



MEMORANDUM

To: Mayor and City Council

From: Steve Dush, AICP

Date: April 8, 2013

Subject **Property Generally located at 5342 Tilly Mill Road and 2026 Womack Road:** Waiver Request from Section 16-487 to reduce the required right-of-way of Tilly Mill Road from 43' to 40' and waive the requirement of a bike lane along Tilly Mill Road and from 42' to 27' on Womack Road (which is to include an 11' travel lane, 4' bike lane, 2' curb and gutter, and 10' utility strip).

ITEM DESCRIPTION

The applicant of the proposed Berman Commons Assisted Living Facility, to be located along Womack Road, just west of its intersection with Tilly Mill Road and north of Georgia Perimeter College, has submitted to the City a plan set for final plat review. Authorization for a 90-bed assisted/independent adult living facility was initiated prior to incorporation but was never completed or final platted by DeKalb County. During the review process, staff identified, pursuant to the terms of Section 16-487, that the land owners are required to install certain improvements along the frontage of said property. The applicant is requesting that these requirements be waived or amended based upon the existing conditions of the area and in order to comply with the conditions of setbacks and landscaping required by the Special Land Use Permit issued by DeKalb County August 12, 2008.

BACKGROUND

Code Section 16-487, which compels the applicant to improve additional right of way reads, in part:

Sec. 16-487. - Street classification and right-of-way width.

All streets shall be classified according to the table in this section. Street construction standards shall be no less than as follows:

Type of Road	Travel Lanes	Bike Lanes	Paving Width	Planting Strips	Sidewalks	Utility Strips	Property ROW	Underground Utilities	Streetlights
Minor arterial	2 @ 11'	2 @ 4'	*	2 @ 6'	2 @ 5'	2 @ 15'	80	Y	Y
Collector	2 @ 11'	2 @ 4'	*	2 @ 5'	2 @ 5'	2 @ 15'	70	Y	Y

*Paving width = travel lanes + bike lanes

**Property right-of-way = paving width + curb and gutter width + utility strip + bike lanes + other (median or shoulder)

Code Section 16-488(e), which empowers the Mayor and City Council to waive these development requirements, reads, in part:

(e) The city council, after considering all related factors, may authorize deviations from this section as follows:

- (1) Right-of-way dedication may be waived or modified if:



- a. Existing use of property is not to be substantially changed as a result of proposed development or construction;
 - b. Existing government construction plans for the roadway indicate lesser right-of-way would be required for dedication; or
 - c. The adjoining frontage is developed and the predominant existing right-of-way meets city standards.
- (2) Road improvements may be waived or modified if:
- a. Existing use of property not to be substantially changed (i.e., traffic generation and ingress/egress would remain the same);
 - b. Governmental construction plans for the road indicate a pavement width less than city standards (only the planned pavement width shall be required);
 - c. No more than five percent of average daily traffic generation would occur between 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m., on weekdays;
 - d. The existing road meets current county standards; or
 - e. Widening would create a hazard to traffic, pedestrians, or bicyclists along the thoroughfare.

RECOMMENDATION

Staff recommends **approval** of the applicant's request to waive the requirement for dedication of the full 42' to be reduced to 27' to accommodate required improvements on dedicated ROW and private property **with the condition that a landscape/pedestrian access easement, as demonstrated in exhibit A, be successfully executed upon approval.** The outcome, if approved, would result in the reduction of the dedicated ROW from 42' to 27', including an 11' travel lane, 4' bike lane, 2' curb and gutter, and 10' utility strip to be installed by the applicant in the dedicated ROW. The following requirements of Section 16-487 are proposed to be constructed on private property, but would be accompanied by an access easement, rather than dedicated ROW: 5' sidewalk (located within the landscape strip), connecting to the offsite sidewalk infrastructure and the 18' landscape strip, as conditioned by the Special Land Use Permit. Requiring such improvements to be installed on dedicated ROW impedes current entitlements the property owner holds with respect to the building location and setbacks.

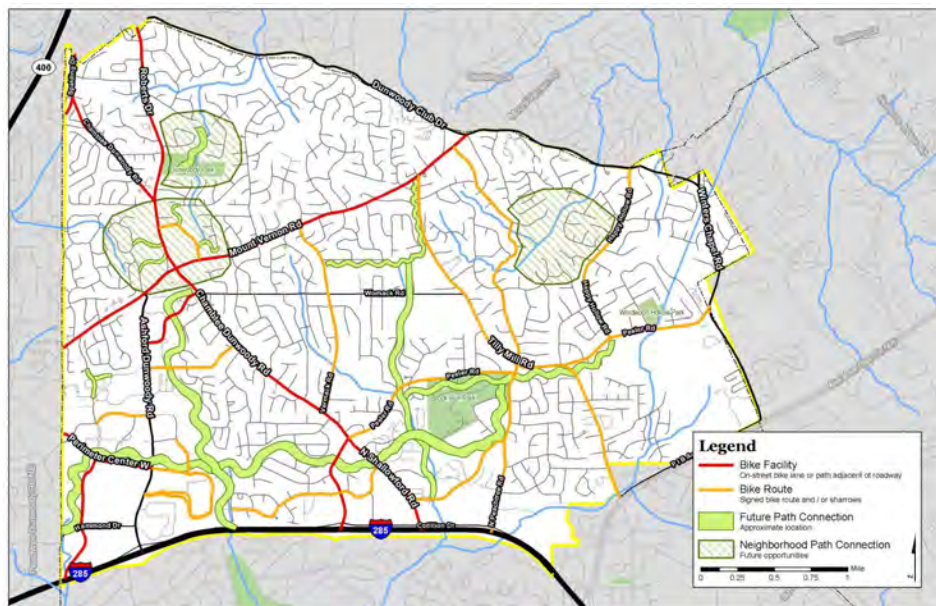
Staff recommends **approval** of the waiver of the applicant's additional request to waive the requirement for street improvements along Tilly Mill Road. The outcome, if approved, will require a 40' ROW dedication to the City from the centerline of Tilly Mill Road, a deferral of the remaining 3' utility easement dedication until the conclusion of the platting process, and a waiver for the construction of bike lanes along Tilly Mill Road. Pursuant to Section 16-488, the use of this portion of the property will not be substantially changed as a function of the project, as the limits of construction and access along Tilly Mill Road are not proposed; therefore ingress and egress will remain unchanged.

In summary, staff recommends approval of the waivers for granting them provides the necessary improvements along Womack through the use of easements and the improvements along Tilly Mill can be implemented through redevelopment or when the City would install them as the ROW will be dedicated.

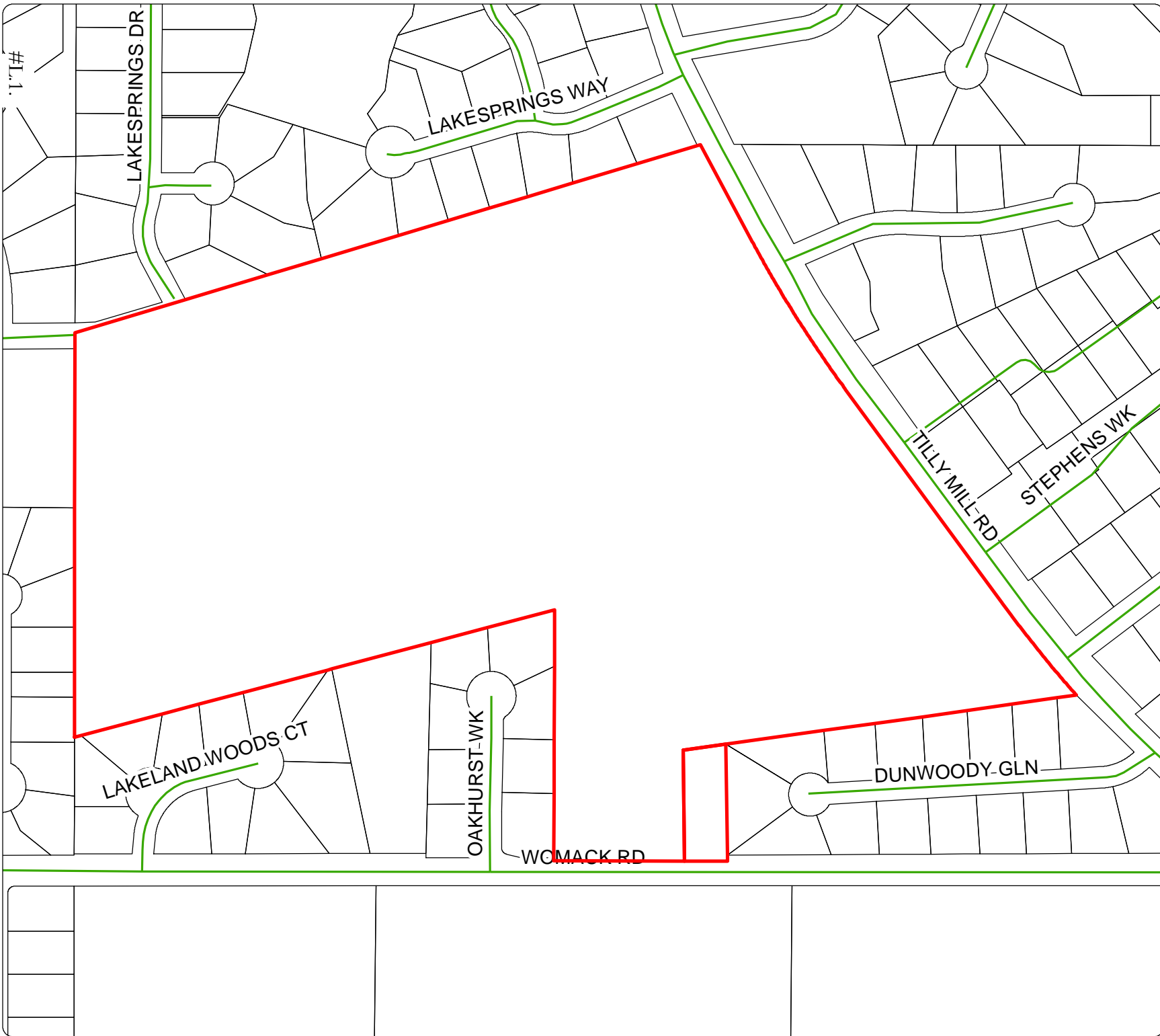


April 22, 2013 City Council Meeting Summary

At their second regular April meeting, the City Council heard the applicant’s request to waive development improvements for the Berman Commons Assisted Living Facility generally located on Womack Road. Staff described all of the waivers requested relative to providing easements and right-of-way instead of solely right-of-way in order to maintain setbacks and conditions of a previous SLUP approval. The additional waiver request to not install a bike lane along Tilly Mill Road was an item of discussion amongst the Mayor and Council. Additional discussion surrounded the “Comprehensive Transportation Plan” depicting this particular section of Tilly Mill Road as a Bike Route rather than a Bike Facility (Map 13 of the Comprehensive Transportation Plan-see below). Bike facilities are designated, on-street bike lanes or paths adjacent to roadways. Bike routes are shared roadways marked by signage or sharrowes. After some discussion with the applicant related to the proposed use of the subject property and the nature of waiving said improvements specifically, a motion was made to defer the agenda item until the May 13, 2013 meeting. The motion passed 4 - 3 votes.



Map 13: Dunwoody Bicycle Network



#1.1.

LAKESPRINGS DR

LAKESPRINGS WAY

TILLY MILL RD

STEPHENS WK

LAKELAND WOODS CT

OAKHURST-WK

DUNWOODY GLN

WOMACK RD

Dunwoody
 *Smart people - Smart city
Community Development
 41 Perimeter Center East | Dunwoody, Georgia
 Suite 250 | 30346-1902
 678-382-6800 - www.dunwoodyga.gov

**5342 Tilly Mill Rd.
 and 2026 Womack Rd.**

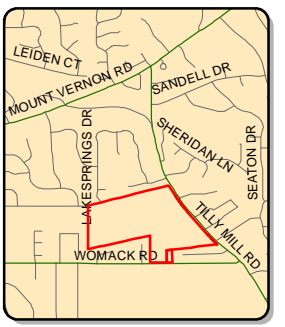
Site Location

March 2013

Legend

- Street Centerlines
- Parcels

Scale: 1"=300'
 (1:3600)



ORIGINAL

Before the City Council of
The City of Dunwoody, Georgia

In Re:)
)
Berman Commons,) Application No. 12-0265
)
Applicant,)

APPLICATION FOR WAIVERS

COMES NOW, BERMAN COMMONS, as Applicant, and requests the following waiver from the City Code of the City of Dunwoody and shows the Council as follows:

1.

That Applicant, Berman Commons, is the Lessee of 2026 Womack Road, Dunwoody, DeKalb County, Georgia.

2.

On the 12th day of August, 2008, the Lessee was approved for a 90-bed assisted/independent adult living facility on said property by the DeKalb County Board of Commissioners.

3.

That the original CUP approved by DeKalb County made certain requirements for landscaping along Womack Road.

4.

That Code Section 16-487 of the City of Dunwoody Code requires that certain improvements be made along the frontage of said property that is contiguous and abutting Womack Road.

5.

That strict compliance with said Code Section causes significant damage and loss to the Applicant and the Applicant requests a waiver from said Code Section 16-487 as follows:

- a. Reduce the required right-of-way of Womack Road from 42' to 27' as measured from the northern edge of the existing left turn lane;

received 3/14/13

- b. Said waiver request to include an 11' travel lane, a 4' bike lane, a 2' curb and gutter, and a 10' utility strip;
- c. The required 5' sidewalk will be located outside of the right-of-way within the SLUP required landscape strip except where it transitions to connect to the existing sidewalk at the east and west side of the subject property; and
- d. The sidewalk shall be located within a 5' Pedestrian Access and Landscape Easement as shown on the attached Womack Road Improvement exhibit dated March 13, 2013, which is marked Exhibit "A" and by reference and incorporated herein and made a part hereof.

6.

Additionally, a second waiver is requested as a part hereof from Code Section 16-487 relating to property located at 5342 Tilly Mill Road.

7.

Said property is owned by the Marcus Jewish Community Center of Atlanta, the Lessor of the Applicant.

8.

For that portion of said property that fronts, abuts and is adjacent to Tilly Mill Road, the following waiver is requested:

- a. That the required right-of-way of 43' be reduced to 40' from the center line of Tilly Mill Road;
- b. That an additional 3' utility easement abutting the edge of the above noted 40' right-of way and within the building set back area be dedicated by the owner at the time of the platting of the property;
- c. That the required construction of a bike lane along Tilly Mill Road be waived;
- d. That the existing right-of-way is sufficient for future construction of said bike lane by the City as part of a future road improvement program;

- e. After construction of said bike lane, the City will be responsible for restoring the property to its prior grades, as well as any landscaping and restoring or replacing any other improvements that may be damaged as a result of their construction and utilization of the 3' utility easement along Tilley Mill Rd.; and
- f. Said waiver request is shown on attached Exhibit "B", which is by reference incorporated herein and made a part hereof.

9.

The hereinafter constitutional notice is now required by Georgia law.

The portions of the City of Dunwoody Zoning Ordinance, facially and as applied to the property, which prohibit the granting of said waivers as requested by the Applicant is unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of Dunwoody Zoning Ordinance, facially and as applied to the property, which prohibits the granting of said waivers as requested by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of these waivers would constitute an arbitrary and capricious act by the City of Dunwoody City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by City of Dunwoody City Council to grant these waivers as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983

A refusal by City of Dunwoody City Council to grant these waivers as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the property subject to conditions which are different from these waivers requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.


The denial of these waivers on the subject property is unconstitutional as it applies to the property. This notice is being given to comply with the provisions of O.C.G.A. § 36-11-1 to afford the City an opportunity to revise the property as requested in the waivers. If action is not taken by the City to grant these waivers within a reasonable time, a claim will be filed in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the property, diminution of value of the property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

A denial of the waivers violates the substantial burden, equal terms and discrimination provisions of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), Section 42 USC 2000 cc et seq.

WHEREAS, the Applicant requests that said waivers be granted and that the Applicant have such further and just relief as required by the circumstances.

Respectfully submitted, this 14th day of March, 2013.

BERMAN COMMONS

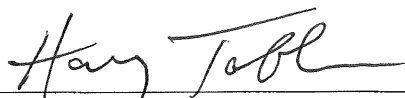
By: 
G. Douglas Dillard,
Attorney for Applicant

Weissman, Nowack, Curry & Wilco, PC
3500 Lenox Road, NE, 4th Floor
Atlanta, GA 30326

VERIFICATION

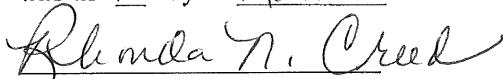
I, Harley Tabak, am the owner of Berman Commons. I have reviewed the Application of Waiver and am authorized to state, on behalf of the Berman Commons, that the facts contained in the Application for Waiver are, to the best of my knowledge and information, true and correct.

BERMAN COMMONS


Printed Name: Harley Tabak

Title: Owner

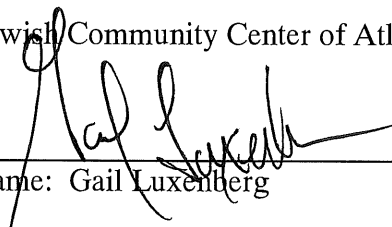
Sworn to and subscribed before me
this the 11th day of March 2013.


Notary Public

VERIFICATION

I, Gail Luxenberg, am the CEO of Marcus Jewish Community Center of Atlanta (MJCCA). I have reviewed the Application of Waiver and am authorized to state, on behalf of the Marcus Jewish Community Center of Atlanta (MJCCA), that the facts contained in the Application for Waiver are, to the best of my knowledge and information, true and correct.

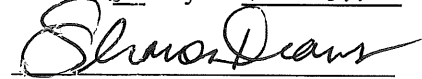
Marcus Jewish Community Center of Atlanta
(MJCCA)



Printed Name: Gail Luxenberg

Title: Chief Executive officer

Sworn to and subscribed before me
this the 2nd day of March 2013.



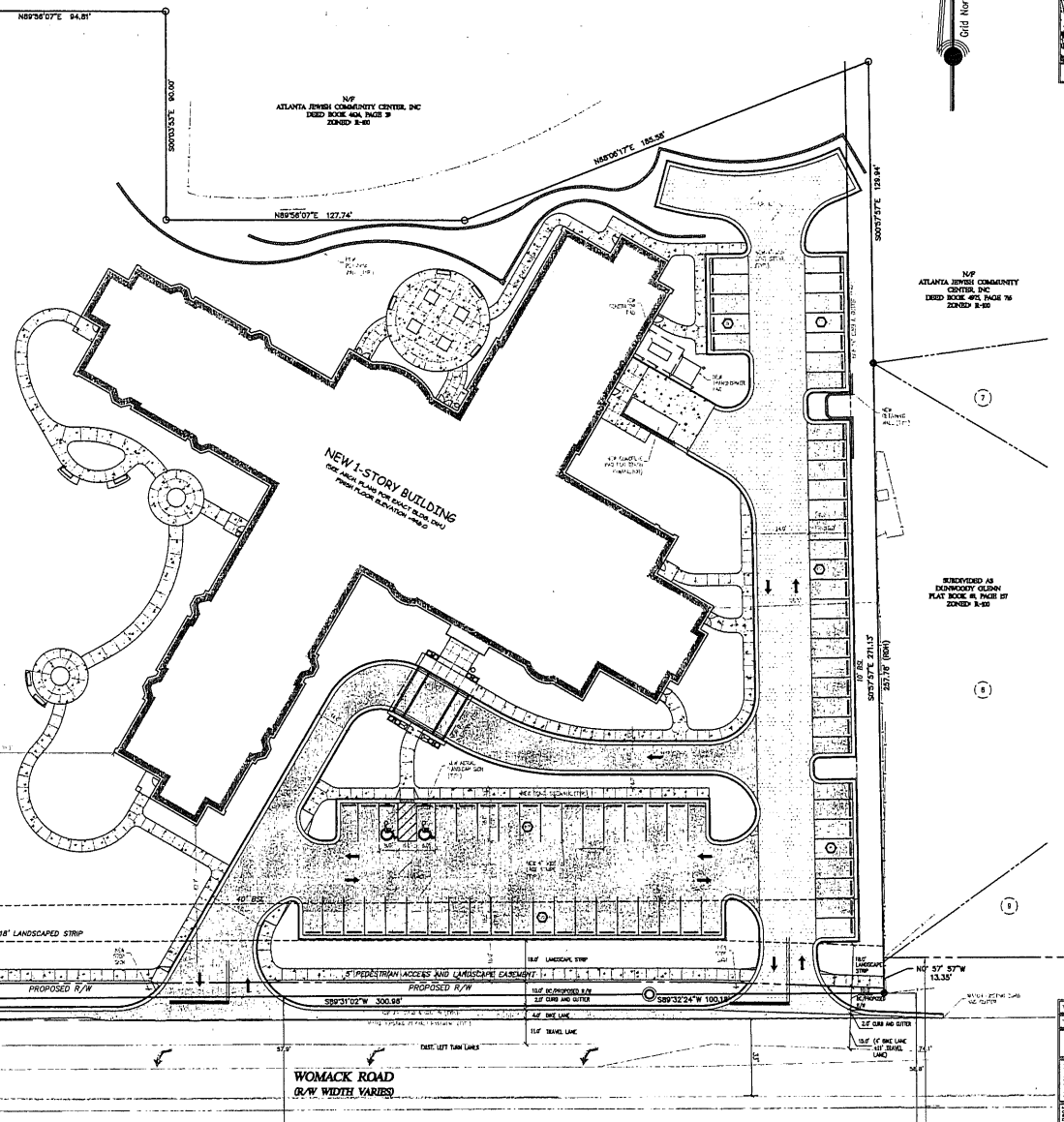
Notary Public

**Sharon Deans
Notary Public
Cobb County, Georgia
Commission Expires 10/21/2016**

-97-

LEGEND

- EXIST POWER POLE
- EXIST POWER POLE TOWER
- EXIST LIGHT STANDOFF
- EXIST ELECTRICAL BOX W/ REBAR/ANCHOR
- EXIST METAL WELLS
- EXIST METAL WELLS
- EXIST UNDERGROUND UTILITY STRUCTURE
- EXIST TELEPHONE MANHOLE
- EXIST TELEPHONE BOX
- EXIST GAS VALVE
- EXIST SANITARY SEWER MANHOLE
- EXIST CLEAN OUT
- EXIST JACKSON METER/BOX MANHOLE
- EXIST SANITARY BOX
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- EXIST 2010" R/W
- EXIST 2016" R/W
- EXIST 2022" R/W
- EXIST 2028" R/W
- EXIST 2034" R/W
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- EXIST 2418" R/W
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- EXIST 2436" R/W
- EXIST 2442" R/W
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- EXIST 3594" R/W
- EXIST 3600" R/W



Grid North (CA West Zone)

Rev	Date	Description
1	3/23/13	ADD PER AECOM FOR 100% DESIGN

BERMAN COMMONS
ASSISTED LIVING
FACILITY
2012 WOMACK ROAD
DUNWOODY, GA



THW
DESIGN
COPYRIGHT
THOMPSON HANCOCK WITTE
& ASSOCIATES, INC.
2100 RiverEdge Parkway
Suite 900
Atlanta, GA 30328
PH: 770 916 2220
FAX: 770 916 2299
www.thw.com

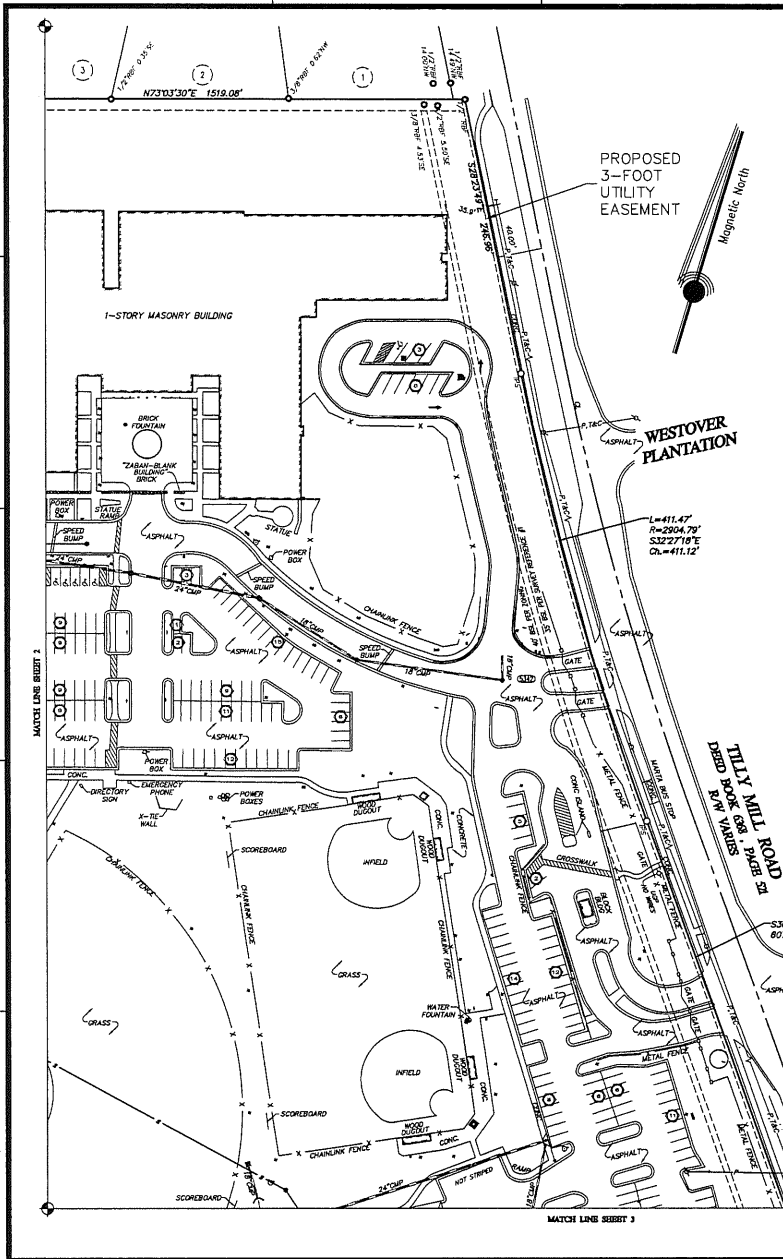
Project No.:
Date: 02/15/2013
Drawn By:
Checked By:

WOMACK ROAD
IMPROVEMENTS
EXHIBIT



Exhibit **A**

#1.1.



Legal Description Overall:
 All that tract or parcel of land lying and being in Land Lot 369 of the 18th District, DeKalb County, Georgia and being more particularly described as follows:
 BEGINNING at a 1/4" pipe found on the western land lot line of land lot 369 being 270.7' from the intersection of said land lot line and the northern right of way of Womack Road 00' right of way; THENCE North 00 degrees 02 minutes 02 seconds West a distance of 536.41 feet to a 1/2" rebar; THENCE North 00 degrees 00 minutes 47 seconds East a distance of 401.23 feet to a 1/2" rebar; THENCE North 73 degrees 03 minutes 30 seconds East a distance of 1519.08 feet to a 1/2" rebar on the western right of way of Tilly Mill Road (right of way corner); THENCE along said right of way South 26 degrees 23 minutes 49 seconds East a distance of 246.98 feet to a 1/2" rebar set; THENCE along a curve to the left with a radius of 2504.79 feet and an arc length of 411.47 feet, said curve having a chord bearing of South 32 degrees 27 minutes 18 seconds East and a chord distance of 411.2 feet to a 1/2" rebar set; THENCE South 36 degrees 30 minutes 47 seconds East a distance of 607.52 feet to a 1/2" rebar set; THENCE leaving said right of way South 82 degrees 00 minutes 03 seconds West a distance of 377.30 feet to a 1/2" rebar; THENCE South 81 degrees 41 minutes 49 seconds West a distance of 442.78 feet to a 1/2" rebar; THENCE South 00 degrees 57 minutes 57 seconds East a distance of 271.13 feet to a 1" open top pipe on the northern right of way of Womack Road (right of way corner); THENCE along the northern right of way of Womack Road South 89 degrees 32 minutes 24 seconds West a distance of 100.18 feet to a 1/2" rebar; THENCE South 89 degrees 31 minutes 02 seconds West a distance of 309.98 feet to a nail; THENCE leaving said right of way North 00 degrees 03 minutes 53 seconds West a distance of 424.90 feet to a 1/2" rebar set; THENCE North 00 degrees 03 minutes 53 seconds West a distance of 161.30 feet to a 1/2" rebar; THENCE South 74 degrees 54 minutes 59 seconds West a distance of 1157.74 feet to a 1/4" pipe, said point being the TRUE POINT OF BEGINNING.

OWNER'S ACKNOWLEDGEMENT
 I, _____ the owner of the land shown on this plot and whose name is subscribed hereto, acknowledges that this plot was made from an actual survey, and for value received the sufficiency of which is hereby acknowledged, do hereby convey all streets and rights-of-way, water mains and sewer lines shown hereon in fee simple to the City of Dunwoody, and further dedicate to the use of the public forever all alleys, parks, watercourses, drains, easements and public places hereon shown for the purposes and considerations herein expressed. In consideration of the approval of this development plan and other valuable considerations, the owner further releases and holds harmless the City of Dunwoody from any and all claims, damages, or demands arising on account of the design, construction and maintenance of the property shown hereon; on account of the roads, fills, embankments, ditches, grass-drain extensions, drives, structures, streets, culverts, curbs or sidewalks, the changing of courses of streams and rivers, flooding from natural creeks and rivers, surface water, water lines, and bridges within the proposed rights-of-way and easements shown; and on account of backwater, the collection and discharge of surface water, or the changing of courses of streams.
 And further the owner warrants that he owns fee simple title to the property shown hereon and agrees that the City of Dunwoody shall not be liable to him, his heirs, successors, or assigns for any claims or damages resulting from the construction or maintenance of grass-drain extensions, drives, structures, streets, culverts, curbs or sidewalks, the changing of courses of streams and rivers, flooding from natural creeks and rivers, surface water, water lines, and bridges within the proposed rights-of-way and easements shown; and he further warrants that he has the right to sell and convey the land according to this plan and to himself and owners subsequent in title to defend by virtue of these presents.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND
 THIS _____ DAY OF _____ 20____
 (SEAL)
 (PRINT)
 WITNESS:
 NOTARY PUBLIC

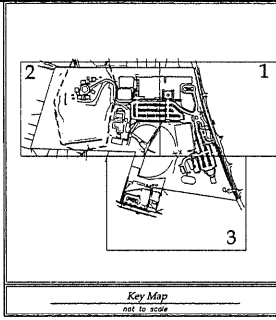
Site Address:
 5342 Tilly Mill Road
 2026 Womack Road
Zoning: R-100
 Front Yard: 40'
 Side Yard: 10'
 Rear Yard: 40'
 This information is reported from public information obtained from DeKalb County records. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

Parking Summary:
 Regular Parking Spaces: 364
 Handicap Parking Spaces: 10
 Total Parking Spaces: 374

Area Summary: 50.49 acres

Survey References:
 1. As Constructed Survey for Atlanta Jewish Community Center Zohar Park Branch prepared by Hannon, Meeks, and Broughton, Surveyors & Engineers, Inc. dated July 11, 1998 (File no. 12313)
 2. Boundary, Topographic and Utility Survey for Marcus Jewish Community Center of Atlanta prepared by Travis Pruitt & Associates dated October 29, 2007 (PN 206-E-190)

This plot has been submitted to and accepted by the City Manager of the City of Dunwoody, Georgia, as required by the Georgia State Board of Registration for Professional Engineers and Land Surveyors, and is hereby approved as meeting all conditions precedent to recording in the county superior court.
 Witness the _____ day of _____ 20____
 (City Manager or designee of the governing authority)



Key Map
 not to scale

Location Map
 not to scale / not care cities

- Symbol Legend**
- BOLLARD
 - CATCH BASINS
 - CLEAN OUT
 - DOWNSPOUT
 - DRIP INLETS
 - ELECTRIC BOX
 - ELECTRIC METER
 - FIELD LOCATED PVI (AS NOTED)
 - FIRE DEPARTMENT CONNECTION
 - FIRE HYDRANT
 - FLAMED GND SECTION
 - GAS METER
 - GAS METER
 - GAS VALVE
 - GUY WIRE
 - HANDICAP PARKING
 - HEADWALL
 - IRON PIN FOUND (AS NOTED)
 - JUNCTION BOX
 - LANDSCAPE LIGHT
 - LAMP POST
 - LIGHT STAND
 - PARKING QUANTITY (REGULAR SPACE)
 - POWER POLE
 - POWER POLE W/ALIGHT
 - SANITARY SEWER MANHOLE
 - SIEN
 - TRAFFIC LIGHT POLE
 - TRANSFORMER
 - WATER METER
 - WATER VALVE
 - WATER VALVE MONUMENT
 - STREET ADDRESS

- Linetype Legend**
- APPROX. LOCATION OF UNDERGROUND WATER LINE
 - FENCE LINE AS NOTED
 - CLARD RAIL
 - METAL RAILINGS
 - SANITARY SEWER LINE
 - STORM SEWER LINE
 - POWER, TELEPHONE AND CABLE LINES
 - POWER AND TELEPHONE LINES

- Text Legend**
- APPROX.
 - BSL
 - C&G
 - C&C
 - CONCRETE
 - SANITARY SEWER EASEMENT
 - IRON PIN SET (1/2" REBAR)
 - PF
 - IRON PIN FOUND (AS NOTED)
 - N/P
 - NO ON FORMERLY
 - POINT OF BEGINNING
 - POLYETHYLENE GLYCOLIC PIPE
 - 1/2"
 - RIGHT-OF-WAY
 - CENTER LINE
 - CL
 - R&P
 - REBAR FOUND
 - FD
 - QUAD TOP FOUND
 - CTF
 - NAL FOUND
 - APPROXIMATE
 - BUILDING SETBACK LINE
 - CURB & GUTTER
 - CONCRETE
 - SANITARY SEWER EASEMENT
 - IRON PIN SET (1/2" REBAR)
 - PF
 - IRON PIN FOUND (AS NOTED)
 - N/P
 - NO ON FORMERLY
 - POINT OF BEGINNING
 - POLYETHYLENE GLYCOLIC PIPE
 - 1/2"
 - RIGHT-OF-WAY
 - CENTER LINE
 - CL
 - R&P
 - REBAR FOUND
 - FD
 - QUAD TOP FOUND
 - CTF
 - NAL FOUND

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 These drawings and their reproductions are the property of the surveyor and may not be reproduced, or used in any way without the written permission of this surveyor.
 This plot was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
Utilities:
 A. Information regarding the required presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures not shown may be encountered. The owner, his employees, his consultants and his contractors or anyone else who relies upon this survey shall hereby express understanding that the surveyor is not responsible for the correctness or sufficiency of this information.
 B. The continuation of utilities shown hereon is uncertain.
Flood Hazard Note:
 By graphic plotting only, this property Does Not lie within a 100 year flood hazard zone and is delineated as zone X as defined by the F.E.M.A. Flood Insurance Rate Map of DeKalb County, Georgia and incorporated onto map number 1306020101, its effective date May 7, 2001.
 The survey shown hereon was prepared without benefit of any abstract of title; therefore, Bruce W. Hamilton and Travis Pruitt & Associates, Inc. make no guarantees or representations regarding information shown hereon pertaining to easements, rights-of-way, setback lines, agreements, reservations, and other similar matters.
 Survey fieldwork performed on: August 6, 2012
 This survey was authorized by: Hanley L. Yabok
 Representing The Wilam Berman Jewish Home
Certification:
 This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based has a closure precision of one foot in 40,055 feet, and an angular error of 2" per angle point, and was adjusted using the least squares method. Angular or linear measurements were made using a Trimble S603 Robotic Total Station. This map or plot has been calculated for closure and is found to be accurate within one foot in 690,477 feet.
 Bruce W. Hamilton
 Georgia Reg. Land Surveyor No. 2291 For the Firm Travis Pruitt & Associates, Inc.
 Pursuant to Rule 180-8.09 of the Georgia State Board of Registration for Professional Engineers and Land Surveyors, the term "certify" or "certification" relating to land surveying services shall mean a signed statement based on facts and knowledge known to the land surveyor and is not a guarantee or warranty, either expressed or implied.

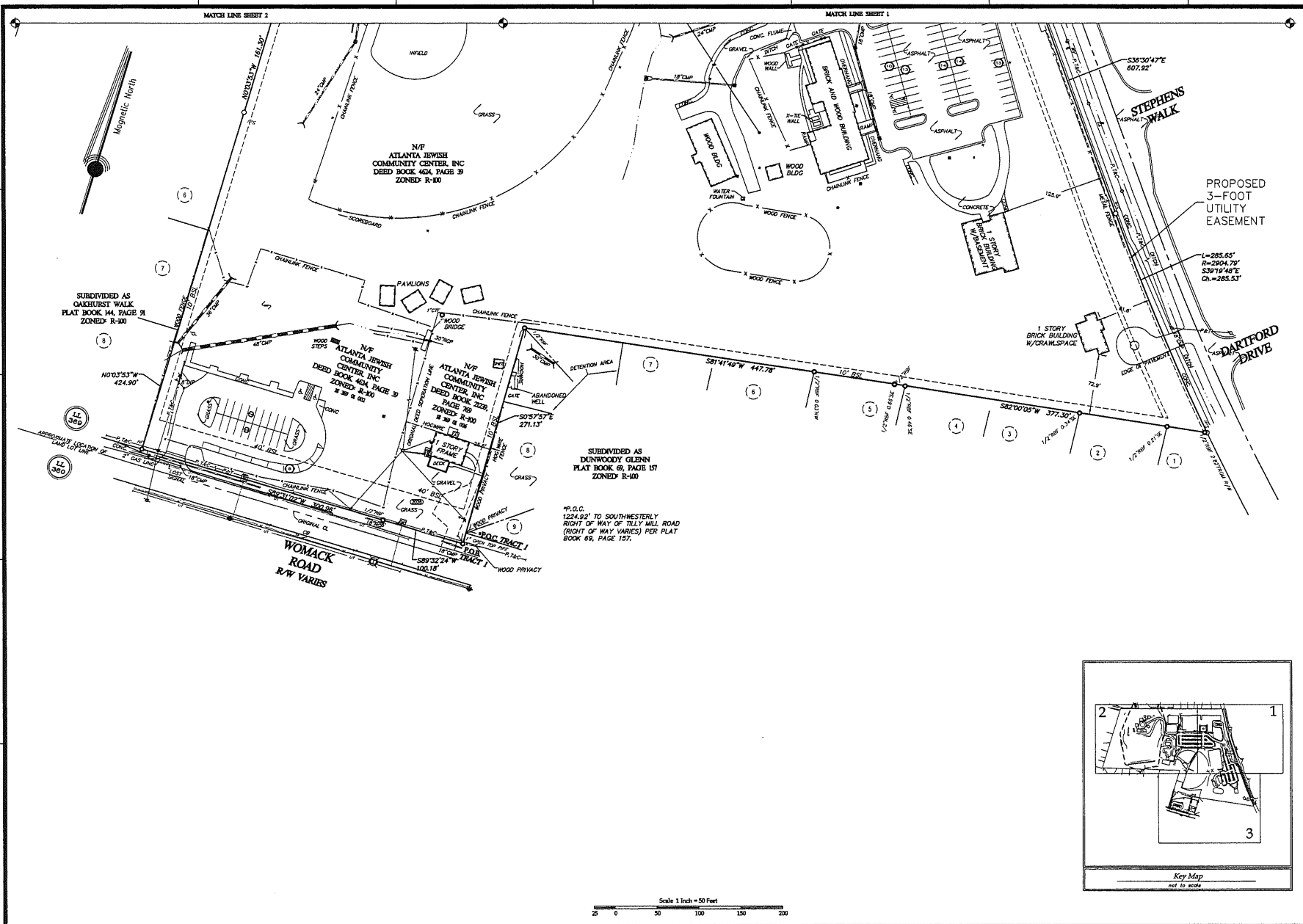
Scale 1 inch = 50 Feet
 25 0 50 100 150 200

COMBINATION PLAT FOR:
 Marcus Jewish Community Center of Atlanta
 LAND LOTS 40-118B DISTRICT - DEKALB COUNTY, GEORGIA

THE PLAN
 Travis Pruitt & Associates, Inc.
 DATE: AUGUST 6, 2012
 SCALE: 1"=50'
 C:\PROJECTS\130106\130106\130106\130106.dwg
 LSW: BT
 JN 1-13-08
 PN 130-D-08

Sheet No. 1 OF 3

-100-



NO.	DATE	DESCRIPTION
1	11/16/11	ISSUED FOR PERMIT
2		
3		
4		
5		
6		
7		
8		

4317 Park Drive Suite 400
 Atlanta, GA 30341
 Phone: (770) 416-7511
 Fax: (770) 416-6759
 www.travispritt.com



Combination Plat

Marcus Jewish Community Center of Atlanta

LAND LOT 30 - 146 DISTRICT - DEKALB COUNTY, GEORGIA



For The Plat
 Travis Pruitt & Associates, Inc.
 DATED August 8, 2012
 SCALE 1"=50'
 ON 100% ACCELPT-Owned
 LSV: BT
 JN: 1-12-0105
 FN: 154-0-008

Sheet No. 3 OF 3

D:\Civil 3D Projects\120105-640-1\Survey\Draw\120105-640-1BT-Overall.dwg, 24x36 D, D:\Users\shel1 Feb 26, 2013 - 1:21:19pm

Exhibit B