

BOARD OF APPEALS

Marsha A. Hopkins, Chair
Tom Waller, Vice-Chair
Therol Brown
John Tate
Bill Beckwith

STAFF

Pete Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator
Howard Johnson, Planning and Zoning Coordinator

AGENDA
Fayette County Zoning Board of Appeals
Fayette County Administrative Complex
Public Meeting Room
September 23, 2019
7:00 P.M.

1. Consideration of the Minutes of the Meeting held on August 26, 2019.

PUBLIC HEARING

2. Petition No. A-707-19, Fred and Cecilia Taylor, owners, request the following variance: Variance to Sec. 110-137. R-40, (d)(5), to reduce the rear yard setback from 30 feet to 4 feet to allow an existing pool to remain. The subject property is located in Land Lot 24 of the 5th District and fronts on Bunny Lane.
3. Petition No. A-708-19, Richard R. Anwyl, Owner, requests the following: Variance to Sec. 110-125. A-R, (d) (6), to reduce the side yard setback from 50 feet to 46 feet to allow construction of an accessory structure. The subject property is located in Land Lot 72 of the 7th District and fronts on Brittany Way.

PETITION NO. A-707-19
125 Bunny Lane
Fayetteville, GA 30215
Public Hearing Date September 23, 2019

The subject property is zoned R-40 and located at 125 Bunny Lane. The applicant is requesting a Variance as follows:

Variance to Sec. 110-137. R-40, (d)(5), to reduce the rear yard setback from 30 feet to 4 feet to allow an existing pool to remain.

History: The subject property's survey was recorded on June 24, 1984 in Plat Book 14 and Page 184. Tax Assessor's records indicate that the applicant purchased the property in 1989.

As part of the permitting process for a building permit for a deck to the home, a survey is required. Through researching the property aerials of the home the violation was discovered. The aerials shows the pool foundation located in four (4) feet from the property line.

The applicant provides the following information:

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

In applying for a deck permit for a new home addition, it was discovered that whomever installed the in-ground pool in our home (before we purchased the property) did so without a permit. So now we need a variance granted before we can build a deck to get out of our house.

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Sec. 110-242. (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist.

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

We had an addition to our home completed this year with permits. We now need to complete deck to addition for ingress and egress, and our permit denied as our in ground pool was found to be too close to the property line. The pool was there when we purchased the home in 1989.

2. **The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

Can't really move an in ground pool

3. **Such conditions are peculiar to the particular piece of property involved; and,**

N/A

4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and**

Had same neighbors on adjacent property since we purchased the home and they have never complained!

5. **A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed.**

We need to be able to get out of our house if it were to go up in flames, and the door we would use from master bedroom currently has a 4-6 foot drop out the door – so we need the permit to build the deck.

DEPARTMENTAL COMMENTS

ENVIRONMENTAL HEALTH: No comment.

ENVIRONMENTAL MANAGEMENT: No comment.

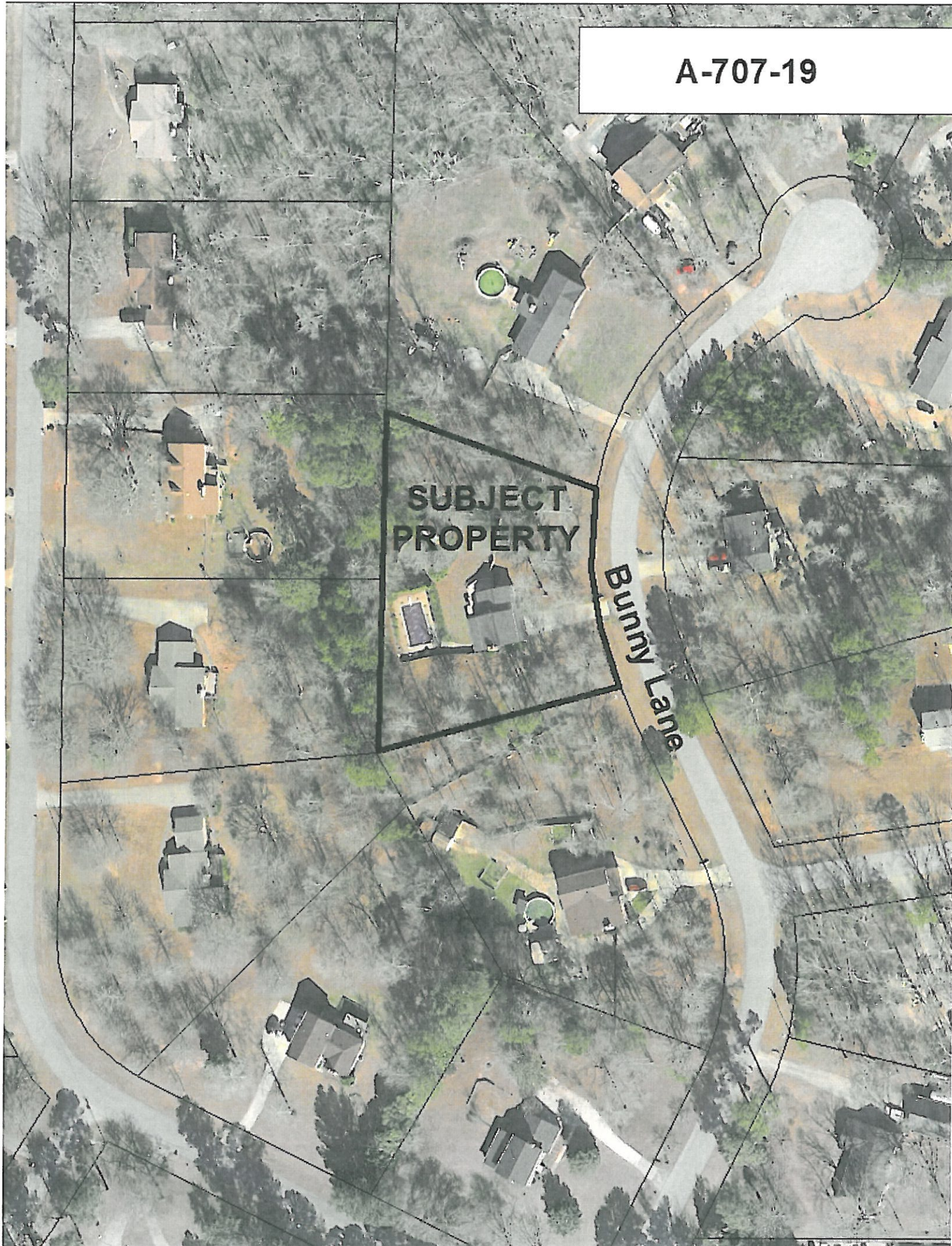
FIRE MARSHAL: The Bureau of Fire Prevention will neither approve nor deny request that fall outside the scope of fire prevention code requirements.

WATER SYSTEM: No conflict.

A-707-19

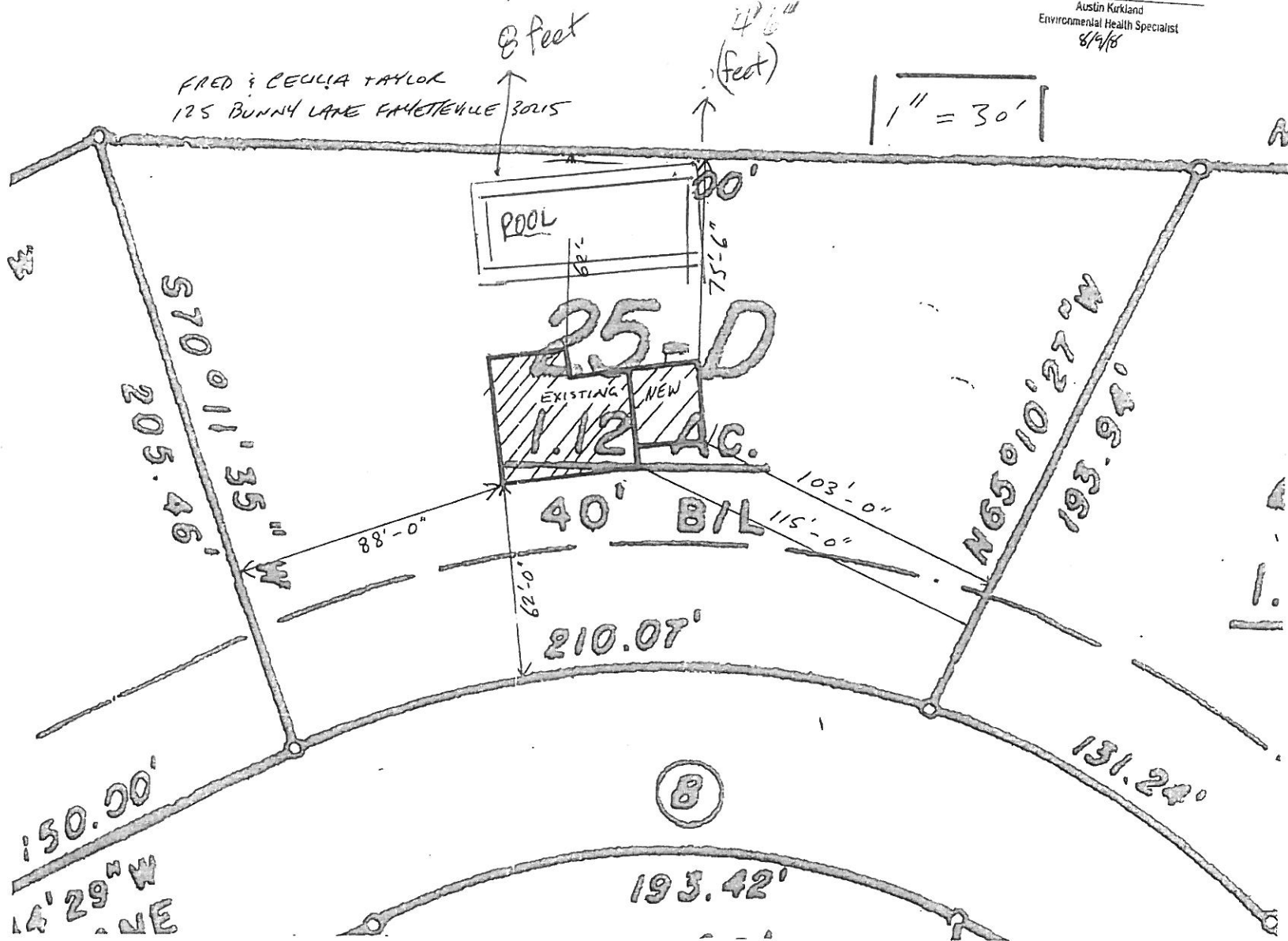
**SUBJECT
PROPERTY**

Bunny Lane



A-707-19

Fayette County Health Department
Signed Austin Kirkland
Austin Kirkland
Environmental Health Specialist
8/9/18



A-707-19

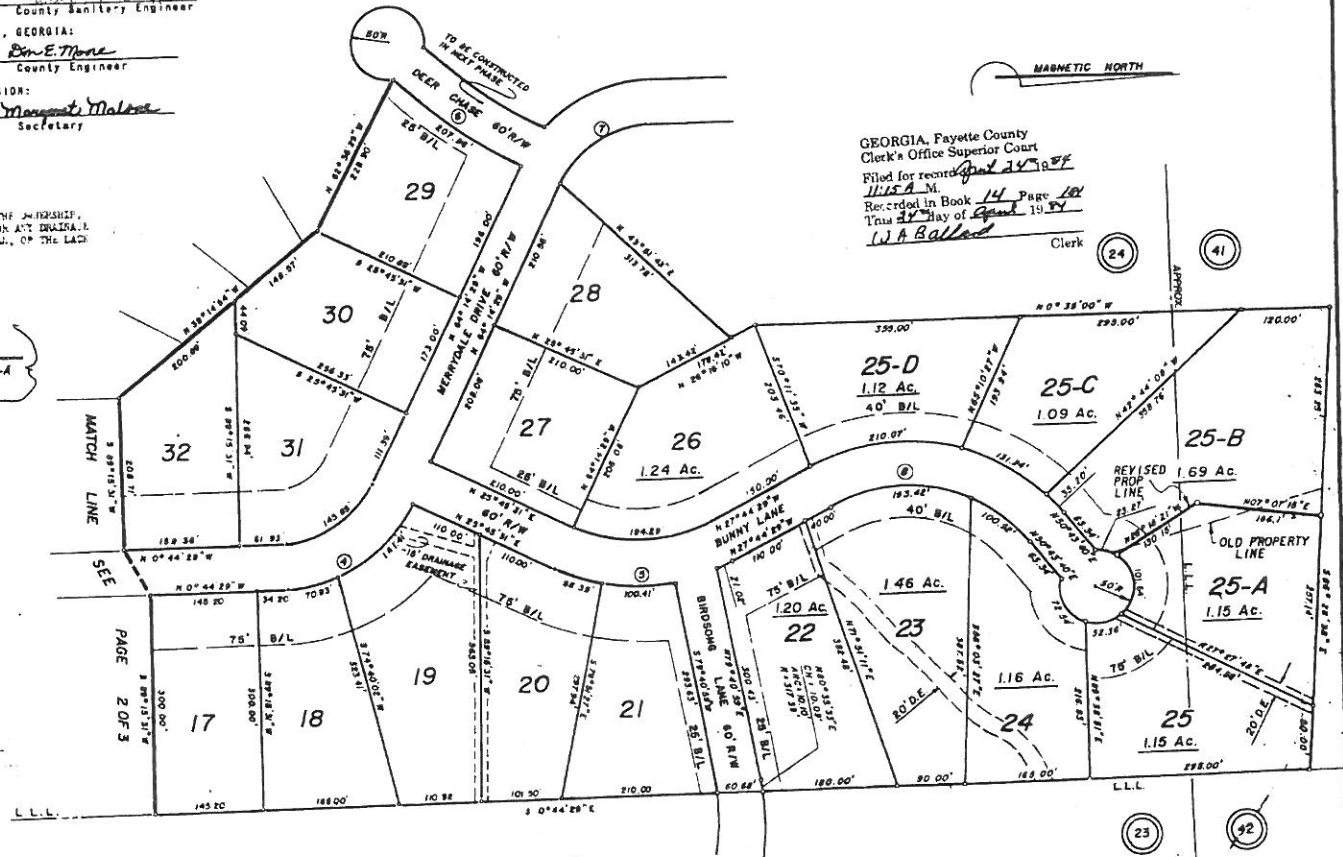
PLAN REVISION:
 REVISED OCT. 20, 1982 : EXTENSION OF BUNNY LANE.
 REVISION BY SOUTHEASTERN ENGINEERS AND SURVEYORS, INC.
 DATE: 10-2-82 SIGNED: [Signature]

REVISION APPROVAL:
 DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GEORGIA:
 DATE: 10-2-82 SIGNED: [Signature] County Sanitary Engineer
 COUNTY ENGINEER, FAYETTE COUNTY, GEORGIA:
 DATE: 10-27-82 SIGNED: [Signature] County Engineer
 FAYETTE COUNTY PLANNING COMMISSION:
 DATE: 11-1-82 SIGNED: [Signature] Secretary

CURVE DATA				
NO.	Δ	TAN.	RAD.	LEN.
1	59°00'00"	80.00	141.40	148.61
2	59°18'29"	100.00	175.65	181.81
3	55°00'00"	100.00	192.10	184.40
4	63°30'00"	100.00	161.60	179.10
5	63°30'00"	120.00	238.08	222.30
6	18°14'29"	100.00	622.88	198.31
7	63°39'29"	100.00	161.10	178.99
8	78°28'10"	200.00	244.92	335.43

NOTES:
 FAYETTE COUNTY DOES NOT ACCEPT THE RESPONSIBILITY FOR ANY DRAINAGE, MAINTENANCE OR LIABILITY FOR ANY DRAINAGE, MAINTENANCE OR LIABILITY OF THE LAND OF USE, INDICATED BY THIS PLAN.

REVISION NO. 1 4-20-84
 PROPERTY LINE BETWEEN LOT 25-A AND LOT 25-B REVISED



GEORGIA, Fayette County
 Clerk's Office Superior Court
 Filed for record April 24 1984
11:58 A.M.
 Recorded in Book 14 Page 181
 True 27 day of April 1984
[Signature] Clerk

HUNTINGTON SOUTH
 UNIT TWO

NOTES:
 BUILDING SETBACKS: SIDE - 25'
 REAR - 30'

PROPERTY OWNERS:

MAILING ADDRESS:

PHONE:

E-MAIL:

AGENT FOR OWNERS:

MAILING ADDRESS:

PHONE:

E-MAIL:

PROPERTY LOCATION:

LAND DISTRICT

PARCEL 05050307

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY:

1.21

ZONING DISTRICT:

R-40

ZONING OF SURROUNDING PROPERTIES:

Res.

PRESENT USE OF SUBJECT PROPERTY:

Res

PROPOSED USE OF SUBJECT PROPERTY:

Res.

(THIS AREA TO BE COMPLETED BY STAFF):

PETITION NUMBER:

A-707-19

☐ Application Insufficient due to lack of:

by Staff:

Date:

[] Application and all required supporting documentation is Sufficient and Complete

by Staff:

Date:

8/12/14

DATE OF ZONING BOARD OF APPEALS HEARING:

9/23/19

Received from

Cecilia Taylor

a check in the amount of \$

175

for application filing fee, and \$

20

for deposit on frame for public hearing sign(s).

\$1950

Date Paid:

8/12/19

Receipt Number:

6898665 app

6898667 sign

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Fred and Juanita Cecilia Taylor

Please Print Names

Property Tax Identification Number(s) of Subject Property: 050503017

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 5th District, and (if applicable to more than one land district) Land Lot(s) 24 of the District, and said property consists of a total of 1.21 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

[Signature]
Signature of Property Owner 1

125 Bunny Ln.
Address Fayetteville, GA 30215

Signature of Property Owner 2

Address

Signature of Authorized Agent

Address

[Signature]
Signature of Notary Public

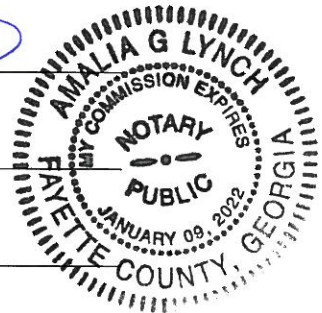
12th August 2019
Date

Signature of Notary Public

Date

Signature of Notary Public

Date



VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

Ordinance/Section	Requirement	Proposed	Variance Amount

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

In applying for a deck permit for new home addition, it was discovered that whomever installed the inground pool in our home (before we purchased the property) did so without a permit. So now we need a variance granted before we can build a deck to get out of our house.

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Section 110-242 (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

We had an addition to our home completed this year with permits. We now need to complete deck to addition for ingress + egress, and our permit denied as our in ground pool was found to be too close to the property line. The pool was there when we purchased the home in 1989.

2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

Can't really move an in ground pool.

3. Such conditions are peculiar to the particular piece of property involved.

N/A

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

Had same neighbors on adjacent property since we purchased the home and they have never complained!

5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

We need to be able to get out of our house if it were to go up in flames, and the door we would use from master bedroom currently has a 4-6 ft drop out the door - so we need the permit to build the deck.

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FAYETTE

THIS INDENTURE, Made the 24th day of May, in the year
one thousand nine hundred eighty-nine, between

C. S. BROWN, JR. and ANNETTE H. BROWN

of the County of Fayette, and State of Georgia, as party or parties of the
first part, hereinafter called Grantor, and

FRED TAYLOR and J. CECILIA RIDENHOUR

as party or parties 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: Grantor, for and in consideration of the sum of

Ten and No/100 ----- (\$10.00) DOLLARS
in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant,
bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 24 OF THE 5TH
DISTRICT OF FAYETTE COUNTY, GEORGIA BEING LOT 25-D, HUNTINGTON SOUTH
SUBDIVISION, UNIT TWO, AS PER PLAT RECORDED IN PLAT BOOK 13, PAGE 161,
FAYETTE COUNTY RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY THIS REFERENCE
AND MADE A PART OF THIS DESCRIPTION.

This conveyance is made subject to all easements, covenants and restrictions
of record.

GEORGIA, Fayette County
Clerk's Office Superior Court

Filed for record June 1, 19 89

10:00 A.M.

Recorded in Book 555 Page 163

This 1st day of June 19 89

W. A. Ballard

Clerk

Fayette County, Georgia
Real Estate Transfer Tax

Paid 95.00 Date 6-1-89

W. A. Ballard

Clerk of Superior Court

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 forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property
unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in presence of:

James A. Bennett
WITNESS

Rita Noos
NOTARY PUBLIC

Notary Public, Fayette County, Georgia
My Commission Expires July 18, 1992

C. S. Brown, Jr. (Seal)
C. S. BROWN, JR.

Annette H. Brown (Seal)
ANNETTE H. BROWN

By Charles A. Brown, Jr. (Seal)
By Charles A. Brown, Jr.

BOOK 555 PAGE 163

Book: 555 Page: 163 Seq: 1

PETITION NO. A-708-19
1145 Brittany Way
Fayetteville, GA 30214
Public Hearing Date September 23, 2019

The subject property is zoned A-R and located at 1145 Brittany Way. The applicant is requesting a Variance as follows:

Variance to Sec. 110-125. A-R, (d) (6), to reduce the side yard setback from 50 feet to 46 feet to allow construction of an accessory structure.

History: The subject property's survey was recorded on June 8, 1976 in Plat Book 9 and Pages 124-125. Tax Assessor's records indicate that the house was built in 1976, and according to the deed the applicant purchased the property in 2001.

The applicant provides the following information:

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

I met with Fayette County officials at the Planning & Zoning offices to discuss construction an Accessory Structure on our farm. The property is 36.792 acres and consists of four, (4), contiguous non-conforming lots, all of which were grandfathered and purchased at the same time. Upon examining the land plat it was determined that a variance request for the accessory structure should be applied for.

The proposed accessory structure would sit on a 16.383 acre lot, (Tract 1), and has been determined to be forty-six, 46', linear feet from the 2 acre lot, (Tract 4) property lot line where our home sits.

We are requesting a four foot, 4', variance be considered to allow us to construct the accessory structure. The structure would be one story tall; the total foot print of the accessory structure would be 1,296 sf. / the interior or enclosed area of the structure would total 338 sf.

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Sec. 110-242. (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist.

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

The Lot is a non-conforming lot and the proposed accessory structure is purposefully located allow walking access from our primary residence. It's location would also provide direct access to the existing septic system and all utilities- electrical, water and gas.

The extraordinary conditions include both non-conforming lots, Tract 1 and Tract 4, and all four non-conforming lots are owned by the same person making the variance request.

- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

Yes! Location elsewhere would create a practical difficulty relative to access and functional use of the accessory structure. The non-conforming lot and proposed location for the accessory structure would be near the existing septic and within close access to the existing residence utilities, gas line, water lines and electricity.

- 3. Such conditions are peculiar to the particular piece of property involved; and,**

Yes there are peculiar conditions to the properties involved. The property is zoned AR and all four of the lots, individually and collectively, are non-conforming and owned by the same person.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and**

The proposed accessory structure would not cause detriment to the public good. The structure would be located more than 900 feet from a public road and would not be visible from any neighboring properties.

5. **A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed.**

All my neighbors in the same AR zoning district are allowed to have an accessory structure, my non-conforming lot is limiting my ability to do so.

DEPARTMENTAL COMMENTS

ENVIRONMENTAL HEALTH: No comment.

ENVIRONMENTAL MANAGEMENT: No comment.

FIRE MARSHAL: The Bureau of Fire Prevention will neither approve nor deny request that fall outside the scope of fire prevention code requirements.

WATER SYSTEM: No conflict.

A-708-19

**SUBJECT
PROPERTY**

**The Landings
Subdivision**

Brittany Way

**Fayette Villa
Estates
Subdivision**

In my professional opinion, a portion of this property does lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. Community No.: 130432 0080 D. Dated: MARCH 16, 1996.

N/A
ARNALL ACRES S/D
F.B. 21, PG. 73

TOTAL AREA = 36.792 ACRES

TRACT 2
16.383 ACRES

TRACT 3
1.997 AC.

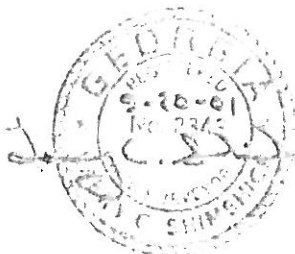
TRACT 4
2.000 AC.

TRACT 1
16.382 ACRES

1,296 SF PROPOSED (NEW ACCESSORY STRUCTURE)
45' SET BACK FROM LAKE
PROPERTY HAS 25' SET BACK

APPROX. 100 YR. FLOOD PLAIN
(ZONE A) BASE FLOOD ELEVATION NOT DETERMINED.

APPROX. 100 YR. FLOOD PLAIN
(ZONE A) BASE FLOOD ELEVATION NOT DETERMINED.



N/A
THELMA K. BROWN
D.B. 207, PG. 4F7

The facts upon which this survey is based have been obtained by direct measurements and computations and have been reduced to mean sea level by the use of a barometer and aneroid. The survey was used to determine area and location of structures. It is the professional opinion of the engineer that this is a true and correct representation of the land plotted, has been prepared to meet the minimum standards and requirements of law, and has been calculated for record and not been found to be accurate within one foot in 100 feet.

CENTERLINE OF DRIVE

COURSE	BEARING	DISTANCE
1	S 85°42'06" W	65.00'
2	N 85°32'53" W	49.92'
3	N 75°12'43" W	50.01'
4	N 64°16'42" W	24.01'
5	N 40°16'52" W	25.00'
6	N 20°42'48" W	24.99'

ENTRANCE
EXIT

GRAPHIC SCALE: 1 inch = 100 feet

VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: RICHARD R. ANWYL
MAILING ADDRESS: 1145 BRITTANY WAY FAYETTEVILLE GA 30214
PHONE: 404 626 6504 E-MAIL: RICKANWYL@GMAIL.COM

AGENT FOR OWNERS: N/A

MAILING ADDRESS: _____

PHONE: _____ E-MAIL: _____

PROPERTY LOCATION: LAND LOT 72 LAND DISTRICT 7th PARCEL 0720026

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 16.382

ZONING DISTRICT: AR

ZONING OF SURROUNDING PROPERTIES: _____

PRESENT USE OF SUBJECT PROPERTY: AR

PROPOSED USE OF SUBJECT PROPERTY: AR

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-708-19

[] Application Insufficient due to lack of:

by Staff: _____ Date: _____

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 8/13/19

DATE OF ZONING BOARD OF APPEALS HEARING: SEPTEMBER 23, 2019

Received from RICHARD R. ANWYL a check in the amount of \$ 195⁰⁰

for application filing fee, and \$ 20⁰⁰ for deposit on frame for public hearing sign(s).

Date Paid: 8/13/2019 Receipt Number: 6898670-sign
6898669-app

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

RICHARD R. ANWYL

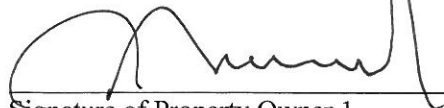
Please Print Names

Property Tax Identification Number(s) of Subject Property: _____

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 7th District, and (if applicable to more than one land district) Land Lot(s) 72 of the District, and said property consists of a total of 16.382 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to RICHARD R. ANWYL to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

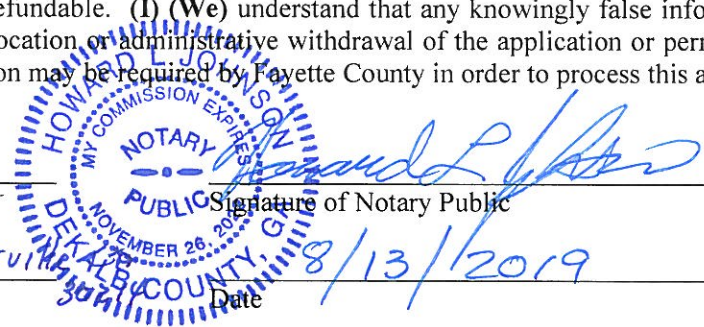
(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation, or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.



Signature of Property Owner 1

1145 BRITANY WAY FAYETTEVILLE

Address



Signature of Notary Public

8/13/2019

Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

Ordinance/Section	Requirement	Proposed	Variance Amount
110-125 DG	50' SET BACK	46'	4'

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

Variance Summary

Re: Non-Conforming Lot / Variance Request

Applicant: Richard R. Anwyl
1145 Brittany Way
Fayetteville, Ga. 30214

Provide a detailed and specific summary of each request.

I met with Fayette County officials at the Planning & Zoning offices to discuss constructing an Accessory Structure on our farm. The property is 36.792 acres and consists of four, (4), contiguous non-conforming lots, all of which were grandfathered and purchased at the same time. Upon examining the land plat it was determined that a variance request for the accessory structure should be applied for.

The proposed accessory structure would sit on a 16.383 acre lot, (Tract 1.), and has been determined to be forty-six, 46', linear feet from the 2-acre lot, (Tract 4) property lot line where our home sits.

We are requesting a four foot, 4', variance be considered to allow us to construct the accessory structure. The structure would be one story tall; the total foot print of the accessory structure would be 1,296 sf. / the interior or enclosed area of the structure would total 338 sf.

1.)

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

The Lot is a non-conforming lot and the proposed accessory structure is purposefully located to allow walking access from our primary residence. It's location would also provide direct access to the existing Septic system and all utilities - electrical, water and gas.

The extraordinary conditions include both non-conforming lots, Tract 1 and Tract 4, and all four non-conforming lots are owned by the same person making the variance request.

2.)

The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

Yes! Location elsewhere would create a practical difficulty relative to access and functional use of the accessory structure. The non-conforming lot and proposed location for the accessory structure would be near the existing septic and within close access to the existing residence utilities, gas line, water lines and electricity.

3.)

Such conditions are peculiar to the particular piece of property involved.

Yes there are peculiar conditions to the properties involved. The property is zoned AR and all four of the lots, individually and collectively, are non-conforming and owned by the same person.

4.)

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

The proposed accessory structure would not cause detriment to the public good. The structure would be located more than 900 feet from a public road and would not be visible from any neighboring properties.

5.)

A literal interpretation of this ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

All my neighbors in the same AR zoning district are allowed to have an accessory structure, my non-conforming lot is limiting my ability to do so.

BOOK 1716 PAGE 586

Record and return to:
Glover & Davis, P.A.
200 Westpark Drive, Suite 130
Peachtree City, GA 30269
01P10102, WRH

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FAYETTE

In consideration of Ten and 00/100 (\$10.00) Dollars and other valuable consideration, the receipt whereof is hereby acknowledged, **G. W. Waring**, of Fayette County, Georgia, does hereby give, grant, sell, alien and convey unto **Richard R. Anwyl**, of Fayette County, Georgia, his heirs and assigns, the following property, to-wit:

The Legal description is attached hereto and made a part hereof as Exhibit "A".

FAYETTE COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX 590.00
PAID
DATE 7-5-01
Sheila Studdard
CLERK OF SUPERIOR COURT

This conveyance is made subject to any restrictions of record, together with all privileges and appurtenances thereto in anywise belonging in fee simple.

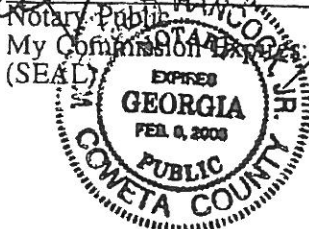
And the said vendor(s) will, and his heirs, executors, administrators and assigns shall, the said property to the said vendee(s), his heirs, executors, administrators, and assigns, forever warrant and defend against the lawful demands of all persons whatsoever.

IN WITNESS WHEREOF, The said G. W. Waring has hereunto set his hand(s), affixed his seal(s) and delivered these presents this 24th day of September, 2001.

Signed, sealed and delivered
in the presence of:

Gail Wilson
Witness

[Signature]
Notary Public
My Commission Expires
(SEAL)



G. W. Waring (SEAL)
G. W. Waring
a/k/a Gordon Ward Waring
(SEAL)

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lots 57, 58 and 72 of the 7th Land District of Fayette County, Georgia and being more particularly described as follows:

BEGIN at a 3/4" pipe found at the intersection of the northern boundary line of Land Lot 58 and the westerly right-of-way line of Brittany Way (50' r/w), and run thence along said right-of-way line south 2 degrees 2 minutes 58 seconds east a distance of 67.08 feet to a point; run thence along said right-of-way line south 2 degrees 2 minutes 58 seconds east a distance of 82.36 feet to a 3/4" rebar found; run thence south 88 degrees 49 minutes 57 seconds west a distance of 289.33 feet to a 3/8" rebar found; run thence north 2 degrees 51 minutes 54 seconds west a distance of 149.59 feet to a 3/4" pipe found at the corner common to Land Lots 57, 58, 71 and 72; run thence along the common boundary line between Land Lots 71 and 72 south 88 degrees 58 minutes 22 seconds west a distance of 1,328.34 feet to a 1" pipe found in concrete; run thence north 1 degree 26 minutes 48 seconds west a distance of 560.89 feet to a 1" rebar found; run thence north 1 degree 26 minutes 53 seconds west a distance of 289.27 feet to a bolt in concrete found; run thence north 74 degrees 56 minutes 0 seconds east a distance 1,560.84 feet to a bolt in concrete found; run thence south 0 degrees 1 minute 1 second east a distance of 1,228.71 feet to a 3/4" pipe found in concrete on the common boundary line between Land Lots 57 and 58; run thence along said boundary line north 88 degrees 49 minutes 28 seconds east a distance of 133.48 feet to the Point of Beginning as established above; being shown and described as Tract 1 containing 16.382 acres, Tract 2 containing 16.383 acres, Tract 3 containing 1.997 acres, and Tract 4 containing 2.00 acres on that certain plat of survey prepared for Richard R. Anwyl, by Larry C. Shimshick, Georgia Registered Land Surveyor No. 2343, dated September 19, 2001; being further shown and described as four tracts on those certain plats of survey prepared for George Raymond Bowen and G. W. Waring, by Thomas B. Boyd, Georgia Registered Land Surveyor, and recorded in Plat Book 9, Pages 124 and 125, Fayette County, Georgia Records.

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