 2022  
Signature of Applicant Printed Name Date

Subscribed and sworn before me this 26 day of OCT month, 2022

[Signature] Ashley Fee 1/29/20  
Signature of Notary Public Name of Notary Public My Commission Expires





city of  
powder springs

# Rezoning Request

## Owner's Authorization Form

### Owner's Authorization

<b>Applicant Name</b> SCP Acquisitions, LLC	<b>Applicant's Address</b> 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327
<b>Property Address</b> Powder Springs, GA	<b>Property PIN</b>

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

### Signature of Property Owner(s)

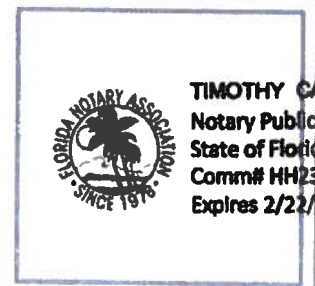
<u>Wm Brown</u> Signature of Owner	<u>William Brown</u> Printed Name	<u>10-25-2022</u> Date
---------------------------------------	--------------------------------------	---------------------------

State of FL, County of Volusia.

This instrument was acknowledged before me this 25 day of October month.

20 22 by William Brown name of signer Identification Presented: Driver License

<u>Timothy Carter</u> Signature of Notary Public	<u>Timothy Carter</u> Name of Notary Public	<u>2-22-2026</u> My Commission Expires
-----------------------------------------------------	------------------------------------------------	-------------------------------------------



_____ Signature of Owner	_____ Printed Name	_____ Date
State of _____, County of _____.		
This instrument was acknowledged before me this _____ day of _____ month.		
20 ____ by _____ <small>name of signer</small> Identification Presented: _____		
_____ Signature of Notary Public	_____ Name of Notary Public	_____ My Commission Expires

West



*J.C. Stephenson*

Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

### EXECUTOR'S DEED

STATE OF GEORGIA  
COUNTY OF COBB

THIS INDENTURE is made this .... 5TH.... day of .... MAY.... in the year of our Lord .... TWO THOUSAND AND FOUR.... (2004).... between .... LEWIS J. MIERS, JR.,.... GRANTOR, (AS EXECUTOR OF THE LAST WILL AND TESTAMENT OF MATTIE INEZ MIERS, DECEASED), of the State of Georgia, and .... LAURA SANDERS BROWN... GRANTEE, of the State of Georgia.

WITNESSETH; That the GRANTOR, by virtue of the power and authority given in, and by said last will and testament of Mattie Inez Miers, is duly qualified to act as Executor, and as the Executor, has full power and authority to bargain and sell the below described real property pursuant to an order of a court of probate, Letters Testamentary (Exhibit A), for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, cash in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has hereby granted, bargained, sold and conveyed and by these presents, and does grant, bargain, sell and convey, in fee, the below described real property unto the GRANTEE, her heirs and assigns:

All that tract or parcel of land lying and being in Land Lot 765 of the 19<sup>th</sup> District 2<sup>nd</sup> Section of Cobb County, Georgia and being more particularly described as follows:

Begin at a point at the intersection of the northerly land lot line of Land Lot 765 of said District and Section with the easterly right-of-way line of West Cobb Loop (Now Known as Barrett Parkway) (109' Right-of-Way) thence travel along said land lot line, N88°58'52"E a distance of 70.07 feet to a fixed boundary marker, a 1 inch iron rod found, the westerly boundary of property now or formerly owned by Laura S. Brown; thence along said property S17°41'25"W a distance of 142.47 feet to a point on the easterly right-of-way line of West Cobb Loop (Now Known as Barrett Parkway)(109' Right-of-Way) thence travel along said right-of-way line N11°15'39"W a distance of 137.06 feet to the intersection of the said right-of-way line with the northerly land lot line of said Land Lot 765, said District and Section, and the point of beginning. This property, further described in (Exhibit B), is triangular in shape, and being approximately eleven tenths plus or minus (.11 +/-) acres of real property. This being a small portion and corner of the same property conveyed by DEED OF ASSENT to Mattie Inez Miers (Exhibit C).

Together will all right, title and interest, if any, of GRANTOR in, and to, any streets and roads abutting the above described real property. Together with appurtenances and all the singular rights, members thereof, including improvements in any wise appertaining thereto, and also the estate therein, which the said decedent had at the time of decedent's death. And also all the estate therein, which the Grantor has the power to convey or dispose of whether individually, or by virtue of said will, or otherwise;

TO HAVE AND TO HOLD the said bargained real property granted hereby these presents, unto GRANTEE, her heirs or successors and assigns forever. Grantee shall quietly enjoy the above property, in fee simple, and the Executor and his successors, and assigns shall warrant and forever defend the right to title of the real property bargained and sold hereunder unto the GRANTEE against all claims and demands of any person claiming by, from, or under the Executor. The GRANTOR his heirs, executors, and administrators will warrant and forever defend the right and title to the above described real property unto GRANTEE, her heirs and assigns, against the lawful claims of all persons whomsoever. AND the Executor covenants that he has not done or suffered anything whereby the said real property has been encumbered in any way whatsoever.

IN WITNESS WHEREOF, The said GRANTOR has duly executed this deed and has hereunto set his hand and affixed his seal, the day and year above written.

GRANTOR:

  
LEWIS J. MIERS, JR., Executor  
Estate of Mattie Inez Miers

Signed, sealed and delivered in the presence of

  
Notary Public



Witness:

  
\_\_\_\_\_

Witness print full name and address:

Donnelle Lamb  
4170 Pleasant Hill Rd.  
Duluth Ga 30096

Deed Book 13999 Pg 3478



# Probate Court of Cobb County

## EXHIBIT "A"

LETTERS TESTAMENTARY  
(Relieved of Filing Returns)

FILE# 01-0216

From the Honorable Judge of Probate Court of Said County.

WHEREAS, on the 1ST day of FEBRUARY, 2000, at a regular term of the Probate Court, the Last Will and Testament dated MARCH 26, 1984, of MATTIE INEZ MIERS, deceased, at the time of ~~his~~/her death a resident of said County, was legally proven in ~~common~~/solemn form and was admitted to record by order, and it was further ordered that LEWIS J. MIERS, JR. A/K/A LEWIS JAMES MIERS, JR., named as Executor(█) in said Will, be allowed to qualify, and upon so doing, Letters Testamentary be issued to such Executor(█).

NOW, THEREFORE, the said LEWIS J. MIERS, JR. A/K/A LEWIS JAMES MIERS, JR., having taken the oath of office and complied with all the necessary prerequisites of the law, is ~~now~~ legally authorized to discharge all the duties and exercise all the powers of Executor(█) under the Will of said deceased, according to the Will and the law.

Given under my hand and official seal, the 1ST day of FEBRUARY, 2001.

*Ray Gandy*  
\_\_\_\_\_  
Judge of the Probate Court

Attested: Jennifer P. Ritchey

*Jennifer P. Ritchey*  
\_\_\_\_\_  
Clerk, Probate Court  
EFFECTIVE 7/87

Exercising the Jurisdiction of the Probate Court pursuant to the order of JUDGE DAVID A. DODD dated 1/11/02 as provided by OCGA § 18-6-18

RECORDED GPCSF 24





# EXHIBIT "C" 3.00

## DEED OF ASSENT

STATE OF GEORGIA  
COUNTY OF DOUGLAS

WHEREAS, LEWIS JAMES MIERS, died a resident of Cobb County, Georgia, on the 5th day of December, 1985, leaving a will which has been probated in solemn form in said County at the January Term of the Court of Probate thereof; and

WHEREAS, under the terms of said will the following described property was devised to MATTIE INEZ MIERS:

ALL THAT TRACT or parcel of land lying and being in the 19th District and 2nd Section of Cobb County, Georgia, and more particularly described as follows: BEGINNING at Iron stake at the northwest corner of Land Lot No. 765, and running east a distance of 725 feet to an iron stake on original land lot line; thence in a southwesterly direction a distance of 812 feet to an iron stake beside public road; thence along public road a distance of 395 feet to the original north and south land lot line; thence along the original north and south land lot line, a distance of 472 feet to beginning point, the same being ten (10) acres in the northwest corner of Land Lot Number Seven Hundred Sixty-five (765).

This conveyance is made subject to all restrictive covenants of record.

WHEREAS, the undersigned duly qualified as Executrix of the estate of the said LEWIS JAMES MIERS and is now administering the estate under the terms of said Will; and it has been determined that all debts and claims against the estate have been fully paid.

NOW, THEREFORE, the undersigned, as Executrix of the will of the said LEWIS JAMES MIERS hereby assents to the devise of said property under the terms of said will, so that full fee-simple title thereto is vested in the said MATTIE INEZ MIERS as provided in said will.

WITNESS my hand and seal, this 7<sup>th</sup> day of January.

1986 Cobb County, Georgia

Real Estate Transfer Tax

Paid None  
Date 1-14-86

Jay C. Stephenson  
Clerk of Superior Court

Mattie Inez Miers (SEAL)  
MATTIE INEZ MIERS, As Executrix  
Aforesaid

Signed, sealed and delivered in the presence of:

[Signature]  
Witness  
[Signature]  
Notary Public  
My Commission Exp. 6/13/89



FILED AND RECORDED  
26 JUN 14 94:13  
J.C. Stephenson  
CLERK SUPERIOR COURT COBB

*J.C. Stephenson*  
Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

*pp  
act*

QUIT CLAIM DEED (LONG FORM) — FORM NO. 166

STATE OF GEORGIA, Cobb County.

THIS INDENTURE, made this 2nd (second) day of January in the year of our Lord One Thousand Nine Hundred and Eighty Six (86) between Mrs. Laura Sanders Brown of the first part, and William Donald Brown of the second part.

WITNESSETH: That the said party of the first part for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, remise, release, and forever quit-claim to the said party of the second part, his heirs and assigns, all the right, title, interest, claim or demand which the said party of the first part has or may have had in and to all that tract or parcel of land lying and being in the 19th District, 2nd Section of Cobb County, Georgia, and being more particularly described as follows:

Fifty (50) acres, more or less, and a five room house thereon and also a tenant house, and being Land Lot No. 765, containing 40 acres, more or less, and the north half of Land Lot No. 790, containing 20 acres, more or less.

There is to be excepted, however, from the above described lands Ten (10) acres which has heretofore been deeded to Grady Furr by deed recorded in Deed Book No. 109, page 579 of Cobb County Deed Records, leaving a balance of 50 acres, more or less, hereby conveyed in this deed.

The property described is the same as that conveyed by Warranty Deed from Mrs. Effie Furr to Mrs. Laura Sanders Brown by deed dated October 31, 1942, and recorded in Deed Book 149, Page 402, Cobb County Records.

There is excepted from the above described property the following two tracts:

**TRACT NO. I.** All that tract or parcel of land lying and being in the 19th District, 2nd Section, Cobb County, Georgia, and being 1.54 acres out of the northwest corner of Land Lot No. 790 and 8.6 acres out of the southwest corner of Land Lot No. 765, said land lying in one contiguous body and more fully shown and delineated on a plat thereof made by J. P. Phillips, Surveyor, dated October 2, 1943, and being made for said J. D. Sanders, said plat being recorded in Plat Book 5, Page 3, Cobb County Records, and being more fully described as follows:

BEGINNING at the intersection of the south land lot line of Land Lot No. 765 with the center of a county public road and thence running south 75 degrees west for a distance of 731 feet to the original line of the west side of Land Lot No. 790; thence running north along said west land lot line for a distance of 190 feet to the northwest corner of Land Lot No. 790; thence continuing north on a west land lot line of said Land Lot No. 765 for 837 feet to the center of a county road; thence following the center of said road in a south easterly direction for 1,140 feet to the point of beginning. This being the same property as that conveyed by Warranty Deed from Mrs. Laura Sanders Brown to James D. Sanders, dated October 9, 1943, and recorded in Deed Book 158, Page 554, Cobb County Records.

**TRACT NO. II.** All that tract or parcel of land lying and being in the 19th District, 2nd Section, Cobb County, Georgia, in Land Lot No. 765.

BEGINNING at the southwest corner of said Land Lot 765; thence running southerly along the west land lot line of Land Lot 790 for a distance of 190 feet to a point; thence running north 75 degrees east for a distance of 731 feet to an iron pin located on the south land lot line of said Land Lot 765, which is the point of beginning of the property conveyed by this deed; from this beginning point running thence north 75 degrees east for a distance of 138 feet to a point and corner; thence running north 39 degrees west for a distance of 566 feet to a point; thence running south 28 degrees east for a distance of 515 feet to the iron pin located on the south land lot line of said Land Lot 765 which is the point of beginning. Said property is triangular in shape and is located on the southwest side of a new paved road which runs generally in a northwesterly and southeasterly direction through said Land Lot 765 in the 19th District and 2nd Section of Cobb County, Georgia. This being the same property as that conveyed by Warranty Deed from Mrs. Laura Sanders Brown to James D. Sanders, dated April, 1962, and recorded in Deed Book 643, Page 6, Cobb County Records,





Community Development Dept.  
4488 Pineview Drive  
Powder Springs, GA 30127  
commdev@cityofpowdersprings.org  
770-943-1666

# Annexation Application

Applicant Or Agent Must Be Present At All Public Hearings

## Applicant Information

Name: SCP Acquisitions, LLC

Address: 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

Phone: [REDACTED]

Email: [REDACTED]

Property Owner     Elector     Primary Contact Person

## Property Owner Information Complete if different than applicant.

Name: William Lynn Gause

Address: 2896 Macedonia Road, Powder Springs, GA 30127

Phone: [REDACTED]

Email: N/A

## Property Information

Address: 2896 Macedonia Rd, Powder Springs, GA 30127    Parcel ID Number: 19071700130

Land Lot: 717 & 764    District: 19    Number of Acres: 35.751

Current County Zoning: R-20    If residential, how many residents? 1    Proposed City Zoning:

## Notary Attestation

I attest that this application and its attachments are accurate to the best of my knowledge and certify that the described property adjoins and is contiguous to the existing corporate limits of the City of Powder Springs, Georgia:

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

[Signature]    John W. Long    10/26/22  
 Signature of Applicant    Printed Name    Date

Subscribed and sworn before me this 26 day of OCT month, 2022.

[Signature]    Ashley Fee    1/29/26  
 Signature of Notary Public    Name of Notary Public    My Commission Expires





city of powder springs

# Rezoning Request

## Owner's Authorization Form

### Owner's Authorization

Applicant Name **SCP Acquisitions, LLC**

Applicant's Address **3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327**

Property Address **2896 Macedonia Road**  
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 checked="" type="checkbox"/>	Special Use <input type="checkbox"/>	Hardship Variance <input type="checkbox"/>
Special Exception <input type="checkbox"/>	Flood Protection Variance <input type="checkbox"/>	Appeal of Administrative Decision <input type="checkbox"/>

### Signature of Property Owner(s)

*William L. Gause*      WILLIAM L. GAUSE      10-25-22  
 Signature of Owner      Printed Name      Date

State of GA, County of Paulding

This instrument was acknowledged before me this 25 day of October month.

20 22 by William L. Gause Identification Presented: GAOL

Marie Elizabeth Howe  
 NOTARY PUBLIC  
 Paulding County, GEORGIA  
 My Commission Expires 04/16/2026

*Marie Elizabeth Howe*      Marie Elizabeth Howe      04/16/2026  
 Signature of Notary Public      Name of Notary Public      My Commission Expires

Signature of Owner \_\_\_\_\_ Printed Name \_\_\_\_\_ Date \_\_\_\_\_

State of \_\_\_\_\_, County of \_\_\_\_\_.

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ month.

20 \_\_\_\_\_, by \_\_\_\_\_ Identification Presented: \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ Name of Notary Public \_\_\_\_\_ My Commission Expires \_\_\_\_\_

STANDARD WARRANTY DEED



STATE OF GEORGIA,

COBB County.

THIS INDENTURE, made this 8th day of February in the year of our Lord One Thousand Nine Hundred and Seventy-Nine

between James E. Freeman of the State of Georgia and County of Cobb of the first part and William L. Gause of the State of Georgia and County of Cobb of the second part

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of Five Thousand and no/100 DOLLARS

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by the said part Y granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said part Y of the second part, his heirs and assigns, all that tract or parcel of land lying and being in Land Lot 717 of the 19th District and 2nd Section of Cobb County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin on the north line of Land Lot 717, said iron pin being located 369.96 ft. west of the northeast corner of Land Lot 717 of said district and section, thence from said iron pin and point of beginning S 0 degrees 52' 19" W, a distance of 469.08 ft. to an iron pin, thence N 89 degrees 07' 41" W, a distance of 206.11 ft. to an iron pin, thence N 62 degrees 07' 35" W, a distance of 331.14 ft. to an iron pin, thence N 89 degrees 07' 41" W, a distance of 399.01 ft. to an iron pin, thence continuing N 89 degrees 07' 41" W, a distance of 11.2 ft. to the center of an existing stream or creek, thence in a northeasterly and then northwesterly direction and following the center thereof a total distance of 367.8 ft. to the north line of Land Lot 717, thence leaving said stream or creek and running S 89 degrees 07' 41" E, along the north line of said land lot a distance of 23.32 ft. to an iron pin, thence continuing along the north line of said land lot S 89 degrees 07' 41" E, a distance of 568.68 ft. to an iron pin, thence continuing along the north line of said land lot S 89 degrees 07' 41" E, a distance of 209.95 ft. to an iron pin and point of beginning. Containing 7.22 acres as shown on a plat by Brumbelow-Reese Assoc. dated Feb. 2, 1979 for William L. Gause.

Easement for ingress and egress over and thru a strip of land 35 ft. wide and running in a general northerly direction from Macedonia Road to the southern boundary of 7.22 acre tract hereinabove described, said easement lying and being in Land Lot 717 and 764 of the 19th District and 2nd Section of Cobb County, Georgia and being more particularly described as follows:

To arrive at the point of beginning of said easement for ingress and egress, begin at the northeast corner of Land Lot 717, of said district and section, thence west along the north line of Land Lot 717, a distance of 369.96 ft. to an iron pin, thence S 0 degrees 52' 19" W, along the east boundary of 7.22 acre tract, a distance of 469.08 ft. to an iron pin, thence N 89 degrees 07' 41" W, along the south boundary of said 7.22 acre tract, a distance of 129.65 ft. to the center of said 35 ft. easement for ingress and egress and the point of beginning for said easement, the courses and distances will define the center of said 35 ft. easement, the boundary limits of said easement shall be 17.5 ft. measured at right angles to, and to each side of center line herein as follows, thence from said point of beginning S 15 degrees 21' 53" W, a distance of 48.52 ft., thence S 6 degrees 57' 33" E, a distance of 50.53 ft., thence S 27 degrees 20' 31" E, a distance of 54.40 ft., thence S 30 degrees 11' 39" E, a distance of 85.22 ft., thence S 23 degrees 43' 01" E, a distance of 64.51 ft., thence S 5 degrees 29' 14" E, a distance of 42.76 ft., thence S 4 degrees 00' 57" W, a distance of 129.63 ft., thence S 7 degrees 41' 01" W, a distance of 521.28 ft. to Macedonia Road (50' R/W) and termination center point of said 35' easement, the aforesaid termination center point being located N 57 degrees 29' 24" W, a distance of

500 p. Real Estate Transfer Tax Paid \$ 500 Date 2-22-79

1981

109

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

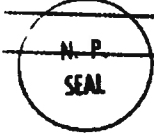
And the said part y \_\_\_\_\_ of the first part, for his \_\_\_\_\_ heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part y \_\_\_\_\_ of the second part, his heirs and assigns, against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, The said part y \_\_\_\_\_ of the first part he s \_\_\_\_\_ hereunto set his hand and affixed his seal, the day and year above written.

Signed, sealed and delivered in the presence of

Cara J. Landrum  
Dobbie D. Summers

James E. [Signature] (Seal)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Seal)



FILED AND RECORDED  
BOOK 1001 PAGE 10A

79 MAR 22 AM 4:41

[Signature]  
CLERK SUPERIOR COURT CLERK

WARRANTY DEED

FROM \_\_\_\_\_  
\_\_\_\_\_ to \_\_\_\_\_  
William L. Gause  
410 Beech St  
Manetta, Ga  
Georgia, \_\_\_\_\_ County  
Clerk's Office, Superior Court.  
Filed for Record at \_\_\_\_\_ o'clock \_\_\_\_\_ M. \_\_\_\_\_ 19\_\_\_\_  
Recorded in Book \_\_\_\_\_ Folio \_\_\_\_\_ 19\_\_\_\_  
\_\_\_\_\_ Clerk  
American Bond & Stamp Co., Atlanta, Ga.

56.53 ft. from and iron pin found on the northeasterly side of Macedonia Road (50' R/W), also said termination center point being located S 57 degrees 29' 24" E, a distance of 48.56 ft. from an iron pin found on the northeasterly side of Macedonia Road (50' R/W). The preceding description of easement for ingress and egress containing 0.80 acres as shown on a plat by Brumbelow-Reese and Assoc. dated Feb. 2, 1979 for William L. Gause.





Community Development Dept.  
4488 Pineview Drive  
Powder Springs, GA 30127  
commdev@cityofpowdersprings.org  
770-943-1666

# Annexation Application

Applicant Or Agent Must Be Present At All Public Hearings

## Applicant Information

Name: SCP Acquisitions, LLC

Address: 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

Phone: [Redacted]

Email: [Redacted]

Property Owner  Elector  Primary Contact Person

## Property Owner Information Complete if different than applicant.

Name: Hari Chopra

Address: 115 Wingfield Blvd, Roswell, GA 30075

Phone: [Redacted]

Email: [Redacted]

## Property Information

Address: 2820 Macedonia Road, Powder Springs, GA 30127 Parcel ID Number: 19076500020

Land Lot: 717 & 764 District: 19 Number of Acres: 7.847

Current County Zoning: LRO & NRC If residential, how many residents? 0 Proposed City Zoning:

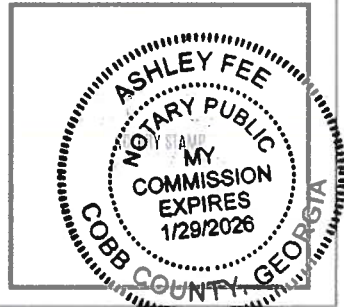
## Notary Attestation

I attest that this application and its attachments are accurate to the best of my knowledge and certify that the described property adjoins and is contiguous to the existing corporate limits of the City of Powder Springs, Georgia:

Executed in \_\_\_\_\_ (City), \_\_\_\_\_ (State).  
Signature of Applicant: [Signature] Printed Name: John W. Long Date: 10/26/22

Subscribed and sworn before me this 26 day of OCT month, 2022

Signature of Notary Public: [Signature] Name of Notary Public: Ashley Fee My Commission Expires: 1/29/26





# Rezoning Request Owner's Authorization Form

## Owner's Authorization

Applicant Name <b>SCP Acquisitions, LLC</b>	Applicant's Address <b>3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327</b>
Property Address <b>2820 Macedonia Rd Powder Springs, GA</b>	Property PIN <b>19076500020</b>

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

## Signature of Property Owner(s)

	<b>HARBHAWAN CHOPRA</b>	<b>10-25-2022</b>
Signature of Owner	Printed Name	Date

State of GA, County of Fulton

This instrument was acknowledged before me this 25 day of October, 2022 by HARBHAWAN CHOPRA Identification Presented: Driver License

	<u>NACKENS BENE</u>	<u>September 25, 2020</u>
Signature of Notary Public	Name of Notary Public	My Commission Expires



Signature of Owner	Printed Name	Date
State of _____, County of _____	This instrument was acknowledged before me this _____ day of _____, 20____ by _____ Identification Presented: _____	
Signature of Notary Public	Name of Notary Public	My Commission Expires

*J.C. Stephenson*

Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

---

**EXECUTOR'S DEED**

*Mail*

After recording return to:  
Danny G. Schulman  
CUTLER & SCHULMAN, P.C.  
1600 South Cobb Drive  
Suite 100  
Marietta, Ga. 30060  
File No. 070272-2

STATE OF GEORGIA  
COUNTY OF COBB

THIS INDENTURE is made this 15th day of May, 2007, between **LEWIS J. MIERS, JR.**, Executor, of the Last Will and Testament of **MATTIE INEZ MIERS**, deceased, Estate No. 01-0216, Probate Court of Cobb County, Georgia (hereinafter referred to as "Grantor"), and **MAHAL INVESTMENTS, LLC**, a Georgia limited liability company, (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

**WITNESSETH**

WHEREAS, Mattie Inez Miers, died a resident of Cobb County, Georgia, leaving a last will and testament, which has been admitted to probate in solemn form in the Probate Court of Cobb County, Georgia (Estate File # 01-0216);

WHEREAS, the undersigned duly qualified as Executor of the estate of Mattie Inez Miers, is administering the estate according to the terms of the last will and testament, is authorized to convey title to the property described in Exhibit "A" and it has been determined that all debts and claims of the estate have been fully paid.

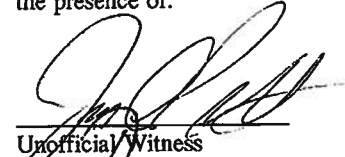
NOW THEREFORE, GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby

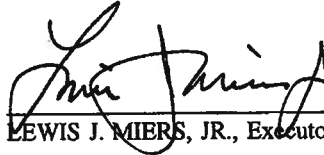
grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land lying and being in Land Lot 765 of the 19th District, 2nd Section, of Cobb County, Georgia (hereinafter referred to as the "real property") as more particularly described in the attached Exhibit "A", which Exhibit is incorporated herein.

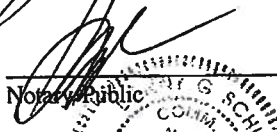
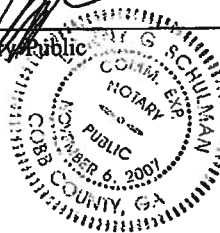
TO HAVE AND TO HOLD the Land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE.

WITNESS the hand and seal of Grantor as of the date above.

Signed, sealed and delivered in the presence of:

  
Unofficial Witness

 (SEAL)  
LEWIS J. MIERS, JR., Executor

  
Notary Public  


Last Will and Testament of Mattie Inez Miers, Estate File # 01-0216, Probate Court of Cobb County, Georgia

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 765 of the 19th District, 2nd Section, Cobb County, Georgia, and being 7.870 acres, according to Boundary Survey for Mahal Investments, LLC and First Horizon Bank, dated May 1, 2007, by LCE Engineers, Inc., Lovick C. Evans, Georgia Registered Land Surveyor No. 2660, which survey is incorporated into and made a part hereof by reference, and being further described as follows:

Beginning at an iron pin found (1" crimp top) at the northwest corner of Land Lot 765, at its intersection with the common corners of Land Lots 764, 765, 716 & 717, said district, section and county; run thence, along the north land lot line of Land Lot 765, South 89 degrees 30 minutes 08 seconds East 528.53 feet to an iron pin found (1/2" BR) on the southwesterly right of way of Ernest Barrett Parkway - West Cobb Loop (109' right of way) (Limited Access Roadway); run thence along the southwesterly right of way of said Ernest Barrett Parkway South 09 degrees 24 minutes 49 seconds East 351.58 feet to an iron pin found (1/2" BR) on the southwesterly right of way of said Ernest Barrett Parkway; run thence South 19 degrees 32 minutes 41 seconds West 398.93 feet to a point located on the northeasterly right of way of Macedonia Road (60' right of way); run thence northwesterly along the northeasterly right of way of Macedonia Road an arc distance of 159.94 feet, said arc being subtended by a chord bearing North 72 degrees 17 minutes 46 seconds West a chord distance of 159.43 feet and having a radius of 578.06 feet; run thence northwesterly along the northeasterly right of way of Macedonia Road an arc distance of 163.15 feet, said arc being subtended by a chord bearing North 56 degrees 17 minutes 04 seconds West a chord distance of 162.61 feet and having a radius of 578.06 feet; continue thence along the northeasterly right of way of Macedonia Road the following courses and distances: North 49 degrees 55 minutes 34 seconds West 44.54 feet; North 49 degrees 29 minutes 22 seconds West 54.85 feet; North 50 degrees 39 minutes 38 seconds West 55.77 feet; North 51 degrees 03 minutes 27 seconds West 57.62 feet; North 49 degrees 50 minutes 41 seconds West 17.50 feet to a point and corner located on the northeasterly right of way of Macedonia Road; run thence North 01 degrees 30 minutes 57 seconds East 441.64 feet to the northwest corner of Land Lot 765 and the point of beginning. Being known as 2820 Macedonia Road, according to the present system of numbering in Cobb County, Georgia.

Being a portion of the property described in Deed of Assent dated January 7, 1986, and recorded in Deed Book 3793 Page 25, Cobb County, Georgia records.

Property Address: 2820 Macedonia Road, Powder Springs, GA 30127-2105



Community Development Dept.  
4488 Pineview Drive  
Powder Springs, GA 30127  
commdev@cityofpowdersprings.org  
770-943-1666

# Annexation Application

Applicant Or Agent Must Be Present At All Public Hearings

## Applicant Information

Name: SCP Acquisitions, LLC

Address: 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

Phone: [REDACTED]

Email: [REDACTED]

Property Owner  Elector  Primary Contact Person

## Property Owner Information Complete if different than applicant.

Name: Macedonoses LLC

Address: 300 Mountain Creek Trace, Atlanta, GA 30328

Phone: [REDACTED]

Email: [REDACTED]

## Property Information

Address: 3085 Macedonia Road Parcel ID Number: 19071800040

Land Lot: 717 & 764 District: 19 Number of Acres: 10

Current County Zoning: V-5 Conservation If residential, how many residents? 0 Proposed City Zoning:

## Notary Attestation

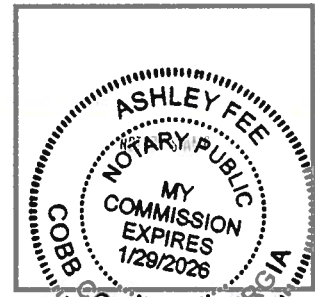
I attest that this application and its attachments are accurate to the best of my knowledge and certify that the described property adjoins and is contiguous to the existing corporate limits of the City of Powder Springs, Georgia:

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

Signature of Applicant: [Signature] Printed Name: John W. Long Date: 10/28/22

Subscribed and sworn before me this 28 day of OCT month, 2022.

Signature of Notary Public: [Signature] Name of Notary Public: Ashley Fee My Commission Expires: 1/29/23



Prepared by and return to:  
John C. Sawyer, Esq.  
Alston & Bird LLP  
One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3424

  
JAY C. STEPHENSON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

STATE OF GEORGIA  
COUNTY OF COBB

**CO-EXECUTOR'S DEED**


THIS INDENTURE is made as of this 19<sup>th</sup> day of June, 2012, by and between HELEN PRESTON TAPP and TRAVERS WHITE PAINE, III, as Co-Executors under the Will of WILLIAM R. TAPP, JR., deceased, party of the First Part, and MACEDONOSSES, L.L.C., Party of the Second Part.

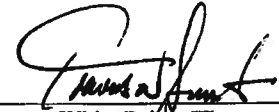
**WITNESSETH:**

THAT the Party of the First Part, for and in consideration of the sum of One (\$1.00) Dollar, and pursuant to powers conferred under the Will of WILLIAM R. TAPP, JR., deceased (hereafter the "Decedent"), has granted, transferred, and conveyed, and by these presents does grant, transfer, and convey unto the said Party of the Second Part, all the right, title and interest which the Decedent had at the time of his death in and to the property lying and being in Cobb County, Georgia, and being more particularly described on Exhibit "A", which is attached hereto and made a part hereof.

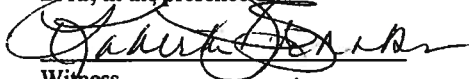
As a result of this Deed, the Party of the Second Part shall HAVE and HOLD the said premises in fee simple, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging or in any wise appertaining to the only proper use, benefit, and behoof of the said Party of the Second Part, its successors and assigns, forever.

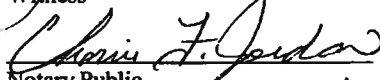
IN WITNESS WHEREOF, the undersigned Co-Executors have signed this instrument as of the day and year first above written.

By:   
Helen Preston Tapp  
As Co-Executor Under the Will  
of William R. Tapp, Jr., deceased

By:   
Travers White Paine, III,  
As Co-Executor Under the Will  
of William R. Tapp, Jr., deceased

Sworn to in my presence and signed, sealed and delivered this 19<sup>th</sup> day of June, 2012, in the presence of:

  
Witness

  
Notary Public  
My Commission Expires: 10/15/2014  
Notarial Seal





**EXHIBIT "A"**

**3085 Macedonia Road  
Marietta, Georgia**

All tract or parcel of land lying and being in original Land Lot No. 718 of the 19<sup>th</sup> District, 2<sup>nd</sup> Section of Cobb County, Georgia, being ten acres, more or less, and being a strip south of the public road immediately west of the old channel of Noses Creek, a part of which 10 acres, more or less, now lies between the old channel and the new channel or run, of the creek.

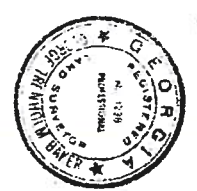
This being all the property conveyed by certain deeds, said deeds recorded in Cobb Records, Book 158, pg. 107, of July 2, 1943; and in Book 878, pg. 417, of December 3, 1965.

**LEGEND**

- ENCROACHMENTS
- MARSHY AREA
- LAND LOT LINES
- STEEL FENCE POST SET FOR CORNER MARKER

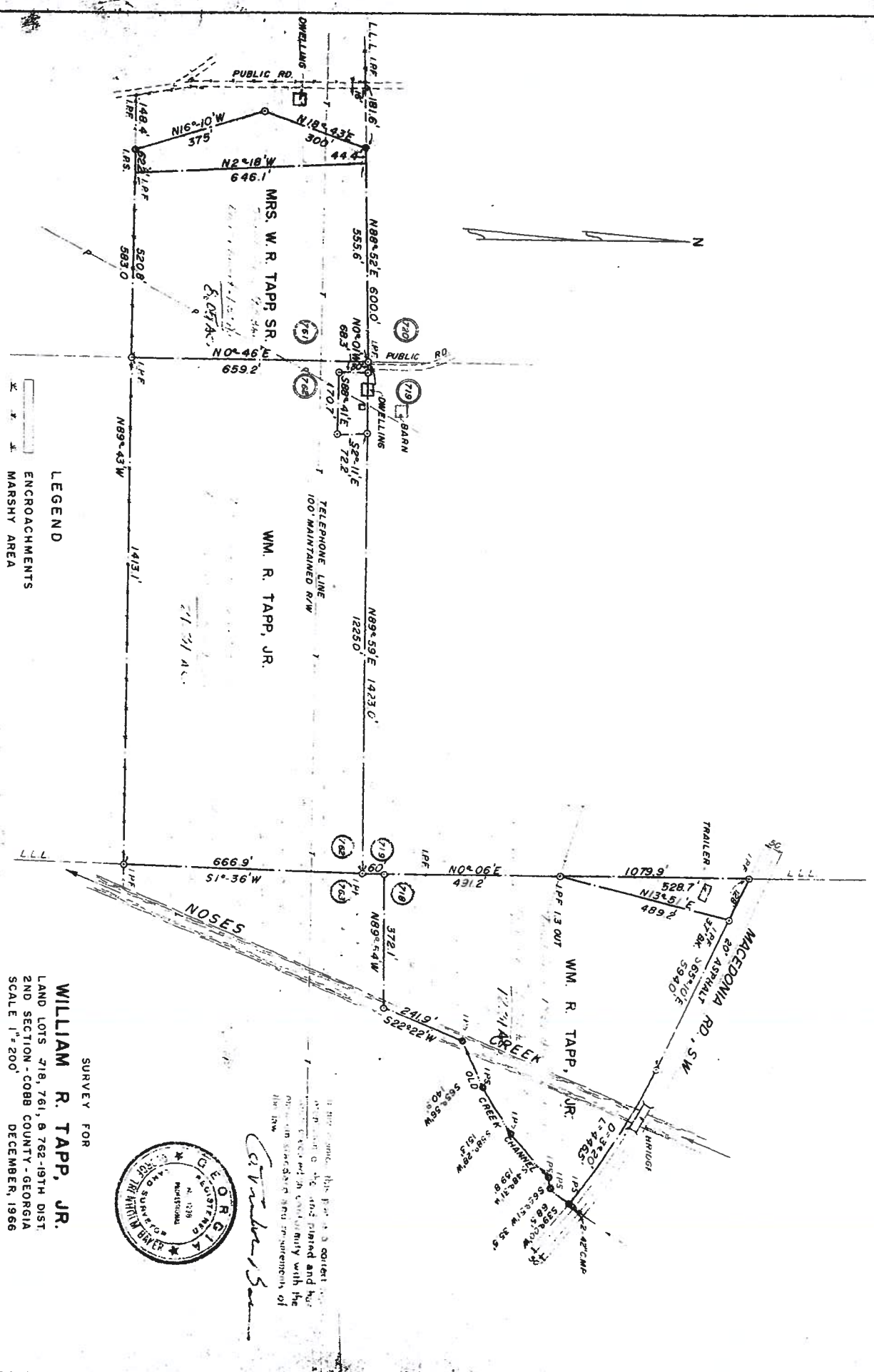
**SURVEY FOR**  
**WILLIAM R. TAPP, JR.**  
 LAND LOTS 718, 761, 8762-19TH DIST  
 2ND SECTION - COBB COUNTY - GEORGIA  
 SCALE 1" = 200'  
 DECEMBER, 1966

**G. TRENHOLM BAKER**  
 LANDSCAPE ARCHITECT  
 LAND SURVEYOR  
 CHARLES A. PAYNE - ASSOC.



*G. Trenholm Baker*

I hereby certify that this plan is a correct and true copy of the original and has been prepared and filed in accordance with the provisions of the Georgia Surveyors Act of 1966.





Community Development Dept.  
4488 Pineview Drive  
Powder Springs, GA 30127  
commdev@cityofpowdersprings.org  
770-943-1666

# Annexation Application

Applicant Or Agent Must Be Present At All Public Hearings

## Applicant Information

Name: SCP Acquisitions, LLC

Address: 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

Phone: [REDACTED]

Email: [REDACTED]

Property Owner  Elector  Primary Contact Person

## Property Owner Information Complete if different than applicant.

Name: Janice Watts & Frank Norman

Address: PO Box 2190, Chatsworth, GA 30705

Phone: [REDACTED]

Email: [REDACTED]

## Property Information

Address: Macedonia Road Parcel ID Number: 19071700140

Land Lot: 717 & 764 District: 19 Number of Acres: 1.190

Current County Zoning: R-4 If residential, how many residents? 0 Proposed City Zoning:

## Notary Attestation

I attest that this application and its attachments are accurate to the best of my knowledge and certify that the described property adjoins and is contiguous to the existing corporate limits of the City of Powder Springs, Georgia:

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

[Signature] John W. Long 10/28/22  
Signature of Applicant Printed Name Date

Subscribed and sworn before me this 28 day of OCT month, 2022.

[Signature] Ashley Fee 1/29/26  
Signature of Notary Public Name of Notary Public My Commission Expires





# Rezoning Request Owner's Authorization Form

## Owner's Authorization

Applicant Name SCP Acquisitions, LLC

Applicant's Address 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

Property Address 2820 Macedonia Rd Powder Springs, GA

Property PIN 19076500020

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

Special Use

Hardship Variance

Special Exception

Flood Protection Variance

Appeal of Administrative Decision

## Signature of Property Owner(s)

*Frank N. Watts*

Signature of Owner

Frank N. Watts

Printed Name

10-26-22

Date

State of AL, County of Baldwin

This instrument was acknowledged before me this 26 day of October

2022 by Frank N Watts

Identification Presented: DL GA

*Abigail Elizabeth Hebert*

Signature of Notary Public

Abigail Elizabeth Hebert

Name of Notary Public

9-27-26

My Commission Expires



*Janice F Watts*

Signature of Owner

Janice F Watts

Printed Name

10-26-22

Date

State of AL, County of Baldwin

This instrument was acknowledged before me this 26 day of October

2022 by Janice F Watts

Identification Presented: DL GA

*Abigail Elizabeth Hebert*

Signature of Notary Public

Abigail Elizabeth Hebert

Name of Notary Public

9-27-26

My Commission Expires



CORRECTIVE WARRANTY DEED

STATE OF GEORGIA COUNTY OF COBB

THIS INDENTURE, Made the \_\_\_\_\_ day of \_\_\_\_\_, in the year one thousand nine hundred EIGHTY EIGHT, between

JAMES E. FREEMAN

of the County of COBB, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

JANICE FREEMAN WATTS AND FRANK NORMAN WATTS

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 AND OTHER GOOD AND VALUABLE CONSIDERATIONS 10.00 DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

SEE ATTACHED EXHIBIT "A"

The purpose of this instrument is to correct the legal description in the certain Warranty Deed from Grantor to Grantee dated December 17, 1986, and recorded December 31 1986, in Deed Book 4274, Page 268, Cobb County Real Property Records.

*WDR*

Cobb County, Georgia Real Estate Transfer Tax  
Paid None  
Date 7-1-88  
Jay C. Stephenson  
Clerk of Superior Court

COBB COUNTY, GA.  
FILED IN OFFICE  
88 JUL - 1 PM 3:59  
J.C. Stephenson  
COBB SUPERIOR COURT CLERK

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

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 whomsoever.

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

Signed, sealed and delivered in presence of:

*James E. Freeman* (Seal)  
\_\_\_\_\_  
JAMES E. FREEMAN (Seal)  
*Lisa M. Braun* (Seal)  
\_\_\_\_\_  
Lisa M. Braun (Seal)  
Notary Public



Notary Public, Cobb County, Georgia  
My Commission Expires Jan. 10, 1992

EVANS & FLOURNOY  
236 Washington Avenue  
P. O. Box 1183  
Marietta, GA 30061

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 717 AND 764 OF THE 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF MACEDONIA ROAD (50 FOOT RIGHT-OF-WAY), SAID POINT BEING 202.0 FEET NORTHWESTERLY FROM THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY OF MACEDONIA ROAD WITH THE EAST LINE OF LAND LOT 764; FROM SAID POINT OF BEGINNING RUNNING THENCE NORTH 0 DEGREES 52 MINUTES 19 SECONDS EAST A DISTANCE OF 844.55 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE NORTH 89 DEGREES 07 MINUTES 41 SECONDS WEST A DISTANCE OF 470.10 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 03 DEGREES 43 MINUTES 09 SECONDS EAST A DISTANCE OF 258.05 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 54 DEGREES 31 MINUTES 00 SECONDS EAST A DISTANCE OF 104.91 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 09 DEGREES 39 MINUTES 34 SECONDS EAST A DISTANCE OF 97.82 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 58 DEGREES 20 MINUTES 48 SECONDS EAST A DISTANCE OF 167.63 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE NORTH 00 DEGREES 30 MINUTES 13 SECONDS EAST A DISTANCE OF 208.99 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 57 DEGREES 36 MINUTES 07 SECONDS EAST A DISTANCE OF 105.00 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 0 DEGREES 24 MINUTES 10 SECONDS WEST A DISTANCE OF 210 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 04 DEGREES 24 MINUTES 19 SECONDS EAST A DISTANCE OF 236.66 FEET TO AN IRON PIN LOCATED ON THE NORTHEASTERLY RIGHT-OF-WAY OF MACEDONIA ROAD (50 FOOT RIGHT-OF-WAY); THENCE SOUTH 57 DEGREES 29 MINUTES 24 SECONDS EAST A DISTANCE OF 105.09 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

COBB COUNTY, GA.  
FILED IN OFFICE  
88 JUL -1 PM 3:59  
*J. C. [Signature]*  
COBB SUPERIOR COURT CLERK



city of powder springs

# Rezoning Request

## Campaign Contribution Disclosure

### Applicant and Attorney Information

**Applicant's Name** SCP Acquisitions, LLC

**Applicant's Address** 3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327

**Applicant's Attorney** Garvis L. Sams, Jr.  
SAMS, LARKIN & HUFF, LLP

**Attorney's Address** Suite 100, 376 Powder Springs Street, Marietta, GA 30064

### 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:

SEE DOCUMENTATION HEREIN.

**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
N/A		

**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
N/A		

Garvis L. Sams, Jr., Attorney for Applicant



**city of  
powder springs**  
**Rezoning Request**  
**Notice of Intent**

### Applicant Information

Name **SCP Acquisitions, LLC**

Phone [REDACTED]

Mailing Address **3715 Northside Pkwy, Suite 1-310, Atlanta, GA 30327**

Email [REDACTED]

### Notice of Intent

**PART I.** Please indicate the purpose of this application :

**PART II.** Please list all requested variances:

See Attached Consolidated  
Notice of Intent

**Part III.** Existing use of subject property:

**Part IV.** Proposed use of subject property:

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

### Applicant Signature

Signature of Applicant \_\_\_\_\_ SCP Acquisitions, LLC \_\_\_\_\_  
Printed Name Date



**STATE OF GEORGIA  
CITY OF POWDER SPRINGS**

**NOTICE OF INTENT  
SCP Acquisitions, LLC**

1. **PART I Please indicate the purpose of this application:**

These Applications for Annexation and Rezoning seek certain entitlements in order to allow the construction of a mixed residential development consisting of single-family detached homes, attached townhomes and Class “A” highly amenitized luxury multi-family units. The entirety of the Subject Property consists of an approximate 45.3-acre tract of land and is located at the northwest intersection of Ernest Barrett Parkway and Macedonia Road. The Subject Property is located in unincorporated Cobb County.

2. **PART II Please list all requested variances:**

There are no requests for the granting of concurrent variances.

3. **PART III Existing use of the subject property:**

The Subject Property is presently zoned Neighborhood Retail Commercial (“NRC”), Low Rise Office (“LRO”), and R-20 in unincorporated Cobb County and some of the large parcels are developed with single-family homes dating back to 1962. The remainder of the overall proposal is undeveloped, even at the intersection of Ernest Barrett Parkway and Macedonia Road after having been rezoned to LRO and NRC in 2004, and all parcels have lain idle and undeveloped for decades.

4. **PART IV Proposed use of subject property:**

The Cobb County Future Land Use Map (“FLUM”) reflects that the Subject Property is located within the confines of the Public Institutional (“PI”), Neighborhood Activity Center (“NAC”), Medium Density Residential (“MDR”), and Low Density Residential (“LDR”) land use categories. The Powder Springs FLUM indicates nearby properties within the City of Powder Springs, east along Macedonia Road from the Subject Property, to be located within the Medium Density Residential, Parks Recreation Conservation, and Low Density Residential land use categories.

With respect to the current proposed mixed residential development site plan, the multi-family residential units are situated at the northwestern intersection of Ernest Barrett Parkway and Macedonia Road, on the portion of the property that had been zoned LRO and NRC in Cobb County in 2004. The proposed site plan progresses from that point with attached townhomes to the north along Ernest Barrett Parkway and one line of attached townhomes northwesterly on the Macedonia Road side, and then the proposed single-family detached houses continue to the exterior boundaries of the property westward. The multi-family component will be highly amenitized and will have a pool and courtyard area with the townhomes and single-family detached homes sharing an upscale highly amenitized amenity area.

5. **PART V Other Pertinent Information:**

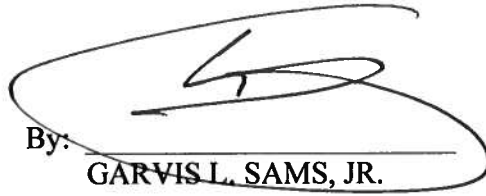
SCP and Traton are fully integrated development companies focused on creating extraordinary residences in distinctive communities and each have a philosophy of creating value for residents and for the surrounding community.

Based upon the foregoing reasons, SCP respectfully requests that the Applications for Annexation and Rezoning be approved with both SCP and Traton soliciting any comments from

staff or other officials of the City of Powder Springs so that such recommendations or input may be incorporated as conditions of approval of these Applications.

Respectfully submitted, this the 28<sup>th</sup> day of October, 2022.

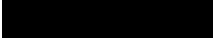
SAMS, LARKIN, & HUFF, LLP



By:

GARVIS L. SAMS, JR.  
Attorney for Applicant  
Georgia Bar No. 623950

376 Powder Springs Street, Suite 100  
Marietta, GA 30064



**STATE OF GEORGIA  
CITY OF POWDER SPRINGS**

**ZONING ANALYSIS**  
**SCP Acquisitions, LLC**

- a. Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city's comprehensive plan shall be used in decision making relative to amendments to the official zoning map.**

The Subject Property is located in unincorporated Cobb County and is also included in a contemporaneous Annexation Application with this Rezoning Application. The Cobb County Future Land Use Map ("FLUM") delineates the Subject Property as being within the confines of four land use categories: Public Institutional ("PI"); Neighborhood Activity Center ("NAC"); Medium Density Residential ("MDR"); and, Low Density Residential ("LDR"). The City of Powder Springs FLUM indicates nearby properties in the City of Powder Springs to the west are delineated as being in the MDR, LDR, and Parks Recreation Conservation land use categories. The proposed Conditional MXU zoning district and the proposed uses contained and embodied within the Applications will constitute a transition from typical single-family development along Macedonia Road to the proposed mixed residential development approaching Macedonia Road's intersection with Ernest Barrett Parkway.

- b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.**

The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings which are in direct contiguity or adjacent to the Subject Property and along the Macedonia Road and Ernest Barrett Parkway.

- c. Whether the existing use or usability of adjacent or nearby property will adversely affected by one or more uses permitted in the requested zoning district.**

The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are residentially zoned and which transition to commercial southward on Ernest Barrett Parkway. The immediate northwest corner of Ernest Barrett Parkway and Macedonia Road was rezoned to commercial in 2004 in unincorporated Cobb County but has never been developed as such. Nearby properties within the City of Powder Springs have varying densities for MDR and LDR residential zonings.

- d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned.**

The Subject Property to be affected by the Annexation and Rezoning proposal has limited reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owners of the Subject Property are suffering a significant economic detriment by virtue of the continuation of the present NRC, LRO and R-20 zoning classifications. Additionally, the Annexation and Rezoning of the Subject Property for mixed residential will present a unique and appropriately positioned use that brings a combination of parcels into a consolidated residential development in what could otherwise now be developed for residential and commercial within unincorporated Cobb County.

- e. Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.**

The zoning proposal will have no adverse impact upon the existing infrastructure including, but not limited to, existing streets, fire and police protection, transportation facilities, utilities or schools.

- f. Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.**

The proposed mixed residential use will occupy a quadrant of a major signalized intersection and the proposed development which will have ingress and egress from an Arterial right-of-way (Ernest Barrett Parkway) and a Major Collector right-of-way (Macedonia Road), will provide an appropriate transition in intensity in all directions.

- g. Whether the proposed zoning district of Conditional MXU and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.**

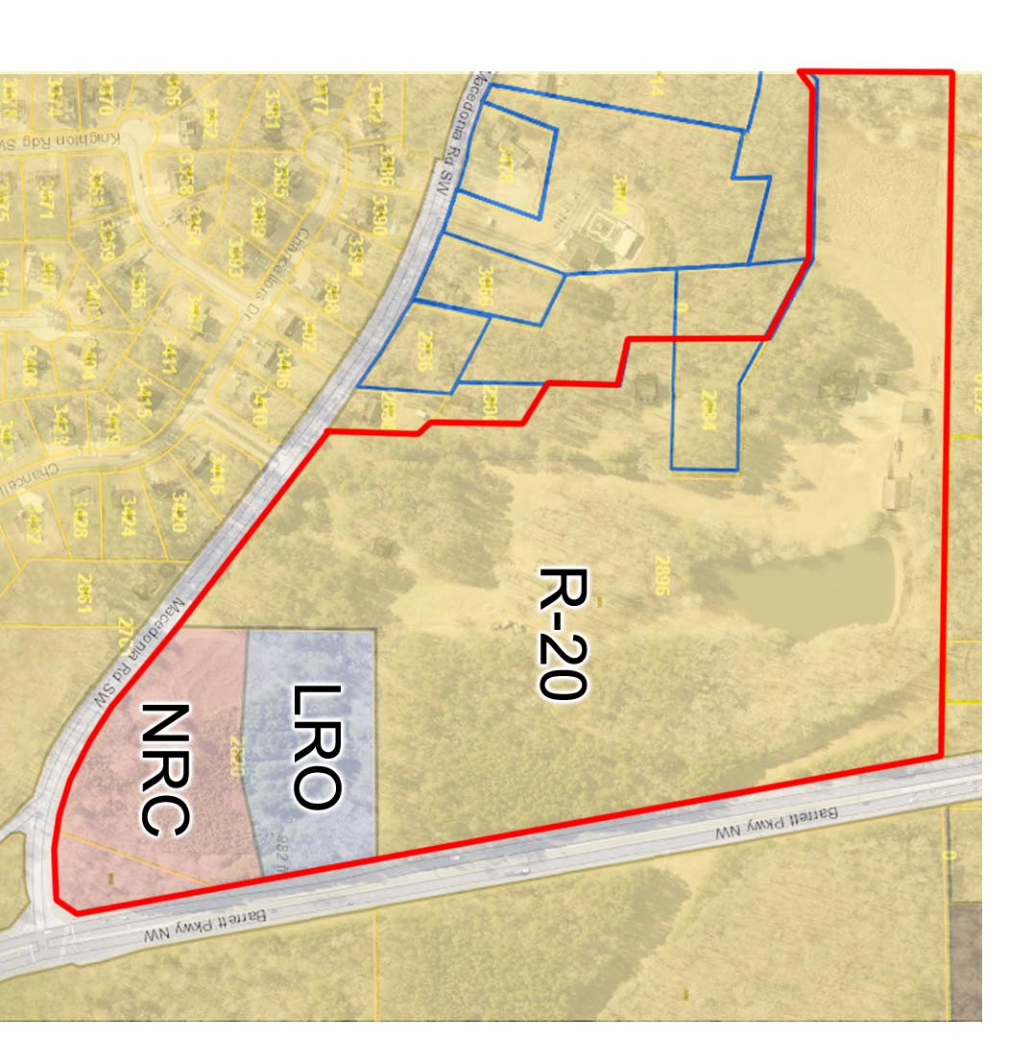
The mixed residential proposal is balanced between the proposed zoning classification and the uses of the subject property and the proposed uses' impact to the public's health, safety and general welfare, all of which is beneficial from a land use perspective.

Respectfully submitted, this the 28<sup>th</sup> day of October, 2022.

SAMS, LARKIN, & HUFF, LLP



By: \_\_\_\_\_  
GARVIS L. SAMS, JR.  
Attorney for Applicant  
Georgia Bar No. 623950



ZONING



SITE LOCATION

## SUMMARY

Land lots 717 and 764 of the 19th district  
 2884, 2896 and 2820 Macedonia Road, City of Powder Springs  
 Cobb County  
 Zoned R-20, LRO and NRC  
 Proposed zoning RM-12

45.3 acres +/- 34 acres net useable site area  
 5.7 acres flood plain  
 5.9 acres stream buffer  
 1.1 acres gas esmt.

473 total units Proposed density 10.4 units/acre  
 30% open space provided

- (A) 300 UNITS MULTIFAMILY 11.1 ACRES 1.5 spaces/unit 450 spaces
- (B) 119 TOWNHOMES 26' X 50' FRONT GARAGE 14.5 ACRES
- (C) 54 SINGLE FAMILY HOMES, 40' X 56', 50' LOTS 14.1 ACRES

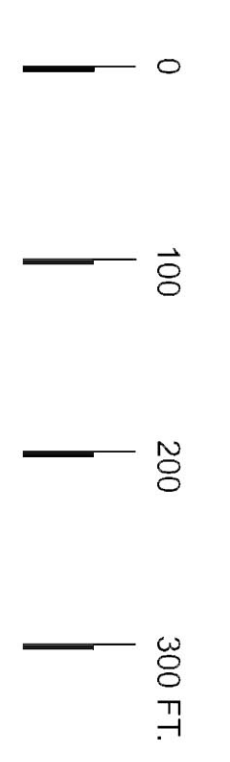
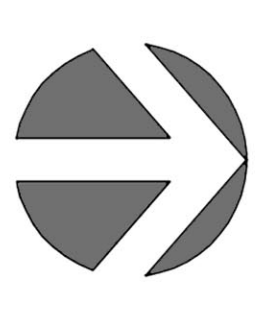
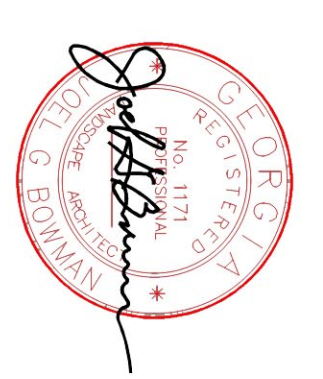
Setbacks:  
 Front 50'  
 Side 35'  
 Rear 40'  
 Single family setbacks - 20' perimeter, 20' major roadway

## SCP - BARRETT PARKWAY

CITY OF POWDER SPRINGS, GEORGIA

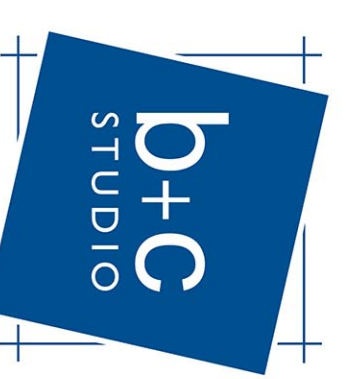


NOTE:  
 Plan is provided as an illustrative concept based on available data. Final plan must be verified with an ALTA Survey. Locations of buildings, interior streets, and driveways, parking spaces, building entrances, landscape areas, crosswalks, interior sidewalks, and amenities are approximate and may be revised (provided all legal requirements are met) upon overlay of ALTA Survey.

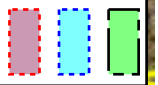


October 25, 2022

LANDSCAPE ARCHITECTURE | DESIGN + PLANNING



Properties to be Annexed  
City of Powder Springs  
Cobb County Owned Property



Cobb County Owned Property

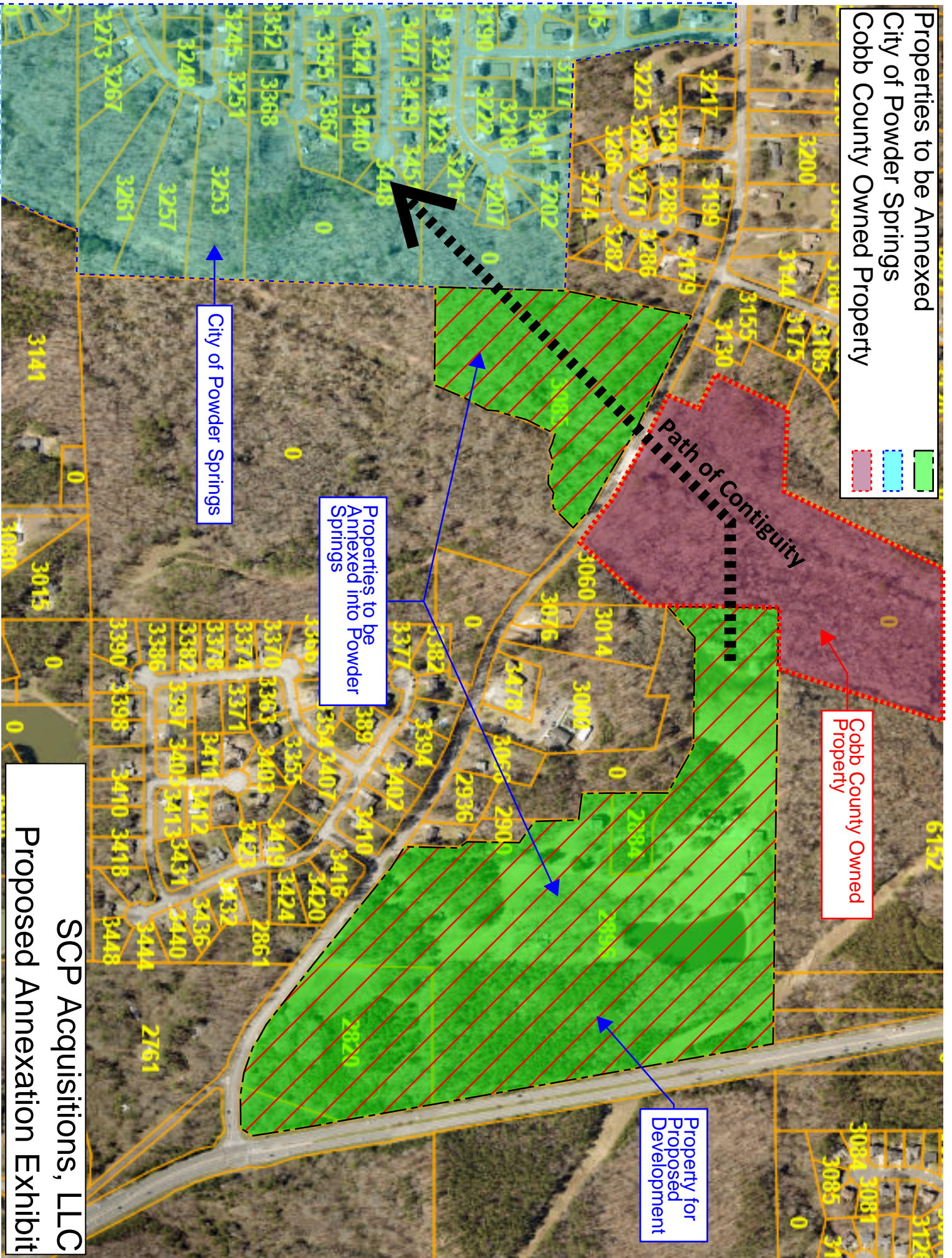
Path of Contiguity

Property for Proposed Development

Properties to be Annexed into Powder Springs

City of Powder Springs

SCP Acquisitions, LLC  
Proposed Annexation Exhibit







## Memorandum

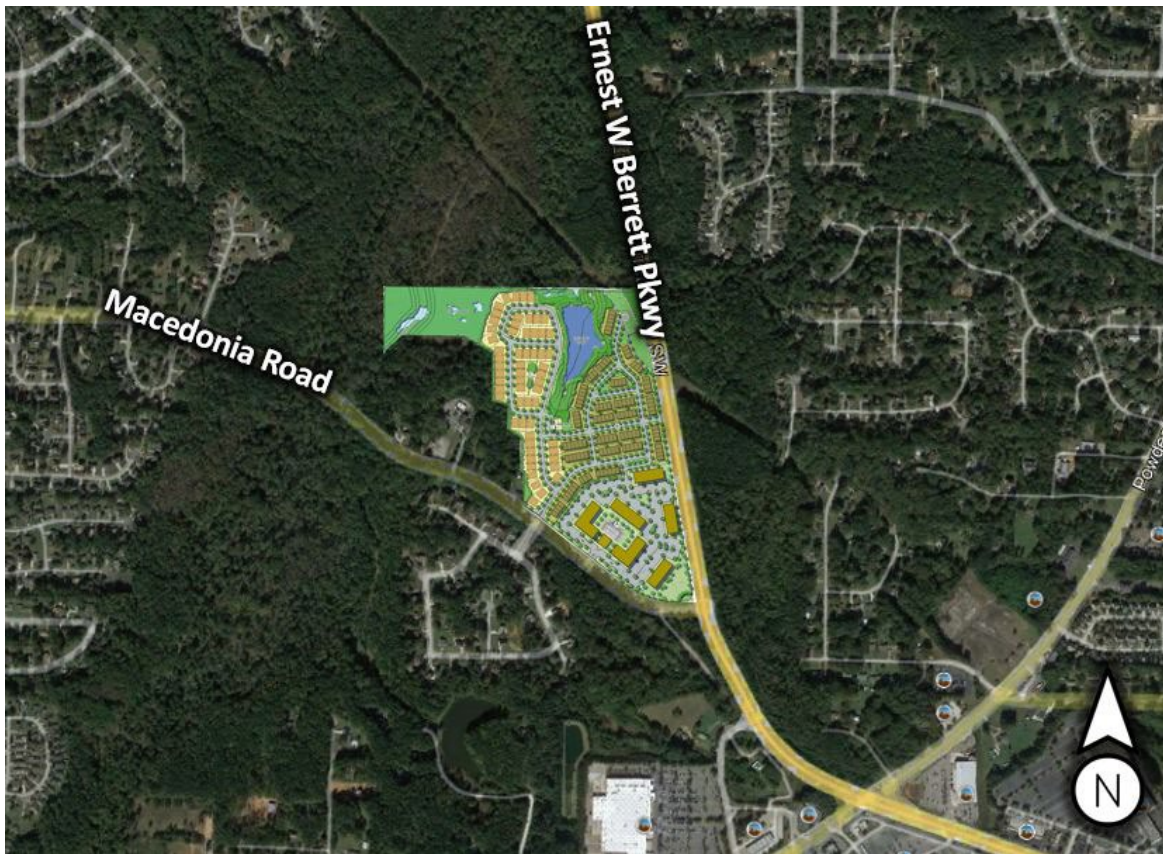
To: John Long  
SCP Acquisitions, LLC.

From: Abdul Amer, PE

Date: October 27<sup>th</sup>, 2022

Subject: Trip Generation Memorandum for SCP Barrett Parkway Residential Development on Ernest West Barrett Parkway in City of Power Springs, Georgia | A&R 22-220

The purpose of this memorandum is to estimate the trip generation that will result from the proposed SCP Barrett Parkway residential development located on northwest corner of the intersection Ernest West Barrett Parkway at Macedonia Road, Powder Springs, Georgia. The location of the development is shown below.



The residential development will consist of the following:

- Single-family Detached Housing: 54 Units
- Single-family Attached Housing: 119 Units
- Multifamily Housing (Low Rise): 160 Units
- Multifamily Housing (Mid-Rise): 140 Units

## METHODOLOGY

Trip generation estimates for the project were based on the rates and equations published in the 11<sup>th</sup> edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide.

Land Use: 210 – Single-Family Detached Housing: A single-family detached housing site includes any single-family detached home on an individual lot. A typical site surveyed is a suburban subdivision.

Land Use: 215 – Single-Family Attached Housing: Single-family attached housing includes any single-family housing unit that shares a wall with an adjoining dwelling unit, whether the walls are for living space, a vehicle garage, or storage space.

Land Use: 220- Multifamily Housing (Low-Rise): Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have two or three floors (levels).

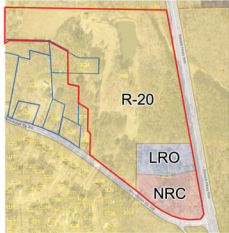
Land Use: 221- Multifamily Housing (Mid-Rise): Mid-rise multifamily housing includes apartments and condominiums located in a building that has between four and 10 floors of living space. Access to individual units is through an outside building entrance, a lobby, elevator, and a set of hallways.

## TRIP GENERATION

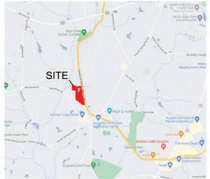
The results of the analysis for the proposed development are shown in Table 1, below.

Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
ITE 210- Single-Family Detached Housing	54 units	11	32	43	35	21	56	286	286	572
ITE 215- Single-Family Attached Housing	119 units	17	39	56	38	29	67	428	428	856
ITE 220- Multifamily Housing (Low-Rise)	160 units	17	55	72	56	33	89	550	550	1,100
ITE 221- Multifamily Housing (Mid-Rise)	140 units	11	39	50	34	21	55	311	310	621
<b>Total Trips</b>		<b>56</b>	<b>165</b>	<b>221</b>	<b>163</b>	<b>104</b>	<b>267</b>	<b>1,575</b>	<b>1,575</b>	<b>3,149</b>

Based on trip generation rates published in the Institute of Transportation Engineer’s Trip Generation Manual, 11th edition, the proposed residential development will generate 221 new external two-way trips in the AM peak hour, 267 external two-way trips in the PM peak hour, and 3,149 new external two-way trips in a 24-hour duration.



ZONING



SITE LOCATION

**SUMMARY**

Land District 19-765  
 2884, 2896 and 2820 Macedonia Road, City of Powder Springs  
 Cobb County  
 Zoned R-20, LRO and NRC  
 Proposed zoning RM-12

45.3 acres +/- 34 acres net useable site area  
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Setbacks:  
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 Side 35'  
 Rear 40'  
 Single family setbacks - 20' perimeter, 20' major roadway

NOTE:  
 Plan is provided as an illustrative concept based on available data. Final plan must be verified with an ALTA Survey. Locations of buildings, interior streets, and driveways, parking spaces, building entrances, landscape areas, crosswalks, interior sidewalks, and amenities are approximate and may be revised (provided all legal requirements are met) upon overlay of ALTA Survey.

0 100 200 300 FT.

October 25, 2022

LANDSCAPE ARCHITECTURE | DESIGN + PLANNING

**SCP - BARRETT PARKWAY**

CITY OF POWDER SPRINGS, GEORGIA



Printed: 10/26/2022

### Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: [REDACTED]  
Fax: [REDACTED]

Payer:  
William Gause

**GAUSE WILLIAM LYNN**

**Payment Date: 8/26/2022**

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2022	19071700130	10/15/2022	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$5,783.77	\$0.00	



Scan this code with your mobile phone to view this bill!



Printed: 10/26/2022

### Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: [REDACTED]  
Fax: [REDACTED]

Payer:  
JANICE F & FRANK N WATTS

**WATTS JANICE AND FRANK NORMAN**

**Payment Date: 9/22/2022**

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2022	19071700140	10/15/2022	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$1,001.06	\$0.00



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Printed: 10/26/2022

### Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: [REDACTED]  
Fax: [REDACTED]

Payer:  
**MAHAL INVESTMENTS**

**MAHAL INVESTMENTS LLC**

**Payment Date: 10/6/2022**

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2022	19076500020	10/15/2022	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$14,798.66	\$0.00	



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Printed: 10/26/2022

### Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: [REDACTED]  
Fax: [REDACTED]

Payer:  
WILLIAM DONALD BROWN AS CUST FOR

**BROWN WILLIAM D**

**Payment Date: 9/30/2022**

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2022	19079000010	10/15/2022	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$5,795.21	\$0.00	



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Printed: 10/27/2022

### Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: [REDACTED]  
Fax: [REDACTED]

Payer:  
Helen Tapp

**MACEDONOSSES LLC**

**Payment Date: 10/15/2022**

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2022	19071800040	10/15/2022	Pay:	N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$139.37	\$0.00



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