

Planning and Zoning Commission
Agenda
Tuesday, May 7, 2024
7:00 p.m.

- A. Call to Order
- B. Determination of a Quorum
- C. Pledge of Allegiance
- D. Approval of the Meeting Agenda
- E.
- F. Approval of the Meeting Minutes
 - 1. Approval of the April 2024- Regular Meeting Minutes
- G. Public Comments
- H. Old Business
- I. New Business
 - 1. Concept Plan
 - Applicant: Maria Arenas, Luxe Hendrix, Inc.
 - Request to review the updated conceptual site plan.
 - Project Name: Santa Maria Restaurant
 - [Parcel ID: 09F070300260435] -(8024) Senoia Road
 - 2. Text Amendment (*Applicant request to continue the item until the June Meeting*)
 - Applicant: Safeguard Landfill Management c/o Henry Bailey-
 - Text Amendment- Section 80-220(b)(11). The applicant requests to delete and replace Section 80-220(b)(11)
 - 3. Use Permit (*Applicant request to continue the item until the June Meeting*)
 - Applicant: Safeguard Landfill Management c/o Henry Bailey
 - Request the expansion of the C&D Landfill
 - Parcel ID: 07-260001540892, 7700 Roosevelt Hwy, Parcel ID: 07-260001350359, Bishop Rd
 - Parcel ID: 07-260001540736, Bishop Rd, Parcel ID: 07-260001540744, Bishop Rd, Parcel ID: 07-260001540751, Bishop Rd
 - Parcel ID: 07-290001551516, 6905 B Roosevelt Hwy, Parcel ID: 07-260001540876, Bishop Rd, Parcel ID: 07-290001551557, Roosevelt Hwy, Parcel ID: 07-290001551540, Roosevelt Hwy, Parcel ID: 07-290001551185, 7700 Bishop Rd
- J. Adjournment



Planning and Zoning Commission
Meeting Minutes

City Hall: 56 Malone Street,
Fairburn, GA 30213
Tuesday, April 2, 2024
7:00 p.m.

Jason Jones, Acting Chair
Michelle James
Lina Parker
Tony Smith
Elizabeth Echols

Planning Director: Denise Brookins
Planner: Chancellor Felton
City Attorney: Valerie Ross

-
- A. Call to Order:** The meeting was called to order at 7:00 pm by Acting Chairman Jones.
- B. Determination of a Quorum:** A quorum was determined, and the meeting proceeded.
- C. Pledge of Allegiance**
- D. Approval of the Meeting Agenda:**
1. Commissioner Echols made a motion to approve the agenda. Commissioner Parker seconded.
THE MOTION CARRIED.
- E. Approval of the Meeting Minutes:**
1. Commissioner James made a motion to approve the March 5, 2024, minutes with corrections. Commissioner Smith seconded.
THE MOTION CARRIED.
- F. Public Comments:**
1. Acting Chairman Jones opened the floor to general, public comments.
 2. Acting Chairman Jones closed the floor, to general, public comments.
- G. Old Business:**
1. **RaceTrac Truck Stop Use Permit**
Applicant: Justin Giambalvo
Address: 0 Fairburn Industrial Boulevard, Parcel ID: 09F090100480751
Request to review the use permit.
 - a. Acting Chairman Jones introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval. Acting Chairman Jones opened the floor for the Commission to ask Staff questions.
 - b. Commissioner Parker asked if there would be overnight parking. Mr. Felton said no. Commissioner Parker asked what amenities would be offered for pedestrians. Mr. Felton stated that sidewalks will be provided per the Highway 74 Overlay District regulations.
 - c. Commissioner Smith asked if we were reviewing a truck stop. Mr. Felton stated that according to how the Zoning Ordinance is written, this RaceTrac will be considered a truck

stop. Commissioner Smith stated that truck stops have overnight parking. Mr. Felton said that this truck stop would not have overnight parking. Ms. Brookins stated that truck stops include gas stations that have amenities that are tailored to trucks, but according to our Zoning Ordinance, overnight parking is not allowed.

- d. Acting Chairman Jones asked if this RaceTrac is a gas station and convenience store and not a traditional truck stop with traditional truck stop amenities. Mr. Felton said yes, but there will also be some diesel pumps. Acting Chairman Jones asked if the diesel pumps will be for regular vehicles or tractor-trailers. Mr. Felton said that they have diesel pumps for regular vehicles and tractor-trailers according to the site plan.
- e. Acting Chairman Jones closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- f. Acting Chairman Jones closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- g. The applicant presented to the Commission.
- h. Commissioner James stated that she is appreciative that the City does have regulations in place to regulate developments like RaceTrac to look out for the citizens of Fairburn. Commissioner James disagrees that traffic will not get worse. Commissioner James stated she would like to see a traffic study done. The applicant said that they cannot guarantee that traffic will not get worse, but they intend to capture passing traffic, not become a destination location, which will definitely generate more traffic.
- i. Commissioner Smith asked for assurance that there will be no overnight parking. The applicant said yes. There will be no parking spaces for tractor-trailers, only pumps where they can stop, fuel up, use the bathroom, grab a snack, and leave for the next truck to stop and do the same. Commissioner Smith asked if there are any other developments that are like this in the metro area. The applicant said yes, in Acworth.
- j. Commissioner James stated that she thinks that the traffic will get significantly worse and a traffic study needs to be done.

Commissioner Echols made a motion to recommend **APPROVAL**. Commissioner Parker seconded. Commissioner James opposed.

THE MOTION CARRIED.

H. New Business:

1. Strack Office Rebuild (3rd Floor) Concept Plan

Applicant: Joe Strack

Address: 105 Laser Industrial Court, Parcel ID: 09F090100480868

Request to review the concept plan.

- a. Acting Chairman Jones introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval. Acting Chairman Jones opened the floor for the Commission to ask Staff questions.
- b. Commissioner James asked if the difference between this concept plan and the last approved concept plan is the additional floor. Mr. Felton said yes.
- c. Acting Chairman Jones closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- d. The applicant presented to the Commission.

- e. Commissioner Smith asked how many jobs would be generated from the development. The applicant stated that there are over 600 employees. Commissioner Smith asked if the building would be as beautiful as seen in the picture. The applicant said absolutely.
- f. Commissioner James said that the building is beautiful.

Commissioner James made a motion to **APPROVE**. Commissioner Echols seconded.

THE MOTION CARRIED.

2. Temple of Prayer Church R-3 and R-4 to O&I Rezoning

Applicant: Temple of Prayer Church

Addresses: 0 Green Street, Parcel ID: 09F101000520370; 0 Senoia Road, Parcel ID: 09F101000520354; 163 Senoia Road, Parcel ID: 09F101500470027; 228 Green Street, Parcel ID: 09F101000520396; 0 Senoia Road, Parcel ID: 09F101000520347; 0 Green Street, Parcel ID: 09F101500470019

Request to review the rezoning.

- a. Acting Chairman Jones introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Acting Chairman Jones opened the floor for the Commission to ask Staff questions.
- b. Commissioner James asked what was the purpose of the rezoning. Ms. Brookins replied that the signage regulations were the purpose. Signage regulations for residential zoning districts are different than nonresidential zoning districts.

Commissioner James motioned to **APPROVE**. Commissioner Smith seconded.

THE MOTION CARRIED.

3. Section 80-220 (Landfill, Solid Waste Disposal) Text Amendment

Applicant: Henry Bailey (Safeguard Landfill Management)

Request to continue the item until the May meeting.

Commissioner Echols motioned to **TABLE**. Commissioner James seconded.

THE MOTION CARRIED.

4. Landfill, Solid Waste Disposal Use Permit

Applicant: Henry Bailey (Safeguard Landfill Management)

Addresses: 7700 Roosevelt Highway, Parcel ID: 07 260001540892; 0 Bishop Road, Parcel ID: 07 260001350359; 6905 Roosevelt Highway, Parcel ID: 07 290001551516; 0 Roosevelt Highway, Parcel ID: 07 290001551557; 0 Roosevelt Highway, Parcel ID: 07 290001551540; 7700 Bishop Road, Parcel ID: 07 290001551185; 0 Bishop Road, Parcel ID: 07 260001540876; 0 Bishop Road, Parcel ID: 07 260001540751; 0 Bishop Road; Parcel ID: 07 260001540744; 0 Bishop Road, Parcel ID: 07 260001540736

Request to continue the item until the May meeting.

Commissioner Echols made a motion to **TABLE**. Commissioner Parker seconded.

THE MOTION CARRIED.

I. Adjournment:

- 1. Commissioner Echols motioned to adjourn the public meeting at 7:43 pm. Commissioner Parker seconded.

THE MOTION CARRIED.



**CITY OF FAIRBURN
PLANNING AND ZONING COMMISSION**

AGENDA ITEM

To: Planning and Zoning Commission

From: Chancellor Felton, Planner

Date: May 7, 2024

Agenda Item: Santa Maria Restaurant – 0 (8024) Senoia Road [Parcel ID: 09F070300260435] –
Request to review the conceptual site plan.

Agent/Applicant/Petitioner Information

Applicant: Maria Arenas, Luxe Hendrix, Inc.

Property Owner: Maricela Garcia

Background

The site is located at 0 (8024) Senoia Road between the Sherwin Williams Paint Store and the Fairburn Station Shopping Center. The site is currently zoned C-2 (General Commercial) and is located in the Georgia Highway 74 Overlay District. The site is approximately 0.93 acres.

Discussion

The applicant is proposing a new 4,750-square-foot building. An accurate, up-to-date, and certified survey is included. The concept plan meets the setback and parking requirements of C-2 and the Highway 74 Overlay District design standards.

The concept plan includes all buildings and structures, driveways, parking facilities, walkways, landscaping, buffer easements, utilities, and other required infrastructure. The site will have ingress/egress along Renaissance Parkway.

The building will consist of grey masonry with brown wooden accents and a flat roof. The east elevation will consist of a double-entry glass door with a chandelier; oversized windows; and stairs on the first floor and two, single-entry glass doors; oversized windows; outdoor dining; and ground and hanging planters on the second floor. The west elevation will consist of screened rooftop equipment on the second floor. The north elevation will consist of a white, metal, emergency exit door; a white, metal, fire access door on the first floor and outdoor dining; screened rooftop equipment; oversized windows; hanging planters; and a mural on the second floor. The south elevation will consist of stairs on the first floor and outdoor dining screened rooftop equipment, oversized windows, hanging planters, and a mural on the second floor.



Staff Recommendations

Staff recommends **APPROVAL** of the concept plan with the following condition:

- Any significant modifications as determined by Staff to the approved concept plan would necessitate a further review by the Planning and Zoning Commission.

Attachments:

- Site Pictures
- Application
- Current Survey
- Proposed Concept Plan
- Proposed Elevations
- Proposed Floor Plan

SITE PICTURES



Southeast viewpoint



Northwest viewpoint

Conceptual Site Plan Checklist

- An accurate, up-to-date and certified survey of the property on which the project is to be built.
- A vicinity map showing the property in relation to the general area of the City in which it is located.
- The name of the proposed project.
- Name, address, phone number, and fax number of the owner, the developer and the designer who prepared the plan.
- Graphic scale, north arrow, and date of preparation.
- Zoning of the property with required setbacks shown.
- Zoning, use, and ownership of all adjoining property.
- Total area of the site and the area of the site proposed to be devoted to impervious surfaces.
- Approximate topography of the site.
- Significant natural features on and adjacent to the site, including the 100 year flood-plain, if appropriate.
- Existing man-made features on the site.
- Proposed site layout including buildings, drives, parking, walkways, landscaped areas, buffer easements, utilities and any other features necessary to properly present the concept.
- Proposed off-site improvements which may be necessary to properly develop site.
- Architectural elevations to show the intended architectural character of the proposed building and the nature of the materials to be used.
- If the site plan is for an addition to or change in an existing site plan, the drawings must clearly show the changes that are being proposed.
- Provide vehicular use area landscaping requirements

CITY OF FAIRBURN

Planning & Zoning Department

Site Plan Review- Submittal Form

Submittal Date: _____

Deadline: _____
(Minimum 5 weeks prior to P & Z Commission meeting)

PROJECT INFORMATION

Project Name: _____

Address/Location of Project: _____

Access to Property: _____

Tax Parcel ID #: _____ Size of Project: _____

Zoning: _____ No. of Lots (if applicable): _____

Zoning & Use of Adjacent Properties: _____

Narrative/ Description for use of property/project (attach additional pages as necessary to provide greater detail):

CONTACT INFORMATION

Company Name: _____

Contact Person: _____

Mailing Address: _____

Phone: _____ Fax: _____

Email Address: _____

UTILITY SERVICE PROVIDERS

Water: _____

Sewer: _____

Electric: _____

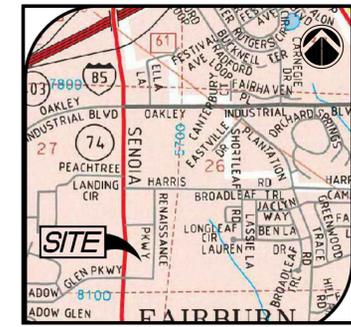
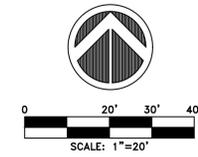
Gas: _____

Cable: _____

Other: _____

<u>Sketch Plan</u>	<u>Conceptual Site Plan</u>	<u>Construction Plans w/Hydro</u>	<u>Landscape Plan</u>
<input type="checkbox"/> 1st Submittal- No Fee Submit to P & Z for review	<input type="checkbox"/> 1st Submittal \$150 + \$20/acre <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1st Submittal \$500 + \$20/ acre <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1st Submittal \$300 + \$20/acre <input type="checkbox"/> Resubmittal*
If necessary, 2 extra copies (If legible, .pdf file is acceptable). Staff routes to: ___ Comm. Dev. Director ___ Planning & Zoning	7 Copies- Staff Routes to: ___ Building/Prop. Manager ___ Comm. Dev. Director ___ Engineer ___ Fire Marshal ___ Landscape Architect ___ Planning & Zoning ___ Water & Sewer	7 Copies- Staff Routes to: ___ Building / Prop. Manager ___ Comm. Dev. Director ___ Engineer ___ Fire Marshal ___ Landscape Architect ___ Planning & Zoning ___ Water & Sewer	2 Copies- Staff Routes to: ___ Comm. Dev. Director ___ Landscape Architect

Resubmittals- Each subsequent resubmittal will incur a fee of \$100.



VICINITY MAP
N.T.S.

SITE LEGEND

- PROPERTY LINE
- - - EASEMENT LINE
- - - SETBACK LINE
- - - WOODEN FENCE
- - - CHAIN LINK FENCE
- X CONCRETE SIDEWALK (SEE DETAIL)
- X CONCRETE CURB AND GUTTER (SEE DETAIL)
- X CONCRETE CURB (SEE DETAIL)
- STOP STOP BAR (PAVEMENT MARKING)
- TRAFFIC FLOW ARROW (PAVEMENT MARKING)
- "NO PARKING FIRE LANE" SIGN
- "YIELD" (PAVEMENT MARKING)
- DIRECTIONAL ARROWS (PAVEMENT MARKING)
- "ONLY" DIRECTIONAL ARROW (PAVEMENT MARKING)
- "STOP" SIGN (R1-1)
- RETAINING WALL (LENGTH AT SYMBOL) BY OTHERS
- STORM SEWER GRATE
- SITE LIGHTING FIXTURES

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
2. REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
3. PROPERTY IS ZONED C-2 AND IN THE HIGHWAY 74 OVERLAY CORRIDOR
4. TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY:
PROFESSIONAL LAND SURVEYORS
CONTACT: MITCH LOWERY
317 GRASSDALE ROAD
CARTERSVILLE, GA 30120
PHONE: 770-334-8186
EMAIL: MLOW@LUS.US
BOUNDARY & TOPOGRAPHY: 11-15-2023
5. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
6. CONCRETE TRUCK DOCKS ARE BY THE BUILDING CONTRACTOR.
7. ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
8. ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION.
9. ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.
10. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
11. SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES AND FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
12. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
13. SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
14. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
15. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
16. ALL CONCRETE SHALL BE 3,000 PSI 28 DAY COMPRESSIVE STRENGTH.
17. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
18. ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 18" AND 24". IT SHALL BE 24" WITHIN THE R.O.W. UNLESS NOTED OTHERWISE.
19. PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE OF WORK. STRIPING WILL BE ACCORDING TO OWNER'S SPECIFICATIONS UNLESS NOTED OTHERWISE. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN).
20. LIGHT POLE BASES SHALL BE PAINTED TRAFFIC YELLOW PER SITE WORK SPECIFICATIONS.
21. THE CONTRACTOR IS RESPONSIBLE FOR AVOIDANCE OF ALL WETLANDS AREAS AS ILLUSTRATED IN THE WETLANDS DELINEATION PACKAGE.
22. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY AND ALL OFF-SITE EASEMENTS NOT DELINEATED ON PLANS OR KNOWN OF AT TIME OF PLAN ISSUANCE.
23. THE SITE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL WORK AND APPURTENANCE TO WITHIN 5' OF THE BUILDING. THIS INCLUDES TRANSFORMER AND DUMPSTER PADS AS WELL AS ALL UTILITY CONDUITS.

ARCHITECTURE
CIVIL ENGINEERING
PROJECT MANAGEMENT.

MASS

DESIGN

WWW.MASSDESIGN.US



MASS DESIGN
3459 ACWORTH DUE WEST RD
SUITE 665
ACWORTH, GEORGIA 30101
PHONE: 404-850-7790
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SANTA MARIA TAPAS AND SEAFOOD RESTAURANT
SENOIA ROAD FAIRBURN, GEORGIA
PREPARED FOR:
MARIANO GARCIA
CITY OF FAIRBURN
FULTON COUNTY, GEORGIA

PARCEL: 09F070300260435
LAND LOT: 27, DISTRICT 9F

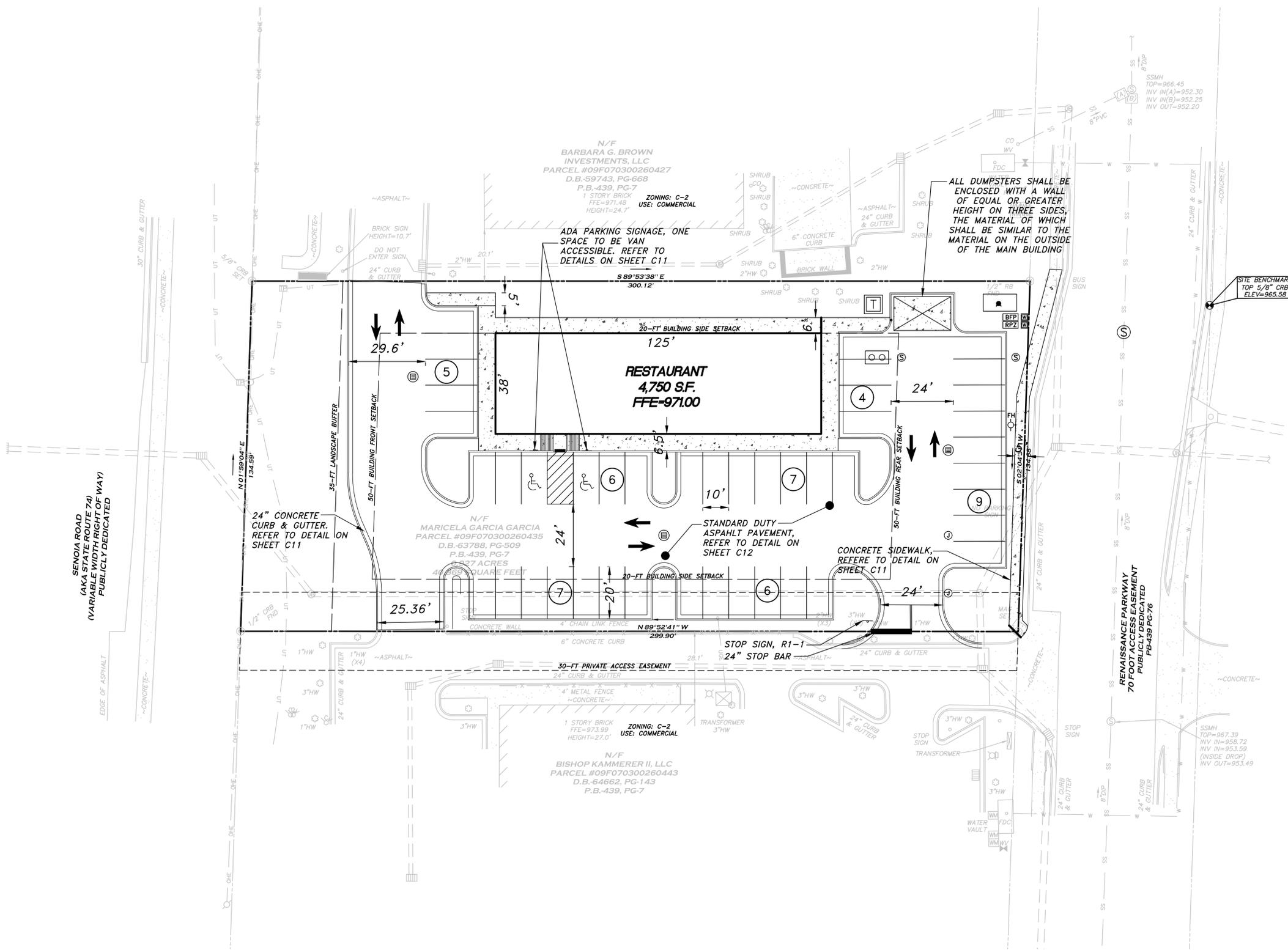
REVISIONS	DESCRIPTION
DATE	

SITE PLAN

PROJECT NUMBER: 21-0099

DATE: NOVEMBER 16, 2023

C-03

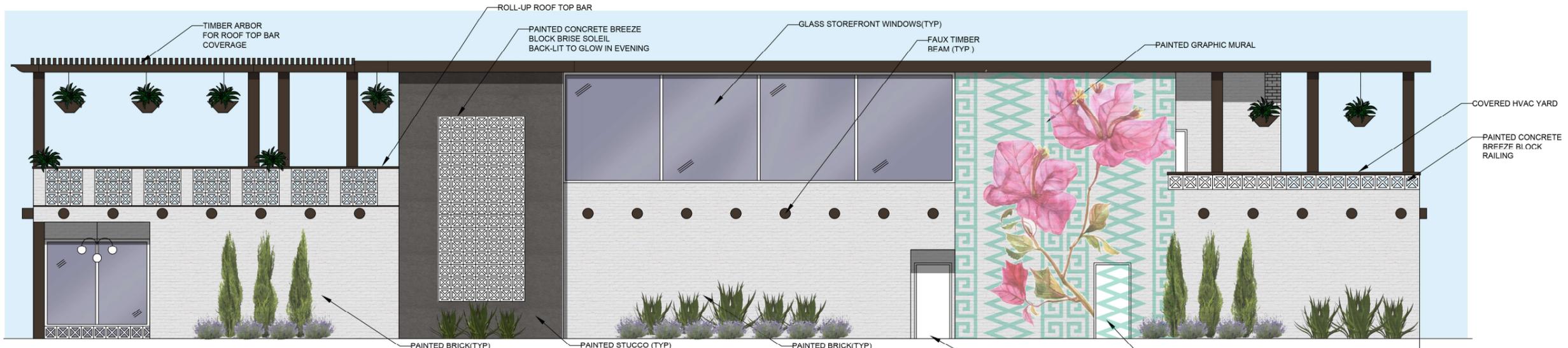




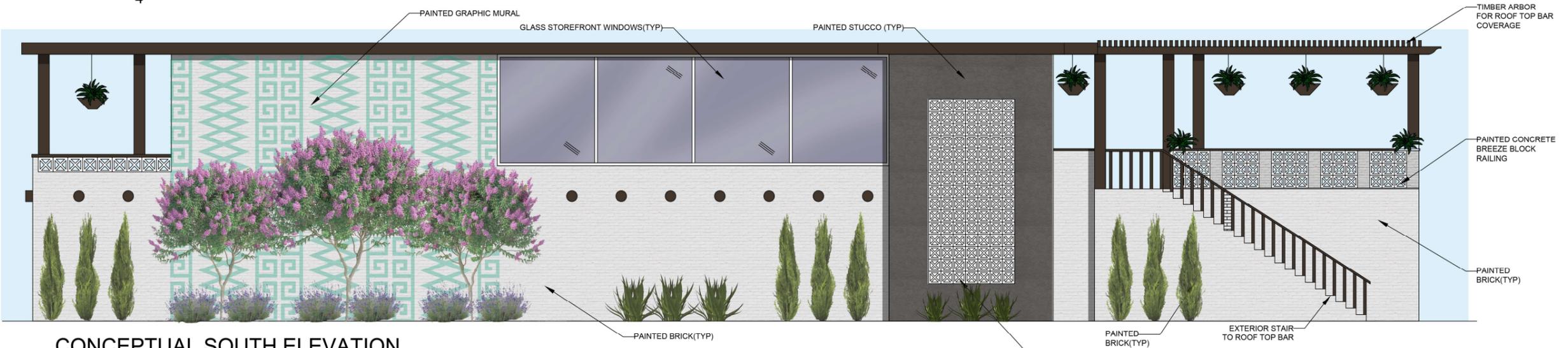
CONCEPTUAL EAST ELEVATION
SCALE: $\frac{1}{4}$ " = 1' - 0"



CONCEPTUAL WEST ELEVATION
SCALE: $\frac{1}{4}$ " = 1' - 0"



CONCEPTUAL NORTH ELEVATION
SCALE: $\frac{1}{4}$ " = 1' - 0"



CONCEPTUAL SOUTH ELEVATION
SCALE: $\frac{1}{4}$ " = 1' - 0"

General Notes

CONCEPTUAL ... NOT FOR CONSTRUCTION

No.	Revision/Issue	Date

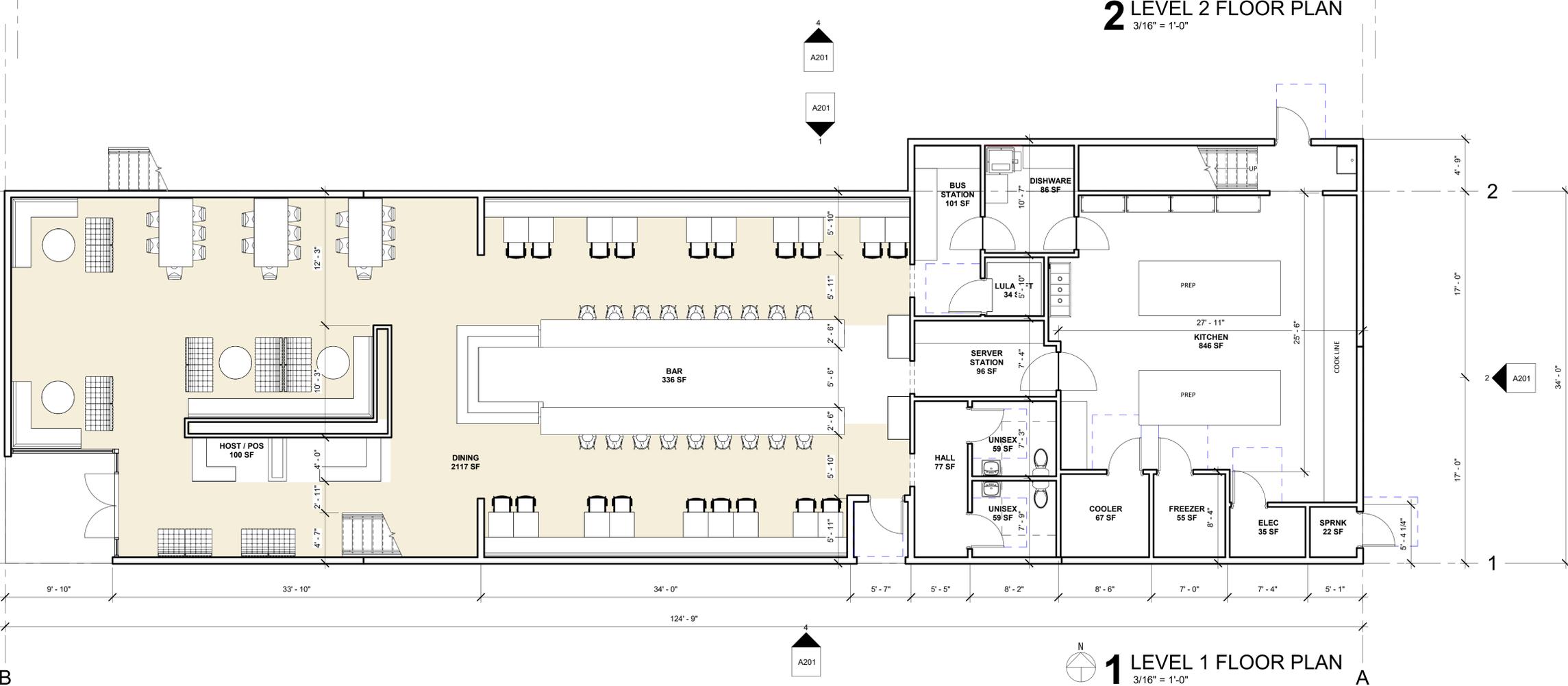
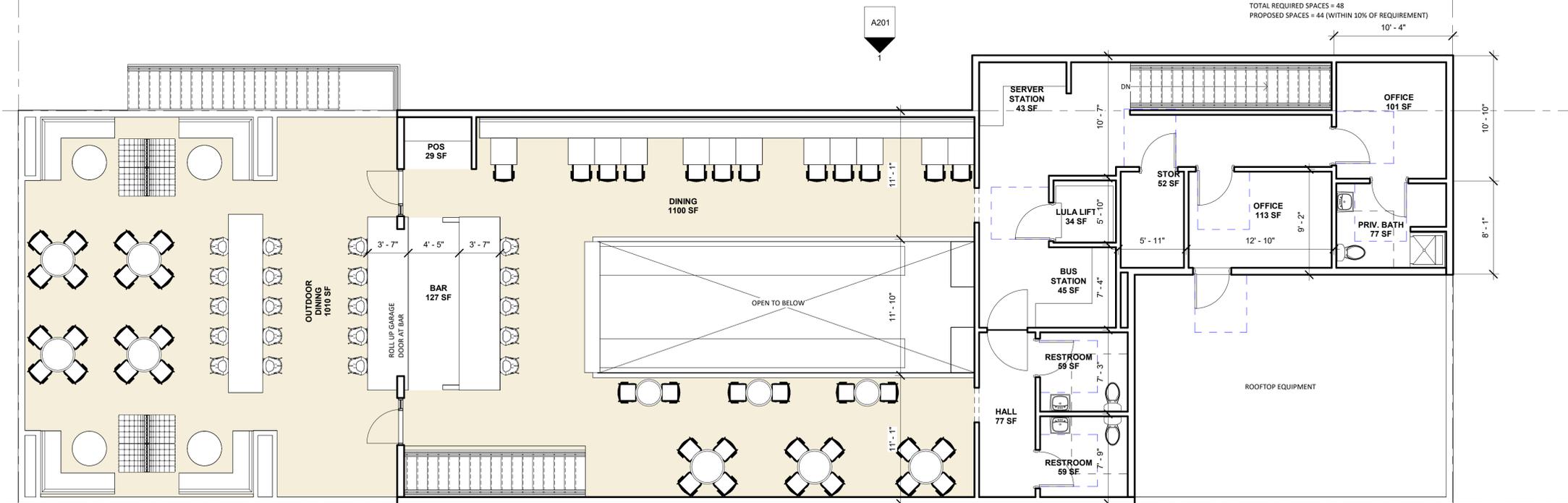
MODified

SANTA MARIA
TAPAS BAR

DRAWN BY: LAURA YALE

Project	Sheet
Date 1/11/2023	C-3
Scale $\frac{1}{4}$ " = 1'-0"	

DINING AREA BASED PARKING ANALYSIS:
 LOWER LEVEL DINING AREA = 2,117 SF
 UPPER LEVEL DINING AREA = 2,110 SF
 TOTAL DINING AREA = 4,227 SF
 PARKING CALCULATED AT 1 SPACE/100 SF
 4,227 SF / 100 = 43 SPACES
 PLUS 1 SPACE FOR EVERY 2 STAFF
 10 STAFF / 2 = 5 SPACES
 TOTAL REQUIRED SPACES = 48
 PROPOSED SPACES = 44 (WITHIN 10% OF REQUIREMENT)



Henry A. Bailey, Jr.
D 404.885.3348
henry.bailey@troutman.com

February 5, 2024

VIA EMAIL

City of Fairburn
Community Development Department
26 W. Campbellton Street
Fairburn, GA 30213

**Re: Letter of Intent for Text Amendment and Special Land Use Permit – 7700
Roosevelt Highway**

To Whom It May Concern,

Safeguard Landfill Management (the “Applicant”) submits the enclosed applications for a special land use permit and text amendment to allow the expansion of the Applicant’s currently operating construction and debris landfill (the “C&D Landfill”) located at 7700 Roosevelt Highway (the “Property”). The Property is zoned Heavy Industrial (M-2) and includes approximately 207.67 acres and the C&D Landfill is operating on 179.5 acres spread across five parcels. The text amendment and special land use permit requested by this application will allow for the expansion of the C&D Landfill on an additional 28.17 acres on five parcels already owned by the Applicant within the boundaries of the site.

A. Background.

In 2004, the Property was annexed into the City of Fairburn and was zoned M-2. The Property was already operating as a C&D Landfill and the use was added to the list of permitted uses in the M-2 zoning district in 2008. The zoning ordinance was subsequently amended to remove the C&D Landfill as a permitted use in 2012 and instead required all landfills to be granted a use permit. The use permit requires the satisfaction of twelve different standards and as a result of these standards the C&D Landfill became legally non-conforming. In 2020 the Applicant filed requests for a text amendment and special use permit but the requests were denied. The Applicant respectfully resubmits the enclosed text amendment and special use permit applications to remedy the legally non-conforming use and to expand the operations of the landfill within the boundaries of the Property.

The specific text that the applicant is requesting to amend is use permit standard number eleven that requires a minimum one-mile radius between the landfill or expanded landfill and residentially used or zoned property. The C&D Landfill is the only landfill located in the City of Fairburn and is located within one-mile of residentially used and zoned property. Notwithstanding the foregoing, the area of the proposed expansion is not any closer to the

residentially zoned and used property than the operation currently sits. In fact, the area of the expansion is located along Roosevelt Highway and is immediately adjacent to other M-2 zoned property. The text, as written, does not serve its intended purpose given the existing operation of the C&D Landfill. Applicant respectfully requests to amend the text to allow the expansion of the C&D Landfill on Property already owned by the Applicant, which will bring the property into compliance with City of Fairburn requirements.

Concurrent with the requested text amendment, the Applicant is also requesting the required special land use permit. As shown on the enclosed site plan, the C&D Landfill will be expanded along Roosevelt Highway. As stated above, the location of the expansion is not any closer to the existing residential uses than the C&D Landfill is already located. The expansion of the C&D Landfill will allow for the useful life to be extended while not creating any adverse effects on the surrounding area. To be abundantly clear, the designation of the landfill will not be changed or otherwise altered. The only waste material that will be delivered to the Property is construction and debris material. No household waste will be delivered, accepted or processed on the Property. Further, no additional traffic, noise or odor will be generated nor will there be any additional points of access. Applicant will satisfy all other requirements of the zoning ordinance including the required exterior buffering.

B. Proposed Text Amendment.

The Applicant is requesting to amend the text of the special use standards for landfills. Specifically, Section 80-220(b)(11) states the following in its current form:

(11) No portion of a new or expanded landfill shall be located within a one mile radius of the property lines of a residentially zoned or used property. An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location.

Applicant requests to delete and replace Section 80-220(b)(11) with the following:

(11) No portion of a new landfill shall be located within a one mile radius of the property lines of a residentially zoned or used property.

The Applicant believes the amended text allows for the intent of the ordinance, which is to protect residential property from the encroachment of landfills and solid waste uses to continue being served while allowing the current C&D Landfill to expand and operate legally within its existing boundaries. There is no appropriately zoned property in the City of Fairburn that will allow for the siting of a new landfill under the current text or the text as amended.

C. Special Use Permit Justifications.

(1) Whether the proposed use is consistent with the comprehensive land use plan adopted by the City Council?

The future land use map indicates the Property is designated Industrial. The Property is zoned M-2 and the existing and proposed expansion of the C&D Landfill is an industrial use.

The existing and proposed expansion of the C&D Landfill is consistent with the comprehensive land use plan.

(2) Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed?

The proposed use is consistent and compatible with the other land uses and zoning districts in the vicinity of the Property. The majority of the land uses in the immediate area are industrial and are planned to be industrial in the future by the comprehensive land use plan. The area of the proposed expansion is located in an area of the Property that is the farthest away from all residentially zoned or used properties in the immediate area. In other words, the proposed expansion is located no closer to the residential properties than the existing C&D Landfill is already located.

(3) Whether the proposed use may violate local, state, and/or federal statutes, ordinances or regulations governing land development?

The purpose of this application, in part, is to remedy the existing legal non-conforming status of the current C&D Landfill use on the Property. The use is regulated under specific state and federal guidelines. The use is compliant with the state and federal guidelines and will not violate other local, state or federal statutes, ordinances or regulations governing land development.

(4) The effects of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets?

There will be no impact on traffic flow, vehicular and pedestrian activity along the Roosevelt Highway or Bishop Road. The existing operation will continue in its current form even with the expansion onto new areas of the Property. There will be no increases of traffic to and from the Property following the expansion.

(5) The location and number of off-street parking spaces?

The existing parking spaces on the Property will remain and no additional spaces will be required as the current level of operations will be unchanged.

(6) The amount and location of open spaces?

There are extensive areas of open space on the Property. The entire property includes vegetative buffering on the perimeter, which includes 84 acres of undisturbed space.

(7) Protective Screening?

As stated above and shown on the enclosed site plan, there is extensive buffering that will remain undisturbed around the entire perimeter of the Property. All additional screening requirements mandated by the use permit standards will be satisfied.

(8) Hours and Manner of Operation?

The hours and manner of operation will continue in its current state in compliance with the requirements for landfill sites within the window of 6:00am to 6:00pm.

(9) Outdoor Lighting?

The outdoor lighting on the Property is and will continue to be focused internally. The internally focused lighting is controlled in a manner that works to not disturb or impact surrounding or adjacent properties.

(10) Ingress and Egress to the Property?

The C&D Landfill contains an access point on Bishop Road and an access point on Roosevelt Highway. The proposed expansion of the C&D Landfill will not require any additional access points and none shall be provided as shown on the enclosed site plan.

Best regards,

A handwritten signature in blue ink, appearing to read 'HAB', is positioned above the name of the signatory.

Henry A. Bailey, Jr.

ZONING TEXT AMENDMENT INITIATION PROCESS

The owner of property within the City, or his authorized agent, may apply for a zoning text amendment. In order to be accepted for consideration, all required application forms and documentation must be complete. A checklist is included, specifying the required documentation comprising a complete application packet.

APPLICANT'S CHECKLIST

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK
1.	Application Form	1 original and 1 copy	√
2.	Letter of Intent (including proposed text amendment)	1 original and 1 copy	

ITEM 1. PREAPPLICATION REVIEW MEETING: Prior to submitting an application, all applicants are required to meet with a planner who will review the applicant's proposal. *This meeting must be completed by the Friday before Monday's filing deadline.* Applicants are required to bring the proposed text amendment to the meeting. Call the Planning and Zoning Office at 770-964-2244 to schedule an appointment.

ITEM 2. APPLICATION FORM: Original and notarized signatures of the property owner(s) and applicant(s) or a notarized statement by the applicant as to ownership are required. If a contract is used in lieu of the owner's signature, the signature on the contract must be an original and the contract must be valid for the duration of the zoning text amendment process. See the application form for additional details.

ITEM 3. LETTER OF INTENT: The Letter of Intent should state the requested zoning text amendment, Article numbers and section of all affected ordinances relating to proposed amendment, if applicable, detailed text of proposed changes.

PUBLIC HEARINGS

A) The Planning and Zoning Commission will review the petition and forward a recommendation to the Mayor and City Council on the first Tuesday of each month at 7:00 p.m. at City Hall.

B) The Mayor and City Council hold public hearings for zoning text petitions on the fourth Monday of each month at 7:00 p.m. at City Hall.

PUBLIC NOTICE

Publish notice of the public hearing in a newspaper of general circulation at least 15 days, but no more than 45 days prior to the public hearing at which an application will be heard. The published notice shall contain the time, place and purpose of the hearing and the location of the property if applicable (zoning text amendments may not always be property specific). Renotification is not required when a petition is deferred by the city council or the planning and zoning commission.

APPLICANT INFORMATION

Applicant name: Safeguard Landfill Management c/o Henry Bailey
Address: 600 Peachtree Street, Suite 3000, Atlanta, Georgia 30308
Phone: 404.885.3348 Cell: _____
Email address: henry.bailey@troutman.com

OWNER INFORMATION (If different from Applicant)

Owner Name: _____
Address: _____
Phone: _____ Cell: _____ Fax: _____
Email address: _____

PROPERTY INFORMATION (if applicable)

Address: See attached.
Parcel ID#: _____ Land Lot: _____ District: _____

ZONING TEXTED REQUEST

The undersigned, having an interest in the amendment of zoning text herein described, respectfully petitions that said zoning text be amended to the following:

Zoning Ordinance Article _____ **Section** _____

Existing Text:

See attached letter of intent.

Proposed Text:

Owner	Parcel ID
Safeguard Landfill Management Inc.	07-260001540892
Safeguard Landfill Management, LLC	07-260001350359
	07-260001540736
	07-260001540744
	07-260001540751
HAW River Landco, LLC	07-290001551516
	07-260001540876
	07-290001551557
	07-290001551540
	07-290001551185

CERTIFICATION OF OWNERSHIP

I hereby certify that I am the owner of the property shown on the attached plat, described in the attached legal description, and identified as follows: _____

Safeguard Landfill Management Inc.

Type or Print Owner's Name

[Handwritten Signature]

Owner's Signature

12-6-23

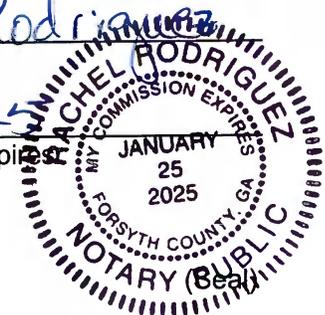
Date

Sworn and subscribed before me this
16th day of December, 2023

[Handwritten Signature]

Notary Public

1/25/25
Commission Expires



POWER OF ATTORNEY (if owner is not the applicant)

Applicant states under oath that: (1) he/she is the executor or Attorney-in-fact under Power-of-Attorney for the owner (attach a copy of Power-of-Attorney letter); (2) he/she has an option to purchase said property (attach a copy of the contract); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease).

Type or Print Owner's Name

Owner's Signature

Date

Sworn and subscribed before me this
____ day of _____, _____

Notary Public

Commission Expires

(Seal)

Safeguard Landfill Management, LLC

Type or Print Applicant's Name

[Handwritten Signature]

Applicant's Signature

12-6-23

Date

CERTIFICATION OF OWNERSHIP

I hereby certify that I am the owner of the property shown on the attached plat, described in the attached legal description, and identified as follows: _____

Safeguard Landfill Management, LLC
Type or Print Owner's Name

[Signature]
Owner's Signature

12-6-23
Date

Sworn and subscribed before me this
10th day of December, 2023

Rachel Rodriguez
Notary Public

1/25/25
Commission Expires



POWER OF ATTORNEY (if owner is not the applicant)

Applicant states under oath that: (1) he/she is the executor or Attorney-in-fact under Power-of-Attorney for the owner (attach a copy of Power-of-Attorney letter); (2) he/she has an option to purchase said property (attach a copy of the contract); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease).

Type or Print Owner's Name

Owner's Signature

Date

Sworn and subscribed before me this
____ day of _____, _____

Notary Public

Commission Expires

(Seal)

Safeguard Landfill Management, LLC
Type or Print Applicant's Name

[Signature]
Applicant's Signature

12-6-23
Date

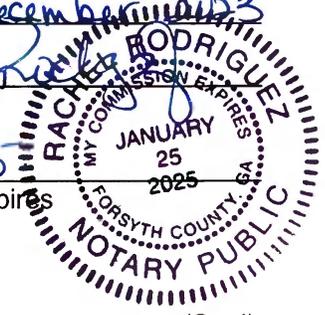
CERTIFICATION OF OWNERSHIP

I hereby certify that I am the owner of the property shown on the attached plat, described in the attached legal description, and identified as follows: _____

HAW River Landco, LLC
 Type or Print Owner's Name

 Owner's Signature

 Date
 12-6-23

Sworn and subscribed before me this
 6th day of December, 2023
 Rachel Rodriguez
 Notary Public
 1/25/25
 Commission Expires

 (Seal)

POWER OF ATTORNEY (if owner is not the applicant)

Applicant states under oath that: (1) he/she is the executor or Attorney-in-fact under Power-of-Attorney for the owner (attach a copy of Power-of-Attorney letter); (2) he/she has an option to purchase said property (attach a copy of the contract); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease).

 Type or Print Owner's Name

 Owner's Signature

 Date

Sworn and subscribed before me this
 ____ day of _____, ____

 Notary Public

 Commission Expires
 (Seal)

HAW River Landco, LLC
 Type or Print Applicant's Name

 Applicant's Signature

 Date
 12-6-23

ATTORNEY / AGENT

CIRCLE ONE: Attorney Agent

Henry Bailey

Type or Print Attorney / Agent's Name

Attorney / Agent's Signature

600 Peachtree Street, Suite 3000, Atlanta, Georgia 30308

Address

404-885-3348

Phone Number

henry.bailey@troutman.com

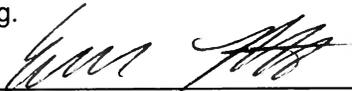
Email Address

AUTHORIZATION TO INSPECT PREMISES

I/we Safeguard Landfill Management Inc. am/are the owner(s) of the property, which is the subject matter of this application. I/we authorize the City of Fairburn to inspect the premises, which is the subject of this request for Rezoning.

Safeguard Landfill Management Inc.

Type or Print Owner's Name



Owner's Signature

ATTORNEY / AGENT

CIRCLE ONE: Attorney Agent

Henry Bailey
Type or Print Attorney / Agent's Name

Attorney / Agent's Signature

600 Peachtree Street, Suite 3000, Atlanta, Georgia 30308
Address

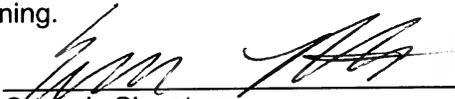
404-885-3348
Phone Number

henry.bailey@troutman.com
Email Address

AUTHORIZATION TO INSPECT PREMISES

I/we Safeguard Landfill Management, LLC am/are the owner(s) of the property, which is the subject matter of this application. I/we authorize the City of Fairburn to inspect the premises, which is the subject of this request for Rezoning.

Safeguard Landfill Management, LLC
Type or Print Owner's Name


Owner's Signature

ATTORNEY / AGENT

CIRCLE ONE: Attorney Agent

Henry Bailey
Type or Print Attorney / Agent's Name

Attorney / Agent's Signature

600 Peachtree Street, Suite 3000, Atlanta, Georgia 30308
Address

404-885-3348
Phone Number

henry.bailey@troutman.com
Email Address

AUTHORIZATION TO INSPECT PREMISES

I/we HAW River Landco, LLC am/are the owner(s) of the property, which is the subject matter of this application. I/we authorize the City of Fairburn to inspect the premises, which is the subject of this request for Rezoning.

HAW River Landco, LLC
Type or Print Owner's Name

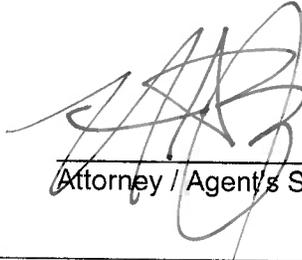

Owner's Signature

ATTORNEY / AGENT

CIRCLE ONE: Attorney Agent

Henry Bailey

Type or Print Attorney / Agent's Name



Attorney / Agent's Signature

600 Peachtree Street, Suite 3000, Atlanta, Georgia 30308

Address

404-885-3348

Phone Number

henry.bailey@troutman.com

Email Address

AUTHORIZATION TO INSPECT PREMISES

I/we _____ am/are the
owner(s) of the property, which is the subject matter of this application. I/we authorize the City of Fairburn to inspect
the premises, which is the subject of this request for Rezoning.

Type or Print Owner's Name

Owner's Signature



APPLICATION FOR USE PERMIT

City of Fairburn
Community Development Department
26 W. Campbellton Street
Fairburn, GA 30213

Date Received: _____

USE PERMIT #: _____
(Office Use Only)

APPLICANT INFORMATION

Applicant Name: <u>Safeguard Landfill Management c/o Henry Bailey</u>		
Address: <u>600 Peachtree Street, Suite 3000, Atlanta, Georgia 30308</u>		
Phone: <u>404-885-3348</u>	Cell: <u>N/A</u>	Fax: <u>N/A</u>
Email Address: <u>henry.bailey@troutman.com</u>		

OWNER INFORMATION (If different from Applicant)

Owner Name: <u>See attached.</u>		
Address: _____		
Phone: _____	Cell: _____	Fax: _____
Email Address: _____		

PROPERTY INFORMATION

Address: <u>See attached.</u>		
Parcel ID#: _____	Land Lot: _____	District: _____

SECTION 1

USE PERMIT REQUEST

Office use only: USE PERMIT CASE # _____ ROAD FRONTAGE: _____
--

Under the provisions of Chapter 80, Article IV of the Zoning Ordinance, application is hereby made to obtain a Use Permit as follows:

CURRENT ZONING: Heavy Industrial (M-2)

USE PERMIT REQUEST: See attached letter of intent.

Owner	Parcel ID
Safeguard Landfill Management Inc.	07-260001540892
Safeguard Landfill Management, LLC	07-260001350359
	07-260001540736
	07-260001540744
	07-260001540751
HAW River Landco, LLC	07-290001551516
	07-260001540876
	07-290001551557
	07-290001551540
	07-290001551185

SECTION II

OWNER/PETITIONER

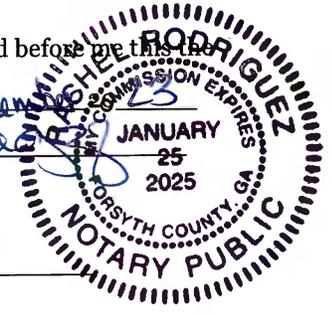
NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

Safeguard Landfill Management Inc.
 TYPE OR PRINT OWNER'S NAME
 6895 Roosevelt Hwy
 ADDRESS
 Fairburn GA 30213
 CITY & STATE ZIP CODE
 [Signature]
 OWNER'S SIGNATURE
 emcaden@glm.com
 EMAIL ADDRESS

Sworn to and subscribed before me this the
 10th Day of December
 Rachel Rodriguez
 NOTARY PUBLIC
 404-716-1115
 PHONE NUMBER



PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME
 ADDRESS
 CITY & STATE ZIP CODE
 PETITIONER'S SIGNATURE
 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____
 NOTARY PUBLIC
 PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: [] Attorney [] Agent
 Henry Bailey
 TYPE OR PRINT ATTORNEY / AGENT NAME
 SIGNATURE OF ATTORNEY / AGENT
 600 Peachtree Street, Suite 3000
 ADDRESS
 Atlanta, Georgia 30308
 CITY & STATE ZIP CODE

henry.bailey@troutman.com
 EMAIL ADDRESS
 404-885-3348
 PHONE NUMBER
 PETITIONER'S SIGNATURE

SECTION II

OWNER/PETITIONER

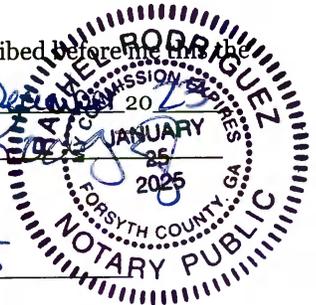
NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

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- c) If you are the sole owner and petitioner complete Part 1.
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Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

Safeguard Landfill Management, LLC
 TYPE OR PRINT OWNER'S NAME
 6895 Roosevelt Hwy
 ADDRESS
 Fairburn GA 30213
 CITY & STATE ZIP CODE
 [Signature]
 OWNER'S SIGNATURE
 emcaden@glenv.com
 EMAIL ADDRESS

Sworn to and subscribed before me this the
 10th Day of December 2015
 [Signature]
 NOTARY PUBLIC
 404-716-1115
 PHONE NUMBER



PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME
 ADDRESS
 CITY & STATE ZIP CODE
 PETITIONER'S SIGNATURE
 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____
 NOTARY PUBLIC
 PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: [] Attorney [] Agent
 Henry Bailey
 TYPE OR PRINT ATTORNEY / AGENT NAME
 SIGNATURE OF ATTORNEY / AGENT
 600 Peachtree Street, Suite 3000
 ADDRESS
 Atlanta, Georgia 30308
 CITY & STATE ZIP CODE

henry.bailey@troutman.com
 EMAIL ADDRESS
 404-885-3348
 PHONE NUMBER
 PETITIONER'S SIGNATURE

SECTION II

OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

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- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

HAW River Landco, LLC
 TYPE OR PRINT OWNER'S NAME
 6695 Roosevelt Hwy
 ADDRESS
 Fairburn GA 30213
 CITY & STATE ZIP CODE
 [Signature]
 OWNER'S SIGNATURE
 emaden@glenv.com
 EMAIL ADDRESS

Sworn to and subscribed before me this the
 4th Day of JANUARY 2025
 [Signature]
 NOTARY PUBLIC
 404-711-1115
 PHONE NUMBER



PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME
 ADDRESS
 CITY & STATE ZIP CODE
 PETITIONER'S SIGNATURE
 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____
 NOTARY PUBLIC
 PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: [] Attorney [] Agent
 Henry Bailey
 TYPE OR PRINT ATTORNEY / AGENT NAME
 SIGNATURE OF ATTORNEY / AGENT
 600 Peachtree Street, Suite 3000
 ADDRESS
 Atlanta, Georgia 30308
 CITY & STATE ZIP CODE

henry.bailey@troutman.com
 EMAIL ADDRESS
 404-885-3348
 PHONE NUMBER
 PETITIONER'S SIGNATURE

SECTION II

OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

 TYPE OR PRINT OWNER'S NAME

 ADDRESS

 CITY & STATE ZIP CODE

 OWNER'S SIGNATURE

 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____

 NOTARY PUBLIC

 PHONE NUMBER

PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

 TYPE OR PRINT PETITIONER'S NAME

 ADDRESS

 CITY & STATE ZIP CODE

 PETITIONER'S SIGNATURE

 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____

 NOTARY PUBLIC

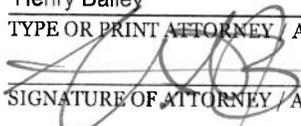
 PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: [] Attorney [] Agent
 Henry Bailey

 TYPE OR PRINT ATTORNEY / AGENT NAME


 SIGNATURE OF ATTORNEY / AGENT

600 Peachtree Street, Suite 3000
 ADDRESS

Atlanta, Georgia 30308
 CITY & STATE ZIP CODE

henry.bailey@troutman.com
 EMAIL ADDRESS

404-885-3348
 PHONE NUMBER

 PETITIONER'S SIGNATURE



DISCLOSURE REPORT

Office use only:

USE PERMIT PETITION #: _____ CITY COUNCIL MEETING DATE: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

CIRCLE ONE: YES NO

If the answer is *YES*, proceed to sections 1 through 4.
If the answer is *NO*, complete only section 4.

1. **CIRCLE ONE:** Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Safeguard Landfill Management Inc.

Signature: [Handwritten Signature] Date: 12-6-23



DISCLOSURE REPORT

Office use only:

USE PERMIT PETITION #: _____ CITY COUNCIL MEETING DATE: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

CIRCLE ONE: YES NO

If the answer is YES, proceed to sections 1 through 4.
If the answer is NO, complete only section 4.

1. **CIRCLE ONE:** Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

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Name (print) Safeguard Landfill Management, LLC

Signature: [Handwritten Signature] Date: 12-6-23



DISCLOSURE REPORT

Office use only:
USE PERMIT PETITION #: _____ CITY COUNCIL MEETING DATE: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

CIRCLE ONE: YES NO

If the answer is *YES*, proceed to sections 1 through 4.
If the answer is *NO*, complete only section 4.

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If party to petition, complete sections 2, 3, and 4 below.
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: _____

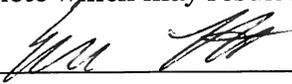
3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

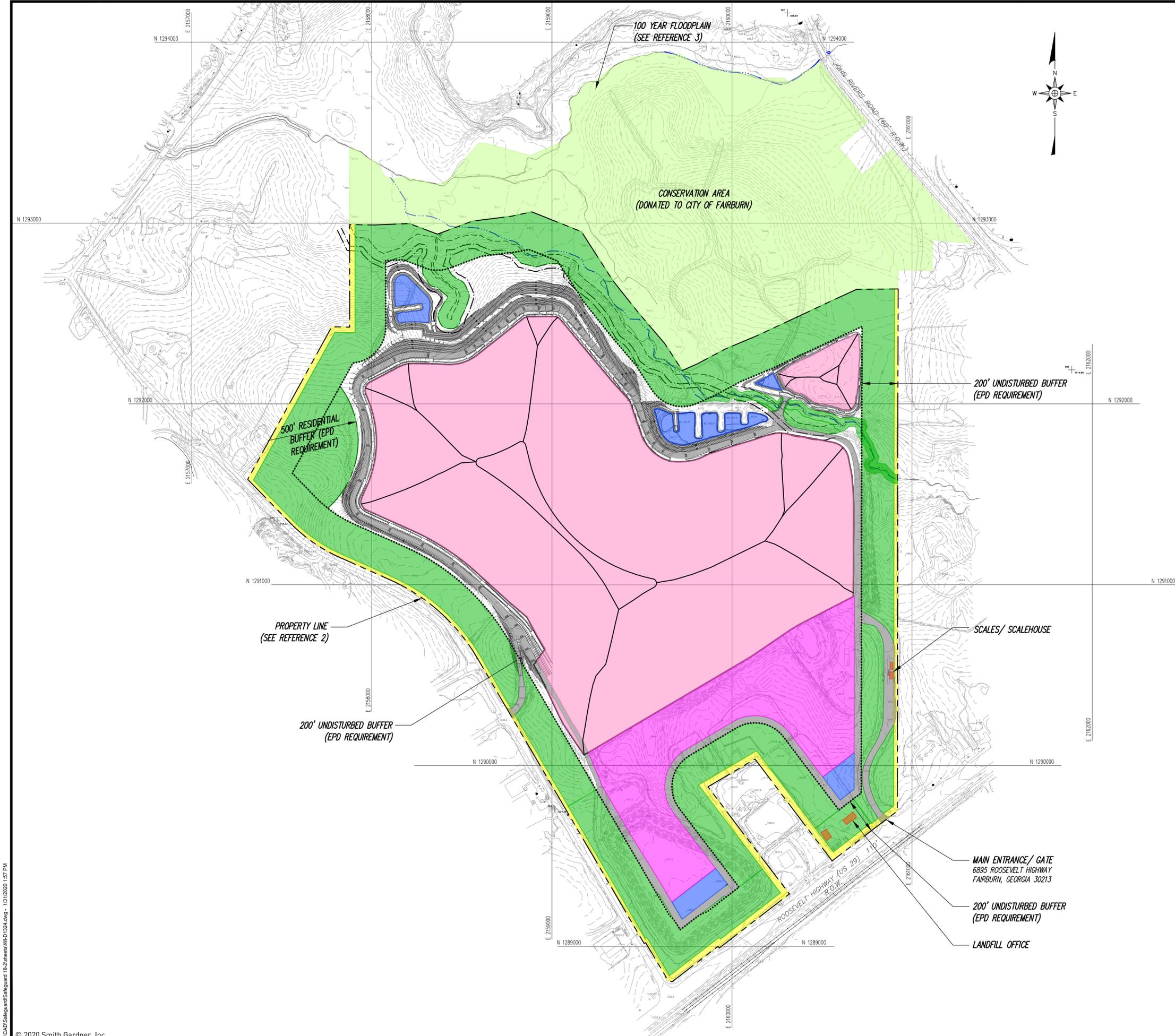
Name (print) Henry Bailey
Signature: [Handwritten Signature] Date: 2.5.24

The undersigned acknowledges that the site plan is submitted in accordance with Chapter 62, Article V - The Building Process of the City of Fairburn Code of Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: 

Date: 12-6-23

Applicant printed name: Eric McAden



SITE INFORMATION	
EXISTING LANDFILL PROPERTY	
TOTAL =	179.50 ACRES
LANDFILL =	105 ACRES
LANDFILL BUFFER =	75 ACRES
PROPOSED LANDFILL PROPERTY	
TOTAL =	207.67 ACRES
LANDFILL =	124 ACRES
LANDFILL BUFFER =	84 ACRES
PROPERTY ZONING:	M2
IMPERVIOUS SURFACES:	12 AC
PROPOSED PARKING SPACES:	NO ADDITIONAL PARKING

FACILITY CONTACT INFORMATION	
DEVELOPER:	SAFEGUARD LANDFILL MANAGEMENT, LLC ATTN: GEORGE GIBBONS 6895 ROOSEVELT HIGHWAY FAIRBURN, GA 30213 PHONE: (770) 294-3108
ENGINEER:	SMITH GARDNER, INC ATTN: JOHN M. GARDNER, P.E. 14. N BOYLAN AVENUE RALEIGH, NC 27603 PHONE: (919) 828-0577
	BROWNE AND COMPANY, LLC ATTN: JEFFREY M. BROWNE, P.E. 2719 SHERATON DRIVE, BUILDING C, SUITE 210 MACON, GA 31204 PHONE: (478) 743-4843

LEGEND	
	EXISTING 10' CONTOUR (REFERENCE 1)
	EXISTING 2' CONTOUR (REFERENCE 1)
	PROPERTY LINE (SEE REFERENCE 2)
	200 FT UNDISTURBED BUFFER
	50 FT STREAM/WETLAND BUFFER AND 75 FT NON-IMPERVIOUS SETBACK
	500 FT RESIDENTIAL BUFFER
	PERMITTED LIMITS OF WASTE
	ADJACENT PROPERTY LINE
	LANDLOT LINE
	LIMIT OF WETLANDS/TOP OF STREAM BANK (SEE NOTE 2) (SEE REFERENCE 4)
	100-YR FLOOD PLAIN BOUNDARY (SEE REFERENCE 3)
	JURISDICTIONAL STREAM
	EXISTING PERMITTED LANDFILL FINAL COVER BREAKLINES
	LANDLOT PROPERTY PARCEL DESIGNATION (SEE REFERENCE 2)
	CONSERVATION AREA
	EPD/STREAM BUFFERS
	ACCESS ROADS
	EXISTING PERMITTED LANDFILL
	CONCEPTUAL LANDFILL EXPANSION
	STORMWATER PONDS
	FAIRBURN SETBACKS
	BUILDINGS

- NOTES**
- FINAL PLAT ATTACHED TO THIS SITE PLAN TO MEET THE REQUIREMENTS OF THE CITY OF FAIRBURN.
- REFERENCES**
- OVERALL SITE TOPOGRAPHY PROVIDED BY GEODATA CORPORATION, BASED ON JANUARY 27, 2011 AERIAL PHOTOGRAPHY. EXISTING TOPOGRAPHY IN ACTIVE AREAS PROVIDED BY GEODATA CORPORATION, BASED ON JANUARY 2, 2018 AERIAL PHOTOGRAPHY. HORIZONTAL AND VERTICAL DATUM BASED ON ASSUMED SITE DATUM.
 - PROPERTY LINE FROM FINAL PLAT, REVISED SAFEGUARD LANDFILL DATED DECEMBER 18, 2018 BY INTEGRATED SCIENCE AND ENGINEERING, INC., FAYETTEVILLE, GA (SEE NOTE 1).
 - THE ONE-HUNDRED YEAR FLOOD PLAIN IS BASED ON FEMA FLOOD INSURANCE RATE MAP NUMBER 13121C0461 E, EFFECTIVE DATE JUNE 22, 1998, REVISED TO REFLECT LETTER OF MAP REVISION EFFECTIVE JUNE 18, 2002.
 - TOP OF STREAM BANK AND WETLANDS LIMIT FROM FIELD SURVEY DATED NOVEMBER 5, 2008 BY INTEGRATED SCIENCE AND ENGINEERING, FAYETTEVILLE, GA.



PREPARED BY:

BROWNE AND COMPANY, LLC
2719 Sheraton Drive • Building C, Suite 210
Macon, Georgia 31204 Ph/Fx: 478-743-4843

PREPARED BY:

SMITH+GARDNER ENGINEERS
14 N. Boylan Avenue, Raleigh NC 27603 | 919.828.0577

REV.	DATE	DESCRIPTION

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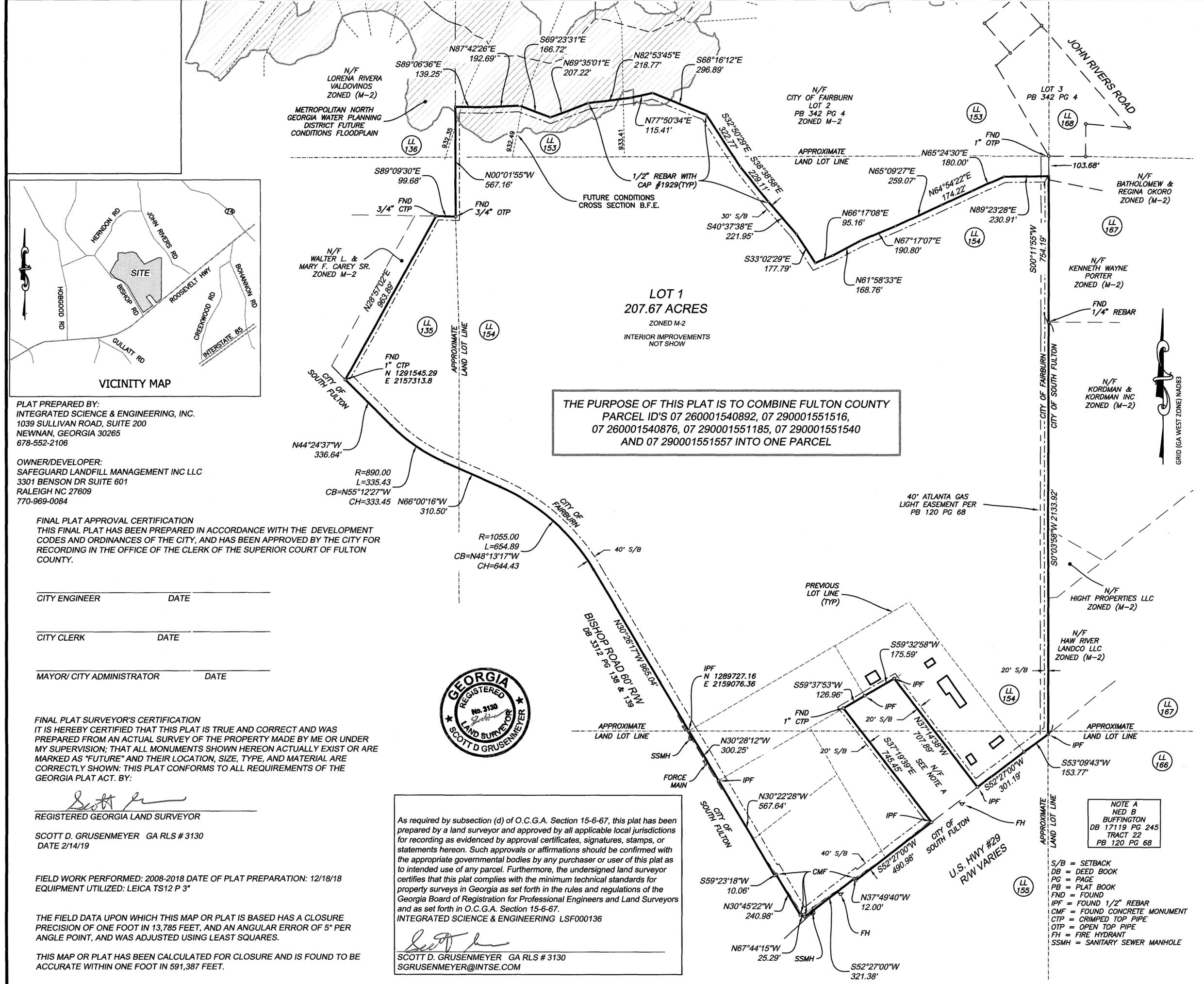
PROJECT TITLE:

SAFEGUARD C&D LANDFILL SWP EXPANSION

DRAWING TITLE:	
CONCEPT PLAN	
DESIGNED:	PROJECT NO: SAFEGUARD 18-2
DRAWN:	SCALE: AS SHOWN
APPROVED:	DATE: JULY 2018
FILENAME:	WI-D1324
SHEET NUMBER:	DRAWING NUMBER:
	OP1

Date	Drawn by	Check by	Rev.	Description
12/18/18	SDG	EG	1	PER COMMENTS
			2	PER COMMENTS

FINAL PLAT
 REVISED SAFEGUARD LANDFILL



THE PURPOSE OF THIS PLAT IS TO COMBINE FULTON COUNTY PARCEL ID'S 07 260001540892, 07 290001551516, 07 260001540876, 07 290001551185, 07 290001551540 AND 07 290001551557 INTO ONE PARCEL

PLAT PREPARED BY:
 INTEGRATED SCIENCE & ENGINEERING, INC.
 1039 SULLIVAN ROAD, SUITE 200
 NEWNAN, GEORGIA 30265
 678-552-2106

OWNER/DEVELOPER:
 SAFEGUARD LANDFILL MANAGEMENT INC LLC
 3301 BENSON DR SUITE 601
 RALEIGH NC 27609
 770-969-0084

FINAL PLAT APPROVAL CERTIFICATION
 THIS FINAL PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE DEVELOPMENT CODES AND ORDINANCES OF THE CITY, AND HAS BEEN APPROVED BY THE CITY FOR RECORDING IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF FULTON COUNTY.

CITY ENGINEER _____ DATE _____

CITY CLERK _____ DATE _____

MAYOR/CITY ADMINISTRATOR _____ DATE _____

FINAL PLAT SURVEYOR'S CERTIFICATION
 IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN; THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT. BY:

Scott D. Grusenmeyer
 REGISTERED GEORGIA LAND SURVEYOR

SCOTT D. GRUSENMEYER GA RLS # 3130
 DATE 2/14/19

FIELD WORK PERFORMED: 2008-2018 DATE OF PLAT PREPARATION: 12/18/18
 EQUIPMENT UTILIZED: LEICA TS12 P 3"

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 13,785 FEET, AND AN ANGULAR ERROR OF 5" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 591,387 FEET.



As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.
 INTEGRATED SCIENCE & ENGINEERING LSF000136

Scott D. Grusenmeyer
 SCOTT D. GRUSENMEYER GA RLS # 3130
 SGRUSENMEYER@INTSE.COM

NOTE A
 NED B
 BUFFINGTON
 DB 17119 PG 245
 TRACT 22
 PB 120 PG 68

S/B = SETBACK
 DB = DEED BOOK
 PG = PAGE
 PB = PLAT BOOK
 FND = FOUND
 IPF = FOUND 1/2" REBAR
 CMF = FOUND CONCRETE MONUMENT
 CTP = CRIMPED TOP PIPE
 OTP = OPEN TOP PIPE
 FH = FIRE HYDRANT
 SSMH = SANITARY SEWER MANHOLE

All that tract or parcel of land lying and being in Land Lots 135, 153, 154 and 155 of the 7th District, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the intersection of the northerly right-of-way of US Highway #29 and of easterly land lot line of land lot 155;

Thence along the northerly right-of-way of US Highway #29, South 53 degrees 9 minutes 43 seconds West, a distance of 153.77 feet;

Thence South 52 degrees 27 minutes 0 seconds West, a distance of 301.19 feet;

Thence along the northeast line of Tract 22, Plat Book 120 Page 68, North 37 degrees 14 minutes 38 seconds West, a distance of 707.89 feet;

Thence along the northwest line of said Tract 22, South 59 degrees 32 minutes 58 seconds West, a distance of 175.59 feet;

Thence South 59 degrees 37 minutes 53 seconds West, a distance of 126.96 feet;

Thence along the southwest line of said Tract 22, South 37 degrees 19 minutes 39 seconds East, a distance of 745.45 feet;

Thence along the northerly right-of-way of US Highway #29, South 52 degrees 27 minutes 0 seconds West, a distance of 490.98 feet;

Thence North 37 degrees 49 minutes 40 seconds West, a distance of 12.00 feet;

Thence South 52 degrees 27 minutes 0 seconds West, a distance of 321.38 feet;

Thence along the mitered intersection of US Highway #29 and Bishop Road, North 67 degrees 44 minutes 15 seconds West, a distance of 25.29 feet;

Thence along the easterly right-of-way of Bishop Road, North 30 degrees 45 minutes 22 seconds West, a distance of 240.98 feet;

Thence South 59 degrees 23 minutes 18 seconds West, a distance of 10.06 feet;

Thence North 30 degrees 22 minutes 28 seconds West, a distance of 567.64 feet;

Thence North 30 degrees 28 minutes 12 seconds West, a distance of 300.25 feet;

Thence North 30 degrees 26 minutes 17 seconds West, a distance of 965.04 feet;

Thence along a curve to the left having a radius of 1,055.00 feet and an arc length of 654.89 feet, being subtended by a chord of North 48 degrees 13 minutes 17 seconds West for a distance of 644.43 feet;

Thence North 66 degrees 0 minutes 16 seconds West, a distance of 310.50 feet;

Thence along a curve to the right having a radius of 890.00 feet and an arc length of 335.43 feet, being subtended by a chord of North 55 degrees 12 minutes 27 seconds West for a distance of 333.45 feet;

Thence North 44 degrees 24 minutes 37 seconds West, a distance of 336.64 feet;

Thence along the southeast line of lands described in deed book 24857 page 204, North 28 degrees 57 minutes 2 seconds East, a distance of 963.89 feet;

Thence along the south line of lands described in deed book 59943 page 149, South 89 degrees 9 minutes 30 seconds East, a distance of 99.68 feet;

Thence along the east line of lands described in deed book 59943 page 149, North 0 degrees 01 minutes 55 seconds West, a distance of 567.16 feet to the southwest corner of Lot 2 as shown in plat book 342 page 4;

Thence along the southerly line of said Lot 2, South 89 degrees 6 minutes 36 seconds East, a distance of 139.25 feet;
Thence North 87 degrees 42 minutes 26 seconds East, a distance of 192.69 feet;
Thence South 69 degrees 23 minutes 31 seconds East, a distance of 166.72 feet;
Thence North 69 degrees 35 minutes 1 second East, a distance of 207.22 feet;
Thence North 82 degrees 53 minutes 45 seconds East, a distance of 218.77 feet;
Thence North 77 degrees 50 minutes 34 seconds East, a distance of 115.41 feet;
Thence South 68 degrees 16 minutes 12 seconds East, a distance of 296.89 feet;
Thence South 32 degrees 50 minutes 29 seconds East, a distance of 322.77 feet;
Thence South 38 degrees 38 minutes 58 seconds East, a distance of 229.11 feet;
Thence South 40 degrees 37 minutes 38 seconds East, a distance of 221.95 feet;
Thence South 33 degrees 2 minutes 29 seconds East, a distance of 177.79 feet;
Thence North 66 degrees 17 minutes 8 seconds East, a distance of 95.16 feet;
Thence North 61 degrees 58 minutes 33 seconds East, a distance of 168.76 feet;
Thence North 67 degrees 17 minutes 7 seconds East, a distance of 190.80 feet;
Thence North 65 degrees 9 minutes 27 seconds East, a distance of 259.07 feet;
Thence North 64 degrees 54 minutes 22 seconds East, a distance of 174.22 feet;
Thence North 65 degrees 24 minutes 30 seconds East, a distance of 180.00 feet;
Thence North 89 degrees 23 minutes 28 seconds East, a distance of 230.91 feet to the east line of Land Lot 154 of the 7th District;

Thence along said east line, South 0 degrees 11 minutes 55 seconds West, a distance of 754.19 feet;

Thence along the east line of Land Lots 154 and 155 of the 7th District; South 0 degrees 3 minutes 58 seconds West, a distance of 2,133.92 feet to the POINT OF BEGINNING.

Containing 207.67 acres, more or less.

07-260001350359

Deed Book 30217 Pg 235
Filed and Recorded Apr-13-2001 11:45am
2001-0085513
Real Estate Transfer Tax \$1,200.00
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS INDENTURE is made between Wayne Douglas (a/k/a A. Wayne Douglas), Ann M. Douglas, Agnes Slack L.P. of Georgia, Agnes Slack L.P. of Nevada (collectively the "Grantors") and Safeguard Landfill Management, LLC (the "Grantee") ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

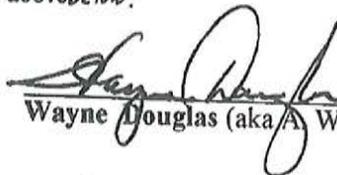
EACH GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land lying and being in Fulton County, Georgia (hereinafter referred to as the "Land") as more particularly described in the attached Exhibit "A-1" and "A-2", which Exhibits are incorporated herein.

TO HAVE AND TO HOLD the Land, together 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 Grantee forever in FEE SIMPLE.

AND EACH GRANTOR does warrant, and covenants to forever defend, the right and title to its tenant in common interest in the Land unto Grantee against the claims of all persons claiming through or under such Grantor.

EXECUTED under seal as of the date above/below:

Given this 4th day of March 2001

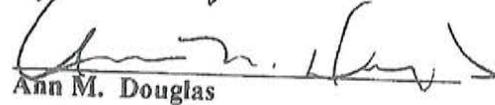

Wayne Douglas (aka A. Wayne Douglas)

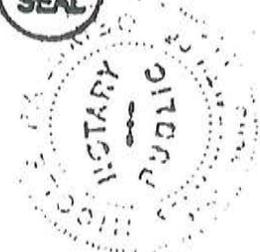


Signed, sealed and delivered in the presence of:

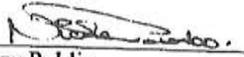

Notary Public
Commission expires:
Nicola Palomba, Notary Public
Commonwealth of Massachusetts
My Commission Expires 10/8/2004

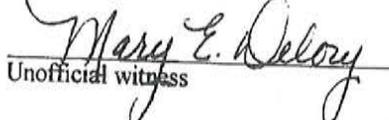

Unofficial witness

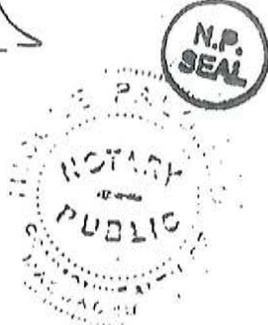

Ann M. Douglas



Signed, sealed and delivered in the presence of:


Notary Public
Commission expires:
Nicola Palomba, Notary Public
Commonwealth of Massachusetts
My Commission Expires 10/8/2004


Unofficial witness





Agnes Slack L.P. of Georgia, a Georgia limited partnership, by its authorized general partner, Pinzon Corporation:

Pinzon Corporation, a Georgia corporation

By: Nydia Pinzón
Nydia Pinzón, President



[corporate seal]

Signed, sealed and delivered in the presence of:

Mark P. Jones
Notary Public
Commission expires: 15 Dec 04

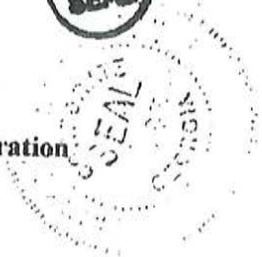
A. Ronald Sully
Unofficial witness



Agnes Slack L.P. of Nevada, a Georgia limited partnership, by its authorized general partner, Pinzon Corporation:

Pinzon Corporation, a Georgia corporation

By: Nydia Pinzón
Nydia Pinzón, President



[corporate seal]

Signed, sealed and delivered in the presence of:

Mark P. Jones
Notary Public
Commission expires: 15 Dec 04

A. Ronald Sully
Unofficial witness



From : RON SLACK In MAUI, HAWAII 608-242-1984

Deed Book 30217 Pg 237
I HAVE NO OBJECTION TO THIS DEED BEING RECORDED IN THE PUBLIC RECORDS OF THE STATE OF HAWAIIEXHIBIT "A" - /

All that tract or parcel of land lying and being in Land Lots 135, 133 and 134 of the 7th District, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin set on the northeasterly right-of-way of Bishop Road (60 ft. right-of-way) where said right-of-way intersects the east line of Land Lot 135; running thence northwesterly along the northeasterly right-of-way of Bishop Road the following courses and distances: N 62°24'18" W 49.93 ft.; N 62°24'18" W 91.90 ft.; N 37°21'03" W 95.03 ft.; N 32°25'30" W 77.30 ft.; N 45°52'14" W 114.14 ft.; N 43°06'11" W 325.30 ft. to an iron pin found on said northeasterly right-of-way; thence leaving said right-of-way and running N 30°07'14" E 964.04 ft. to an iron pin found; running thence S 88°13'53" E 99.66 ft. to an iron pin found on the east line of Land Lot 135; running thence N 00°39'21" W along the east line of Land Lots 135 and 136, 959.94 ft. to a point in the centerline of Bear Creek; running thence southeasterly, easterly and northeasterly along the centerline of Bear Creek the following courses and distances: S 69°06'38" E 498.44 ft. to a point; N 76°19'00" E 566.51 ft. to a point; N 70°20'54" E 188.73 ft. to a point; N 37°46'57" E 119.10 ft. to a point; N 32°07'35" E 342.14 ft. to a point; N 64°30'40" E 263.85 ft. to a point; N 89°33'25" E 142.38 ft. to a point; S 71°06'08" E 243.66 ft.; S 71°01'14" E 214.84 ft. to a point in the centerline of said stream; thence leaving said centerline of Bear Creek and running thence S 00°00'19" E 1,382.78 ft. to an iron pin found; running thence S 88°44'29" W 727.62 ft. to an iron pin found; running thence S 01°17'47" W 642.13 ft. to an iron pin found; running thence N 89°10'41" W 1,502.43 ft. to an iron pin found on the west line of Land Lot 134; running thence S 01°50'32" W 622.47 ft. to an iron pin set at the point of BEGINNING, being a tract of 92.869 acres as shown on survey for Wilderness Lands Company by Charles G. Jones, R.L.S. No. 1650, which survey is incorporated by reference herein and is on file in the Office of John E. Robinson, One Decatur TownCenter, Decatur, Georgia.

AM

Deed Book 30217 Pg 238

Juanita Hicks

Clerk of Superior Court

Fulton County, Georgia

I HEREBY DO hereby certify that this is a true and correct copy of the original as the same appears in the records of the Clerk of the Superior Court of Fulton County, Georgia.

Fulton County

EXHIBIT "A"-2

ALL THAT TRACT OR PARCEL OF LAND situate, lying and being in Land Lots 153 and 168 of the 7th District of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin located at the Southeast corner of Land Lot 153, which point is also the Southwest corner of Land Lot 168; running thence North 89 degrees 48 minutes West 817.1 feet to an iron pin; running thence North 00 degrees 08 minutes West 1,084.00 feet to a point located in the center of Bear Creek; running thence Easterly, Southeasterly, and Northeasterly, along the centerline of Bear Creek and following the meanderings thereof the centerline of Bear Creek and following the centerline of said creek with the Southwesterly right of way of John Rivers Road; running thence Southeasterly along the Southwesterly right of way of John Rivers Road the following courses and distances: South 32 degrees 33 minutes East 100 feet; South 37 degrees 07 minutes East 100 feet; South 39 degrees 56 minutes East 100 feet; South 40 degrees 04 minutes East 131.8 feet to an iron pin; leaving John Rivers Road and running thence South 49 degrees 12 minutes West 213.2 feet to an iron pin; running thence South 40 degrees 46 minutes East 200 feet to an iron pin; running North 49 degrees 12 minutes East 212.9 feet to an iron pin located on the Southwesterly right of way of John Rivers Road; running thence South 40 degrees 42 minutes East along said right of way 50.2 feet to a point located at the intersection of the Southwesterly right of way of John Rivers Road with the East line of Land Lot 153; continuing thence Southeasterly along the Southwesterly right of way of John Rivers Road 499.9 feet to a point; continuing thence South 39 degrees 59 minutes East along said right of way 139.9 feet to an iron pin; running thence North 84 degrees 48 minutes West 225.0 feet to an iron pin; running thence South 00 degrees 08 minutes East 168.0 feet to an iron pin located on the South line of Land Lot 168; running thence North 88 degrees 59 minutes West along said Land Lot line 199.1 feet to an iron pin and the point of beginning, said tract CONTAINING 20.17 ACRES, all as shown on plat of survey for Chris Frye, dated May 4, 1984, prepared by Steed & Boyd, Registered Land Surveyors.

The above-described property being the same as that conveyed by Limited Warranty Deed dated February 10, 1987, from Wayne Douglas to A. Ronald Slack, said deed recorded in Deed Book 10623, Page 174, Fulton County Records.

r/slackdouglas.fulton

BOOK 15512 PG 045

43 10 10

07-260001540892

confidential
Olivia Genereux
Macquarie
Aug 04, 2017 22:19

Deed Book 29198 Pg 548
Filed and Recorded Jun-23-2000 11:34am
2000-0136977
Real Estate Transfer Tax \$3,800.00
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

STATE OF GEORGIA
COUNTY OF COB

LIMITED WARRANTY DEED

THIS INDENTURE is made as of January 10, 1999, between SLMI HOLDINGS, INC., a Georgia corporation (the "Grantor") and WASTE STREAM SERVICES, L.L.C., a Georgia limited liability company (the "Grantee") ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land lying and being in Land Lots 154 and 155 the 7th District of Fulton County, Georgia (hereinafter referred to as the "Land") as more particularly described in the attached Exhibit "A", which Exhibit is incorporated herein.

TO HAVE AND TO HOLD the Land, together 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 Grantee forever in FEE SIMPLE.

AND GRANTOR does warrant, and covenants to forever defend, the right and title to the Land unto Grantee against the claims of any persons owning, holding or claiming by, through or under each respective Grantor.



EXECUTED under seal as of the date above.

SLMI HOLDINGS, INC.

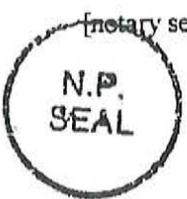
by: Nydia Pinzón (seal)
Nydia Pinzón, President

[corporate seal]

Signed, sealed and delivered in the presence of:

Mrs. P. Jones
Notary Public
Commission expires: 15 Dec. 2000

Mary Groves
Unofficial witness



confidential
Olivia Genereux
Macquarie
Aug 04, 2017 22:19

Secretary of State
Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

DOCKET NUMBER : 010020907
CONTROL NUMBER : K004217
EFFECTIVE DATE : 12/31/2000
REFERENCE : 0091
PRINT DATE : 01/02/2001
FORM NUMBER : 411

CT CORPORATION SYSTEM
JANET MCKINNEY
1201 PEACHTREE STREET, N.E.
ATLANTA GA 30361

CERTIFICATE OF MERGER

I, Cathy Cox, the Secretary of State of the Georgia, do hereby issue this certificate pursuant to Title 14 of the Official Code of Georgia annotated certifying that articles or a certificate of merger and fees have been filed regarding the merger of the below entities, effective as of the date shown above. Attached is a true and correct copy of the said filing.

Surviving Entity:

SAFEGUARD LANDFILL MANAGEMENT, INC., A GEORGIA CORPORATION

Nonsurviving Entity/Entities:

WASTESTREAM SERVICES, LLC, A GEORGIA LIMITED LIABILITY COMPANY



Cathy Cox
CATHY COX
SECRETARY OF STATE

07-260001540736
07-260001540744

Deed Book 43796 Pg 341
Filed and Recorded Nov-03-2006 00:50am
2006-0366233
Real Estate Transfer Tax 6872.10
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

Please return to:
McLarty, Robinson & Van Voorhies, LLP
150 East Ponce de Leon Avenue
Decatur, Georgia 30030
Attn: Paul M. McLarty, Jr. Esq.

STATE OF GEORGIA)
COUNTY OF FULTON)

LIMITED WARRANTY DEED

(Lot 12 and Lot 13 of Land Lots 154 and 155, of the 7th Land Lot District)

THIS INDENTURE made to be effective as of the 3 day of November, 2006, between JAGDISH P. AGRAWAL and wife, SARLA AGRAWAL, (together, "Grantor") and SAFEGUARD LANDFILL MANAGEMENT, LLC, a Georgia limited liability company ("Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto Grantee, its successors and assigns, all those certain tracts or parcels of land together with all improvements thereon lying and being in Land Lots 154 and 155 of the 7th Land District, Fulton County, Georgia, and being more particularly described on "Exhibit A" attached hereto and incorporated herein (the "Real Estate").

TO HAVE AND TO HOLD the said tracts or parcels 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, its successors and assigns, forever in fee simple.

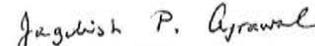
The said Grantor, for itself and its successors and assigns, warrants to the Grantee, its successors and assigns, that Grantor is lawfully seized and possessed of the Real Estate, has good right and lawful authority to sell and convey the same, that the title thereto is clear, free and unencumbered except as set forth on "Exhibit B" hereto and that Grantor will warrant and forever defend the right and title to the Real Estate unto the Grantee, its successors and assigns, against the claims of all persons claiming by through or under Grantor, except as provided on "Exhibit B" attached hereto.

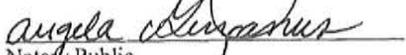
IN WITNESS WHEREOF, Grantor has caused this Deed to be executed under seal to be effective the day and year first above written.

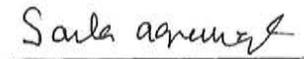
Signed, sealed and delivered this 3 day of November, 2006, in the presence of:

GRANTOR:


Unofficial Witness


JAGDISH P. AGRAWAL


Notary Public


SARLA AGRAWAL

My commission expires:
JAN. 11 2010



34355v1
19892

5941.808-466531 v1

Deed Book 43796 Pg 342

EXHIBIT A

Parcel One:

Tract 12 as shown on plat of property located in Land Lots 154 and 155, of the 7th Land District, Fulton County, Georgia. Said plat prepared September 2, 1980, by Donald O. Babb, Georgia Registered Land Surveyor #2029, and recorded in Plat Book 120, Page 68 of the Fulton County Deed Records.

Parcel Two:

Tract 13 as shown on plat of property located in Land Lots 154 and 155, of the 7th Land District, Fulton County Georgia. Said plat prepared September 2, 1980, by Donald O. Babb, Georgia Registered Land Surveyor #2029, and recorded in Plat Book 120, Page 68 of the Fulton County Deed Records.

34390v1
1982

11/02/2008 THU 14:20 [TX/RX NO 7788] 0006

Deed Book 43796 Pg 343
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT B

1. All taxes subsequent to the year 2006.
2. Easement(s) and/or Right(s) of Way to Georgia Power Company, recorded in Deed Book 2421, page 682, Fulton County, Georgia records.
3. Easement(s) and/or Right(s) of Way to Georgia Power Company, recorded in Deed Book 3312, page 138, aforesaid records.

07-260001540736
07-260001540744

Deed Book 43796 Pg 344
Filed and Recorded Nov-03-2006 08:58am
2006-0366234
Real Estate Transfer Tax \$0.00
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

After recording, return to:
Paul M. McLarty, Jr.
McLarty, Robinson & Van Voorhies, LLP
150 E. Ponce de Leon Avenue, Suite 330
Decatur, GA 30030 - (404) 377-6464

QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF FULTON

H.S.
THIS INDENTURE, made the 3rd day of November in the year 2006, between DR. JAGDISH P. AGRAWAL AND SARLA AGRAWAL as party or parties of the first part, hereinafter called GRANTOR, and SAFEGUARD LANDFILL MANAGEMENT, LLC as party or parties of the second part, hereinafter called GRANTEE (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

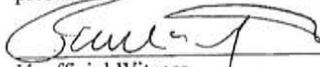
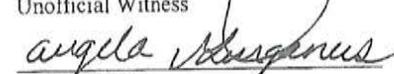
WITNESSETH that Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee, the following-described property, to-wit:

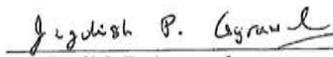
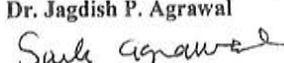
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 154 of the 7th Land District, Fulton County, Georgia, being more particularly described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered this
2nd day of November, 2006, in the
presence of:


Unofficial Witness

Notary Public

 (Seal)
Dr. Jagdish P. Agrawal
 (Seal)
Sarla Agrawal

My Commission Expires:
Jan. 11 2010



34387v1
19892

Deed Book 43796 Pg 345
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT A

Parcel One:

Tract 12 as shown on plat of property located in Land Lot 154, of the 7th Land District, Fulton County, Georgia. Said plat prepared September 2, 1980, by Donald O. Babb, Georgia Registered Land Surveyor #2029, and recorded in Plat Book 120, Page 68 of the Fulton County Deed Records.

Being further described as:

Beginning at an iron pipe found (1/2 inch rebar) in the northern line of the right of way of Bishop Road (60' r/w), said pipe also being located in the southeasternmost corner of the property owned now or formerly by Safeguard Landfill Management, LLC, thence running from said point along the eastern boundary of the Safeguard property North 00° 02' 58" West 621.28 feet to an iron pipe found (1" ctp); thence running along and with the southern line of the Safeguard property North 88° 23' 12" East 500.88 feet to a point; thence running South 15° 06' 38" West 796.63 feet to a point located in the northern line of the right of way of Bishop Road; thence running with the northern line of Bishop Road along a curve to the left having a chord bearing and distance of North 65° 08' 26" West 140.76 feet and a radius of 1,056.99 feet to an iron pipe found (1/2" rebar), said iron pipe being the point and place of Beginning, containing 6.46 acres, according to survey prepared for Safeguard Landfill Management, LLC by Integrated Science & Engineering dated January 31, 2005.

Parcel Two:

Tract 13 as shown on plat of property located in Land Lot 154, of the 7th Land District, Fulton County Georgia. Said plat prepared September 2, 1980, by Donald O. Babb, Georgia Registered Land Surveyor #2029, and recorded in Plat Book 120, Page 68 of the Fulton County Deed Records.

Being further described as:

Beginning at a point in the northern line of Bishop Road (60' r/w), said point located 2,082.47 feet from the intersection of Bishop Road and U.S. Highway 29, thence running with the northern line of Bishop Road along a curve to the left, having a chord bearing and distance of North 53° 00' 25" West 305.74 feet and a radius of 1,056.99 feet to a point; thence leaving the northern line of the right of way of Bishop Road and running North 15° 06' 38" East 796.63 feet to a point in the southern line of the property owned now or formerly by Safeguard Landfill Management, LLC; thence running with the southern line of the Safeguard property North 88° 23' 12" East 500.88 feet to a point, said point being the northwestern corner of the property owned now or formerly by Patrick DeConinck identified as Tract 14, J.R. Irwin Property; thence running South 25° 38' 13" West 1,072.77 feet to a point located in the northern line of Bishop Road, said point being the point and place of Beginning, containing 8.03 acres, according to survey prepared for Safeguard Landfill Management, LLC by Integrated Science & Engineering dated January 31, 2005.

thereto is clear, free and unencumbered except for the those matters (hereinafter referred to as "Permitted Exceptions") set forth on Exhibit "B" attached hereto and by this reference incorporated herein.

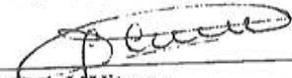
TO HAVE AND TO HOLD, the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said GRANTEE forever in Fee Simple.

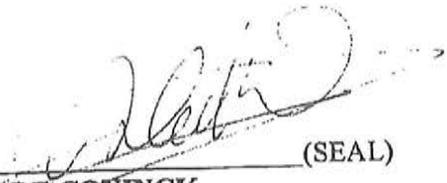
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

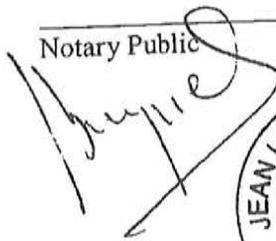
IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered
in the presence of:

DE CONINCK GILBERT, ZELZATE


Unofficial Witness


PATRICK DE CONINCK (SEAL)

Notary Public




commission expiration
date : unlimited.

EXHIBIT A

Legal Description

Tract 14 as shown on plat of property located in Land Lot 154 of the 7th Land District, Fulton County, Georgia. Said plat prepared September 2, 1980, by Donald O. Babb, Georgia Registered Land Surveyor #2029, and recorded in Deed Book 120, Page 68 of the Fulton County Deed Records.

Being further described as:

Beginning at a point located on the northern right of way line of Bishop Road (60' r/w), said point being 2,082.47 feet as measured northwesterly from the intersection of Bishop Road and U.S. Highway 29; thence running from said Beginning point along the eastern boundary of Tract 13 (as shown on plat recorded in Deed Book 120, Page 68) owned now or formerly by J.P. and Sarla Agrawal North 25° 38' 13" East 1,072.77 feet to a point in the southern boundary of the property owned now or formerly by Safeguard Landfill Management, LLC; thence running with the southern boundary of the Safeguard property North 88° 23' 12" East 501.02 feet to an iron pipe found (3/4" ctp) having Georgia State plane coordinates, west zone, of (N) = 1291765.46 and (E) = 2159361.59; thence running South 32° 06' 22" East 1,462.87 feet to an iron pipe found (1/2" rebar) in the northern right of way line of Bishop Road; thence running with the northern margin of Bishop Road along a curve to the left having a radius of 1,056.99 feet, an arc length of 320.05 feet, and a chord bearing and distance of North 36° 01' 01" West 318.83 feet to a point; said point being the point and place of Beginning, containing 10.39 acres, according to survey entitled "Boundary Survey for Safeguard Landfill Management, LLC" dated January 31, 2005, prepared by Integrated Science & Engineering.

RETURN TO:
Kathryn Vai-Duyne, Esq.
Piedmont Law Group
3524 Habersham at Northlake
Tucker, GA 30084

~~Key & Gordy, P.C.
308 Ridley Avenue
P. O. Box 2210
LaGrange, GA 30240~~

07-29000 1551516

Deed Book 484-22 Pg 667
Filed and Recorded Sep-30-2009 01:15pm
2009-0284891
Real Estate Transfer Tax \$500.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

WARRANTY DEED

(DOCUMENT PREPARATION ONLY - NO TITLE EXAMINATION)

STATE OF GEORGIA

COUNTY OF Troup

This Indenture made this 25th day of September, 2009 between

UNLIMITED TRUCK REPAIR, INC.

of the County of Fulton, State of Georgia, as party or parties of the first part, hereinafter called Grantor,
and

HAW RIVER LANDCO, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt 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 Lots 154 and 155 of the 7th District of Fulton County, Georgia, being part of Tract 23 of Property of J.R. Irwin, as per plat recorded in Plat Book 120, Page 68, Fulton County Records, and being more particularly described as follows:

To find the point of beginning, begin at an iron pin found on the northwest side of U.S. Highway #29 (Roosevelt Highway), said pin located 453.81 feet southwest of the intersection of the northwest side of U.S. Highway #29 and the east line of Land Lot 155, as measured along the northwest side of U.S. Highway #29; thence north 39 degrees 01 minutes 20 seconds west along the northeast line of tract 22, 401.42 feet to an iron pin set and the true point of beginning; running thence north 39 degrees 01 minutes 20 seconds west along tract 22, 318.58 feet to an iron pin found; thence north 57 degrees 48 minutes 40 seconds east along tract 19, 302.14 feet to an iron pin found; thence south 39 degrees 01 minutes 20 seconds east along tract 24, 325 feet to an iron pin set; thence south 59 degrees 01 minutes west, 302.97 feet to an iron pin set and the point of beginning.

Also conveyed is a 45-foot easement for ingress and egress to Roosevelt Highway for the joint use of Grantor and Grantee, with no existing structures or well to be moved or interfered with, without agreement of both parties, said easement described as follows:

Beginning at a point on the northwest side of U.S. Highway #29, said point located 408.81 Feet southwest of the intersection of the northwest side of U.S. Highway #29 with the east line of Land Lot 155, as measured along the northwest side of U.S. Highway #29; running thence southwest along the northwest side of U.S. Highway #29, 45 feet to an iron pin found; thence north 39 degrees 01 minutes 20 seconds west along tract 22, 720 feet to an iron pin found; thence northeast along tract 19, 45 feet to a point; thence southeast 720 feet, more or less, to a point of the northwest side of U.S. Highway #29 and the point of beginning.

This conveyance is being given by grantor in her capacity as the last remaining officer of Unlimited Truck Repair, INC, individually as a shareholder of the corporation, which was administratively dissolved on July 1, 1993 and as Executrix

under the Last Will and Testament of Bobby Gene Davenport, decease on February 4, 2008.

This Deed is given subject to all easements and restrictions of record, if any.

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 forever in FEE SIMPLE.

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 whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

UNLIMITED TRUCK REPAIR, LLC INC.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

Susan B. Davenport (SEAL)
SUSAN B. DAVENPORT, as last remaining officer and member of the Board of Directors of the administratively dissolved Corporation

[Signature]
Notary Public
My Commission Expires: 

Signed, sealed and delivered in the presence of:

[Signature]
Witness

Susan B. Davenport (SEAL)
SUSAN B. DAVENPORT, as Executrix of the Estate of Bobby Gene Davenport

[Signature]
Notary Public
My Commission Expires: 

Signed, sealed and delivered in the presence of:

[Signature]
Witness

Susan B. Davenport (SEAL)
SUSAN B. DAVENPORT, Individually

[Signature]
Notary Public
My Commission Expires: 

RETURN TO:
Kathryn Van Duyn, Esq.
Piedmont Law Group
3524 Habersham at Northlake
Tucker, GA 30084

Deed Book 484-22 Pg 659
Filed and Recorded Sep-30-2009 @1:15pm
2009-0284892
Real Estate Transfer Tax \$0.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

Return Recorded Document to:
~~Key and Gordy, P.C.~~
308 Ridley Ave
P.O. Box 2210
~~LaGrange, GA 30241~~

QUITCLAIM DEED
(DOCUMENT PREPARATION ONLY -
NO TITLE EXAMINATION)

STATE OF GEORGIA

COUNTY OF Fulton

THIS INDENTURE, Made the 21st day of September 2009, between

SUSAN B. DAVENPORT, TAMMY NICHOLS, LISA WATERS, MIKE DAVENPORT,
ASHLEIGH GREEN, and KIMBERLY WATTS

of the County of Fulton, and the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

HAW RIVER LANDCO, LLC

of the County of Fulton, and the State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that : Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee,

All that tract or parcel of land lying and being in Land Lots 154 and 155 of the 7th District of Fulton County, Georgia, being part of Tract 23 of Property of J.R. Irwin, as per plat recorded in Plat Book 120, Page 68, Fulton County Records, and being more particularly described as follows:

To find the point of beginning, begin at an iron pin found on the northwest side of U.S. Highway #29 (Roosevelt Highway), said pin located 453.81 feet southwest of the intersection of the northwest side of U.S. Highway #29 and the east line of Land Lot 155, as measured along the northwest side of U.S. Highway #29; thence north 39 degrees 01 minutes 20 seconds west along the northeast line of tract 22, 401.42 feet to an iron pin set and the true point of beginning; running thence north 39 degrees 01 minutes 20 seconds west along tract 22, 318.58 feet to an iron pin found; thence north 57 degrees 48 minutes 40 seconds east along tract 19, 302.14 feet to an iron pin found; thence south 39 degrees 01 minutes 20 seconds east along tract 24, 325 feet to an iron pin set; thence south 59 degrees 01 minutes west, 302.97 feet to an iron pin set and the point of beginning.

Also conveyed is a 45-foot easement for ingress and egress to Roosevelt Highway for the joint use of Grantor and Grantee, with no existing structures or well to be moved or interfered with, without agreement of both parties, said easement described as follows:

Beginning at a point on the northwest side of U.S. Highway #29, said point located 408.81 Feet southwest of the intersection of the northwest side of U.S. Highway #29 with the east line of Land Lot 155, as measured along the northwest side of U.S. Highway #29; running thence southwest along the northwest side of U.S. Highway #29, 45 feet to an iron pin found; thence north 39 degrees 01 minutes 20 seconds west along tract 22, 720 feet to an iron pin found; thence northeast along tract 19, 45 feet to a point; thence southeast 720 feet, more or less, to a point of the northwest side of U.S. Highway #29 and the point of beginning.

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Kim Fuller
Unofficial Witness

Susan B. Davenport (Seal)
SUSAN B. DAVENPORT

Randi Bennett
Notary Public

My Commission Expires April 24, 2010.

Signed, sealed and delivered in the presence of:

Kate Duck
Unofficial Witness

Tammy Nichols (Seal)
TAMMY NICHOLS

Jill Peters
Notary Public

Notary Public, Floyd County, Georgia
My Commission Expires Aug. 30, 2011

Signed, sealed and delivered in the presence of:

Darla Jones
Unofficial Witness

Lisa Waters (Seal)
LISA WATERS

Geneva D. Henson-Patrick
Notary Public, Georgia
Fulton County
My Commission Expires
February 12, 2012

presence of:

James H. Cooper
Unofficial Witness



Mike Davenport (Seal)
MIKE DAVENPORT

Chad Harper
Notary Public

Signed, sealed and delivered in the presence of:

Kim Fuller
Unofficial Witness

Susan B. Davenport (Seal)
SUSAN B. DAVENPORT as the Natural
Guardian of ASHLEIGH GREEN

Randi Bennett
Notary Public

My Commission Expires April 24, 2010.

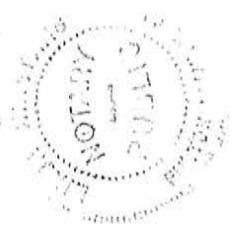
Signed, sealed and delivered in the presence of:

Reison Brock
Unofficial Witness

Kimberly Watts (Seal)
KIMBERLY WATTS

Linda Chastany
Notary Public

Notary Public, Fulton County, Georgia
My Commission Expires June 4, 2013



07-260001540876

Deed Book 48324 Pg 176
Filed and Recorded Aug-28-2009 03:21pm
2009-0254292
Real Estate Transfer Tax \$380.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

RETURN TO:
Kathryn Van Duyn, Esq.
Piedmont Law Group
3524 Habersham at Northlake
Tucker, GA 30084

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 28th day of August, 2009, by **FRED THOMPSON**, a resident of Fulton County, Georgia ("Grantor"), in favor of **HAW RIVER LAND CO, LLC**, a North Carolina limited liability company ("Grantee"), their heirs, successors and assigns.

WITNESSETH

THAT, Grantor, for in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened and conveyed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee the following described property, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 154 and 155 of the 7th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point on the northeasterly right-of-way line of Bishop Road (60 foot right-of-way) 882.47 feet northwest of the intersection of said northeasterly right-of-way line and the northwesterly right-of-way line of U.S. Highway 29; run thence North 32 degrees 11 minutes 20 seconds West, along the northeasterly right-of-way of Bishop Road, 300 feet; run thence North 57 degrees 48 minutes 40 seconds East 871.2 feet; run thence southeasterly, parallel to the north-easterly right-of-way line of Bishop Road, 300 feet; run thence South 57 degrees 48 minutes 40 seconds West 871.2 feet to THE POINT OF BEGINNING, containing 6 acres, more or less, and being a part of Tract 19 on Plat of Survey for J. R. Irwin by Donald O. Babb, Registered Surveyor, dated July 30, 1980, revised August 19, 1980.

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 forever in FEE SIMPLE.

AND GRANTOR agrees to warrant and forever defend the right and title to the above described property against the claims all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has signed, sealed and delivered this Indenture the day and year first above written.

Signed, sealed and delivered
In the presence of:

Cathy Hampton
Unofficial Witness

Fred Thompson (SEAL)
Fred Thompson

[Signature]
Notary Public

{Notary Seal}

My Commission Expires:



PIERS J WEYANT
NOTARY PUBLIC, DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES JULY 26, 2011

EXHIBIT ARecord DescriptionParcel One

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 155 of the 7th District of Fulton County, Georgia, containing 5.963 acres of land, and being more particularly described as follows:

BEGINNING at the mitered intersection of the Northwesterly right of way of US Highway 29 a/k/a Roosevelt Highway (variable right of way) with the Northeasterly right of way of Bishop Road (60 foot right of way); running thence North 69 degrees 31 minutes 37 seconds West, and following along said mitered right of way, a distance of 25.30 feet to a point, said point being located on the Northeasterly right of way of said Bishop Road; running thence North 32 degrees 27 minutes 23 seconds West a distance of 240.98 feet to a point; running thence South 57 degrees 41 minutes 17 seconds West a distance of 10.06 feet to a point, said point being located on the Northeasterly right of way of Bishop Road; running thence North 32 degrees 04 minutes 29 seconds West, and following along said right of way, a distance of 215.74 feet to a point; running thence North 50 degrees 23 minutes 23 seconds East, and departing from said right of way, a distance of 547.07 feet to a point; running thence South 31 degrees 39 minutes 02 second East a distance of 496.22 feet to a point, said point being located on the Northwesterly right of way of US Highway 29; running thence South 50 degrees 45 minutes 06 seconds West, and following along said right of way, a distance of 192.47 feet to a point; running thence North 39 degrees 56 minutes 28 seconds West a distance of 12.00 feet to a point; running thence South 50 degrees 45 minutes 06 seconds West a distance 321.53 feet to a point and the POINT OF BEGINNING.

Parcel Two

ALL THAT TRACT OR PARCEL of land lying and being in land lots 154 and 155 of the 7th Land District of Fulton County, Georgia, containing 4.336 acres, and being designated as Tract 21, as shown on a plat of survey dated September 2, 1980, prepared by Donald O. Babb, R.L.S. #2029, recorded in Plat Book 120, Page 68, in the Office of the Clerk of the Superior Court of Fulton County, Georgia, said plat being made a part hereof by reference.

EXHIBIT BSurveyed Description**Parcel One:**

All that tract or parcel of land lying and being in Land Lots 154 and 155 of the 7th Land District of Fulton County, Georgia, containing 4.34 acres, and being a portion of tract 21, as shown on an ALTA/ACSM Land Title Survey dated November 2, 2009, prepared by Scott D. Grusenmeyer, R.L.S., #3130, and being more particularly described as follows:

Commence at a concrete monument at the mitered intersection of the northwesterly right of way of US Highway 29 a/k/a Roosevelt highway (variable right of way) with the northeasterly right of way of Bishop road (60 foot right of way);

THENCE along said mitered right of way, South 69 degrees 25 minutes 44 seconds East for a distance of 25.29 feet to a concrete monument;

THENCE along northwesterly right of way of US Highway 29, North 50 degrees 45 minutes 31 seconds East for a distance of 321.38 feet to a concrete monument;

THENCE South 39 degrees 31 minutes 09 seconds East for a distance of 12.00 feet to a concrete monument;

THENCE North 50 degrees 45 minutes 31 seconds East for a distance of 192.75 feet to a ½" rebar and the Point Of Beginning;

THENCE leaving said right of way, along the westerly line of said Tract 21, North 31 degrees 39 minutes 02 seconds West for a distance of 777.26 feet to a 1" crimp top pipe;

THENCE leaving said westerly line, along the northerly line said Tract 21, North 57 degrees 56 minutes 24 seconds East for a distance of 200.02 feet to a 1" crimp top pipe;

THENCE leaving said northerly line, along the easterly line said Tract 21, South 39 degrees 01 minutes 07 seconds East for a distance of 745.45 feet to a ½" rebar on the northwesterly right of way of US Highway 29;

THENCE leaving said easterly line, along said right of way of US Highway 29, South 50 degrees 45 minutes 31 seconds West for a distance of 298.23 feet to the Point Of Beginning;

Parcel Two:

All that tract or parcel of land lying and being in Land Lot 155 of the 7th District of Fulton County, Georgia, containing 5.96 acres of land, as shown on an ALTA/ACSM Land Title Survey dated November 2, 2009, prepared by Scott D. Grusenmeyer, R.L.S., #3130 and being more particularly described as follows:

Beginning at a concrete monument at the mitered intersection of the northwesterly right of way of US Highway 29 a/k/a Roosevelt highway (variable right of way) with the northeasterly right of way of Bishop road (60 foot right of way);

THENCE along said mitered right of way, North 69 degrees 25 minutes 44 seconds West for a distance of 25.29 feet to a concrete monument;

THENCE along the northeasterly right of way of Bishop Road North 32 degrees 26 minutes 51 seconds West for a distance of 240.98 feet to a concrete monument;

THENCE South 57 degrees 41 minutes 49 seconds West for a distance of 10.06 feet to a concrete monument;

THENCE North 32 degrees 03 minutes 57 seconds West for a distance of 215.82 feet to a ½" rebar;

THENCE leaving said northeasterly right of way, along the southerly line of Deed Book 40919 Page 234, North 50 degrees 25 minutes 57 seconds East for a distance of 546.95 feet to a 1" crimp top pipe;

THENCE leaving said southerly line, along the westerly line of Tract 21 Plat Book 120 Page 68, South 31 degrees 39 minutes 02 seconds East for a distance of 495.95 feet to a ½" rebar on the northwesterly right of way of US Highway 29;

THENCE leaving said westerly line, along the northwesterly right of way of US Highway 29 South 50 degrees 45 minutes 31 seconds West for a distance of 192.75 feet to a concrete monument;

THENCE North 39 degrees 31 minutes 09 seconds West for a distance of 12.00 feet to a concrete monument;

THENCE South 50 degrees 45 minutes 31 seconds West for a distance of 321.38 feet to the Point Of Beginning;

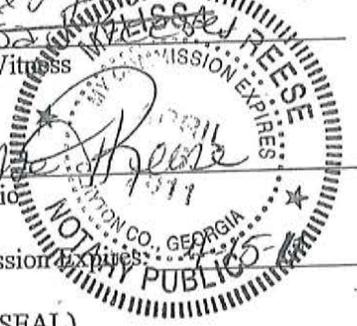
IN WITNESS WHEREOF, Grantor has caused this Deed to be executed under seal to be effective the day and year first above written.

Signed, sealed, and delivered this 6 day of November, 2009 in the presence of:

George L. Wallace
Unofficial Witness

Melissa Reese
Notary Public
My Commission Expires: 11/05/11

(NOTARY SEAL)

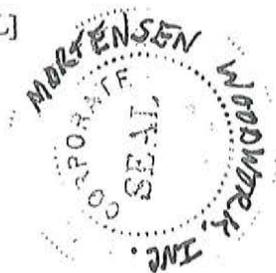


GRANTOR:

MORTENSEN WOODWORK, INC.

By: [Signature]
Frederick J. Mortensen, CEO

[CORPORATE SEAL]



Deed Book 48524 Pg 133
Catherine Robinson
Clerk of Superior Court
Fulton County, Georgia

07-290001551185

Deed Book 48645 Pg 133
Filed and Recorded Dec-22-2009 03:12pm
2009-0381432
Real Estate Transfer Tax \$290.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

RETURN TO:
Kathryn Van Duyne, Esq.
Piedmont Law Group
3524 Habersham at Northlake
Tucker, GA 30084

STATE OF GEORGIA)

COUNTY OF FULTON)

WARRANTY DEED

(Tract 20 of Land Lots 154 and 155, of the 7th District, Fulton County, Georgia)

THIS INDENTURE made to be effective as of the 21st day of December, 2009, between JOHN W. WILSON GRADING, INC. ("Grantor") and HAW RIVER LANDCO, LLC, a North Carolina limited liability company ("Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto Grantee, its successors and assigns, all those certain tracts or parcels of land together with all improvements thereon lying and being in Tract 20 of Land Lots 154 and 155, of the 7th District, Fulton County, Georgia, and being more particularly described on "**Exhibit A**" attached hereto and incorporated herein (the "Real Estate").

TO HAVE AND TO HOLD the said tracts or parcels 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, its successors and assigns, forever in fee simple.

The said Grantor, for itself and its successors and assigns, warrants to the Grantee, its successors and assigns, that Grantor is lawfully seized and possessed of the Real Estate, has good right and lawful authority to sell and convey the same, that the title thereto is clear, free and unencumbered except as set forth on "**Exhibit A**" hereto and that Grantor will warrant and forever defend the right and title to the Real Estate unto the Grantee, its successors and assigns, against the claims of all persons, except as provided on "**Exhibit A**" attached hereto.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed under seal to be effective the day and year first above written.

Signed, sealed, and delivered this ___ day of December, 2009 in the presence of:

GRANTOR:

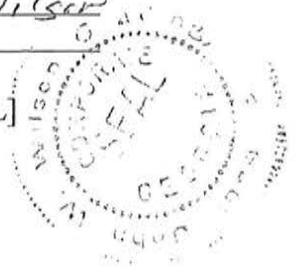
JOHN W. WILSON GRADING, INC.

A L Hayes
Unofficial Witness

By: *John W. Wilson*
Name: *John W. Wilson*
Title: *pres.*

Melissa Reese
Notary
My Commission Expires: *April 15 2011*

[CORPORATE SEAL]





PUBLIC PARTICIPATION PROGRAM

Public Participation Program consists of a two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development.

Part 1 of the process is the Public Participation Plan which is required with all rezoning and/or use permit applications. The plan must be filed simultaneously with the application and implemented before the first public hearing. The minimum standards for the plan are as follows:

- Identification of all property owners within 500 feet of the site and area homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the applicant and the current planner at the time of the pre-application review
- Explanation of how interested parties will be informed of rezoning/use permit applications
- Methods for providing opportunities for discussion with interested parties before public hearings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties, as identified above of the purpose, place and time of the meeting.
- Applicant's schedule for completion of the Public Participation Plan

Part 2 of the Public Participation Program is the Public Participation Report which is due per the attached schedule. The minimum standards for the Report are as follows:

- Provide a list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.
- Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application. (Attach meeting notices, letters, etc.)
- Provide the number of people who participated in meetings held to discuss an application. (Attach sign-in sheets)
- A summary of concerns and issues expressed by interested parties.
- A summary of the applicant's response to concerns and issues.

PUBLIC PARTICIPATION PLAN

Applicant: Safeguard Landfill Management c/o Henry Bailey

1. The following individuals (property owners within 500 feet of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified:

See attached list.

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

Certified mail.

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

The meeting time and location is TBD but will be hybrid to allow for maximum participation.

Attach additional sheets as needed.

parid	mailing addr line 1	mailing addr line 2	mailing addr line 3	mailing addr line 4
07 260001350292	BOUNTIFUL BLESSINGS CHURCH MINISTRY	INC	3585 RENAISSANCE CIR	ATLANTA GA 30349
07 260001350359	SAFEGUARD LANDFILL MANAGEMENT	LLC	P.O. BOX 829	FAIRBURN GA 30213-0829
07 260001540892	SAFEGUARD LANDFILL MANAGEMENT INC	3301 BENSON DR SUITE 601	RALEIGH NC 27609	
07 260001540918	BOWSER PROPERTIES LLC	114601 BOOTE BLVD	JACKSONVILLE FL 32226	
07 280101670258	C J TAYLOR HOLDINGS LLC	6837 ROOSEVELT HWY	FAIRBURN GA 30213	
07 290001551169	CPI ENTERPRISES INC	424 E BROAD ST	FAIRBURN GA 30213	
07 260001350151	GODDARD OLA HELEN	7565 BISHOP RD	FAIRBURN GA 30213	
07 260001350185	MCCIER CAROLATTA P	7600 BISHOP RD	FAIRBURN GA 30213	
07 260001531081	CASWELL GEORGE	1681 MULBERRY LAKE DR	DACULA GA 30019	
07 260001532733	CITY OF FAIRBURN	56 MALONE ST SW	FAIRBURN GA 30213-1341	
07 270001680192	ROBERTSON LINDA	8740 ATLANTA NEWNAN RD	PALMETTO GA 30268	
07 280001660359	C S X TRANSPORTATION	C/O C S X TRANSPORTATION	500 WATER ST # J910	JACKSONVILLE FL 32202
07 280101670092	C J TAYLOR HOLDINGS LLC	6837 ROOSEVELT HWY	FAIRBURN GA 30213	
07 260001350169	BULLOCK TANDY ROSS	7635 BISHOP RD	FAIRBURN GA 30213	
07 260001350235	CAREY WALTER L SR & MARY F	7400 BISHOP RD	FAIRBURN GA 30213	
07 260001540736	SAFEGUARD LANDFILL MANAGEMENT, LLC	3301 BENSON DR SUITE 601	RALEIGH NC 27609	
07 280001660292	CSX TRANSPORTATION	C/O C S X TRANSPORTATION	500 WATER ST # J910	JACKSONVILLE FL 32202
07 280101670274	ROBERTSON LINDA	7800 JOHN RIVERS RD	FAIRBURN GA 30213	
07 280101670589	KORDMAN & KORDMAN INC	P.O. BOX 398	FAIRBURN GA 30213-0398	
07 280101670597	OKORO BATHOLOMEW	OKORO REGINA	135 NW 163RD ST	MIAMI FL 33169-6523
07 290001550781	ATLANTA GAS LIGHT CO	P.O. BOX 4569	ATLANTA GA 30302	
07 290001551557	HAW RIVER LANDCO LLC	4101 LAKE BOONE TRL SUITE 300	RALEIGH NC 27607	
07 290001551797	DECISION RESOURCES LLC	6311 W STONER DR	GREENFIELD IN 46140	
07 260001350045	ORDAZ GUILLERMINA GARCIA	2631 MAYFLOWER RD	ATLANTA GA 30337	
07 260001540751	SAFEGUARD LANDGILL MANAGEMENT	LLC	3301 BENSON DR #601	RALEIGH NC 27609
07 280001660318	D S I TRANSBULK TERMINALS INC	C/O TRIMAC TRANSPORTATION SOUTH, INC.	6800 MC LARIN RD	FAIRBURN GA 30213
07 280101670340	HAW RIVER LANDCO LLC	3301 BENSON DR SUITE 601	RALEIGH NC 27609	
07 280101670530	PURSLEY JAMES E	PURSLEY JANICE L	P.O. BOX 1477	FAIRBURN GA 30213-8007
07 290001551185	HAW RIVER LANDCO LLC	4010 LAKE BOONE TRL SUITE 300	RALEIGH NC 27607	
07 290001551540	HAW RIVER LANDCO LLC	4101 LAKE BOONE TRL SUITE 300	RALEIGH NC 27607	
07 260001540710	BEST BLOCK LLC	C/O THE QUIKRETE COMPANIES ONE SECURITIES CTR	3490 PIEDMONT RD SUITE 1300	ATLANTA GA 30305
07 260001540728	BEST BLOCK LLC	C/O THE QUIKRETE COMPANIES ONE SECURITIES CTR	3490 PIEDMONT RD SUITE 1300	ATLANTA GA 30305
07 260001540744	SAFEGUARD LANDFILL MANAGEMENT, LLC	3301 BENSON DR SUITE 601	RALEIGH NC 27609	
07 260001540926	BOWSER PROPERTIES LLC	P. O. BOX 26767	JACKSONVILLE FL 32226	
07 280001660342	D S I TRANSPORT INC	C/O TRIMAC TRANSPORTATION SOUTH, INC.	6800 MC LARIN RD	FAIRBURN GA 30213
07 280101670332	HAW RIVER LANDCO LLC	3301 BENSON DR SUITE 601	RALEIGH NC 27609	
07 280101670407	INTERMEDIA PARTNERS	ATTN: PROP TAX DEPT	1 COMCAST CENTER 32ND FL	PHILADELPHIA PA 19103-2838
07 290001551144	7805 BISHOP LLC	7805 BISHOP RD	FAIRBURN GA 30213	
07 260001350300	EVANS KATI B	P O BOX 307	FAIRBURN GA 30213	
07 260001540876	HAW RIVER LAND CO LLC	4101 LAKE BOONE TRL STE 300	RALEIGH NC 27607	
07 280101670084	C.J TAYLOR HOLDINGS LLC	6855 ROOSEVELT HWY	FAIRBURN GA 30213	
07 280101670290	DALLAS ALICE M & HEARD LAURA	7557 JOHN RIVERS RD	FAIRBURN GA 30213	
07 280101670365	LEE NELL	8830 GULLAT RD	PALMETTO GA 30268	
07 290001551201	BUFFINGTON NED B	C/O NED B BUFFINGTON	5150 GULLATT RD	UNION CITY GA 30291

07 260001532741 CITY OF FAIRBURN
07 280101670357 WHITFIELD JUANITA J
07 280101670373 LEE NELL
07 290001551516 HAW RIVER LANDCO LLC
07 290001551813 7805 BISHOP LLC
07 260001531131 COMMERCE HOLDING PROPERTY LLC
07 280101670126 BUTLER RAIFORD J & BARBARA
07 290001550799 OWENS CORNING INSULATING SYSTEMS LLC
07 290001551177 CPI ENTERPRISES INC
07 290001551805 7805 BISHOP LLC

56 MALONE ST SW
6828 ROOSEVELT HWY
8830 GULLAT RD
4101 LAKE BOONE TRL SUITE 300
7805 BISHOP RD
15 STATE ST
6825 ROOSEVELT HWY
1 OWENS CORNING PKWY
424 E BROAD ST
7805 BISHOP RD

FAIRBURN GA 30213-1341
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PALMETTO GA 30268
RALEIGH NC 27607
FAIRBURN GA 30213
COMMERCE GA 30529
FAIRBURN GA 30213
TOLEDO OH 43659
FAIRBURN GA 30213
FAIRBURN GA 30213