

Lenox Marketplace

3535 Peachtree Rd, Atlanta, GA 30326
12.23.2021

SPI-12 SA1

PROJECT DESCRIPTION

This project includes a facade face lift and an update to the existing hardscape and landscape along Peachtree and Oak Valley roads between the Dick's Sporting Goods driveway and the Publix driveway. No changes are being made to building height, area, parking, or loading.

ASD | SKY

55 Ivan Allen Jr. Boulevard,
Suite 100
Atlanta, GA 30308

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 44, & 45 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

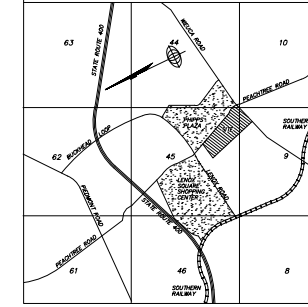
Beginning at a point marked by a PK nail set, said point formed by the intersection of the Northern right-of-way of Peachtree Way (Variable R/W) and the Eastern right-of-way of Oak Valley Road (40 foot R/W), said point being the TRUE POINT OF BEGINNING, thence proceeding along the Eastern right-of-way of Oak Valley Road the following courses and distances, North 28 degrees 43 minutes 53 seconds West, 85.00 feet to a point; North 28 degrees 43 minutes 25 seconds West, 89.56 feet to a point; and North 28 degrees 44 minutes 02 seconds West, 242.21 feet to a PK nail set on the Southern right-of-way of Peachtree Road (S.R. 141) (Variable R/W), thence leaving the right-of-way of Oak Valley Road and proceeding along the Eastern right-of-way of Peachtree Road the following courses and distances, North 81 degrees 25 minutes 05 seconds East, 14.00 feet to a PK nail set; North 01 degrees 02 minutes 58 seconds West, 70.79 feet to a PK nail set along the arc of a curve to the left, on an arc distance of 77.06 feet, said curve having a radius of 1152.92 feet, being subtended by a chord of 77.05 feet, with a bearing of North 25 degrees 24 minutes 18 seconds East, to a point; North 23 degrees 29 minutes 41 seconds East, 77.00 feet to a point; North 26 degrees 29 minutes 21 seconds East, 199.65 feet to a point; North 24 degrees 01 minutes 01 seconds East, 155.43 feet to a point, and along the arc of a curve to the right, on an arc distance of 111.87 feet, said curve having a radius of 324.52 feet and being subtended by a chord of 111.32 feet, with a bearing of North 33 degrees 50 minutes 27 seconds East, to a PK nail set on the Western right-of-way of Micoosa Road Extension (Variable R/W), thence leaving the right-of-way of Peachtree Road and proceeding along the Western right-of-way of Micoosa Road Extension the following courses and distances, South 46 degrees 15 minutes 02 seconds East, 10.00 feet to a PK nail set; South 77 degrees 22 minutes 53 seconds East, 45.52 feet to a 5/8" rebar set; South 18 degrees 04 minutes 12 seconds East, 162.86 feet to a PK nail set; along the arc of a curve to the left, on an arc distance of 349.78 feet, said curve having a radius of 540.61 feet and being subtended by a chord of 343.71 feet, with a bearing of South 36 degrees 35 minutes 49 seconds East, to a 5/8" rebar set; South 48 degrees 45 minutes 22 seconds East, 80.38 feet to a 5/8" rebar set; South 42 degrees 27 minutes 44 seconds East, 146.62 feet to a 5/8" rebar set; South 17 degrees 40 minutes 29 seconds East, a distance of 35.56 feet to a 5/8" rebar set on the Northern right-of-way of the re-aligned Peachtree Way (having a variable right-of-way). Thence along said right-of-way line, South 77 degrees 03 minutes 57 seconds West, 58.96 feet to a 5/8" rebar set; thence along the arc of a curve to the right, on an arc distance of 184.22 feet, said curve having a radius of 178.23 feet, with a bearing of South 42 degrees 29 minutes 44 seconds West, to a 5/8" rebar set; South 71 degrees 55 minutes 22 seconds West, 127.85 feet to a PK nail set; South 18 degrees 04 minutes 58 seconds East, 7.90 feet to a PK nail set; South 72 degrees 41 minutes 21 seconds West, 59.79 feet to a point; South 71 degrees 10 minutes 12 seconds West, 60.00 feet to a point; South 68 degrees 14 minutes 01 second West, 63.27 feet to a point; and South 60 degrees 16 minutes 58 seconds West, 159.78 feet to a PK nail set, said point being the TRUE POINT OF BEGINNING. Said tract of land contains 8417 Acres.

TITLE EXCEPTIONS

THE FOLLOWING ARE SPECIAL EXCEPTIONS AS LISTED IN PART B, SCHEDULE B, OF COMMITMENT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCS-11684-A-1L, DATED AUGUST 2, 2004.

9. INDEMNITY AGREEMENT FROM JAMESTOWN TO CITY OF ATLANTA, GEORGIA, RECORDED IN DEED BOOK 2316, PAGE 303, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
10. UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN SHORT FORM OF GROUND LEASE BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND DAYTON HISSON CORPORATION, RECORDED IN DEED BOOK 23262, PAGE 111, FULTON COUNTY, GEORGIA, AS AFFECTED BY REVIC COMMITMENT DATA. NOT PLOTTABLE, AFFECTS SITE.
11. UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF GROUND LEASE AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND DAYTON HISSON CORPORATION, RECORDED AT DEED BOOK 27336, PAGE 65, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
12. UNRECORDED LEASE AND OPERATING AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND NATONSBANK, N.A., DATED OCTOBER 21, 1995. NOT PLOTTABLE, AFFECTS SITE.
13. UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF GROUND LEASE AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND PUBLIC SUPERMARKETS, INC., RECORDED IN DEED BOOK 23262, PAGE 139, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
14. UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF GROUND LEASE AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND PUBLIC SUPERMARKETS, INC., RECORDED IN DEED BOOK 23262, PAGE 163, 164, 169 AND 172, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
15. UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF GROUND LEASE AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND STAPLES, INC., RECORDED IN DEED BOOK 23166, PAGE 336, FULTON COUNTY, GEORGIA, AS AFFECTED BY SINGA AGREEMENT, RECORDED IN DEED BOOK 3048, PAGE 21, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
16. EASEMENT FROM JAMESTOWN LAND INVESTORS, II, L.P. TO BELLSOUTH TELECOMMUNICATIONS, INC., RECORDED IN DEED BOOK 29164, PAGE 48, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
17. EXCLUSIVE LEASING AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND THE SIMBLER COMPANY, RECORDED IN DEED BOOK 23262, PAGE 183, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
18. UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF GROUND LEASE AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, II, L.P. AND JAMSTOWN TRADING COMPANY, INC., RECORDED IN DEED BOOK 23262, PAGE 125, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
19. UNRECORDED SUB-LEASE AGREEMENT BY AND BETWEEN GALYAN'S TRADING COMPANY, INC. AND JAMSTOWN TRADING COMPANY, INC., RECORDED IN DEED BOOK 28196, PAGE 253, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
20. UNRECORDED STONE LEASE AGREEMENT BY AND BETWEEN JAMSTOWN TRADING COMPANY, INC. AND JAMSTOWN TRADING COMPANY, INC., RECORDED IN DEED BOOK 28196, PAGE 253, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
21. UNRECORDED LEASE FROM JAMSTOWN LAND INVESTORS, II, L.P. TO LITTONS, INC., AS AMENDED AND ASSIGNED AS PART OF MEMORANDUM OF LEASE AGREEMENT BY AND BETWEEN JAMSTOWN LAND INVESTORS, II, L.P. AND LITTONS, INC., RECORDED IN DEED BOOK 28196, PAGE 155, FULTON COUNTY, GEORGIA. NOT PLOTTABLE, AFFECTS SITE.
22. UNRECORDED LEASE AGREEMENT BETWEEN JAMSTOWN LAND INVESTORS, II, L.P. AND FOUR A ENTERPRISES, INC., DATED DECEMBER 2, 1999. MAY AFFECT SITE, REFERENCED DOCUMENT NOT PROVIDED.
23. UNRECORDED LEASE AGREEMENT BETWEEN JAMSTOWN LAND INVESTORS, II, L.P. AND OSCAR THOMPSON, INC., DATED MARCH 16, 1999. MAY AFFECT SITE, REFERENCED DOCUMENT NOT PROVIDED.
24. UNRECORDED LEASE AGREEMENT BETWEEN JAMSTOWN LAND INVESTORS, II, L.P. AND BRANIFF, INC., DATED APRIL 7, 1999. MAY AFFECT SITE, REFERENCED DOCUMENT NOT PROVIDED.
25. SURETY EASEMENT CONTAINED IN THAT CERTAIN CONDOMINIUM ORDER AND JUDGMENT CONTAINED IN THAT CERTAIN CONDOMINIUM ORDER AND JUDGMENT CONTAINED IN DEED BOOK 30453, PAGE 308, FULTON COUNTY, GEORGIA. AFFECTS SITE AS PLOTTED.

VICINITY MAP



GENERAL NOTES

THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 1305-000C AND 007C, AND THE DATE OF SAID MAP IS MAY 7, 2001. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS NEAREST OTHERWISE NOTED.

INTERIOR BUILDING LINES SHOWN HEREON ARE APPROXIMATE. THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON SURVEY REFERENCE NO. 4.

THE SITE IS ZONED PD-02(UP)-12, (PLANNED DEVELOPMENT-OFFICE COMMERCIAL) BROADHEAD-LENOX SPECIAL PUBLIC INTERESTS, PER ZONING ORDINANCE Z-96-72, ADOPTED AS AMENDED ON FEBRUARY 03, 1997.

THE FOLLOWING SETBACKS APPLY TO PROPERTIES ZONED PD-02 PER THE CURRENT CITY OF ATLANTA ZONING ORDINANCE. NO SPECIFIC BUILDING SETBACKS ARE IDENTIFIED FOR PROPERTIES ZONED PD-02. THE SETBACKS, MAXIMUM BUILDING HEIGHTS, AND MINIMUM BUILDING TO LAND AREA RATIOS ARE ESTABLISHED AT THE TIME OF ZONING, BASED UPON THE PRELIMINARY SITE PLAN. THE SETBACKS SHOWN HEREON ARE BASED UPON THE SITE PLAN APPROVED BY THE CITY OF ATLANTA AT THE TIME OF THE RECORDING APPLICATION.

PARKING REQUIREMENTS:
RESTAURANTS: ONE SPACE FOR EVERY 400 SF OF FLOOR AREA.
OTHER USES: ONE SPACE FOR EVERY 400 SF OF FLOOR AREA.
THIS INFORMATION SHOULD BE VERIFIED WITH THE APPROPRIATE ZONING AUTHORITIES FOR SAID CITY.

ALL BUILDING SQUARE FOOTAGES ARE CALCULATED BASED UPON THE EXTERIOR DIMENSIONS OF THE BUILDING AT ADJACENT GRADE LEVEL.

THE LOCATION OF UTILITIES SHOWN HEREON ARE BASED UPON OBSERVED, ABOVE GROUND EVIDENCE, ANY MAPS OR PLANS READILY AVAILABLE FROM THE GOVERNING AUTHORITY, AND SITE PLANS FOR LENOX MARKETPLACE, PREPARED BY LEE ENGINEERING INC., DATED APRIL 24, 1999.

SURVEYORS CERTIFICATION

1. Trenton D. Turk, registered land surveyor, License No. 2411, in and for the State of Georgia and legally doing business in Cobb County, does hereby certify to Edens & Avant Investments Limited Partnership, E&A/I&G Lennox Marketplace Limited Partnership, and First American Title Insurance Company, and their respective successors and assigns:
- (1) the accompanying survey ("Survey") represents a true and correct survey made by me based on field observations on October 12, 2004, of the land therein particularly described;
- (2) the Survey and the information, courses and distances shown thereon are correct;
- (3) title lines and lines of actual possession are the same;
- (4) the land described in the Survey is the same as described in the title insurance commitment described below;
- (5) the area of the subject property and the size, location and type of buildings and improvements and any other matters situated on the subject property are as shown, and that except as shown, all buildings and improvements are within the boundary lines and applicable set-back lines of the property;
- (6) to the best of my knowledge and belief, there are no encumbrances or uses affecting this property appearing from a careful plotted inspection of same, other than those shown and described on the Survey;
- (7) there are no encroachments on the adjoining properties, streets, or alleys by any of said buildings, structures and improvements, other than as shown on the Survey;
- (8) there are no party walls or visible encroachments on said described property by streets, alleys or buildings, structures or other improvements situated on the adjoining property, except as shown on the Survey;
- (9) the Survey shows the location and direction of all visible storm drainage systems for the collection and disposal of all surface drainage;
- (10) any discharge into streams, rivers or other conveyance system is shown on the Survey;
- (11) the subject property does not lie within a Special Flood Hazard Area ("SFHA") as defined by the Federal Emergency Management Agency, the property lies within Zone X of the Flood Insurance Rate Map identified as Community Panel No. 13157 0000C and 0077C, bearing an effective date of May 7, 2001;
- (12) the subject property has access to and from a duly dedicated and accepted public street or highway;
- (13) except as shown on the Survey, the subject property does not serve any adjoining property for ingress or egress;
- (14) the record description of the subject property forms a mathematically closed figure.

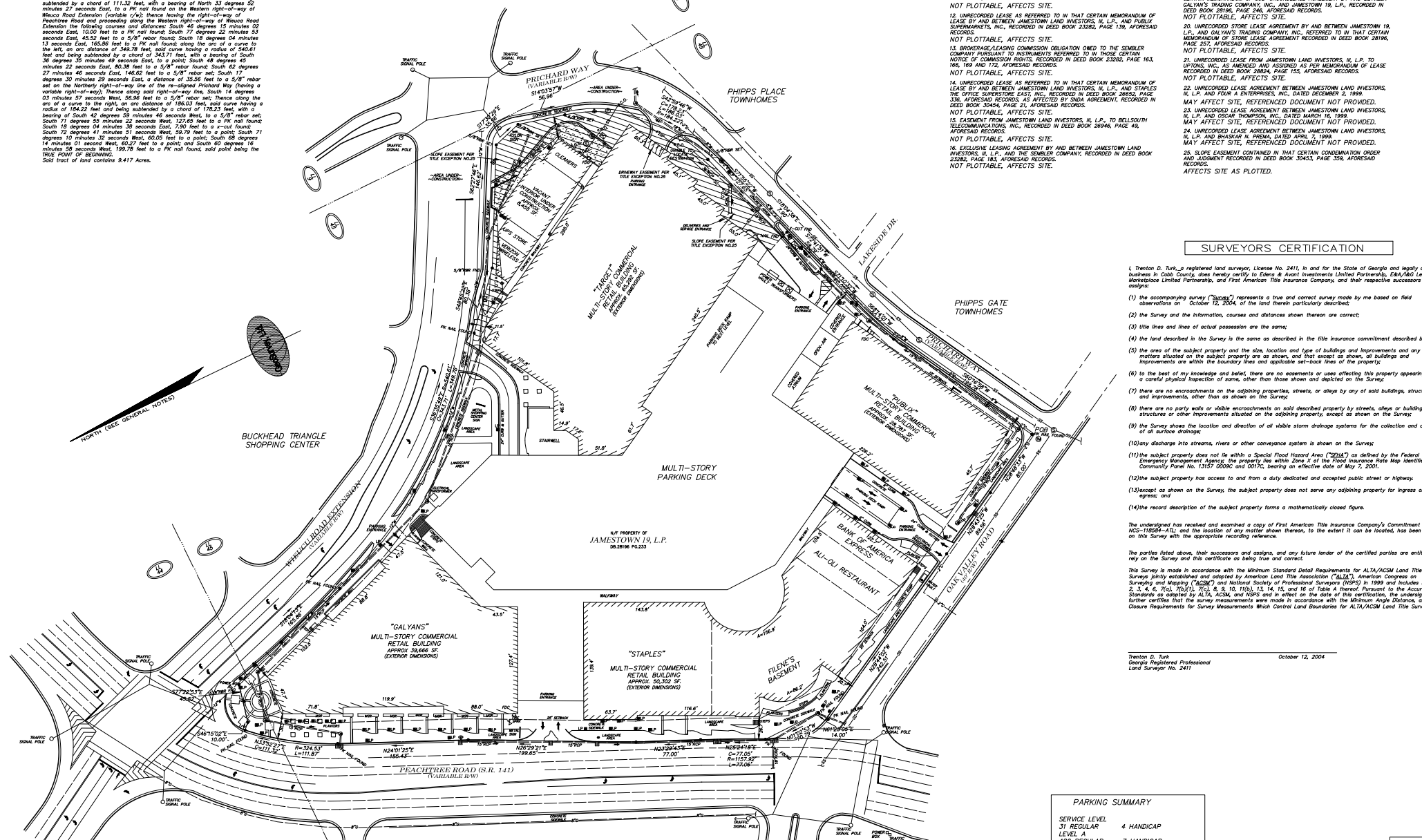
The undersigned has received and examined a copy of First American Title Insurance Company's Commitment No. NCS-11684-A-1L, and the location of any and all items therein, to the extent it can be located, has been shown on this Survey with the appropriate recording reference.

The parties listed above, their successors and assigns, and any future lender of the certified parties are entitled to rely on the Survey and this certificate as being true and correct.

This Survey is made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys jointly established and adopted by American Land Title Association ("ALTA"), American Congress of Surveyors and Mapping ("ACSM") and National Society of Professional Surveyors ("NSPS") in 1999 and includes Items 1, 2, 3, 4, 6, 7(b), 7(b)(1), 7(c), 8, 9, 10, 11(b), 13, 14, 15, and 16 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, ACSM, and NSPS and in effect on the date of this certification, the undersigned further certifies that the survey measurements were made in accordance with the Minimum Standard Detail and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys.

Trenton D. Turk
Georgia Registered Professional
Land Surveyor No. 2411

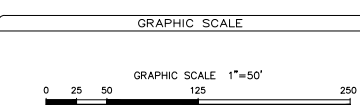
October 12, 2004



PARKING SUMMARY

SERVICE LEVEL	4 HANDICAP
LEVEL A	7 HANDICAP
LEVEL B	7 HANDICAP
LEVEL C	7 HANDICAP
LEVEL D	6 HANDICAP
238 REGULAR	
1163 + 27 =	1190 TOTAL SPACES

SITE AREA
9,417 Acres
410,197 SF
3535 PEACHTREE ROAD



REVISIONS

No.	Date	Description

IF YOU DIG

IF YOU DIG GEORGIA... CALL US FIRST! 1-800-282-7411 (770) 233-4344 (METRO ATLANTA ONLY) WE'LL TELL YOU IT'S THE LAW

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON ON INVITES NAMED HEREON, NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

PLEASE NOTE

INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES IS BASED UPON THE LOCATION OF ABOVE GROUND UTILITIES, AVAILABLE DESIGN PLANS AND PLANS AND FIELD NOTES AT THE UNDERGROUND UTILITY SERVICE. NO CERTIFICATION IS MADE AS TO THE ACCURACY OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES UNLESS FIELD RECORDS REFLECT THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

CLOSURE INFORMATION

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 92138. AN ANGULAR ERROR OF 01 SECONDS PER SETUP, AND WAS NOT ADJUSTED. A LEICA ELECTRONIC TOTAL STATION AND HELMUT FASCARD ARCO DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 23248. FEET. 92138.

ALTA/ACSM LAND TITLE SURVEY OF

LENOX MARKETPLACE

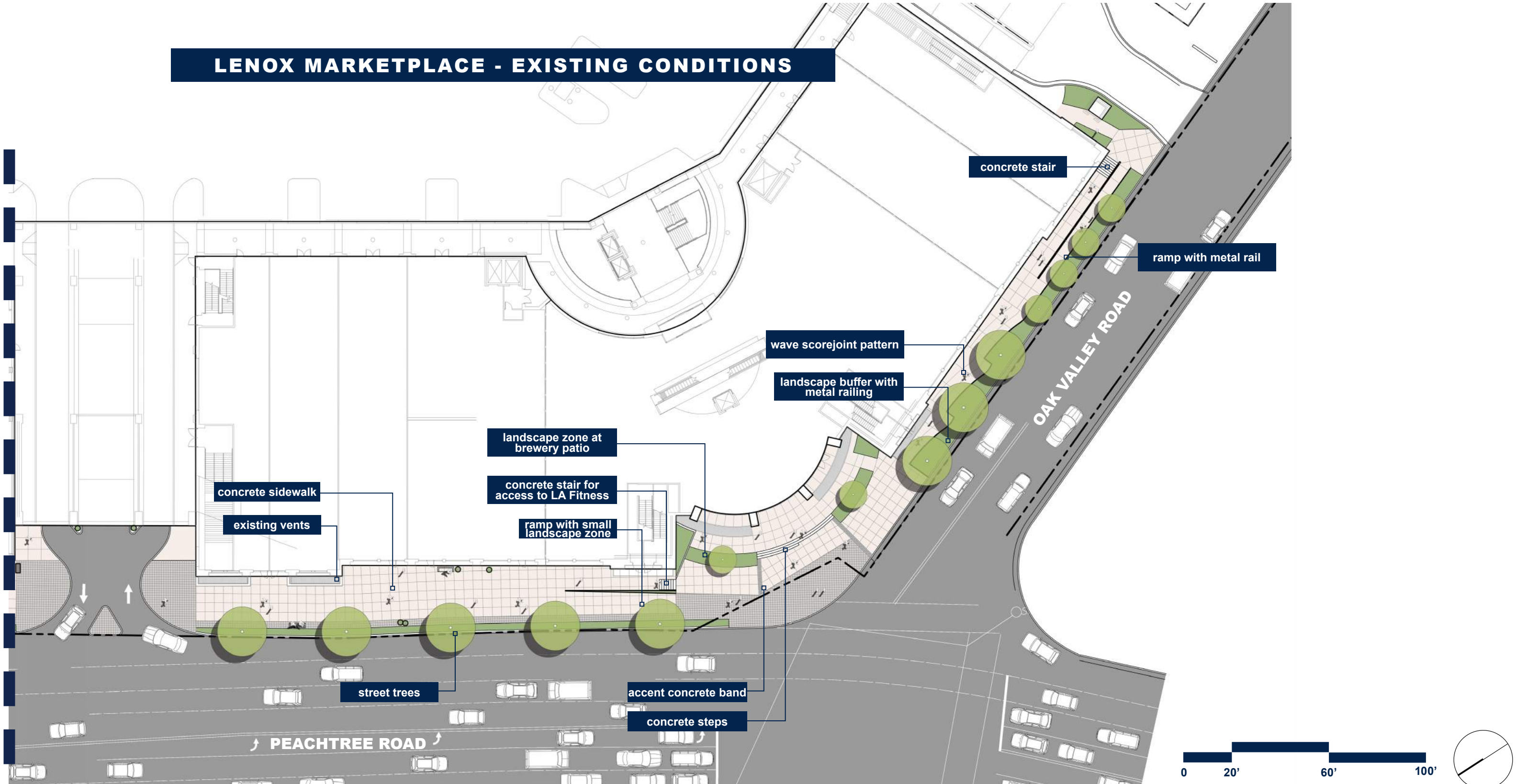
FOR

EDENS & AVANT INVESTMENTS, L.P.
E&A/I&G LENOX MARKETPLACE, L.P.

FIRST AMERICAN TITLE INSURANCE CO.

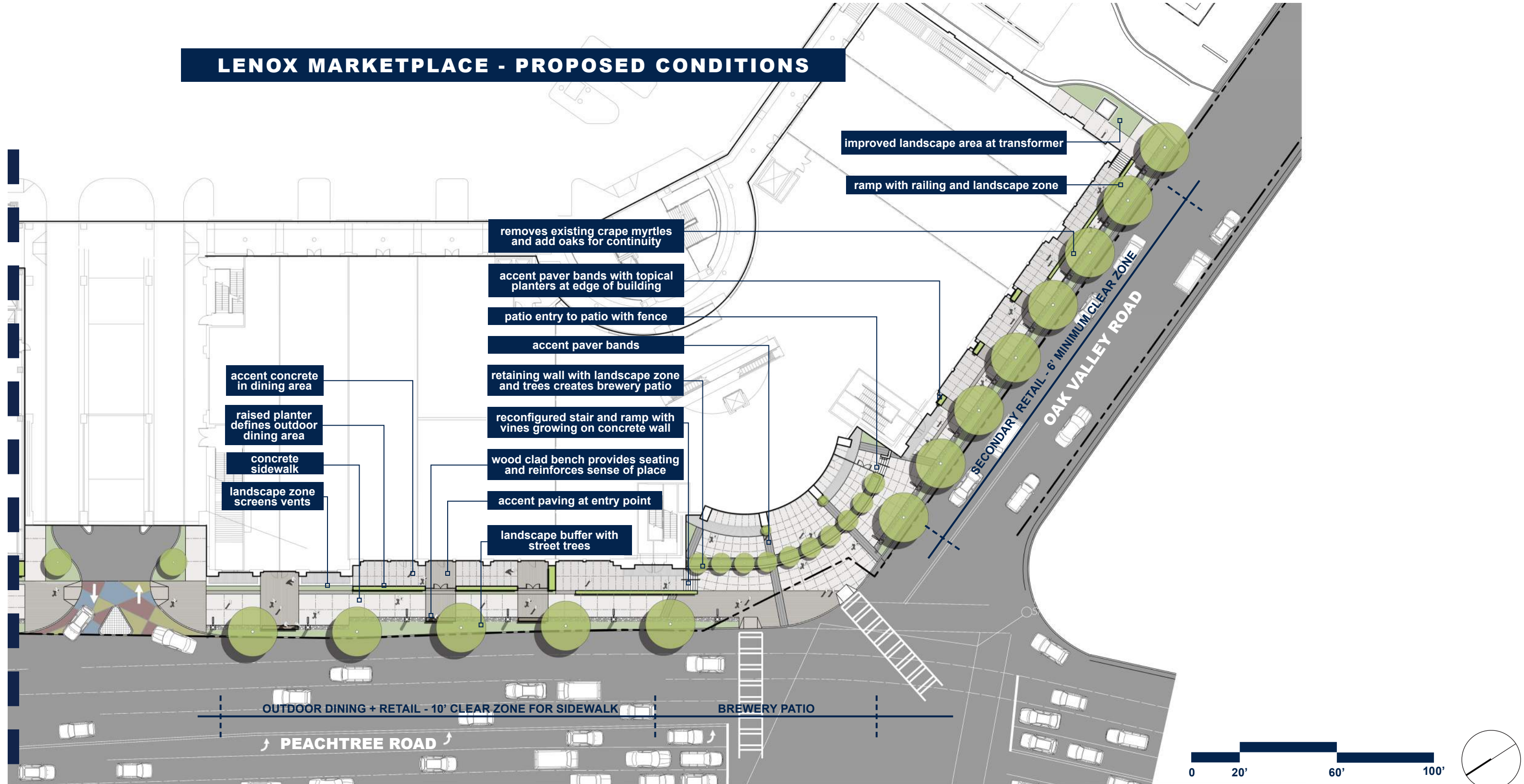
CITY: ATLANTA		SITE LOCATION	
LAND LOTS: 44, & 45		STATE: GEORGIA	
SURVEY DATE: OCTOBER 12, 2004		DISTRICT: 17th	
FIELD WORK: CW		DRAWING SCALE: 1" = 50'	
GS Dwg File: 20042031.dwg		REVISIONS: TD	
Phone: (770) 795-9900		GS Job No.: 20042031	
Fax: (770) 795-6850			

LENOX MARKETPLACE - EXISTING CONDITIONS



SCOPE OF WORK →

LENOX MARKETPLACE - PROPOSED CONDITIONS

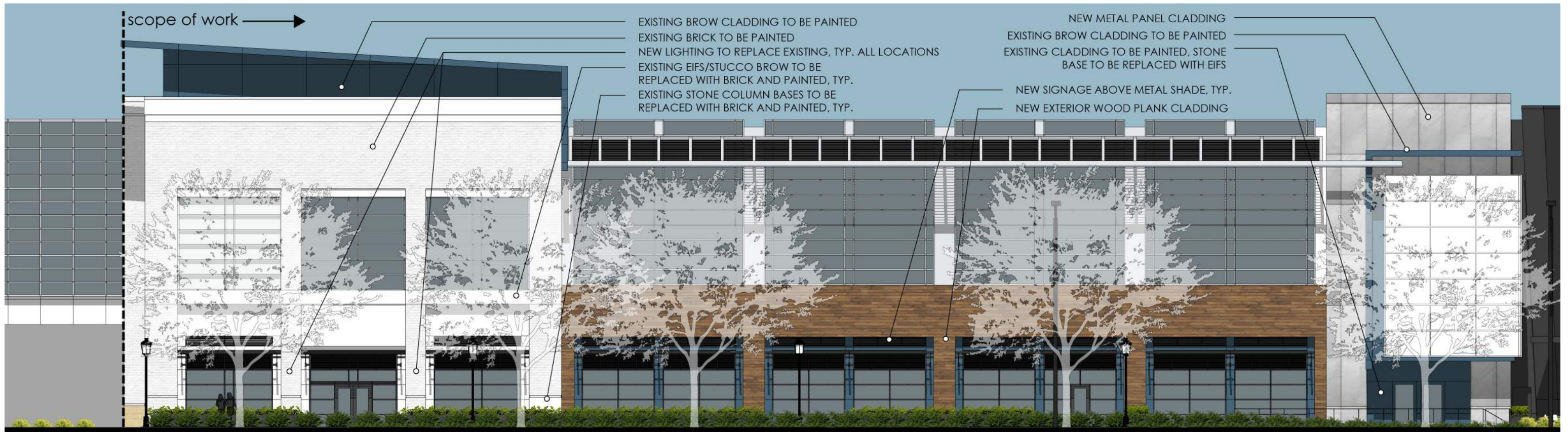


SCOPE OF WORK →

PEACHTREE RD NE - EXISTING STREET FRONTAGE



EXISTING VS. PROPOSED ELEVATIONS - PEACHTREE RD STREET FRONTAGE



scale: 1/16" = 1'-0"

RENDERING - PROPOSED STREET FRONTAGE AT PEACHTREE RD



OAK VALLEY RD - EXISTING STREET FRONTAGE

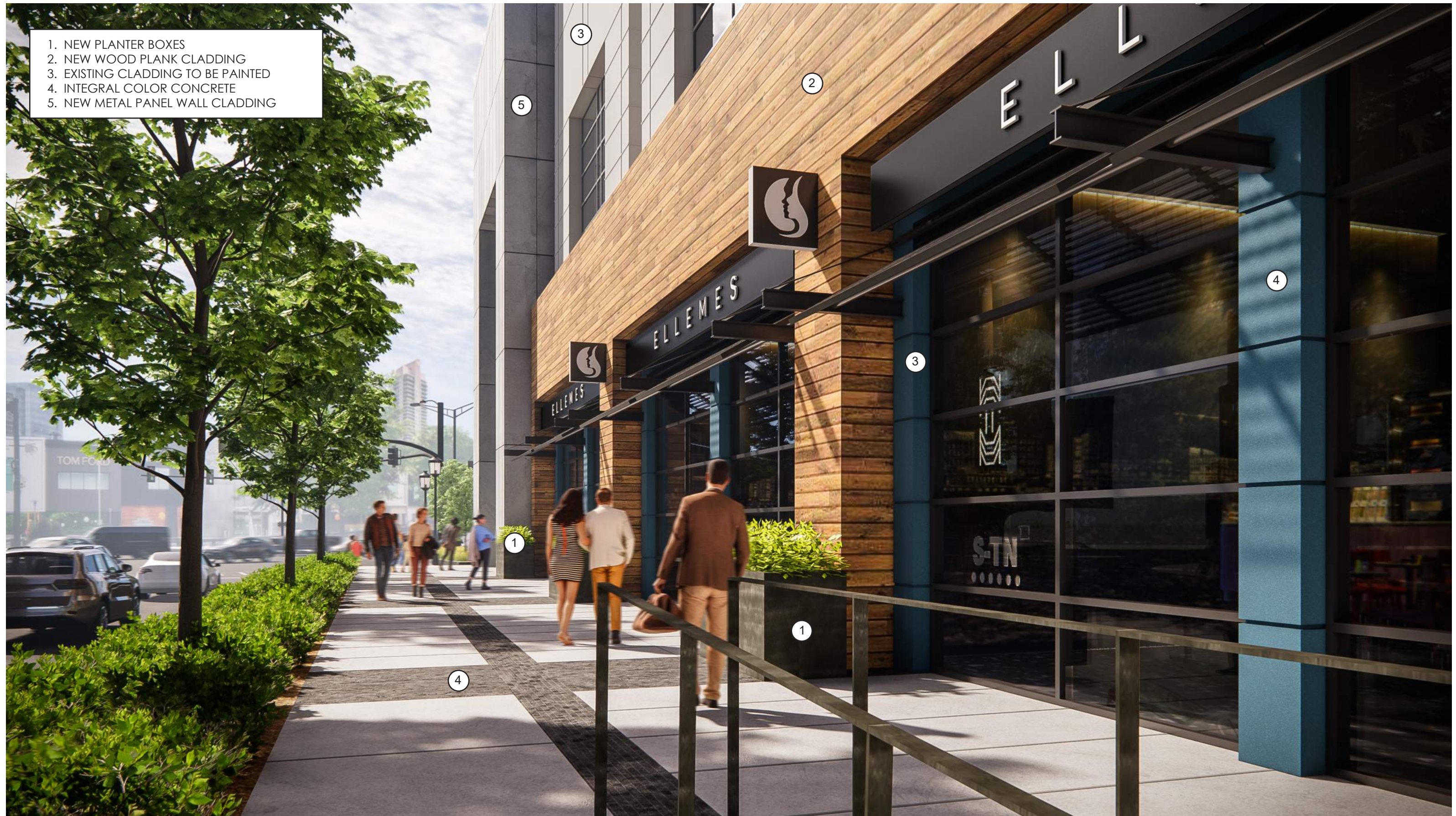


EXISTING VS. PROPOSED ELEVATIONS - OAK VALLEY RD STREET FRONTAGE



RENDERING - PROPOSED STREET FRONTAGE AT OAK VALLEY RD

- 1. NEW PLANTER BOXES
- 2. NEW WOOD PLANK CLADDING
- 3. EXISTING CLADDING TO BE PAINTED
- 4. INTEGRAL COLOR CONCRETE
- 5. NEW METAL PANEL WALL CLADDING



RENDERING - PROPOSED FRONTAGE AT OAK VALLEY RD X PEACHTREE RD



- 1. EXISTING CLADDING TO BE PAINTED
- 2. NEW RAISED PLANTER
- 3. NEW WOOD PLANK CLADDING
- 4. NEW METAL PANEL WALL CLADDING
- 5. INTEGRAL COLOR CONCRETE
- 6. NEW BUILT-UP RAISED PLANTING BED