

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 10-18-11

Applicant: CAP-2 Holdings Vinings, LLC Phone #: (678) 235-6315
(applicant's name printed)

Address: 3500 Lenox Road NE, Ste 760 Atlanta E-Mail: astrong@colonyinc.com

Andrea Cantrell Jones Address: same
(representative's name, printed)

Andrea Cantrell Phone #: 404 965 3686 E-Mail: andrea@dandglaw.com
(representative's signature)

Signed, sealed and delivered in presence of:

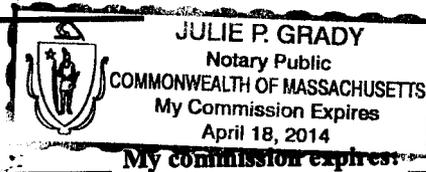
Notary Public My commission expires: _____

Titleholder(s): CAP-2 Holdings Vinings, LLC Phone #: same as applicant
(property owner's name printed)

Address: same E-Mail: astrong@colonyinc.com

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of:



Julie P. Grady My commission expires: April 18, 2014
Notary Public

Commission District: 2 Zoning Case: N/A - Adopted 1972

Date of Zoning Decision: 12-26-72 Original Date of Hearing: 12-26-72

Location: 4545 River Parkway Atlanta GA 30339
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1016, 1017 District(s): 17th

State specifically the need or reason(s) for Other Business: Provide for re-authorization of 1981 resolution; re-authorization of an administrative variance due to condemnation (cannot utilize provisions of 134-35) and authorization for Chairman to execute a letter implementing such.

(List or attach additional information if needed)

~~31. LEGAL DEPARTMENT INVOICE PAYMENT ZONING.~~

MOTION: On motion duly made by Commissioner Lankford and seconded by Commissioner Carson, the Commission approved payment to Ted Medernach, Jr. in the amount of \$500.00 for appraisal fees in connection with the Shapiro Rezoning Case. Funds to be transferred from Contingency Fund to Account 1-30-4120.

~~VOTE: Unanimously carried.~~

32. LEGAL DEPARTMENT - RESOLUTION - RIVER PARKWAY APARTMENTS:

MOTION: On motion duly made by Commissioner Barrett and seconded, the Commission approved the following resolution:

"Plans submitted to and approved by Cobb County on February 28, 1972, for River Parkway Apartments, Permit #38025, for 540 apartments, were approved. At the encouragement of Federal, State and Local authorities, approximately 16 acres were sold to the Nature Conservancy of the United States. As a condition of this land transaction, Cobb County agreed and allowed 427 units of apartments to be constructed on the balance of the original site.

This confirms that the property is legally occupied by the improvements and other facilities now existing thereon, which have been approved by all authorities of Cobb County having jurisdiction.

In the event of the damage or destruction of any of the improvements or facilities on the property, same may be reconstructed on the existing site thereof and in conformity with the structures and improvements which exist on the date of such damage or destruction and thereafter may be used and occupied in the same manner as they are being used and occupied on the date of such damage or destruction.

This resolution shall insure to the benefit of any present or future owner of said property and improvements or any portion thereof."

VOTE: Unanimously carried.

~~33. MINUTES APPROVED:~~

MOTION: On motion duly made by Commissioner Lankford and seconded by Commissioner Thompson, the Commission approved the minutes of the Regular Meeting dated December 8, 1981.

VOTE: Unanimously carried.

MEETING ADJOURNED:

MOTION: On motion duly made by Commissioner Lankford and seconded, the Commission adjourned this meeting.

Minutes submitted by Terri N. Kelly.

The above and foregoing are true and correct minutes of a meeting of the Cobb County Board of Commissioners held on December 22, 1981.

Michael J. Bolek
MICHAEL J. BOLEK, Ex-Officio Clerk
Cobb County Board of Commissioners



Cobb County Board of Commissioners

10 E. Park Square
P. O. Box 619
Marietta, Ga. 30061
(404) 489-8910

December 22, 1981

Mr. Tom Towles
Mr. Julian LeCraw
4545 Northside Parkway
Atlanta, Georgia, 30339

Gentlemen:

This letter pertains to property in Land Lots 1016, 1017, 1024, 1025, 17th District, 2nd Section, Cobb County, Georgia, commonly occupied by apartments known as River Parkway apartments. On this date, the Board of Commissioners of Cobb County approved the following resolution:

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This resolution shall inure to the benefit of any present or future owner of said property and improvements or any portion thereof."

Ernest W. Harvey
Chairman

Wes Carron
Western District

George W. Linkford
Eastern District

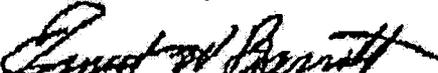
Harvey D. Pughel
Western District

Burch Thompson
Western District

Page Two
December 22, 1981

I believe this resolution satisfactorily states the position of Cobb County which has existed since the original construction of these apartments.

Yours very truly,


ERNEST W. BARRETT, Chairman

