

PROPERTY OWNER'S AFFIDAVIT

GEORGIA, FULTON COUNTY

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths in said State and County, **Robert L. Pitts**, who after being duly sworn, deposes and says upon oath:

That affiant is the **Chairman of the Fulton County Board of Commissioners**, owner in fee simple of the improvements shown on Attachment "A" hereto.

Further, that the improvements situated on said real estate are within the limits of said described property and that there has been no violation of any restrictions that may have been imposed on said lands nor has any interest in same been sold or conveyed or any change made in the improvements thereon since said lands were inspected as aforesaid.

Further, that the owner or owners named above is in indisputable possession of said described lands and knows of no one claiming under any unrecorded bond for title of any nature of claiming any interest in said lands whatsoever; except as may be set out below;

Further, that there are no leases, either recorded of record, unrecorded, or otherwise, currently in effect or terminated in contemplation of the acquisition or purchase by the Georgia Department of Transportation (hereinafter the "Department") of the real estate shown on Attachment "A" hereto, except as may be set out below;

Further, that there are no suits, judgments, bankruptcies or executions pending against the owner or owners named above in any court relating to the subject property or which could in any way affect the title to said lands or constitute a lien thereon, and that the owner or owners named above is not surety on the bond of any county or county official or any other bond that through default of the principal therein a lien would be created superior to the deed mentioned above, nor are there any loan deeds, trust deeds, mortgages, or liens of any nature whatsoever unsatisfied against said lands except as set out below;

Further, that there are no unpaid bills of any nature either for labor or materials or for architects', surveyors', or other services rendered or used on the improvement of said real estate, except as set out below, which constitute or might constitute any lien upon said real estate.

The owner or owners named above for their part acknowledges that this Affidavit is made and given to the Department in connection with and for purposes of inducing the Department in its acquisition or purchase of the real estate shown on Attachment "A" thereto and, further, agrees to indemnify and hold harmless the Department from any and all claims for compensation or benefits made by any party or individual claiming through or under any interest in the property or business now or formerly situated or operating on said property, against the Department other than as may be set forth herein below.

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their hand(s) and seal(s),

this _____ day of _____, _____.

Signed, sealed and delivered this ____ day of _____, 2025
in the presence of:

FULTON COUNTY, a political subdivision of the State of Georgia

Witness

By: _____
Robert L. Pitts, Chairman
Fulton County Board of Commissioners

[Notarial Seal]

Attest: _____
Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM

Y. Soo Jo, County Attorney

EXCEPTIONS:

1. Easement from Fulton County to Georgia Power Company, dated November 7, 1956, filed December 20, 1956, and recorded in Deed Book 3180, Page 318, Fulton County, Georgia records.
2. Relinquishment of access rights (except where designated by the Department of Transportation) as contained in that certain Right of Way Deed from Fulton County to the State Highway Department of Georgia, dated December 9, 1961, filed December 3, 1961, and recorded in Deed Book 3736, Page 439, aforesaid records.
3. Relinquishment of access rights (except where designated by the Department of Transportation) as contained in that certain Right of Way Deed from Fulton County to the State Highway Department of Georgia, dated December 9, 1961, filed December 3, 1961, and recorded in Deed Book 3736, Page 443, aforesaid records.
4. Restrictions contained in that certain Warranty Deed from Fulton County to West Expressway Development Corporation, dated May 16, 1962, and recorded in Deed Book 3886, Page 375, aforesaid records.
5. Covenants and easement contained in that certain Warranty Deed from Atlanta Motor Lodges, Inc. to Cities Service Oil Company, dated July 31, 1967, filed August 1, 1967, and recorded in Deed Book 4770, Page 40, aforesaid records, as corrected by Corrective Warranty Deed, dated August 7, 1967, filed August 8, 1967, and recorded in Deed Book 4773, Page 198, aforesaid records.
6. Easements as contained in that certain Right of Way Deed from Atlanta Motor Lodge, Inc. to the State Highway Department of Georgia, dated September 23, 1967, filed November 27, 1967, and recorded in Deed Book 4824, Page 410, aforesaid records.

7. Easement from H & R Development Corp. to Georgia Power Company, dated July 25, 1973, filed January 14, 1974, and recorded in Deed Book 5975, Page 320, aforesaid records.
8. Restrictive Covenant by and between Innkash, Inc. and McDonald's Corporation, which nominee is Golden Arch Limited Partnership, dated September 20, 1995, filed August 28, 1995, and recorded in Deed Book 19968, Page 333, aforesaid records.
9. Reciprocal Easement by and between Innkash, Inc. and Golden Arch Limited Partnership, dated July 19, 1995, filed September 5, 1995, and recorded in deed Book 19978, Page 292, aforesaid records; as amended by that certain Amendment to Reciprocal Easement Agreement filed September 5, 1995, and recorded in Deed Book 19978, Page 301, aforesaid records.
10. Limited access along Interstate 20, which the subject property abuts.

EXHIBIT "A"

P. I. NO.: 0013918
PARCEL NO.: 7A
COUNTY: Fulton
DATE OF R/W PLANS: November 1, 2024
REVISION DATE: N/A

All that tract or parcel of land lying and being in Land Lot 52 of the 14th Land District and/or 1289th Georgia Militia District of Fulton County, Georgia, being more particularly described as follows:

Right of Way

Beginning at a point 45.00 feet right of and opposite Station 804+49.23 on the construction baseline of Ramp DE108 on Georgia Highway P.I. No. 0013918; running thence S 79°35'23.1" E a distance of 110.49 feet to a point 36.59 feet right of and opposite station 805+59.40 on said construction baseline laid out for Ramp DE108; thence S 21°05'46.7" W a distance of 8.46 feet to a point 45.00 feet right of and opposite station 805+58.47 on said construction baseline laid out for Ramp DE108; thence N 75°13'35.7" W a distance of 109.24 feet back to the point of beginning. Consisting of 0.011 acres more or less.

Limited Access

Herein granted are 109.24 linear feet of access rights: Beginning at a point 45.00 feet right of and opposite Station 804+49.23 on the construction baseline of Ramp DE108 on Georgia Highway P.I. No. 0013918; running thence S 75°13'35.7" E a distance of 109.24 feet to a point 45.00 feet right of and opposite station 805+58.47 on said construction baseline laid out for Ramp DE108.

Permanent Easement for the Construction and Maintenance of Slopes and Noise Barrier

Also, granted is the right to construct and maintain any required slopes and noise barrier within the easement area shown on the attached plat.

Beginning at a point 48.76 feet right of and opposite Station 804+00.00 on the construction baseline of Ramp DE108 on Georgia Highway P.I. No. 0013918; running thence S 79°35'21.1" E a distance of 49.37 feet to a point 45.00 feet right of and opposite station 804+49.23 on said construction baseline laid out for Ramp DE108; thence S 75°13'35.7" E a distance of 109.24 feet to a point 45.00 feet right of and opposite station 805+58.47 on said construction baseline laid out for Ramp DE108; thence S 21°02'06.3" W a distance of 2.35 feet to a point 47.34 feet right of and opposite station 805+58.21 on said construction baseline laid out for Ramp DE108; thence N 83°56'43.6" W a distance of 2.44 feet to a point 47.71 feet right of and opposite station 805+55.80 on said construction baseline laid out for Ramp DE108; thence S 32°48'17.5" W a distance of 7.67 feet to a point 55.00 feet right of and opposite station 805+53.43 on said construction baseline laid out for Ramp DE108; thence N 75°13'35.7" W a distance of 153.43 feet to a point 55.00 feet right of and opposite station 804+00.00 on said construction baseline laid out for Ramp DE108; thence N 14°46'24.3" E a distance of 6.24 feet back to the point of beginning. Consisting of 0.034 acres more or less.