



Commercial Real Estate
Due Diligence Management
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Boundary Retracement/ALTA/NSPS Land Title Survey

Acworth Crossing Shopping Center

Surveyor Certification

Acworth Crossing Shopping Center

3335 N Cobb Parkway NW
Acworth, GA 30101
County of Cobb

To: Island Abstract Inc.; Acworth Properties, LLC; Trust Bank, a North Carolina banking corporation, its successors and/or assigns, as their interest may appear; Fidelity National Title Insurance Company and American National, LLC.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5a, 5b, 7a, 7b1, 7c, 8, 9, 10, 13, 14, 15, 17, 18 and 19 of Table A thereof. The fieldwork was completed on May 24, 2023.

Princeton P Pirkle Jr.
PLS#1474
In the State of Georgia

PIRKLE & ASSOCIATES SURVEYING, INC.
783 Slater (Dunwoode Road)
Clemensville Georgia 30427
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Ga LSF 000232, SC LSF 3780

Date of Preliminary Plat: June 5, 2023
Date of Last Revision: June 15, 2023; August 30, 2023; September 28, 2023
Date of Final Plat: September 28, 2023

Network Reference No. 20230992-001

Job No. B-230496

Title Legal Description

All that tract or parcel of land lying and being in Land Lots 108 and 121, 20th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Commence at a 1/4 inch crimped top pipe found at the intersection of Land Lots 108, 109, 120, and 121; thence continuing along said common Land Lot Line, south 89° 09 minutes 22 seconds east, a distance of 451.29 feet to a 5/8 inch rebar set, said rebar set being the True Point of Beginning; thence continuing along said common Land Lot Line, south 89° 17 minutes 07 seconds east, a distance of 286.74 feet to a PK Nail set; thence south 89° 17 minutes 07 seconds east, a distance of 59.57 feet to a 5/8 inch rebar set; thence leaving said common Land Lot Line, north 00° 42 minutes 58 seconds east, a distance of 187.07 feet to a 5/8 inch rebar set on the southerly Right of Way line of US Highway No. 41 (having a 300-foot Right of Way); thence continuing along said Right of Way, south 77° 21 minutes 28 seconds east, a distance of 216.68 feet to a 5/8 inch rebar set; thence departing said Right of Way south 14° 14 minutes 19 seconds west, a distance of 244.78 feet to a PK Nail set; thence south 75° 27 minutes 20 seconds east, a distance of 187.53 feet to a PK Nail set; thence north 14° 27 minutes 14 seconds east, a distance of 251.03 feet to a PK Nail set on the southerly Right of Way line of US Highway No. 41 (having a 300-foot Right of Way); thence along said Right of Way, south 77° 21 minutes 28 seconds east, a distance of 54.15 feet to a 5/8 inch rebar set; thence leaving said Right of Way, south 12° 36 minutes 58 seconds west, a distance of 36.41 feet to a 5/8 inch rebar set; thence north 75° 35 minutes 26 seconds west, a distance of 22.11 feet to a 5/8 inch rebar set; thence south 14° 27 minutes 05 seconds west, a distance of 216.39 feet to a PK Nail set; thence south 75° 27 minutes 20 seconds east, a distance of 270.00 feet to a 5/8 inch rebar set; thence south 00° 50 minutes 31 seconds east, a distance of 59.47 feet to an angle iron found; thence south 00° 29 minutes 06 seconds east, a distance of 277.81 feet to a 5/8 inch rebar set on the northerly Right of Way line of McClure Road (having a variable Right of Way); thence along said Right of Way line, south 55° 15 minutes 08 seconds west, a distance of 128.12 feet to a 5/8 inch rebar set; thence south 55° 34 minutes 05 seconds west, a distance of 180.42 feet to a 5/8 inch rebar set; thence south 55° 27 minutes 21 seconds west, a distance of 147.10 feet to a 5/8 inch rebar set; thence 55° 44 minutes 13 seconds west, a distance of 150.47 feet to a 5/8 inch rebar set; thence leaving said Right of Way, north 75° 27 minutes 17 seconds west, a distance of 342.80 feet to a 5/8 inch rebar set; thence north 06° 07 minutes 15 seconds west, a distance of 25.18 feet to a 5/8 inch rebar set; thence north 10° 44 minutes 44 seconds west, a distance of 73.40 feet to a 5/8 inch rebar set; thence north 13° 38 minutes 23 seconds west, a distance of 54.35 feet to a 5/8 inch rebar set; thence north 12° 17 minutes 44 seconds west, a distance of 58.46 feet to a 5/8 inch rebar set; thence north 15° 15 minutes 57 seconds west, a distance of 61.89 feet to a 5/8 inch rebar set; thence north 12° 21 minutes 35 seconds west, a distance of 50.07 feet to a 5/8 inch rebar set; thence north 18° 49 minutes 25 seconds west, a distance of 118.61 feet to a 5/8 inch rebar set; thence north 28° 57 minutes 30 seconds west, a distance of 75.74 feet to a 5/8 inch rebar set; thence north 00° 09 minutes 43 seconds west, a distance of 119.16 feet to a 5/8 inch rebar set; thence north 04° 04 minutes 47 seconds east, a distance of 69.27 feet to a 5/8 inch rebar set; thence north 07° 42 minutes 45 seconds east, a distance of 98.08 feet to a 5/8 inch rebar set, said point being the True Point of Beginning.

Said tract of land contains 15.302 Acres.

Together With rights and easements contained in that certain Restrictive Covenants, Easements and Construction Agreement by and between Acworth Hwy 41, LLC and HD Development of Maryland, INC dated April 24, 2006 and filed and recorded on April 24, 2006 at 3:10 PM in Deed Book 14319, Page 1937 of the Office of the Clerk of Superior Court of Cobb County, Georgia.

Easements and Construction Agreement, by and between Acworth Hwy 41, LLC, a Georgia limited liability company and Inland Southeast Acworth, LLC, a Georgia limited liability company, dated June 29, 2006, filed for record June 30, 2006 and recorded in Deed Book 14351, Page 1020, aforesaid records.

Reciprocal Easement Agreement for Acworth Crossing, by and between Acworth Hwy 41, LLC, a Georgia limited liability company and Burnt Hickory Corner, LLC, a Georgia limited liability company, dated April 13, 2010, filed for record April 15, 2010, and recorded in Deed Book 14766, Page 40, aforesaid records.

The above described parcel is the same parcel as described in Fidelity National Title Insurance Company, Commitment No. DC41-23-0821, bearing an effective date of September 13, 2023.

Notes Corresponding to Schedule B

Numbers correspond with Schedule B exception items contained in Fidelity National Title Insurance Company, Commitment No. DC41-23-0821, bearing an effective date of September 13, 2023.

10. Intentionally Deleted.

11. Right of Way Deed from Robert C Shuman to Department of Transportation, State of Georgia, dated June 5, 1986, filed of record June 11, 1986, as recorded in Deed Book 3972, Page 46, aforesaid records.
THE LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT; INTERNALLY REFERENCED PLANS NOT ATTACHED OR PROVIDED

15. Restrictive Covenant, Easements and Construction Agreement, by and between Acworth Hwy 41, LLC, a Georgia limited liability company and HD Development of Maryland, INC, a Maryland corporation, dated April 24, 2006, filed of record April 24, 2006, as recorded in Deed Book 14319, Page 1937, aforesaid records.
BENEFITS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON

17. Easements and Construction Agreement, by and between Acworth Hwy 41, LLC, a Georgia limited liability company and Inland Southeast Acworth, LLC, a Georgia limited liability company, dated June 29, 2006, filed of record June 30, 2006, as recorded in Deed Book 14351, Page 1020, aforesaid records.
BENEFITS THE SUBJECT PROPERTY - NO PLOTTABLE ITEMS

18. Easement from Acworth Hwy 41, LLC to Cobb Electric Membership Corporation, dated May 25, 2006, filed of record July 7, 2006, as recorded in Deed Book 14353, Page 4908, aforesaid records.
AFFECTS THE SUBJECT PROPERTY - BLANKET IN NATURE (15' EACH SIDE OF THE CENTER MARKED BY UNDERGROUND POWER LINES)

19. Easement Agreement, by and between Acworth Hwy 41, LLC and Atlanta Gas Light Company, dated July 24, 2006, filed of record August 2, 2006, as recorded in Deed Book 14355, Page 6371, aforesaid records.
AFFECTS THE SUBJECT PROPERTY - EXHIBIT IS TOO VAGUE, UNABLE TO PLOT; UNDERGROUND UTILITIES NOT LOCATED AS PART OF THIS SURVEY

20. Reciprocal Easement Agreement for Acworth Crossing, by and between Acworth Hwy 41, LLC, a Georgia limited liability company and Burnt Hickory Corner, LLC, a Georgia limited liability company, dated April 13, 2010, filed of record April 15, 2010, as recorded in Deed Book 14766, Page 40, aforesaid records.
AFFECTS AND BENEFITS THE SUBJECT PROPERTY - BLANKET IN NATURE

21. Easement from Monarch at Acworth Crossing, LLC to BellSouth Telecommunications, LLC, dba AT&T Georgia, dated Feb. 27, 2014, filed of record March 13, 2014, as recorded in Deed Book 15143, page 1690, aforesaid records.
AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON

References

Deed Book 15096, Page 2934

Parking

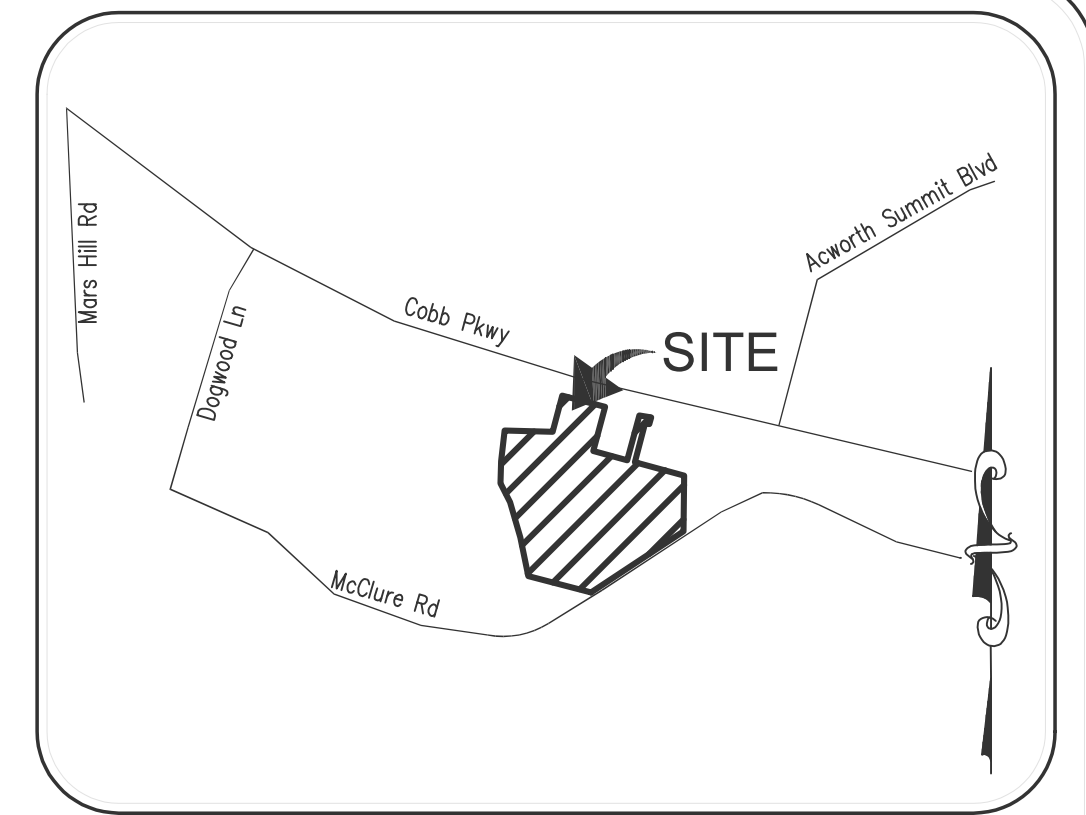
509 Regular Spaces
16 Handicapped Spaces
525 Total Spaces

Encroachment Statement

At the time of survey, there were no visible encroachments on the subject property.

Flood Zone

By graphic plotting only, this property lies within Zone X of the Flood Insurance Rate Map, Community Plan No. 13067C0016H, which bears an effective date of October 5, 2018 and is not in a Special Flood Hazard Area.



Vicinity Map
Not to Scale

General Notes

1. There is direct access to the subject property via McClure Road & Cobb Parkway NW, each a public right of way.

There is access to the subject property per an easement set forth in Deed Book 14319, Page 1937 and Deed Book 14351, Page 1020 from Cobb Parkway NW, a public right-of-way.

2. The address of the site is 3335 N Cobb Parkway NW Acworth, GA.

3. The location of utilities shown on the survey are from observed evidence or above ground appurtenances only. The surveyor was not provided with underground utility plans or surface ground markings to determine the location of any subterranean uses.

4. There was no evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.

5. At the time of this survey there was no information made available to the surveyor regarding proposed changes in street right-of-way lines. There was no evidence of recent street or sidewalk construction or repairs observed in the process of conducting the fieldwork.

6. All field measurements matched record dimensions within the precision requirements of ALTA/NSPS specifications unless otherwise shown.

7. At the time of survey there was no evidence of the property being used as a cemetery, burial ground or grove site.

8. Building square footage as shown on the survey is calculated by the exterior footprint of all buildings at ground level and should be used for general purposes only. This calculation does not determine gross floor area and should not be used for any purpose in which a gross floor area determination is required.

9. The meridian for all bearings shown hereon is S 00°29'06" E as the easterly line of subject property as described in Deed Book 15096, Page 2934, Cobb County Records.

10. At the time of the survey, there were no party walls observed or designated by the client.

11. All plottable offsite easements or servitudes are shown on the survey. Offsite easements by graphic depiction only, improvements were not located.

12. This map or plat has been calculated for closure and is found to be accurate within one foot in 999,999.

13. The term 'Certification' as used in Rule 1806-09(2) and (3) and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11) shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

14. This survey complies with both the rules of Georgia Board of Registration for Professional Engineers and Land Surveyors and the Office Code of Georgia Annotated (OCGA) 15-6-87, in that where a conflict exists between those two sets of specification, the requirements will prevail.

15. This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, SUITABILITY FOR ANY USE OR PURPOSE OF THIS LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Zoning Information

JURISDICTION: City of Acworth		
CLASSIFICATION: C2, Community Retail Commercial District		
ITEM	REQUIRED	OBSERVED
MINIMUM LOT AREA	30,000 Sq. Ft.	666,577 Sq. Feet
MINIMUM FRONTAGE	150'	637.11'
MAX. BUILDING COVERAGE	0.50	XX
MAXIMUM BUILDING HEIGHT	50'	27/30±
FRONT SETBACK	Arterial: 45' Other: 35'	XX
SIDE SETBACK	Major: 30' Minor: 20'	XX
REAR SETBACK	40'	XX
PARKING FORMULA	Shopping centers greater than 50,000 sq.ft. 4 spaces per 1,000 sq.ft. (Table J)	
SPACES REQUIRED	XX	525

ZONING INFORMATION HAS BEEN PROVIDED BY A ZONING REPORT BY AMERICAN NATIONAL, LLC, DATED MAY 19, 2023, SITE NO. 20230992.

NOTE: SETBACK LINES SHOWN HEREON ARE BASED SOLELY UPON THE INFORMATION PROVIDED ABOVE, ARE TO BE USED FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO INTERPRETATION BY THE LOCAL ZONING AUTHORITY.

