

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, November 6, 2023
5:00 P.M.

1. **CALL TO ORDER:** Mayor Pro-Tem Walden called the meeting to order at 5:00 pm.
2. **ROLL CALL:** Present were Councilmember Mark French, Councilmember Caleb Phillips, Councilmember William Illg, City Attorney Kevin Tallant, City Manager Bob Bolz, City Clerk Beverly Banister, Planning Director Jameson Kinley, Public Works Director Trampas Hansard, Utility Director Jacob Barr, Downtown Development Director Amanda Edmondson and Finance Director Robin Gazaway.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember French.
4. **ANNOUNCEMENTS:** City Manager Bolz provided an update on the health of Mayor Eason. Director Edmondson reported on a community wide event called Light Up Dawsonville which will be sponsored by the Downtown Development Authority and other sponsors. It will be a decorating contest with cash prizes and all proceeds will go to The Place in Dawsonville. City Manager Bolz reported on the tree lighting, jingle market and parade which will begin on Saturday, November 18, 2023 starting at 2:00 pm.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by M. French; second by W. Illg. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** Mike Turner, 1090 Oak Haven Drive, Roswell – He is representing B&K Turner Family LLP and handed a letter to the City Council. He stated he is responding to a letter from the City which was provided earlier this week during a pre-construction meeting.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a - d) made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and Work Session held September 18, 2023
 - Executive Session held September 18, 2023
 - Regular Meeting held October 2, 2023
 - Special Called Meeting held October 23, 2023
 - b. Approve Historic Preservation Commission Reappointments
 - **Angie Smith – Three year term through 12/31/2026**
 - **Sarah Carte – Three year term through 12/31/2026**
 - c. Approve Planning Commission Reappointment
 - **Anna Tobolski – Two year term 01/01/2024 – 12/31/2025**
 - d. Approve Acceptance of AEMC Economic Development Donation
8. **EMPLOYEE RECOGNITION:** The Mayor and Council recognized Tracy Smith as the September Employee of the Month, the Public Works Department as the October Employee of the Month and Hayden Harris as the Summer Employee of the Quarter. Service awards were presented to Amanda Edmondson for one year of service, Jon Davis and Clay Moss for five years of service, Bob Bolz for seven years of service and Sara Beacham for fifteen years of service.

PUBLIC HEARING

9. **EXTENDING A TEMPORARY MORATORIUM ON THE ISSUANCE OF DEVELOPMENT AND BUILDING PERMITS:** Attorney Tallant explained the purpose of the item is to determine if the Council would like to extend the temporary moratorium. The impact fee study has been completed and reported on with a recommendation from GMRC; the extension of the moratorium would be utilized to develop an ordinance to implement the impact fees and explore working with the County regarding said fees.

Motion to open the public hearing made by M. French; second by W. Illg. Vote carried unanimously in favor. No one spoke in favor of or opposition to the agenda item. Motion to close the public hearing made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.

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Motion to approve Resolution #R2023-07 to extend the temporary moratorium through February 19, 2024 made by M. French; second by W. Illg. Vote carried two in favor (French, Illg) with one opposed (Phillips) (Exhibit "A")

BUSINESS

- 10. FY 2022-2023 AUDIT PRESENTATION AND APPROVAL:** Rachel Miller, CPA from Alexander, Almand & Bangs, presented the audit report of the City's financial statements of the governmental activities for the fiscal year July 1, 2022 through June 30, 2023 and reviewed some key areas of the audit. The City received a clean opinion of the financial statements. This item will be presented for approval at a future City Council meeting.
- 11. REQUEST FOR SPECIAL USE OF CITY PROPERTY:** Planning Director Kinley presented the request to utilize the City's property located at TMP #D01 033 for the purpose of public parking which would also serve the future Dawsonville Charity Poker Room who made the request to use it. Discussion occurred regarding the construction of a potential public parking space and what would also need to be considered, such as lighting, sidewalks, stormwater, etc. and whether or not that would be the best use for the property. Councilmember Phillips stated the group requesting to use the property would be responsible for the cost of turning it into a public parking space but the City could take it back at any time.

Motion to table the request to the December 4, 2023 City Council meeting made by M. French; second by W. Illg. Vote carried unanimously in favor.

- 12. ANX-C2100043 and ZA-C2100043:** Allen Street Properties, LLC and B & K Turner Family, LLP have petitioned to annex into the city limits of Dawsonville tract 2 with 32.937 acres (amended application) tract known as a portion of TMP 093 004 001, located at Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). Public Hearing Dates: Planning Commission on September 13, 2021 and City Council on October 4, 2021. Tabled indefinitely on April 18, 2022; On August 7, 2023 item was removed from table and placed on the August 21, 2023 agenda. Item tabled until the September 18, 2023 City Council meeting; tabled again until the October 16, 2023 City Council meeting which was subsequently cancelled due to no quorum.

Planning Director Kinley presented the request. City Council discussed various specifics concerning the property; Mike Turner also spoke as the applicant.

Motion to approve ANX-C2100043 and ZA-C2100043 with a stipulation to develop an emergency access entrance with a gate for emergency personnel use only off Turner Drive and to extend Allen Street, which would dead end at the subdivision's amenities in order to have two main entrances to the subdivisions with no entrances on Perimeter Road made by C. Phillips; second by W. Illg. Vote carried two in favor (Phillips, Illg) with one opposed (French). (Exhibit "B")

- 13. ORDINANCE NO. 08-2023: AN ORDINANCE TO AMEND THE INFRASTRUCTURE DEDICATION ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA, TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (FIRST READING: NOVEMBER 6, 2023; SECOND READING AND CONSIDERATION TO ADOPT: DECEMBER 4, 2023):** Attorney Tallant read the first reading of Ordinance No. 08-2023.
- 14. ORDINANCE NO. 09-2023: AN ORDINANCE TO AMEND THE PARKING ORDINANCES OF THE CITY OF DAWSONVILLE, GEORGIA, TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (FIRST READING: NOVEMBER 6, 2023; SECOND READING AND CONSIDERATION TO ADOPT: DECEMBER 4, 2023):** Attorney Tallant read the first reading of Ordinance No. 09-2023. Councilmember Illg asked if a car parked in their driveway but still on the sidewalk would be in violation of the ordinance; Attorney Tallant stated yes as the ordinance is currently written it would be a violation. The ordinance would need to be changed before approving if the Council desired to make an exception in those cases.

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- 15. REQUEST FOR ANNEXATION FEE WAIVER FROM DAWSON COUNTY BOARD OF EDUCATION:** Motion to approve the annexation fee waiver request of \$400 from Dawson County Board of Education made by W. Illg; second by M. French. Vote carried unanimously in favor.
- 16. CONSIDERATION OF AN OPEN ANNEXATION PERIOD:** Motion to approve a no charge annexation period for island properties from December 1, 2023 through March 31, 2024 made by M. French; second by C. Phillips. Vote carried unanimously in favor.
- 17. PARKING ON CITY STREETS:** Director Hansard reported that he only received feedback from two subdivisions regarding their process for dealing with parking on their streets.
Motion to table the items to the December 4, 2023 City Council meeting in order to do more research made by C. Phillips; second by M. French. Vote carried unanimously in favor.
- 18. SALE OF SURPLUS COMPUTER EQUIPMENT:** Director Gazaway reported on obtaining a range of values for the Council to determine the cost to buy back their iPads for personal use.
Motion to approve the cost of \$100 to buy back their iPads made by W. Illg; second by M. French. Vote carried unanimously in favor.

STAFF REPORTS

- 19. BOB BOLZ, CITY MANAGER:** City Manager Bolz reported there were two leak adjustments totaling \$406.45.
- 20. ROBIN GAZAWAY, FINANCE DIRECTOR:** Finance Director Gazaway presented the financial reports representing fund balances and activity through October 31, 2023.

EXECUTIVE SESSION

At 5:55 p.m. a motion to close regular session and go into executive session for potential/pending litigation, land acquisition and personnel was made by M. French; second by W. Illg. Vote carried unanimously in favor.

At 6:31 p.m. a motion to close executive session was made by M. French; second by C. Phillips. Vote carried unanimously in favor.

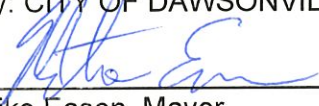
Motion to resume regular session was made by M. French; second by W. Illg. Vote carried unanimously in favor.

ADJOURNMENT

At 6:33 p.m. a motion to adjourn the meeting was made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.

Approved this 4th day of December 2023


By: CITY OF DAWSONVILLE


Mike Eason, Mayor

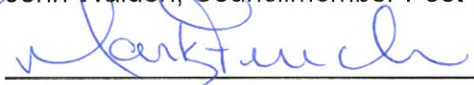

Caleb Phillips, Councilmember Post 1


William Illg, Councilmember Post 2

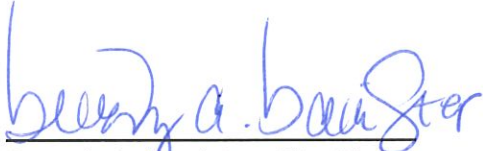
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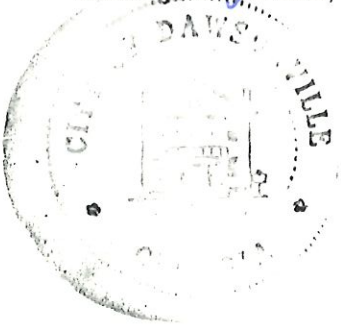
John Walden, Councilmember Post 3



Mark French, Councilmember Post 4

Attest: 

Beverly A. Banister, City Clerk



STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor Pro-Tem John Walden, Councilmember Caleb Phillips, Councilmember William Ilg, and Councilmember Mark French; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

- November 6, 2023 (bab)
1. The City of Dawsonville Council met in a duly advertised meeting on ~~October 2, 2023~~.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5:55 p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law: (check all that apply)
- ☒ Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);
- ☐ Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;
- ☒ Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(b)(1);
- ☒ Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(b)(2);
- ☐ Other _____ as provided in: _____.

This 6th day of November 2023; By the City of Dawsonville, Mayor and Council:

absent
Mike Eason, Mayor

Caleb Phillips
Caleb Phillips, Councilmember Post #1

William Ilg
William Ilg, Councilmember Post #2

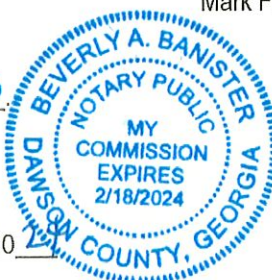
John Walden
John Walden, Councilmember Post #3

Mark French
Mark French, Councilmember Post #4

Sworn to and subscribed before me this
6 day of November, 20 23

Beverly A. Banister
Signature, Notary Public

My Commission expires: Feb 18, 20 24



RESOLUTION R2023-07

A RESOLUTION OF THE CITY OF DAWSONVILLE, GEORGIA TO EXTEND A TEMPORARY MORATORIUM ON THE ISSUANCE OF DEVELOPMENT PERMITS AND BUILDING PERMITS WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF DAWSONVILLE DURING A STUDY OF DEVELOPMENT IMPACTS AND FOR CAPITAL IMPROVEMENTS; TO PROVIDE FOR EXCEPTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Dawsonville, Georgia is a Georgia Municipal Corporation which provides planning and zoning, as well as enforcement of building codes and regulations as a qualified local government;

WHEREAS, the City of Dawsonville directly provides and/or regulates, *inter alia*, the following services, all of which are and will continue to be impacted by residential and commercial development: road and street construction or maintenance, solid waste management, water supply and distribution; wastewater treatment; stormwater collection and disposal; and recreational facilities;

WHEREAS, local governments, pursuant to Chapter 71 of Title 36 of the Official Code of Georgia Annotated, may consider and adopt development impact fees which are imposed upon development as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development;

WHEREAS, such development impact fees may be collected at the time of the issuance of a development permit or a building permit, depending upon the particular purpose of the fee;

WHEREAS, the City of Dawsonville has started the process of studying and developing a system of development impact fees pursuant to Chapter 71 of Title 36 of the Official Code of Georgia, Annotated;

WHEREAS, there are tracts of developed land which could be redeveloped, and undeveloped land in the City of Dawsonville which if developed, or if rezoned and developed, could create significant impacts on the services, facilities, and infrastructure of the City of Dawsonville, to include but not necessarily be limited to significant improvement costs as a result of the development;

WHEREAS, a review of development fee impact ordinances and studies related to the same confirms that residential development and usage creates the greatest impact on local government facilities, infrastructure, and services;

WHEREAS, the City of Dawsonville, pursuant to its police power, is authorized to enact ordinances to further and protect the health, safety, welfare and morals of the public;

WHEREAS, given the potentially significant impact to the services, facilities and infrastructure needs and demands of developing or redeveloping property, the City of Dawsonville has determined that it is reasonable and necessary, in order to protect the health, safety, welfare and morals of the public, to enact a temporary moratorium on development and building permits in the City of Dawsonville;

WHEREAS, the process of securing a study related to the imposition of impact fees has extended longer than originally anticipated due to a desire to obtain such in an efficient and cost effective manner from a trusted source with which the City of Dawsonville has experience;

AND WHEREAS, the moratorium, as described herein, is found by the City of Dawsonville to be an appropriate, reasonably necessary, not unduly oppressive, and narrowly tailored exercise of the City of Dawsonville's police power.

NOW, THEREFORE, premises considered, be it ordained by the Council of the City of Dawsonville, as follows:

Section 1. There is hereby enacted well as (b) the acceptance of applications for, or the issuance of building permits, within the corporate limits of the City of Dawsonville, Georgia, for a moratorium on (a) the acceptance of applications for, or the issuance of land development permits (including land disturbance permits) as properties which are in the following zoning districts:

- a. RA: Restricted Agricultural
- b. R-1: Restricted Single Family Residential
- c. R-2: Single Family Residential
- d. R-3: Single Family Residential
- e. R-6: Multiple-Family Residential
- f. R3R: Manufactured Home Subdivision District
- g. RMM: Residential Manufactured/Moved
- h. RMHT: Manufactured Housing Temporary District
- i. RPC: Residential Planned Community
- j. PUD: Planned Unit Development
- k. PCS: Planned Conservation Subdivision
- l. RCT: Residential Cottage
- m. AP: Annexed Property

Section 2. The moratoria described in § 1, above, shall expire on the earlier of:

- a. Monday, February 19, 2024;
- b. the defeat or adoption of an ordinance establishing development impact fees pursuant to Chapter 71 of Title 36 of the Official Code of Georgia Annotated;

- c. a subsequent vote of the Council of the City of Dawsonville, Georgia, repealing or replacing the moratoria described in this Resolution.

Section 3. The moratoria described in § 1, above, shall not apply to:

- a. any development or project where there is an active Land Disturbance Permit in place on or before the date of the passage of this Resolution, however, if the Land Disturbance Permit expires without being renewed before its expiration, then the moratoria described above shall apply to any future issuance of a Land Disturbance Permit for the same tract of land.
- b. any building site where there is an active Building Permit in place on or before the date of the passage of this Resolution, however, if the Building Permit expires without being renewed before its expiration, then the moratoria described above shall apply to any future issuance of a Building Permit for the same Building Site.
- c. any development or building site which does not fit into the exceptions identified in § 3(a) or (b), but for which the applicant for the development and/or building permit executes an irrevocable commitment that it will remit, in full, any development impact fee within thirty (30) days after the passage of an ordinance establishing development impact fees pursuant to Chapter 71 of Title 36 of the Official Code of Georgia, Annotated. The Development Impact fee assessed pursuant to this exception shall be such as is established pursuant to any adopted ordinance, and if no ordinance is adopted then no fee shall be assessed.
 - i. In the event that an applicant seeks an exception pursuant to § 3(c) of this Resolution, if the applicant fails to make the committed payment of a development impact fee within the time required, then the permit issued (and any related permits or certificates, including but not limited certificates of occupancy) shall be revoked, *instantly*, by operation of law without the necessity of any further action by the City of Dawsonville or any of its departments or employees.
 - ii. In the event of a revoked permit or certificate pursuant to § 3(c)(i) of this Resolution, the unpaid development impact fee must be paid before any development or building permit or related certificate may issue for the site or development in question.

Section 4. Severability. If any section, provision or clause of any part of this resolution shall be declared invalid or unconstitutional, or if the provisions of any part of this resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this resolution not so held to be invalid, or the application of this resolution to other circumstances not so held to be invalid. It is hereby declared as the intent that this resolution would have been adopted had such invalid portion not been included herein

Section 5. *Repealer.* All laws and parts of laws in conflict with this resolution are hereby repealed.

Section 6. *Effective Date.* This resolution shall be effective the day following its passage by the Council of the City of Dawsonville, the health, safety, welfare, and general morality of the City of Dawsonville demanding it.

[execution on following page]

SO ADOPTED AND RESOLVED by the City Council of Dawsonville, Georgia, this 6 day of November, 2023.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: absent
Mike Eason, Mayor

Caleb Phillips
Caleb Phillips, Council Member, Post 1

William Illg
William Illg, Council Member, Post 2

John Walden
John Walden, Council Member, Post 3

Mark French
Mark French, Council Member, Post 4

ATTEST:

Beverly A. Banister
Beverly A. Banister, City Clerk

ANNEXATION ORDINANCE
ANX-C2100043

STATE OF GEORGIA]
COUNTY OF DAWSON]

WHEREAS, the City of Dawsonville, a Georgia municipal corporation ("Dawsonville") wishes to take action to annex certain land into the corporate limits of the City of Dawsonville, a Georgia municipal corporation; and,

WHEREAS, pursuant to O.C.G.A. § 36-36-20, *et. seq.* authority is granted to governing body of Dawsonville to annex into the existing corporate limits of Dawsonville unincorporated areas contiguous to the corporate limits of Dawsonville upon written and signed application of all of the owners of the land proposed to be annexed; and,

WHEREAS, on September 24, 2021 an application of real property was filed with the City of Dawsonville by Allen Street Properties, LLC, Owner, regarding certain property lying and being in Land Lots No. 372, 373, 427 and 428 of the North Half of the 13th Land District, of Dawson County, Georgia as recorded in Plat Book 01053, Page 0303 – 0306 of the Dawson County Records (the "Property"), said survey of the Property being attached hereto as Exhibit "A"; and,

WHEREAS, pursuant to O.C.G.A. § 36-36-6, notice was provided to the governing authority of Dawson County, a political subdivision of the State of Georgia, of such proposed annexation, a copy of said notice being attached hereto as Exhibit "B"; and,

WHEREAS, the Mayor and Council of Dawsonville do desire to act on such application for annexation of real property by B & K Turner Family, LLLP as set forth herein;

NOW THEREFORE, the City of Dawsonville, a Georgia municipal corporation, hereby enacts the following:

I.

The Ordinances of the City of Dawsonville, Georgia, are amended as follows:

CITY OF DAWSONVILLE, GEORGIA

ORDINANCE REGARDING ANNEXATION OF LAND
PURSUANT TO O.C.G.A. § 36-36-20, *et. seq.*

Application having been made by Allen Street Properties, LLC (the "Owner") to annex certain unincorporated real property into the corporate limits of the City of Dawsonville, a

absent

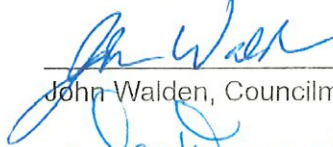
Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1



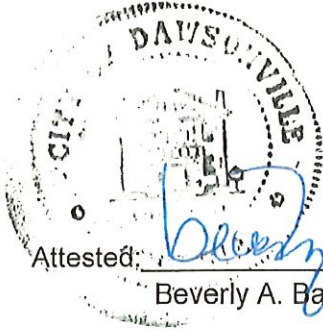
William Illg, Councilmember Post 2



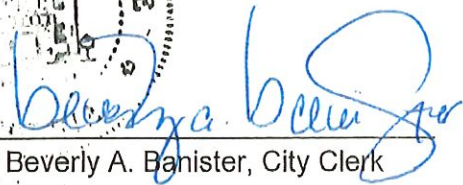
John Walden, Councilmember Post 3



Mark French, Councilmember Post 4



Attested:



Beverly A. Banister, City Clerk

Georgia municipal corporation, said real property being more particularly described as lying and being in Land Lots No. 372, 373, 427 and 428 of the North Half of the 13th Land District, of Dawson County, Georgia as recorded in Plat Book 01053, Page 0303 - 0306 of the Dawson County Records (the "Property"), said Property being contiguous to the existing corporate limits of the City of Dawsonville, a Georgia municipal corporation, the Mayor and Council of the City of Dawsonville, a Georgia municipal corporation, under the authority and powers granted under O.C.G.A. § 36-36-20, *et. seq.*, do hereby annex the Property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation, effective as of the date of this Ordinance and direct the City Clerk and City Attorney for the City of Dawsonville, a Georgia municipal corporation, to take such actions to make such reports and filings as are necessary to effectuate the annexation of the Property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation.

II.

All ordinances, parts of ordinances, amendments, or regulations in conflict herewith are repealed.

III.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

IV.

It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Dawsonville, Georgia.

V.

This Ordinance shall take effect the first day of the month following the adoption of this ordinance provided that all requirements of Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated have been met; and shall become effective for purposes of ad valorem taxes on December 31st of the year in which this ordinance is adopted.

The above Ordinance was approved by the Mayor and Council of the City of Dawsonville, Georgia, on the 6 day of Nov, 2023.

(Signatures on next page)

LIMITED WARRANTY DEED

Deed Doc: WD
Bk 01055 Pg 0303-0306
Georgia Transfer Tax Paid : \$0.00
Justin Fowler Clerk of Court
Dawson County
0422012001442

STATE OF GEORGIA, COUNTY OF FORSYTH.

THIS INDENTURE, Made this 31st day of December, in the Year of ~~Mar~~ ~~2012~~ ~~2011~~ ~~2010~~ ~~2009~~ ~~2008~~ ~~2007~~ ~~2006~~ ~~2005~~ ~~2004~~ ~~2003~~ ~~2002~~ ~~2001~~ ~~2000~~ ~~1999~~ ~~1998~~ ~~1997~~ ~~1996~~ ~~1995~~ ~~1994~~ ~~1993~~ ~~1992~~ ~~1991~~ ~~1990~~ ~~1989~~ ~~1988~~ ~~1987~~ ~~1986~~ ~~1985~~ ~~1984~~ ~~1983~~ ~~1982~~ ~~1981~~ ~~1980~~ ~~1979~~ ~~1978~~ ~~1977~~ ~~1976~~ ~~1975~~ ~~1974~~ ~~1973~~ ~~1972~~ ~~1971~~ ~~1970~~ ~~1969~~ ~~1968~~ ~~1967~~ ~~1966~~ ~~1965~~ ~~1964~~ ~~1963~~ ~~1962~~ ~~1961~~ ~~1960~~ ~~1959~~ ~~1958~~ ~~1957~~ ~~1956~~ ~~1955~~ ~~1954~~ ~~1953~~ ~~1952~~ ~~1951~~ ~~1950~~ ~~1949~~ ~~1948~~ ~~1947~~ ~~1946~~ ~~1945~~ ~~1944~~ ~~1943~~ ~~1942~~ ~~1941~~ ~~1940~~ ~~1939~~ ~~1938~~ ~~1937~~ ~~1936~~ ~~1935~~ ~~1934~~ ~~1933~~ ~~1932~~ ~~1931~~ ~~1930~~ ~~1929~~ ~~1928~~ ~~1927~~ ~~1926~~ ~~1925~~ ~~1924~~ ~~1923~~ ~~1922~~ ~~1921~~ ~~1920~~ ~~1919~~ ~~1918~~ ~~1917~~ ~~1916~~ ~~1915~~ ~~1914~~ ~~1913~~ ~~1912~~ ~~1911~~ ~~1910~~ 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Tract Four:

All that tract or parcel of land lying and being in Land Lots 367, 368, 372, 373, 374, 375, 376, 425, 426, 427, 428, 429, 430, 431, 484, 485, and 487 of the North Half of the 13th District, 1st Section of Dawson County, Georgia, consisting of 492 acres, more or less, and being all of said Land Lots 368, 373, 374, 375, 425, 426, 427, 430, 431, 485, and that portion of Land Lots 367 and 376 lying west of Frank Bruce Road, and that portion of Land Lots 372, 428 and 429 lying east of the Perimeter Road, and the northwest half of Land Lot 484, being all of said land lot northwest of a line from the southwest corner of said land lot to the northeast corner thereof, and one acre, more or less, in the northeast corner of Land Lot 487, being that portion of said land lot lying northeast of Hwy 53, less and except that 60.000 acre tract set out on that plat of survey prepared for the Dawson County Board of Education by Frederick C. Youngman, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 36, Page 79, Dawson County Records.

This is a portion of that property described in that Warranty Deed dated March 2, 1968, from Mrs. Annie M. Anderson, Mrs. Mamie O. Tucker, Mrs. Vera M. Tuner and Harold M. Hendrix to Mrs. Mamie O. Tucker, which is recorded in Deed Book 8, Pages 73-74, Dawson County Records. This property is a portion of that tract identified as Dawson County Tax Parcel 003-004-001.

Grantor further quit claims any interest that he may have in and to any property lying in Land Lots 370, 371, 486, and 488 of the North Half of the 13th District, 1st Section of Dawson County, Georgia lying east of Perimeter Road and northeast of Hwy 53 that may be considered as a part of the 'Magic Dam' property. Grantor further quit claims any and all interest he may have in and to that 0.134 acre tract lying in Land Lots 429 and 486 of the North Half of the 13th District, 1st Section of Dawson County, Georgia, as set out on that plat of survey dated September 19, 2003, prepared for Kenneth K. Turner by Ben T. Trail, Georgia Registered Land Surveyor, which plat is recorded in Plat Book 60, Page 13, Dawson County Records.

Tract Five:

All that tract or parcel of land lying and being in Land Lots 377, 378 and 440 of the 4th District, 1st Section of Dawson County, Georgia, consisting of 17.86 acres, more or less, and being that 22.22 acre tract set out on that plat of survey for the W. R. Tucker Estate by Patton-Pless & Associates dated April 14, 1971, which plat is recorded in Plat Book 5, Page 219, Dawson County records, and is incorporated herein by reference for a more detailed description, less and except the following tracts: 1) that 2 acres, more or less, conveyed to Dawson County by Warranty Deed dated March 11, 1976, from Vera Turner, Mamie O. Tucker, Edna Nablin, individually, and as attorney-in-fact for Annie M. Anderson, Harold Hendrix, and Leon Hendrix, which deed is recorded in Deed Book 46, Pages 360-361, Dawson County Records, and 2) that 1.368 acres conveyed to Dawson County by Warranty Deed dated May 2, 2009, from Clinton W. Turner and Kenneth K. Turner, which deed is recorded in Deed Book 909, Pages 325-326, Dawson County Records.

This is a portion of that property described in that Warranty Deed dated September 19, 1981, from Harold M. Hendrix and Myrtle Vera Tuner, surviving Executors of the Estate

BNC 1050 Pg 0305

of W. R. Tucker, to Myrtie Vera Turner, which deed is recorded in Deed Book 53, Pages 303-304, Dawson County Records. This property is also identified as Dawson County Tax Parcel 092B-021

Tract Six:

All that tract or parcel of land lying and being in Land Lot 382 of the 4th District, 1st Section of Dawson County, Georgia, and being southwest of the old Dawsonville-Tucker Bridge Road, as described in that Deed dated April 11, 1940, from W. J. Tucker to Mrs. Vera Tucker Turner for and during her lifetime and to her bodily heirs after her death, which deed is recorded in Deed Book U, Page 18, Dawson County Records, and is incorporated herein by reference for a more complete description.

All that tract or parcel of land lying and being in Land Lots 367, 433, 436 and 450 of the 4th District, 1st Section of Dawson County, Georgia, being 40 acres each, the 4th District, 1st Section of Dawson County, Georgia, being a total of 190 acres. This is the same property described in that Deed dated July 31, 1937, from Sarah A. Tucker to Vera Tucker Turner for and during her lifetime and then to her children Joseph Turner, Clinton Turner and Kenneth Turner after her death, which deed is recorded in Deed Book T, Page 565, Dawson County Records, also by reference a deed from James F. and Joe Turner to Kenneth K. Turner on September 5th, 1991, Deed Book 145, Page 592, Dawson County records and is incorporated herein by reference for a more complete description which includes the following Land Lots: 315, 316, 366, 382, 383, 384, and a portion of 365, 385, and 433. This property is a portion of that tract identified as Dawson County Tax Parcel 083-024.

Myrtie Vera Turner is the same person sometimes referred to as Myrtle Vera Turner, Vera M. Turner and Vera Tucker Turner. Myrtle Vera Turner died a resident of Dawson County, Georgia, on January 29, 1984.

Tract Seven:

All that tract or parcel of land lying and being in the 4th District and First Section of Dawson County, Georgia and being the following lots in said district and section: Lots 434, 449, 451, 452, 501, 502, 503, 504, 517, 518, 519, 520, 521, 563, 569, 570, 571, 572, 584 and the East half of Land Lot 500 less and except Land Lot 500 and 501 conveyed to Michael K. Turner December 31, 2012 by Limited Warranty Deed from Kenneth K. Turner. This property is also identified as Dawson County Tax Parcel 083 025.

Tract Eight:

All that tract or parcel of land lying and being in the 4th District and First Section of Dawson County, Georgia and being Land Lot 378 in said district and section containing 20 acres more or less as referenced by deed conveyed to K. K. and Betty Turner dated June 23rd, 1965 Deed Book 4, Page 309, Dawson County records and is incorporated herein by reference for a more complete description. This property is also identified as Dawson County Tax Parcel 092B 024.

Exhibit A

Exhibit "B"

Tract Nine

All that tract or parcel of land lying and being in the 13th District and the North Section of Dawson County, Georgia and being Land Lot 486 in said district and section containing 1.5 acres more or less as referenced by deed conveyed from K. K. Turner to K. K. and Betty J. Turner dated November 15th, 1980 Deed Book 53, Page 678, Dawson County records and is incorporated herein by reference for a more complete description. This property is also identified as Dawson County Tax Parcel 093 033.

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, his successors and assigns, forever, in Fee Simple.

AND THE SAID Grantor, for Grantor's successors and assigns, will warrant and forever defend the right and title to the above described property, unto the said Grantee, his successors and assigns, against the claims of all persons claiming under the Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal, the day and year above written. Signed, sealed and delivered in our presence this 31st day of December, 2012.


Unofficial Witness

 (SEAL)
Kenneth K. Turner

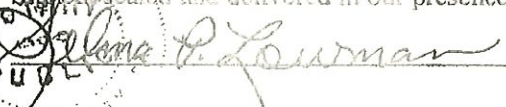
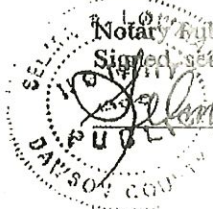
Notary Public Commission Expires: 5-15-15
Signed, sealed and delivered in our presence this 31st day of December, 2012.
 (SEAL)


Exhibit A

Exhibit "B"



December 09, 2020

CERTIFIED MAIL

Mr. Billy Thurmond and Board of Commissioners Dawson County
25 Justice Way, Suite 2313
Dawsonville, GA 30534

Re: Annexation of Property of Michael Turner, General Partner of B & K Turner Family LLP: ANX# C2100043

Dear Mr. Thurmond,

Please be advised that the City of Dawsonville, Georgia, pursuant to authority vested in the Mayor and Council of the City of Dawsonville by Article 2, Chapter 36, Title 36 of the Official Code of Georgia Annotated, received an amended petition to annex the property referenced above. This annexation petition will be heard during the public hearing segment of the January 19, 2021 meeting and possible decision at the same City Council meeting.

The amended application includes a revised narrative, revised annexation and rezoning plan, revised tract 1 and tract 2 legal description.

This letter has been sent to you by certified mail, return receipt requested, upon receipt of the Annexation Petition of Property of Michael Turner, General Partner of B & K Turner Family LLP. Said notice is in compliance with O.C.G.A. §§ 36-36-6, and 36-36-111. Please see the attached amended copy of the annexation petition and map of the site proposed to be annexed, which are included to allow you to identify the subject area, as well as the intended use of the property.

Pursuant to O.C.G.A. § 36-36-113, upon receipt of this notice Dawson County has thirty (30) calendar days to raise an objection to the proposed use of the above referenced land, and to specify the basis, therefore.

Finally, in accord with O.C.G.A. § 36-36-7, Dawson County has five (5) business days from the receipt of this notice to notify the City that there are County-owned public facilities within the area proposed for annexation.

Thank you for your time and attention to this matter, and I look forward to hearing from you regarding this issue. If I may be of assistance in this regard or any other, please do not hesitate to contact me.

Stanislav Zaverukha
Permit Technician

Enclosures
CC: David Headley, County Manager
Jarrard & Davis, LLP, County Attorney

City of Dawsonville
415 Hwy 53 E, Suite 100
Dawsonville, GA 30534
Office Phone: 706-265-3256
Fax: 706-265-4214

Exhibit B

Exhibit "B"