

DAWSON COUNTY VARIANCE APPLICATION

****This portion to be completed by Zoning Administrator****

VR 16-02 Tax Map & Parcel # (TMP): 113 044
Current Zoning: C-HB Commission District #: 3
Submittal Date: 1/8/16 Time: 10:36 am/pm Received by: [Signature] (staff initials)
Fees Assessed: 300.00 Paid: C-HB 0097
Planning Commission Meeting Date: 2-16-16

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Dawson Land Partners, LLC Contact: Corey Guthrie
Address: 3384 Elliott Family Pkwy
Dawsonville, GA 30534
Phone: Listed (706) 265-9812 Email: Business Corey.Guthrie@gmail.com
Unlisted Personal
Status: [] Owner Authorized Agent [] Lessee [] Option to purchase

Notice: If applicant is other than owner, enclosed Property Owner Authorization form must be completed.

I have /have not _____ participated in a Pre-application meeting with Planning Staff.
If not, I agree /disagree _____ to schedule a meeting the week following the submittal deadline.
Meeting Date: 1/5/16 Applicant Signature: [Signature]

PROPERTY INFORMATION

Street Address of Property: Lumpkin Campground Road just west of the water tower & Prominence
Court just north of the daycare center Tax Parcel: 113 044
Land Lot(s): 196, 197, 221, & 222 District: S. 1/2 13th Section: 1st
Subdivision/Lot: N/A Building Permit #: N/A (if applicable)
Directions to the Property: From 400 Northbound turn left on SR 53, then right on Lumpkin Campground
Road, Property is approximately 1/2 mile on the right.

REQUESTED ACTION

121-99-1

A Variance is requested from the requirements of Article # IV Section # 400 of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: Requesting a variance to the increased setback requirements of the C-HB zoning district and Ga 400 Overlay District where abutting residential. Specifically the 50' bldg setback and 40' buffer abutting multi-family residential

Type of Variance requested:

- Front Yard Side Yard Rear Yard variance of 50' to 25' Setback feet to allow the structure to:
- be constructed; remain a distance of 25 feet feet from the: _____
- property line, road right of way, or other (explain below):

instead of the required distance of 50 feet required by the regulations.

Lot Size Request for a reduction in the minimum lot size from _____ to _____

Sign Variance for: _____

Home Occupation Variance to operate: _____ business

Other (explain request): Ga 400 Corridor Overlay Division 6 Sec. 117-207

If there are other variance requests for this site in past, please list case # and nature of variance: _____

Variances to standards and requirements of the Regulations, with respect to open area, setbacks, yard area, lot coverage, height, and other quantitative requirements may be granted if, on the basis of the application, investigation, and other evidence submitted by the applicant, all four (4) expressly written findings below are made:

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: Whenever the adjacent tract was subdivided from this tract and rezoned to Multi-Family last year, the zoning inadvertently imposed a buffer and larger setbacks on this piece. Due to the narrow depth of this tract, the business park proposed for this site will not fit within the confines of the setbacks & buffers. The variance would allow the proposed improvements to fit this site. A strict and literal enforcement of the ordinance prohibits this site from being able to support the proposed development.

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Just over a year ago, this site was part of a larger site all being zoned CHB. When the adjacent site was rezoned to RMF it imposed a buffer and much larger setback on this remaining parcel. We merely ask that the setbacks on our property revert back to what they were prior to the adjacent property being rezoned. It is unfair that an adjacent rezoning impose undue restrictions on an unsuspecting neighbor.

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity: The variance will have no impact on the public health, safety and welfare. Prior to the neighboring rezoning, there were no setbacks or buffers between the two parcels. There is no setback required between 2 commercial parcels. We will be providing a 25' setback and 10-foot landscaped buffer; therefore actually improving the pre-zoning conditions of the adj property. The variance will also allow access for trucks and emergency vehicles around the bldgs.

4. Describe why granting this variance would support the general objectives within this Resolution:

In the Ga 400 District, Mixed-Use is encouraged to blend uses together instead of buffering them from each other. This variance will create more connectivity, encourage the blending, and create a more cohesive mixed use area in concert with the Ga 400 District.

Submit clear explanation of all four questions above. You may add sheets if necessary.

(Variances should not be granted if the need arises as a result of action by the applicant or previous owner.) Unfortunately, the rezoning of the adjacent property has caused undue hardship on this neighbor. Item One of the Steinberg Act asks, "Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property". Dawson County decided a year ago that the RMF was "suitable" adjacent to the surrounding C-HB zoned property. If it is in-fact suitable, then buffers should not be required to separate the two uses, particularly on the property that was not being rezoned. Buffers are a tool used to separate unsuitable uses. If the County felt that the two uses were unsuitable, then the buffers should have been imposed on the RMF tract during the rezoning process.

Item Two of the Steinberg Act asks, "Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property". The rezoning of the adjacent tract a little over a year ago had a tremendous adverse impact on this adjacent property, rendering a large portion of it unusable. Imposing a 50 foot setback along with a 40-foot buffer on a neighbor where none existed before is definitely an "adverse impact on the usability of the adjacent property." We ask that this oversight be undone and the property right be restored through this variance application.

PROPERTY OWNER AUTHORIZATION

I / we Corey Guthrie hereby swear that I / we own the property located at (fill in address and / or tax map & parcel #):

PIN 113 044

as shown in the tax maps and / or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person named below to act as the applicant or agent in pursuit of the variance requested on this property. I understand that any variance granted, and / or conditions placed on the property will be binding upon the property regardless of ownership. The under signer below is authorized to make this application. The under signer is aware that no application or reapplication affecting the same land shall be acted upon within 6 months from the date of the last action by the Board of Commissioners.

Printed name of applicant or agent: Corey Guthrie

Signature of applicant or agent: [Signature] Date: 1/8/16

Printed Name of Owner(s): Corey Guthrie

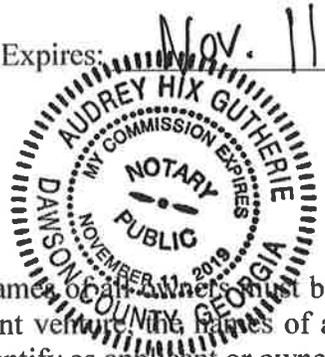
Signature of Owner(s): [Signature] Date 1/8/16

Sworn and subscribed before me this 8 day of January, 2016.

[Signature]
Notary Public

My Commission Expires: Nov. 11, 2019

(Seal)



(The complete names of all owners must be listed, if the owner is a partnership, the names of all partners must be listed, if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

VR# 16-02

TMP# 114 029

List of Adjacent Property Owners

It is the responsibility of the Applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property.

****Please note this information should be obtained using the Tax Map and Parcel Number listing any parcel(s) adjoining or adjacent to parcel where variance or rezone is being requested.**

Name

Address

TMP 113 044 007 1. Etowah Water & Sewer Auth PO Box 769, Dawsonville, GA 30534

TMP 113 044 009 2. Bobba Kishore, 1580 Johnston Trace, Suwanee, GA 30024

TMP 113 044 002 3. Parsa Investments, LLC, 4169 Carmain Drive, Atlanta, GA 30342

TMP 113 032 4. D40, LLC 355 Brogdon Rd Suite 211, Suwanee, GA 30024

TMP 113 032 002 5. Edna K Stephens, 445 Lumpkin Campground Rd Dawsonville, GA 30534

TMP 113 032 003 6. Russell N & Felicia D Stephens, 555 Lumpkin Campground Rd, Dawsonville, GA 30534

TMP 113 032 001 7. Russell N & Felicia D Stephens, 555 Lumpkin Campground Rd, Dawsonville, GA 30534

TMP 113 044 001 8. Roger Lanier Stephens, 759 Lumpkin Campground Rd, Dawsonville, GA 30534

TMP _____ 9. _____

TMP _____ 10. _____

TMP _____ 11. _____

TMP _____ 12. _____

TMP _____ 13. _____

TMP _____ 14. _____

TMP _____ 15. _____

Use additional sheets if necessary.

Official Tax Receipt
Dawson County
 25 Justice Way, Suite 1222
 Dawsonville, GA 30534
 --Online Receipt--

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2015 - 12594	113 044 / 001 LL 196-198 221 222 LD 13-S FMV: \$775,376.00	\$7,655.74	\$76.56 Fees: \$0.00 \$0.00		\$7,732.30	\$7,732.30	\$0.00 Current Due: \$0.00
	Totals:	\$7,655.74	\$76.56		\$7,732.30	\$7,732.30	\$0.00

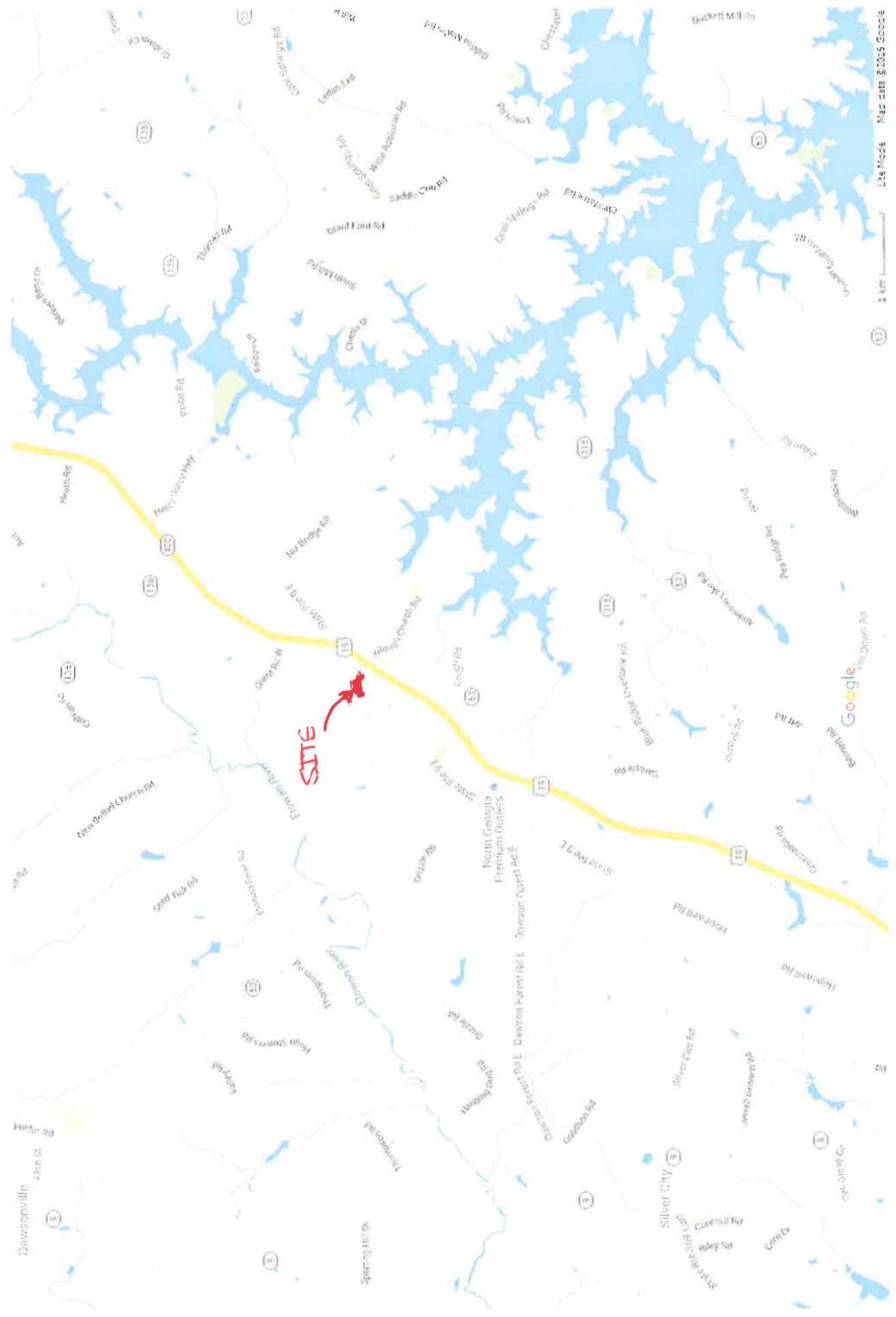
Paid Date: 12/31/2015

Charge Amt: \$7,732.30

STEPHENS RAYFORD DONALD ESTATE
 445 LUMPKIN CAMPGROUND RD

DAWSONVILLE, GA 30534





1 km

© 2015 Google

Map data © 2015 Google

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Dawson County Assessor			
Parcel: 113 032 Acres: 35.13			
Name:	D40 LLC	Land Value	\$440,109.00
Site:	500 LUMPKIN CMPGD RD N	Building Value	\$31,140.00
Sale:	\$720,000 on 12-2013 Reason=MV Qual=Q	Misc Value	\$2,500.00
Mail:	355 BROGDON RD	Total Value:	\$473,749.00
	STE 211		
	SUWANEE, GA 30024		



The Dawson County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER DAWSON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
 Date printed: 01/15/16 : 15:45:42



Dawson County Assessor			
Parcel: 113 032 002 Acres: 8.88			
Name:	STEPHENS EDNA K	Land Value	\$127,552.00
Site:	445 LUMPKIN CMPGD RD N	Building Value	\$243,301.00
Sale:		Misc Value	\$53,068.00
Mail:	445 LUMPKIN CAMPGROUND RD N DAWSONVILLE, GA 30534	Total Value:	\$423,921.00



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Dawson County Assessor

Parcel: 113 032 003 Acres: 3

Name:	STEPHENS RUSSELL N & FELICIA D	Land Value	\$58,140.00
Site:	555 LUMPKIN CMPGD RD N	Building Value	\$227,412.00
Sale:		Misc Value	\$5,293.00
Mail:	555 LUMPKIN CAMPGROUND ROAD DAWSONVILLE, GA 30534	Total Value:	\$290,845.00



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Dawson County Assessor

Parcel: 113 032 001 Acres: 13.9

Name:	STEPHENS RUSSELL N & FELICIA D	Land Value	\$204,930.00
Site:	0	Building Value	\$0.00
Sale:	\$0 on 12-2006 Reason=PT Qual=Q	Misc Value	\$0.00
Mail:	555 LUMPKIN CAMPGROUND ROAD DAWSONVILLE, GA 30534	Total Value:	\$204,930.00



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Dawson County Assessor

Parcel: 113 044 001 Acres: 26.59

Name:	STEPHENS ROGER LANIER	Land Value	\$445,117.00
Site:	759 LUMPKIN CMPGD RD N	Building Value	\$271,314.00
State:		Misc Value	\$20,530.00
Mail:	759 LUMPKIN CAMPGROUND ROAD DAWSONVILLE, GA 30534	Total Value:	\$736,961.00



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Dawson County Assessor

Parcel: 113 044 002 Acres: 4.12

Name:	PARSA INVESTMENTS LLC	Land Value	\$708,400.00
Site:	0	Building Value	\$0.00
Sale:	\$250,000 on 08-2015 Reason=CL Qual=Q	Misc Value	\$0.00
Mail:	4169 CARMAN DRIVE ATLANTA, GA 30342	Total Value:	\$708,400.00



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Dawson County Assessor

Parcel: 113 044 009 Acres: 4.34

Name:	BOBBA KISHORE	Land Value	\$-1.00
Site:	0	Building Value	\$-1.00
Sale:	\$250,000 on 03-2015 Reason=CL Qual=Q	Misc Value	\$-1.00
Mail:	1580 JOHNSTOWN TRACE SUWANEE, GA 30024	Total Value:	\$-1.00



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Dawson County Assessor

Parcel: 113 044 007 Acres: 9.48

Name:	ETOWAH WATER AND SEWER AUTHORITY	Land Value	\$170,214.00
Site:	868 LUMPKIN CMPGD RD	Building Value	\$0.00
Sale:	\$325,000 on 07-2011 Reason=LM Qual=Q	Misc Value	\$23,520.00
Mail:	PO BOX 769 DAWSONVILLE, GA 30534	Total Value:	\$193,734.00



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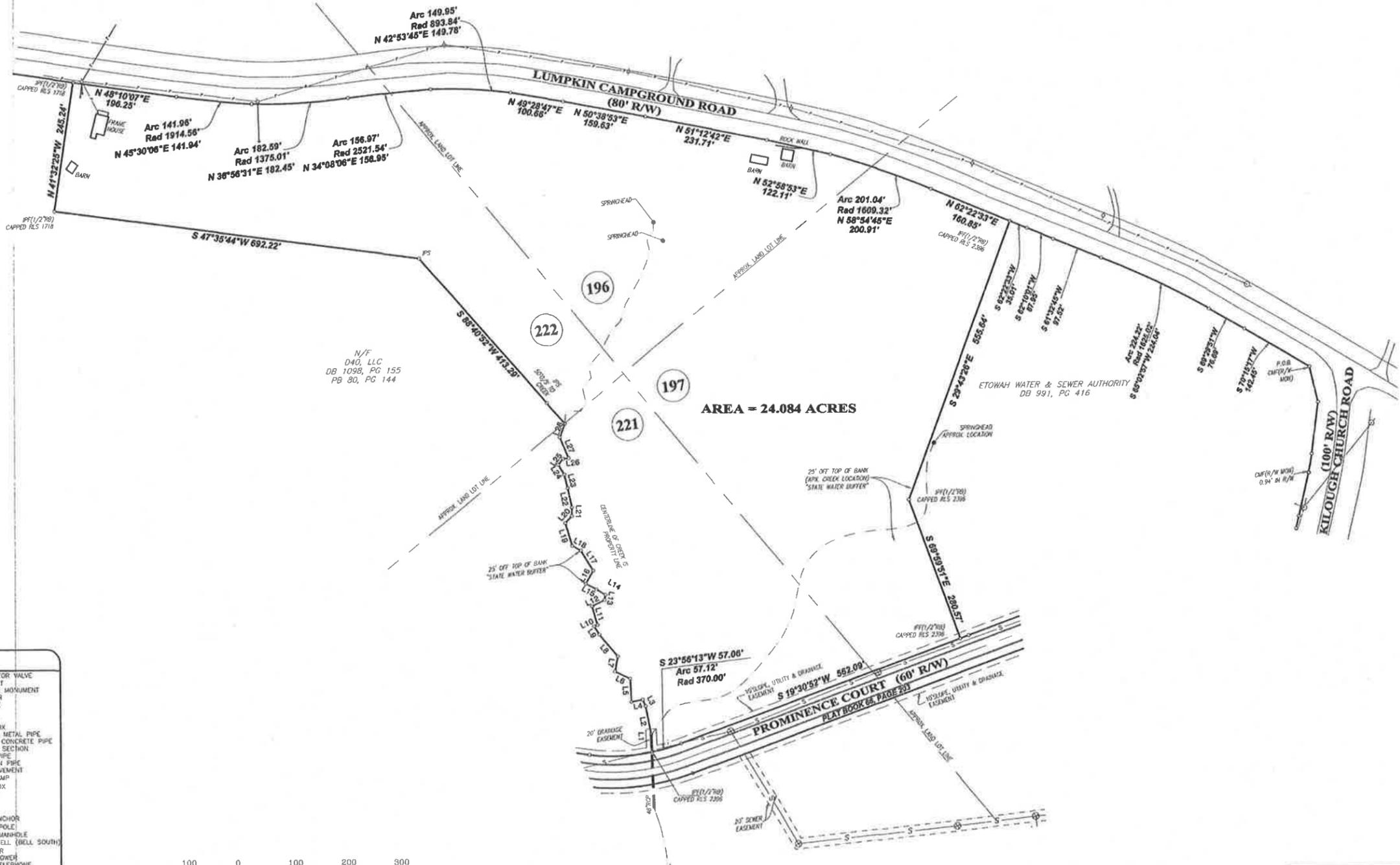
NOTES:
 1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
 2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
 3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON RECORD MAGNETIC NORTH.

- REFERENCES:
- 1.) SURVEY FOR DONALD STEPHENS PREPARED BY MORELAND ALTOBELLI DATED 3-2-04.
 - 2.) RIGHT-OF-WAY MAPS FOR D.O.T. PROJECT NUMBER ADP 056-1(33) DAWSON COUNTY.
 - 3.) SURVEY FOR CLYDE N. STEPHENS ESTATE BY B. K. ROCHESTER & ASSOC. DATED 3-21-74.
 - 4.) SURVEY FOR DCN STEPHENS PREPARED BY MORELAND ALTOBELLI ASSOC. DATED 1-19-05.
 - 5.) SURVEY FOR BRYAN PROPERTIES PREPARED BY TRAIL AND SON, INC. DATED 9-13-13 AND BEING RECORDED IN PLAT BOOK 80, PAGE 144.
 - 6.) SURVEY FOR ETOWAH WATER & SEWER AUTHORITY PREPARED BY MORELAND ALTOBELLI AND ASSOCIATES, DATED JULY 1, 2011.

FLOOD NOTE:
 ACCORDING TO FIRM COMMUNITY PANEL NUMBER 130304 0125A, DATED DEC. 15, 1990 FOR DAWSON COUNTY, GEORGIA THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.



Course	Bearing	Distance
L1	N 52°11'17" W	33.06'
L2	N 61°10'24" W	64.41'
L3	N 76°00'27" W	13.24'
L4	S 30°21'12" W	22.28'
L5	N 53°28'10" W	43.75'
L6	S 65°33'09" W	32.00'
L7	N 36°56'45" W	26.91'
L8	S 89°20'03" W	64.98'
L9	N 81°52'23" W	18.20'
L10	N 16°33'27" E	7.02'
L11	N 68°09'32" W	36.40'
L12	N 14°11'23" E	26.94'
L13	N 39°55'22" W	9.89'
L14	S 69°56'36" W	20.40'
L15	S 68°59'34" W	22.58'
L16	N 20°33'04" W	28.72'
L17	N 81°07'32" W	44.61'
L18	S 69°01'46" W	18.72'
L19	N 66°09'55" W	44.98'
L20	N 08°09'17" W	18.22'
L21	N 49°01'36" W	16.14'
L22	N 62°07'23" W	37.21'
L23	N 63°27'11" W	26.22'
L24	N 68°42'23" W	21.29'
L25	N 13°04'05" W	14.42'
L26	N 34°01'24" E	10.43'
L27	N 72°15'27" W	42.88'
L28	N 29°57'29" W	27.44'



LEGEND

IPF = IRON PIN FOUND	MG = MAGNOLIA	PIV = POST INDICATOR VALVE
IPS = IRON PIN SET (1/2" REBAR)	MA = MAPLE	PH = FIRE HYDRANT
OT = OPEN TOP PIPE	O = OAK	WVM = WATER VALVE MONUMENT
CT = CRIMP TOP PIPE	OR = ORNAMENTAL	WM = WATER METER
CWF = CONCRETE FOUNDATION	P = PINE	WV = WATER VALVE
R/W = RIGHT OF WAY	PC = PECAN	CI = CURB INLET
P/L = PROPERTY LINE	PL = POPLAR	DI = DRAIN INLET
C/L = CENTERLINE	PO = POST OAK	JB = JUNCTION BOX
LL = LAND LOT	PR = PEAR	CM = CORRUGATED METAL PIPE
N/F = NOW OR FORMERLY	RB = RIVER BIRCH	RC = REINFORCED CONCRETE PIPE
DB = DEED BOOK	RT = RED TOP	FES = FLARED END SECTION
PB = PLAY BOOK	RZ = ROSE BUSH	CI = CAST IRON PIPE
F = FENCE LINE	SG = SWEETGUM	DIP = DUCTILE IRON PIPE
A = AZALEA	SH = SHIRAZ	EP = EDGE OF PAVEMENT
B = BIRCH	SP = SPRUCE	HCR = HANDICAP RAMP
BH = BEECH	SY = SYCAMORE	W = WILLOW
BP = BRADFORD PEAR	UN = UNIDENTIFIED HARDWOOD	WL = WALNUT
C = CHERRY	W = WILLOW	WO = WATER OAK
CD = CEDAR	WP = WHITE PINE	WP = WHITE PINE
CM = CREPE MYRTLE	DWS = DETECTABLE WARNING SURFACE	TP = TELEPHONE POLE
DW = DOGWOOD	PU = PLANT URN	TELEMH = TELEPHONE MANHOLE
E = ELM	SO = SIGN	SB = SOUTHERN BELL (BELL SOUTH)
FG = FGD	FOC = FIBER OPTIC CABLE	TR = TRANSFORMER
GRS = GRASSSED AREA	SSMH = SANITARY SEWER MANHOLE	OP = OVERHEAD POWER
GUBV = GROWN UP	U.G. = UNDERGROUND	OT = OVERHEAD TELEPHONE
H = HICKORY	TL = TRAFFIC LIGHT	OP-T = OVERHEAD POWER & TELE
HR = HEDGE ROW	CP = CAMERA POLE	UG = UNDERGROUND POWER
HY = HOLLY	SP = TRAFFIC POLE	UG-T = UNDERGROUND TELEPHONE
JM = JAPANESE MAPLE	TSB = TRAFFIC SIGNAL BOX	UGC = U.G. COMMUNICATIONS
L = LOCUST	EM = ELECTRIC MANHOLE	UG-G = UNDERGROUND GAS
LA = LANDSCAPED AREA	MB = MAIL BOX	UT = UNDERGROUND TELEPHONE
LY = LITTLELAND CYPRESS	EB = ELECTRIC BOX	UT-T = TELEPHONE TERMINAL
M = MULBERRY		UT-P = TELEPHONE PEDESTAL



Moreland Altobelli Associates, Inc.
 Engineering • Planning • Landscape Architecture • Land Acquisition • Surveying
 L&P 000334, EXP. 12/30/2014
 930 Interstate Ridge Drive, Suite "F"
 Gainesville, Georgia 30601
 PHONE: (770) 632-4021 FAX: (770) 632-4023



ACTIVE ADULT COMMUNITIES, LLC
 LAND LOTS 196, 197, 221 & 222
 SOUTH HALF 13TH DISTRICT - 1ST SECTION
 DAWSON COUNTY, GEORGIA

SURVEY FOR:
SHEET 1 of 1 SHEETS
 VERTICAL SCALE: N.A.
 HORIZONTAL SCALE: 1" = 100'
 DATE: 3-10-2014
 DATE OF FIELD SURVEY: 3-08-2014
 DRAWN BY: DRJ
 CHECKED BY: DRJ
 JOB NO.: 14G206

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