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Planning Commission Agenda
Monday, August 14, 2023 – 6:00pm

Perry Administration Building 1211 Washington Street, Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from July 10, 2023
5. Announcements
 - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place cell phones in silent mode.
6. Citizens with Input
7. Old Business
8. New Business
 - A. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on September 5, 2023)
 - **ANNX #0095-2023.** Annex & Rezone Property on Main Street, Parcel 000570 008000 from Houston County R-AG to City of Perry R-3, Single Family Residential. The applicant is Bryant Engineering.
 - **RZNE #0096-2023.** Rezone Property on Keith Drive & Main Street, Parcels 0P04403D000, 0P04400 10000, and 0P0440 06000 from R-1 & R-2 to R-3, Single Family Residential. The applicant is Bryant Engineering.
9. Other Business
10. Commission questions or comments
11. Adjournment

All meetings of the Planning Commission are open to the public.

(478) 988-2720

<https://perry-ga.gov/business-services/community-development/planning-and-zoning>

Planning Commission
Minutes - July 10, 2023 – 6:00pm

1. Call to Order: Chairman Edwards called the meeting to order at 6:02pm.
2. Roll Call: Chairman Edwards; Commissioners Butler, Jefferson, Guidry, Moody, Mehserle, and Ross were present.

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk

Guests: None

3. Invocation: was given by Commissioner Jefferson
4. Approval of Minutes from June 12, 2023, and work session June 26, 2023
Commissioner Moody motioned to approve as submitted; Commissioner Mehserle seconded; all in favor and was unanimously approved.
5. Announcements – Chairman Edwards referred to the notices as listed
 - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place cell phones in silent mode.
6. Citizens with Input- None
7. Old Business

TEXT-0024-2023. Revise Section 6-9, sign regulations. The applicant is the City of Perry. *(Tabled from June 12, 2023, meeting- Scheduled for public hearing before City Council on August 1, 2023)*

Mr. Wood advised from the work session it had been reviewed if additional signage could be allotted for food trucks. Staff felt food trucks were no different than a tenant on the property and any signs they need could be addressed between the owner and tenant. A-frame signs are only permissible in the downtown area. Mr. Wood noted there had been an inquiry from a church which is permissible in residential districts, it had been proposed for 24 square feet for non-family and multi-family districts currently but have changed to 32 square feet. The church had inquired about a reader board sign, but that would have to be approved through the variance process. An additional change was also made for maintenance of non-conforming signs to include the frame/face.

Commissioner Guidry motioned to recommended approval to Mayor & Council of the application as submitted; Commissioner Butler seconded; all in favor and was unanimously recommended for approval.

8. New Business – None

9. Other Business – Mr. Wood advised the renovations are nearing completion for the new city hall and beginning September meetings will be held there.
10. Commission questions or comments – None
11. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:13pm.

DRAFT



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STAFF REPORT

From the Department of Community Development

August 10, 2023

CASE NUMBER: ANNX-0095-2023

APPLICANT: Bryant Engineering, Chad Bryant

REQUEST: Annexation and Rezone of 22.5 acres from RAG (County) to R-3, Single-family Residential

LOCATION: Main Street; Tax Map Number: 000570 008000

BACKGROUND INFORMATION: The applicant proposes to annex the entirety of the above referenced parcel into the City of Perry. It will be combined with the properties to the immediate left of this parcel to create a subdivision. The lot is proposed to be zoned R-3, Single-family Residential.

There are no known covenants or restrictions on the subject property which would preclude the uses permitted in the proposed zoning district.

STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:

1. The existing land uses and zoning classifications of nearby property.

	Zoning	Land Use
North	GU, Governmental Use	Public Park
South	R-1, Single-Family Residential	Single-family residences, vacant land
East	R-AG, Residential Agriculture	Agriculture
West	OI, Office Institutional and C2, General Commercial	Offices and Single-family residences

2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties. The proposed zoning district allows only single-family residential uses by right. This is consistent with surrounding uses.

3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties. The proposed zoning district and the development of single-family residences is not expected to adversely impact the use of surrounding properties.

4. Describe how the proposed zoning district is consistent with the Comprehensive Plan. The subject property is in a “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. The Suburban Residential character area calls for a mix of housing densities and types.

- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** The proposed zoning district will not cause an excessive burden on existing public facilities. Main Street and Keith Dr are arterial streets which can accommodate additional traffic generated by development allowed in the district. City water capacity is available. Sanitary sewer is available; capacity will be evaluated based on the developer's phasing plan.
- 6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.** The property is contiguous to the existing city boundary on the west and north property lines.

STAFF RECOMMENDATION: Staff recommends approval of the annexation request and the proposed zoning classification of R-3, Single-family Residential.

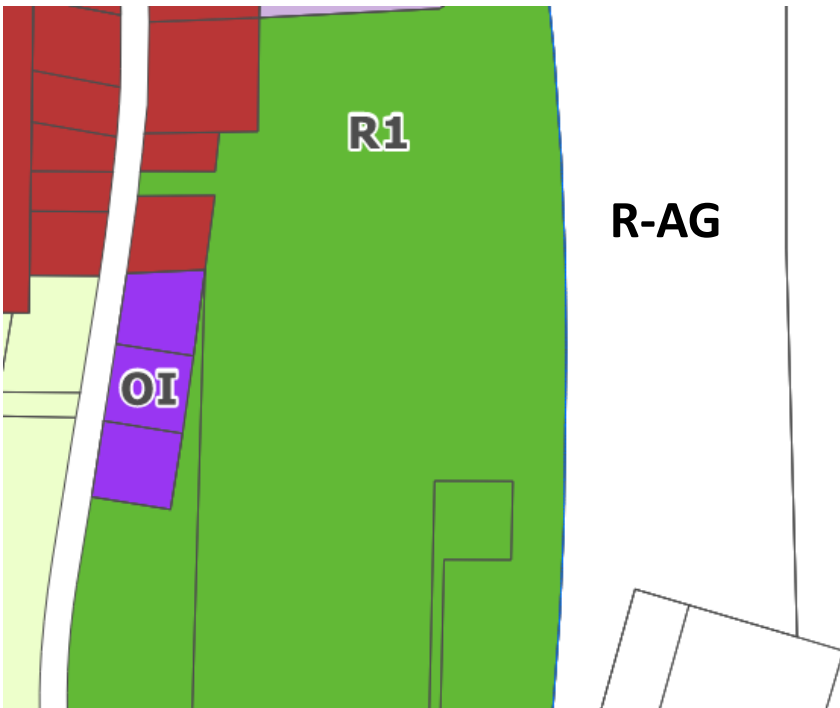
ANNX-0095-2023

Main Street/Keith Dr

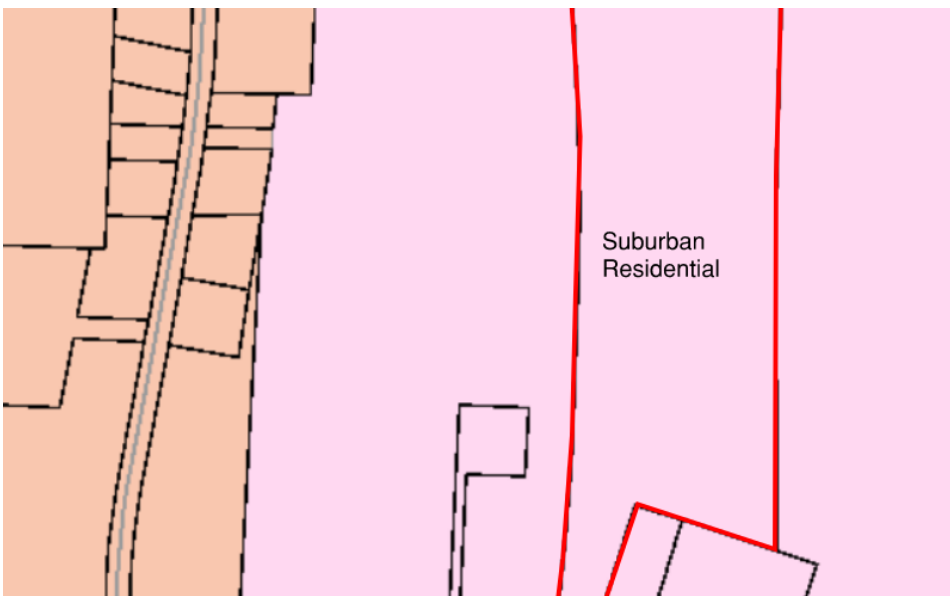
R-AG to R-3



Aerial



Zoning



Character Area



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Application # Annex # 0095-2023

Application for Annexation

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Bryant Engineering, Chad Bryant	Parlow Farms, Charles Ayer
*Title	PE	owner
*Address	PO Box 1831 Perry, GA 31069	1444 Sam Nunn Blvd, Perry, GA 31069
*Phone	478-224-7070	478-988-2380
*Email	Chad@bryantengile.com	CharlesAyer@7deSportsCenter.com

Property Information

*Street Address or Location	Main Street 22.5 acres
*Tax Map #(s)	000570008000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property, tied to the Georgia Planes Coordinate System. **If the property being annexed is a portion of a recorded parcel, the portion being annexed must be a separate recorded parcel before this application will be accepted as complete.**

Request

*Current County Zoning District	RAG	*Proposed City Zoning District	R-3
*Please describe the existing and proposed use of the property Note: A Site Plan and/or other information which fully describes your proposal may benefit your application. see attached Site Plan			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$300.00 plus \$25.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$500.00 plus \$40.00/acre
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Annexation applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.
- *Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No CA
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. *Signatures:

*Applicant		*Date 6/30/23
*Property Owner/Authorized Agent		*Date 6/30/23

Standards for Granting a Zoning Classification

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

1. Identify the existing land uses and zoning classification of nearby properties.
2. Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.
3. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.
5. Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools.
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

June 30, 2023

Project #0606-008

Mr. Bryan Wood
Community Development Director
City of Perry Planning and Zoning
741 Main Street
Perry, Georgia 31069
(478) 988-2720
bryan.wood@perry-ga.gov

**Subject: Standards for Granting a Zoning Classification
Keith Drive/Main Street Annexation* & Rezoning
Subject Parcels #0P044003D000 (6.16 Acres) Keith Drive; #0P0440010000 (46.70
Acres) Main Street; #0P0440006000 (1.42 Acres) 1911 Main Street; #000570008000
(22.50 Acres) Main Street***

Dear Mr. Wood,

Please see attached application and plat for rezoning for the subject parcels totaling approximately 54.28-acres located on Keith Drive and Main Street. The following addresses the Standards for Granting a Rezoning Classification:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? No

- 1. The existing land uses and zoning classification of nearby properties:* The subject parcels are currently zoned R-1 and R-2, and is undeveloped. The parcels to the north are zoned GU. The property to the south of Main Street is zoned R-1. The property to the west of Keith Drive is zoned R-3. The property to the east is zoned as R-AG, and is undeveloped.
- 2. The suitability of the subject property for the zoned purposes;* The R-3 zoning classification permits single-family residential uses. The surrounding properties are zoned as R-AG (county), R-1 (city), and R-3 (city); therefore, the proposed use of single-family residential is consistent with adjacent and nearby properties.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions;* With the exception of the north adjacent lot, all other nearby properties are zoned residential including requested zoning of R-3. The proposed R-3 zoning does not adversely impact the existing use or usability of surrounding properties.
- 4. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare to the public;* The proposed rezoning will conform with adjacent properties and should not negatively affect surrounding areas.
- 5. The relative gain to the public as compared to the hardship imposed upon the individual property owner;* The proposed zoning will not pose an excessive burdensome use of existing infrastructure. City water and sanitary sewage is available for the property and surrounding areas. The area also will be able to support any increase in traffic that may result of the proposed zoning classification.

6. **Whether the subject property has a reasonable economic use as currently zoned;** Current conditions support rezoning the subject property to the R-3 zoning district as surrounding developments exist as residential districts and would complement nearby established neighborhoods. Houston county would greatly benefit from additional residential development as there is high demand for these uses.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property;** With the exception of the 1.42 acre tract, all properties have been zoned residential and are undeveloped.
8. **Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;** The proposed use of single-family residential is consistent with adjacent and nearby properties.
9. **Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;** The proposed use of single family residential zoning (R-3) will not adversely affect the existing use of nearby properties because it conforms with other residential zoning.
10. **Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;** According to the 2022 Joint Comprehensive Plan Update, the subject property is located in the Suburban Residential character area; therefore, the proposed R-3 zoning designated for residential use is in compliance with the Comprehensive Plan.
11. **Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools;** These parcels are located off Main Street (Hwy 341) which is a state route and a major throughfare in Perry.
12. **Whether there are other existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the zoning proposal.** With the exception of the 1.42 acre tract, all properties have been zoned residential and are undeveloped.

Additionally, see attached application for annexation and rezoning for 22.50 acres located on Main Street. The following addresses the Standards for Granting a Rezoning Classification:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? No

1. **Identify the existing land uses and zoning classification of nearby properties.** The subject parcels are currently zoned R-1 and R-2, and is undeveloped. The parcels to the north are zoned GU. The property to the south of Main Street is zoned R-1. The property to the west of Keith Drive is zoned R-3. The property to the east is zoned as R-AG, and is undeveloped.
2. **Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.** The R-3 zoning classification permits single-family residential uses. The surrounding properties are zoned as R-AG (county), R-1 (city), and R-3 (city); therefore, the proposed use of single-family residential is consistent with adjacent and nearby properties.

3. ***Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.*** The proposed use of single family residential zoning (R-3) will not adversely affect the existing use of nearby properties because it conforms with other residential zoning.
4. ***Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.*** According to the 2022 Joint Comprehensive Plan Update, the subject property is located in the Suburban Residential character area; therefore, the proposed R-3 zoning designated for residential use is in compliance with the Comprehensive Plan.
5. ***Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools.*** These parcels are located off Main Street (Hwy 341) which is a state route and a major throughfare in Perry.
6. ***Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*** With the exception of the 1.42 acre tract, all properties have been zoned residential and is undeveloped.

We would like to be placed on the next available agenda for the Perry Planning Commission. Please let me know if you have any questions or concerns.

Sincerely,



Chad Bryant, P.E.
President
Bryant Engineering

Doc ID: 013197100006 Type: GLR
Recorded: 01/08/2014 at 04:23:31 PM
Fee Amt: \$1,945.00 Page 1 of 6
Transfer Tax: \$1,925.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
BK 6463 PG 258-263

(Above space for recording officer use.)

After recording return to:

File No.: P'13-644

158424

WHGM

WALKER HULBERT GRAY & MOORE, LLP
P. O. Box 1770 / 909 Ball Street
Perry, Georgia 31069
Attorney: LARRY WALKER

STATE OF GEORGIA
COUNTY OF HOUSTON

EXECUTOR'S DEED UNDER POWER

THIS INDENTURE, made and entered into this 26th day of December, 2013, between **H. DAVID MOORE**, as **Executor of the Last Will and Testament and Estate of Mae D. Chapman, deceased**, of the State of Georgia, and County of Houston, of the First Part (hereinafter called "Grantor") and **PARKWAY FARMS, LLC**, a Georgia limited liability company, duly organized and existing under the laws of the State of Georgia, 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 the said grantor (acting under and by virtue of the power and authority contained in said wills, the same having been duly probated and recorded in the Court of Probate of Houston County, Georgia), for and in consideration of the sum of ONE MILLION NINE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 (\$1,925,000.00) DOLLARS, in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold, alienated, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee, all the following property, to-wit:

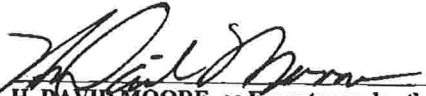
[FOR DESCRIPTION OF REAL PROPERTY SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE THERETO]

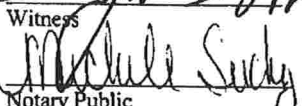
THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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 its successors and assigns in fee simple, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said MAE D. CHAPMAN.

IN WITNESS WHEREOF, grantors herein have hereunto set their hands and seals, the day and year first above written.

Signed, sealed and delivered in the presence of

 (SEAL)
H. DAVID MOORE, as Executor under the Last Will and Testament and Estate of Mae D. Chapman, deceased

Witness

Michele Suchy
Notary Public


 MICHELE SUCHY
Notary Public
STATE OF GEORGIA
My Comm. Exp. 1/9/14

EXHIBIT "A"
LEGAL DESCRIPTION

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PARCEL NO. 1: All that tract or parcel of land lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, comprising 10 acres, known and designated as Tract "A" according to a plat of survey made by Milton Beckham, Surveyor, dated May 27, 1971, a copy of which is of record in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract A.

The above described property is the same property conveyed to Tom Chapman by R.T. Tuggle, Jr., by Warranty Deed dated October 6, 1972, recorded in Deed Book 403, Page 670, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 11 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3C, comprising 10.0 acres, more or less.

PARCEL NO. 2: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, comprising 25.32 acres, as shown by a plat of survey made by Rhodes Sewell, Surveyor, dated April 13, 1968, recorded in Map Book 12, Page 90, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 25.32 acre tract or parcel.

The above described property is a portion of the property conveyed to Tom Chapman by R.T. Tuggle, Sr., by Warranty Deed dated May 27, 1968, recorded in Deed Book 304, Page 277, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 7 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-9; P44-6; and P44-6C, comprising a total of 22.92 acres, more or less.

PARCEL NO. 3: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, comprising 10 acres of land, more or less, being known and designated as Tract "B" on a plat of survey prepared by Milton Beckham, Surveyor, dated May 27, 1971, a copy of said plat being recorded in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract B.

The above described property is the same property conveyed to Tom Chapman by Ruth Wynelle T. Shelton by Warranty Deed dated October 6, 1972 and recorded in Deed Book 403, Page 675, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 12 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3B, comprising 10.0 acres, more or less.

PARCEL NO. 4: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, being partly within the City of Perry and partly outside the city, comprising 44.17 acres, more or less, according to a plat of survey made by Rhodes Sewell, Surveyor, on April 13, 1968, a copy of said plat being of record in Map Book 12, Page 90, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 44.17 acre tract.

The above described property is the same property conveyed to Tom Chapman by W.V. Tuggle by Warranty Deed dated May 27, 1968, recorded in Deed Book 304, Page 278, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, in the City of Perry, comprising 0.49 acres of land, as more particularly described on plat recorded in Map Book 24, Page 205,

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Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 0.49 acres of land.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, in the City of Perry, as more particularly described on plat recorded in Map Book 34, Page 198, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel. Said parcel contains 19,783 square feet according to said plat of survey.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, and in the City of Perry, Georgia, being known and designated as Parcel A, comprising 1.000 acres, and having such shapes, metes, bounds, courses and distances as are shown on plat of record recorded in Map Book 35, Page 5, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel A.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, and in the City of Perry, Georgia, being known and designated as Parcel B, comprising 1.000 acres, and having such shapes, metes, bounds, courses and distances as are shown on plat of record recorded in Map Book 35, Page 5, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel B.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, containing 4.636 acres, as shown on plat recorded in Map Book 43, Page 94, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 4.636 acre tract or parcel.

The above described property is ALSO the same property as Parcel No. 6 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court

LESS AND EXCEPT, all that tract or parcel of land being known as Parcel A, containing 1.000 acre and Parcel B, containing 5.491 acres, as more particularly shown on plat of record recorded in Map Book 22, Page 13, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description.

LESS AND EXCEPT, all that tract or parcel of land comprising 2.4 acres, more or less, according to the Houston County Tax Assessors Office, and being more particularly shown in a Warranty Deed recorded in Deed Book 1157, Page 425, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land being known as Parcel C, containing 0.490 acre, as more particularly shown on plat of record recorded in Map Book 58, Page 100, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description.

Reference: Map Code P44-10; and 57-8, comprising 27.71 acres, more or less.

PARCEL NO. 5: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, known and designated as Tract "C", containing 9.16 acres according to a plat of survey made by Milton Beckham, Surveyor, on May 27, 1971, a copy of said plat being recorded in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract C.

The above described property is the same property conveyed to Tom Chapman by R.T. Tuggle, Sr., by Warranty Deed dated October 6, 1972 and recorded in Deed Book 403, Page 673, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 13 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the Tenth Land District of Houston County, Georgia, known and designated as Parcel "K-

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1", comprising 1.000 acres, according to a plat of survey prepared for Mae D. Chapman by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated July 25, 2007, a copy of which is recorded in Map Book 69, Page 129, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes. Said less and excepted property is the same property as conveyed from Mae D. Chapman to Joseph S. Lomboy and Marietta Olaiivar-Lomboy by Warranty Deed dated December 10, 2007 and recorded in Deed Book 4506, Pages 236-237, Clerk's Office, Houston Superior Court.

LESS ANDEXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the Tenth Land District of Houston County, Georgia, known and designated as Parcel "V", comprising 1.00 acres, according to a plat of survey entitled "Survey for "Aaron G. Velie", prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 19, 2008, a copy of which is recorded in Map Book 74, Page 61, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes. Said less and excepted property is the same property as conveyed from H. David Moore, as Executor under the Last Will and Testament and Estate of Mae D. Chapman to Perry Family Practice, LLC by Executor's Deed dated March 6, 2012 and recorded in Deed Book 5780, Pages 257-258, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3D, comprising 7.16 acres, more or less.

PARCEL NO. 6: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, containing 1.5 acres, more particularly shown on a plat of survey prepared by Rhodes Sewell, Surveyor, on February 15, 1969, a copy of said plat being of record in Map Book 12, Page 261, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 1.5 acres hereby conveyed.

The above described property is the same property conveyed to Tom Chapman by Lamar DeLoach by Warranty Deed dated June 6, 1986, recorded in Deed Book 722, Page 467, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 8 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-10, comprising 1.5 acres, more or less.

PARCEL NO. 7: All that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, comprising 2.01 acres, designated as Parcel "B" on a plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor No. 1591, dated March 31, 1983, and recorded in Map Book 25, Page 216, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel B.

The above described property is the same property conveyed to Tom S. Chapman by Mary Porter Langston, Individually and as Administratrix With Will Annexed of the Estate of I.M. Langston, Jr., deceased, by Warranty Deed dated February 11, 1986, and recorded in Deed Book 708, Page 603, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 10 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-14, comprising 2.01 acres, more or less.

PARCEL NO. 8: All that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, being known and designated as Tract A, containing 198.6 acres, more or less, and having such shape, metes, bounds, distances and courses as are shown on plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor No. 1591, dated March 31, 1983, recorded in Map Book 25, Page 216, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular description of said Tract A hereby conveyed.

The above described Property is the same property conveyed to Tom S. Chapman by Mary P. Langston and I.M. Langston, Jr. by Warranty Deed dated May 6, 1983, recorded in Deed Book 628, Page 314, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, being more particularly described as follows: BEGINNING at a point 75 feet left on an opposite Station 330 + 59.94 on the survey centerline of Perry Bypass on Georgia Highway Project No. PR-8540-1 (153) from the point of beginning; thence from the beginning of a curve, which is the point of beginning, said curve having a central angle of 011 degrees 16 minutes 01 seconds, radius 7714.440 feet, chord bearing South 14 degrees 36 minutes 43.2 seconds East, and a chord distance of 1514.571 feet along the said curve for an arc distance of 1517.014 feet to the end of the curve; thence South 08 degrees 58 minutes 42.6 seconds East for 1418.202 feet to a point on the boundary; thence South 49 degrees 16 minutes 30.4 seconds East 76.271 feet to a point on the boundary; thence South 89 degrees 34 minutes 18.2 seconds East for 205.006 feet to a point on the boundary; thence South 00 degrees 27 minutes 07.6 seconds East for 25.003 feet to a point on the boundary; thence North 89 degrees 34 minutes 18.2 seconds West for 1072.472 feet to a point on the boundary; thence North 00 degrees 25 minutes 41.8 seconds East for 25.000 feet to a point on the boundary; thence South 89 degrees 34 minutes 18.2 seconds East for 615.037 feet to a point on the boundary; thence North 40 degrees 43 minutes 29.6 seconds East for 64.674 feet to a point on the boundary; thence North 08 degrees 58 minutes 42.6 seconds West for 1393.351 feet to the beginning of a curve, said curve having central angle of 011 degrees 20 minutes 21 seconds, radius 7564.440 feet, chord bearing North 14 degrees 38 minutes 53.3 seconds West, and a chord distance of 1494.615 feet along the said curve for an arc distance of 1497.057 feet to the end of the curve; thence South 78 degrees 35 minutes 19.1 seconds East for 13.079 feet to a point on the boundary; thence North 76 degrees 44 minutes 13.6 seconds East for 15.001 feet to a point on the boundary; thence North 76 degrees 44 minutes 6.0 seconds East for 6.000 feet to a point on the boundary; thence North 70 degrees 00 minutes 5.9 seconds East for 43.028 feet to a point on the boundary; thence North 69 degrees 26 minutes 2.6 seconds East for 59.167 feet to a point on the boundary; thence North 70 degrees 43 minutes 27.3 seconds East for 15.836 feet to the POINT OF BEGINNING, containing 10.861 acres.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, consisting of 1.151 acres, more or less, conveyed by Tom Chapman to the City of Perry by Right of Way Deed dated August 9, 1991 and recorded in Deed Book 928, Page 210, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, and consisting of 0.012 acre, more or less, conveyed by Tom Chapman to the City of Perry by Right of Way Deed dated August 20, 1993 and recorded in Deed Book 1046, Page 757, Clerk's Office, Houston Superior Court.

The above described property is the same as Parcel No. 9 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-12, comprising 186.58 acres, more or less.

PARCEL NO. 9: All that tract or parcel of land situate, lying and being in Land Lot 144 of the 10th Land District of Houston County, Georgia, comprising 84.34 acres, having such shape, metes, bounds, courses or distances as are shown on plat of record recorded in Map Book 9, Page 43, Clerk's Office, Houston Superior Court. Said plat shows 139.34 acres, and the property herein is all of said described property except that certain 55 acres, more or less, thereof which was previously conveyed to Robert L. Lucky, Jr., by deed of record in Deed Book 217, Page 486, Clerk's Office, Houston Superior Court. Said plat is by reference thereto incorporated herein for the purpose of a more particular and accurate description of said 84.34 acre tract or parcel.

The above described property is the same property conveyed to Tom Chapman by E. Beverly Chester by Warranty Deed dated December 22, 1977, and recorded in Deed Book 515, Page 737, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 144 of the 10th Land District, of Houston County, Georgia, comprising 1.229 acres, known and designated as Parcel "A" as shown on plat of record in Map Book 52, Page 118, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel A.

The above described property is ALSO the same property as Parcel No. 19 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 83-23, comprising 83.4 acres, more or less.

BOOK 6463 PAGE 263

PARCEL NO. 10: All that tract or parcel of land situate, lying and being in the 10th Land District of Houston County, Georgia, and in the East part of Land Lot 142, containing 94.60 acres, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, Surveyor, on April 23, 1940, a copy of said plat being of record in Map Book 1, Page 306, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 94.60 acres.

The above described property is the same property conveyed to Tom Chapman by Gus Bannister by Warranty Deed dated December 12, 1973, and recorded in Deed Book 427, Page 154, Clerk's Office, Houston Superior Court.

LESS ANDEXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10th Land District of Houston County, Georgia, comprising 61.030 acres, according to plat of record recorded in Map Book 51, Page 174, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 61.030 acres.

LESS ANDEXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10th Land District of Houston County, Georgia, containing .0904 acres, known and designated as Parcel D according to that certain plat of survey of record in Map Book 52, Page 120, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel D.

The above described property is ALSO the same property as Parcel No. 15 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 82-16, comprising 33.47 acres, more or less.

ALSO CONVEYED is that certain 30.00' strip along Land Lot lines 143 and 144 and being more particularly described as follows: All that tract or parcel of land situate, lying and being in Land Lot 143 and 144 of the Tenth Land District of Houston County, Georgia, being known and designated as Tract "MC", comprising 2.11 acres, according to that certain plat of survey of said Property entitled "Survey for Estate of Mae D. Chapman", prepared by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 18, 2013, a copy of which is of record in Map Book 75, Pages 194, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Said 30.00' strip described above is the same property as conveyed from The Board of Commissioners of Houston County, Georgia to H. David Moore in his capacity as Executor of the Last Will and Testament and the Estate of Mae D. Chapman, Deceased, dated December, 2013 and as recorded in the Clerk's Office, Houston Superior Court.

NOTE: All tax map codes and acreage references are for informational purposes only.



BRYANT ENGINEERING
 CHAD R. BRYANT, P.E.
 1111 Peachtree Road, Suite 1000
 Atlanta, Georgia 30309
 Phone: (404) 525-1000
 Fax: (404) 525-1001
 www.bryanteng.com

BE
 BRYANT ENGINEERING

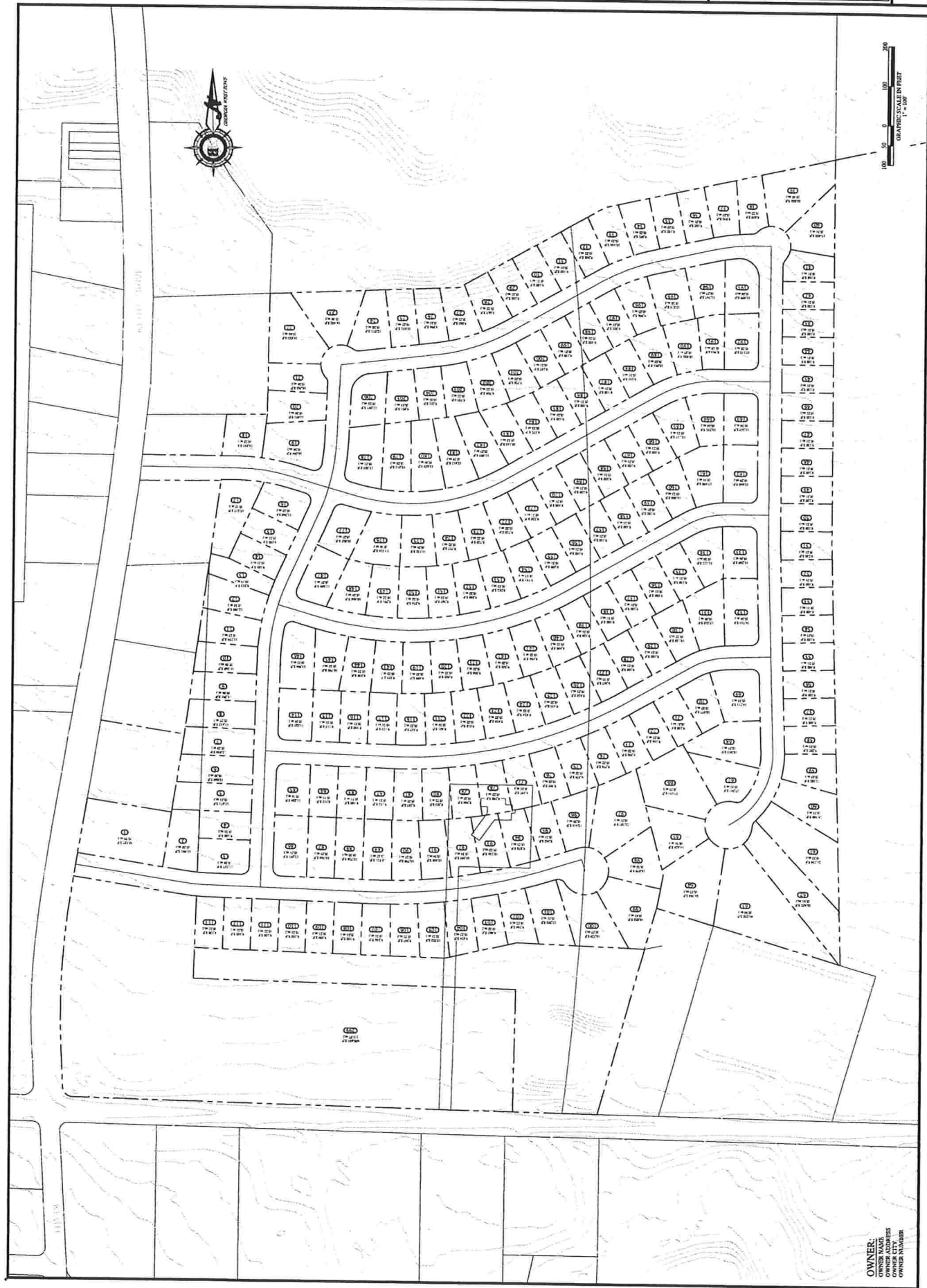
PROJECT NAME: _____
 SCALE: 1" = 40'
 DATE: 12/20/11
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____

COVER SHEET FOR: _____

WARNER ROBINS
 PROJECT NAME: _____
 GEORGIA

REV	DATE	DESCRIPTION

SHEET NO. **C0.1**



OWNER:
 OWNER CITY:
 OWNER ADDRESS:
 OWNER NUMBER:



Where Georgia comes together.

Department of Community Development

July 6, 2023

Houston County Board of Commissioners
200 Carl Vinson Parkway
Warner Robins, Georgia 31088

Via email with delivery receipt to: thall@houstoncountyga.org
rdunbar@houstoncountyga.org
kgeorge@houstoncountyga.org

Houston County School District
1100 Main Street
Perry, Georgia 31069

Via email with delivery receipt to: mark.scott@hcbe.net

Ladies and Gentlemen,

Pursuant to O.C.G.A. § 36-36-6 and § 36-36-111, please be advised the City of Perry has accepted the following petition to annex property into the City of Perry:

- Property location: Main Street
- Parcel # 000570 008000
- Requested City of Perry zoning classification: R-3, Single Family Residential District
- Proposed Land Use: The property is currently vacant. The applicant proposes to build single-family dwellings.

A copy of the annexation petition and supporting documents is attached.

A public hearing regarding this petition is scheduled for September 5, 2023, at 6:00 pm at Perry City Hall, 808 Carroll Street, Downtown Perry.

Sincerely,

Bryan Wood, Director
Community Development

Attachments



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
August 9, 2023

CASE NUMBER: RZNE-0096-2023

APPLICANT: Bryant Engineering, Chad Bryant

REQUEST: Rezone 3 parcels from R-1, Single-Family Residential to R-3, Single-Family Residential

LOCATION: #0P0440 03D000 (6.16 Acres) Keith Drive, #0P0440 010000 (46.70 Acres) Main Street; #0P0440 006000 (1.42 Acres) 1911 Main Street

BACKGROUND INFORMATION: The properties are currently used for conservation purposes, housing a thriving pecan grove and vacant single-family residence. The parcels are expected to be converted into a housing development by Bryant Engineering. Applicant is seeking the R-3 designation to allow for more density in the new development.

STANDARDS GOVERNING ZONE CHANGES:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **Applicant is not aware of any covenants or restrictions pertaining to these parcels.**

1. The existing land uses and zoning classification of nearby property.

	Zoning	Land Use
North	GU, Governmental Use	Public Park
South	R-1, Single-Family Residential	Single-family residences, vacant land
East	R-AG, Residential Agriculture	Agriculture
West	OI, Office Institutional and C2, General Commercial & R-3, Single-Family Residential	Offices and Single-family residences; undeveloped

- 2. The suitability of the subject property for the zoned purposes.** The property is suitable for single-family residential development.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** The property values are not diminished by the current zoning classification.
- 4. The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** Because the property has been zoned for single-family use for years, there is not impact on the health, safety, morals, and general welfare of the public.
- 5. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no impact to the public under the current zoning.
- 6. Whether the subject property has a reasonable economic use as currently zoned.** The property is economically viable as zoned, however it is currently not being used to its highest and best use.
- 7. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The subject property has a structure on it that has been vacant for an unknown amount of time.

8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The rezoning will increase the overall number of available residences in the city, in accordance with the 2022 – 2026 Comprehensive Plan.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The proposed zoning will not adversely affect the existing uses or usability of adjacent or nearby properties.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** Parcel 0P0440 03D000 and a small portion of parcel 0P0440 010000 are in an In-Town Corridor Character Area. The remainder of parcel 0P0440 010000 and the entirety of parcel 0P0440 006000 are in a Suburban Residential Character area.
11. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** The proposed zoning district will not cause an excessive burden on existing public facilities, utilities, or schools. Main Street and Keith Dr are arterial streets which can accommodate additional traffic generated by development allowed in the district. City water capacity is available. Sanitary sewer is available; capacity will be evaluated based on the developer's phasing plan.
12. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.** There are no conditions staff is aware of.

STAFF RECOMMENDATION:

Staff recommends approval of the zoning change from R-1, Single-Family Residential to R-3, Single-Family Residential.

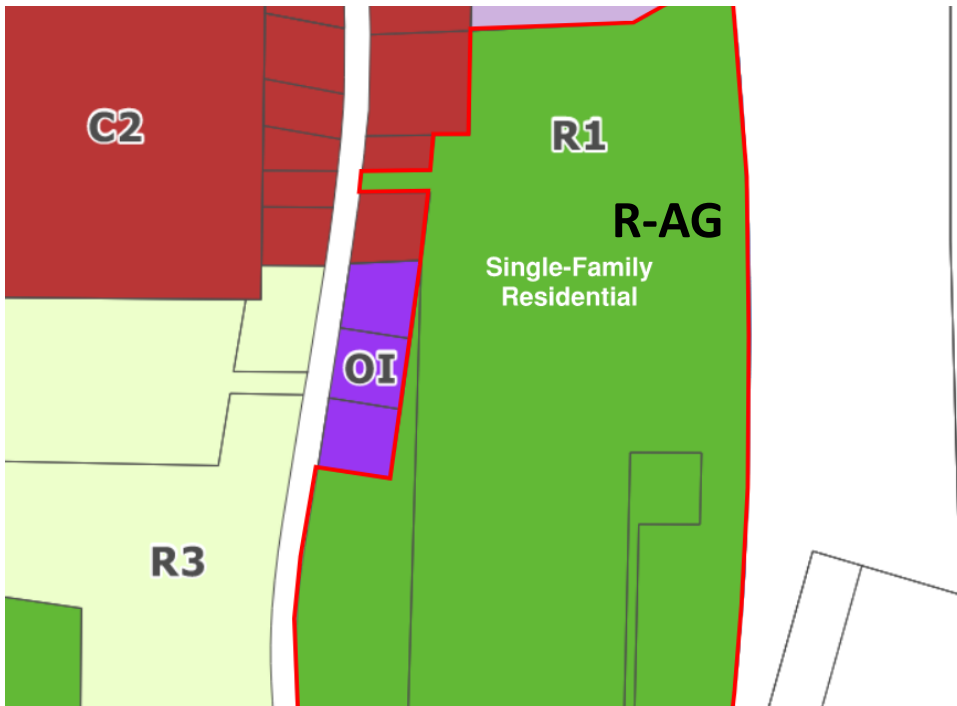
ANNX-0095-2023

Main Street/Keith Dr

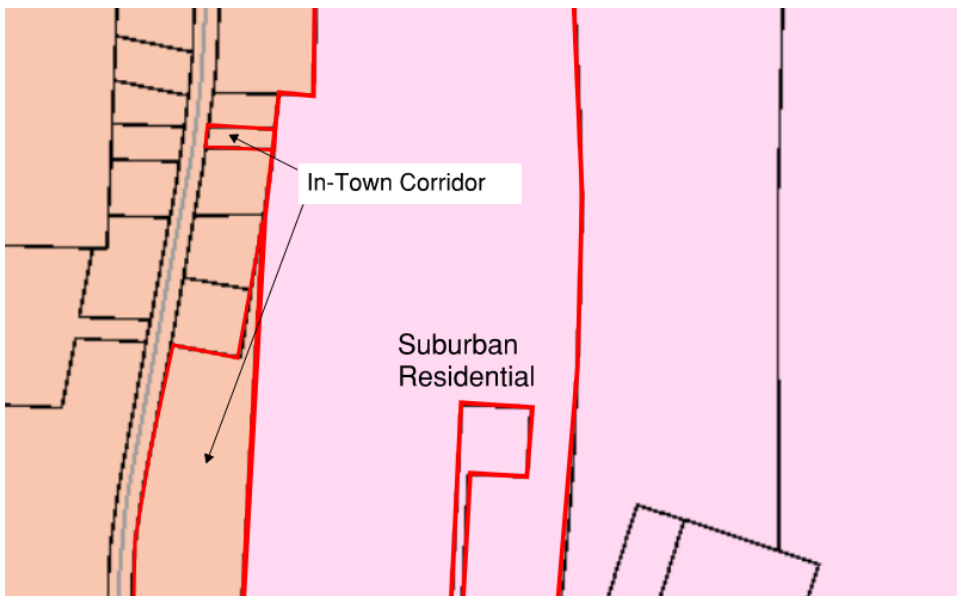
R-AG to R-3



Aerial



Zoning



Character Area



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Application # RZNE 0094-
2023

Application for Rezoning

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Bryant Engineering, Chad Bryant	Parkway Farms, Charles Ayer
*Title	P.E.	owner
*Address	PO Box 1821 Perry, GA 31069	1444 Sam Nunn Blvd, Perry, GA 31069
*Phone	478-224-7070	478-988-2380
*Email	Chad@bryantengllc.com	Charles Ayer @ The Sports Center.com

Property Information

*Street Address or Location	3 parcels on Keith Dr. / Main Street
*Tax Map Number(s)	DP044030000 (6.14 ac); DP044000000 (46.71 ac); DP044006000 (1.42 ac) 54.29 acres total
*Legal Description	
A. Provide a copy of the deed as recorded in the County Courthouse, or a mete and bounds description of the land if a deed is not available;	
B. Provide a survey plat of the property;	

Request


*Current Zoning District	R-1 & R-2	*Proposed Zoning District	R-3
*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application. please see attached site plan			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$300.00 plus \$25.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$500.00 plus \$40.00/acre
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.
- *Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No
 If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. Signatures:

*Applicant		*Date 6/30/23
*Property Owner/Authorized Agent		*Date 6/30/23

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

June 30, 2023

Project #0606-008

Mr. Bryan Wood
Community Development Director
City of Perry Planning and Zoning
741 Main Street
Perry, Georgia 31069
(478) 988-2720
bryan.wood@perry-ga.gov

**Subject: Standards for Granting a Zoning Classification
Keith Drive/Main Street Annexation* & Rezoning
Subject Parcels #0P044003D000 (6.16 Acres) Keith Drive; #0P0440010000 (46.70
Acres) Main Street; #0P0440006000 (1.42 Acres) 1911 Main Street; #000570008000
(22.50 Acres) Main Street***

Dear Mr. Wood,

Please see attached application and plat for rezoning for the subject parcels totaling approximately 54.28-acres located on Keith Drive and Main Street. The following addresses the Standards for Granting a Rezoning Classification:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? No

- 1. The existing land uses and zoning classification of nearby properties:*** The subject parcels are currently zoned R-1 and R-2, and is undeveloped. The parcels to the north are zoned GU. The property to the south of Main Street is zoned R-1. The property to the west of Keith Drive is zoned R-3. The property to the east is zoned as R-AG, and is undeveloped.
- 2. The suitability of the subject property for the zoned purposes:*** The R-3 zoning classification permits single-family residential uses. The surrounding properties are zoned as R-AG (county), R-1 (city), and R-3 (city); therefore, the proposed use of single-family residential is consistent with adjacent and nearby properties.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions:*** With the exception of the north adjacent lot, all other nearby properties are zoned residential including requested zoning of R-3. The proposed R-3 zoning does not adversely impact the existing use or usability of surrounding properties.
- 4. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare to the public:*** The proposed rezoning will conform with adjacent properties and should not negatively affect surrounding areas.
- 5. The relative gain to the public as compared to the hardship imposed upon the individual property owner:*** The proposed zoning will not pose an excessive burdensome use of existing infrastructure. City water and sanitary sewage is available for the property and surrounding areas. The area also will be able to support any increase in traffic that may result of the proposed zoning classification.

6. ***Whether the subject property has a reasonable economic use as currently zoned;*** Current conditions support rezoning the subject property to the R-3 zoning district as surrounding developments exist as residential districts and would complement nearby established neighborhoods. Houston county would greatly benefit from additional residential development as there is high demand for these uses.
7. ***The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property;*** With the exception of the 1.42 acre tract, all properties have been zoned residential and are undeveloped.
8. ***Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;*** The proposed use of single-family residential is consistent with adjacent and nearby properties.
9. ***Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;*** The proposed use of single family residential zoning (R-3) will not adversely affect the existing use of nearby properties because it conforms with other residential zoning.
10. ***Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;*** According to the 2022 Joint Comprehensive Plan Update, the subject property is located in the Suburban Residential character area; therefore, the proposed R-3 zoning designated for residential use is in compliance with the Comprehensive Plan.
11. ***Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools;*** These parcels are located off Main Street (Hwy 341) which is a state route and a major throughfare in Perry.
12. ***Whether there are other existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the zoning proposal.*** With the exception of the 1.42 acre tract, all properties have been zoned residential and are undeveloped.

Additionally, see attached application for annexation and rezoning for 22.50 acres located on Main Street. The following addresses the Standards for Granting a Rezoning Classification:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? No

1. ***Identify the existing land uses and zoning classification of nearby properties.*** The subject parcels are currently zoned R-1 and R-2, and is undeveloped. The parcels to the north are zoned GU. The property to the south of Main Street is zoned R-1. The property to the west of Keith Drive is zoned R-3. The property to the east is zoned as R-AG, and is undeveloped.
2. ***Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.*** The R-3 zoning classification permits single-family residential uses. The surrounding properties are zoned as R-AG (county), R-1 (city), and R-3 (city); therefore, the proposed use of single-family residential is consistent with adjacent and nearby properties.

3. ***Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.*** The proposed use of single family residential zoning (R-3) will not adversely affect the existing use of nearby properties because it conforms with other residential zoning.
4. ***Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.*** According to the 2022 Joint Comprehensive Plan Update, the subject property is located in the Suburban Residential character area; therefore, the proposed R-3 zoning designated for residential use is in compliance with the Comprehensive Plan.
5. ***Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools.*** These parcels are located off Main Street (Hwy 341) which is a state route and a major throughfare in Perry.
6. ***Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*** With the exception of the 1.42 acre tract, all properties have been zoned residential and is undeveloped.

We would like to be placed on the next available agenda for the Perry Planning Commission. Please let me know if you have any questions or concerns.

Sincerely,



Chad Bryant, P.E.
President
Bryant Engineering



Doc ID: 013197100006 Type: GLR
Recorded: 01/08/2014 at 04:23:31 PM
Fee Amt: \$1,945.00 Page 1 of 6
Transfer Tax: \$1,925.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK 6463 PG 258-263

(Above space for recording officer use.)

After recording return to:

File No.: P'13-#644

458424

WHGM

WALKER HULBERT GRAY & MOORE, LLP
P. O. Box 1770 / 909 Ball Street
Perry, Georgia 31069
Attorney: LARRY WALKER

STATE OF GEORGIA
COUNTY OF HOUSTON

EXECUTOR'S DEED UNDER POWER

THIS INDENTURE, made and entered into this 26th day of December, 2013, between **H. DAVID MOORE**, as Executor of the Last Will and Testament and Estate of **Mae D. Chapman**, deceased, of the State of Georgia, and County of Houston, of the First Part (hereinafter called "Grantor") and **PARKWAY FARMS, LLC**, a Georgia limited liability company, duly organized and existing under the laws of the State of Georgia, 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 the said grantor (acting under and by virtue of the power and authority contained in said wills, the same having been duly probated and recorded in the Court of Probate of Houston County, Georgia), for and in consideration of the sum of ONE MILLION NINE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 (\$1,925,000.00) DOLLARS, in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold, alienated, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee, all the following property, to-wit:

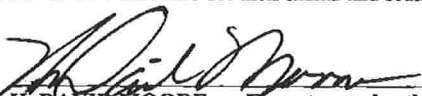
[FOR DESCRIPTION OF REAL PROPERTY SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE THERETO]


THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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 its successors and assigns in fee simple, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said MAE D. CHAPMAN.

IN WITNESS WHEREOF, grantors herein have hereunto set their hands and seals, the day and year first above written.

Signed, sealed and delivered in the presence of

 (SEAL)
H. DAVID MOORE, as Executor under the Last Will and Testament and Estate of Mae D. Chapman, deceased

Witness

Notary Public

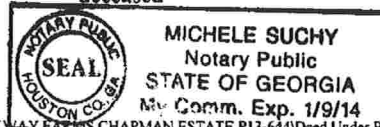


EXHIBIT "A"
LEGAL DESCRIPTION

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PARCEL NO. 1: All that tract or parcel of land lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, comprising 10 acres, known and designated as Tract "A" according to a plat of survey made by Milton Beckham, Surveyor, dated May 27, 1971, a copy of which is of record in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract A.

The above described property is the same property conveyed to Tom Chapman by R.T. Tuggle, Jr., by Warranty Deed dated October 6, 1972, recorded in Deed Book 403, Page 670, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 11 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3C, comprising 10.0 acres, more or less.

PARCEL NO. 2: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, comprising 25.32 acres, as shown by a plat of survey made by Rhodes Sewell, Surveyor, dated April 13, 1968, recorded in Map Book 12, Page 90, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 25.32 acre tract or parcel.

The above described property is a portion of the property conveyed to Tom Chapman by R.T. Tuggle, Sr., by Warranty Deed dated May 27, 1968, recorded in Deed Book 304, Page 277, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 7 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-9; P44-6; and P44-6C, comprising a total of 22.92 acres, more or less.

PARCEL NO. 3: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, comprising 10 acres of land, more or less, being known and designated as Tract "B" on a plat of survey prepared by Milton Beckham, Surveyor, dated May 27, 1971, a copy of said plat being recorded in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract B.

The above described property is the same property conveyed to Tom Chapman by Ruth Wynelle T. Shelton by Warranty Deed dated October 6, 1972 and recorded in Deed Book 403, Page 675, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 12 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3B, comprising 10.0 acres, more or less.

PARCEL NO. 4: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, being partly within the City of Perry and partly outside the city, comprising 44.17 acres, more or less, according to a plat of survey made by Rhodes Sewell, Surveyor, on April 13, 1968, a copy of said plat being of record in Map Book 12, Page 90, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 44.17 acre tract.

The above described property is the same property conveyed to Tom Chapman by W.V. Tuggle by Warranty Deed dated May 27, 1968, recorded in Deed Book 304, Page 278, Clerk's Office, Houston Superior Court.

LESS ANDECEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, in the City of Perry, comprising 0.49 acres of land, as more particularly described on plat recorded in Map Book 24, Page 205,

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Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 0.49 acres of land.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, in the City of Perry, as more particularly described on plat recorded in Map Book 34, Page 198, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel. Said parcel contains 19,783 square feet according to said plat of survey.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, and in the City of Perry, Georgia, being known and designated as Parcel A, comprising 1.000 acres, and having such shapes, metes, bounds, courses and distances as are shown on plat of record recorded in Map Book 35, Page 5, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel A.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, and in the City of Perry, Georgia, being known and designated as Parcel B, comprising 1.000 acres, and having such shapes, metes, bounds, courses and distances as are shown on plat of record recorded in Map Book 35, Page 5, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel B.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, containing 4.636 acres, as shown on plat recorded in Map Book 43, Page 94, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 4.636 acre tract or parcel.

The above described property is ALSO the same property as Parcel No. 6 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court

LESS AND EXCEPT, all that tract or parcel of land being known as Parcel A, containing 1.000 acre and Parcel B, containing 5.491 acres, as more particularly shown on plat of record recorded in Map Book 22, Page 13, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description.

LESS AND EXCEPT, all that tract or parcel of land comprising 2.4 acres, more or less, according to the Houston County Tax Assessors Office, and being more particularly shown in a Warranty Deed recorded in Deed Book 1157, Page 425, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land being known as Parcel C, containing 0.490 acre, as more particularly shown on plat of record recorded in Map Book 58, Page 100, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description.

Reference: Map Code P44-10; and 57-8, comprising 27.71 acres, more or less.

PARCEL NO. 5: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, known and designated as Tract "C", containing 9.16 acres according to a plat of survey made by Milton Beckham, Surveyor, on May 27, 1971, a copy of said plat being recorded in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract C.

The above described property is the same property conveyed to Tom Chapman by R.T. Tuggle, Sr., by Warranty Deed dated October 6, 1972 and recorded in Deed Book 403, Page 673, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 13 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the Tenth Land District of Houston County, Georgia, known and designated as Parcel "K-

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1", comprising 1.000 acres, according to a plat of survey prepared for Mae D. Chapman by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated July 25, 2007, a copy of which is recorded in Map Book 69, Page 129, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes. Said less and excepted property is the same property as conveyed from Mae D. Chapman to Joseph S. Lomboy and Marietta Olaivar-Lomboy by Warranty Deed dated December 10, 2007 and recorded in Deed Book 4506, Pages 236-237, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the Tenth Land District of Houston County, Georgia, known and designated as Parcel "V", comprising 1.00 acres, according to a plat of survey entitled "Survey for "Aaron G. Velie", prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 19, 2008, a copy of which is recorded in Map Book 74, Page 61, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes. Said less and excepted property is the same property as conveyed from H. David Moore, as Executor under the Last Will and Testament and Estate of Mae D. Chapman to Perry Family Practice, LLC by Executor's Deed dated March 6, 2012 and recorded in Deed Book 5780, Pages 257-258, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3D, comprising 7.16 acres, more or less.

PARCEL NO. 6: All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10th Land District of Houston County, Georgia, containing 1.5 acres, more particularly shown on a plat of survey prepared by Rhodes Sewell, Surveyor, on February 15, 1969, a copy of said plat being of record in Map Book 12, Page 261, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 1.5 acres hereby conveyed.

The above described property is the same property conveyed to Tom Chapman by Lamar DeLoach by Warranty Deed dated June 6, 1986, recorded in Deed Book 722, Page 467, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 8 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-10, comprising 1.5 acres, more or less.

PARCEL NO. 7: All that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, comprising 2.01 acres, designated as Parcel "B" on a plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor No. 1591, dated March 31, 1983, and recorded in Map Book 25, Page 216, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel B.

The above described property is the same property conveyed to Tom S. Chapman by Mary Porter Langston, Individually and as Administratrix With Will Annexed of the Estate of I.M. Langston, Jr., deceased, by Warranty Deed dated February 11, 1986, and recorded in Deed Book 708, Page 603, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 10 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-14, comprising 2.01 acres, more or less.

PARCEL NO. 8: All that tract or parcel of land situate, lying and being in Land Lot 113 to the 10th Land District of Houston County, Georgia, being known and designated as Tract A, containing 198.6 acres, more or less, and having such shape, metes, bounds, distances and courses as are shown on plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor No. 1591, dated March 31, 1983, recorded in Map Book 25, Page 216, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular description of said Tract A hereby conveyed.

The above described Property is the same property conveyed to Tom S. Chapman by Mary P. Langston and I.M. Langston, Jr. by Warranty Deed dated May 6, 1983, recorded in Deed Book 628, Page 314, Clerk's Office, Houston Superior Court.

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LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, being more particularly described as follows: BEGINNING at a point 75 feet left on an opposite Station 330 + 59.94 on the survey centerline of Perry Bypass on Georgia Highway Project No. PR-8540-1 (153) from the point of beginning; thence from the beginning of a curve, which is the point of beginning, said curve having a central angle of 011 degrees 16 minutes 01 seconds, radius 7714.440 feet, chord bearing South 14 degrees 36 minutes 43.2 seconds East, and a chord distance of 1514.571 feet along the said curve for an arc distance of 1517.014 feet to the end of the curve; thence South 08 degrees 58 minutes 42.6 seconds East for 1418.202 feet to a point on the boundary; thence South 49 degrees 16 minutes 30.4 seconds East 76.271 feet to a point on the boundary; thence South 89 degrees 34 minutes 18.2 seconds East for 205.006 feet to a point on the boundary; thence South 00 degrees 27 minutes 07.6 seconds East for 25.003 feet to a point on the boundary; thence North 89 degrees 34 minutes 18.2 seconds West for 1072.472 feet to a point on the boundary; thence North 00 degrees 25 minutes 41.8 seconds East for 25.000 feet to a point on the boundary; thence South 89 degrees 34 minutes 18.2 seconds East for 615.037 feet to a point on the boundary; thence North 40 degrees 43 minutes 29.6 seconds East for 64.674 feet to a point on the boundary; thence North 08 degrees 58 minutes 42.6 seconds West for 1393.351 feet to the beginning of a curve, said curve having central angle of 011 degrees 20 minutes 21 seconds, radius 7564.440 feet, chord bearing North 14 degrees 38 minutes 53.3 seconds West, and a chord distance of 1494.615 feet along the said curve for an arc distance of 1497.057 feet to the end of the curve; thence South 78 degrees 35 minutes 19.1 seconds East for 13.079 feet to a point on the boundary; thence North 76 degrees 44 minutes 13.6 seconds East for 15.001 feet to a point on the boundary; thence North 76 degrees 44 minutes 6.0 seconds East for 6.000 feet to a point on the boundary; thence North 70 degrees 00 minutes 5.9 seconds East for 43.028 feet to a point on the boundary; thence North 69 degrees 26 minutes 2.6 seconds East for 59.167 feet to a point on the boundary; thence North 70 degrees 43 minutes 27.3 seconds East for 15.836 feet to the POINT OF BEGINNING, containing 10.861 acres.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, consisting of 1.151 acres, more or less, conveyed by Tom Chapman to the City of Perry by Right of Way Deed dated August 9, 1991 and recorded in Deed Book 928, Page 210, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10th Land District of Houston County, Georgia, and consisting of 0.012 acre, more or less, conveyed by Tom Chapman to the City of Perry by Right of Way Deed dated August 20, 1993 and recorded in Deed Book 1046, Page 757, Clerk's Office, Houston Superior Court.

The above described property is the same as Parcel No. 9 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-12, comprising 186.58 acres, more or less.

PARCEL NO. 9: All that tract or parcel of land situate, lying and being in Land Lot 144 of the 10th Land District of Houston County, Georgia, comprising 84.34 acres, having such shape, metes, bounds, courses or distances as are shown on plat of record recorded in Map Book 9, Page 43, Clerk's Office, Houston Superior Court. Said plat shows 139.34 acres, and the property herein is all of said described property except that certain 55 acres, more or less, thereof which was previously conveyed to Robert L. Lucky, Jr., by deed of record in Deed Book 217, Page 486, Clerk's Office, Houston Superior Court. Said plat is by reference thereto incorporated herein for the purpose of a more particular and accurate description of said 84.34 acre tract or parcel.

The above described property is the same property conveyed to Tom Chapman by E. Beverly Chester by Warranty Deed dated December 22, 1977, and recorded in Deed Book 515, Page 737, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 144 of the 10th Land District, of Houston County, Georgia, comprising 1.229 acres, known and designated as Parcel "A" as shown on plat of record in Map Book 52, Page 118, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel A.

The above described property is ALSO the same property as Parcel No. 19 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 83-23, comprising 83.4 acres, more or less.

PARCEL NO. 10: All that tract or parcel of land situate, lying and being in the 10th Land District of Houston County, Georgia, and in the East part of Land Lot 142, containing 94.60 acres, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, Surveyor, on April 23, 1940, a copy of said plat being of record in Map Book 1, Page 306, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 94.60 acres.

The above described property is the same property conveyed to Tom Chapman by Gus Bannister by Warranty Deed dated December 12, 1973, and recorded in Deed Book 427, Page 154, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10th Land District of Houston County, Georgia, comprising 61.030 acres, according to plat of record recorded in Map Book 51, Page 174, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 61.030 acres.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10th Land District of Houston County, Georgia, containing .0904 acres, known and designated as Parcel D according to that certain plat of survey of record in Map Book 52, Page 120, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel D.

The above described property is ALSO the same property as Parcel No. 15 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 82-16, comprising 33.47 acres, more or less.

ALSO CONVEYED is that certain 30.00' strip along Land Lot lines 143 and 144 and being more particularly described as follows: All that tract or parcel of land situate, lying and being in Land Lot 143 and 144 of the Tenth Land District of Houston County, Georgia, being known and designated as Tract "MC", comprising 2.11 acres, according to that certain plat of survey of said Property entitled "Survey for Estate of Mae D. Chapman", prepared by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 18, 2013, a copy of which is of record in Map Book 75, Pages 194, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Said 30.00' strip described above is the same property as conveyed from The Board of Commissioners of Houston County, Georgia to H. David Moore in his capacity as Executor of the Last Will and Testament and the Estate of Mae D. Chapman, Deceased, dated December, 2013 and as recorded in the Clerk's Office, Houston Superior Court.

NOTE: All tax map codes and acreage references are for informational purposes only.

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BRYANT ENGINEERING
 111 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 Phone: (404) 524-0010 Fax: (404) 524-1173
 www.bryanteng.com

PROJECT NAME: _____
 DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 COUNTY: _____

WARNER ROBINS
 GEORGIA

COVER SHEET FOR: _____
 REVISIONS: _____
 NO. DATE DESCRIPTION

SHEET NO. **C0.1**



OWNER: _____
 OWNER NAME: _____
 OWNER CITY: _____
 OWNER ADDRESS: _____