



Dallas Planning Commission - Public Hearing

Thursday, April 23, 2026

6:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator Brandon Rakestraw at 770.443.8110 ext. 1401 to allow the city to make reasonable accommodations for those persons.

AGENDA

CALL TO ORDER

MINUTES APPROVAL

- [1.](#) Consideration to approve the 3/19/2026 Meeting Minutes.

RECOGNITION OF VISITORS

REPORTS

OLD BUSINESS

NEW BUSINESS

- [2.](#) Annexation Application A-2025-04 & Zoning Application Z-2025-07, Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

ADJOURNMENT



Dallas Planning Commission - Public Hearing

Thursday, March 19, 2026

6:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator Brandon Rakestraw at 770.443.8110 ext. 1401 to allow the city to make reasonable accommodations for those persons.

MINUTES

CALL TO ORDER

PRESENT

David Holt
Terry Johnson
Ryan Ayers
Daniel Lumpkin

ABSENT

Sammy Callahan

MINUTES APPROVAL

1. Approval of the 2/19/2026 Meeting Minutes

Consideration to approve the 2/19/2026 Meeting Minutes.

Motion to Approve the 2/19/2026 Meeting Minutes.

Motion made by Ayers, Seconded by Johnson.

Voting Yea: Holt, Johnson, Ayers, Callahan

RECOGNITION OF VISITORS

REPORTS

OLD BUSINESS

NEW BUSINESS

2. Z-2025-6, Jeff Helms (Applicant / Titleholder), and Elite Engineering, Jonathan Jones (Representative), have applied and seek to rezone +/-6.351 acres of property located at 361 West Avenue; Dallas, GA 30132, from R-1 Low-Density Single-family Residential (City of Dallas) to R-2 Medium-Density Single-family Residential (City of Dallas) for a residential, (19) Nineteen-unit single-family development. The subject property is located in Land Lot 480; 2nd District; 3rd Section, of Paulding County and legally known by Tax Parcel ID No.147.1.4.001.0000.

Will Summey spoke on behalf of Application Z-2026-06. No one spoke in opposition.

Motion to consider the approval of Application Z-2026-06 with staff conditions:

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common area controlled by a Homeowner's Association.
3. Owner/developer is responsible for adhering to and providing full compliance with the landscaping standards found in Chapter 7 of the city's Unified Development Code; including but not limited to professionally landscaped entrances, common areas, buffer areas, and amenities areas.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or City of Dallas for access.
5. Owner/developer shall comply, design, and construct all offsite water and/or sanitary sewer system improvements and/or upgrades required by the City of Dallas for servicing the proposed development.
6. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.
 1. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.
 2. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
 3. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
7. A Homeowners Association shall be required for the single-family residential development in its entirety. The Homeowners Association shall be created and enacted as part of final platting process for any development phase. Homeowners Association shall require mandatory membership.
8. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of each single-family home to be constructed. All single-family homes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
9. Owner/developer shall agree rental properties shall not exceed 16% (Three (3) units) of the overall 19-unit count.

Motion made by Johnson, Seconded by Ayers.

Voting Yea: Holt, Johnson, Ayers, Callahan

ADJOURNMENT

Motion to adjourn.

Motion made by Lumpkin, Seconded by Ayers.

Voting Yea: Holt, Johnson, Ayers, Lumpkin

Secretary

Date



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 2.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

Attachment A – Annexation/Zoning Official Application

Attachment B – Boundary Survey / Legal Description

Attachment C – Site Plan

Attachment D - A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County Notification Letter

Attachment E – A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County School System Notification Letter

Attachment F – A-2025-04_Z-2025-07_Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Notification Letter

Attachment G – A-2025-04_Z-2025-07_Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Public Hearing Notification Letter

Attachment H - A-2025-04_Z-2025-07_Georgia Capital, LLC - Legal Notice

Attachment I - A-2025-04_Z-2025-07_Georgia Capital, LLC - Surrounding Property Owners Letter

Attachment J - A-2025-04_Z-2025-07_Georgia Capital, LLC - Proposed Architectural Elevations

ANNEXATION & ZONING REQUEST:

APPLICATION No: A-2025-04 & Z-2025-07

Applicant: *Georgia Capital, LLC*

Applicant Address: *400 Galleria Parkway, Suite 1130*

City: *Atlanta* State: *Georgia* Zip: *30339*

Representative: *Moore Ingram Johnson & Steele, LLP – J. Kevin Moore*

Representative Address: *Emerson Overlook, Suite 100, 326 Roswell Street*

City: *Marietta* State: *Georgia* Zip: *30060*

Titleholder: *Estate of Mary Sue Tibbitts*

Titleholder Address: *2928 Stanway Avenue*

City: *Douglasville* State: *Georgia* Zip: *30135*

Titleholder: *230 Summerhill Road, LLC.*

Titleholder Address: *783 Holland Road*

City: *Powder Springs* State: *Georgia* Zip: *30127*



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 2.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

Titleholder: **Mike J. Pope**

Titleholder Address: **95 Avery Way**

City: **Dallas**

State: **Georgia**

Zip: **30157**

Location of Property: **469 Summerhill Road, Dallas, Georgia 30132 & Unaddressed property along the Northwesterly and Southeasterly sides of Summerhill Road and Jimmy Lee Smith Parkway**

Tax Parcel ID No.: **147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000**

Land Lot(s): **458; 459; 479**

District: **2nd**

Section: **3rd**

Intended Use of Property: **Commercial / Office & Attached Townhomes**

Proposed Lot Sizing: **C-2 +/-9.335 acres; TH +/-26.298 acres**

Proposed Unit Count: **C-2 Tract A +/-78,800; C-2 Tract B +/-9,400; TH 175-units**

Zoning District: **C-2 Medium-Density Commercial District & TH Townhome Residential District (City)**

Setbacks & Lot Requirements:

C-2 Medium - Density Commercial District:

Minimum Lot Size –2.5 ac. subject parcel; Minimum Lot Width – 150ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 60ft.) (Accessory – 26ft.); Front Setback_{1,10} –35ft. subject parcel; Side Setback₂ – (Principal – 30ft.) Accessory – 10ft / 30ft.₄) subject parcel; Rear Setback₂ – (Principal – 45ft.) (Accessory –10ft. / 45 ft.₄)subject parcel; Minimum Distance from Structure on Same Lot – 10ft.; Minimum Ground Floor Area (Per Unit) – (1 Story – N/A Average) (2+ Story – N/A); Total Minimum Living Area (Per Unit) – 750sf; Minimum Living Area Façade Width – N/A; Maximum Lot Coverage (structures and buildings) – 50%; Maximum Lot Coverage (all impervious surfaces) – 80%

TH Townhome Residential District:

Minimum Lot Size –1ac. subject parcel; Minimum Lot Width – 100ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 45ft.) (Accessory – 24ft.); Front Setback –25ft. subject parcel; Side Setback – (Principal – 40ft.) Accessory – 10ft.) subject parcel; Rear Setback – (Principal – 40ft.) (Accessory –10ft.)subject parcel; Minimum Distance from Structure on Same Lot – 20ft.;



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Minimum Ground Floor Area (Per Unit) – (1 Story – 1,040sf Average) (2+ Story – 650); Total Minimum Living Area (Per Unit) – 1,040sf / 950sf; Minimum Living Area Façade Width – 24ft; Maximum Lot Coverage (structures and buildings) – 50%, Acc: 5% or 600sf (whichever is greater); Maximum Lot Coverage (all impervious surfaces) – 60%

STAFF COMMENTS:

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesternly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

Property that borders the site to the north is within the city limits of Dallas. Property that borders the site to the south and west are light industrial zoned properties within Paulding County. Properties that border to the west and east are residential zone properties in Paulding County.

A. Existing land use and zoning classification of nearby property:

ADJACENT ZONING

NORTH: OMI – City of Dallas

EAST: R-2 – Paulding County

SOUTH: I-1 – City of Hiram

WEST: R-2 and I-1 – Paulding County

ADJACENT DEVELOPMENT

NORTH: Office Medical Institutional - Residential

EAST: Residential

SOUTH: Light Industrial

WEST: Residential & Light Industrial

B. Permitted Use impact on adjacent properties

- *Proposed townhome development density of 6.65 units per acre.*
- *Minimum lot size: 1:2,500sf*
- *Total unit count: 175*
- *Adjacent lot sizes:*
 - *+/-30 acres – Office Medical Institutional – Assisted Living Community to north*



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- +/-40 acre – Residential property to east
- +/-20 acre – Residential property to west
- +/-6 and +/-12 acre Light Industrial properties to south

C. Adverse effect on the usability of adjacent or nearby property

- None – surrounding residential property is undeveloped single residence as current zoned land use.
- Light Industrial properties to west and south are developed.

D. Proposal cause excessive or burdensome use of streets, transportation facilities, utilities, schools

- Applicant shall complete a Fiscal Impact Analysis. Applicant shall provide written letters of concurrence from all utility providers, city/county government service departments, and public school system noting all impacts are either addressed or will be addressed on or before final platting of subject development.
- Staff comments:
 - Increased traffic on existing State, County, and City public roadways and other nearby major and minor collector roads. Traffic Impact Study is required as part of the annexation and zoning submission and approval process. Developer shall complete all noted improvements as part of platting process. Developer shall provide concurrence document from Paulding County DOT and Georgia Department of Transportation.
 - Increase student population of nearby public schools. Developer shall provide impact concurrence document from Paulding County School System verifying all impacts have been mitigated.
 - Possible increase in calls for service for city police department. Developer shall provide impact concurrence documents from City of Dallas Police Department and Paulding County Sheriffs Office verifying all impacts have been mitigated.
 - Increase daily demand for the existing water system and decrease available sanitary sewer capacity - Paulding County Water System. Developer shall provide capacity certification from Paulding County Water System.
 - Increase in customer count for city garbage service.

E. Supported by current conditions

- Public Water supply via Paulding County Water exists along Summer Hill Road. Water supply capacity to be verified by Paulding County.
- Property is within Paulding County's – Sewer Service Area. Connection and extension of the county's sanitary sewer system may be required to service. Existing sewer infrastructure is located on property to the southeast. Sewer capacity to be verified by Paulding County.



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- *Public Roadway connection via Summer Hill Road. Summer Hill Road is a Paulding County roadway currently connecting Paris Road and Atlanta Highway.*
- *Property is located within the Wellstar Wellness District per the 2022-2027 Paulding County Joint Comprehensive Plan. This district promotes the consideration of multi-family housing to provide housing options for the area's growing future workforce.*
- *Development layout adheres to "park-like setting with quality-of-life amenities and attract additional medical and wellness uses" notated within the Land Use + Economic Development section under the Wellstar Wellness District recommendations.*

F. 2022 Comprehensive Plan

Conforms to the 2022-2027 Paulding County Joint Comprehensive Plan as being Community Residential character area, per the future development map shown on page 96 (MAP2.11). Property is also shown to be located in the Wellstar Wellness District, per the Special Area Studies section of the comprehensive plan. This district notates the consideration of multi-family housing, along with attraction of additional medical and wellness uses. The property is also located within Paulding County's Sewer Service Area. Existing sewer infrastructure is located on property to the southeast.

STAFF RECOMMENDATIONS:

Based on the preceding analysis Community Development staff recommend approval of this Annexation and Rezoning request. If the Planning Commission votes to recommend approval, staff recommend the following stipulations be applied:

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common areas controlled by a Homeowner's Association.
3. Owner/developer is responsible for adhering to and providing full compliance with the landscaping standards found in Chapter 7 of the city's Unified Development Code, including but not limited to professionally landscaped entrances, common areas, buffer areas, and amenities areas.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 2.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

5. Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.
6. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.
 1. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.
 2. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
 3. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
7. A Homeowners Association shall be required for the Town Home development in its entirety. The Homeowners Association shall be created and enacted as part of final platting process for any development phase. Homeowners Association shall require mandatory membership.
8. A Property Management Association shall be required for the C-2 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final platting process for any development phase. Property Management Association shall include all commercial zoned property mandatory.
9. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
10. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city's ordinance codes.



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

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04/23/2026 at 6:00 PM

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05/04/2026 at 5:15 PM

11. Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis including but not

limited to Paulding County School System, Paulding County Department of Transportation, Paulding County Water System, Paulding County Sheriff's Office, Paulding County Fire Department, Georgia Department of Transportation, City of Dallas Police Department and Solid Waste Department, Greystone Power/GA Power Company, Comcast, AT&T, Southern Company Gas, and any additional utility provider located in and servicing the development area.

12. Owner/developer shall agree rental properties shall not exceed 10% (Seventeen (17) units) of the overall 175-unit count.

Unless explicitly stated herein, all other lot and development standards shall comply with the C-2 & TH zoning district as written in the City of Dallas Unified Development Code. All other regulation, requirements, standards and specification shall comply with City of Dallas Code of Ordinances.

The findings made herein are the opinions of the City of Dallas, Community Development staff, and do not constitute a final decision. The City of Dallas, Mayor and Council shall govern the final decision on all Annexation, Zoning/Rezoning, Land Use Permit, Special Use Permit, and Medical Hardship Applications.



ANNEXATION APPLICATION

Application No. A - 2025 - 04
(PAGE 1 of 11)

HEARING DATE

Item 2.

Planning Commission:
04/23/2026 6:00 PM
City Council:
05/04/2026 5:15 PM

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC

Address: 400 Galleria Parkway, Suite 1130

City: Atlanta State: GA Zip: 30339

Phone: [REDACTED] E-mail address: [REDACTED]
Georgia Capital, LLC

See Applicant's Signature on Previously Filed
BY: Rezoning/Annexation Application (Copy Attached Hereto) Kendall B. King, Director

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The day of , 20 .

Notary Public Signature

SEAL:

Representative: Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

City: Marietta State: GA Zip: 30060

Phone: [REDACTED] E-mail address: [REDACTED]

MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature

J. Kevin Moore

Printed Name of Signatory

J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The 10th day of January, 2027.

Notary Public Signature

SEAL:



CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: November 26, 2025

APPLICATION ACCEPTANCE DATE: January 28, 2026

DIRECTOR: [Signature] 01-28-2026
(SIGNATURE) (DATE)



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Estate of Mary Sue Tibbitts

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue

City: Douglasville State: GA Zip: 30135

Phone: [REDACTED] E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/

BY: Annexation Application (Copy Attached Hereto)

Kendall B. King, Director

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2, B-2 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455+/-

10.409+/- (N); 24.046+/- (S)

Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)

(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.3.010.0000

Additional Land Lots here: 479, _____, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: 230 Summerhill Road, LLC

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road

City: Powder Springs State: GA Zip: 30127

Phone: ([REDACTED]) E-mail address: _____

Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/
Annexation Application (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.010.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



ANNEXATION APPLICATION

Application No. A - A-2025-04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Mike J. Pope

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 95 Avery Way

City: Dallas

State: GA

Zip: 30157

Phone: ([REDACTED]) E-mail address: _____

Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/
Annexation Application (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: B-1 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.010.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 1 of 15)

HEARING DATE Item 2.

Planning Commission:
04/23/2026 6:00 PM

City Council:
05/04/2026 5:15 PM

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC

Address: 400 Galleria Parkway, Suite 1130

City: Atlanta State: GA Zip: 30339

Phone: [REDACTED] E-mail address: [REDACTED]

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Representative: Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

City: Marietta State: GA Zip: 30060

Phone: [REDACTED] E-mail address: [REDACTED]

MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]

Applicant's Signature

J. Kevin Moore; GA Bar No. 519728

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

J. Kevin Moore

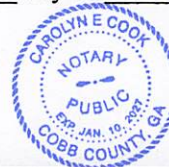
Printed Name of Signatory

Notary Commission Expires:

The 10th day of January, 2027.

Notary Public Signature

SEAL:



CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: NOVEMBER 26, 2025

APPLICATION ACCEPTANCE DATE: JANUARY 28, 2026

DIRECTOR: [Signature] 01-28-2026
(SIGNATURE) (DATE)

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

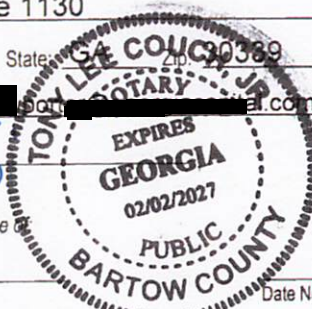
(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30389 Fax phone: _____

E-mail address: _____

BY: Kendall B. King
Applicant's Signature

Signed, sealed and delivered in the presence of:

J. Kevin Moore
Notary PublicKendall B. King, Director
Printed Name of Signatory2/2/27
Date Notary Commission ExpiresRepresentative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: J. Kevin Moore
Representative's Signature
Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:Carolyn E. Cook
Notary PublicJ. Kevin Moore
Printed Name of SignatoryJanuary 10, 2027
Date Notary Commission Expires

Titleholder: _____ Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: _____ City: _____ State: _____ Zip: _____

See Attached for Titleholders' Signatures

Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Property InformationPresent Zoning Classification: R-2, B-1, B-2 (Paulding County) Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: _____Land Lot(s): 458, 459, 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000
147.1.3.008.0000
147.1.3.010.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road) (469 Summerhill Road; unassigned parcels)Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____

Revised 7/2019

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

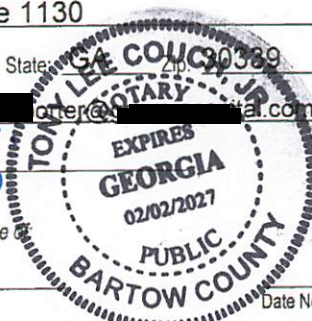
(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30389 Fax phone: _____

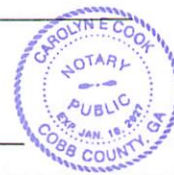
E-mail address: _____

BY: [Signature]
Applicant's Signature

Signed, sealed and delivered in the presence of:

[Signature]
Notary PublicKendall B. King, Director
Printed Name of SignatoryDate Notary Commission Expires 2/2/27Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:[Signature]
Notary PublicJ. Kevin Moore
Printed Name of SignatoryJanuary 10, 2027
Date Notary Commission Expires

Titleholder: _____ Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: _____ City: _____ State: _____ Zip: _____

See Attached for Titleholders' Signatures

Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Property InformationPresent Zoning Classification: R-2, B-1, B-2 (Paulding County) Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall)

Acreage of Titleholder: _____

Land Lot(s): 458, 459, 479 District(s): 2nd Section(s): 3rdTax Parcel I.D. Number(s): 147.1.2.002.0000
147.1.3.008.0000
147.1.3.010.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road) (469 Summerhill Road; unassigned parcels)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____

Revised 7/2019

Application No. Z - 2025 - 07

(PLEASE PRINT OR TYPE ALL INFORMATION)



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE OF THE CITY CLERK
Time/Date Stamp
Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires

Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

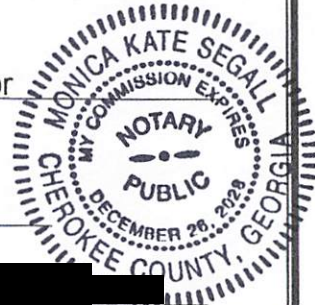
BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Estate of Mary Sue Tibbitts Business phone: _____ Cell: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue City: Douglasville State: GA Zip: 30135

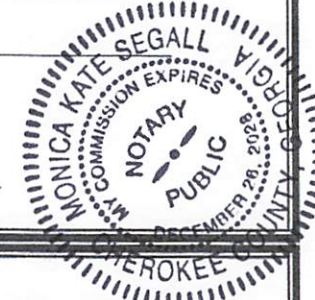
[Signature]
Signature

Tammy J. Kone, Executor
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2, B-2 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455 +/- (Overall)

Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: 230 Summerhill Road, LLC

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road

City: Powder Springs State: GA Zip: 30127

Phone: [REDACTED] E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The ____ day of _____, 20 ____.

SEAL:

Property Information

Present Zoning Classification: R-2 (Overall) Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.008.0000, _____, _____

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.010.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE USE
Time/Date Stamp

Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: 230 Summerhill Road, LLC Business phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road City: Powder Springs State: GA Zip: 30127

BY: [Signature]
Signature

Richard L. Harris
Printed Name of Signatory

TITLE: NOTARY KATHLEEN H. SMITH
Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-15-27
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly side of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE USE
Time/Date Stamp

Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

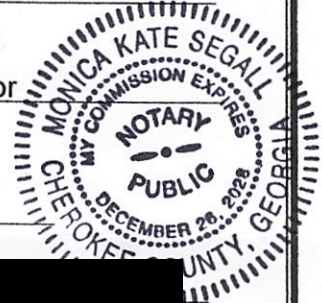
BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: 230 Summerhill Road, LLC Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road City: Powder Springs State: GA Zip: 30127

BY: [Signature]
Signature

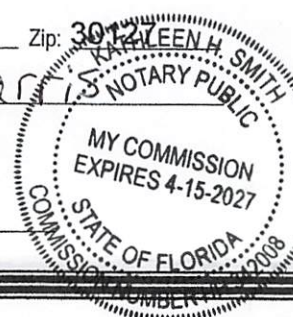
Delores C. Harris
Printed Name of Signatory

TITLE: Member

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-15-27
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly side of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum

174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Mike J. Pope

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 98 Avery Way

City: Dallas State: GA Zip: 30157

Phone: () E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The ____ day of _____, 20____.

SEAL:

Property Information

Present Zoning Classification: B-1 (Overall) Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.010.0000, _____, _____

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE OF
Time Date Stamp

Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2025
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Mike J. Pope Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

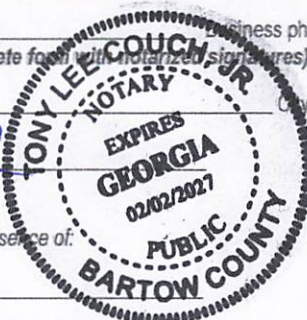
Address: 95 Avery Way City: Dallas State: GA Zip: 30157

[Signature]
Signature

Mike J. Pope
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



Date Notary Commission Expires

Property Information

Present Zoning Classification: B-1 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683±

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.010.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____

RESOLUTION OF 230 SUMMERHILL ROAD, LLC

THE UNDERSIGNED, being the Manager and Members of 230 SUMMERHILL ROAD, LLC, a limited liability company organized and existing pursuant to the laws of the State of Georgia (hereinafter referred to as the "Company"), does on oath, state as follows:

WHEREAS, the Company is the owner of approximately 0.495 acres of real property located on the northerly side of Jimmy Lee Smith Parkway, westerly of Bill Carruth Parkway, being identified as a portion of Paulding County Tax Parcel No. 147.1.3.008.0000, and being an unassigned and unnumbered parcel, in Land Lots 458 and 479, 2nd District, 3rd Section, Paulding County, Georgia (hereinafter the "Property" or the "Subject Property"); and

WHEREAS, the Company consents to the filing of an Application for Annexation for the Property in the City of Dallas, Paulding County, Georgia, and, in connection therewith, the Company must execute an Authorization of Titleholder and any other ancillary documentation (hereinafter collectively referred to as "Application") to consummate the contemplated filing of the Application, and written documentation is required to authorize the Application and to specifically authorize the execution on behalf of the Company of all documents necessary to consummate the filing of the Application; and

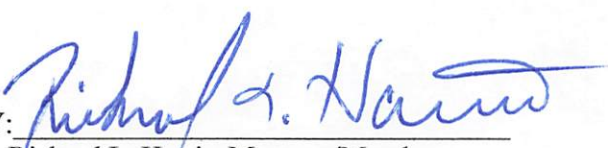
WHEREAS, the undersigned are the Manager and Members of the Company.

NOW, THEREFORE, BE IT RESOLVED that both RICHARD L. HARRIS, as Member and Manager of the Company, and DELORES C. HARRIS, as Member of the Company, are authorized to execute the aforesaid Application for Annexation and any and all other documents necessary or appropriate to file and complete the annexation process for the Subject Property on such terms, conditions, and provisions as they deem necessary and appropriate; such execution of any documents being conclusive evidence that RICHARD L. HARRIS and DELORES C. HARRIS deem the terms, conditions, and provisions thereof to be proper and in the best interest of the Company.

RESOLVED, FURTHER, that any and all acts of RICHARD L. HARRIS and DELORES C. HARRIS are pursuant to the authority granted to them by the Company and are accepted as actions of the Company.

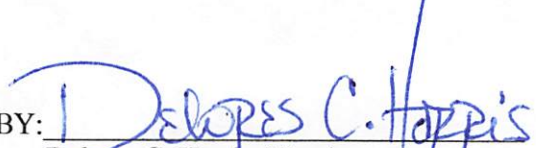
IN WITNESS WHEREOF, the undersigned Manager and Members of the Company have hereunto set their hands and seals as of the day and year written below.

230 SUMMERHILL ROAD, LLC

BY: 
Richard L. Harris, Manager/Member

Executed: 11/8, 2025

230 SUMMERHILL ROAD, LLC

BY: 
Delores C. Harris, Member

Executed: 11/8, 2025



Probate Court of Cobb County

IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA

FILED IN OFFICE

2022 AUG 31 AM 11:52

IN RE: ESTATE OF

MARY SUE TIBBITTS,
DECEASED

PROBATE COURT OF
COBB COUNTY, GA
ESTATE NO. 22-1173

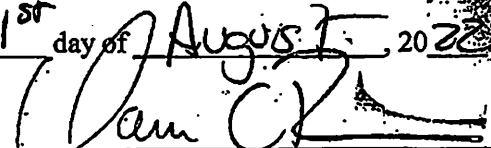
LETTERS TESTAMENTARY

[Relieved of filing returns]

At a regular term of probate court, the last will and testament dated AUGUST 3, 2021 of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, was legally proven in solemn form to be the decedent's will and was admitted to record by order, and it was further ordered that TAMMY J. KONE named as executor in said will, be allowed to qualify, and that upon so doing, letters testamentary be issued to such executor.

THEREFORE, the executor, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of executor under the will of said decedent, according to the decedent's will and the law.

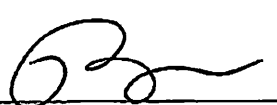
Given under my hand and official seal, the 31st day of August, 2022


Tara C. Riddle, Associate Judge
Cobb County Probate Court

*The following must be signed if the judge
does not sign the original of this document:*

Issued by:

[Seal]


Clerk of the Probate Court



AUTHORIZATION OF TITLEHOLDER

Tammy J. Kone, Executor of the
I, Estate of Mary Sue Tibbitts, being duly sworn upon ~~his~~ her oath, being of sound mind
and legal age, deposes and states that ~~XXXX~~ XXXX is the owner of the property which is subject of this
application, as is shown in the records of Paulding County, Georgia.
the Estate

~~XX~~/she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises
which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Estate of Mary Sue Tibbitts

Address 2928 Stanway Avenue

City Douglasville State GA Zip 30135

Email [REDACTED]

Phone [REDACTED]

Estate of Mary Sue Tibbitts

BY: See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Tammy J. Kone, Executor

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, 230 Summerhill Road, LLC, being duly sworn upon ~~his~~^{its} oath, being of sound mind and legal age, deposes and states that ~~he/she~~^{it} is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

It ~~is~~^{is} she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

It ~~is~~^{is} hereby authorize^s the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) 230 Summerhill Road, LLC

Address 783 Holland Road

City Powder Springs State GA Zip 30127

Email [REDACTED] Phone [REDACTED]

230 Summerhill Road, LLC

BY: See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Richard L. Harris, Manager/Member
Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, Mike J. Pope, being duly sworn upon his/~~her~~ oath, being of sound mind and legal age, deposes and states that he/~~she~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

He/~~she~~ authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Mike J. Pope

Address 98 Avery Way

City Dallas State GA Zip 30157

Email [REDACTED] Phone [REDACTED]

See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Mike J. Pope

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***

**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT**

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A. §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed
BY: Rezoning/Annexation Application (Original Attached Hereto)
Applicant's Signature

Kendall B. King, Director
Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires _____
(SEAL)

A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT**

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A. §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Titleholders

J. Kevin Moore
Applicant's Name Printed

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

My Commission Expires January 10, 2027
(SEAL)



A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

33



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this application? ☒ No ☐ Yes

If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY:

J. Kevin Moore

Applicant's Signature J. Kevin Moore; GA Bar No. 519728 Applicant's Name Printed
Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires January 10, 2027



City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pick up and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Does the annexation request warrant a Development of Regional Impact Review? ☒ No ☐ Yes

DRI Application # (if applicable) Not Applicable.

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

MOORE INGRAM JOHNSON & STEELE, LLP

Signature of Applicant: BY: [Signature]
Representative J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholders
Date: November 26, 2025

Signed, sealed and delivered in the presence of:

My Commission Expires January 10, 2027

Notary Public Signature: [Signature] (SEAL)



****MAKE CHECKS PAYABLE TO CITY OF DALLAS****



Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

~~XX~~We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks.
~~XX~~We (Cross Out One) hereby certify there ~~are~~ are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

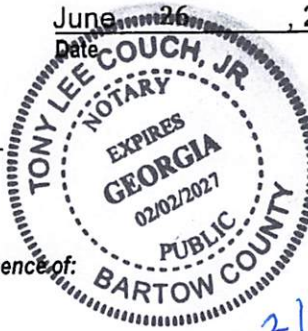
~~XX~~We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. ~~XX~~We (Cross Out One) hereby certify there ~~is~~ is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

Georgia Capital, LLC

BY: [Signature]
 Signature of Applicant/Representative

June 26, 2025

Kendall B. King, Director
 Printed Name of Applicant/Representative



Signed, sealed and delivered in the presence of:

[Signature]
 Notary Public Signature

2/2/27
 Commission Expiration

MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
 Signature of Applicant/Representative

June 26, 2025
 Date

J. Kevin Moore
 Printed Name of Applicant/Representative
 Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

[Signature]
 Notary Public Signature

January 10, 2027
 Commission Expiration





Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

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~~X~~/ We (Cross Out One) hereby certify there ~~are~~ / are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

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ESTATE OF MARY SUE TIBBITTS

BY: Tammy J. Kone
 Signature of ~~Applicant/Representative~~ Titleholder

August 7, 2025
 Date

Tammy J. Kone, Executor
 Printed Name of ~~Applicant/Representative~~ Titleholder

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027
 Commission Expiration



MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore
 Signature of ~~Applicant/Representative~~

November 26, 2025
 Date

J. Kevin Moore
 Printed Name of ~~Applicant/Representative~~

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027
 Commission Expiration





Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

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~~XX~~We (Cross Out One) hereby certify there ~~is~~ is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

230 Summerhill Road, LLC

BY: Richard L. Harris

August 7th, 2025

Signature of ~~Applicant/Representative~~ Owner
 Richard L. Harris, Manager/Member

Date

BY: Delores C. Harris

Printed Name of ~~Applicant/Representative~~ Signature of Owner
 Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Lindsey H. Morrison
 Notary Public Signature



3/15/29
 Commission Expiration

MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore

August 7, 2025

Signature of ~~Applicant/Representative~~

Date

J. Kevin Moore

Printed Name of ~~Applicant/Representative~~
 Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature



January 10, 2027

Commission Expiration



Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

X/ We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks.
X/ We (Cross Out One) hereby certify there are / are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

X/ We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. X/ We (Cross Out One) hereby certify there is / is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

Signature of Applicant/Representative Titleholder

Date

Printed Name of Applicant/Representative Titleholder

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027

Commission Expiration



MOORE INGRAM JOHNSON & STEELE, LLP

BY:

Signature of Applicant/Representative

November 26, 2025

Date

J. Kevin Moore

Printed Name of Applicant/Representative

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027

Commission Expiration





AUTHORIZATION OF TITLEHOLDER

Tammy J. Kone, Executor of the
I, Estate of Mary Sue Tibbitts, being duly sworn upon ~~XXXX~~ her oath, being of sound mind and legal age, deposes and states that ~~XXXX~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.
the Estate

~~XX~~/she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email

Phone

Name(s) of Titleholder(s) Estate of Mary Sue Tibbitts

Address 2928 Stanway Avenue

City Douglasville State GA Zip 30135

Email

Phone

Estate of Mary Sue Tibbitts

See Titleholder's Signature on Previously Filed

BY: Rezoning/Annexation Application (Copy Attached Hereto)

Signature of Titleholder(s) Tammy J. Kone, Executor

Signed, sealed and delivered in the presence of:

Notary Public Signature _____ My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, 230 Summerhill Road, LLC, being duly sworn upon ~~XXXX~~ oath, being of sound mind and legal age, deposes and states that ~~XXXX~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

It ~~XXXX~~ authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

It ~~X~~ hereby authorize ^Sthe City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) 230 Summerhill Road, LLC

Address 783 Holland Road

City Powder Springs State GA Zip 30127

Email [REDACTED] Phone [REDACTED]

230 Summerhill Road, LLC

See Titleholder's Signature on Previously Filed

BY: Rezoning/Annexation Application (Copy Attached Hereto)

Signature of Titleholder(s) Richard L. Harris, Manager/Member
Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***

Disclosure Statement

(Required by O.C.G.A. 36-67A)



~~My~~ **X**(we), Georgia Capital, LLC, do hereby certify that, to the best of ~~my~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable

~~My~~ **X**(we), Georgia Capital, LLC, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

Georgia Capital, LLC

June 26, 2025
Date

BY: Kendall B. King

Applicant

Kendall B. King, Director

Disclosure Statement (Required by O.C.G.A. 36-67A)



~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do hereby certify that, to the best of ~~my~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable

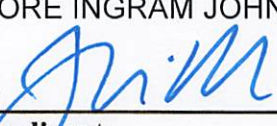
~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

MOORE INGRAM JOHNSON & STEELE, LLP

June 26, 2025

Date

BY: 

~~Applicant~~

J. Kevin Moore; Georgia Bar No. 519728
Attorneys for Applicant and Property Owners

Disclosure Statement

(Required by O.C.G.A. 36-67A)



~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do hereby certify that, to the best of ~~my~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

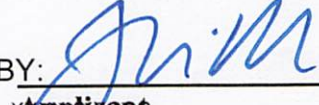
Not Applicable

~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

MOORE INGRAM JOHNSON & STEELE, LLP

June 26, 2025
Date

BY: 
~~XX~~Applicant
J. Kevin Moore; Georgia Bar No. 519728
Attorneys for Applicant and Property Owners



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 20 25

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC;

Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this applications? ☒ No ☐ Yes

If "Yes" to the above, [O.C.G.A. § 36-67A-3](#) requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 20 25.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Disclosure (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

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²Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

City of Dallas
Community Development Department
Annexation Application
Last Updated 6/2025
(Page 9 of 11)

Item 2.

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this applications? ☒ No ☐ Yes

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An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature J. Kevin Moore; GA Bar No. 519728

J. Kevin Moore
Applicant's Name Printed

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

My Commission Expires January 10, 2027



City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Disclosure (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires

(SEAL)

A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY:

J. Kevin Moore
Applicant's Signature J. Kevin Moore; GA Bar No. 519728

J. Kevin Moore

Applicant's Name Printed

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
Notary Public Signature

My Commission Expires January 10, 2027

(SEAL)



A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pickup and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Does the annexation request warrant a Development of Regional Impact Review? ☒ No ☐ Yes

DRI Application # (if applicable) Not Applicable.

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

MOORE INGRAM JOHNSON & STEELE, LLP

Signature of Applicant BY: J. Kevin Moore

J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholders

Date: November 26, 2025

Signed, sealed and delivered in the presence of:

My Commission Expires January 10, 2027

Notary Public Signature: Carolyn E. Cook

(SEAL)



****MAKE CHECKS PAYABLE TO CITY OF DALLAS****

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
328 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32258
TELEPHONE (904) 428-1485

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (505) 309-0028

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-8233

HARRISBURG, PENNSYLVANIA
101 ERFDOR ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
185 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

RE: Applicant: Georgia Capital, LLC
Property: 35.633 acres, more or less, located on and along the northwesterly and southeasterly sides of Summerhill Road and along the northerly side of Jimmy Lee Smith Parkway, southeasterly of Summerhill Road, Land Lots 458, 459, and 479, 2nd District, 3rd Section, Paulding County, Georgia

LETTER OF INTENT

(Updated January 16, 2026)

Applicant, Georgia Capital, LLC (hereinafter "Applicant"), requests the annexation and rezoning of approximately 35.633 acres located on and along the northwesterly and southeasterly sides of Summerhill Road and along the northerly side of Jimmy Lee Smith Parkway, southeasterly of Summerhill Road, Land Lots 458, 459, and 479, 2nd District, 3rd Section, Paulding County, Georgia, being identified as Paulding County Tax Parcel Nos. 147.1.2.002.0000, 147.1.3.008.0000, and 147.1.3.010.0000 (hereinafter referred to as the "Property" or the "Subject Property"), from the existing Paulding County zoning classifications of R-2, B-1, and B-2 to the proposed City of Dallas zoning classifications of TH and C-2.

Applicant seeks rezoning of approximately 26.298 acres to the City of Dallas TH zoning classification to accommodate development of a townhome community, containing a maximum of one hundred seventy-five (175) townhomes, as more particularly shown on the revised Zoning Plan prepared for Applicant by LIA Engineering, dated and last revised January 11, 2026. Applicant is proposing to rezone the portion of the overall Property to permit the development of the Property for a townhome community at a size, quality, and price adequate to or exceeding existing homes in the surrounding area. The homes would be traditional and craftsman in architecture, featuring a combination of exterior building materials, with homes being a minimum of 1,800 square feet. Exterior building materials will include a minimum of 40 percent masonry on front elevations consistent with the City of Dallas's architectural standards for townhome communities. For further reference, we have included with the Application a detailed and itemized list of the architectural details. The proposed rezoning would positively impact the property values in the vicinity while providing the growing community with a quality and convenient housing option.

The proposed C-2 zoning, comprised of approximately 9.335 acres, would provide for needed commercial growth along Jimmy Lee Smith Parkway which is integrated into the overall development.

MOORE INGRAM JOHNSON & STEELE

Letter of Intent
Page 2 of 3

Applicant envisions commercial uses such as hotel, office, restaurant, and retail would have an opportunity to be very successful, thus further advancing the overall goals of the City of Dallas. Due to the nature of the envisioned development of the C-2 tract, commercial hours of operation would necessarily and potentially be 24 hours, 7 days a week (e.g., hotel), with other uses having typically associated and more limited business hours for office, retail, and restaurant uses. The Applicant envisions the commercial architecture to be aesthetically pleasing and complementary to the proposed townhome community such that masonry accents would be employed throughout.

Applicant believes that its vision and corresponding plan for the Property aligns with the City of Dallas's intention for the area as reflected in the Comprehensive Plan for the County and City. The site layout designed by LIA Engineering adheres to the fundamental characteristics of the proposed TH and C-2 zoning classifications. Further, Applicant's intent and as expressed throughout the application materials is to meet all applicable City of Dallas zoning and development standards excepting only the single variance request. The variance request is to allow for a reduction in the distance for curved streets at intersections as measured from the cross street (100 feet required, 56.8 feet requested). The requested variance is necessary to maintain the integrity of the townhome layout, design, and features and in order to provide connectivity between the uses in a manner that creates seamless transitions. The curvature of the road in this location is very slight, and the variance does not result in a reduction in the internal traffic safety.

Applicant is acceptable to the following conditions and stipulations to be attached to an approved annexation and rezoning:

- (1) Installation of a Flock Security Camera at the entrances of the community; and
- (2) The establishment of a mandatory homeowners association with accompanied Declaration of Covenants, Easements, and Restrictions; as well as Bylaws.

The City's vision for the area surrounding Summerhill Road is to create a mixed-use community with a mix of residential, commercial, and office uses while preserving the existing character of the area and enhancing recreation and green space. Applicant firmly contends the proposed community will enhance all the characteristics previously mentioned and become the example of development that was intended when the Comprehensive Plan was established. The proposed community is within walking distance from a variety of office, retail, and commercial uses in every direction. The central location of the site will allow its residents to partake in all aspects of daily life without having to steer too far away from home.

Applicant believes the proposed development would encompass the desired goals of the City by providing open space, product offerings, and design layout. The open space provided will allow for large community gatherings.

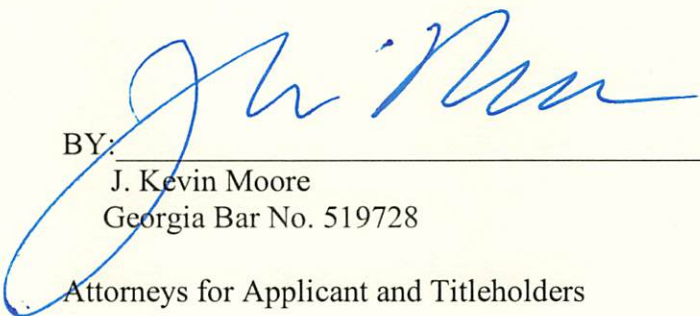
If annexation and rezoning are approved, as submitted, Applicant anticipates commencement of the project in approximately August 2026, and anticipates substantial completion of the overall development in approximately April 2029.

The proposed TH and C-2 zoning classification are appropriate for rezoning the respective portions of the Subject Property. The properties in and around the Subject Property are various uses, from residential, to commercial, to industrial, and have been substantially impacted by the Highway 278 commercial corridor. The rezoning of the Subject Property to the proposed zoning classifications will not adversely impact or in any way affect the use or useability of adjacent or nearby properties. Likewise, the proposed development will not cause negative impact on the existing streets, transportation facilities, utilities, or schools. The proposed zoning categories allow for appropriate infrastructure to service the residences, leading to the construction of a quality residential community which will be beneficial to the City and County and their future residents. The proposed commercial uses are appropriate for the Highway 278 corridor and will offer opportunities for uses beneficial to residents of the City and County and serve the interests of the wider community.

Applicant will work with both the City of Dallas and Paulding County Staff and Department Representatives to lessen any impact on surrounding properties and infrastructure. The exchange of dialogue with all interested representatives will allow for the development of the Property to a quality community, which will set the standard for any future developments within the area.

Respectfully submitted, this 16th day of January, 2026.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

ATTACHMENT TO ZONING/REZONING APPLICATION

Application No.: _____
Hearing Dates: _____

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF DALLAS, GEORGIA

CONSTITUTIONAL CHALLENGE ATTACHMENT TO ZONING/REZONING APPLICATION

COME NOW, Applicant, GEORGIA CAPITAL, INC. (hereinafter referred to as “Applicant”), and the Property Owners, the ESTATE OF MARY SUE TIBBITTS; 230 SUMMERHILL ROAD, LLC; and MIKE J. POPE (hereinafter collectively referred to as “Owners” or “Property Owners”), and assert the following:

1.

By Zoning/Rezoning Application submitted to the City of Dallas Community Development Department, Applicant and Property Owners applied for annexation and rezoning of certain real property, located within unincorporated Paulding County, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the “Property” or “Subject Property”).

2.

The Zoning/Rezoning Application of the Property seeks rezoning from the existing zoning categories of R-2, B-1, and B-2, under and pursuant to the “The Unified Development Ordinance of Paulding County, Georgia” (hereinafter “UDO of Paulding County”), to Townhome (“TH”) and C-2, as established by the governing authority of the City of Dallas,

Georgia, under and pursuant to the Code of Ordinances of the City of Dallas, Georgia, as amended, being hereinafter referred to as the "Code of Ordinances of the City of Dallas."

3.

As to the portion of the Subject Property within the R-2 zoning category and located within unincorporated Paulding County, Georgia, the UDO of Paulding County and the Code of Ordinances of the City of Dallas (collectively the "Ordinances"), are unconstitutional as applied to the Property in that said Ordinances deprive Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The R-2 zoning category, as it presently exists, together with any intervening zoning categories between the existing R-2 zoning category (Paulding County) and the requested TH and C-2 zoning categories (City of Dallas), violates the Applicant's and Property Owners' right to unfettered use of their Property in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinances are unconstitutional in that they are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

4.

As to the portion of the Subject Property within the B-1 and B-2 zoning categories and located within unincorporated Paulding County, Georgia, Applicant and Property Owners do

contend the Ordinances are unconstitutional as applied to the Property in that said Ordinances do not permit the Applicant and Property Owners to utilize the Property to the highest and best use set forth within the Zoning/Rezoning Application without the necessity of rezoning. However, Applicant and Property Owners do not contend the current zoning category of B-1 and B-2 zoning categories are unconstitutional, per se, only as applied. Thus, the Ordinances deprive Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. Also violated are the Applicant's and Property Owners' rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are, therefore, confiscatory and void. Further, said Ordinances are unconstitutional in that they are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

5.

To the extent the Code of Ordinances of the City of Dallas allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates Applicant's and Property Owners' constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Code of Ordinances for the City of Dallas, is an unconstitutional use of the zoning power

and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

6.

The Ordinances are further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Zoning/Rezoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

Respectfully submitted, this 26th day of November, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

Printed: 11/13/2025 15:30:10 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-069677	R0138 76	469 SUMMERHILL RD	\$2,952.91	\$0.00 Fees: \$0.00	\$0.00	\$2,952.91	\$0.00
Totals:			\$2,952.91	\$0.00	\$0.00	\$2,952.91	\$0.00

Paid Date: 11/07/2025

Charge Amount: \$2,952.91

TIBBITTS MARY SUE
 4809 SHAE CT
 POWDER SPRINGS, GA 30127



Scan this code with your
 mobile phone to view this
 bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

TIBBITTS MARY SUE
4809 SHAE CT
POWDER SPRINGS, GA 30127

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*	Item 2.
2025-069677	11/15/2025	\$0.00	\$2,952.91	\$0.00	Paid 11/07/2025	

Map: R0138 76

Printed: 11/13/2025

Location: 469 SUMMERHILL RD

Account No: 013876R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

If you believe that the fair market value placed upon your property by the Board of Tax Assessors is higher than it should be and if you can provide supporting evidence (mortgage appraisal, sales of comparable properties, etc.), then it may be in your best interest to file a property tax return with the Board of Tax Assessors requesting a review of your property appraisal. This must be done not later than April 1, 2026. Information on how to file a property tax return can be obtained from the address above.

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: TIBBITTS MARY SUE
Map Code: R0138 76 Property
Description: 469 SUMMERHILL RD
Location: 469 SUMMERHILL RD
Bill No: 2025-069677
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$660,300	\$264,120	\$145,410	\$118,710	0.800000	\$94.97	\$0.00	\$94.97
COUNTY M&O	\$660,300	\$264,120	\$145,410	\$118,710	4.300000	\$510.45	\$0.00	\$510.45
FIRE DIST	\$660,300	\$264,120	\$145,410	\$118,710	2.100000	\$249.29	\$0.00	\$249.29
SCHOOL M&O	\$660,300	\$264,120	\$145,410	\$118,710	17.675000	\$2,098.20	\$0.00	\$2,098.20
TOTALS					24.875000	\$2,952.91	\$0.00	\$2,952.91

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com. If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$2,952.91
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$2,952.91
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/07/2025

Printed: 11/18/2025 16:38:57 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-078183	R0082 25	UNASSIGNED ADDRESS	\$420.89	\$0.00 Fees: \$0.00	\$0.00	\$420.89	\$0.00
Totals:			\$420.89	\$0.00	\$0.00	\$420.89	\$0.00

Paid Date: 11/14/2025

Charge Amount: \$420.89

230 SUMMERHILL ROAD LLC
 783 HOLLAND RD
 POWDER SPRINGS, GA 30127



Scan this code with your
 mobile phone to view this
 bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

230 SUMMERHILL ROAD LLC
783 HOLLAND RD
POWDER SPRINGS, GA 30127

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due
2025-078183	11/15/2025	\$0.00	\$420.89	\$0.00	Paid 11/14/2025

Map: R0082 25

Printed: 11/18/2025

Location: UNASSIGNED ADDRESS

Account No: 008225R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

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Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: 230 SUMMERHILL ROAD LLC
Map Code: R0082 25 Property
Description: UNASSIGNED ADDRESS
Location: UNASSIGNED ADDRESS
Bill No: 2025-078183
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$42,300	\$16,920	\$0	\$16,920	0.800000	\$13.54	\$0.00	\$13.54
COUNTY M&O	\$42,300	\$16,920	\$0	\$16,920	4.300000	\$72.76	\$0.00	\$72.76
FIRE DIST	\$42,300	\$16,920	\$0	\$16,920	2.100000	\$35.53	\$0.00	\$35.53
SCHOOL M&O	\$42,300	\$16,920	\$0	\$16,920	17.675000	\$299.06	\$0.00	\$299.06
TOTALS					24.875000	\$420.89	\$0.00	\$420.89

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com. If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$420.89
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$420.89
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/14/2025

Printed: 11/18/2025 16:34:59 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-053863	R0151 24	JIMMY LEE SMITH PKWY	\$410.94	\$0.00 Fees: \$0.00	\$0.00	\$410.94	\$0.00
Totals:			\$410.94	\$0.00	\$0.00	\$410.94	\$0.00

Paid Date: 11/14/2025

Charge Amount: \$410.94

POPE MIKE
95 AVERY WAY
DALLAS, GA 30157



Scan this code with your
mobile phone to view this
bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

POPE MIKE
95 AVERY WAY
DALLAS, GA 30157

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due
2025-053863	11/15/2025	\$0.00	\$410.94	\$0.00	Paid 11/14/2025

Map: R0151 24

Location: JIMMY LEE SMITH PKWY

Account No: 015124R

Printed: 11/18/2025

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

If you believe that the fair market value placed upon your property by the Board of Tax Assessors is higher than it should be and if you can provide supporting evidence (mortgage appraisal, sales of comparable properties, etc.), then it may be in your best interest to file a property tax return with the Board of Tax Assessors requesting a review of your property appraisal. This must be done not later than April 1, 2026. Information on how to file a property tax return can be obtained from the address above.

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: POPE MIKE
Map Code: R0151 24 Property
Description: JIMMY LEE SMITH PKWY
Location: JIMMY LEE SMITH PKWY
Bill No: 2025-053863
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$41,300	\$16,520	\$0	\$16,520	0.800000	\$13.22	\$0.00	\$13.22
COUNTY M&O	\$41,300	\$16,520	\$0	\$16,520	4.300000	\$71.04	\$0.00	\$71.04
FIRE DIST	\$41,300	\$16,520	\$0	\$16,520	2.100000	\$34.69	\$0.00	\$34.69
SCHOOL M&O	\$41,300	\$16,520	\$0	\$16,520	17.675000	\$291.99	\$0.00	\$291.99
TOTALS					24.875000	\$410.94	\$0.00	\$410.94

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com . If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$410.94
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$410.94
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/14/2025

ATTACHMENT TO ZONING/REZONING APPLICATION

Application No.: _____
Hearing Dates: _____

**BEFORE THE PLANNING COMMISSION
AND THE MAYOR AND CITY COUNCIL
FOR THE CITY OF DALLAS, GEORGIA**

FISCAL IMPACT ANALYSIS

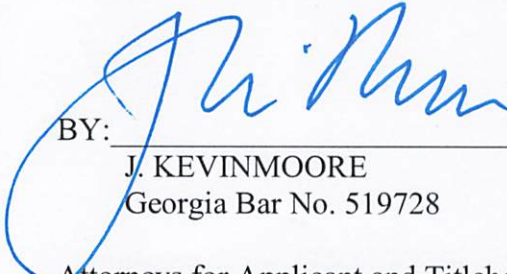
Applicant, GEORGIA CAPITAL, LLC, has received the following letters and communications regarding potential infrastructure impacts resulting from the proposed development:

- (1) Paulding County School District (dated October 7, 2025);
- (2) City of Dallas Police Department (dated September 29, 2025);
- (3) Paulding County Fire and Rescue (dated October 20, 2025);
- (4) Paulding County Water System (dated September 8, 2025);
- (5) Greystone Power Corporation (dated May 13, 2024);
- (6) Atlanta Gas Light Company (dated April 25, 2024);
- (7) AT&T (dated May 1, 2024); and
- (8) Comcast (dated April 25, 2024).

Copies of the referenced letters and communications are submitted and comprise the overall Fiscal Impact Analysis, which is submitted as part of the Zoning/Rezoning Application.

Respectfully submitted, this 26th day of November, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook – Suite 100
326 Roswell Street
Marietta, Georgia 30060





October 7, 2025

School District Impact Statement for Georgia Capital, LLC

The Paulding County School District has been provided with information by **Georgia Capital, LLC**, concerning a proposed residential development, **Summerhill Road Property**, located at 469 Summerhill Road, Dallas, Georgia 30132. From the information submitted, it is our understanding that the Summerhill Road Property will be a 175-unit townhouse community located near the intersection of State Highway 278 and Charles Hardy Parkway. An application has been submitted for the property to be annexed into the City of Dallas.

To determine the impact that a development will have on the school district, we utilize the results of an annual assessment of our residents and properties that is conducted in partnership with MGT, a company that specializes in demographic studies for education and government. Working with MGT allows us to generate student yield factors (SFY) for Paulding County based on development type: Single Family Detached, Single Family Attached, Apartments, etc.

In collaboration with MGT, a student yield was calculated for the Summerhill Road Property by applying the Single Family Attached SYFs to the development. The results of those calculations are outlined in **Exhibit A**. The student yield estimate for the Summerhill Road Property indicates that the development will generate approximately 28 (27.8) elementary students, 15 (14.9) middle school students, and 18 (18.4) high school students for a total of 61 (61.1) students.

Exhibit A

Unit Type	No. Units	Elementary School			Middle School			High School			District		
		Factor	Type	Students	Factor	Type	Students	Factor	Type	Students	Factor	Type	Students
3 BD TH's	175	0.159	K-5 SFA	27.8	0.085	6-8 SFA	14.9	0.105	9-12 SFA	18.4	0.349	K-12 SFA	61.1



To assess the potential impact of 61 additional students on the Paulding County School District, primary consideration was given to school capacity and existing overcrowding concerns. Each new student increases the demand for instructional space. As a result, we must account for the need for additional classroom square footage.

Using student yield projections in conjunction with classroom size assumptions by grade level (elementary, middle, and high), the state-required minimum square footage per Instructional Unit (IU), and the current construction cost per square foot (\$275), a capital cost was estimated using the following formula:

$$(Student\ Yield \div Students\ per\ Classroom) \times Minimum\ SqFt \times Cost\ per\ SqFt = Capital\ Cost$$

Based on a projected yield of 61 students from the proposed residential development, the total estimated capital cost is \$437,651.

This initial cost is offset by anticipated Education Special Purpose Local Option Sales Tax (ESPLOST) collections contributed by future residents. ESPLOST VII collections dedicated to new school construction are projected at \$30,409,600, equating to \$468 (\$468.04) per existing residential unit (based on 64,972 units). Applying this per-unit estimate to the 61 new units reduces the capital impact by \$81,907.

After applying the ESPLOST offset, the net capital impact of the proposed development is approximately \$355,744 or \$2,033 per residential unit. Detailed calculations supporting this analysis are provided in **Exhibit B**.

Exhibit B

Summerhill Road Property - 175 Units

Level	Student Yield	Class Size	Add'l IU's	IU Min SqFt	Add'l Req SqFt	Cost
ES	28	23	1.22	700	852	\$234,348
MS	15	28	0.54	660	354	\$97,232
HS	18	28	0.64	600	386	\$106,071

Total	\$437,651
ESPLOST	\$81,907
Difference	\$355,744

Total:	\$355,744
Per Unit:	\$2,033

From: [REDACTED]
Sent: Monday, September 29, 2025 3:42 PM
To: Joe Duvall
Cc: J. Kevin Moore; Carolyn Cook; Kendall King; Levi Stoner
Subject: RE: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

Follow Up Flag: Follow up
Flag Status: Completed

Thank you, Chief Duvall. We will incorporate this into our study. I appreciate you looking into this for us.

Thanks,

Whit Porter
Laseter Development Group
[REDACTED]

From: Joe Duvall <jduvall@dallas-ga.gov>
Sent: Monday, September 29, 2025 3:40 PM
To: Whit Porter [REDACTED]
Subject: RE: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

Whit,

In regards to the development, fire services, school system, and utility service will have to be determined by Paulding County and other utility providers for the area. The impact of the development size and population equates to adding one officer. The cost for one police officer position to include equipment, vehicle, etc. is approximately cost \$176,486.00. If you have any questions, please feel free to contact me.

Regards,



Joe Duvall
Chief of Police
Dallas Police Department
120 Main Street, Dallas, Ga., 30132
Office 770-443-8103
jduvall@dallas-ga.gov
FBINAA Session #208

From: Whit Porter [REDACTED]
Sent: Monday, September 22, 2025 10:14 AM
To: Joe Duvall <jduvall@dallas-ga.gov>
Cc: J. Kevin Moore <[REDACTED]>; Kendall King <[REDACTED]>; Justin Whitehorn <[REDACTED]>; Levi Stoner <[REDACTED]>
Subject: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

[EXTERNAL Email: Think before you Click]

Good Morning Chief Duvall –

I hope you're doing well. I work with Georgia Capital, LLC, a land development company here in Atlanta. We are preparing a rezoning application for a proposed development at 469 Summerhill Road, Dallas, Georgia 30132 that is planned to be annexed into the City of Dallas (Parcel IDs: 147.1.2.002.0000, 147.1.3.008.0000, and 147.2.4.006.0000). As part of the application process, the City of Dallas is requiring that we complete a Fiscal Impact Analysis to determine the impact of new residents coming into the area with regard to police protection, fire protection, utility service, educational facilities, and other applicable factors.

Please see our proposed site plan that we are submitting. The rezoning plan includes a residential community with 175 townhomes as well as a commercial component that will include a combination of either office, restaurant, small business, retail, or hotel uses.

Could you please review the site plan and provide any comments that you would like to include in the analysis? Please feel free to reach out with any additional questions you may have anytime.

Thank you,

Whit Porter
Georgia Capital
[REDACTED]

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Item 2.

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Paulding County Fire & Rescue
247 Industrial Way North
Dallas, Georgia 30132
770-222-1160

Paulding County Fire & Rescue – Impact Statement

Subject: Rezoning Request – 469 Summerhill Road

Prepared by: Fire Chief Garrett Brubaker

Date: 10/20/2025

Overview

Paulding County Fire & Rescue (PCFR) has reviewed the proposed rezoning request located at **469 Summerhill Road**. This area falls within the future service district of the planned Fire Station 15, identified in the department's long-range planning and deployment model. The purpose of Station 15 is to address current and projected growth patterns, improve response coverage, and maintain compliance with national standards for emergency response times.

Impact Analysis

The area surrounding 469 Summerhill Road has experienced consistent population and residential development growth, contributing to an increase in emergency response demand. At present, this region is primarily served by existing stations located several miles away, which already manage high call volumes and extended travel distances.

Without the establishment of Station 15, additional development in this area will further strain PCFR's operational capacity. Increased call volume without corresponding infrastructure and staffing could result in longer response times, higher workload on current personnel, and potential impacts on service reliability and ISO performance metrics.

Future Station 15

The future Fire Station 15 is strategically planned to ensure adequate coverage for this corridor and surrounding developments. Once operational, it will:

- Enhance fire suppression, EMS, and rescue response times within the Summerhill Road area.
- Support balanced call distribution among adjacent stations.

- Provide improved community risk reduction and public safety coverage.

To achieve these objectives, appropriate funding, personnel, and apparatus allocations must coincide with ongoing development to ensure that public safety infrastructure keeps pace with community growth.

Conclusion

The rezoning and subsequent development of 469 Summerhill Road will directly increase response demand in an area already identified for future expansion. If the site and construction of Station 15 are not realized in coordination with this growth, the department's ability to meet response benchmarks may be compromised, placing significant strain on existing stations and resources.

Paulding County Fire & Rescue strongly recommends that future development and rezoning approvals in this region remain aligned with the timely establishment and staffing of Fire Station 15 to ensure sustainable service delivery and community safety.

As always, Stay safe,

John G Brubaker

Garrett Brubaker
Fire Chief, PCFR



Paulding County Board of Commissioners

Water System

3844 Atlanta Hwy Hiram, Georgia 30141
770-222-6850 • www.paulding.gov

Ray Wooten, P.E.
Department Director

September 8, 2025

Angie Wiggins
Evergreen Development and Real Estate Services

RE: Water and Sewer Availability for Paulding County Tax Parcel bearing ID # 147.1.2.002.0000

Dear Angie,

This is an updated letter to confirm PCWS water infrastructure is present in the right-of-way of Summerhill Rd (6-inch PVC main), and there is a 10-inch gravity sewer main crossing the southeast corner of the property. The majority of the property is in the Coppermine WRF sewer basin. Water and sewer would be served through PCWS, due to the contract with the City of Dallas.

Due to uncontrollable variables, Paulding County Water System (PCWS) makes no guarantees as to the minimum pressures, volumes, or capacities available to the project. PCWS does not guarantee water availability above an elevation of 1130 feet MSL. Depending on the scope of the development, demands imposed by the proposed development may require capacity improvements to the water mains. Any costs associated with such required capacity improvements will be the responsibility of the development and will not be provided by the Water System.

If you need any additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Reese".

Carter D. Reese, E.I.T.
Engineering Project Manager II
Paulding County Water System
678-224-4089
carter.reese@paulding.gov



P.O. Box 897, Douglasville, GA 30133-0897
Tel 770-942-6576 Fax 770-489-0940
www.greystonepower.com

May 13, 2024

Angie Wiggins
Evergreen Development and Real Estate Services
11 South Gilmer St.
Cartersville, GA 30120

RE: 469 Summerhill Rd – Parcel ID 147.1.2.002.0000

Angie:

This letter is to confirm that GreyStone Power Corporation is currently providing single phase overhead electric service to the property in Paulding County at the address of 469 Summerhill Rd, Dallas, GA, Parcel ID 147.1.2.002.0000.

The 95 single family home development would also be served by us. The property has single phase service supplied by the East Dallas Substation .

Depending upon the developer's project design, the "on site" distribution facilities can either be provided in standard overhead construction, in developer preferred underground construction (could be an additional cost to the developer for underground facilities), or any combination of the two.

If you have any other specific questions regarding construction or other service-related items, please give me a call at (770)-370-2039 M-F, 8-5 and I will be glad to assist you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Hammond", is written over a horizontal line.

Chris Hammond
Greystone Power - Engineer
Phone: 770-370-2039

Email: christopher.hammond@greystonepower.com

04-25-24

Angie Wiggins
Evergreen DRES
475 E Main St PMB 132
Cartersville, GA 30121

RE: 469 Summerhill Rd, Dallas, GA 30132

Dear Georgia Capital,

This is to advise you that natural gas is presently available to serve the above residential location.

This is to further advise you that natural gas service will be made available to the above referenced project, in accordance with the Rules and Regulations governing our operations on file with the Georgia Public Service Commission at the time said service is requested **(the "Rules"), which may require that customer contribute to any excess installation costs (as calculated pursuant to the Rules).**

Please contact Justin Hancock, 404-558-5746, regarding gas installation.

Sincerely,


Craig Cameron

05/01/2024

EVERGREEN

Attn: Angie Wiggins
11 South Gilmer St
Cartersville, GA 30120

RE: Proposed Development Summerhill Rd, Dallas Ga; Paulding County;

Dear Angie:

This letter is in response to your request for information on the availability of service at the above Summerhill Rd by AT&T.

This letter acknowledges that the above referenced Summerhill Rd Development is located in an area served by AT&T. Any service arrangements for the Summerhill Rd Development will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service to the Summerhill Rd Development.

Please contact me at the phone number included in this letter with any questions.

Thank you for contacting AT&T.

Sincerely,

Don Wade

Don Wade
SR Specialist-OSP Design Engineer
AT&T GA / Atlanta District
(Office) 706-701-6085
DW9954@att.com



April 25, 2024

Angie Wiggins
Evergreen Development
11 South Gilmer St
Cartersville, Ga. 30120

Thank you for your request regarding:

Property: Summerhill Rd Project
Location: 469 Summerhill Rd Dallas, Ga. 30132

Comcast has facilities in this area and could potentially be the service provider for this property. However, this information is submitted to you under the following conditions:

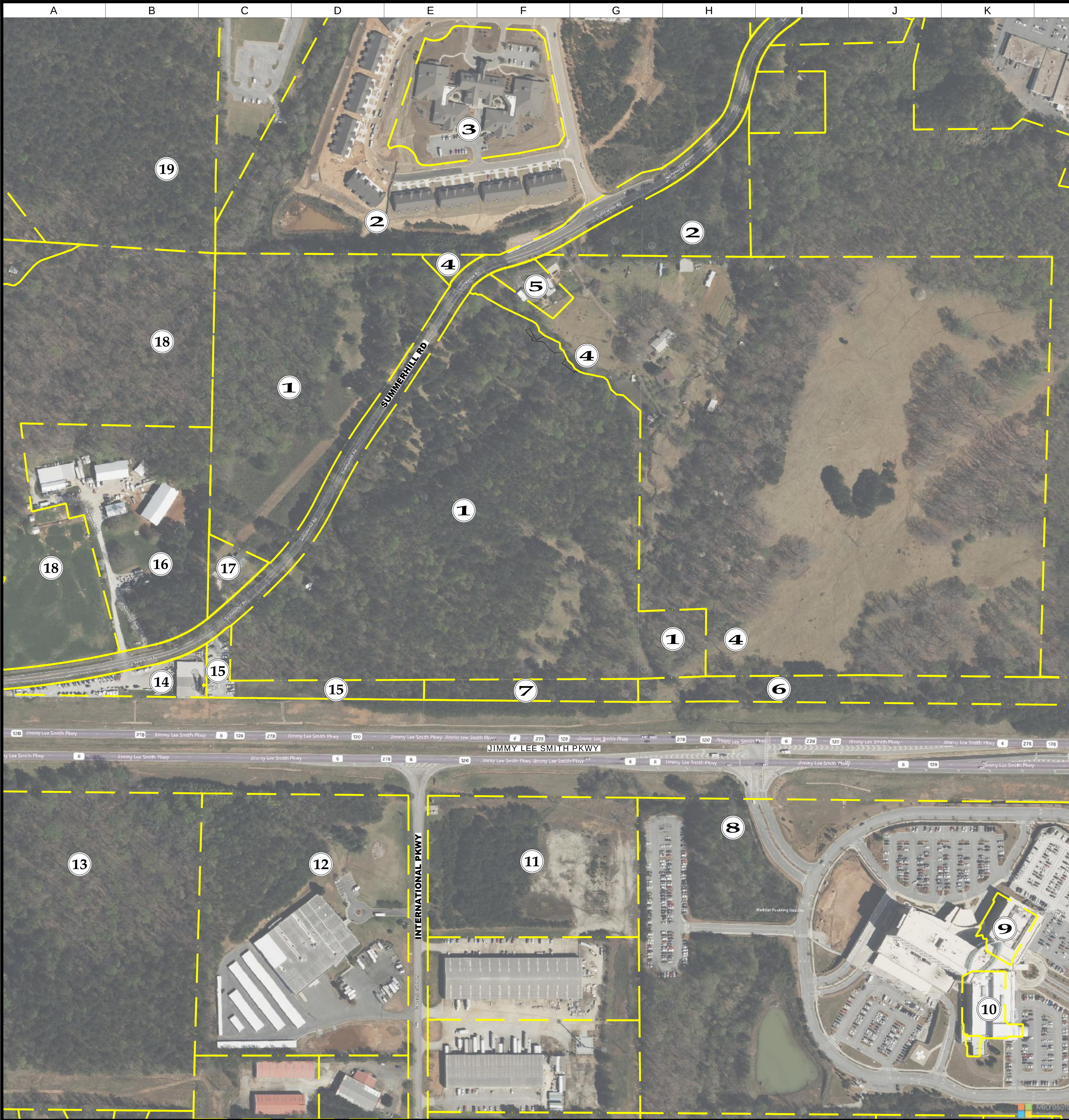
1. This is not an agreement or bid to begin work.
2. Service to the property will be based upon easement allowances made via final plat.
3. This letter does not bind or commit Comcast to any construction schedule.

If we may provide any additional information, or if you have questions, please feel free to contact me at.

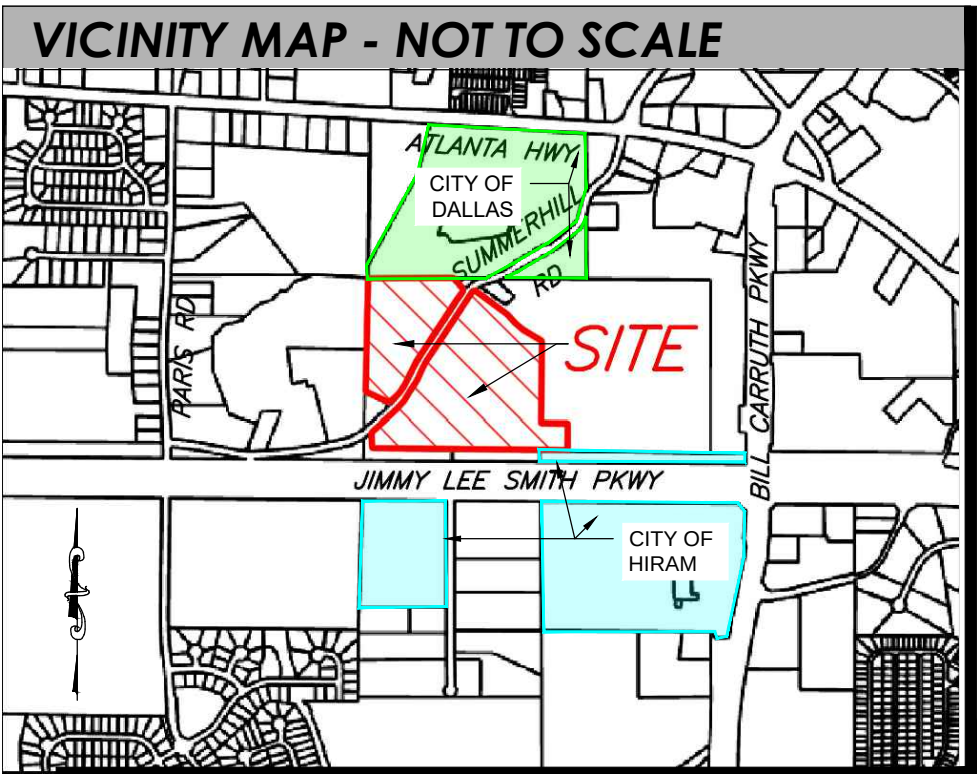


John Pauley
Development Expansion Professional
Georgia Market
Phone: 770-870-9949
Email: john_pauley@cable.comcast.com

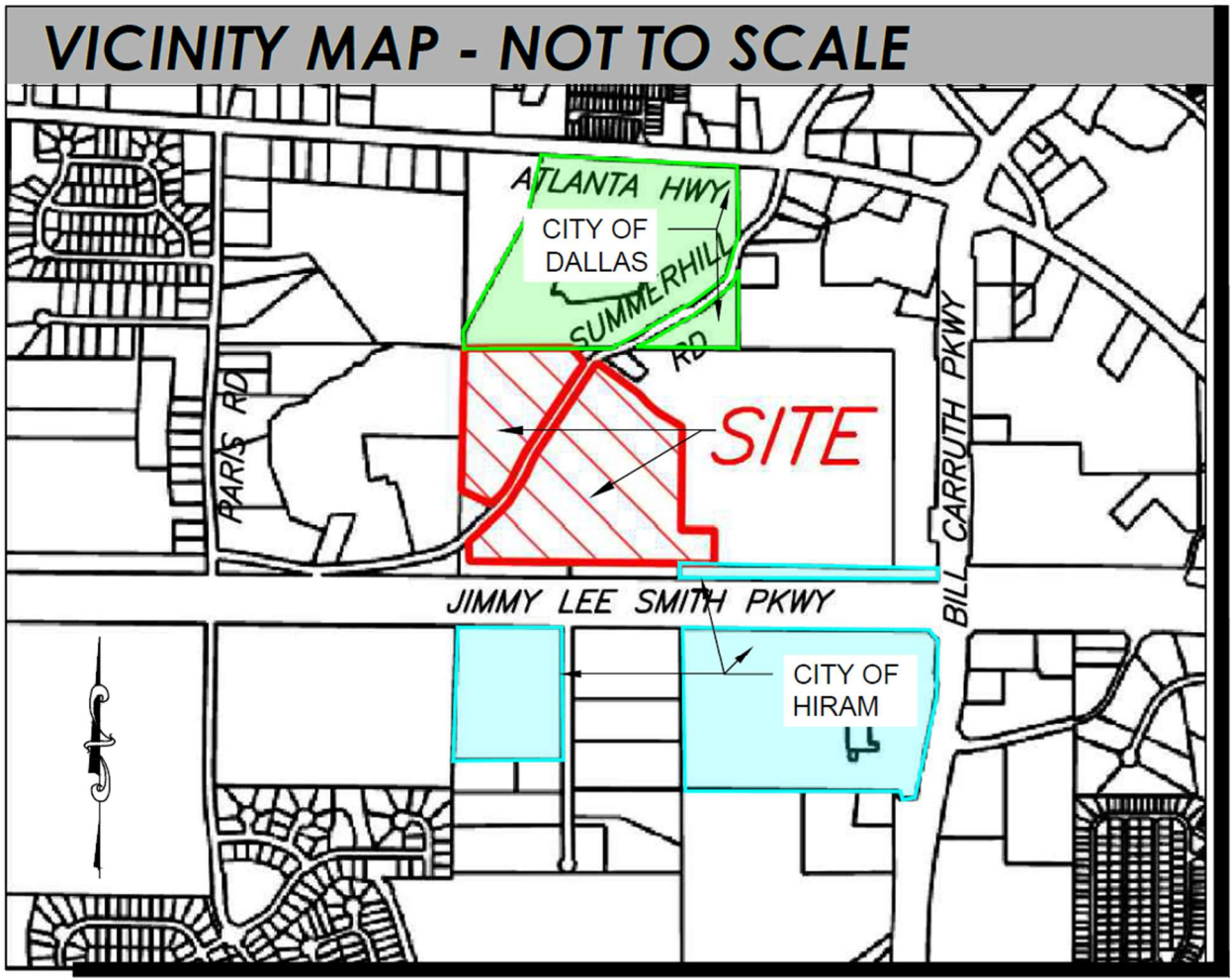
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- | | |
|--|--|
| 1. Estate of Mary Sue Tibbitts
4809 Shae Court
Powder Springs, GA 30127
(Parcel No. 147.1.2.002.0000)
ZONED PAULDING COUNTY R-2 | 13. Linda Paris Holley
Larry D. Paris
150 Smith Road
Hiram, GA 30141
(Parcel No. 147.1.4.001.0000)
ZONED PAULDING COUNTY R-2 |
| 2. ZEJ Dallas, LLC
10933 Crabapple Road
Roswell, GA 30075
(Parcel No. 140.4.3.072.0000)
ZONED CITY OF DALLAS OMI | 14. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.3.007.0000)
ZONED PAULDING COUNTY B-2 |
| 3. 3366 Atlanta Highway, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 140.4.3.070.0000)
ZONED CITY OF DALLAS OMI | 15. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.3.008.0000)
ZONED PAULDING COUNTY B-2 |
| 4. 2011 Edwards Family Revocable Trust
c/o Charlie Edwards, Jr.
598 Summerhill Road
Dallas, GA 30132
(Parcel No. 147.2.1.002.0000)
ZONED PAULDING COUNTY R-2 | 16. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.2.004.0000)
ZONED PAULDING COUNTY I-1 |
| 5. Lester Jackson Lindsey
Joanna Lindsey
578 Summerhill Road
Dallas, GA 30132
(Parcel No. 147.1.2.003.0000)
ZONED PAULDING COUNTY R-2 | 17. 303 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.2.001.0000)
ZONED PAULDING COUNTY R-2 |
| 6. Aiken Business Properties, LLP
Otis Production, Inc.
c/o Aiken Management Trust
Post Office Box 1055
Dallas, GA 30132
(Parcel No. 147.2.4.006.0000)
ZONED CITY OF HIRAM R-2 | 18. Richard L. Harris
Delores C. Harris
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.1.006.0000)
ZONED PAULDING COUNTY R-2 |
| 7. Mike Pope
95 Avery Way
Dallas, GA 30157
(Parcel No. 147.1.3.010.0000)
ZONED PAULDING COUNTY B-1 | 19. Thomas C. Tabor
404 Redwood Drive NE
Marietta, GA 30060
(Parcel No. 140.4.4.046.0000)
ZONED PAULDING COUNTY R-2 |
| 8. Paulding Medical Center, Inc.
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.002.0000)
ZONED CITY OF HIRAM B-1 | |
| 9. Pop 144 Bill Carruth, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.005.0000)
ZONED CITY OF HIRAM B-1 | |
| 10. PPC 148 Bill Carruth, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.003.0000)
ZONED CITY OF HIRAM B-1 | |
| 11. McNeel Covey 278, LLC
Post Office Box 2993
Kennesaw, GA 30156
(Parcel No. 147.1.3.002.0000)
ZONED PAULDING COUNTY I-1 | |
| 12. 90 International, LLC
c/o Brown Realty Advisors, Inc.
1303 Hightower Trail, Suite 205
Atlanta, GA 30350
(Parcel No. 147.1.3.006.0000)
ZONED CITY OF HIRAM I-1 | |



Item 2.		CHK	AS
		BY	DESCRIPTION
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PARCEL MAP FOR KINSHIP GROVE		DALLAS GEORGIA LL 458,459 & 479 ~ 3rd Section ~ 2nd District	
NORTH		SCALE: 1" = 150'	
PROJECT NUMBER		GA3944-2301	
SHEET TITLE		PARCEL MAP	
SHEET NUMBER		78	



Summerhill Road Vicinity Map

Item 2.

SUMMERHILL ROAD ANNEXATION LEGAL DESCRIPTIONS

Current Parcels:

1. Tibbitts Tract:

Tibbitts Tract for Annexation

All that tract or parcel of land lying and being in Land Lots 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek and being the TRUE POINT OF BEGINNING, thence from point thus established and leaving said Right of Way and running along said creek the following courses:

thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459;

thence running along said Land Lot line South $00^{\circ} 32' 27''$ West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North $87^{\circ} 52' 52''$ East a distance of 208.82 feet to an iron pin set; thence South $00^{\circ} 34' 06''$ West a distance of 178.69 feet to a point; thence South $88^{\circ} 05' 17''$ West a distance of 229.58 feet to a point; thence South $01^{\circ} 04' 53''$ East a distance of 30.28 feet to a point on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line the following courses: South $89^{\circ} 45' 30''$ West a distance of 309.00 feet to a point; thence South $89^{\circ} 45' 30''$ West a distance of 330.75 feet to an iron pin found; thence South $89^{\circ} 44' 42''$ West a distance of 571.61 feet to an iron pin set; thence South $89^{\circ} 44' 42''$ West a distance of 28.75 feet to a 1/2" rebar found; thence leaving said Land Lot Line North $00^{\circ} 34' 52''$ East a distance of 7.42 feet to a 1/2" rebar found; thence North $01^{\circ} 50' 53''$ East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of North $47^{\circ} 10' 43''$ East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North $36^{\circ} 23' 51''$ East, and a chord length of 235.76 feet) to a point; thence North $27^{\circ} 10' 21''$ East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North $31^{\circ} 32' 52''$ East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North $34^{\circ} 04' 07''$ East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North $32^{\circ} 42' 05''$ East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North $33^{\circ} 50' 29''$ East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24.046 Acres (1,047,409 Square Feet).

AND

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South $89^{\circ} 39' 19''$ East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South $00^{\circ} 21' 10''$ West a distance of 9.73 feet to an

axle found; thence South $43^{\circ} 53' 17''$ East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South $33^{\circ} 04' 55''$ West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South $32^{\circ} 42' 30''$ West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South $34^{\circ} 03' 40''$ West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South $31^{\circ} 32' 26''$ West, and a chord length of 265.72 feet) to a point; thence South $27^{\circ} 10' 21''$ West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South $36^{\circ} 25' 01''$ West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North $64^{\circ} 38' 11''$ West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North $01^{\circ} 10' 42''$ East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

SUMMERHILL ROAD ANNEXATION LEGAL DESCRIPTIONS

2. Mike J. Pope Tract:

Mike J. Pope Tract for Annexation

All that tract or parcel of land lying and being in Land Lot 479 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek; thence leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a

distance of 208.82 feet to an iron pin set; thence South $00^{\circ} 34' 06''$ West a distance of 178.69 feet to a point; thence South $88^{\circ} 05' 17''$ West a distance of 229.58 feet to a point; thence South $01^{\circ} 04' 53''$ East a distance of 30.28 feet to a point on the Land Lot Line common to Land Lots 458 and 479 and being the TRUE POINT OF BEGINNING, thence from point thus established thence South $01^{\circ} 04' 53''$ East a distance of 51.08 feet to a point; thence North $89^{\circ} 25' 24''$ West a distance of 310.44 feet to a point; thence North $89^{\circ} 25' 24''$ West a distance of 330.79 feet to a point; thence North $00^{\circ} 40' 27''$ East a distance of 41.92 feet to a point on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line North $89^{\circ} 45' 30''$ East a distance of 330.75 feet to a point; thence North $89^{\circ} 45' 30''$ East a distance of 309.00 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.683 Acres (29,773 Square Feet).

SUMMERHILL ROAD ANNEXATION LEGAL DESCRIPTIONS

3. 230 Summerhill Road Tract:

230 Summerhill Road, LLC Area for Annexation

All that tract or parcel of land lying and being in Land Lot 458 & 479 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 457 & 458 South 01° 10' 42" West a distance of 867.64 feet to a 1/2" rebar found; thence leaving said common Land Lot Line South 64° 38' 11" East a distance of 207.36 feet to a 1/2" rebar found at the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 31° 35' 26" East a distance of 61.75 feet to a point on the southeasterly Right of Way of Summerhill Road; thence running along the southeasterly Right of Way of Summerhill Road along a curve to the right an arc length of 206.34 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of South 47° 21' 13" West, and a chord length of 206.27 feet) to a 3" open top pipe found; thence leaving said Right of Way South 01° 50' 53" West a distance of 163.39 feet to a 1/2" rebar found; thence South 00° 34' 52" West a distance of 7.42 feet to a 1/2" rebar found on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line North 89° 44' 42" East a distance of 28.75 feet to an iron pin set; thence continuing along said Land Lot Line North 89° 44' 42" East a distance of 571.61 feet to an iron pin found; thence leaving said Land Lot Line South 00° 40' 27" West a distance of 41.92 feet to a point; thence North 89° 25' 24" West a distance of 571.37 feet to a point; thence North 00° 24' 27" East a distance of 33.62 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.495 Acres (21,583 Square Feet).

SUMMERHILL ROAD ZONING LEGAL DESCRIPTIONS

Proposed Zoning Tracts:

1. TH ZONING Tract 1

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 08, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

2. TH ZONING Tract 2

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to

a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek and being the TRUE POINT OF BEGINNING, thence from point thus established and leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 583.62 feet to a point; thence leaving said Land Lot line North 89° 24' 50" West a distance of 1000.36 feet to a point; thence running along a curve to the right an arc length of 25.09 feet, (said curve having a radius of 30.00 feet, with a chord bearing of North 65° 27' 09" West, and a chord length of 24.37 feet) to a point; thence North 41° 29' 28" West a distance of 88.10 feet to a point on the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 216.20 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 35° 41' 24" East, and a chord length of 215.58 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66

feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 15.889 Acres (692,112 Square Feet).

SUMMERHILL ROAD ZONING LEGAL DESCRIPTIONS

Proposed Zoning Tracts:

3. C-2 Zoning Tract

All that tract or parcel of land lying and being in Land Lots 458, 459 & 479 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 457 & 458 South 01° 10' 42" West a distance of 867.64 feet to a 1/2" rebar found; thence leaving said common Land Lot Line South 64° 38' 11" East a distance of 207.36 feet to a 1/2" rebar found at the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 64° 12' 46" East a distance of 63.13 feet to a point on the southeasterly Right of Way of Summerhill Road and the TRUE POINT OF BEGINNING, thence from point thus established and leaving said Right of Way thence South 41° 29' 28" East a distance of 88.10 feet to a point; thence running along a curve to the left an arc length of 25.09 feet, (said curve having a radius of 30.00 feet, with a chord bearing of South 65° 27' 09" East, and a chord length of 24.37 feet) to a point; thence South 89° 24' 50" East a distance of 1000.36 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 34.99 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 178.69 feet to a point; thence South 88° 05' 17" West a distance of 229.58 feet to a point; thence South 01° 04' 53" East a distance of 30.28 feet to a point; thence South 01° 04' 53" East a distance of 51.08 feet to a point; thence North 89° 25' 24" West a distance of 641.23 feet to a point; thence North 89° 25' 24" West a distance of 571.37 feet to a point; thence North 00° 24' 27" East a distance of 33.62 feet to an iron pin set on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line South 89° 44' 42" West a distance of 28.75 feet to a 1/2" rebar found; thence leaving said Land Lot Line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 20.37 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 43° 54' 18" East, and a chord length of 20.37 feet) to the TRUE POINT OF BEGINNING, Said tract contains 9.335 Acres (406,653 Square Feet).



Probate Court of Cobb County

IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA

FILED IN OFFICE

2022 AUG 31 AM 11:52

IN RE: ESTATE OF)

MARY SUE TIBBITTS,
DECEASED)

PROBATE COURT OF
COBB COUNTY, GA
ESTATE NO. 22-1173

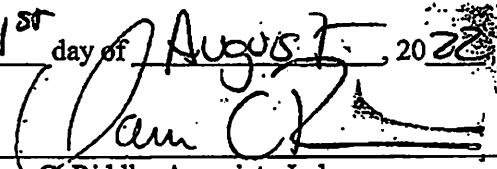
LETTERS TESTAMENTARY

[Relieved of filing returns]

At a regular term of probate court, the last will and testament dated AUGUST 3, 2021 of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, was legally proven in solemn form to be the decedent's will and was admitted to record by order, and it was further ordered that TAMMY J. KONE named as executor in said will, be allowed to qualify, and that upon so doing, letters testamentary be issued to such executor.

THEREFORE, the executor, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of executor under the will of said decedent, according to the decedent's will and the law.

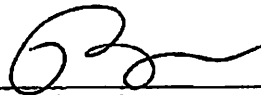
Given under my hand and official seal, the 31st day of August, 2022


Tara C. Riddle, Associate Judge
Cobb County Probate Court

*The following must be signed if the judge
does not sign the original of this document:*

Issued by:

[Seal]


Clerk of the Probate Court

Filed February 24, 1976 9:31 A. M.

538

Recorded February 24, 1976 C. M. Turner, Clerk

WARRANTY DEED

NEW CIA FERT, DALLAS, GA.

STATE OF GEORGIA, PAULDING County.

THIS INDENTURE, made this _____ day of _____, Seventy-Six
 in the year of our Lord One Thousand Nine Hundred and _____
 between _____ J. U. TIBBITTS

of the State of _____ Georgia _____ and County of _____ Paulding _____ of the first part
 and _____ MARY SUE TIBBITTS _____

of the State of _____ Georgia _____ and County of _____ Paulding _____ of the second part

WITNESSETH: That the said part _____ of the first part for and in consideration of the sum
 of _____ TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION _____

in hand paid at and before the signing and delivery of these presents, the receipt whereof is hereby acknowledged,
 he _____ granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto
 the said part _____ Y _____ of the second part _____ her _____ heirs and assigns, _____
 _____ a one-half undivided interest in all that tract
 or parcel of land lying and being in the Second District and Third
 Second of Paulding County, Georgia, and being more particularly described
 as follows:

One acre off the Southwest corner of Land Lot 459 plus all of
 Original Land Lot No. 458 EXCEPT one acre off the East end of the North
 half of said Land Lot EXCEPT One one-fourth (1 1/4) acre described
 as follows:

BEGINNING at the Northwest corner of the above described 1 acre
 tract in the Northeast corner of Land Lot No. 458 and thence running
 West along the North original line of said Land Lot No. 458 to the line
 of the property formerly owned by Ben F. Croker, now owned by J. U.
 Tibbitts; thence South along the East boundary line of property now
 owned by J. U. Tibbitts a distance of 10 feet to a stake; thence
 running East on a line which runs through a spring and a culvert and
 continuing down through the center of said stream to the East original
 line of said Land Lot No. 458; thence North along the East original
 line of said Land Lot No. 458 to the Southeast corner of the above
 described 1 acre tract in the Northeast corner of said Land Lot No.
 458; thence running in a Westerly direction along the South boundary
 line of said above described 1 acre tract to the Southwest corner of
 same; thence North along the West boundary line of said above described
 1 acre tract to the North original line of said Land Lot No. 458 and
 the point of beginning.

Real Estate Transfer Tax
 Paid to _____ None
 Date _____ 2-24-76
 _____ C. M. Turner
 Clerk of Superior Court

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and
 appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit
 and behoof of _____ herself _____ the said part _____ Y _____ of the second part _____ her _____ heirs and
 assigns forever, IN FREE SIMPLE.

And the said part _____ Y _____ of the first part, for _____ himself, his _____ heirs, executors and administrators
 will warrant and forever defend the right and title to the above described property unto the said part _____ Y _____ of
 the second part _____ her _____ heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part _____ Y _____ of the first part he _____ S _____ hereunto set _____ his
 hand _____ and affixed _____ his _____ seal _____ the day and year above written:

Signed, sealed and delivered in the presence of
 _____ Jeffrey B. Talley
 _____ Peggy W. Lester

_____ J. U. Tibbitts (Seal)
 _____ J. U. Tibbitts (Seal)
 _____ (Seal)
 _____ (Seal)
 _____ (Seal)

Jeffrey B. Talley
 Peggy W. Lester, N.P.
 Seal Affixed

Form No. 58
 History Public, Georgia State of large
 My Commission Expires June 19, 1978

Deed Doc: ESTD
 Filed 06/07/2018 10:42AM
 Georgia Transfer Tax Paid : \$0.00
 CLERK OF SUPERIOR COURT
 CLERK SUPERIOR COURT, PAULDING COUNTY, GA.
 Bk 03881 Pg 0249-0251
 1102018003953

DOCUMENT PREPARATION ONLY - DRAFTING ATTORNEY HAS NOT EXAMINED AND DOES NOT CERTIFY TITLE

Please return to:
 Mason Law Group (Georgia) LLC
 201 W Memorial Dr.
 Dallas, GA 30132

Executor's Deed

STATE OF GEORGIA

COUNTY OF PAULDING

THIS INDENTURE, made this 7th day of June, 2018 between CONNIE SUE TIBBITTS, as Executrix of the Estate of Jerrell Umbrey Tibbitts a/k/a J.U. Tibbitts, Deceased of the First Part (hereinafter called "grantor") and MARY SUE TIBBITTS 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 the said grantor (acting under and by virtue of the power and authority contained in the Letters Testamentary by the Paulding County, Georgia Probate Court on March 29, 2017, in Estate No. 2017-096), for and in consideration of the sum of TEN DOLLARS (\$10.00) Dollars 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 the said grantee,

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

This deed is given subject to all easements and restrictions of record.

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: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

BR 03881

PG 0250

IN WITNESS WHEREOF, the grantor herein has hereunto set hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

Mason

WITNESS: Mercedith Tibbitts

GRANTOR:

Connie Sue Tibbitts (SEAL)

CONNIE SUE TIBBITTS, AS EXECUTRIX OF
THE ESTATE OF JERRELL UMBREY
TIBBITTS, DECEASED

Michael L. Mason

Notary Public

(Affix Notary Seal)



BK 03881

Pg 0261

Exhibit "A"

...a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 458 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1 1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben E. Croker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 20 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Deed Exhibit Transfer Tax

Paid \$ 7.00

Date 2-24-76

P. E. Turner

eFiled and eRecorded
 DATE: 03/21/2022
 TIME: 4:09 PM
 DEED BOOK: 4736
 PAGE: 766 - 769
 FILING FEES: \$25.00
 TRANSFER TAX: \$0.00
 PARTICIPANT ID: 9679273920
 PT61: 1102022002343
 RECORDED BY: TS
 CLERK: Sheila Butler
 Paulding County, GA

[SPACE ABOVE LINE RESERVED FOR RECORDER]

AFTER RECORDING, RETURN TO:

Taylor English Duma LLP
 1600 Parkwood Circle, Suite 200
 Atlanta, GA 30339
 Attn.: LaTise Miller, Esq.

STATE OF GEORGIA

COUNTY OF COBB

LIMITED WARRANTY DEED

THIS DEED, made this 21st day of March, 2022, by and between **RICHARD L. HARRIS AND DELORES C. HARRIS** ("*Grantors*") and **230 SUMMERHILL ROAD, LLC**, Georgia limited liability company ("*Grantee*"), (the terms Grantors and Grantee to include their respective heirs, successors and assigns where the context hereof requires or permits),

WITNESSETH THAT: Grantors, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantors, have granted, bargained, sold and conveyed, and by these presents do hereby grant, bargain, sell and convey unto Grantee, the real property described on Exhibit "A" attached hereto and made a part hereof (the "*Property*").

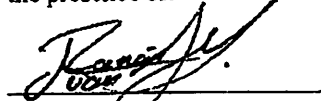
TO HAVE AND TO HOLD the Property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, forever in FEE SIMPLE.

AND, SUBJECT TO all easements, restrictions, covenants, and other matters of record, Grantors will warrant and forever defend the right and title to the Property unto the Grantee against the claims of all persons claiming by, through or under Grantors, but not otherwise.

02246347-1

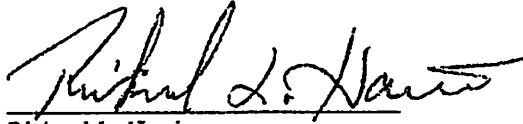
IN WITNESS WHEREOF, Grantors have signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered in
the presence of:

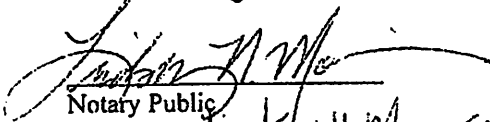


Unofficial Witness

Print Name: Juan P. Silva

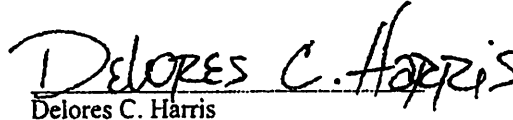


Richard L. Harris



Notary Public

Print Name: Lindsey H. Morrison



Delores C. Harris

Commission Expiration Date:

3/15/25

[AFFIX NOTARY SEAL]



02246347-1

EXHIBIT "A"**LEGAL DESCRIPTION****TRACT ONE:**

All that tract or parcel of land lying and being in Land Lots 457 and 480 of the 2nd District, 3rd Section of Paulding County, Georgia, and being an area of 1.052 acres as shown as Tract II on plat of survey for Russell Paris prepared by Jon R. Tripcony, RLS # 2267, dated December 29, 1989, revised September 15, 1994, more particularly described as follows:

BEGIN at the intersection of the Northerly right of way of South Dallas By-Pass (300 foot right of way as shown on the above referenced plat) and the East land lot line of Land Lot 480; thence North 89 degrees 25 minutes 25 seconds West along said right of way of the South Dallas By-Pass for a distance of 864.66 feet to a point on the Southeasterly right of way of Summerhill Road (60 foot right of way as shown on the above referenced plat); thence in an Easterly and Northeasterly direction along said Southeasterly right of way of Summerhill Road for a distance of 887.95 feet to an iron pin located on the East land lot line of Land Lot 457; thence South 01 degrees 06 minutes 57 seconds West along said East Land Lot line for a distance of 114.35 feet to the Southeast corner of Land Lot 457 which is also the Northeast corner of Land Lot 480; thence South 00 degrees 39 minutes 43 seconds East along the East Land Lot line of Land Lot 480 for a distance of 52.45 feet to an iron pin and the point of beginning.

This conveyance is subject to all easements, rights of way and restrictions of record. Said property is subject to the easement recorded in Deed Book 1120, Page 850, Paulding County, Georgia records. Said property is a portion of the property conveyed to Bobby R. Paris by deed dated February 9, 1974 and recorded in Deed Book 7-H, page 65 and by deed dated August 31, 1976, and recorded at Deed Book 7-Z, page 675, Paulding County, Georgia records.

Said property being commonly known as 230 Summerhill Road, according to the present system of numbering properties in Paulding County, Georgia.

This being the same property conveyed to Richard L Harris and Delores C Harris, by virtue of that certain Warranty Deed from Nancy C Mintz, Charles F Mintz and Charles D Mintz, dated February 9, 2012, recorded February 14, 2012 in Deed Book 2968, at Page 70, Paulding County, Georgia real property records.

TOGETHER WITH:**TRACT TWO:**

All that lot, tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section of Paulding County, Georgia, BEGINNING at an iron pin at the common intersection Land Lots 457, 458, 479 and 480, said district and section, thence running North 00 degrees 56 minutes 10 seconds East along the western land lot line of Land Lot 458 a distance of 114.18

02246347-1

feet to a point on the southeastern right-of-way of Summerhill Road (a 60 foot right of way); thence running northeasterly along said right of way North 56 degrees 13 minutes 42 seconds East a distance of 16.94 feet to a point; thence turning and running South 02 degrees 05 minutes 54 seconds West a distance of 123.58 feet to a point on the southern land lot line of Land Lot 458; thence turning and running westerly along said land lot line South 89 degrees 35 minutes 50 seconds West a distance of 11.42 feet to an iron pin at the common intersection of land lots 457,458,479 and 480, which is the TRUE POINT OF BEGINNING.

Being the same property shown and described upon a plat of survey prepared for Umbrey Tibbitts dated August 12, 2015 by W. Carlton Rakestraw, GRLS #2236, a copy of which is recorded in Plat Book 60, Page 004A of the Paulding County deed records and is incorporated herein by reference.

This being the same property conveyed to Richard L. Harris and Delores C. Harris, by virtue of that certain Quit-Claim Deed from J.U. Tibbitts and Mary Sue Tibbitts, dated October 30, 2015, recorded November 2, 2015 in Deed Book 3462, at Page 768, Paulding County, Georgia real property records.

AND FURTHER TOGETHER WITH:

TRACT THREE:

All that tract or parcel of land lying and being in the 2nd District 5th Section of Paulding County, Georgia and being located in Land Lots 458 and 479 and being 1.139 acres according to a plat of survey prepared for Richard Corneo by Ruhling and Ruhling Land Surveyors, Varian W. Ruhling, RLS # 2134, dated November 7, 2005 and revised April 14, 2006, said plat of survey being incorporated herein by reference hereto, and property being more fully and particularly described as follows:

To reach the Point of Beginning, start at the intersection of the west right of way of Summer Hill Road (60 foot right of way) and the north right of way of the South Dallas Bypass (600 foot right of way); thence north 88 degrees 44 minutes 37 seconds east along the north right of way of the South Dallas Bypass for a distance of 1,513.74 feet to a point; thence north 01 degrees 23 minutes 00 seconds east for a distance of 7.64 feet to a point, being the Point of Beginning; thence north 01 degrees 28 minutes 00 seconds east a distance of 158.30 feet to a point, located on the south right of way of Summer Hill Road; thence north 51 degrees 19 minutes 29 seconds east along the south right of way of Summer Hill Road for a distance of 77.36 feet to a point; thence south 01 degrees 08 minutes 57 seconds west for a distance of 163.24 feet to a point; thence north 88 degrees 44 minutes 00 seconds east for a distance of 600.35 feet to a point; thence south 00 degrees 12 minutes 31 seconds east for a distance of 69.35 feet to a point; thence south 89 degrees 04 minutes 37 seconds west for a distance of 519.24 feet to a point; thence north 57 degrees 11 minutes 54 seconds west for a distance of 142.86 feet to a point, being the Point of Beginning.

This being the same property conveyed to Richard L. Harris and Delores C. Harris, by virtue of that certain Joint Tenancy With Right of Survivorship Warranty Deed from C.J. Martin Enterprises, LLC, dated September 18, 2012, recorded September 18, 2012 in Deed Book 3051, at Page 973, Paulding County, Georgia real property records.

02246347-1

CONTINUED NEXT PAGE

STATE OF GEORGIA
COUNTY OF COBB

Paulding County, Ga.
Estate Transfer Tax
\$ 2.50
4-14-93
Sylvia A. Strickland
Clerk of Superior Court

PAULDING COUNTY, GEORGIA
PAULDING COUNTY COURTS
FILE IN OFFICE

93 APR 14 PM 2:12

LIMITED WARRANTY DEED

THIS INDENTURE, made the 31st day of March, 1993,

between COBB AMERICAN BANK AND TRUST COMPANY, a Georgia banking association, as party or parties of the first part, hereinafter called "Grantor", and MIKE J. POPE, a resident of 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 TEN DOLLARS AND OTHER VALUABLE CONSIDERATION (\$10.00) 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 upon the said Grantee the following described property:

All that tract or parcel of land lying and being in Land Lot 479 of the 2nd District, 3rd Section of Paulding County, Georgia, as shown on a plat prepared by Paul Lee, as revised on August 31, 1988, denominated as Tract 1 thereon and also shown in Plat Book 20, page 191, aforesaid records, and being more particularly described as follows:

BEGINNING at intersection of Land Lots 458, 459, 478 and 479, 2nd District, 3rd Section, Paulding County, Georgia; thence running Westerly South 88° 55' West, a distance of 660.45 feet to an iron pin set; thence Southerly along a line South 0° 12' 31" East, a distance of 97.14 feet to an iron pin set; thence

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CONTINUED NEXT PAGE

Easterly along a line South $87^{\circ} 12' 49''$ East; a distance of 663.90 feet to an iron pin set; thence Northerly along a line North $01^{\circ} 16' 00''$ West, a distance of 141.93 feet to a point of beginning.

TOGETHER WITH a perpetual easement for ingress and egress from the above described property to Summerhill Road, a 60-foot public right-of-way, said easement having been granted to Jerry F. Wiley and Brenda Diane Wiley by Henry H. Kinsey, Sr. and Naomi E. Kinsey in Deed Book 72, page 692, Paulding County records. Said easement is more particularly shown on a plat of survey for Bruce L. Goodman prepared by Paul E. Lee, RLS, dated November 9, 1990, and filed in Plat Book 20, page 191, Paulding County records, to which plat reference is made for a more detailed description of the easement herein conveyed.

THIS CONVEYANCE is made subject to all easements, restrictions and covenants of record, all ad valorem real estate taxes which are liens and which may be now or hereafter due and payable and is conveyed by Grantor to Grantee "AS IS" and "WHERE IS".

By acceptance of this deed, Grantee acknowledges and agrees that Grantor has acquired subject property pursuant to a real property foreclosure sale conducted by Grantor as attorney in fact for Blake Properties, Inc. and makes no representations or warranties as to the property or any improvements located thereon, express or implied.

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.

CONTINUED NEXT PAGE

AND subject to the exceptions aforesaid, the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor.

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

Signed, Sealed and Delivered
this 6th day of April, 1993
in the presence of:

COBB AMERICAN BANK AND
AND TRUST COMPANY

Richard Mansone
Witness

By: Leo Rainey, Jr.
Title: Executive Vice
President

SHIRLEY D. HICKS
N.P.

Shirley D. Hicks
(Notary Public)

Commission Expires:
Notary Public, Cobb County, Georgia
My Commission Expires March 22, 1996

05360114-16

(AFFIX BANK SEAL)

RECORDED 4-16-93
COBB COUNTY, GEORGIA
REGISTERED PUBLIC

EXHIBIT "A"

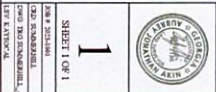
All that tract or parcel of land lying and being in Land Lot 479 of the 2nd District, 3rd Section of Paulding County, Georgia, as shown on a plat prepared by Paul Lee, as revised on August 31, 1988, denominated as Tract 1 thereon and also shown in Plat Book 20, page 191, aforesaid records, and being more particularly described as follows:

BEGINNING at intersection of Land Lots 458, 459, 478 and 479, 2nd District, 3rd Section, Paulding County, Georgia; thence running Westerly South $88^{\circ} 55'$ West, a distance of 660.45 feet to an iron pin set; thence Southerly along a line South $0^{\circ} 12' 31''$ East, a distance of 97.14 feet to an iron pin set; thence Easterly along a line South $87^{\circ} 12' 49''$ East; a distance of 663.90 feet to an iron pin set; thence Northerly along a line North $01^{\circ} 16' 00''$ West, a distance of 141.93 feet to a point of beginning.

TOGETHER WITH a perpetual easement for ingress and egress from the above described property to Summerhill Road, a 60-foot public right-of-way, said easement having been granted to Jerry F. Wiley and Brenda Diane Wiley by Henry H. Kinsey, Sr. and Naomi E. Kinsey in Deed Book 72, page 692, Paulding County records. Said easement is more particularly shown on a plat of survey for Bruce L. Goodman prepared by Paul E. Lee, RLS, dated November 9, 1990, and filed in Plat Book 20, page 191, Paulding County records, to which plat reference is made for a more detailed description of the easement herein conveyed.

05360:17

BOOK - 317 PAGE 512





February 2, 2026

Mr. Tim Estes, Commission Chairman
Paulding County Board of Commissioners
240 Constitution Boulevard
Dallas, Georgia 30132

Re: Application for Annexation - City of Dallas:
Georgia Capital, LLC.; 35.633 acres, located along
the northwesterly and southwesterly sides of
Summerhill Road, and along a portion of the
northerly side of Jimmy Lee Smith Parkway, Tax
Parcel I.D. No. 147.1.2.002.0000;
147.1.3.008.0000; 147.1.3.010.0000, Land Lots
458; 459; 479, 2nd District, 3rd Section, Paulding
County, Georgia

Dear Mr. Estes:

Please be advised that the City of Dallas has accepted an application from Georgia Capital, LLC. for annexation pursuant to application by 100% of landowners in accordance with O.C.G.A. §36-36-21 for certain property owned by the Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; and Mike J. Pope, identified as Paulding County Tax Parcel Numbers 147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000 and hereinafter described.

Annexation Tract 1

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord



length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

Annexation Tract 2

All that tract or parcel of land lying and being in Land Lot 458, 459 & 479 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek and being the TRUE POINT OF BEGINNING, thence from point thus established and leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence



South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 178.69 feet to a point; thence South 88° 05' 17" West a distance of 229.58 feet to a point; thence South 01° 04' 53" East a distance of 30.28 feet to a point; thence South 01° 04' 53" East a distance of 51.08 feet to a point; thence North 89° 25' 24" West a distance of 641.23 feet to a point; thence North 89° 25' 24" West a distance of 571.37 feet to a point; thence North 00° 24' 27" East a distance of 33.62 feet to an iron pin set on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line South 89° 44' 42" West a distance of 28.75 feet to a 1/2" rebar found; thence leaving said Land Lot Line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 25.224 Acres (1,098,768 Square Feet).

This letter serves as written notice within 30 days of acceptance of an application for annexation pursuant to Code Section 36-36-21 in accordance with O.C.G.A. §36-36-6. This letter has been sent to you by certified mail, with a return receipt requested, in accordance with O.C.G.A. §36-36-9.

This letter serves also as notice of the application for zoning and land use for such annexed property in accordance with O.C.G.A. §36-36-111. A copy of this letter is being sent as notice to the Paulding County School District in accordance with O.C.G.A. §36-36-111. The proposed zoning for



THE CITY OF
DALLAS
GEORGIA

CITY OF DALLAS, GEORGIA
Office of Community Development
129 E. Memorial Dr. Dallas, GA 30132
Director – Brandon Rakestraw
brakestraw@dallas-ga.gov
www.dallasga.gov

Item 2.

this property within the City of Dallas is TH-Townhome District and C-2 Medium-Density Commercial District.

Pursuant to O.C.G.A. §36-36-7 and O.C.G.A. §36-36-9, you must notify the Mayor and Council of the City of Dallas, Georgia, in writing and by certified mail or statutory overnight delivery, return receipt requested, of any county facilities or property located within the property to be annexed, within five (5) business days of receipt of this letter.

If the County has an objection under O.C.G.A §36-36-113, you must notify the Mayor and Council of the City of Dallas, Georgia, by verifiable delivery within 45 calendar days of the receipt of this notice.

Respectfully,

Brandon Rakestraw
Community Development Director

Cc: Paulding County School District

Enclosure: Application Form – Exhibit A
Site Plan – Exhibit B
Site Survey – Exhibit C
Legal Description – Exhibit D
Property Deed – Exhibit E
Property Tax Receipt – Exhibit F
Surrounding Property Owner List – Exhibit G
Surrounding Property Owner Map – Exhibit H



CITY OF DALLAS, GEORGIA
Office of Community Development
129 E. Memorial Dr. Dallas, GA 30132
Director – Brandon Rakestraw
brakestraw@dallas-ga.gov
www.dallasga.gov

Item 2.

February 2, 2026

Mr. Steve Barnette, Superintendent
Paulding County School District
3236 Atlanta Highway
Dallas, Georgia 30132

Re: Application for Annexation - City of Dallas: Georgia Capital, LLC.; 35.633 acres, located along the northwesterly and southwesterly sides of Summerhill Road, and along a portion of the northerly side of Jimmy Lee Smith Parkway, Tax Parcel I.D. No. 147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, Land Lots 458; 459; 479, 2nd District, 3rd Section, Paulding County, Georgia

Dear Mr. Barnette:

Please be advised that the City of Dallas has accepted an application from Georgia Capital, LLC. for annexation pursuant to application by 100% of landowners in accordance with O.C.G.A. §36-36-21 for certain property owned by the Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; and Mike J. Pope, identified as Paulding County Tax Parcel Numbers 147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000.

This letter is being sent as notice to the Paulding County School District in accordance with O.C.G.A. §36-36-111. Enclosed is a copy of the notice letter being sent to the Paulding County Board of Commissioners. The proposed zoning for this property within the City of Dallas is TH – Townhome District and C-2 Medium-Density Commercial District.

Respectfully,

Brandon Rakestraw
Community Development Director

Enclosure: Paulding County Board of Commissioners Notice



January 30, 2026

Mr. J. Kevin Moore - Representative
Moore Ingram Johnson & Steele, LLP.
Emerson Overlook
326 Roswell Street; Suite 100
Marietta, GA 30060
(via email ONLY – [REDACTED])

Re: Application for Annexation / Zoning:
Georgia Capital, LLC.; Property formally
known as Tax Parcel I.D. No.
147.1.2.002.0000; 147.1.3.008.0000;
147.1.3.010.0000; located within Land
Lot: 458, 459, 479; 2nd District 3rd
Section; Paulding County, Georgia

Dear Mr. Moore:

I am writing to inform you the Community Development Department has carefully reviewed your client's application for annexation and zoning of property located along the northwesterly and southeasterly side of Summerhill Road, and along a portion of the northerly side of Jimmy Lee Smith Parkway, within Land Lots 458, 459, and 479; 2nd District; 3rd Section; Paulding County, Georgia, and more formally known as Tax Parcel I.D. No. 147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, submitted to the City of Dallas, Georgia, and are pleased to confirm that your application is deemed complete. This letter serves as an acknowledgment that your submission has met all the necessary requirements for consideration.

Please be advised that the next step in the application process is written notice to Paulding County Government and Paulding County School System in accordance with O.C.G.A. §36-36-6 and O.C.G.A. §36-36-111. The city will send notice by certified mail, with a return receipt requested, in accordance with O.C.G.A. §36-36-9. Pursuant to O.C.G.A. §36-36-7 and O.C.G.A. §36-36-9, Paulding County must notify the Mayor and Council of the City of Dallas, Georgia, in writing and by certified mail or statutory overnight delivery, return receipt requested, of any county facilities or property located



within the property to be annexed, within five (5) business days of receipt of this letter. If the County has an objection under O.C.G.A §36-36-113, they must notify the Mayor and Council of the City of Dallas, Georgia, by verifiable delivery within 45 calendar days of the receipt of this notice.

The application will then be carried forth in accordance with O.C.G.A. §36-66-4 via posting in the local newspaper, *The Dallas New Era*, at least fifteen (15) days prior to, and no more than 45 days from your hearing date(s). We will advise you of these dates in the coming days via email.

Applications are evaluated based on Chapter XI; Sec. 11.05; 2)b) Consideration of Amendments within the city's Unified Development Code, by the Planning Commission and City Council.

The city will supply written notice to all surrounding property owners, via certified mail prior to your hearing date. A template copy of the written notice is attached for your records.

Should any additional information or clarification be required prior to the hearing(s), we will contact you promptly. In the meantime, we encourage you to reach out to our office if you have any questions or concerns.

We appreciate your client's interest, and I look forward to working with you through this process.

Respectfully,

Brandon Rakestraw
Community Development Director

Cc: Georgia Capital, LLC.; Kendall B. King, Director – Applicant (via email ONLY [REDACTED])
Darrin Keaton – City Attorney
Kendall Smith – City Manager

Enclosure: Surrounding Property Owner Notification Template

CITY OF DALLAS
NOTICE OF PUBLIC HEARING
LEGAL NOTICE
ANNEXATION: A-2025-04
ZONING/REZONING: Z-2025-07

Georgia Capital, LLC (Applicant), *Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC;* *Mike J. Pope* (Titleholder), and *Moore Ingram Johnson & Steele, LLP; J. Kevin Moore* (Representative), have applied and seek to annex & zone +/-**34.455** acres of property located at the **Northwesterly and Southeasterly sides of Summerhill Road**, from **R-2 & B-2** (Paulding County) to **TH-Townhome and C-2 Commercial Medium-Density** (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by **Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000**, in Land Lot(s): **458; 459; 479, 2nd District, 3rd Section**, of Paulding County.

The public hearing for the Planning & Zoning Commission will be held on **Thursday, April 23, 2026, at 6:00pm**. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, Georgia 30132.

The public hearing for the City Council will be held on **Monday, May 4, 2026, at 5:15pm**. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, Georgia 30132.

Please contact the City of Dallas - Community Development Department at City Hall, 129 E. Memorial Drive, Dallas, Georgia 30132 or (770) 443-8110 to receive information on the filing thereof.

Per O.C.G.A 36-67A-3; Opponents to the above actions are required to submit a disclosure report five days before the first public hearing.

CITY OF DALLAS

This the **2nd** day of **April 2026**

Georgia Capital, LLC (Applicant)

Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC; Mike J. Pope (Titleholder)

Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative)



**NOTICE OF PUBLIC HEARING
LEGAL NOTICE
ANNEXATION: A-2025-04
ZONING/REZONING: Z-2025-07**

Dear Surrounding Property Owners,

Georgia Capital, LLC (Applicant), **Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC;** **Mike J. Pope** (Titleholder), and **Moore Ingram Johnson & Steele, LLP; J. Kevin Moore** (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the **Northwesterly and Southeasterly sides of Summerhill Road**, from **R-2 & B-2** (Paulding County) to **TH-Townhome and C-2 Commercial Medium-Density** (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by **Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000**, in Land Lot(s): **458; 459; 479, 2nd District, 3rd Section**, of Paulding County.

The public hearing for the Planning & Zoning Commission will be held on **Thursday, April 23, 2026, at 6:00pm**. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, Georgia 30132.

The public hearing for the City Council will be held on **Monday, May 4, 2026, at 5:15pm**. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, Georgia 30132.

Please contact the City of Dallas - Community Development Department at City Hall, 129 E. Memorial Drive, Dallas, Georgia 30132 or (770) 443-8110 to receive information on the filing thereof.

Per O.C.G.A 36-67A-3; Opponents to the above actions are required to submit a disclosure report five days before the first public hearing.

This the **2nd** day of **April 2026**

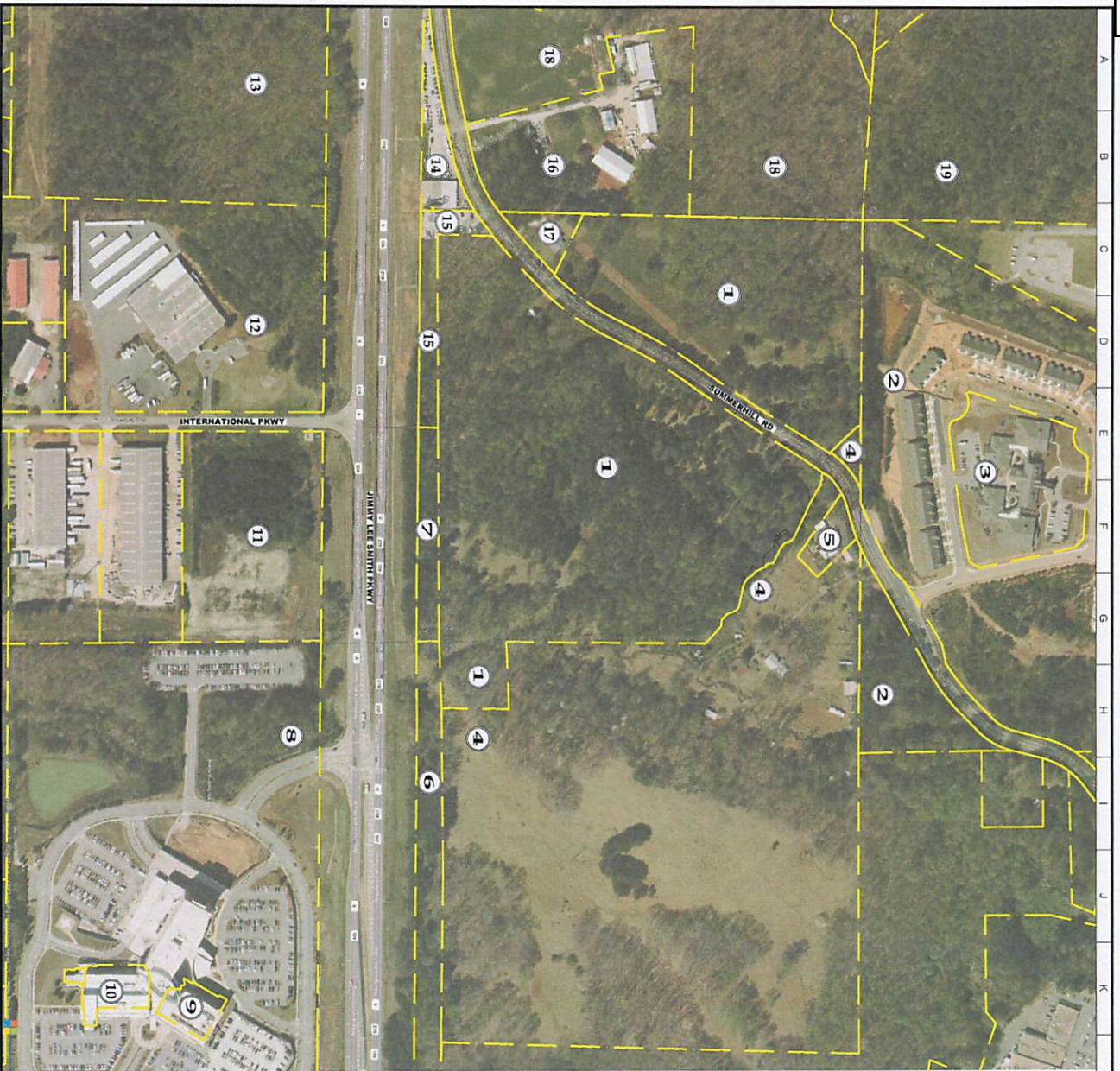
Georgia Capital, LLC (Applicant)

Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC; **Mike J. Pope** (Titleholder)

Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative)

Sincerely,

Brandon Rakestraw
Community Development Director



1. Estate of Mary Sue Thibbs
4809 Shea Court
Powder Springs, GA 30127
(Parcel No. 147,12,002,0000)
ZONED PAULDING COUNTY M-2
2. ZEI Dallas, LLC
10933 Cassapine Road
Dallas, TX 75243
(Parcel No. 140,4,032,0000)
ZONED CITY OF DALLAS OH1
3. 3166 Atlanta Highway, LLC
e/o Atlas Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147,2,1,002,0000)
ZONED PAULDING COUNTY M-2
4. 2011 Edwards Family Revocable Trust
e/o Charlie Edwards, Jr.
598 Summerhill Road
Dallas, TX 75243
(Parcel No. 147,2,1,002,0000)
ZONED PAULDING COUNTY M-2
5. Lester Jackson Lindsey
578 Summerhill Road
Dallas, TX 75243
(Parcel No. 147,2,1,002,0000)
ZONED PAULDING COUNTY M-2
6. Atlas Business Properties, LLP
e/o Atlas Management Trust
Post Office Box 1055
Dallas, TX 75243
(Parcel No. 147,2,1,002,0000)
ZONED CITY OF NICHAM M-2
7. Mike Poye
95 Avery Way
Dallas, TX 75243
(Parcel No. 147,1,3,010,0000)
ZONED PAULDING COUNTY B-1
8. Paving Medical Center, Inc.
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147,2,1,002,0000)
ZONED CITY OF NICHAM B-1
9. Pop 144 Bill Camp, LLC
e/o Atlas Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147,2,1,002,0000)
ZONED CITY OF NICHAM B-1
10. PFC 148 Bill Camp, LLC
e/o Atlas Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147,2,1,002,0000)
ZONED CITY OF NICHAM B-1
11. Marked Corey 278, LLC
Post Office Box 2993
Kennesaw, GA 30145
(Parcel No. 147,1,3,002,0000)
ZONED PAULDING COUNTY M-2
12. 30 International, LLC
e/o Brown Realty Advisors, Inc.
5515 International Blvd, Suite 205
Atlanta, GA 30350
(Parcel No. 147,1,3,006,0000)
ZONED CITY OF NICHAM M-1
13. Linda Paul Holly
Larry D. Pauls
150 South Road
Hiram, GA 30141
(Parcel No. 147,1,4,001,0000)
ZONED PAULDING COUNTY M-2
14. 210 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147,1,3,008,0000)
ZONED PAULDING COUNTY B-2
15. 210 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147,1,3,008,0000)
ZONED PAULDING COUNTY B-2
16. 210 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147,1,3,008,0000)
ZONED PAULDING COUNTY B-2
17. 301 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147,1,3,008,0000)
ZONED PAULDING COUNTY M-1
18. Richard L. Harris
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147,1,3,008,0000)
ZONED PAULDING COUNTY M-2
19. Thomas C. Thier
404 Redwood Drive NE
Marietta, GA 30060
(Parcel No. 140,4,046,0000)
ZONED PAULDING COUNTY M-2

NO.	DATE	DESCRIPTION	CHK.	APV.
1				
2				
3				
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10				
11				
12				

Georgia Capital

LJA ENGINEERING
1701 MAIN STREET
ATLANTA, GA 30303
770-524-4339

PARCEL MAP FOR KINSHIP GROVE
DALLAS, GEORGIA
LL 458, 459 & 479 - 3rd Section
- 2nd District

PARCEL MAP
SCALE: 1" = 100'
DATE: 10/1/2011
DRAWN: JLM
CHECKED: JLM

LISTING OF ADJOINING OWNERS

(Annexation Application)

Application No.: _____

Applicant: Georgia Capital, LLC
Titleholders: Estate of Mary Sue Tibbitts;
 230 Summerhill Road, LLC;
 Mike J. Pope

List of names and addresses of adjoining property owners:

1. Estate of Mary Sue Tibbitts
 4809 Shae Court
 Powder Springs, GA 30127
 (Parcel No. 147.1.2.002.0000)

2. ZEJ Dallas, LLC
 10933 Crabapple Road
 Roswell, GA 30075
 (Parcel No. 140.4.3.072.0000)

3. 3366 Atlanta Highway, LLC
 c/o Altus Group
 Post Office Box 92129
 Southlake, TX 76092
 (Parcel No. 140.4.3.070.0000)

4. 2011 Edwards Family Revocable Trust
 c/o Charlie Edwards, Jr.
 598 Summerhill Road
 Dallas, GA 30132
 (Parcel No. 147.2.1.002.0000)

5. Lester Jackson Lindsey
 Joanna Lindsey
 578 Summerhill Road
 Dallas, GA 30132
 (Parcel No. 147.1.2.003.0000)

**Listing of Adjoining Owners
Annexation Application
Page 2 of 3**

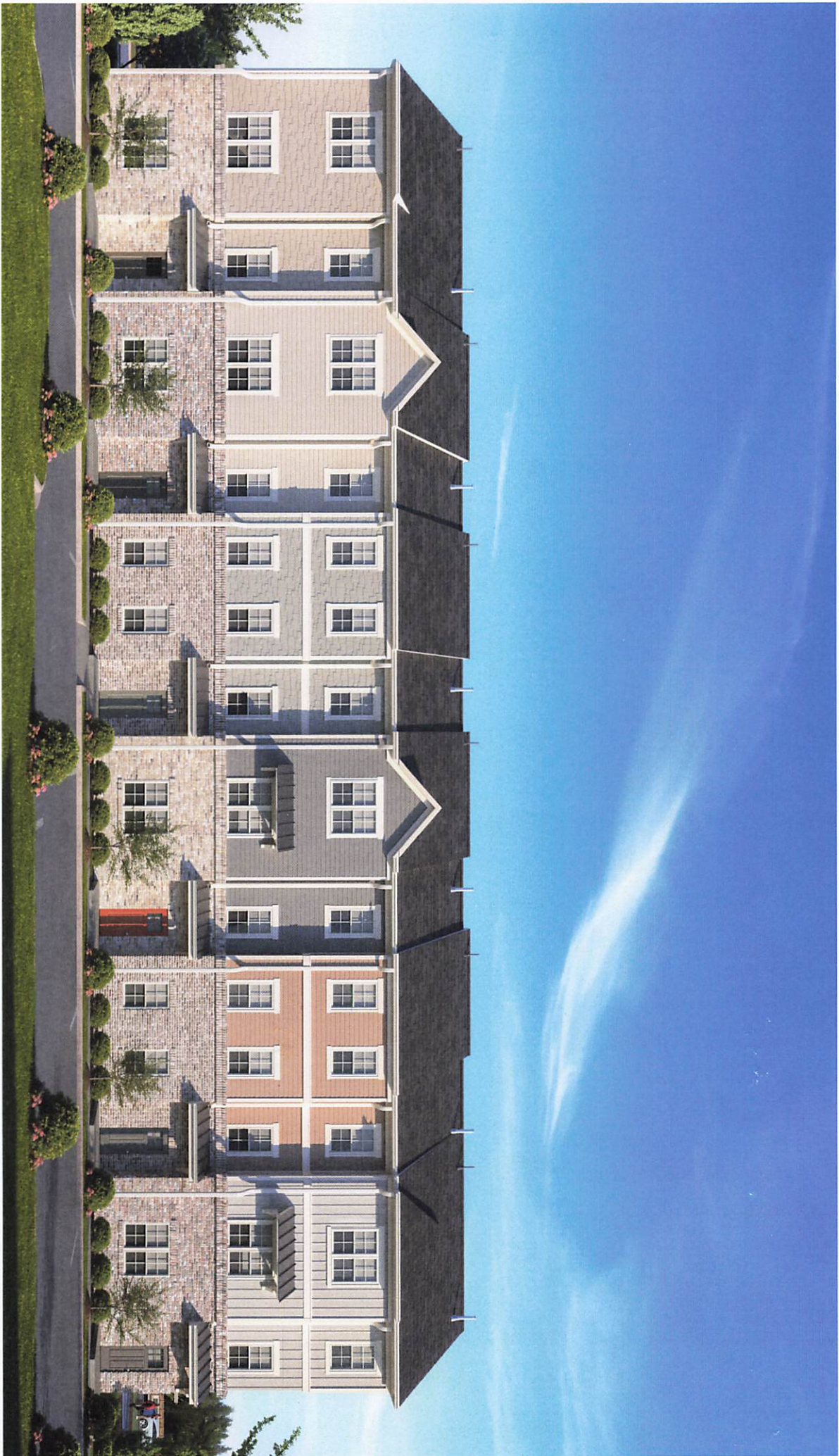
6. Aiken Business Properties, LLP
Otis Production, Inc.
c/o Aiken Management Trust
Post Office Box 1055
Dallas, GA 30132
(Parcel No. 147.2.4.006.0000)
7. Mike Pope
95 Avery Way
Dallas, GA 30157
(Parcel No. 147.1.3.010.0000)
8. Paulding Medical Center, Inc.
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.002.0000)
9. Pop 144 Bill Carruth, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.005.0000)
10. PPC 148 Bill Carruth, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.003.0000)
11. McNeel Covey 278, LLC
Post Office Box 2993
Kennesaw, GA 30156
(Parcel No. 147.1.3.002.0000)
12. 90 International, LLC
c/o Brown Realty Advisors, Inc.
1303 Hightower Trail, Suite 205
Atlanta, GA 30350
(Parcel No. 147.1.3.006.0000)

**Listing of Adjoining Owners
Annexation Application
Page 3 of 3**

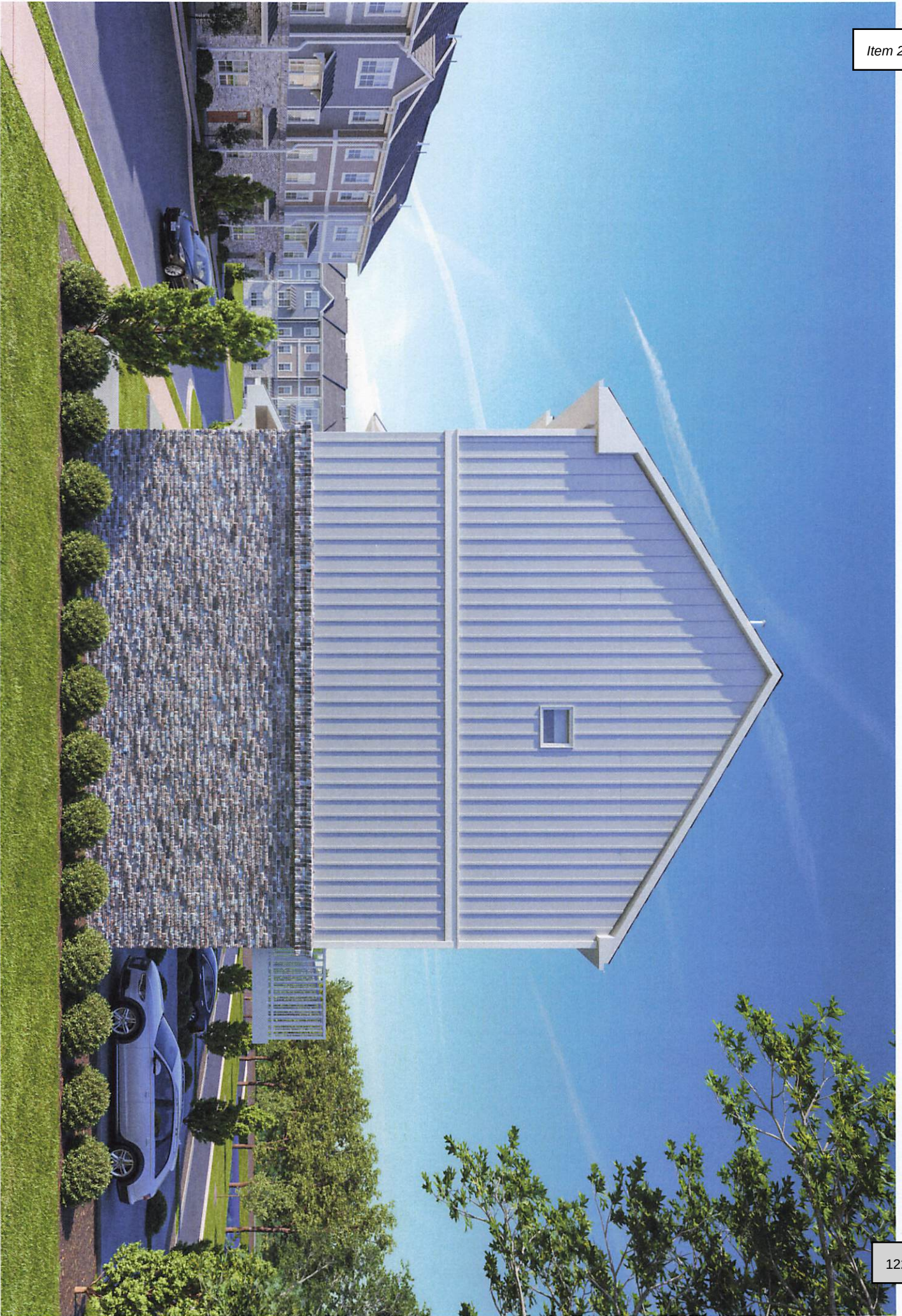
13. Linda Paris Holley
Larry D. Paris
150 Smith Road
Hiram, GA 30141
(Parcel No. 147.1.4.001.0000)
14. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.3.007.0000)
15. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.3.008.0000)
16. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.2.004.0000)
17. 303 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.2.001.0000)
18. Richard L. Harris
Delores C. Harris
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.1.006.0000)
19. Thomas C. Tabor
404 Redwood Drive NE
Marietta, GA 30060
(Parcel No. 140.4.4.046.0000)

Elevation Detail and Comments

1. Building materials: Architectural style and composition of the townhomes shall be in substantial conformity with the elevations submitted in the application, which consist of a mixture of either brick, stacked stone, cedar shake, or fiber cement siding.
2. Building dimensions.
 - a. Height: +/- 30' to roof ridge.
 - b. Width: 24'.
 - c. Depth: 40'.
 - d. Garage Width: 16'.
3. Roof Pitch: 6:12.
4. Shingles used: Certain Teed Landmark 30-Year Arch.
5. Percentage of window coverage: Window coverage will meet code requirements and will be similar to the elevations provided.
6. 2-Car garages will be on each townhome.
7. Utility boxes will be screened to meet code.
8. All landscaping shall be compliant with the code (Section 7.05).
9. All lighting requirements shall be compliant with the code.
10. The development shall be compliant with the city's noise and vibration standards (Section 9.02.13).
11. The townhomes shall be compliant with all Multi-family and Townhome Design Standards (Section 9.02) except for the variance listed in the application.
12. All elevations will meet the city's 40% masonry requirement on all sides of the townhomes.





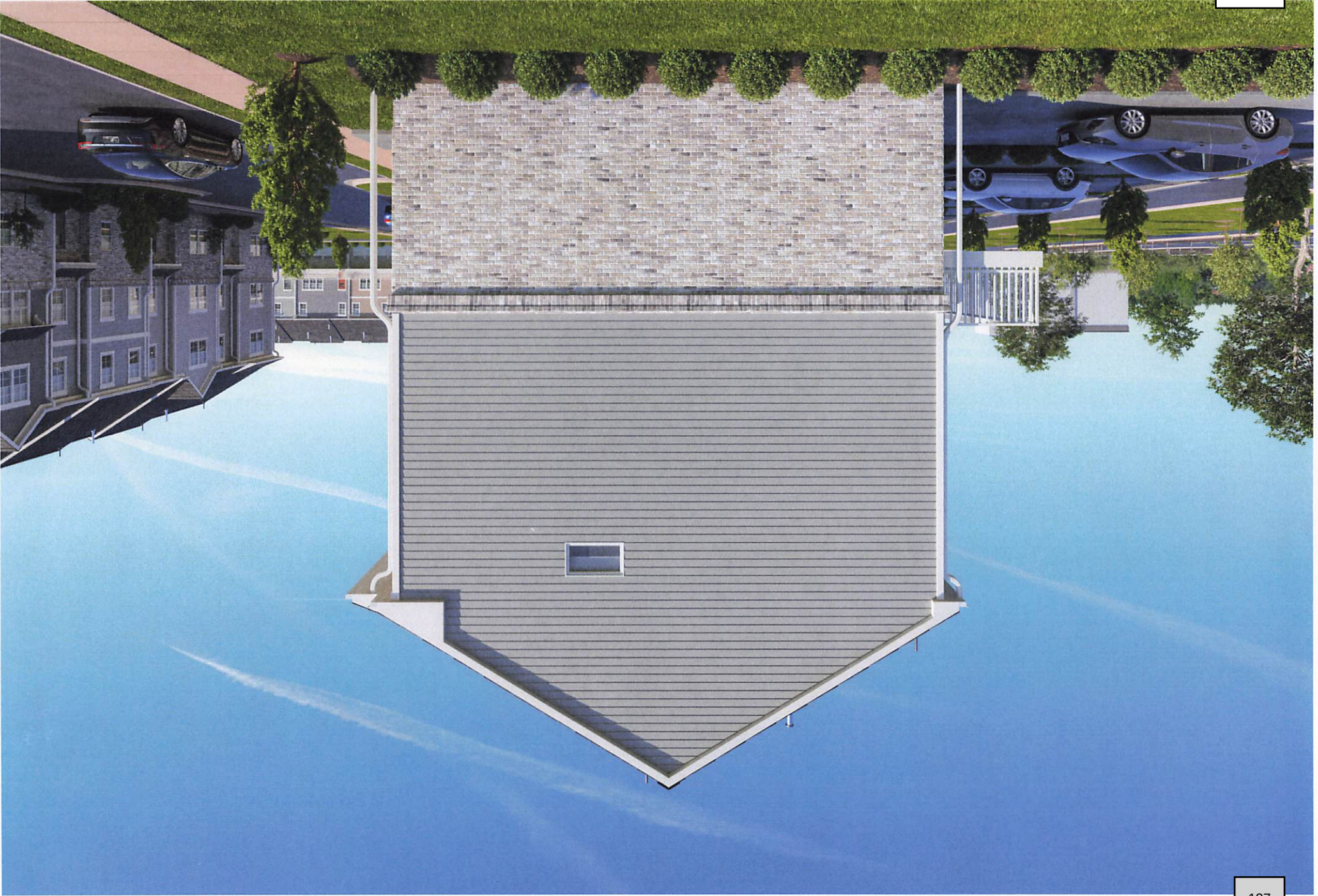














CITY OF DALLAS, GEORGIA
Office of Community Development
129 E. Memorial Dr. Dallas, GA 30132
Director – Brandon Rakestraw
brakestraw@dallas-ga.gov
www.dallasga.gov

March 25, 2026

Mr. J. Kevin Moore - Representative
Moore Ingram Johnson & Steele, LLP.
Emerson Overlook
326 Roswell Street; Suite 100
Marietta, GA 30060
(via email ONLY – [REDACTED])

Re: Annexation (A-2025-04) & Zoning (Z-2025-07) Application – Public Hearing
Notification: Georgia Capital, LLC.;
Property formally known as Tax Parcel
I.D. No(s). 147.1.2.002.0000;
147.1.3.008.0000; 147.1.3.010.0000;
located within Land Lot(s): 458, 459, 479;
2nd District 3rd Section; Paulding County,
Georgia

Dear Mr. Moore:

I am writing to inform you that the city did not receive an objection from Paulding County within the mandated 45-day response period, per the stipulations outlined in the O.C.G.A § 36-36-113. Therefore, the annexation and zoning application will be carried forth in accordance with O.C.G.A. §36-66-4 via posting in the local newspaper, The Dallas New Era, at least fifteen (15) days prior to, and no more than (45) forty-five days from your scheduled hearing date.

I would like to bring to your attention public hearings have been scheduled for both the Planning Commission and City Council. The Planning Commission public hearing is set for *Thursday, April 23, 2026, at 6:00 PM*, while the City Council public hearing will take place on *Monday, May 4, 2026, at 5:15 PM*. A copy of the Notice of Public Hearing Legal Notice is attached as “Exhibit A”.



CITY OF DALLAS, GEORGIA
Office of Community Development
129 E. Memorial Dr. Dallas, GA 30132
Director – Brandon Rakestraw
brakestraw@dallas-ga.gov
www.dallasga.gov

Moreover, as part of the Zoning Procedures Law, public notification signs shall be placed in public view at the property. We will be placing two (2) annexation and two (2) zoning signs at the property on April 2, 2026. The city necessitates a payment of \$50.00 for each public notification sign. Please ensure a payment of \$200.00 to the City of Dallas is provided to the Community Development Department office no later than April 1, 2026.

Should any additional information or clarification be required prior to the hearing(s), we will contact you promptly. In the meantime, we encourage you to reach out to our office if you have any questions or concerns.

Thank you for your attention to this matter.

Respectfully,

Brandon Rakestraw
Community Development Director

Cc: Darrin Keaton – City Attorney
Kendall Smith – City Manager
Georgia Capital, LLC.; Kendall B. King, Director – Applicant (via email [REDACTED])

Enclosure(s): A-2025-04 & Z-2025-07 - Notice of Public Hearing
A-2025-04 & Z-2025-07 - Surrounding Property Owner Notification