

BOLTON ADAMS, LLC

REGIONS BANK

2019

64-137/611

6/16/2015

PAY TO THE
ORDER OF

CITY OF ATLANTA DEPT. PUBLIC WORKS

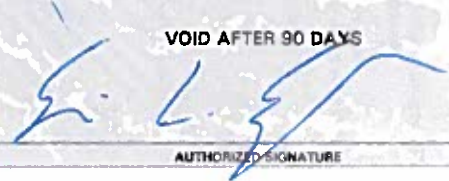
\$ **2,500.00

Two Thousand Five Hundred and 00/100*****

DOLLARS

CITY OF ATLANTA DEPT. PUBLIC WORKS

VOID AFTER 90 DAYS



AUTHORIZED SIGNATURE

MEMO: 2429 Bolton Road

⑈002019⑈ ⑆061101375⑆ 01 4732 0389⑈

*Gave Reggie the
Check on 07/30/15
Jivna*



CITY OF ATLANTA

55 TRINITY AVE., SW. ATLANTA, GEORGIA 30303-0324
SUITE 4700, CITY HALL - SOUTH
(404) 330-6240
FAX (404) 658-7552
email: publicworks@atlanta.gov

DEPARTMENT OF PUBLIC WORKS

Richard Mendoza
Commissioner

Kasim Reed
MAYOR

Request for Abandonment of Public Right-of-Way

Date: 06/19/2015

Name of Street: Adams Drive

Between _____ and _____

Petitioner Name: Belton Adams, LLC - Gerard Gunther, its Manager

NOTE: Eligible petitioners are abutting property owner and/or their agents.

Petitioner Phone(s) _____ Cell: 404-449-3204 Email: gerard@cornerpointpartners.com

Required Submittals

The following submittals are required to initiate the process for consideration of abandonment of a public right-of-way:

1. A survey of plat area to be abandoned. Survey plat must be prepared by a registered surveyor in a manner suitable for filing. Plat is subject to review and approval by the Department of Public Works.
2. A legal description of area to be abandoned on 8 1/2 X 11 sheet.
3. A list of all abutting property owners, respective addresses, tax parcel codes, deed book and page number of title.
4. An owner's statement from each abutting property owner
5. Fee of \$2,500 for streets abutting the development of residential subdivision, commercial or industrial tracts OR a fee of \$2,000 for streets abutting individual residential lots. This fee is applied to the cost of the appraisal of the parcel and advertisement of the proposed abandonment.
6. Any special information deemed necessary or appropriate by the Commissioner of the Department of Public Works
7. Warranty Deeds of all 2 properties abutting area to be abandoned.

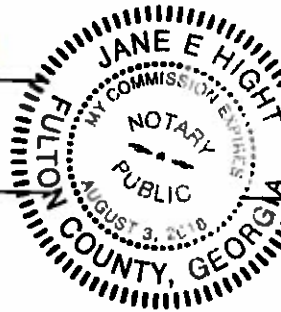
Certificate of Intent

BOLTON ADAMS, LLC

I, GERARD GUNTHERT, IT'S MANAGER the undersigned, do hereby certify that I am the qualified Petitioner for the abandonment of the above listed street and do intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

[Handwritten Signature]

Jane E. Hight
Notary Public



6-18-15
Date

BOLTON ADAMS, LLC

I, GERARD GUNTHERT, IT'S MANAGER (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting ADAMS DRIVE a public right-of-way in the City of Atlanta.

I support / do not support _____ the abandonment of the aforementioned right-of-way. If abandoned, I will / will not _____ acquire at fair market value that portion of the right-of-way abutting my property.

[Handwritten Signature]

BOLTON ADAMS, LLC
IT'S MANAGER

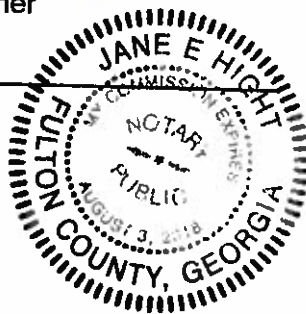
Signature of Property Owner

6-18-15
Date

GERARD GUNTHERT
Print Name of Property Owner

Date

Jane E. Hight
Notary Public



6-18-15
Date

Certificate of Intent

I, _____ the undersigned, do hereby certify that I am the qualified Petitioner for the abandonment of the above listed street and do intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

Notary Public

Date

I, Florence Hall Edwards (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting Adams Drive a public right-of-way in the City of Atlanta.

I support / do not support _____ the abandonment of the aforementioned right-of-way. If abandoned, I will / will not _____ acquire at fair market value that portion of the right-of-way abutting my property.

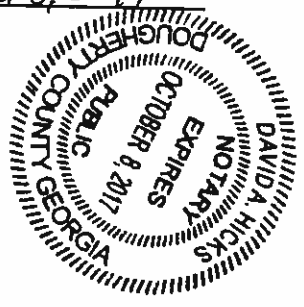
Florence Hall Edwards
Signature of Property Owner
Hall Marietta Blvd + Hopkins, JDC.
Florence Hall Edwards
Print Name of Property Owner

6-25-15
Date

6-25-15
Date

David M. White Exp. Oct 8, 2017
Notary Public

6-25-15
Date



LEGAL DESCRIPTION
ADAMS DRIVE RIGHT-OF-WAY ABANDONMENT

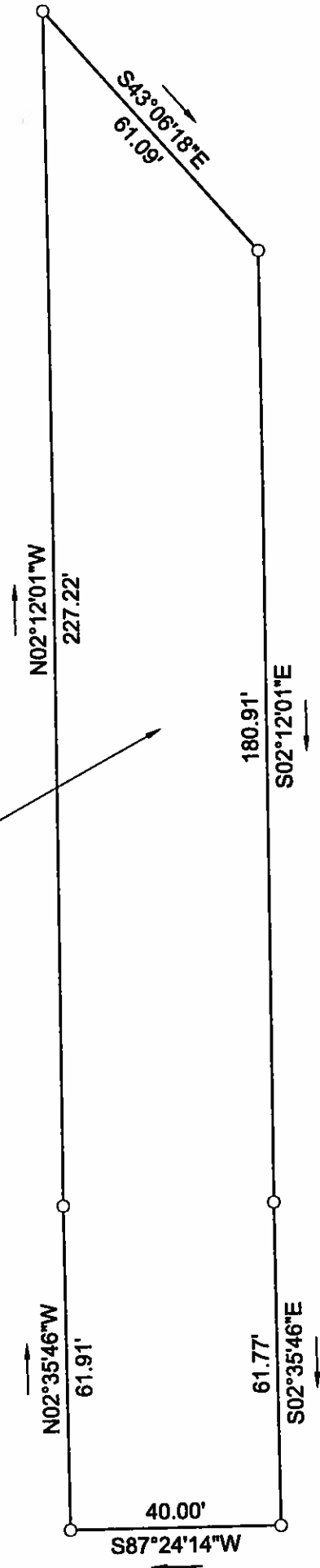
All that tract or parcel of land lying and being in Land Lot 230 of the 17th Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF COMMENCEMENT, begin at the Intersection of the Southwesterly Right-of-Way of Marietta Boulevard (Right-of-Way Varies) and the Easterly Right-of-Way of Adams Drive (40' Right-of-Way), said point being THE POINT OF BEGINNING.

THENCE from said point as thus established and continuing along said Easterly Right-of-Way of Adams Drive the following two (2) courses and distances, South 02 degrees 12 minutes 01 seconds East for a distance of 180.91 feet to a Point; THENCE South 02 degrees 35 minutes 46 seconds East for a distance of 61.77 feet to a Point; THENCE leaving said Easterly Right-of-Way, South 87 degrees 24 minutes 14 seconds West for a distance of 40.00 feet to a Point on the Westerly Right-of-Way of Adams Drive; THENCE continuing along the Westerly Right-of-Way of Adams Drive the following two (2) courses and distances, North 02 degrees 35 minutes 46 seconds West for a distance of 61.91 feet to a Point; THENCE North 02 degrees 12 minutes 01 seconds West for a distance of 227.22 feet to a Point at the Intersection of the Westerly Right-of-Way of Adams Drive and the Southerly end of the Mitered Right-of-Way of Bolton Road (R/W Varies); THENCE leaving said Intersection, South 43 degrees 06 minutes 18 seconds East for a distance of 61.09 feet to a Point at the Intersection of the Southwesterly Right-of-Way of Marietta Boulevard (Right-of-Way Varies) and the Easterly Right-of-Way of Adams Drive, said point being THE POINT OF BEGINNING.

Said property contains 0.244 Acres (10,636 Square Feet).

ADAMS DRIVE RW ABANDONMENT
0.244 ACRES
(10,636 SQ. FT.)



Deed Book 53612 Pg 94
Filed and Recorded Mar-06-2014 09:46am
2014-0104204
Real Estate Transfer Tax \$535.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

After recording, return to:

LAW OFFICES OF HODGES AND BROADAWAY
2230 Towne Lake Parkway
Building 200, Suite 120
Woodstock, GA 30189
B1124A.002

STATE OF GEORGIA
COUNTY OF GLYNN

LIMITED WARRANTY DEED

THIS INDENTURE is made as of March 5, 2014, between R. Michael Souther, as Chapter 7 Trustee for the Bankruptcy Estate of John M. Ford ("Grantor") and BOLTON ADAMS, LLC, a Georgia limited liability company ("Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, per Order Granting Motion for Private Sale of Real Property, United States Bankruptcy Court, Southern District of Georgia, Brunswick Division, Chapter Seven, Case no. 12-21384-JSD, in the Matter of: Ford, John Melcher, Debtor, dated May 9, 2013, filed 3-6-2014, 2014, and recorded in Deed Book 53612 Page 90-91 Clerk of Superior Court, Fulton County, Georgia records, in consideration of the sum of One Dollar and No/100ths Dollars and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee:

All that tract or parcel of land lying and being in Fulton County, Georgia (hereinafter referred to as the "Land"), and being more particularly described in Exhibit "A" attached hereto and incorporated herein.

TO HAVE AND TO HOLD the Land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE; subject only to the matters (hereinafter referred to as the "Permitted Exceptions") set out in Exhibit "B" attached hereto and incorporated herein.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of any persons owning, holding or claiming by,

through or under Grantor, except for claims arising under or by virtue of the Permitted Exceptions.

IN WITNESS WHEREOF, the Grantor has executed these presents and affixed their respective seals the day and year first above written.

"GRANTOR":

Signed, sealed and delivered in the presence of:

R. Michael Souther, as Chapter 7 Trustee for the Bankruptcy Estate of John M. Ford

Carl M. Hein
Witness

By: R. Michael Souther
R. Michael Souther

Shannon L. Minnick
Notary Public

Its: Trustee

My Commission Expires:

[NOTARIAL SEAL



EXHIBIT "A"
LEGAL DESCRIPTION

Page 1 of 2

TRACT ONE

All that tract or parcel of land lying and being in Land Lot 230 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a 1 1/4-inch crimp top pipe found at the intersection of the southwesterly right-of-way line of Marietta Boulevard (being a variable right-of-way) with the westerly right-of-way line of Adams Drive (being a 40-foot right-of-way); thence running south 05 degrees 27 minutes 45 seconds east along the western right-of-way line of Adams Drive, a distance of 227.22 feet to an iron pin placed; thence continuing along said right-of-way line south 05 degrees 51 minutes 30 seconds east a distance of 83.03 feet to a 1/2-inch rebar found; thence running south 86 degrees 58 minutes 05 seconds west a distance of 199.63 feet to a 1/2 inch rebar found; thence running north 06 degrees 06 minutes 55 seconds west a distance of 88.47 feet to an iron pin placed; thence running north 05 degrees 17 minutes 30 seconds east a distance of 51.35 feet to an iron pin placed; thence running north 01 degrees 10 minutes 00 seconds west a distance of 200.05 feet to a 1 1/4-inch o.g. pipe found on the southerly right-of-way line of Bolton Road; thence running north 88 degrees 24 minutes 15 seconds east along said southerly right-of-way line a distance of 137.28 feet to a 1 1/4-inch solid rod found at the intersection of the southwesterly right-of-way line of Marietta Boulevard with the southerly right-of-way line of Bolton Road; thence running south 59 degrees 57 minutes 25 seconds east along the southwesterly right-of-way line of Marietta Boulevard, a distance of 47.11 feet to a 1 1/4 inch crimp top pipe found, being the Point of Beginning; said tract containing 1.4531 acres., being known as 2429-31 Bolton Road, as delineated on that certain survey for Pike Nurseries, Inc., Allied Promotions, Inc. & NCNB National Bank. Certified by Chester M. Smith, Jr., Georgia Registered Land Surveyor No. 1445, of Metro Engineering and Surveying Co., Inc., dated October 23, 1989.

LESS AND EXCEPT the property conveyed by virtue of Condemnation styled the City of Atlanta vs. John M. Ford et al, Action No. 2011-CV-202727 in the Superior Court of Fulton County, State of Georgia, Order and Judgment dated June 30, 2011, filed June 30, 2011 and recorded in Deed Book 50174, Page 441, records of the Superior Court of Fulton County, Georgia.

EXHIBIT "A"
LEGAL DESCRIPTION

Page 2 of 2

Tract 2:

All that tract or parcel of land lying and being in Land Lot 230 of the 17th Land District of Fulton County, Georgia, being more particularly described as follows:

Beginning at point 36 feet right of and opposite Station 276+24.70 on the construction centerline of Bolton Road on Georgia Highway Project No. CSSTP-0006-00(261) at the Point of Beginning: running thence S 0° 54' 4" a distance of 97.47 feet; thence N 74° 39' 48" W a distance of 177.00'; thence N 0° 54' 41" W a distance of 63.96' to the right of way of Bolton Road; thence N 88° 54' 31" E a distance of 85.00'; thence S 74° 57' 33" E a distance of 59.21'; thence N 89° 5' 19" E a distance of 28.00' back to the Point of Beginning. Containing 0.326 acres more or less and as shown on Exhibit 1 attached hereto and same being the survey by the Planning Design Group entitled "Impact Study for Improvement of Marietta Blvd. @ Bolton Road (SR 70) and Adams Road, John W. Ford Parcel No. 2, Fulton County, Georgia."

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Matters shown on ALTA/ACSM Title Survey for Bolton Adams, LLC, certified to Bolton Adams, LLC, and First American Title Insurance Company, by Precision Planning, Inc., by Randall W. Dixon, Georgia Registered Land Surveyor Number 1678, dated March 22, 2013, last revised January 27, 2014, as follows:
 - (A) Billboard located on the boundary between Tract One and Tract Two with no evidence of an easement or conveyance.
 - (B) Right-of-way of Bolton Road (under construction) encroaches over the northern boundary of Tract Two.
 - (C) Chain link fence surrounds Tract One and along the northern boundary of Tract Two.
 - (D) Power lines leading into the Land from the northern boundary on Tract Two and the Eastern boundary on Tract One.
 - (E) Any easements or rights of others, including, but not limited to, The City of Atlanta, The Department of Transportation and any applicable utility provider, in and to the area designated as Overlap Area (0.009 Acres).
2. Any lease, grant, conveyance, exception or reservation of minerals or mineral rights appearing in the Public Records. Nothing herein shall insure against loss or damage resulting from subsidence.
3. Easements taken by Condemnation styled the City of Atlanta vs. John M. Ford, et al, Civil Action No. 2011-CV-202727 in the Superior Court of Fulton County, State of Georgia, Order and Judgment dated June 30, 2011, filed June 30, 2011 and recorded in Deed Book 50174, Page 441, records of the Superior Court of Fulton County, Georgia.
4. City of Atlanta right of Ingress and egress over, across and through Tract Two provided in that certain Quitclaim between the City of Atlanta and R. Michael Southern as Chapter 7 Trustee for the Bankruptcy Estate of John M. Ford, dated _____, 2014, filed 3-6-2014, 2014, in Deed Book 53612 Page 92-93 aforesaid records.

Deed Book 46519 Pg 530
Filed and Recorded Mar-26-2008 03:51pm
2008-0070831
Real Estate Transfer Tax \$0.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

UPON RECORDING RETURN TO:

Alston & Bird
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
Attention: Margaret W. Scott, Esq.

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made this 19th day of March, 2008, between **W. COURTNEY HALL**, a resident of the State of Georgia (herein called "Grantor") and **HALL MARIETTA BOULEVARD HOLDINGS, L.L.C.**, a Georgia limited liability company (herein called "Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land described on Exhibit A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee, forever, **IN FEE SIMPLE**.

This Deed and the warranty of title contained herein are made expressly subject to taxes for the year 2008 and subsequent years and all matters of record filed in the real estate records of Fulton County, Georgia with respect to the real property conveyed hereby.

Grantor will warrant and forever defend the right and title to the above described property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

(The words "Grantor" and "Grantee" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits.)

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

Signed, sealed and delivered
in the presence of:

[Signature]
Unofficial Witness

[Signature]
W. Courtney Hall

[Signature]
Notary Public

(NOTARY SEAL)

My Commission Expires:

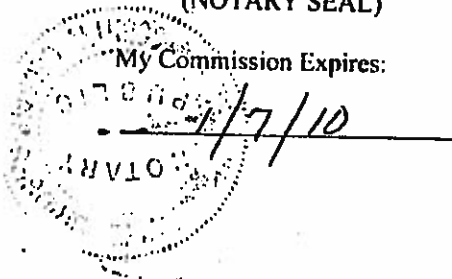


Exhibit A

All that tract or parcel of land lying and being in Land Lot 230 of the 17th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING at a point on the Southwest side of Bennett Street two hundred and seventy-three (273) feet southeast from the intersection of the southwest side of Bennett Street with the south side of Bolton Road; thence south two hundred thirty-seven and nine-tenths (237.9) feet to the north line of the property now or formerly owned by Emma L. and R. E. Walker; thence in an easterly direction along the north line of said Walker property, forty eight (48) feet, more or less, to the property now or formerly owned by Dot and Beatrice Bray; thence north along the west line of said property two hundred twelve (212) feet, more or less, to the southwest side of Bennett Street; thence in a northwesterly direction along the southwest side of Bennett Street sixty (60) feet to the point of beginning; being improved property and known as No. 4 Bennett Street, N. W., according to the present numbering of houses in this vicinity.

ALSO:

All that tract or parcel of land lying and being in Land Lot 230 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the southwesterly side of Bennett Street with the east side of Adams Drive, said point of beginning being fifteen (15) feet south of the old Atlanta Northern Railway right-of-way; running thence southeasterly along the southwesterly side of Bennett Street one hundred forty-one (141) feet to an iron pin corner, which point is also fifteen (15) feet southerly from the old Atlanta Northern Railway right-of-way; running thence south one hundred eighty-three and four-tenths (183.4) feet to an iron pin corner; running thence west one hundred (100) feet to an iron pin on the east side of Adams Drive; running thence north along the east side of Adams Drive two hundred fifty-two and two tenths (252.2) feet to Bennett Street at the point of beginning; being the same property conveyed to W. E. Williams by warranty deed from Andrew H. Mummert and Ada E. Mummert, which deed is recorded in Deed Book 2442, Page 64, Fulton County Records; said property being improved and having a one story frame house located thereon known as No. 2 Bennett Street, S. W., Atlanta, Georgia.

Certificate of Intent

I, _____ the undersigned, do hereby certify that I am the qualified Petitioner for the abandonment of the above listed street and do intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

Notary Public

Date

2

I, _____ (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting _____ a public right-of-way in the City of Atlanta.

I support _____ / do not support _____ the abandonment of the aforementioned right-of-way. If abandoned, I will _____ / will not _____ acquire at fair market value that portion of the right-of-way abutting my property.

Signature of Property Owner

Date

Print Name of Property Owner

Date

Notary Public

Date

FIRST AMERICAN TITLE INSURANCE COMPANY

SCHEDULE A

Client File No.:

Commitment No.: B1124.020

Date Effective: May 2, 2015

Policy or policies to be issued:

- (a) X ALTA Owner's Policy - Form 6-17-06 Amount: \$TO BE DETERMINED
Proposed Insured: THE GUNTHER COMPANY, INC.
- (b) X ALTA Loan Policy - Form 6-17-06 Amount: \$TO BE DETERMINED
Proposed Insured: TO BE DETERMINED

1. The estate or interest in the land described or referred to in this Commitment and covered herein is an estate or interest designated as follows:

FEE SIMPLE

2. Title to the fee simple estate or interest in the land described or referred to in this Commitment, at the effective date hereof, is vested in HALL MARIETTA BOULEVARD HOLDINGS, L.L.C., a Georgia limited liability company by virtue of Limited Warranty Deed from W. Courtney Hall, dated March 19, 2008, filed March 26, 2008 and recorded in Deed Book 46519, Page 530, records of the Superior Court of Fulton County, Georgia.

3. The land referred to in this Commitment is in the State of Georgia, County of Fulton and described as follows:

All that tract or parcel of land lying and being in Land Lot 230 of the 17th District of Fulton County, Georgia and being more particularly described in Exhibit "A" attached hereto and being incorporated herein by reference.

THE LAW OFFICES OF HODGES AND BROADAWAY

2230 Towne Lake Pkwy, Bldg. 200, Ste. 120, Woodstock, GA 30189
(Tel) 678-445-4926 (Fax) 678-445-4929

By L. Ann Broadaway / R.E. Hodges, Jr. / L. Ann Broadaway
Authorized Signatory

FIRST AMERICAN TITLE INSURANCE COMPANY

SCHEDULE B-1

(Requirements)

Client File No.:

Commitment No.: B1124.020

Page 1 of 2

The following are the requirements to be complied with:

1. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.
2. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

(A) Execution, delivery and recording of a Limited Warranty Deed from Hall Marietta Boulevard Holdings, L.L.C., a Georgia limited liability company to The Gunthert Company, Inc., conveying the property described in Schedule A herein.

NOTE: Said Limited Warranty Deed must be executed pursuant to the "Operating Agreement" of Hall Marietta Boulevard Holdings, L.L.C., proof of which must be submitted to the Company.

(B) Execution, delivery and recording of a Deed to Secure Debt from The Gunthert Company, Inc. to **TO BE DETERMINED**, securing the property described in Schedule A herein with a note in the original principal amount of **\$TO BE DETERMINED**.

NOTE: Said Deed to Secure Debt must be executed pursuant to proper corporate authority, proof of which must be submitted to the Company.

3. Payment, satisfaction, cancellation, termination or release of subject property from encumbrances created by the following instruments:

(A) 2014 Solid Waste FiFa styled The City of Atlanta, Georgia vs. Hall Marietta Boulevard Holdings LLC, dated October 25, 2014, filed October 31, 2014 and recorded in Lien Book 3126, Page 34, records of the Superior Court of Fulton County, Georgia, in the original total amount of \$484.10 (Tax Parcel 17-0230-0004-013-5).

(B) 2014 Solid Waste FiFa styled The City of Atlanta, Georgia vs. Hall Marietta Boulevard Holdings LLC, dated October 25, 2014, filed October 31, 2014 and recorded in Lien Book 3126, Page 35, aforesaid records, in the original total amount of \$232.50 (Tax Parcel 17-0230-0004-014-3).

NOTE: Per the Fulton County Tax Commissioner 2014 sanitary taxes have been paid; the Solid Waste FiFa's set forth above remain open of record.

4. City, state and county real and personal property taxes are as follows:

Real Property Taxes

State and County

City of Atlanta

Name: Hall Marietta Boulevard Holdings LLC
Map Reference No.: 17-0230-0004-013-5
(2356 Marietta Blvd)
2014 Amount Paid: \$2,113.79
2014 Date Paid: November 12, 2014

Name: Hall Marietta Boulevard Holdings LLC
Map Reference No.: 17-0230-0004-013-5
(2356 Marietta Blvd)
2014 Amount Paid: \$5,773.73
2014 Date Paid: November 3, 2014

NOTE: Sanitary taxes were paid in the amount of \$498.31 on October 28, 2014.

FIRST AMERICAN TITLE INSURANCE COMPANY

SCHEDULE B-1

(Requirements)

Client File No.:

Commitment No.: B1124.020

Page 2 of 2

Name: Hall Marietta Boulevard Holdings LLC
Map Reference No.: 17-0230-0004-014-3
(Marietta Blvd)
Amount Paid: \$1,093.59
Date Paid: November 12, 2014

Name: Hall Marietta Boulevard Holdings LLC
Map Reference No.: 17-0230-0004-014-3
(Marietta Blvd)
Amount Paid: \$2,987.10
Date Paid: November 3, 2014

NOTE: Sanitary taxes were paid in the amount of \$239.16 on October 28, 2014.

Personal Property Taxes

Name: Saqeef Enterprises Inc.
Account No.: P00005883744
(2356 Marietta Blvd)
2008 amount to pay: \$138.07 good thru 5/30/15

Name: Saqeef Enterprises Inc.
Account No.: P00005883744
(2356 Marietta Blvd)
2008 amount to pay: \$381.90 good thru 6/15/15

NOTE: Personal property taxes, if any, returned in the name of the entity or person having title to the fee simple estate are shown herein. In addition, a search was conducted using the address(es) returned by the tax assessor for the fee simple estate. Any personal property taxes appearing of record under the address(es) are shown above.

ALSO NOTE: This title insurance commitment does not provide a full search for personal property tax information. Should a complete search for personal property taxes be required, please request a personal property tax certification letter and submit all names to be examined.

5. Disclosure to the Company in writing of the name of anyone not referred to in this Commitment who will get an interest in the land or who will secure any loan with the insured property. The Company reserves the right to make additional requirements and/or exceptions based on the disclosure.
6. Receipt of satisfactory proof in the form of an affidavit acceptable to the Company from both the Seller and from the Purchaser that no Broker's services have been engaged with regard to the management, sale, purchase lease, option or other conveyance of any interest in the subject commercial real estate and that no notice(s) of lien for any such services has been received. In the event that said affidavit(s) contain any qualification with respect to any such services, proof of payment in full for all such services, together with a lien waiver or estoppel letter from such identified Broker(s) must be obtained.
7. Receipt of proof satisfactory to us that no improvements or repairs were made on the property within 95 days preceding the filing for record of the instrument(s) required at Item (2) above; or in the event such improvements or repairs were made, that they have been completed and all costs incurred in connection therewith, including architect's fees, if any, have been paid.

NOTE: As a matter of information only, O.C.G.A. Section 48-7-128 requires a purchaser to withhold 3% of the purchase price or consideration paid if the seller or transferor is a non-resident of the State of Georgia. The purchaser/settlement agent should determine if the seller is a non-resident of Georgia within the meaning of Subsection (a) of O.C.G.A. Section 48-7-128 and if the transaction is subject to the withholding requirement.

NOTE: UCC Financing Statements filed under current owner affecting only personal property are not reflected in this title commitment. Should this information be required, please request a UCC Certification Letter and submit all names to be examined.

FIRST AMERICAN TITLE INSURANCE COMPANY

SCHEDULE B-2

(Exceptions)

Client File No.:

Commitment No.: **B1124.020**

Page 1 of 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Standard exceptions:
 - (A) Rights or claims of parties in possession not shown by the public records.
 - (B) Easements or claims of easements not shown by the public records.
 - (C) Any lien or right to a lien for services, labor or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
3. All applicable, state and county real and personal property taxes for the year 2015 and subsequent years which are liens not yet due and payable.
4. Any additional taxes, interest and/or penalties which may be assessed for current and prior tax years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records of the city or county in which the subject property is located.
5. All assessments, taxes, and special assessments which are now a lien or payable or which may become due and payable, including, but not limited to, water bills, sanitary bills, sewer bills and solid waste bills.

NOTE: This exception shall be removed upon receipt of copies of water bills, sanitary bills, sewer bills and solid waste bills for the last three billing cycles and copies of paid receipts for the most current bills.
6. All matters as would be disclosed by a current and accurate survey and inspection of the premises, including without limitation, encroachments, easements, measurements, variations in area or content, party walls, or riparian rights.

NOTE: Upon submission of a survey and surveyor's inspection report acceptable to the Company, the foregoing exception will be deleted subject to all matters shown therein.
7. This Commitment of Title Insurance affords assurance as to the location of the boundary lines of subject property, but does not insure the engineering calculation and computing for the exact amount of acreage and/or square footage contained therein.
8. Additional exceptions as to Tenants:
 - (A) Rights of tenants in possession under unrecorded Leases;
 - (B) Terms and conditions of any recorded or unrecorded leases; and
 - (C) Any personal property taxes in the name(s) of any current or former tenant(s) in possession under recorded or unrecorded leases.
9. Easements contained in that certain Right of Way Deed from Courtney Hall to State Highway Department of Georgia, dated April 27, 1951 and recorded in Deed Book 2681, Page 427, records of the Superior Court of Fulton County, Georgia.
10. Permit for Anchors, Guy Poles and Wires from W. Courtney Hall to Georgia Power Company, dated November 10, 1969, filed March 31, 1970 and recorded in Deed Book 5205, Page 222, aforesaid records.

FIRST AMERICAN TITLE INSURANCE COMPANY

SCHEDULE B-2

(Exceptions)

Client File No.:

Commitment No.: **B1124.020**

Page 2 of 2

11. Terms and conditions of the Lease Agreement as evidenced by that certain Memorandum of Lease by and between William Courtney Hall and Racetrac Petroleum, Inc., a Georgia corporation, dated as of August 28, 2007, filed January 31, 2008 and recorded in Deed Book 46280, Page 624, aforesaid records; as re-filed April 17, 2008 and re-recorded in Deed Book 46626, Page 260, aforesaid records.

FIRST AMERICAN TITLE INSURANCE COMPANY

EXHIBIT "A"

Client File No.:

Commitment No.: B1124.020

Page 1 of 1

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 230 of the 17th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING at a point on the Southwest side of Bennett Street two hundred and seventy-three (273) feet southeast from the intersection of the southwest side of Bennett Street with the south side of Bolton Road; thence south two hundred thirty-seven and nine-tenths (237.9) feet to the north line of the property now or formerly owned by Emma L. and R. E. Walker; thence in an easterly direction along the north line of said Walker property, forty eight (48) feet, more or less, to the property now or formerly owned by Dot and Beatrice Bray; thence north along the west line of said property two hundred twelve (212) feet, more or less, to the southwest side of Bennett Street; thence in a northwesterly direction along the southwest side of Bennett Street sixty (60) feet to the point of beginning; being improved property and known as No. 4 Bennett Street, N. W., according to the present numbering of houses in this vicinity.

ALSO:

All that tract or parcel of land lying and being in Land Lot 230 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the southwesterly side of Bennett Street with the east side of Adams Drive, said point of beginning being fifteen (15) feet south of the old Atlanta Northern Railway right-of-way; running thence southeasterly along the southwesterly side of Bennett Street one hundred forty-one (141) feet to an iron pin corner, which point is also fifteen (15) feet southerly from the old Atlanta Northern Railway right-of-way; running thence south one hundred eighty-three and four-tenths (183.4) feet to an iron pin corner; running thence west one hundred (100) feet to an iron pin on the east side of Adams Drive; running thence north along the east side of Adams Drive two hundred fifty-two and two tenths (252.2) feet to Bennett Street at the point of beginning; being the same property conveyed to W. E. Williams by warranty deed from Andrew H. Mummert and Ada E. Mummert, which deed is recorded in Deed Book 2442, Page 64, Fulton County Records; said property being improved and having a one story frame house located thereon known as No. 2 Bennett Street, S. W., Atlanta, Georgia.

Owners Abutting proposed Adams Dr ROW Abandonment

1. **Bolton Adams, LLC property** (shown as John M. Ford property to the west on the survey) is in Deed Book 53612, Page 94. Tax parcel number 17-0230-0004-091-5. Address is 2429 Bolton Rd, Atlanta, GA.
2. **Hall Marietta Boulevard Holdings, LLC property** (shown as Tract One on the survey) is in Deed Book 46519, Page 530. Tax parcel number 17-0230-0004-013-5. Address is 2356 Marietta Blvd, Atlanta, GA.