

PROPOSED ZONING	C-2 (COMMERCIAL) - 4,090.91 SQUARE FEET PER ACRE
PROPOSED USE	URGENT CARE FACILITY IN EXISTING BUILDING 1,800 SQUARE FEET
EXISTING ZONING	M-2 (INDUSTRIAL)
EXISTING USE	VACANT BUILDING
LAND USE MAP	INDUSTRIAL MARKETPLACE
LOCATION	4143 FULTON INDUSTRIAL BOULEVARD (SR 70) (NORTHWEST SIDE): 94 FEET OF FRONTAGE PARCEL SIZE 0.44 ACRES LL 23, DISTRICT 14F COMMISSION DISTRICT 6 FULTON INDUSTRIAL BUSINESS DISTRICT OVERLAY DISTRICT SEWER BY PUBLIC SEWER
OWNER	WHITE COAT LLC
PETITIONER	WHITE COAT LLC, BRENT HARRIS
REPRESENTATIVE	NATHAN V. HENDRICKS III

APPLICANT'S INTENT

Application by Nathan V. Hendricks III for White Coat, LLC. seeks rezoning from M-2 (Heavy Industrial) to C-2 (Commercial) of property located at 4143 Fulton Industrial Boulevard to accommodate an urgent care facility. The 0.44-acre property is currently developed with an 1,800 square foot building and parking lot. The applicant intends to renovate the existing building for occupational medical use as an urgent care facility focused on providing service to area workers.

Prior to April 2007, the Fulton County Zoning Resolution allowed commercial and office uses to operate within the M-2 (Industrial) zoning classification. On April 4, 2007, the Board of Commissioners amended the Use Regulations for industrial districts prohibiting commercial uses and requiring developments within M-1 and M-2 zoning classifications to be of an industrial/warehouse nature.

In addition, the applicant requests a concurrent variance as follows:

- Reduce the 5-foot landscape strip to 0 feet to allow existing encroachments along the southwest property line to remain. (Article 4.23.1)

Department of Public Works
Planning and Development Division
Staff Recommendation

**APPROVAL CONDITIONAL: 2022Z-0001 SFC,
APPROVAL CONDITIONAL: 2022VC-001 SFC**

Community Zoning Board Recommendation
May 17, 2022

**APPROVAL CONDITIONAL: 2022Z-0001 SFC
APPROVAL CONDITIONAL: 2022VC-0001 SFC**

SUBJECT SITE AND SURROUNDING AREA:

SUBJECT SITE: The subject site is zoned M-2 (Industrial) and is currently developed with a vacant building and parking lot.

NEARBY AND ADJACENT PROPERTIES/ZONINGS: NON-RESIDENTIAL

**** Immediately Northwest** - Use: Various Industrial Buildings

Petition: None

Zone: M-2 (Heavy Industrial)

**** Immediately Northeast** – Use: Vacant building, formerly a restaurant

Petition: None

Zone: M-2 (Heavy Industrial)

**** Further Northeast** – Use: Convenience Store

Petition: 2021Z-002 SFC

Zone: C-2 (Commercial)

**** Further Northeast** -Vacant building, formerly a restaurant

Petition: 2021Z-003 SFC

Zone: C-1 (Commercial)

**** Southeast** - (East side of Fulton Industrial Boulevard (SR 70)) Use: Bugetel Inn and Suites

Petition: None

Zone: M-2 (Heavy Industrial)

**** Southeast** - (East side of Fulton Industrial Boulevard) Use: GK Granite

Petition: None

Zone: M-2 (Heavy Industrial)

**** Immediately Southeast** – Use: Boston Fish Supreme

Petition: 2011Z-008 SFC

Zone: C-1 (Commercial)

**** There are no RESIDENTIAL ZONINGS in the immediate area.**

**** MISCELLANEOUS USES AND ZONINGS IN THE AREA:**

**** North** - Use: Fulton County Airport, Brown Field, and the Fulton County Aviation Community Cultural Center

**** Further East and Further North** - City of Atlanta

**** Further South of I-20** – City of South Fulton

**** There have been no RECENT DENIALS in the immediate area.**

SITE PLAN ANALYSIS:

The applicant proposes to renovate the existing building for use as an urgent care facility. While the existing parking lot will remain, the applicant's site plan calls for removal of pavement to provide for additional landscaping as per the requirements of the Zoning Ordinance. Based on the applicant's site plan received March 25, 2022, Staff offers the following considerations:

LAND USE AND DENSITY

The property is currently developed with an 1,800 square foot building and parking lot at a density of 4,090.91 square feet per acre. As noted on the cover sheet of this report, prior to April 2007, the Fulton County Zoning Resolution allowed commercial and office uses to operate in an M-2 (Heavy Industrial) zoning classification. On April 4, 2007, the Board of Commissioners amended the Use Regulations for industrial districts requiring developments in the industrial zoning classifications to be of an industrial/warehouse nature. Thus, commercial uses on the property are prohibited and to have an urgent care facility use, rezoning is required.

The 2035 Comprehensive Land Use Map suggests Industrial Marketplace for the area along Fulton Industrial Boulevard (SR 70) between Martin Luther King Jr. Drive and Patton Drive. The intent of the Industrial Marketplace land use category is to encourage redevelopment of the Fulton Industrial District near the I-20 interchange by promoting uses which serve the needs of the people who work in the industrial area. The Industrial Marketplace designation on Fulton Industrial Boulevard is consistent with the Fulton Industrial Boulevard Redevelopment Framework which was adopted by the Board of Commissioners in August 2010.

Pursuant to this rezoning, the applicant is seeking to use the existing building for an urgent care facility, which will serve the medical needs of the area. In staff's opinion this use is consistent with the intent of the Comprehensive plan and the Fulton Industrial Boulevard Redevelopment Plan. Furthermore, the applicant's proposed density is consistent with existing and proposed development in the surrounding area.

The Recommended Conditions, which restrict the use of the property to an urgent care facility, will ensure the development is in harmony with the comprehensive and master plans for the surrounding industrial area.

Given all the above considerations, staff is of the opinion that the applicant's proposed development of the site with the recommended conditions is consistent with the Comprehensive Plan and the Fulton Industrial District Redevelopment Plan.

BUILDING SETBACKS

Article 9.2.3 requires minimum building setbacks as follows:

40-foot front yard setback along Fulton Industrial Boulevard

The existing building complies with the required setbacks.

LANDSCAPE STRIPS AND BUFFERS

Plans for the Fulton Industrial area call for enhancing landscaping within parking areas and particularly along street frontages. The site plan calls for the removal of several parking spaces to accommodate additional landscaping and the addition of landscape islands within the parking area. This additional

landscaping will serve to enhance the site and will contribute to the implementation of beautification plans for the area.

PARKING

Article 18.2.1 requires 4 spaces per 1,000 square of building area for this use. The site plan indicates that parking requirements can be met and that there is adequate room to provide for new landscape islands within the parking areas and along the street frontage.

ENVIRONMENT

The Environmental Site Analysis Report (ESA) satisfies the requirement of the Fulton County Zoning Resolution. The site does not contain streams, flood plain, wetlands, steep slopes, historical sites or sensitive plants and animal species.

OTHER CONSIDERATIONS

An abandoned sign exists on the property, and it will have to be removed. The applicant is aware that removal of the abandoned signage structure is required, and the new sign for the property will be required to comply with the existing code, which calls for a monument sign. The applicant is also aware that enclosure of any dumpster on the property will be required, consistent with the Overlay District standards.

FINDINGS:

(Article 28.4.1) Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors A. through G., below, as well as any other factors it may find relevant.

A. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

FINDING: The proposed office use, if developed with Staff's Recommended Conditions, is suitable for the subject site given the existing and anticipated uses within the Industrial Marketplace Corridor all of which are geared to support the industrial developments in the surrounding area.

B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

FINDING: In Staff's opinion, the proposed development will not have an adverse effect on the use or usability of adjacent and nearby properties if developed in accordance with the Recommended Conditions.

C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

FINDING: The subject site may have a reasonable use as currently zoned.

D. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION

FACILITIES, UTILITIES, OR SCHOOLS.

FINDING: Staff does not anticipate the proposed use will have a significant impact on the facilities and utilities serving the area.

E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICIES AND INTENT OF THE LAND USE PLAN.

FINDING: The proposed commercial development is consistent with policies and intent of the Comprehensive Plan, provided the Recommended Conditions are incorporated into the development.

LAND USE PLAN MAP: Industrial Marketplace

Proposed use/density: Urgent Care Facility at 4,090.91 square feet per acre

The 2030 Comprehensive Land Use Map suggests Industrial Marketplace along Fulton Industrial Boulevard (SR 70) in this area. Industrial use is suggested beyond the node. The proposed density is consistent with other projects in the area.

PLAN POLICIES:

Provide for the transition of land uses from higher to lower densities and between different land uses.

Promote the revitalization of the Fulton Industrial Boulevard Industrial District.

Promote industrial base while simultaneously allowing for necessary commercial and office services to support industrial workers.

Support implementation of Fulton Industrial Boulevard Redevelopment Framework.

F. WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

FINDING: The Board of Commissioner's adoption of the Fulton Industrial Boulevard Redevelopment Framework Plan and subsequent adoption of the 2030 Comprehensive Land Use Plan suggesting Industrial Marketplace constitutes a changed condition affecting the use of this property.

G. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH CAN BE CONSIDERED ENVIRONMENTALLY ADVERSE TO THE NATURAL RESOURCES, ENVIRONMENT AND CITIZENS OF FULTON COUNTY.

FINDING: The proposed use is not considered environmentally adverse affecting natural resources, the environment, or the citizens of Fulton County.

CONCLUSION:

Provided Staff's Recommended Conditions are incorporated into the development of the site, the proposal to rezone the subject site from M-2 (Industrial) to C-2 (Commercial) to allow use of the existing building for an urgent care facility is consistent with the policies and intent of the Comprehensive Plan and with approved zonings in the area. Therefore, Staff recommends this petition and the concurrent variances be **APPROVED CONDITIONAL** subject to the attached Recommended Conditions.

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be APPROVED C-2 (Commercial) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Urgent care facility/medical office use only, at a maximum density of 4,090.91 gross square feet per acre zoned or a total of 1,800 square feet, whichever is less.
 - b. Limit the height of the building to no more than 1 story.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Public Works on March 25, 2022. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
 - a. Prior to issuance of an occupancy certificate for the building renovation, install and/or update the sidewalks and street lighting along Fulton Industrial Boulevard (SR 70) consistent with the standards of the Fulton Industrial Business District Overlay District.
 - b. Access to the property shall be provided via the curb cuts on the adjacent properties. No additional curb cuts shall be allowed.
 - c. To prohibit any window coverings, signage, location of interior or exterior shelving, appliances etc. that would block clear sight into the establishment through any window.
 - d. To post no loitering and no trespassing signage in highly visible locations throughout the property and visible from all parts of the property.
 - e. To install LED lights on all light posts on the property.
 - f. To partner with the Fulton County Police Department to be included in the TAP (Trespassing Affidavit Program).
 - g. To partner with the Fulton County Police Department and install an interior and exterior onsite security camera system. The camera system shall be incorporated into the existing Police camera system along Fulton Industrial Boulevard so that the Police can remotely monitor all activity in real time.
 - h. To remove all existing abandoned signage frames on the site; new signage shall comply with the Zoning Resolution.

i. All improvements along Fulton Industrial Boulevard (SR 70) shall be subject to the approval of the Georgia Department of Transportation.

4. To the owner's agreement to abide by the following:

a. Prior to submitting the application for a (LDP) with the Department of Public Works, Plan Review Division, arrange to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.

b. Prior to submitting the application for an LDP, arrange an on-site evaluation of any existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.

APPENDIX

COMMENTS ON PUBLIC SERVICES AND UTILITIES

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Fulton County Plan Review process prior to the commencement of any construction activity.

TRANSPORTATION FACILITIES:

- Update sidewalks and/or streetlights along the property frontage to be consistent with the CID standards.
- Fulton Industrial Boulevard (SR 70) is a State Route, any improvements within the right of way of will require approval and permit issuance by GDOT.

HEALTH DEPARTMENT:

Environmental Health Service Comments

- Fulton County Board of Health requires that the proposed facility be served by public water and public sanitary sewer which are available to the site.
- This department recommends that the proposed building be inspected, and the owner/operator is required to provide the internal plumbing and sanitary facilities necessary to serve the existing and proposed addition and building capacity.
- This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 - Health and Sanitation, Article III – Smoke-free Air.
- If this proposed development includes a food service establishment, as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 - Health and Sanitation, Article V - Food Service, the owner must submit kitchen plans for review and approval by this agency before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.
- This department requires that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

WATER AND WASTEWATER (SEWER):

WATER:

No increased capacity proposed.

This project is within the City of Atlanta jurisdiction.

SEWER:

Basin: Utoy Creek

For TDD, TTY Access Services please call 711 for Georgia Relay.

Petition: 2022Z-001, 2022VC-001
BOC Meeting: 06/1/22

Treatment Plant: Utoy Creek
No increased capacity proposed.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

DRAINAGE:

Flood Plain: According to the Fulton County Geographic Information System (GIS) Map, there is no 100-year flood plain on the subject site.

TAX ASSESSOR:

Property Tax ID#:14F-0023-LL-086-8

Taxes on the subject property are up to date on this property

FIRE MARSHAL:

Fire requirements for this project will be reviewed and met through Life Safety 101, 2018, and IFC 2018.

Fire Station: 11
Battalion: 2

POLICE DEPARTMENT:

This property should participate in the TAP (Trespassing Affidavit Program)

EMERGENCY SERVICES:

No comments.

CODE ENFORCEMENT:

No recent code violations on this site; no open code violations on the site.



Fulton County GIS

Date: 4/20/2022
Map Size: 8.5x11 (LETTER)



Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use these data, even if Fulton County is advised of the possibility of such losses.



Property Profile for 4143 FULTON IND BLVD SW

Property Tax Information

Tax Year	2022
Parcel ID	14F0023 LL0868
Property Address	4143 FULTON IND BLVD SW
Owner	SEA MARSHES DEVELOPMENT LLC
Mailing Address	120 INTERSTATE NORTH PKWY STE 154 ATLANTA GA 30339
Total Appraisal	\$183,200
Improvement Appraisal	\$84,700
Land Appraisal	\$98,500
Assessment	\$73,280
Tax District	70D
Land Area	0.4591 ac
Property Class	Commercial Lots
Land Use Class	Retail - Single Occupancy
TAD	
CID	Fulton Industrial CID

Zoning

Zoning Class	M-2
Overlay District	Fulton Industrial Ov
2035 Future Development	Industrial Marketplace

Political

Municipality	unincorporated
Commission District	6
Commission Person	Khadijah Abdur-Rahman
Council District	not available
Council Person	not available
Voting Precinct	FC02
Poll Location	Aviation Community Cultural Center, 3900 Aviation Cir Nw
Congressional District	005
State Senate District	038
State House District	060

School Zones

Elementary School	Randolph
Middle School	Sandtown
High School	Westlake

Other Information

Zip Code	30336
Census Tract	78.05
In Less Developed Census Tract	Yes

Aerial View



Property Map



Vicinity Map



Existing Building View from Parking Lot:



Existing Building View from Entry Drive:



Existing Building View from Street:

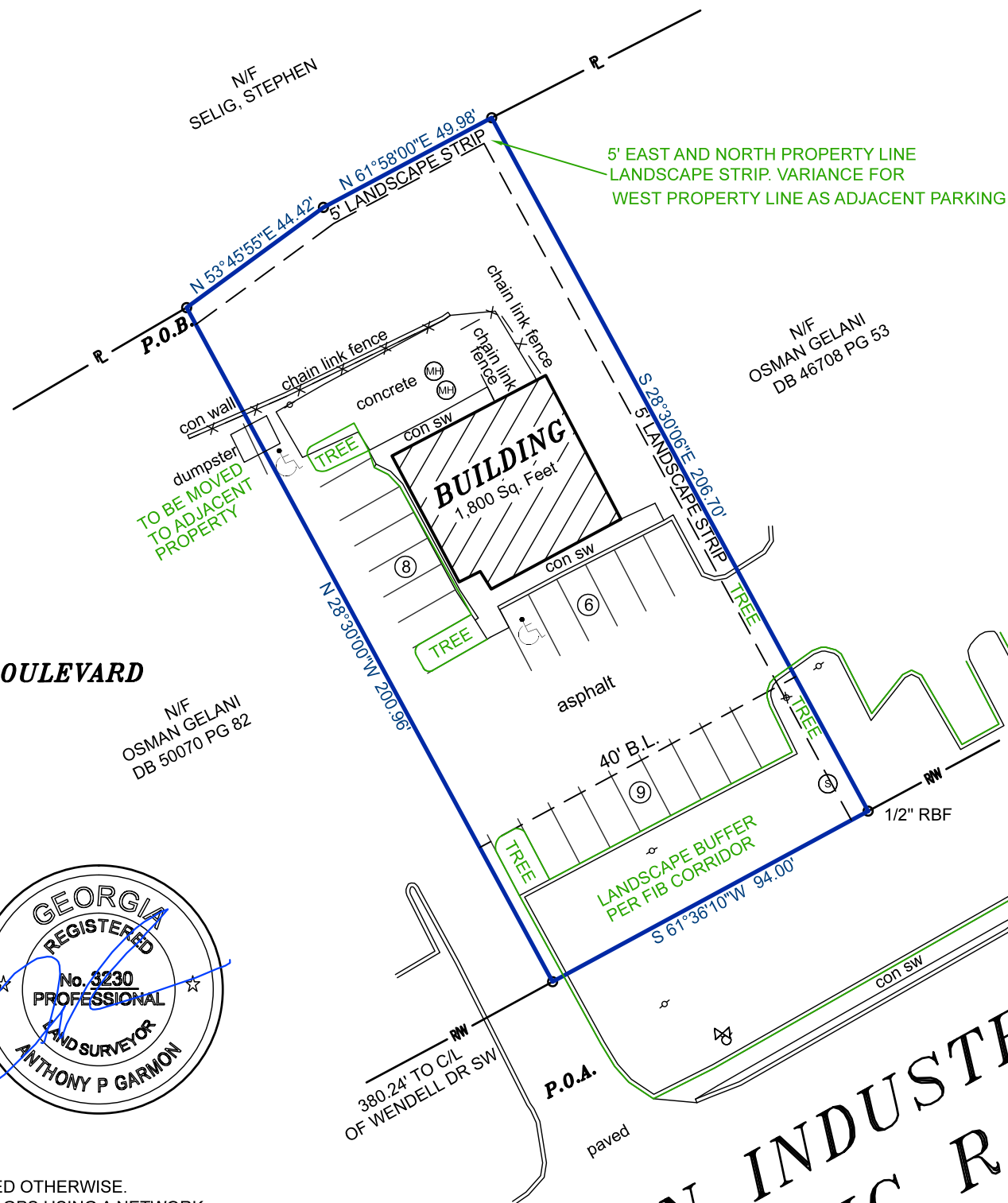









14F0023 LL0868
4143 FULTON INDUSTRIAL BOULEVARD
ATLANTA, GA 30336
19317.77 Sq. Feet
0.44 Acres
 Zoned: M2

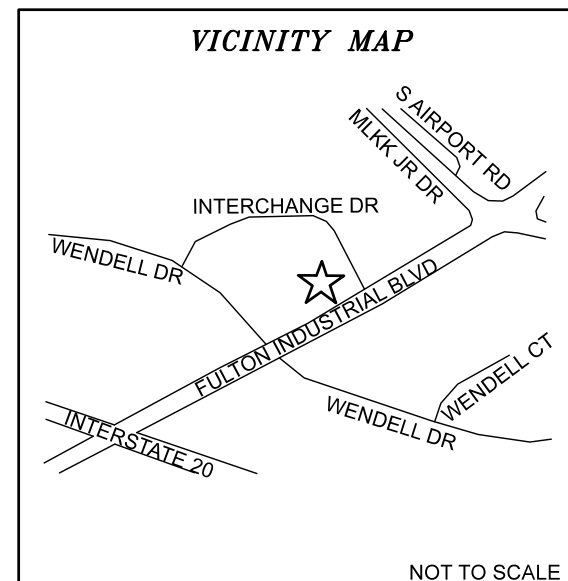
AS REQUIRED BY SUBSECTION (c) of
O.C.G.A. SECTION 15-6-67, THE
REGISTERED LAND SURVEYOR
HEREBY CERTIFIES THAT THIS MAP,
PLAT, OR PLAN HAS BEEN APPROVED
FOR FILING IN WRITING BY ANY AND
ALL APPLICABLE MUNICIPAL, COUNTY,
OR MUNICIPAL-COUNTY PLANNING
COMMISSIONS OR MUNICIPAL OR
COUNTY GOVERNING AUTHORITIES
OR THAT SUCH GOVERNMENTAL
BODIES HAVE AFFIRMED IN WRITING
THAT APPROVAL IS NOT REQUIRED.



1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
2. SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS RELATIVE POSITIONAL ACCURACY OF ± 0.03 FEET.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 150,000 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR + DATA COLLECTOR AND A TOPCON GPT 3003LW TOTAL STATION.
6. FIELD WORK COMPLETED ON JULY 6, 2017.
7. SETBACKS ARE SHOWN FROM COUNTY CODE INFORMATION. GARMON LAND SURVEYING, LLC IS NOT LIABLE FOR ANY DISCREPANCIES.
8. EACH PARKING STALL IS REQUIRED TO BE WITHIN 40' RADIUS OF TREE



RBFB=REBAR FOUND
 CTF=CRIMP TOP PIPE FOUND
 IPS= IRON PIN SET
 DE=DRAINAGE EASEMENT
 B.L.=BUILDING LINE
 N/F=NOW OR FORMERLY
 PL=PROPERTY LINE
 R/W=RIGHT-OF-WAY
 DB=DEED BOOK
 PG=PAGE
 CON=CONCRETE
 SW=SIDEWALK
 =POWER POLE
 =LIGHT POLE
 =MANHOLE
 =SIGN
 =WATER VALVE
 =FIRE HYDRANT
 =PROPOSED(GREEN)



2022Z-001 SFC, 2022CV-001 SFC
Site Plan Received 3-25-2022
Fulton County Department of Public Works



SURVEY FOR: <div style="text-align: center; font-size: 1.5em; font-weight: bold; margin-top: 10px;"> WHITE COAT CAPITAL </div>	
LAND LOT: <div style="text-align: center; font-size: 1.2em;">23</div>	DATE <div style="text-align: center; font-size: 1.2em;">7/11/2017</div>
DISTRICT: 14	SCALE <div style="text-align: center; font-size: 1.2em;">1"=40'</div>
SECTION:	<div style="text-align: center; font-size: 1.2em;">1"=40'</div>
COUNTY: <div style="text-align: center; font-size: 1.2em;">FULTON</div>	JOB NO. <div style="text-align: center; font-size: 1.2em;">2017-192</div>



GARMON

LAND SURVEYING

1920 Railroad Street Statham Ga 30666

678-726-7582

garmonsurveying@gmail.com

DRAWING NAME: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">4143 FULTON IND BLVD</div>
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LETTER OF INTENT

The property contains approximately 0.459 acres and is located on the northeasterly side of Fulton Industrial Boulevard and is commonly known as 4143 Fulton Industrial Boulevard and has an existing building on the Property of approximately 1,800 square feet. The Property is presently zoned to the M-2 Zoning Classification and the Applicant requests a rezoning to the C-2 Zoning Classification.

The Applicant intends to improve the existing building on the Property to accomodate the existing fuiliding for occupational medical use as an urgent care facility to handle DOT exams and workplace injuries related to the industrial operations along Fulton Industrial Boulevard. The Property is presently listed on the Fulton County Comprepehvsive Land Use Plan as "industrial market place" and the use of the existing building for the intended use would be of benefit to and be or overall benefit to the community at large and accordingly would be entirely approproate for the Fulton Industrial Boulevard area of the County.

Pursuant to Article 4.23.1 of the Fulton County Zoning Resolution, the Applicant requests a Concurrent Variance to reduce the 5 foot landscape strip to 0 feet to allow the improvements as shown on the Site Plan submitted with this Application along the southwest Property Line.

Accordingly, this Rezoning Application and Concurrent Variance Application are entirely appropriate and the approproateness of this Rezoning and Concurrent Variance Application are more approproately stated and setforth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

Now comes the Applicant who does hereby request that the above referenced Application for Rezoning and Concurrent Variances be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

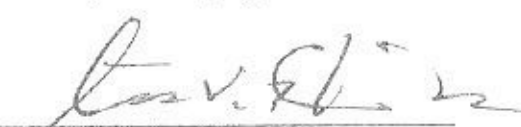
APPLICANT:

White Coat ~~Capital~~ LLC

By: 

Brent Harris

Its, Managing Member


Nathan V. Hendricks III
Attorney for Applicant

6085 Lake Forrest Drive
Suite 200
Atlanta, Georgia 30328

Tax I.D. No. 14F-0023-LL-086-8

Deed Book 64846 Page 344
Filed and Recorded 11/18/2021 05:40:00 PM
2021-0349935
Real Estate Transfer Tax \$200.00
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, GA
Participant IDs: 5513459567

After recording return to:

Mark Eustor, Esq.
Atlanta Commercial Title and Escrow, LLC
3495 Piedmont Road, Building 11, Suite 950
Atlanta, Georgia 30305

STATE OF GEORGIA

COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into this 18th day of November, 2021, between SEA MARSHES DEVELOPMENT, LLC, a Georgia limited liability company, hereinafter called Grantor, and WHITE COAT LLC, a Georgia limited liability company, hereinafter called Grantee, having an address at 714 Cedar Street, Carrollton, Georgia 30017 (the words Grantor and Grantee to include the respective successors and assigns of the parties hereto where the context hereof requires or permits).

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto the said Grantee all that tract or parcel of land lying and being in Land Lot 23 of the 14th District FF of Fulton County, Georgia, more particularly described by Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER WITH all buildings, structures, easements, rights-of-way, strips and gores of land, streets, ways, alleys, passages, emblements, and appurtenances in any way belonging, relating, or appertaining to said tract or parcel of land.

TO HAVE AND TO HOLD said property with all and singular the rights, members,

and appurtenances thereof, to the same being, belonging, or in any wise appertaining, for the only proper use, benefit, and behoof of the said Grantee, forever in FREE SIMPLE, subject to the matters described on Exhibit B attached hereto and made a part hereof.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor, subject to the matters described on Exhibit B attached hereto and made a part hereof.

[Execution on following page]

IN WITNESS WHEREOF, Grantor has signed, sealed, and delivered this Limited Warranty Deed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

SEA MARSHES DEVELOPMENT, LLC, a
Georgia limited liability company

David A. Weissman
Unofficial Witness

By: *John L. Warner* (SEAL)
John L. Warner, Manager

David A. Weissman
Notary Public

My Commission Expires
10-24-2011

NOTARY PUBLIC
DAVID A. WEISSMAN
GEORGIA
NOTARY PUBLIC
10-24-2011

EXHIBIT A

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 23 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR SET ON THE NORTHWESTERLY RIGHT OF WAY LINE OF FULTON INDUSTRIAL BOULEVARD (HAVING A VARIABLE WIDTH RIGHT OF WAY), SAID IRON PIN BEING LOCATED A DISTANCE OF 150.00 FEET SOUTHWESTERLY FROM THE INTERSECTION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF FULTON INDUSTRIAL BOULEVARD AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERCHANGE DRIVE (HAVING A 50 FOOT RIGHT OF WAY); RUNNING THENCE SOUTH 61 DEGREES 36 MINUTES 10 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 94.00 FEET TO A P.K. NAIL SET; THENCE LEAVING SAID RIGHT OF WAY LINE AND RUNNING NORTH 28 DEGREES 30 MINUTES 00 SECONDS WEST, A DISTANCE OF 200.96 FEET TO A 1/2 INCH OPEN TOP PIPE FOUND; THENCE RUNNING NORTH 53 DEGREES 45 MINUTES 55 SECONDS EAST, A DISTANCE OF 44.42 FEET TO 1/2 INCH REBAR FOUND; THENCE RUNNING NORTH 61 DEGREES 58 MINUTES 00 SECONDS EAST, A DISTANCE OF 49.98 FEET TO A 1/2 INCH REBAR FOUND; THENCE RUNNING SOUTH 28 DEGREES 30 MINUTES 05 SECONDS EAST, A DISTANCE OF 206.70 FEET TO A 1/2-INCH REBAR SET ON THE NORTHWESTERLY RIGHT OF WAY LINE OF FULTON INDUSTRIAL BOULEVARD AND THE POINT OF BEGINNING; CONTAINING 19,318 SQUARE FEET AS SHOWN ON PLAT OF SURVEY FOR: STEWART TITLE GUARANTY COMPANY; MILTON NATIONAL BANK AND COFFEE TO GO, INC., MADE BY THE CARTER GROUP, BEARING THE SEAL OF JAMES H. CARTER, GA. R.L.S. NO. 1999, DATED JULY 31, 1996.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS CONTAINED IN WARRANTY DEED FROM PROPERTY RESOURCES, INC. TO BJC ENTERPRISE, INC., DATED NOVEMBER 7, 1978, RECORDED IN DEED BOOK 7102, PAGE 102, AS CORRECTED BY CORRECTIVE WARRANTY DEED BETWEEN THE SAME PARTIES DATED JUNE 26, 1979 RECORDED IN DEED BOOK 7285, PAGE 63, FULTON COUNTY RECORDS,

ALSO, TOGETHER WITH THOSE EASEMENT RIGHTS ARISING UNDER THAT CERTAIN SEWER EASEMENT FROM CITIZENS AND SOUTHERN REALTY INVESTORS TO ENTERPRISE PARK, INC., DATED NOVEMBER 17, 1976, FILED FOR RECORD DECEMBER 8, 1976 AT 8:54 A.M., RECORDED IN DEED BOOK 6606, PAGE 303, AFORESAID RECORDS.

ALSO, TOGETHER WITH THOSE EASEMENT RIGHTS ARISING UNDER THAT CERTAIN QUITCLAIM DEED FROM BENTON, INC., A GEORGIA CORPORATION TO PROPERTY RESOURCES, INC., A GEORGIA CORPORATION, DATED JUNE 25, 1979, FILED FOR RECORD JUNE 27, 1979 AT 4:33 P.M., RECORDED IN DEED BOOK 7285 PAGE 59 AFORESAID RECORDS.

EXHIBIT "B"

1. Taxes and assessments for the year 2022 and subsequent years, not yet due and payable.
2. Those matters reflected in Schedule B-1 of Chicago Title Insurance Company Policy No.:
5797-1-2-35550-2017.7230610-212170261

Exhibit "A"

The designation of industrial market place on the Comprehensive Land Use Plan is entirely fitting for the intended use of the Property by the Applicant of a medical office facility in the existing building located on the Property as a supplement for the improvement of the existing building for medical occupational and urgent care facility to handle DOT exams and workplace injuries related to the industrial business operation along Fulton Industrial Boulevard.

APPROPRIATENESS OF APPLICATION
AND
CONSTITUTIONAL ASSERTIONS

The portions of the Zoning Resolution of Fulton County as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be 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 of the Constitution of the State of Georgia of 1983, Article I, 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 Zoning Resolution of Fulton County to the Property which restricts its use to any classification other than that proposed 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 Article I, 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 this Application would constitute an arbitrary and capricious act by the Fulton County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, 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 the Fulton County Board of Commissioners to rezone the Property as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of 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 subject Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any rezoning of the Property without the simultaneous approval of the Concurrent Variances requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.