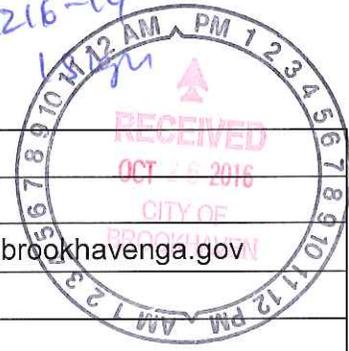




Amendment Application

16 LUP00015

R216-14



Applicant Information
Owner Information
Property Information
Questionnaire
Affidavit
Notary
Fees

Name: City of Brookhaven

Address: 4362 Peachtree Road, Brookhaven, GA 30319

Phone: 404-637-0500 Fax: Email: patrice.ruffin@brookhavenga.gov

Real Estate Enterprises, LLC

171 17th Street NW, Ste. 1100, Atlanta, GA 30363

Phone: Fax: Email:

Property Address: 2580 Briarcliff Road Parcel Size: 3.86 acres

Parcel ID: 18-157-01-001

Current Zoning Classification: MR-2 (DeKalb County)

Requested Zoning Classification: RM-85 (Brookhaven)

Is this development and/or request seeking any incentives or tax abatement through the City of Brookhaven or any entity that can grant such waivers, incentives, and/or abatements?

Yes No

1. Is the zoning proposal in conformity with the policy and intent of the comprehensive plan?
Yes

2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?
Yes

3. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned?
Yes

4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?
No. The subject property will remain the same.

5. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?
Yes, giving supporting grounds for approval.

6. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources?
No

7. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?
No. The subject property will remain the same.

Date: _____

Date: _____

Sworn to and subscribed before me this _____ Day of _____, 20_____

Notary Public:

Signature: _____

My Commission Expires: _____

Application Fee Legal Fee (\$10)

Fee: \$ _____ Payment: Cash Check CC Date: _____

* One sign is required per street frontage and/or every 500 feet of street frontage

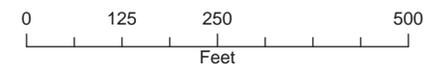
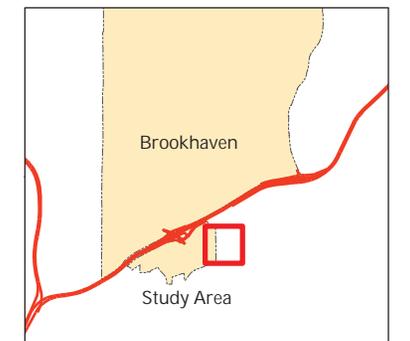


Woodcliff Annexation Map



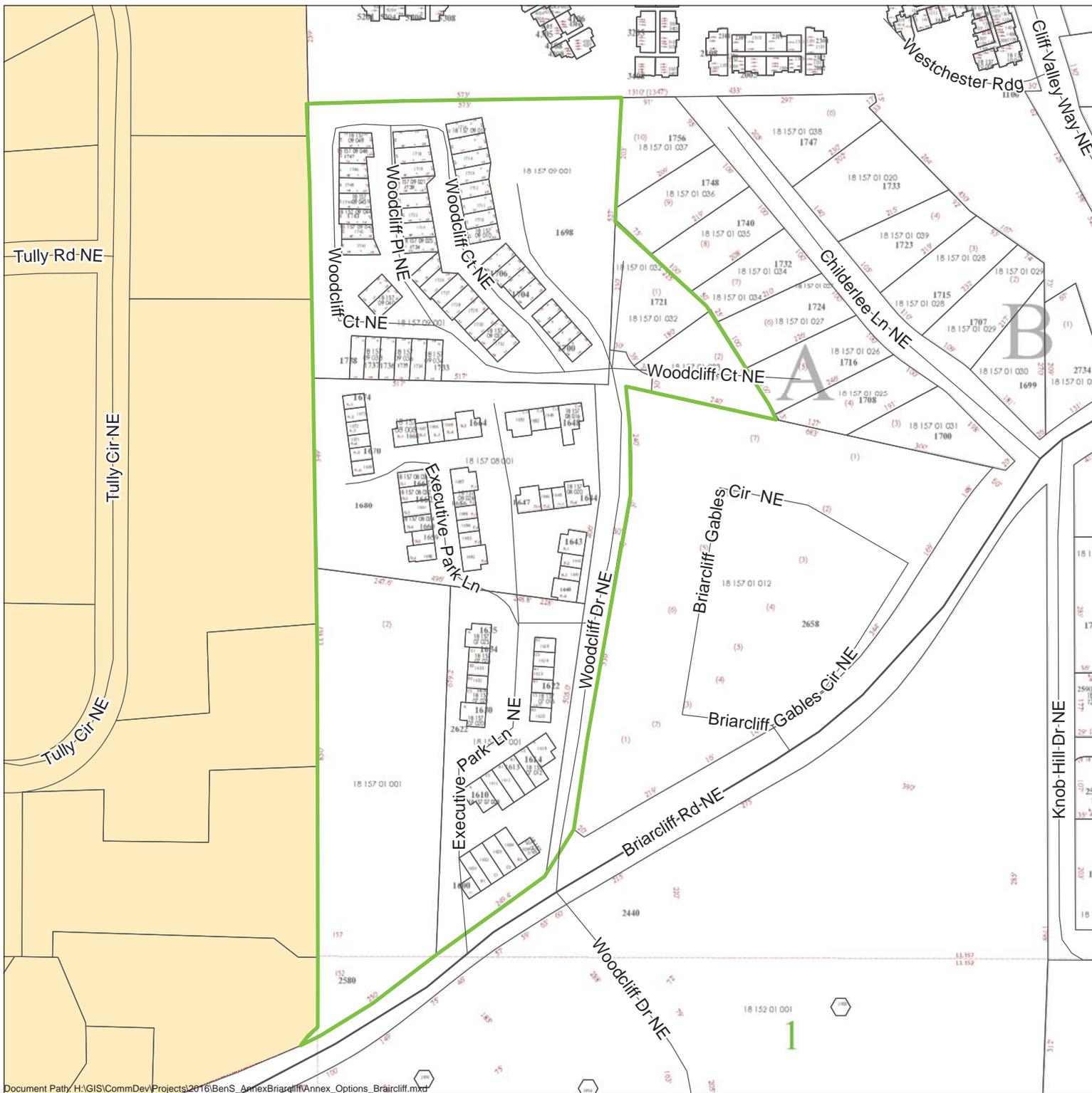
Legend

- Streets
- Major Roads
- Interstate
- Tax Parcels
- Potential Annex Area
- City of Brookhaven



Prepared by the
City of Brookhaven IT/GIS Department
October 11, 2016

This map has been compiled from the most accurate maps available from the City of Brookhaven and/or other agencies. However, the map is for informational purposes only and is not to be construed as a legal document. The City assumes no legal responsibility for the information shown on this map. For more details, please contact the City of Brookhaven.
Copyright © 2016, by the City of Brookhaven, GA. All rights reserved. Brookhaven would be made to the City of Brookhaven at 404-433-0000.



ITEMS CORRESPONDING TO SCHEDULE B, SECTION II
 File No.: NCS-729182-ATL
 BY FIRST AMERICAN TITLE INSURANCE COMPANY.
 COMMITMENT DATE: MAY 01, 2015 AT 8: AM

ALTA/ACSM LAND TITLE SURVEY

TITLE DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 152 and 157 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at a point on the northeastern side of Briarcliff Road the hundred twenty one and eight tenths (521.8) feet northeast as measured along the northeastern side of Briarcliff Road from the point formed by the intersection of the northeastern side of Briarcliff Road with the northeastern side of North Druid Hills Road (formerly Old Decatur Road) and running thence North 1 degree 37 minutes West along the western land lot lines of Land Lots 152 and 157, eight hundred fifty nine and three tenths (859.3) feet to an iron pin running thence South 82 degrees 57 minutes East two hundred forty seven and five tenths (247.5) feet to an iron pin; running thence South 1 degree 48 minutes West six hundred seventy nine and two tenths (679.2) feet to an iron pin located on the northeastern right of way line of Briarcliff Road; running thence southwesterly along the northeastern right of way line of Briarcliff Road and following the curvature thereof two hundred fifty (250) feet to the point of beginning.

Less and except that tract of land as shown on plat filed in Declaration of Taking of Deed Book 21994, Page 126, aforesaid records.

Further Less and Except that portion of the above described property subject to the Right of Way Deed to DeKalb County, Georgia recorded October 25, 1965 in Deed Book 2041, Page 187, aforesaid records.

SURVEY DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 152 and 157 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point formed by the inferred intersection of the northeastern right of way of Briarcliff Road (right of way width) with the northeastern right of way of North Druid Hills Road (100' R/W) (E.A. Old Decatur Road), running thence 385.02 feet northeasterly as measured along the northeastern right of way of Briarcliff Road to an iron pin placed located on the western land lot line of Land Lot 152 and the TRUE POINT OF BEGINNING.

Running thence North 1 degree 37 minutes 00 seconds West a distance of 830.29' along the western land lot lines of Land Lots 152 and 157 to an iron pin found; running thence South 82 degrees 57 minutes 00" East a distance of 247.50 feet to an iron pin found; running thence South 1 degree 48 minutes 00" West a distance of 679.19 feet to an iron pin placed located on the northeastern side of Briarcliff Road (right of way width) running thence southwesterly along the northeastern right of way line of Briarcliff Road South 53 degrees 15 minutes 14 seconds West a distance of 33.72 feet to a point, continuing thence along said right of way North 39 degrees 23 minutes 14 seconds West a distance of 2.74 feet to a point; continuing thence along said right of way South 50 degrees 36 minutes 46 seconds West a distance of 55.21 feet to a point; continuing thence along said arc by a curve to the right an arc length of 150.75 feet, with a radius of 1,134.18 feet; said arc being subtended by a chord bearing of South 59 degrees 06 minutes 17 seconds West and a chord distance of 150.64 feet to an iron pin placed and the TRUE POINT OF BEGINNING.

Running thence North 1 degree 37 minutes 00 seconds West a distance of 830.29' along the western land lot lines of Land Lots 152 and 157 to an iron pin found; running thence South 82 degrees 57 minutes 00" East a distance of 247.50 feet to an iron pin found; running thence South 1 degree 48 minutes 00" West a distance of 679.19 feet to an iron pin placed located on the northeastern side of Briarcliff Road (right of way width) running thence southwesterly along the northeastern right of way line of Briarcliff Road South 53 degrees 15 minutes 14 seconds West a distance of 33.72 feet to a point, continuing thence along said right of way North 39 degrees 23 minutes 14 seconds West a distance of 2.74 feet to a point; continuing thence along said arc by a curve to the right an arc length of 150.75 feet, with a radius of 1,134.18 feet; said arc being subtended by a chord bearing of South 59 degrees 06 minutes 17 seconds West and a chord distance of 150.64 feet to an iron pin placed and the TRUE POINT OF BEGINNING.

Said property containing 168,339 square feet or 3.86 acres.

Described property being the same property as shown in title commitment by First American Title Insurance Company, File No. NCS-729182-ATL, Commitment Date of May 01, 2015.

| Symbol Legend | |
|---------------|---------------------------|
| CB | Colchobasin (single wing) |
| CA | Colchobasin (double wing) |
| CL | Cable Box |
| CS | Sewer Cleanout |
| DI | Drop Inlet |
| FL | Fire Hydrant |
| FP | Bumper |
| FL | Flag Pole |
| R | Railroad |
| GM | Gas Meter |
| GM | Gas Manhole |
| GP | Georgia Power Manhole |
| GA | Gas Valve |
| GW | Guy Wire Anchor |
| H | Handicap Space |
| HW | Headwall |
| HP | High Point |
| CB | Cable Manhole |
| LP | Light Pole |
| J | Junction Box |
| MB | Monitoring Well |
| P | Power Pole |
| PM | Power Pole |
| SB | Sewer Ball Manhole |
| SP | Service Pole |
| SS | Sanitary Sewer Manhole |
| SM | Stormwater Manhole |
| TEL | Telephone Box |
| TB | Telephone Booth |
| TP | Telephone Pole |
| TF | Traffic Flow |
| TR | Traffic Pole |
| TM | Traffic Light |
| TV | Water Meter |
| WM | Water Valve |
| AC | Air Conditioning Pad |
| WH | Water Manhole |
| S | Sign |

| Abbreviation Legend | |
|---------------------|-------------------------|
| CC | Calculated Corner |
| DB | Deed Bearing |
| CD | Chord Length |
| CL | Centerline |
| DE | Drainage Easement |
| DP | Dumpster |
| PL | Property Line |
| R | Railroad |
| R/W | Right of Way |
| SE | Sanitary Sewer Easement |
| MON | R/W Monument |
| IF | Iron Pin Found |
| OTF | Open Top Pin Found |
| CTF | Clamp Top Pin Found |
| BC | Back of Curve |
| FC | Face of Curve |
| NP | Nail Found |
| MB | Point of Beginning |
| POC | Point of Commencement |

| LEGEND | |
|--------|--------------------------|
| X-X | Sanitary W/P |
| SS | Sanitary Sewer |
| FH | Fire Hydrant |
| PP | Power Pole |
| IPP | Iron Pin Placed |
| OTF | Open Top Pin Found |
| MON | Monument Found |
| LP | Light Pole |
| EP | Edge Pavement |
| POB | Point of Beginning |
| CTF | Clamp Top Pin Found |
| BC | Back of Curve |
| FC | Face of Curve |
| GL | Chalk Line Fence |
| SMH | Sewer Manhole |
| SS | Sanitary Sewer Easement |
| J | Junction Box |
| PL | Property Line |
| DP | Dumpster |
| CMP | Corrugated Metal Pipe |
| RCP | Reinforced Concrete Pipe |
| DE | Drainage Easement |
| WM | Water Valve |
| WV | Water Valve |
| AC | Air Conditioning Pad |
| RW | Right of Way |
| P | Power Line |



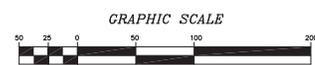
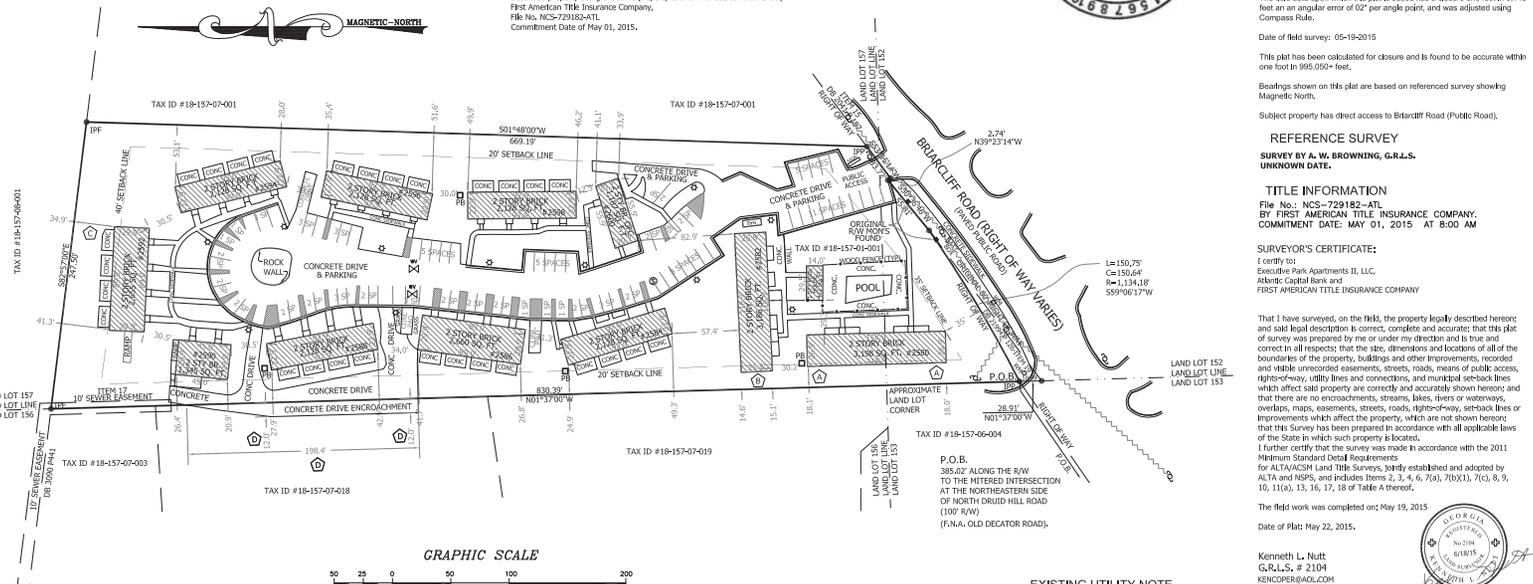
VICINITY MAP
NOT TO SCALE

Perimeter Surveying Co., Inc
 1065 Sandtown Road, Marietta, GA 30008
 Phone: (770) 425-6824 Fax: (770) 425-6768



ALTA/ACSM LAND TITLE SURVEY FOR:
 EXECUTIVE PARK APARTMENTS
 2580 BRIARCLIFF ROAD NE, ATLANTA, GEORGIA 30329
 DEKALB COUNTY, GEORGIA

- 13. INTENTIONALLY DELETED
- 14. Permit for Anchors, Guy Poles and Wires from Frank M. Carrillo to Georgia Power Company dated April 4, 1961. filed for record May 23, 1961, and recorded in Deed Book 1576, Page 364, aforesaid records. DOES APPLY. BLANKET EASEMENT, NOT PLOTTABLE.
- 15. Easements as conveyed in Right-of-Way Deed from Ken Edwards to DeKalb County, a political subdivision of the State of Georgia dated October 21, 1965, filed for record October 25, 1965, and recorded in Deed Book 2041, Page 187, aforesaid records. DOES APPLY. INCLUDED IN CURRENT RIGHT OF WAY SHOWN HERON.
- 16. Sewer Easement from Kerion E. Edwards, Jr., and Leased Properties, Inc., (formerly Elec-Tel Supply Company, Inc.) to DeKalb County, Georgia, its successors and assigns, dated September 28, 1973, filed for record October 29, 1973, and recorded in Deed Book 3098, Page 438, aforesaid records. DOES APPLY. SKETCH TOO VAGUE TO PLOT
- 17. Sewer Easement from Citizens and Southern National Bank as Executor under the will of Ray M. Lee, deceased, of Fulton County, Georgia to Kerion E. Edwards, Jr. of DeKalb County, Georgia, and Elec-Tel Supply Company, Inc., a corporation of Fulton County, Georgia, their heirs, successors and assigns, dated July 6, 1965, filed for record July 14, 1965, and recorded in Deed Book 2007, Page 58, aforesaid records; as assigned by that certain Assignment of Sanitary Sewer Easement from Kerion E. Edwards and Leased Properties, Inc., (formerly Elec-Tel Supply Company, Inc.) to DeKalb County, Georgia, dated September 28, 1973, filed for record October 29, 1973, and recorded in Deed Book 3098, Page 441, aforesaid records. DOES APPLY. AS SHOWN HERON.
- 18. Terms and provisions of that certain Cable Television Service Agreement, by and between DBA Executive Park Apartments and Cable DeKalb, Inc., a Georgia corporation, dated August 1, 1963, filed for record August 6, 1963, and recorded in Deed Book 4800, Page 696, aforesaid records. DOES APPLY. BLANKET EASEMENT, NOT PLOTTABLE.
- 19. Easement Rights as set out in Notice of Filing of Declaration of Taking by DeKalb County, Georgia, dated May 27, 2010, filed for record May 27, 2010, and recorded in Deed Book 21994, Page 126, aforesaid records. DOES APPLY. INCLUDED IN CURRENT RIGHT OF WAY SHOWN HERON.
- 20. Grant of Easement from Executive Park Apartments, LLC to Comcast of Georgia/Mighty, Inc., its successors and assigns, dated March 8, 2010, filed for record December 16, 2010, and recorded in Deed Book 22276, Page 186, aforesaid records. DOES APPLY. BLANKET EASEMENT, NOT PLOTTABLE.
- 21. Easement from Executive Park Apartments, LLC to Georgia Power Company dated June 7, 2012, filed for record July 19, 2012, and recorded in Deed Book 2347, Page 364, aforesaid records. DOES APPLY. SKETCH TOO VAGUE TO PLOT.
- 22. Matters as would be disclosed by a current and accurate survey and inspection of the subject property. CURRENT AND ACCURATE SURVEY SHOWN HERON.



| REFERENCES | | |
|---------------|-------|------|
| Reference No. | PB/DB | Page |
| 1 | | |
| 2 | | |

Flood Note
 Said described property is located within an area having a Zone Designation of Zone X by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 13089C, Community Number 00541, with a date of identification of May 16, 2013 in DeKalb County, State of Georgia, which is the current Flood Insurance Rate Map for the community in which the Premises is situated.

EXISTING UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DEES CERTIFY THAT THE ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. AS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

| REVISIONS | | | |
|--------------|-----------|------------------|----------|
| Revision No. | Date | Type of Revision | Comments |
| 1 | 6-18-2015 | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |

- PARKING INFORMATION**
 85 STANDARD SPACES
 0 HANDICAPPED SPACES
 85 TOTAL PARKING SPACES
- BUILDING HEIGHTS**
 ALL APARTMENT BUILDINGS
 = 20' IN HEIGHT.
- ENCROACHMENTS**
 A BUILDING ENCROACHMENT AT WEST PROPERTY LINE.
 B BUILDING ENCROACHMENT AT WEST PROPERTY LINE.
 C BUILDING ENCROACHMENT AT NORTHERN PROPERTY LINE.
- CONCRETE DRIVE ENCROACHMENT AT WEST PROPERTY LINE**

- ZONING INFORMATION**
 CURRENT ZONING:
 RM-85
- SETBACKS:**
 FRONT: 35 FEET
 SIDE: 20 FEET
 REAR: 40 FEET
 BUILDING SEPARATION:
 20 FOOT (SIDE TO SIDE)
 40 FOOT (SIDE TO FRONT)
 60 FOOT (BACK TO FACE)
- HEIGHT:**
 3 STORIES (MAX)

Tract Area:
 3.86 Acres
 168,339 Sq. Ft.

ALTA/ACSM LAND TITLE SURVEY FOR:
 Executive Park Apartments II, LLC,
 Atlantic Capital Bank and
 FIRST AMERICAN TITLE INSURANCE COMPANY

Land Lot: 152 & 157 District: 18
DeKalb County, Georgia

Date: 05-22-2015 Sheet 1 of 1

Computed by: JDR
 Drawn by: JDR
 Checked by: KLN

Party Chief: KLN
 Date Surveyed: 05-19-2015
 Job #: 007215

This survey was prepared in conformity with the Technical Standards for Property Surveying in Georgia as set forth in Chapter 1907 of the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Professional Engineers and Land Surveyors Act, O.C.G.A., 15-6-67.

Executive Park Apartments Survey Description –

All that tract or parcel of land lying and being in Land Lots 152 and 157 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point formed by the mitered intersection of the northwestern right of way of Briarcliff Road (right of way varies) with the northeastern right of way of North Druid Hills Road (100' R/W) (F.K.A, Old Decatur Road), running thence 385.02 feet northeasterly as measured along the northwestern right of way of Briarcliff Road to an Iron pin placed located on the western land lot line of Land Lot 152 and the TRUE POINT OF BEGINNING;

Running thence North 1 degree 37 minutes 00 seconds West a distance of 830.39' along the western Land lot lines of Land Lots 152 and 157 to an iron pin found; running thence South 82 degrees 57 minutes 00" East a distance of 247.50 feet to an iron pin found; running thence South 1 degree 48 minutes 00" West a distance of 669.19 feet to an iron pin placed located on the northwesterly side of Briarcliff Road, (right of way varies); running thence southwesterly along the northwestern right of way line of Briarcliff Road South 53 degrees 15 minutes 14 seconds West a distance of 33.72 feet to a point, continuing thence along said right of way North 39 degrees 23 minutes 14 seconds West a distance of 2.74 feet to a point; continuing thence along said right of way South 50 degrees 36 minutes 46 seconds West a distance of 55.81 feet to a point; continuing thence along said along a curve to the right an arc length of 150.75 feet, with a radius of 1,134.18 feet, said arc being subtended by a chord bearing of South 59 degrees 06 minutes 17 seconds West and a chord distance of 150.64 feet to an iron pin placed and the TRUE POINT OF BEGINNING,

Said property containing 168,339 square feet or 3.86 acres.

Described property being the same property as shown in title commitment by First American Title Insurance Company,
File No. NCS-729182-ATL
Commitment Date of May 01, 2015.

