

DAWSON COUNTY VARIANCE APPLICATION

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

VR 16-28 Tax Map & Parcel # (TMP): ~~118-040-000~~
118-040
Current Zoning: RA Commission District #: _____
Submittal Date: 9-8-16 Time: 3:41 am/pm Received by: lu (staff initials)
Fees Assessed: 300.00 Paid: _____
Planning Commission Meeting Date: 10-18-16

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Donald W. Moss Estate
Address: P.O. Box 1492
Dawsonville, GA 30534
Phone: Listed Unlisted Email: Business Personal
Status: Owner 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: _____ Applicant Signature: _____

PROPERTY INFORMATION

Street Address of Property: 33 and 55 Pirates Point
Land Lot(s): 24 District: 25 Section: 13-5
Subdivision/Lot: _____ Building Permit #: _____ (if applicable)
Directions to the Property: 400 North, right on Henry Grady, right on
Moss Rd, right on Mountainside Dr, right on
Pirates Point.

REQUESTED ACTION

See attached

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

If other, please describe: None

Type of Variance requested:

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

instead of the required distance of _____ 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): _____

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: Strict enforcement would result in these two houses being treated differently than all the others in the area

55 Pirates Point –

LUR Article III, Section 121-67-3-a

LUR Article III, Section 121-67-3-b-1 – side setback reduction of 13' to allow existing structure to remain 7' from the side property line

LUR Article III, Section 121-67-3-b-1 – front setback reduction of 30' to allow existing structure to remain 10' from the front property line

33 Pirates Point –

LUR Article III, Section 121-67-3-a

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: These two houses were built on
part of a large tract and never deeded out to another
entity.

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: _____
These houses have existed here for many many years
with no problem and the variance would not change
anything except improvement to the area.

4. Describe why granting this variance would support the general objectives within this Resolution:
It would clean up problems that have been
let go too long. We didn't create the problem,
just trying to fix it.

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.)

PROPERTY OWNER AUTHORIZATION

I / we Donald W. Moss Estate James Swafford Exec hereby swear that I / we own the property located at (fill in address and / or tax map & parcel #):

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: James Swafford

Signature of applicant or agent: James Swafford Date: 9-8-16

Printed Name of Owner(s): Donald W. Moss Estate

Signature of Owner(s): _____ Date _____

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

Niki M. Escalante
Notary Public

My Commission Expires: 05-14-2019

(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# _____

TMP# _____

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 _____ | 1. | <u>See attached</u> | _____ |
| TMP _____ | 2. | | _____ |
| TMP _____ | 3. | | _____ |
| TMP _____ | 4. | | _____ |
| TMP _____ | 5. | | _____ |
| TMP _____ | 6. | | _____ |
| TMP _____ | 7. | | _____ |
| TMP _____ | 8. | | _____ |
| TMP _____ | 9. | | _____ |
| TMP _____ | 10. | | _____ |
| TMP _____ | 11. | | _____ |
| TMP _____ | 12. | | _____ |
| TMP _____ | 13. | | _____ |
| TMP _____ | 14. | | _____ |
| TMP _____ | 15. | | _____ |

Use additional sheets if necessary.

APPLICANT CERTIFICATION

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my special use or rezoning application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

I hereby certify that I have read the above and that the above information as well as the attached information is true and correct.

Signature of Applicant or Agent: James Swanson Date: 9-8-16
Signature of Witness: [Signature] Date: 9-8-16

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application #: _____

Signature: _____ Date: _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development office if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following that written request and publication the Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fee may be made unless directed by the Board of Commissioners.

TMP	First	Last	Address	City/State/Zip	Case#
114-041-001	Chick-Fl-A Inc.		5200 Burlington Road	Atlanta, GA 30349-2998	VR 16-23
114-006-001	HD Development of Maryland, Inc.	c/o Home Depot USA Inc.	P.O. Box 105842	Atlanta, GA 30348-5842	VR 16-23
114-006	Wal-Mart Real Estate Business Trust	c/o RE Property Tax Dept.	P.O. Box 8050, MS 0555	Bentonville, AR 72712-8050	VR 16-23
114-004	Chespen GCA Realty	CPG Partners LP	P.O. Box 6120	Indianapolis, IN 46206	VR 16-23
069-032	Stephen	Lynch	659 Nuggett Ridge Road	Dawsonville, GA 30534	VR 16-25
069-087	Shane & Diana	Haygood	881 Nuggett Ridge Road	Dawsonville, GA 30534	VR 16-25
069-059	Clint Troy	Goode	785 Nuggett Ridge Road	Dawsonville, GA 30534	VR 16-25
055-023-003	Mitchell Ray	Park	768 Nuggett Ridge Road	Dawsonville, GA 30534	VR 16-25
055-023-002	Judith & Richard	Fox	732 Nuggett Ridge Road	Dawsonville, GA 30534	VR 16-25
055-018-001	Louise	Cruse	5760 Nannon Wallace Road	Cumming, GA 30028	VR 16-25
106-336	Violet	Byrd	702 Lumpkin Camperground Road	Dawsonville, GA 30534	VR 16-26
106-371	Jorge & Rosa Maria	Estrada	99 Valley Brook Circle East	Dawsonville, GA 30534	VR 16-26
106-372	Wesley & Melany	Stallings	85 Valley Brook Circle East	Dawsonville, GA 30534	VR 16-26
106-373	John	Phillip, II	71 Valley Brook Circle East	Dawsonville, GA 30534	VR 16-26
106-374	Thomas	Kauke	57 Valley Brook Circle East	Dawsonville, GA 30534	VR 16-26
106-375	Dana & Angela	Garrison	41 Valley Brook Circle East	Dawsonville, GA 30534	VR 16-26
105-049-006; 105-049	Edmond & Robert	Wallace	2841 Grizzle Road	Dawsonville, GA 30534	VR 16-26
106-070-004; 106-070-007	John	Mackno	2502 West 7th Street	Austin, TX 78703	VR 16-26
106-040-007; 106-040-066; 118-040-011; 118-040-012; 118-040-009; 118-040-008; 118-043; 118-040; 118-040-010; 118-040-004; 118-040-005; 118-040-006; 118-040-007; 118-041; 118-118; 118-040-001; 118-063	D.W. Moss Estate		P.O. Box 1492	Dawsonville, GA 30534	VR 16-27; VR 16-28; VR 16-30
106-040-008	Tammy	Underwood	115 Silver Fox Drive	Dawsonville, GA 30534	VR 16-27
106-040-019	Ryan & Teresa	Snoemaker	4425 Longmont Drive	Dawsonville, GA 30534	VR 16-27
106-040-020	Timothy & Shirley	Purcell	86 Silver Fox Drive	Dawsonville, GA 30534	VR 16-27
118-085	Grady	Jones	110 Mountnain Drive	Dawsonville, GA 30534	VR 16-28
118-089	Lillie Mae	Wilkins	119 Hickory Ridge	Cumming, GA 30040-2052	VR 16-28
118-089-001	Judy	Rogers	7601 S.W. 169 Street	Miami, FL 33157	VR 16-28
118-039-002	Margaret & Bennett Abbott	Abbott	118 Emmett Moss Road	Dawsonville, GA 30534	VR 16-28
118-112; 118-039-006	Jeffrey & Margaret	Abbott	187 Emmett Moss Road	Dawsonville, GA 30534	VR 16-28
118-025	Jackie	Helton	342 Henry Grady Hwy.	Dawsonville, GA 30534	VR 16-28
118-015	Michael	Honn	49 Valley Drive	Dawsonville, GA 30534	VR 16-28
118-051	Jon Kevin	Marshall	P.O. Box 1072	Dawsonville, GA 30534	VR 16-28
118-050	Richard	Durham	121 Cavender Castle Drive	Dahlonega, GA 30533	VR 16-28
118-049	Prada Bertha Antonia	Martinez	434 Henry Grady Hwy.	Dawsonville, GA 30534	VR 16-28
118-047	Baron & Brettina	Brown	62 Magnolia Way	Dawsonville, GA 30534	VR 16-28
118-046	Ben & Brandy	Popphan	65 Magnolia Way	Dawsonville, GA 30534	VR 16-28 & VR 16-30
118-040-002	Judy	Johnson	56 Pirates Point	Dawsonville, GA 30534	VR 16-28; VR 16-30
118-055	Steven & Heather	Sylvester	71 Moss Road	Dawsonville, GA 30534	VR 16-28
118-045	Anna	Finch	132 Moss Road	Dawsonville, GA 30534	VR 16-30
118-044	Walter	Larmond	606 Mauldin Road	Sautee Nacoochee, GA 30571	VR 16-30
118-040-003	Carolyn	Reidenbach	504 Young Loop	Fairmount, GA 30139	VR 16-30
118-042	Kenneth & Sharron	Robinson	226 Moss Road	Dawsonville, GA 30534	VR 16-30
118-087	Dawn	Dermon	2540 Cambridge Hills Road	Cumming, GA 30041	VR 16-30
118-086	Ronald	Marshall	98 Mountain Side Drive	Dawsonville, GA 30534	VR 16-30
118-088	Aurelia & David	Colosseo	329 Deans Drive	Dawsonville, GA 30534	VR 16-30
118-064	Danny	Fraser	261 Moss Road	Dawsonville, GA 30534	VR 16-30
118-065	Norman & Kathy	Blalock	66 Katydld Lane	Dawsonville, GA 30534	VR 16-30

2015 Property Tax Statement

Linda Townley
 Dawson County Tax Commissioner
 25 Justice Way
 Suite 1222
 Dawsonville, GA 30534

MAKE CHECK OR MONEY ORDER PAYABLE TO:
 Dawson County Tax Commissioner

MOSS D W
 P O BOX 1492
 DAWSONVILLE, GA 30534

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Linda Townley
 Dawson County Tax Commissioner
 25 Justice Way
 Suite 1222
 Dawsonville, GA 30534

Bill No.	Due Date	TOTAL DUE
2015-9220		.00

Map : 118 040

Last payment made on: 10/28/2015

Printed: 09/08/2016

Location: 152 PLANTATION DR

Payment deadline for 2016 taxes is December 1, 2016, for property you owned in Dawson County on January 1st 2016. If you sold the property during the year, you are still responsible by state law to insure this bill is paid by forwarding the bill to the NEW OWNER and bringing a copy of your closing statement to our office within 90 days of the due date.

Thank you for the privilege to serve as your Tax Commissioner.

Tax Payer: MOSS D W
Map Code: 118 040 REAL
Description: LL 24 25 LD 13-S
Location: 152 PLANTATION DR
Bill No: 2015-9220
District: 001 DAWSON COUNTY UNINCORPORATE

Phone: (706) 344-3520 Fax: (706) 531-2753

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions	
0	680,396	54.3100	680,396					
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	680,396.00	272,158.00		272,158.00	.050	13.61		13.61
COUNTY M&O	680,396.00	272,158.00		272,158.00	13.009	3,540.50		2,214.82
SALES TAX ROLLBACK				272,158.00	-4.871		-1,325.68	
SCHOOL M&O	680,396.00	272,158.00		272,158.00	16.496	4,489.52		4,489.52
TOTALS					24.684	8,043.63	-1,325.68	6,717.95

This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

You can pay your bill by mail or on our website at www.dawsoncountytax.com.
 If postmarked after December 1, 2016, interest at rate prescribed by law will be added the day after the due date. Every 120 days a penalty as prescribed by law will be added. If bill is marked appealed-temporary the bill is 85% of total bill pending settlement of appeal.
NO PAYMENT CONTRACTS WILL BE ALLOWED.
 For your convenience a drop box is located at end of handicapped parking.

Current Due	6,717.95
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	6,717.95
Back taxes	0.00
TOTAL DUE	.00

Printed: 09/08/2016



Area of Minimal Flood Hazard: Determined to be outside the 0.2% annual chance floodplain

X: 500 Year Flood - Areas of 0.2% annual chance flood

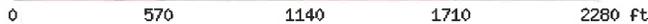
A: 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined

AE: 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations

AO or AH: Areas subject to inundation by 1-percent-annual-chance shallow flooding, average depths 1-3 feet

VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action) Base Flood Elevations determined

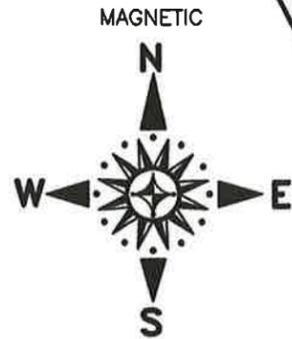
Openwater



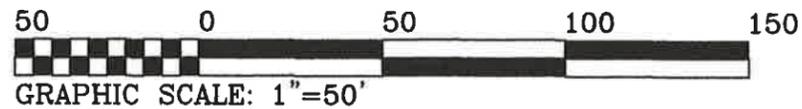
Dawson County Assessor			
Parcel: 118 040 Acres: 52.12			
Name:	MOSS D W	Land Value	\$591,041.00
Site:	0	Building Value	\$95,714.00
Sale:	\$56,000 on 11-1992 Reason=FM Qual=Q	Misc Value	\$5,456.00
Mail:	P O BOX 1492 DAWSONVILLE, GA 30534	Total Value:	\$692,211.00



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: 09/08/16 : 15:03:34



- LEGEND:**
 IPF - IRON PIN FOUND
 RBS - REBAR SET
 RBF - REBAR FOUND
 OTPF - OPEN TOP PIPE FOUND
 PP - POWER POLE
 S/D - SUBDIVISION
 SQ. - SQUARE
 P/L - PROPERTY LINE
 R/W - RIGHT OF WAY
 N/F - NOW OR FORMERLY
 B/S - BUILDING SETBACK
 C/L - CENTER LINE
 LL - LAND LOT
 LLL - LAND LOT LINE
 DB.- DEED BOOK
 PB.- PLAT BOOK
 PG. - PAGE
 P.O.B. - POINT OF BEGINNING



PLAT OF BOUNDARY SURVEY FOR:
DONALD W. MOSS ESTATE

BEING A PORTION OF LOT 8D OF THE MOSS ESTATES SUBDIVISION (PB.13, PG.95) AND
 A PORTION OF THE PROPERTY DESCRIBED IN DB.161, PG.623
 #33 PIRATES POINT

JOB #: 16-011G
 SCALE: 1" = 50'
 DATES:
 FIELD SURVEY:
 9-9-2016
 PLAT PREPARATION:
 9-11-2016



PREPARED BY:
**BENCHMARK
 LAND SURVEYING, P.C.**
 4012 DARRYL LANE
 GAINESVILLE GEORGIA 30506
 PHONE: 770 532 7203
 EMAIL: benchmark.inc@mindspring.com

LOCATED IN:
**LAND LOTS - 24, 25 & 37
 SOUTH HALF 13TH DISTRICT
 FIRST SECTION
 DAWSON COUNTY
 GEORGIA**

ZONED: RA
 BUILDING SETBACKS
 FRONT 40'
 SIDE 20'
 REAR 35'

NOTES:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 193,274 FEET.

A LEICA TS12 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,639 FEET AND AN ANGULAR ERROR OF 00°00'05" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.

THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF DAWSON COUNTY, GA FLOOD MAP NUMBER 13085C0150B EFFECTIVE DATE: SEPTEMBER 26, 2008.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

AREA = 1.00 ACRE

N/F
**DONALD W. MOSS
 ESTATE**
 DB.161, PG.623

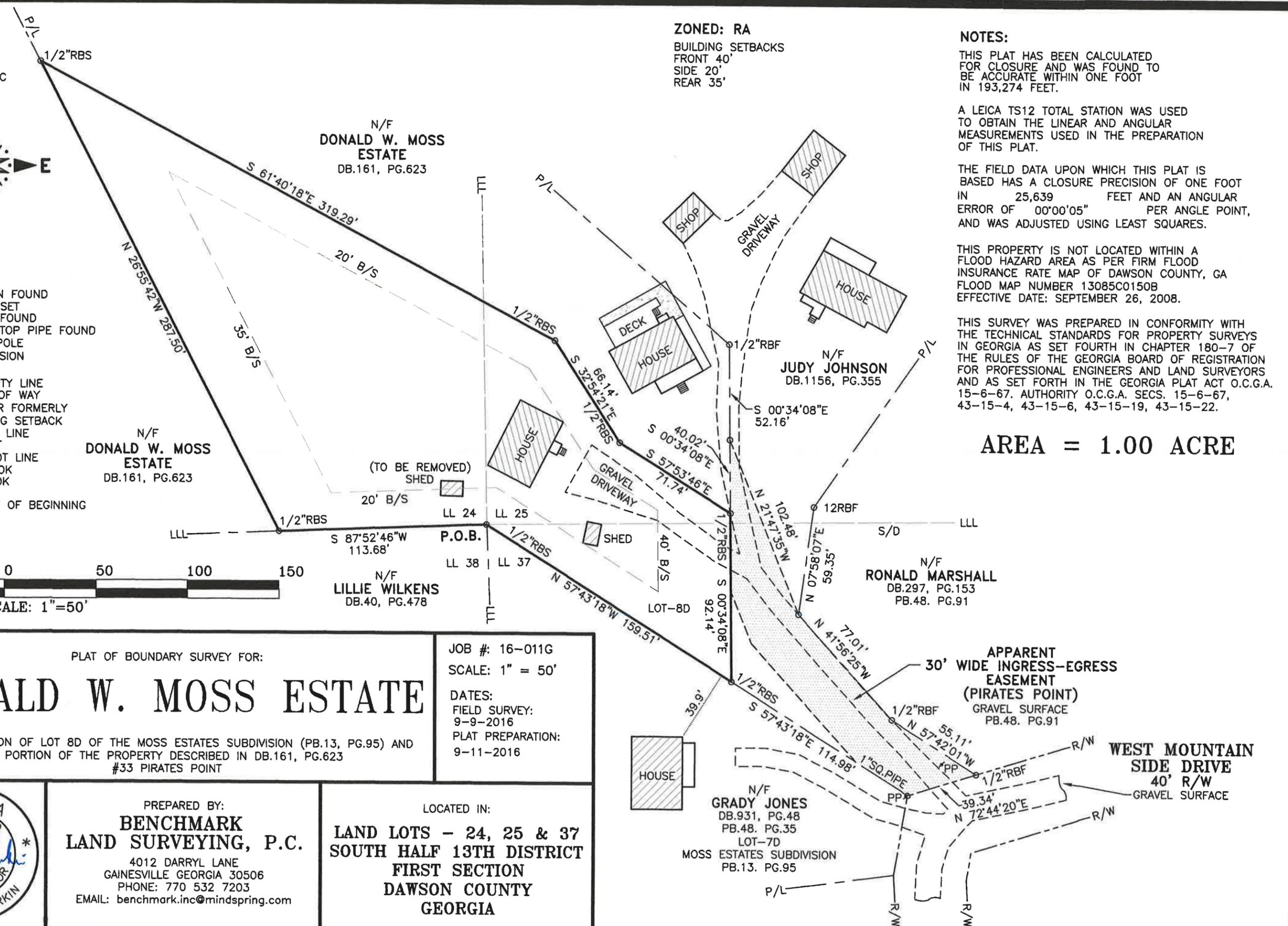
N/F
**DONALD W. MOSS
 ESTATE**
 DB.161, PG.623

N/F
LILLIE WILKENS
 DB.40, PG.478

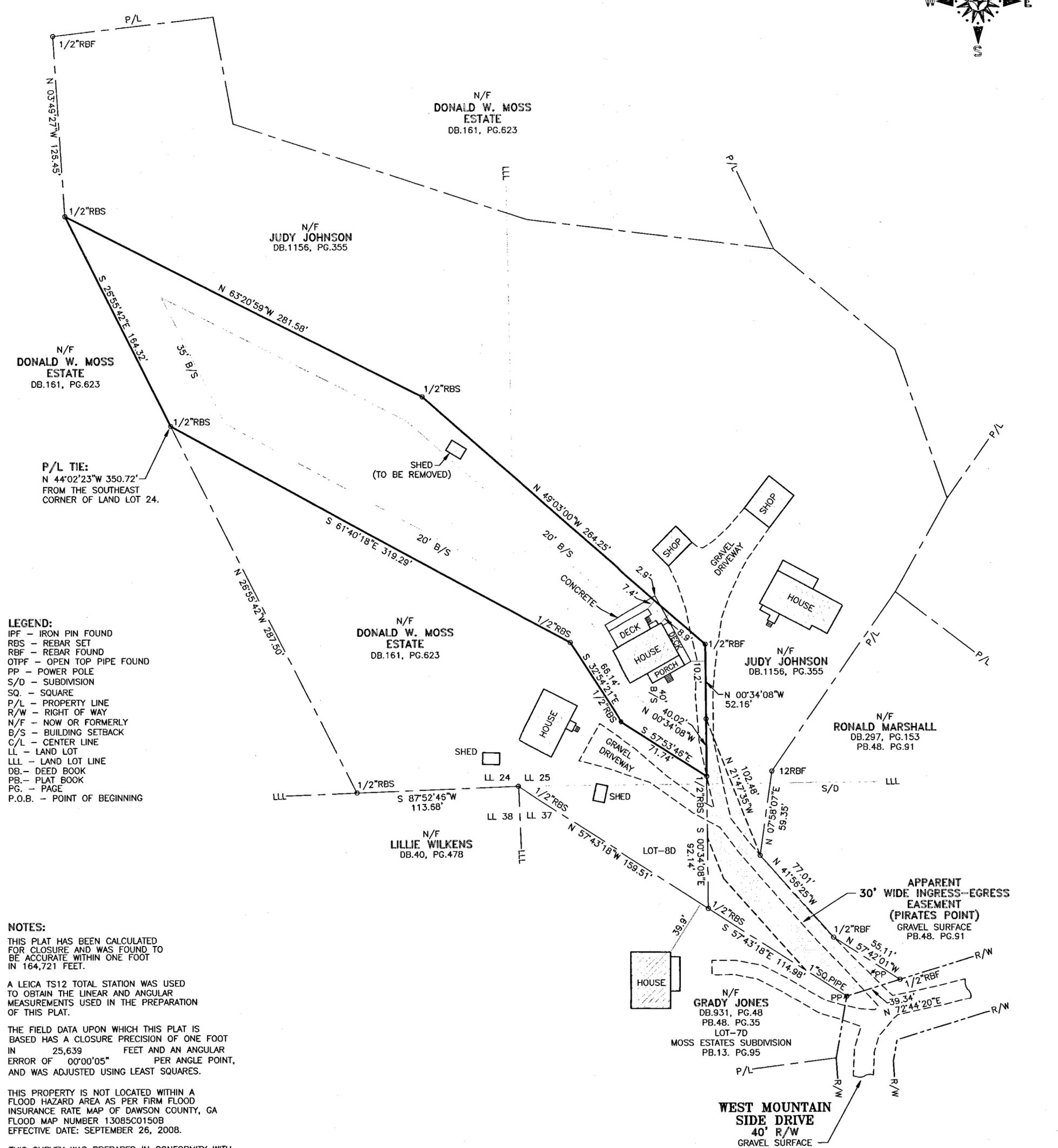
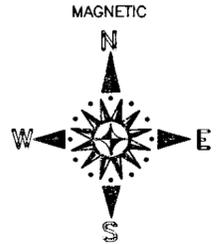
N/F
JUDY JOHNSON
 DB.1156, PG.355

N/F
RONALD MARSHALL
 DB.297, PG.153
 PB.48, PG.91

N/F
GRADY JONES
 DB.931, PG.48
 PB.48, PG.35
 LOT-7D
 MOSS ESTATES SUBDIVISION
 PB.13, PG.95



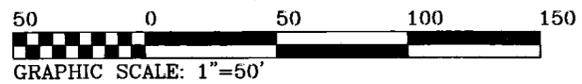
ZONED: RA
 BUILDING SETBACKS
 FRONT 40'
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 LLL - LAND LOT LINE
 DB. - DEED BOOK
 PB. - PLAT BOOK
 PG. - PAGE
 P.O.B. - POINT OF BEGINNING

NOTES:
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 164,721 FEET.
 A LEICA TS12 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,639 FEET AND AN ANGULAR ERROR OF 00°00'05" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.
 THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF DAWSON COUNTY, GA FLOOD MAP NUMBER 13085C0150B EFFECTIVE DATE: SEPTEMBER 26, 2008.
 THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

AREA = 1.00 ACRE



PREPARED BY:
BENCHMARK LAND SURVEYING, P.C.
 4012 DARRYL LANE
 GAINESVILLE GEORGIA 30506
 PHONE: 770 532 7203
 EMAIL: benchmark.inc@mindspring.com

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DONALD W. MOSS ESTATE
 BEING A PORTION OF THE PROPERTY DESCRIBED IN DB.161, PG.623
 #55 PIRATES POINT

LOCATED IN:
LAND LOTS - 24 & 25
SOUTH HALF 13TH DISTRICT
FIRST SECTION
DAWSON COUNTY
GEORGIA

JOB NUMBER:
 16-011H
 SCALE:
 1" = 50'
 DATES:
 FIELD SURVEY:
 9-9-2016
 PLAT PREPARATION:
 9-12-2016