

Return to:
Robert M. Dycr
291 E. Main St.
Canton, Georgia 30114

----- [Space Above This Line for Recording Date] -----

**GEORGIA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY DEED**

GEORGIA, CHEROKEE COUNTY

PROJECT NO. NH-165-1(40)
P.I. NO. 620920

THIS CONVEYANCE made and executed the 12th day of October, 2004.

WITNESSETH that Cherokee Corners Holdings, LLC, the undersigned (hereinafter referred to as "Grantor"), are the owners of a tract of land in Cherokee County through which the widening of SR 92 from Woodland Dr. to Cherokee Trail, known as Project No. NH-165-1(40), has been laid out by the Department of Transportation, being more particularly described in a map and drawing of said road in the office of the Department of Transportation, No. 2 Capitol Square, Atlanta, Georgia, to which reference is hereby made.

NOW, THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00), in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant, sell and convey to said Department of Transportation, and their successors in office, so much land as to make a right of way for said road as surveyed, being more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot 1224 of the 15th Land District, 2nd Section of Cherokee County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

Said right of way is hereby conveyed, consisting of 0.212 acres, more or less, as shown colored yellow on the plat of the property prepared by the Department of Transportation, dated the 3rd day of June, 1998; revised February 14, 2003, said plat attached hereto and made a part of this deed as Exhibit "B".

For the same consideration Grantor hereby conveys and relinquishes to the Department of Transportation all rights of access between the limited access highway and approaches thereto on the above numbered highway project and Grantor's remaining real property from which said right of way is taken except at such points as designated and shown on the attached plat prepared by the Department of Transportation.

Parcel No. 60

9

TO HAVE AND TO HOLD the said conveyed premises in fee simple and any rights Grantor has or may have in and to existing public rights of way are hereby quitclaimed and conveyed unto the Department of Transportation.

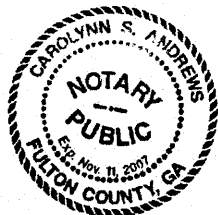
The Grantor hereby warrants that Grantor has the right to sell and convey said land and bind himself, his heirs, executors and administrators forever to defend by virtue of these presents.

IN WITNESSETH WHEREOF, Grantor has hereunto set his hand and seal the day above written.

Signed, Sealed and Delivered
this 12th day of October
20 04, in the presence of:

Betty Nasuti
Witness

[Signature]
Notary Public



Cherokee Corners Holdings, LLC (L.S)

By: Mimms Investments, Managing Partner

By: [Signature] (L.S.)
Malon D. Mimms, Jr., General Partner

By: [Signature] (L.S.)
Robert C. Mimms, General Partner

By: [Signature] (L.S.)
David A. Mimms, General Partner

Parcel No. 60

PARCEL
60

PROJECT
NH-165-1(40)

AREA REQUIRED
0.212 Acres

All that tract or parcel of land lying and being in Land Lot 1224 of the 15th Land District, 2nd Section in Cherokee County being more particularly described as follows:

BEGINNING at a point 59.05 feet right of and opposite centerline station 94 + 535.07 on Georgia Highway Project Number NH-165-1(40).

From the **POINT OF BEGINNING**.

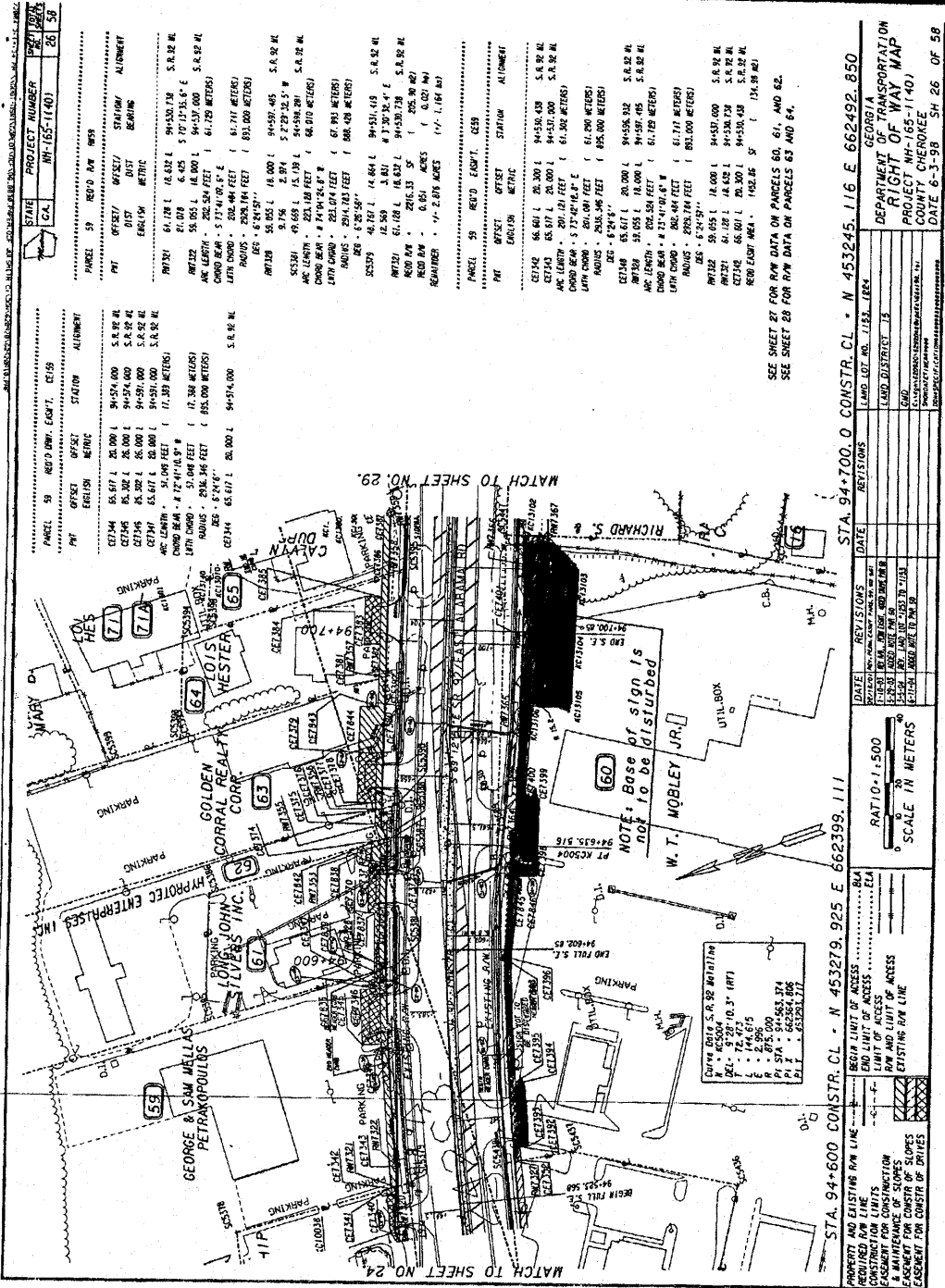
Thence N 9-20'43.6" E for a distance of 7.90 feet to the beginning of a curve. Thence southeasterly 337.50 feet along the arc of a curve to the right (said curve having a radius of 2814.78 feet and a chord distance of 337.30 feet on a bearing of S 72-36'50.2" E) to a point 49.82 feet left of and opposite station 94 + 639.51 on said SR 92 centerline. Thence S 69-10'44.2" E for a distance of 297.10 feet to a point. Thence S 20-52'03.4" W for a distance of 19.55 feet to a point. Thence N 69-12'53.4" W for a distance of 196.95 feet to a point. Thence N 68-03'09.8" W for a distance of 113.24 feet to a point. Thence N 66-15'41.3" W for a distance of 114.24 feet to the beginning of a curve. Thence northwesterly 208.64 feet along the arc of a curve to the right (said curve having a radius of 2811.67 feet and a chord distance of 208.59 feet on a bearing of N 73-39'58.5" W) to a point 59.05 feet right of and opposite station 94 + 535.07 on said SR 92 centerline to the **POINT OF BEGINNING**. Containing 0.212 acres more or less.

Also granted is the right to construct a driveway within the easement area shown colored pink on the attached plat. This driveway easement becomes effective at the beginning of construction of the above numbered project and will expire upon completion and final acceptance of said project by the Department of Transportation.

Also granted is the right to execute certain construction over and upon my land abutting on and adjacent to the right of way in such manner as said Department may deem proper to support or accommodate the improvement of said road, including the right to construct and maintain any required slopes within the easement area shown colored orange on the attached plat.

EXHIBIT "A"

EXHIBIT 'B'



PANEL 59 REV'D RAW DATA

STATION	OFFSET	STATION ALIGNMENT
94+00.00	0.00	S.R. 38 AL
94+10.00	0.00	S.R. 38 AL
94+20.00	0.00	S.R. 38 AL
94+30.00	0.00	S.R. 38 AL
94+40.00	0.00	S.R. 38 AL
94+50.00	0.00	S.R. 38 AL

PANEL 60 REV'D RAW DATA

STATION	OFFSET	STATION ALIGNMENT
94+50.00	0.00	S.R. 38 AL
94+60.00	0.00	S.R. 38 AL
94+70.00	0.00	S.R. 38 AL
94+80.00	0.00	S.R. 38 AL
94+90.00	0.00	S.R. 38 AL
95+00.00	0.00	S.R. 38 AL

PANEL 61 REV'D RAW DATA

STATION	OFFSET	STATION ALIGNMENT
95+00.00	0.00	S.R. 38 AL
95+10.00	0.00	S.R. 38 AL
95+20.00	0.00	S.R. 38 AL
95+30.00	0.00	S.R. 38 AL
95+40.00	0.00	S.R. 38 AL
95+50.00	0.00	S.R. 38 AL

PANEL 59 REV'D ENDT. DATA

STATION	OFFSET	STATION ALIGNMENT
94+00.00	0.00	S.R. 38 AL
94+10.00	0.00	S.R. 38 AL
94+20.00	0.00	S.R. 38 AL
94+30.00	0.00	S.R. 38 AL
94+40.00	0.00	S.R. 38 AL
94+50.00	0.00	S.R. 38 AL

PANEL 60 REV'D ENDT. DATA

STATION	OFFSET	STATION ALIGNMENT
94+50.00	0.00	S.R. 38 AL
94+60.00	0.00	S.R. 38 AL
94+70.00	0.00	S.R. 38 AL
94+80.00	0.00	S.R. 38 AL
94+90.00	0.00	S.R. 38 AL
95+00.00	0.00	S.R. 38 AL

PANEL 61 REV'D ENDT. DATA

STATION	OFFSET	STATION ALIGNMENT
95+00.00	0.00	S.R. 38 AL
95+10.00	0.00	S.R. 38 AL
95+20.00	0.00	S.R. 38 AL
95+30.00	0.00	S.R. 38 AL
95+40.00	0.00	S.R. 38 AL
95+50.00	0.00	S.R. 38 AL

PANEL 59 REV'D ENDT. DATA

STATION	OFFSET	STATION ALIGNMENT
94+00.00	0.00	S.R. 38 AL
94+10.00	0.00	S.R. 38 AL
94+20.00	0.00	S.R. 38 AL
94+30.00	0.00	S.R. 38 AL
94+40.00	0.00	S.R. 38 AL
94+50.00	0.00	S.R. 38 AL

STA. 94+600 CONSTR. CL - N 453279.925 E 662399.111

DATE	REVISIONS
11/23/89	ISSUED FOR CONSTRUCTION
11/23/89	REVISED FOR CONSTRUCTION
11/23/89	REVISED FOR CONSTRUCTION

STA. 94+700.0 CONSTR. CL - N 453245.116 E 662492.850

DATE	REVISIONS
11/23/89	ISSUED FOR CONSTRUCTION
11/23/89	REVISED FOR CONSTRUCTION
11/23/89	REVISED FOR CONSTRUCTION

DATE: 8-3-98
PROJECT: W/165-1140
COUNTY: CHEROKEE
SHEET: 26 OF 58

EXHIBIT 'S'

STATE	PROJECT NUMBER	DATE	SCALE
GA.	WH-185-(140)	11/14/01	1" = 100'

PARCEL NO.	SECTION	TOWNSHIP	RANGE	ACRES	OWNER
61	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
62	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
63	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
64	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
65	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
66	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
67	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
68	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
69	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
70	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
71	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
72	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
73	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
74	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
75	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
76	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
77	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
78	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
79	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
80	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
81	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
82	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
83	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
84	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
85	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
86	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
87	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
88	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
89	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
90	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
91	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
92	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
93	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
94	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
95	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
96	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
97	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
98	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
99	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION
100	36	18 N	10 E	11.96	GEORGIA DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY MAP
 DEPARTMENT OF TRANSPORTATION
 PROJECT WH-185-(140)
 COUNTY CHEROKEE
 DATE 8-3-98 SH 27 OF 58

DATE ACQUISITION: 11/15/01
 SCALE: 1" = 100'
 SCALE IN METERS: 1:3048

PROPERTY AND EXISTING ROW LINE
 CONSTRUCTION LIMITS
 RIGHT OF WAY LINE
 A MILEAGE FOR CONSTRUCTION OF SLOPES
 A MILEAGE FOR CONSTRUCTION OF SLOPES
 A MILEAGE FOR CONSTRUCTION OF SLOPES

ROW LIMIT OF ACCESS
 LIMIT OF ACCESS
 ROW AND LIMIT OF ACCESS
 EXISTING ROW LINE