



KAPLAN KIRSCH ROCKWELL

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May 13, 2016
Part of
Public Record

May 13, 2016

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: *The Atlanta Development Authority D/B/A Invest Atlanta and Atlanta BeltLine, Inc. –
Verified Petition for a Declaratory Order*, Finance Docket No. 35991

Dear Ms. Brown:

I am enclosing for filing in the above-captioned proceeding the Second Supplement to the Verified Petition for a Declaratory Order of the Atlanta Development Authority and Atlanta Beltline, Inc.

Please do not hesitate to contact me if you have any questions. Thank you very much for your assistance in this matter.

Sincerely,

Allison I. Fultz

Counsel for The Atlanta Development Authority and Atlanta BeltLine, Inc.

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35991

**THE ATLANTA DEVELOPMENT AUTHORITY
D/B/A INVEST ATLANTA and
ATLANTA BELTLINE, INC.**

**SECOND SUPPLEMENT TO THE
VERIFIED PETITION FOR A DECLARATORY ORDER**

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Counsel for the Atlanta Development
Authority d/b/a Invest Atlanta and Atlanta
BeltLine, Inc.

Dated: May 13, 2016

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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**THE ATLANTA DEVELOPMENT AUTHORITY
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**SECOND SUPPLEMENT TO THE
VERIFIED PETITION FOR A DECLARATORY ORDER**

The Atlanta Development Authority, d/b/a Invest Atlanta (the “Authority”), and Atlanta BeltLine, Inc. (“ABI”) (collectively, “Petitioners”), file this Second Supplement to the Verified Petition for Declaratory Order Petitioners filed in this matter on January 8, 2016 (the “Petition”), to respectfully reiterate Petitioners’ original request for expedited consideration for the following reasons:

- This Board has before it all of the information and argument it requires in order to determine that the transfer of real property interests in the subject corridor by the Norfolk Southern Railway Company (“NSR”) to Authority’s predecessors in interest (the “Mason Entities”), and the subsequent transfer of the property to Authority, did not require STB authorization because NSR retained the exclusive regulatory and property rights necessary for the railroad to fulfill its common carrier obligation.
- As described below, on March 31, 2016, Petitioners filed an action in the Superior Court of Fulton County, Georgia, seeking injunctive relief and damages in connection with numerous encroachments on a portion of the subject corridor over which NSR retains active common carrier rights. Accordingly, resolution of all of the issues relating to the subject property will be aided by the Board’s determination in this proceeding.

The record in this matter is fully developed, and the Board is in a position to make its determination. As Petitioners set forth in detail in their Reply filed on February 8, 2016

(“Petitioners’ Reply”), in response to the Response of Interested Parties in Opposition to the Petition, filed on January 27, 2016 (“Flagler Ave. Neighbors’ Reply”), the material facts underlying the Petition are not in dispute, all relevant documents are in the record, and accordingly no discovery or oral testimony is necessary. Petitioners’ Reply at 2-4.

The Flagler Ave. Neighbors’ Reply forthrightly acknowledges various encroachments associated with the Flagler Ave. Neighbors’ individual properties on a portion of Authority’s corridor. Flagler Ave. Neighbors’ Reply at 3. The resolution of the issues relating to the removal of these encroachments is a matter of state property law. Accordingly, Petitioners filed a complaint in Fulton County on March 31, 2016 (“Petitioners’ State Complaint”), seeking a judicial determination to order the Flagler Ave. Neighbors to remove the encroachments, quiet title in Authority, and award damages to Petitioners for trespass. A copy of Petitioners’ State Complaint is attached as **Exhibit A**.

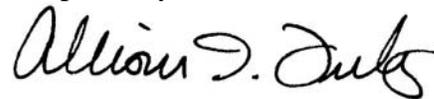
The real property at issue in the Petitioners’ State Complaint consists of a portion of the corridor addressed in this proceeding. As described in the Supplement Petitioners filed in this matter on January 28, 2016 (“Petitioners’ First Supplement”), the property on which the Flagler Ave. Neighbors’ encroachments are located comprises a segment of the corridor over which NSR maintains an active right-of-way. Petitioners’ First Supplement at 2-3. NSR has confirmed that it retains its common carrier obligation over this portion of the corridor in the letter it filed in this docket on March 14, 2016 (“NSR Letter of Support”), in support of the Petition. NSR Letter of Support at 2.

The real property and the facts relating to Authority’s ownership of the corridor are common to both the federal regulatory issues in this proceeding and the state real property matters addressed in the Petitioners’ State Complaint. Accordingly, Petitioners respectfully

request that this Board expedite its decision in this matter in order to confirm the federal regulatory issues relating to the subject line and aid the resolution of all issues relating to the property addressed in Petitioners' State Complaint.

For the reasons set forth above, Petitioners respectfully request the Board's expedited consideration of the Petition.

Respectfully submitted,



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Counsel for the Atlanta Development
Authority d/b/a Invest Atlanta and Atlanta
BeltLine, Inc.

Dated: May 13, 2016

EXHIBIT A

PETITIONERS' STATE COMPLAINT

[Attached hereto]

currently underway in the United States. The Atlanta BeltLine is a sustainable redevelopment project that will provide a network of transit, public parks, and multi-use trails. To date, the Authority has developed six miles of former railroad tracks into walking trails, and has developed several additional miles of fixed streetcar routes. The Authority acquired a fee simple interest in the subject land in connection with creating the Atlanta BeltLine.

2. Defendants, owners of property adjacent to the subject land, now claim title to a portion of the land. Although the Authority has communicated to Defendants that it is the rightful owner of the subject property pursuant to the relevant deeds and applicable law, Defendants have refused to vacate the land and cease and desist trespasses and encroachments upon it. On January 27, 2016, Defendants filed a Response of Interested Parties in Opposition to Verified Petition for a Declaratory Order and Request for Expedited Consideration with the Surface Transportation Board (“STB”) in *The Atlanta Development Authority d/b/a Invest Atlanta & Atlanta Beltline, Inc. – Petition for Declaratory Order*, STB Finance Docket No. 35991 (“Response”). Based on Defendants’ improper actions, Plaintiffs need this Court to confirm their title to the subject land prior to investing significant amounts of money and effort in connection with completing the Atlanta BeltLine.

3. Thus, Plaintiffs bring this action seeking (a) a declaratory judgment that the Authority owns the land, (b) quiet title to the land, (c) ejectment of Defendants from the land, and (d) damages for trespass. Plaintiffs are also seeking a temporary restraining order and an interlocutory injunction to prevent further encroachments by Defendants onto the subject land, as well as an injunction to permanently bar encroachments.

II. PARTIES, JURISDICTION, AND VENUE

4. The Authority is a public body corporate and politic of the State of Georgia and an instrumentality of the City of Atlanta.

5. ABI is a Georgia nonprofit corporation created by the Authority to act as the implementation agent for the Atlanta BeltLine project.

6. Defendants Gordan Ragan and Cynthia Vick are individuals who may be served at 1720 Flagler Avenue NE, Atlanta, GA 30309.

7. Defendants Loran Powell and Jane Powell are individuals who may be served at 1724 Flagler Avenue NE, Atlanta, GA 30309.

8. Defendants Riderick Smith and Dawn Smith are individuals who may be served at 1736 Flagler Avenue NE, Atlanta, GA 30309.

9. Defendant Robin Tubbs is an individual who may be served at 1742 Flagler Avenue NE, Atlanta, GA 30309.

10. Defendants Steven Green and Stacy Clay are individuals who may be served at 1746 Flagler Avenue NE, Atlanta, GA 30309.

11. Defendant Christopher Draper is an individual who may be served at 1752 Flagler Avenue NE, Atlanta, GA 30309.

12. Defendant Dennis Sabo is an individual who may be served at 1758 Flagler Avenue NE, Atlanta, GA 30309.

13. Defendant Laura Shepard is an individual who may be served at 1764 Flagler Avenue NE, Atlanta, GA 30309.

14. Defendants Hannibal Heredia and Angela Heredia are individuals who may be served at 1770 Flagler Avenue NE, Atlanta, GA 30309.

15. Defendant Patricia Jones is an individual who may be served at 1776 Flagler Avenue NE, Atlanta, GA 30309.

16. Defendants Patrick Fitzmaurice and Donna Fitzmaurice are individuals who may be served at 1780 Flagler Avenue NE, Atlanta, GA 30309.

17. Defendants Dewayne Bontrager and Samantha Bontrager are individuals who may be served at 1786 Flagler Avenue NE, Atlanta, GA 30309.

18. Defendant John Taylor is an individual who may be served at 1792 Flagler Avenue NE, Atlanta, GA 30309.

19. Defendant Thomas Markovic is an individual who may be served at 1798 Flagler Avenue NE, Atlanta, GA 30309.

20. Defendant Matthew Cochard is an individual who may be served at 1802 Flagler Avenue NE, Atlanta, GA 30309.

21. Defendants Neil Sapra and Amanda Sapra are individuals who may be served at 1808 Flagler Avenue NE, Atlanta, GA 30309.

22. Defendants Nicholas Bymaster and Eric Bymaster are individuals who may be served at 1820 Flagler Avenue NE, Atlanta, GA 30309.

23. Defendants Fulton Lewis and Stephen Rhoney are individuals who may be served at 1826 Flagler Avenue NE, Atlanta, GA 30309.

24. Defendant Thomas Philpot is an individual who may be served at 1832 Flagler Avenue NE, Atlanta, GA 30309.

25. Defendants Kurt Lentz and Anna Lentz are individuals who may be served at 1836 Flagler Avenue NE, Atlanta, GA 30309.

26. Defendant Lee Prince is an individual who may be served at 1842 Flagler Avenue NE, Atlanta, GA 30309.

27. Defendant Louise Mulherin is an individual who may be served at 1848 Flagler Avenue NE, Atlanta, GA 30309.

28. Defendants Thomas Saye and Mary Lou Saye are individuals who may be served at 1854 Flagler Avenue NE, Atlanta, GA 30309.

29. Defendant Alan Patricio is an individual who may be served at 1860 Flagler Avenue NE, Atlanta, GA 30309.

30. Jurisdiction and venue are proper in this Court because the real property which is the subject of this action is located in Fulton County and because Defendants are residents of Fulton County.

III. NATURE OF THE CASE

A. Plaintiffs Own and are Developing the Atlanta BeltLine Project, a Transportation and Economic Development Initiative.

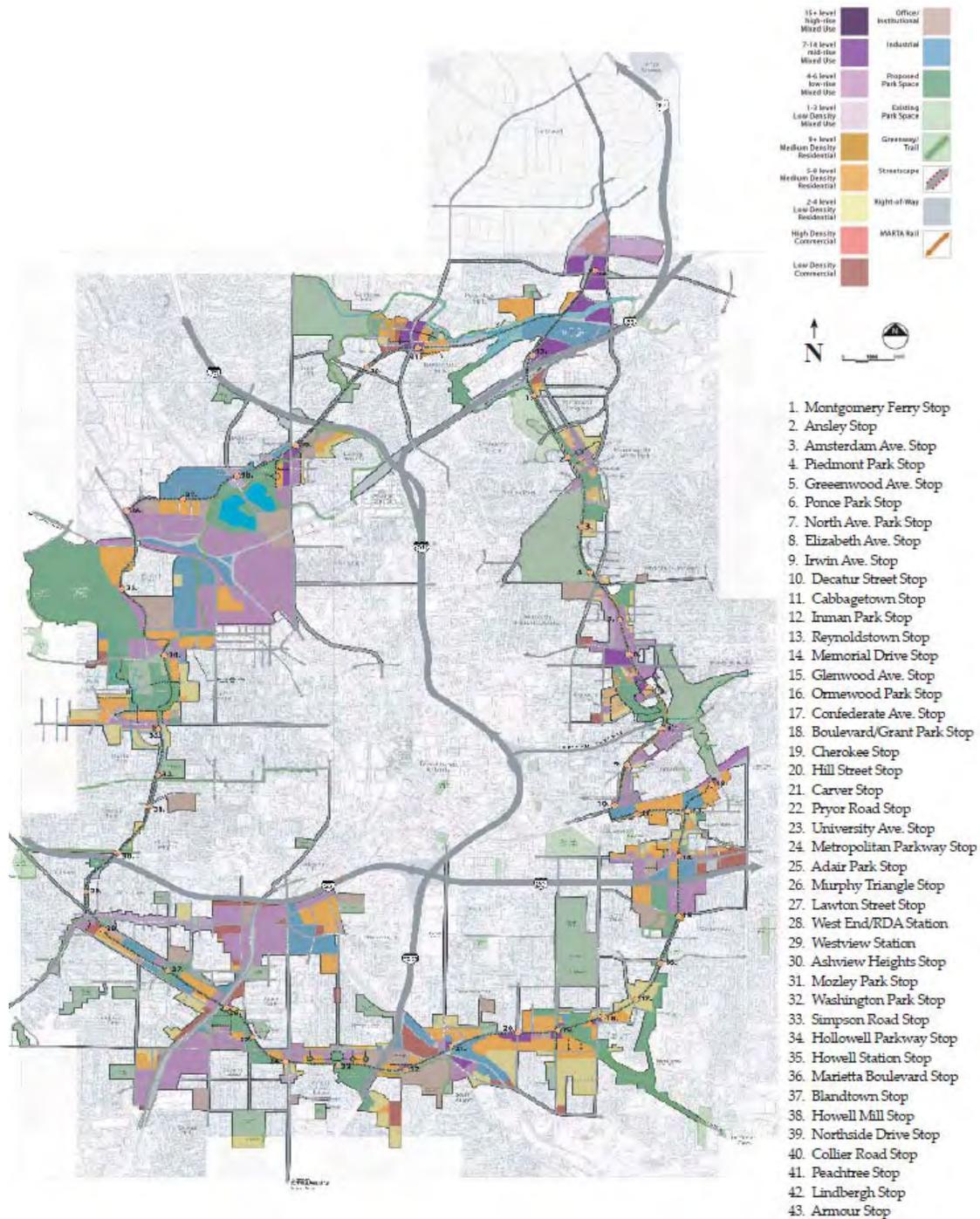
31. The Authority is the owner of the Atlanta Beltline, and ABI is the implementation agent for the development of the project.

32. The Atlanta BeltLine is the most comprehensive transportation and economic development effort ever undertaken in the City of Atlanta and among the largest, most wide-ranging urban redevelopment programs currently underway in the United States. The Atlanta BeltLine is a sustainable redevelopment project that will benefit our City by providing a network of transit, public parks, and multi-use trails. The project circles the City and stretches from the I-85/GA-400 split in the north to areas south of Turner Field.

33. The Atlanta BeltLine is transit-oriented, and a fundamental goal of the project is to increase transportation options for Atlanta residents and visitors by connecting communities

throughout the City. In connection with the Atlanta BeltLine, the City plans to develop twenty-two (22) miles of fixed rail routes for modern streetcars and thirty three (33) miles of multi-use trails for pedestrian/bicycle traffic. The project will also increase the accessibility of rail and bus services provided by the Metropolitan Atlanta Rapid Transit Authority (“MARTA”).

34. The Authority published online¹ the following map of the streetcar system planned for the City. As seen below, fixed rail routes for modern streetcars are planned to form a continuous loop around the City.



¹ See <http://beltline.org/wp-content/uploads/2012/05/Atlanta-BeltLine-Redevelopment-Plan.pdf>, at p. 36.

35. Portions of the Atlanta BeltLine have been completed, including four trail segments and six parks. The Atlanta BeltLine's modern streetcar corridor is designed to form an integrated network with the initial modern streetcar loop that the City of Atlanta began operating in December 2014 and with additional modern streetcar routes in the greater Atlanta region.

B. The Authority Owns the Land set aside for the Atlanta BeltLine.

36. Norfolk Southern Railroad ("NSR") previously owned in fee simple the land that is now set aside for the Atlanta BeltLine (the "Property"), of which the subject land is a part.

37. On or about December 30, 2004, NSR conveyed its interest in the Property to six entities unrelated to this matter (the "Mason Entities"). The deed reflecting that conveyance was recorded on or about January 3, 2005. A true and correct copy of the deed from NSR to the Mason Entities is attached hereto as **Exhibit 1**.

38. As part of its conveyance of the underlying real property interests to the Mason Entities, NSR reserved to itself an exclusive easement for railroad purposes over the Property. See Exhibit 1 at its Exhibit B.

39. On or about October 31, 2007, the Mason Entities conveyed by deed their interests in the Property to NE Corridor Partners, LLC, an entity formed by ABI on behalf of the City of Atlanta to develop the corridor in connection with the Atlanta BeltLine. The deed was recorded on or about November 6, 2007. A true and correct copy of the deed from the Mason Entities to NE Corridor Partners, LLC is attached hereto as **Exhibit 2**.

40. On or about October 31, 2007, NE Corridor Partners, LLC conveyed a permanent public right-of-way easement to Atlanta BeltLine, Inc. for the development of a future transit system as part of the Atlanta BeltLine Project. A true and correct copy of the easement from NE Corridor Partners, LLC to ABI is attached hereto as **Exhibit 3**.

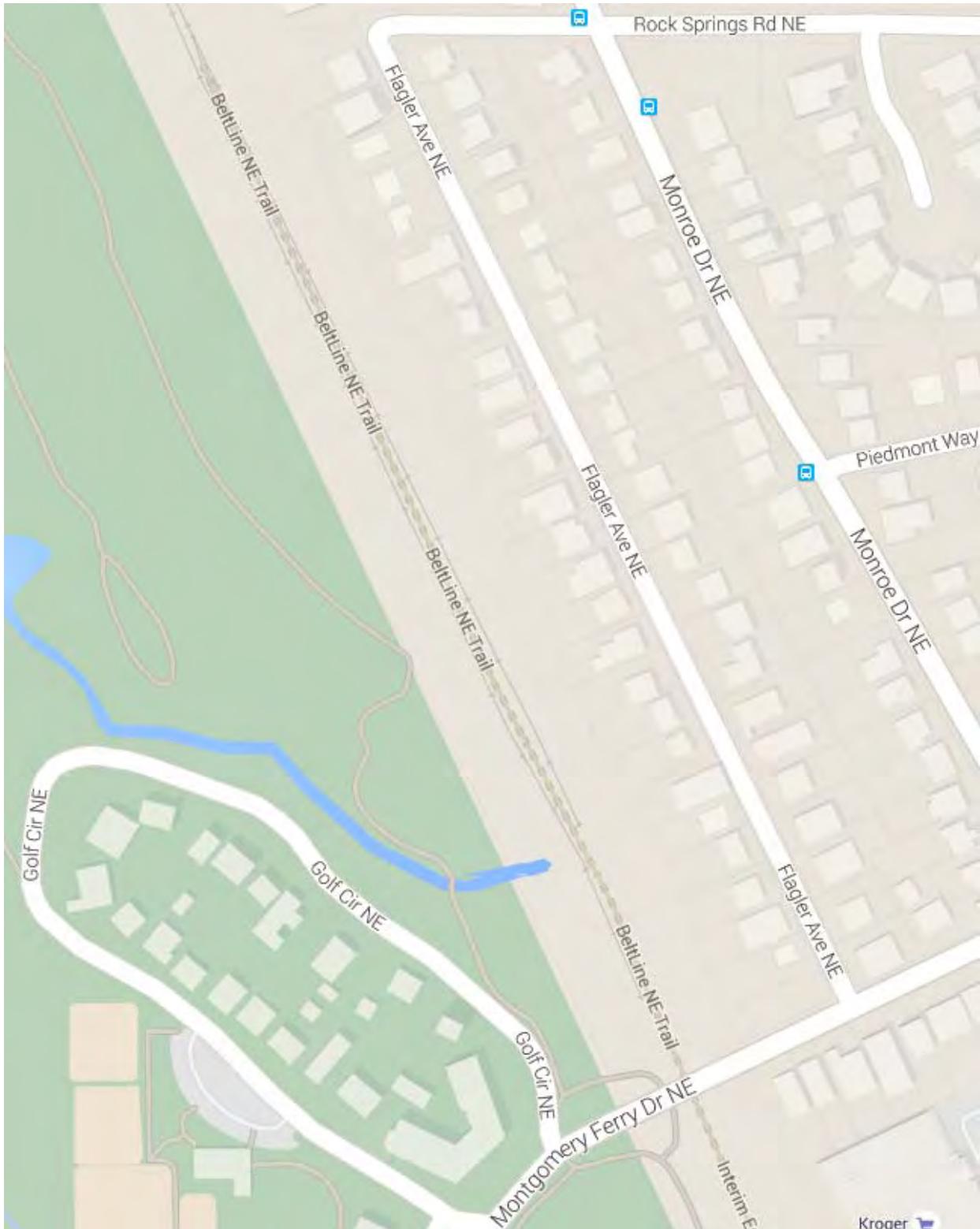
41. In 2008, NE Corridor Partners, LLC conveyed by deed its interest in the Property to the Authority, as the affiliated parent of ABI. The deed was recorded on or about October 31, 2008. A true and correct copy of the deed from NE Corridor Partners, LLC to the Authority is attached hereto as **Exhibit 4**.

C. Defendants are Wrongfully in Possession of or Encroaching Upon the Property.

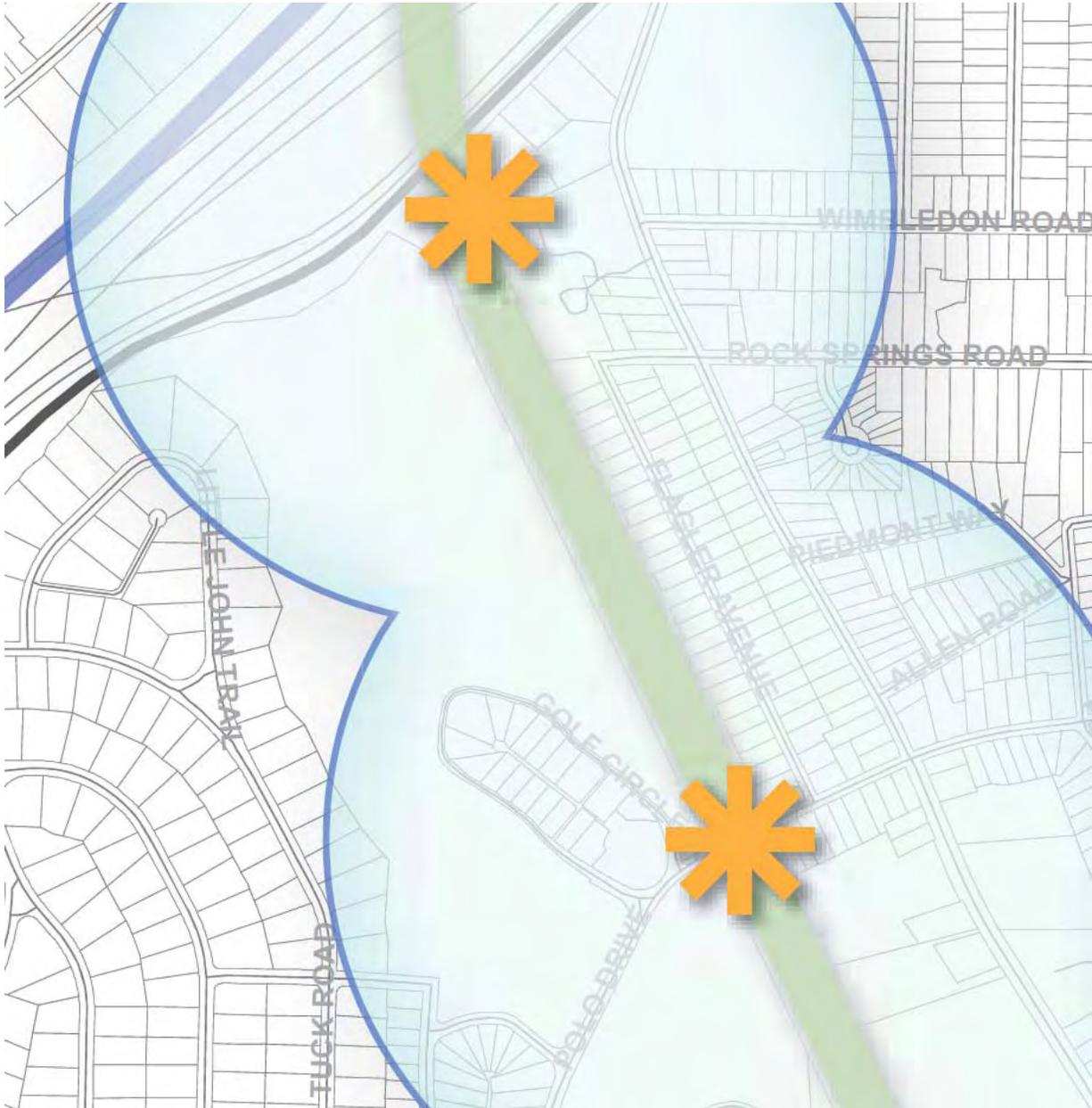
42. As part of the aforementioned conveyances, the northeast quadrant, of which the subject land is a part, was the first segment that was acquired.

43. Defendants own real property adjacent to the northeast corridor of the Atlanta BeltLine, along Flagler Avenue NE between Rock Springs Road NE and Montgomery Ferry Drive NE.

44. As seen in the following Google map, Defendants' property is directly adjacent to a small portion of the Property.



45. The Authority published online² the following map of fixed rail streetcar routes and transit stops planned for a portion of the northeast corridor of the Atlanta BeltLine. As seen below, a fixed rail streetcar route (indicated by a green path) is planned to run adjacent to Defendants' property, and a transit stop (indicated by an orange asterisk) is planned near the intersection of Flagler Avenue NE and Montgomery Ferry Drive NE.



² See <http://beltlineorg.wpengine.netdna-cdn.com/wp-content/uploads/2012/05/ABI-Subarea-6-Master-Plan.pdf>, at p. 60.

46. Defendants' property is adjacent to or near the following parcels of the Property (collectively referred to herein as the "Encroached Property") which are described in metes and bounds:

a. **Station 5056+20 to North R/W of Montgomery Ferry Road.** All that tract or parcel of land lying and being in Land Lots 56 and 57 of the 14th District of Fulton County, Georgia and being more particularly described as follows: To reach the true point of beginning commence at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the northerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Montgomery Ferry Road North $62^{\circ} 04' 06''$ East a distance of 85.00 feet to the TRUE POINT OF BEGINNING, from point thus established and leaving said Right of Way and running North $28^{\circ} 17' 08''$ West a distance of 1688.79 feet to a point; thence North $28^{\circ} 20' 23''$ West a distance of 307.15 feet to a point; thence along a curve to the left an arc distance of 179.31 feet (said curve having a radius of 572.84 feet; a chord bearing of North $37^{\circ} 18' 25''$ West and a chord distance of 178.58 feet) to a point; thence North $71^{\circ} 09' 16''$ East a distance of 183.21 feet to a point on the easterly right of way of said Norfolk Southern Railroad; thence along said right of way the following courses: along a curve to the left an arc distance of 455.52 feet (said curve having a radius of 2764.79 feet; a chord bearing of South $23^{\circ} 33' 56''$ East and a chord distance of 455.01 feet) to a point; thence South $28^{\circ} 17' 08''$ East a distance of 1689.50 feet to a point intersecting the northerly right of way of aforementioned Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South $62^{\circ} 04' 06''$ West a distance of 115.00 feet to the POINT OF BEGINNING. Said tract containing 5.869 acres. See Exhibit 4 (deed from NE Corridor Partners, LLC to the Authority).

b. **Area Within Montgomery Ferry Road.** All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia and being more particularly described as follows: BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running of North 28° 17' 08" West a distance of 40.00 feet to a point intersecting the northerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 200.00 feet to a point intersecting the easterly right of way of Norfolk Southern Railroad; thence along said right of way of Norfolk Southern Railroad and running South 28° 17' 08" East a distance of 40.00 feet to a point intersecting the southerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 200.00 feet to the POINT OF BEGINNING. Said tract containing 0.184 acre. See Exhibit 4 (deed from NE Corridor Partners, LLC to the Authority).

c. **Clear Creek to South R/W of Montgomery Ferry Road.** All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia and being more particularly described as follows: To reach the true point of beginning commence at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 80.00 feet to the TRUE POINT OF BEGINNING, from point thus established and continuing along said right of way North 62° 04' 05" East a distance of 120.00 feet to a point intersecting the easterly right of way of Norfolk Southern Railroad; thence along said right of way of Norfolk

Southern Railroad and running South 28° 17' 08" East a distance of 1045.97 feet to a point; thence leaving said easterly right of way South 61° 42' 52" West a distance of 120.00 feet to a point; thence North 28° 17' 08" West a distance of 1046.71 feet to the POINT OF BEGINNING. Said tract containing 2.883 acres. See Exhibit 4 (deed from NE Corridor Partners, LLC to the Authority).

47. Defendants are encroaching upon the Encroached Property.

48. On or about July 24, 2015, Plaintiffs requested that Defendants remove the encroachments as soon as possible, but no later than sixty (60) days. A true and accurate copy of Plaintiffs' July 24, 2015 letters to Defendants is attached hereto as **Exhibit 5**.

49. Defendants refused to remove the encroachments and have continued possession of and encroachment upon the Encroached Property. Moreover, Defendants improperly contend that they own the Encroached Property.

COUNT I – DECLARATORY JUDGMENT

50. Plaintiffs hereby incorporate Paragraphs 1 through 49 of the Complaint as if set forth fully herein.

51. Based on the series of conveyances described above, the Authority obtained title to the Property (including the Encroached Property) in fee simple absolute.

52. Defendants improperly claim title to the Encroached Property and Defendants are wrongfully in possession of and encroaching upon the Encroached Property.

53. Accordingly, there is an actual, justiciable controversy concerning who has title to and the right to use the Encroached Property.

54. The foregoing controversy creates uncertainty and insecurity with respect to the parties' rights, status, and other legal relations.

55. In light of the foregoing, Plaintiffs respectfully request a declaratory judgment that the Authority has title to the Encroached Property in fee simple absolute.

COUNT II – EQUITABLE QUIET TITLE

56. Plaintiffs hereby incorporate Paragraphs 1 through 49 of the Complaint as if set forth fully herein.

57. Based upon the series of conveyances described above, the Authority has title to the Property (including the Encroached Property) in fee simple absolute.

58. As set forth above, Defendants mistakenly claim title to the Encroached Property.

59. Plaintiffs cannot immediately and effectually maintain or protect their rights in and title to the Encroached Property by any course other than the filing of this complaint.

60. Plaintiffs are without an adequate remedy at law and will suffer immediate and irreparable injury unless this Court intervenes in the exercise of its equitable powers and removes any and all clouds upon the Authority's title to the Encroached Property.

61. In light of the foregoing, Plaintiffs respectfully request that this Court exercise its equitable powers to remove any and all clouds on the Authority's title to the Encroached Property.

COUNT III – EJECTMENT

62. Plaintiffs hereby incorporate Paragraphs 1 through 49 of the Complaint as if set forth fully herein.

63. Based on the series of conveyances described above, the Authority owns the Property (including the Encroached Property).

64. Defendants are not entitled to possession of the Encroached Property.

65. Defendants are wrongfully in possession of and encroaching upon the Encroached Property.

66. Plaintiffs communicated to Defendants that the Authority is the rightful owner of the Property pursuant to the relevant deeds and applicable law. Plaintiffs demanded that Defendants vacate the Encroached Property, but Defendants have refused to do so.

67. In light of the foregoing, Plaintiffs respectfully request that this Court issue a decree in ejectment ejecting Defendants from the Encroached Property.

COUNT IV – TRESPASS

68. Plaintiffs hereby incorporate Paragraphs 1 through 49 of the Complaint as if set forth fully herein.

69. By the actions as set forth above, Defendants have trespassed upon the Encroached Property and Plaintiffs' rights.

70. Defendants continue to trespass upon the Encroached Property despite Plaintiffs' notices and demands that the trespass be halted.

71. As a result of Defendants' trespasses upon the Encroached Property, Plaintiffs have suffered losses, costs, injuries, and damages in an amount to be proved at trial.

72. Defendants' conduct was intentional and shows willful misconduct, malice, fraud, oppression and wantonness, or that entire want of care which would raise the presumption of conscious indifference to consequences, thereby justifying the imposition of punitive damages against Defendants in an amount sufficient to punish, penalize and deter Defendants from engaging in similar conduct in the future.

COUNT V – INJUNCTIVE RELIEF

73. Plaintiffs hereby incorporate Paragraphs 1 through 49 of the Complaint as if set forth fully herein.

74. Plaintiffs are sustaining irreparable harm by the Defendants' encroachments upon the Encroached Property.

75. Plaintiffs have no adequate remedy at law.

76. Plaintiffs are likely to succeed on the merits.

77. By virtue of the foregoing, Plaintiffs are entitled to a preliminary and permanent injunction (1) ordering Defendants to vacate and remove any and all encroachments from the Encroached Property; and (2) barring Defendants from making any further encroachments upon the Encroached Property.

COUNT VI – ATTORNEYS' FEES (O.C.G.A. § 13-6-11)

78. Plaintiffs hereby incorporate Paragraphs 1 through 49 of the Complaint as if set forth fully herein.

79. As described herein, Defendants' actions reflect that Defendants have acted in bad faith, have been stubbornly litigious, and have caused Plaintiffs unnecessary trouble and expense.

80. As a result of these actions, Plaintiffs are entitled to an award of attorneys' fees pursuant to O.C.G.A. § 13-6-11 against Defendants in an amount to be proved at trial.

WHEREFORE, Plaintiffs respectfully pray and demand that:

- (a) judgment be entered against Defendants;
- (b) this Court issue a declaratory judgment that the Authority has title to the Encroached Property in fee simple absolute;
- (c) this Court exercise its equitable powers to remove any and all clouds on the Authority's title to the Encroached Property;

- (d) this Court issue a decree in ejectment ejecting Defendants from the Encroached Property and that Plaintiffs be awarded mesne profits under applicable law;
- (e) Plaintiffs be awarded all damages for Defendants' trespass on the Encroached Property under applicable law, including punitive damages;
- (f) this Court issue a temporary restraining order, interlocutory injunction, and permanent injunction (1) ordering Defendants to vacate and remove any and all encroachments from the Encroached Property; and (2) barring Defendants from making any further encroachments upon the Encroached Property;
- (g) Plaintiffs be awarded their reasonable attorneys' fees and expenses and all costs of this action; and
- (h) this Court grant Plaintiffs such other and further relief as this Court deems just and proper.

Respectfully submitted this 30th day of March, 2016.

MORRIS, MANNING & MARTIN, LLP

/s/ Robert P. Alpert

Robert P. Alpert

Georgia Bar No. 013635

Ryan C. Burke

Georgia Bar No. 336130

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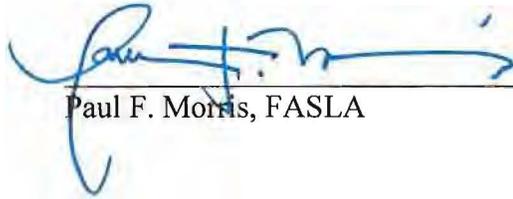
(404) 233-7000

(404) 365-9532 (fax)

*Attorneys for Plaintiffs Atlanta Development
Authority d/b/a Invest Atlanta and Atlanta Beltline,
Inc.*

VERIFICATION

The undersigned, being duly sworn under oath and personally appearing before the undersigned officer, states as follows: My name is Paul Morris and I am the President and CEO of Atlanta BeltLine, Inc. I am authorized to make this Verification on its behalf. I have read this Verified Complaint and the allegations contained herein are true and correct to the best of my knowledge.



Paul F. Morris, FASLA

SWORN TO AND SUBSCRIBED
Before Me This 30th Day
of March, 2016.


Notary Public:

My commission expires: 10-24-2017



EXHIBIT 1

EXHIBIT A

Parcel 1
Norfolk Southern Railway Company to
Ansley North Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 56 and 57 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5056+20, more or less, said point also being 100 feet as measured radially and at right angles from the said centerline of Beltline to the point of intersection of the westerly right of way line of said Beltline and the southerly right of way line of the "Y" track connecting the said Beltline to the main line right of way of Grantor running between Atlanta, Georgia, and Washington, D.C., said point being a distance of 230 feet, more or less, as measured in a southerly direction along the said centerline of Beltline from a 2.5'x 2.5' stone box culvert located at Railway Valuation Station 5053+90, more or less;

Thence, along the original centerline of said Beltline in a general southeasterly direction with a strip of land 200 feet wide, being 100 feet in width on each side of the original centerline of said Beltline for a distance of 3,247.5 feet, more or less, to the point of terminus of said strip of land, said point being the centerline of Clear Creek located at Railway Valuation Station 5088+67.5, more or less, and containing 14.91 acres, more or less.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/1 and V-12a/2, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said property being a portion of that property described in Deed Book N, page 377 in the Office of the Clerk of Superior Court of Fulton County which lies south of the beginning point of the above-described property at Railway Valuation Station 5056+20 and being a portion of that property described in Deed Book S, page 381 in said Clerk's Office which lies north of the centerline of Clear Creek.

Parcel 3
Norfolk Southern Railway Company to
Piedmont Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 54 and 55 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5101+46, said point being the north line of Piedmont Avenue (Road) and also being the point of terminus of Parcel 2;

Thence, along the said centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline for a distance of 709 feet, more or less, to a point, said point being the centerline of Clear Creek located at Railway Valuation Station 5108+55, more or less;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 4,257 feet, more or less, to the point of terminus, said point being the west line of Monroe Drive located at Railway Valuation Station 5151+12, more or less, and containing 21.69 acres, more or less, and being substantially as shown on Railway Valuation Maps V-12a/2 and V-12a/3, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being the portion of that property described in a deed from J. J. Thrasher to Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book _____, page _____ in the Office of the Clerk of Superior Court of Fulton County which lies south of the north line of Piedmont Avenue (Road), all of that property described in Deed Book M, page 760 in said Clerk's Office and the portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies north of the north line of Monroe Drive.

Parcel 4
Norfolk Southern Railway Company to
Corridor Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 53 and 54 of the 17th District and Land Lot 17 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5151+12, more or less, said point of beginning being the west line of Monroe Drive and also being the point of terminus of Parcel 3;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 100 feet wide, being 50 feet in width on each side of said centerline for a distance of 3,164.9 feet, more or less, to the point of terminus of said strip of land, said point being the common line between Land Lots 17 and 18 located at Railway Valuation Station 5194+42.9, more or less;

Said parcel of land being a portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies southeast of the northwest line of Monroe Drive, all of that property described in Deed Book M, page 758, Deed Book I, page 176 and Deed Book M, page 757 in the Office of the Clerk of Superior Court of Fulton County

Also a strip of land lying on the east side of and adjoining the above-described parcel of land beginning at the south line of Roy Street and ending at the north line of Greenwood Avenue as shown as parcel 5 on Railway Valuation Map V-12a/3.

LESS AND EXCEPT the westerly 50 feet wide strip of land lying between the southerly line of Monroe Drive and the common line between Land Lots 53 and 17 located at Railway Valuation Station 5162+78.

Said property being shown on Railway Valuation Maps V-12a/3 and V-12a/4, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Parcel 5
Norfolk Southern Railway Company to
North Avenue Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 18 in the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5194+42.9, said point of beginning being the common line between Land Lots 17 and 18 and also being the point of terminus of Parcel 4;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1602.8 feet, more or less, to a point being at or near the north line of Ralph McGill Boulevard (Forrest Avenue) located at Railway Valuation Station 5210+45.7, more or less;

Thence, continuing along said centerline in a general southerly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 1,070.3 feet, more or less, to a point at Railway Valuation Station 5221+16 and being the point of terminus of said strip of land and being substantially as shown on Railway Valuation Map V-12a/4, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being all of that property described in Deed Book N, page 382, and a portion of that property described in Deed Book N, page 383 and Deed Book S, page 379 in the Office of the Clerk of Superior Court of Fulton County and as acquired by Georgia Air Line Railway Company pursuant to condemnation proceedings against M. E. Dorsey, Executor.

Parcel 6
Norfolk Southern Railway Company to
Corridor Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline composed of land and right of way lying and being in Land Lots 18 and 19 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railroad Valuation Station 5221+16, more or less, said point being 1070.3 feet, more or less, south of the north line of Ralph McGill Boulevard (Forrest Avenue) as measured along said centerline and also being the point of terminus of Parcel 5;

Thence, along said centerline in a general southwesterly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline a for distance of 644 feet, more or less, to a point, said point being the common line between Land Lots 18 and 19 located at Railway Valuation Station 5227+60;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 806.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5235+66.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 1,738.3 feet, more or less, to a point, said point being the north line of Irwin Street or Lake Avenue located at Railroad Valuation Station 5253+05, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side said centerline for a distance of 840 feet, more or less, to the point of terminus of said strip of land, said point being 350 feet north of the north line of Edgewood Avenue located at Railroad Valuation Station 5261+45, more or less.

Said parcel of land being apportion of that property described in Deed Book N, page 383, Deed Book S, page 379, Deed Book N, page 380, Deed Book S, page 378, Deed Book 140, page 381, and a portion of that property described in Deed Book N, page 378 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled as parcel 5 on Railroad Valuation Map V-12a/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book S, Page 378, in said Clerk's Office.

Parcel 7
Norfolk Southern Railway Company to
Corridor Edgewood, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 20 in the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline, said point being at Railway Valuation Station 5261+45, and being 350 feet, more or less north of the north line of Edgewood Avenue as measured along said centerline;

Thence, along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet wide on each side of said centerline for a distance of 410 feet to a point on the south line of Edgewood Avenue located at Railway Valuation Station 5265+55, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline for a distance of 390 feet, more or less, to a point on the northeast line of Airline Street at Railway Valuation Station 5269+45, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline for a distance of 260 feet, more or less, to the point of terminus, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being substantially as shown on Railway Valuation Map V-12a/5, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being a portion of that property described in Deed Book M, page 756, Deed Book N, page 141, Deed Book N, page 381 and Deed Book N page 138 and all of that property described in Deed Book N, page 376 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled parcel 20 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land conveyed to the Atlanta and Charlotte Air Line Railway Company by deed dated March 14, 1878, and recorded in Deed Book DD, Page 593 in said Clerk's Office.

Less and except the following parcel of land:

That parcel of property conveyed by Norfolk Southern Railway Company to Atlanta Metal, Inc. by deed dated October 1, 1998, and shown as parcel 23a on said Railway Valuation Map V-12a/5.

Thence, continuing along the said centerline in a general southeasterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 709 feet, more or less, to a point, said point being the centerline of Clear Creek located at Railway Valuation Station 5108+55, more or less;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of the said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 4,257 feet, more or less, to a point being the west line of Monroe Drive located at Railway Valuation Station 5151+12, more or less, and also being the point of terminus of Parcel 3 on Exhibit A and the point of beginning of Parcel 4 on Exhibit A;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 3,164.9 feet, more or less, to a point being the common line between Land Lots 17 and 18 located at Railway Valuation Station 5194+42.9, more or less, and also being the point of terminus of Parcel 4 on Exhibit A and the point of beginning of Parcel 5 on Exhibit A;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1602.8 feet, more or less, to the point of terminus, said point being at or near the north line of Ralph McGill Boulevard (Forrest Avenue) located at Railway Valuation Station 5210+45.7, more or less;

Thence, continuing along said centerline in a general southerly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1,070.3 feet, more or less, to Railway Valuation Station 5221+16, more or less, and also being the point of terminus of Parcel 5 on Exhibit A and the point of beginning of Parcel 6 on Exhibit A;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for distance of 644 feet, more or less, to a point, said point being the common line between Land Lots 18 and 19 located at Railway Valuation Station 5227+60;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 846.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5236+06.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1,698.3 feet, more or less, to a point, said point being the north line of Irwin Street or Lake Avenue located at Railroad Valuation Station 5253+05, more or less;

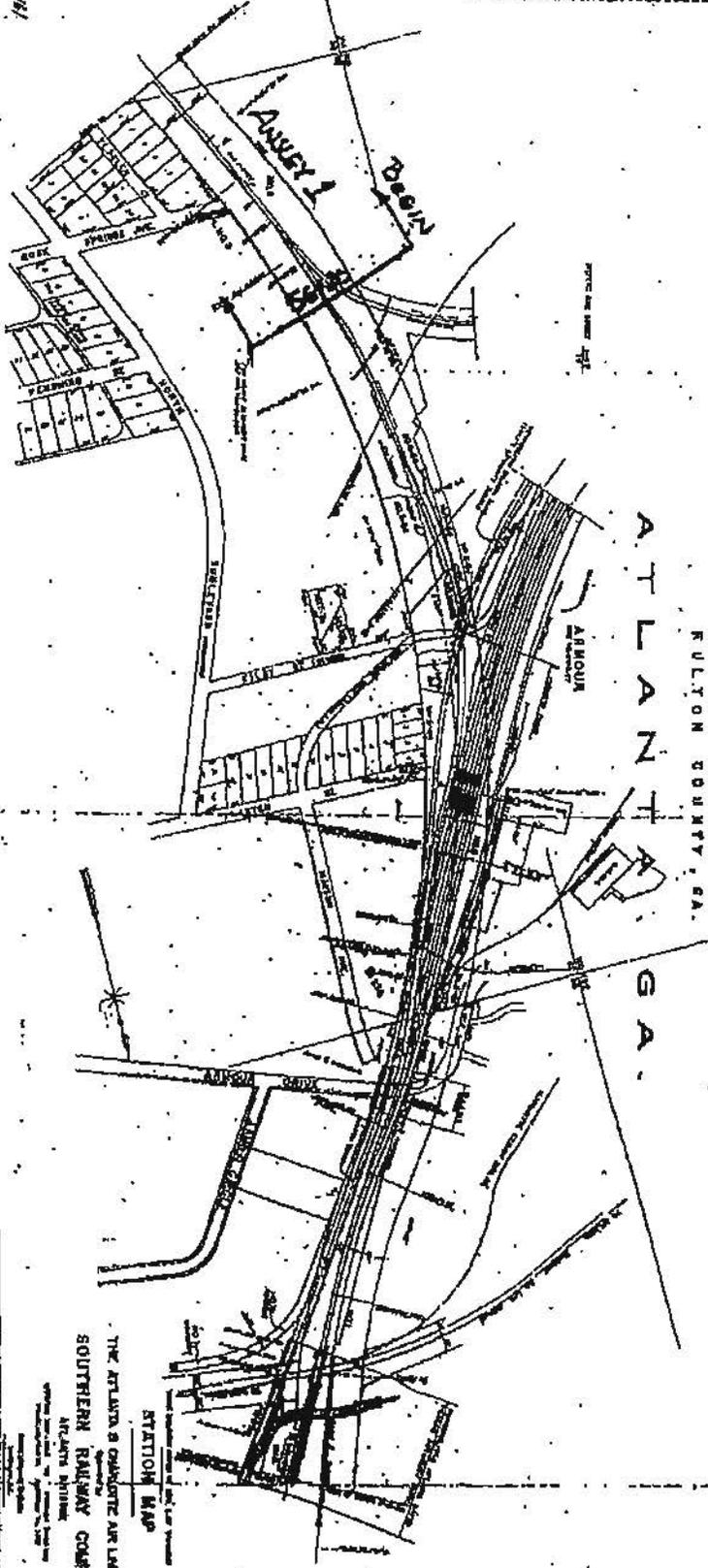
Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1,190 feet, more or less, to a point being the north line of Edgewood Avenue located at Railroad Valuation Station 5264+95, more or less, and also being the point of terminus of Parcel 6 on Exhibit A and the point of beginning of Parcel 7 on Exhibit A;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 450 feet, more or less, to a point on the northeast line of Airlinc Street at Railway Valuation Station 5269+45, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 260 feet, more or less, to the point of terminus of said strip of land, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being the point of terminus of Parcel 7 on Exhibit A and being shown on said Railway Valuation Maps V-12a/1, V-12a/2, V-12a/3, V-12a/4 and V-12a/5, copies of which are attached hereto and made a part hereof.

Grantees agree for themselves and their successors and assigns, as evidenced by the acceptance of the delivery and recordation of this deed that: (a) no railroad tracks or other railroad facilities shall be removed from the easement areas without the written approval of Grantor, or its successors or assigns, and only if authorized by any and all appropriate governmental agencies; (b) no portion of the above-described easement areas will be disturbed without the prior written consent of Grantor, or its successors or assigns; (c) no grade crossings will be constructed by Grantees, or their respective successors, assigns, permittees, lessees or licensees without the consent of Grantor and only after the execution of Grantor's standard grade crossing agreement; (d) no pipelines or wirelines shall be constructed or installed under, over or upon the above-described easement areas

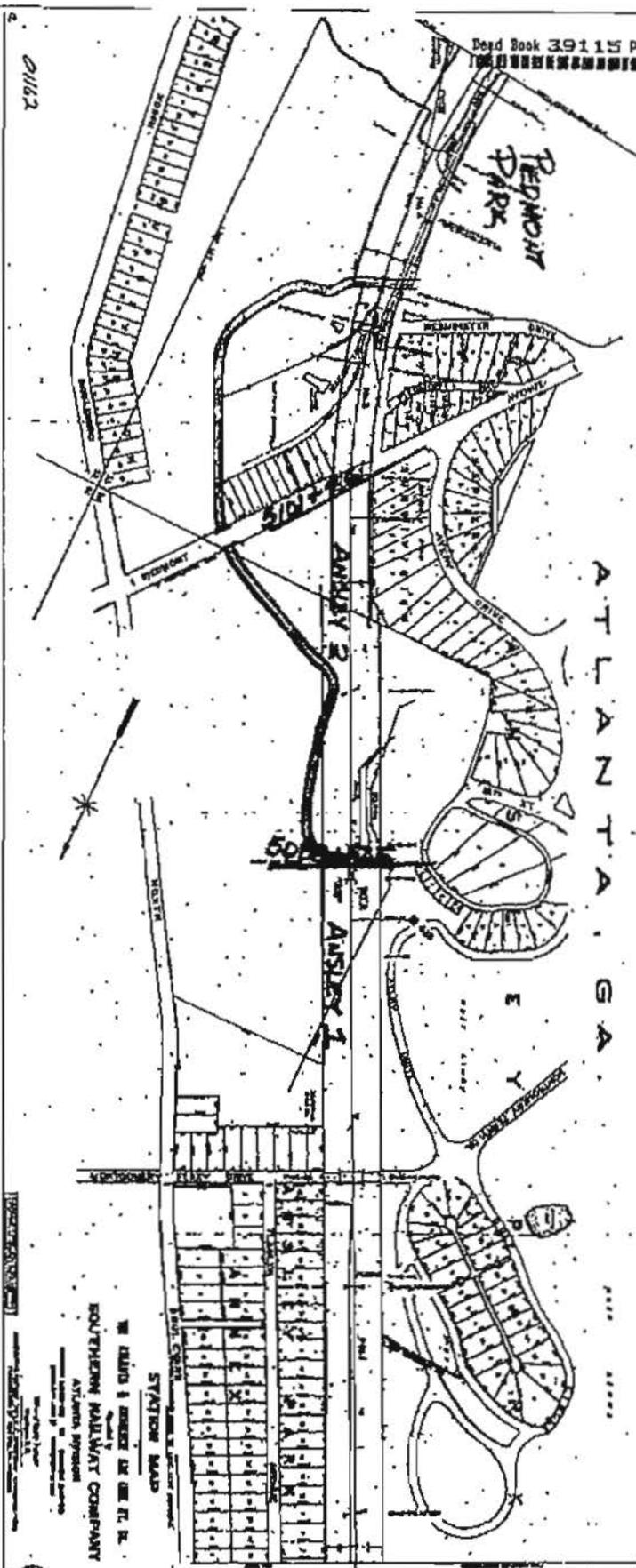
1860



THE ATLANTA & COLUMBIA AIR LINE RY CO.
 SOUTHERN RAILWAY COMPANY
 ATLANTA, GEORGIA

STATION MAP
 THE ATLANTA & COLUMBIA AIR LINE RY CO.
 SOUTHERN RAILWAY COMPANY
 ATLANTA, GEORGIA





FULTON COUNTY, GA.

ATLANTA, GA.

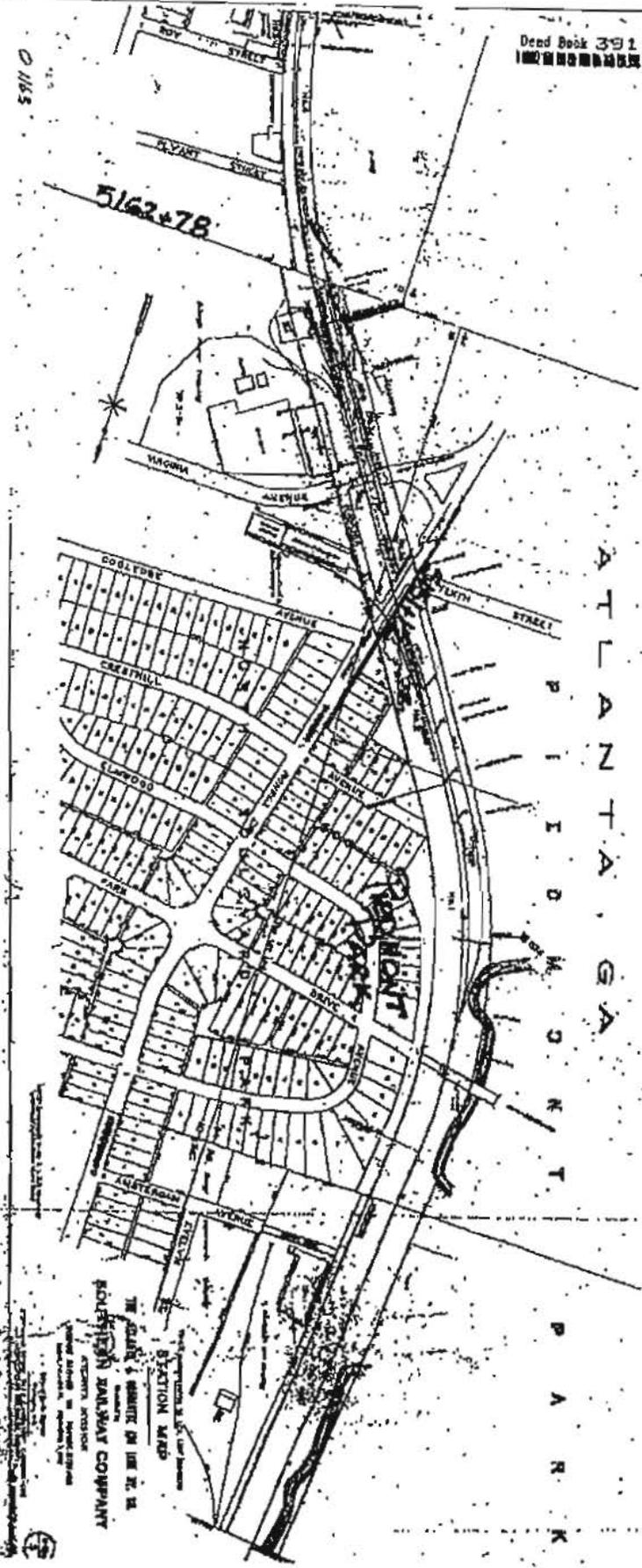
SYNCHRON ROAD
 W. H. HARRIS & COMPANY, INC. ENGINEERS
 SOUTHERN RAILWAY COMPANY
 ATLANTA, GEORGIA

01162

PREPARED BY THE
 ENGINEERING DEPARTMENT
 OF THE SOUTHERN RAILWAY COMPANY
 ATLANTA, GEORGIA

0185

5162+78



ATLANTA, GA.

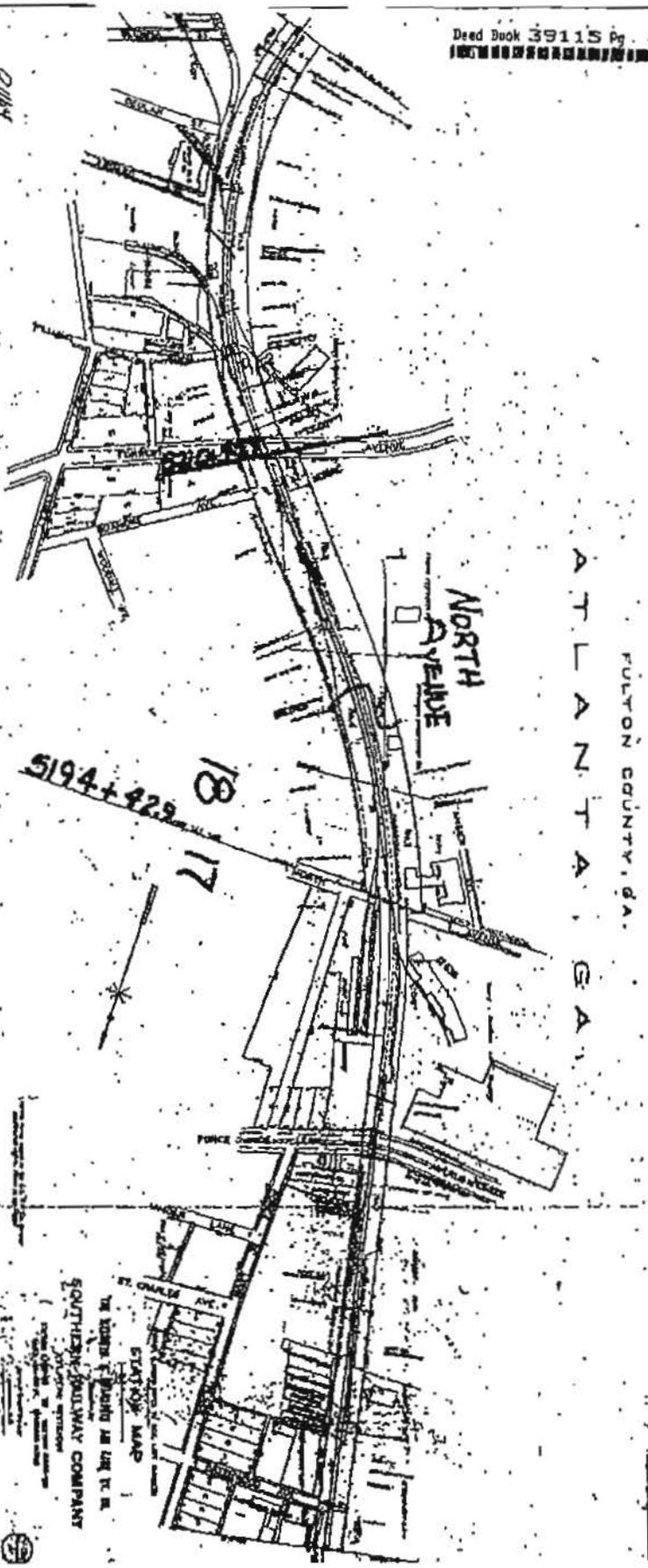
FULTON COUNTY, GA.

P I O M G N T

P A R K

THE GREAT SOUTHERN IN LINE NO. 12
 STATION MAP
 FULTON COUNTY, GEORGIA
 ATLANTA, GEORGIA
 THE GREAT SOUTHERN RAILWAY COMPANY

CHINA



FULTON COUNTY, GA.
ATLANTA, GA.

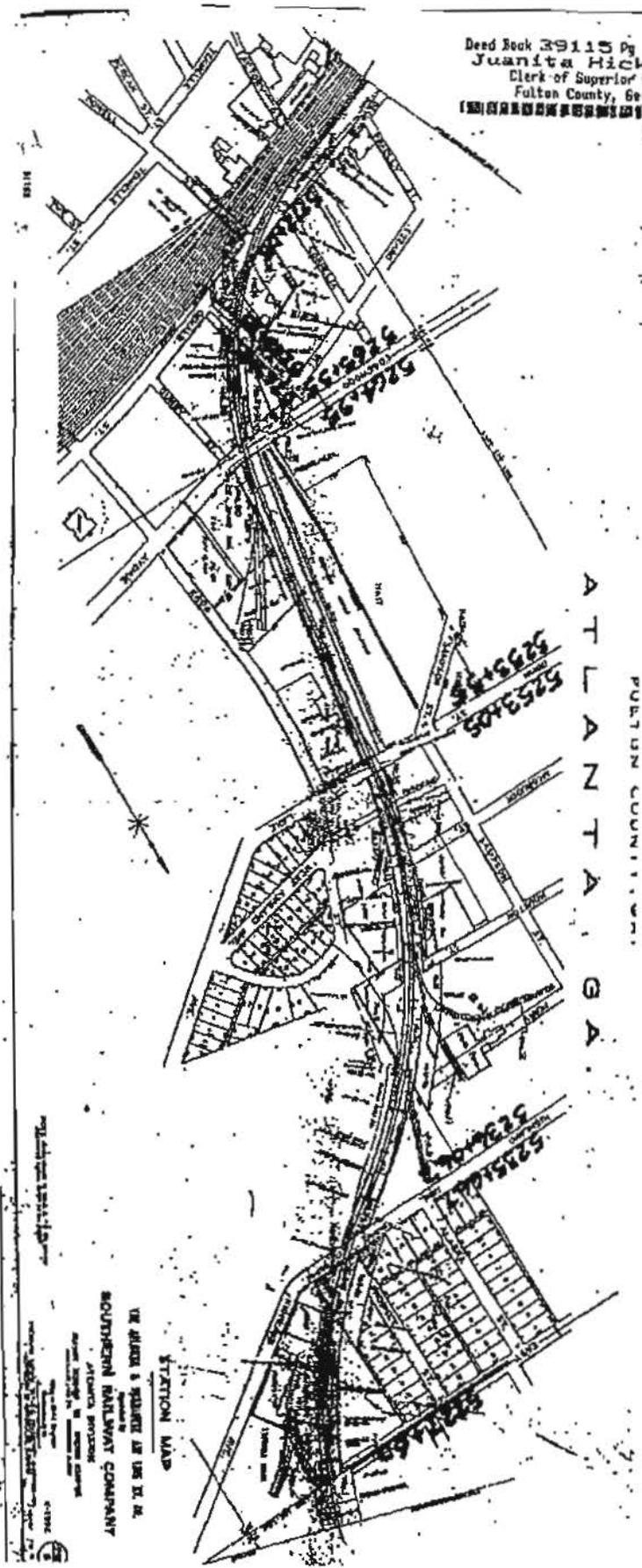
NORTH
Avenue

18 17
5194+429

STATION MAP
ST. CHARLES AVE.
SOUTHERN RAILWAY COMPANY



Deed Book 39115 Pg 450
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia
[Illegible text]



STATION MAP
BY JAMES S. HARRIS JR. AND H. M.
SOUTHERN RAILWAY COMPANY
ATLANTA, GEORGIA
[Illegible text]

MADE BY JAMES S. HARRIS JR.
[Illegible text]

EXHIBIT 2

This instrument was prepared by
and after recording return to:

Paul, Hastings, Janofsky & Walker LLP
600 Peachtree Street, N.E. Suite 2400
Atlanta, GA 30308-2222
Attention: Charles T. Sharbaugh, Esq.

LIMITED WARRANTY DEED

THIS INDENTURE, made this 31 day of October, 2007, between Ansley North Beltline, LLC, a Georgia limited liability company, Ansley South Beltline, LLC, a Georgia limited liability company, Piedmont Beltline, LLC, a Georgia limited liability company, North Avenue Beltline, LLC, a Georgia limited liability company, Corridor Beltline, LLC, a Georgia limited liability company, Corridor Edgewood, LLC, a Georgia limited liability company (collectively the "Grantor"), and NE Corridor Partners, LLC, a Georgia limited liability company ("Grantee");

WITNESSETH, that Grantor for and in consideration of the sum of Ten and 00/100 Dollar (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said party of the second part, its successors, legal representatives and assigns, all of that tract or parcel of land described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above described premises, without any representation or warranty of any kind whatsoever, except that Grantor represents and warrants to and covenants with Grantee that, subject to those Permitted Exceptions set forth on Exhibit "B", attached hereto and made a part hereof, Grantor shall defend the interest conveyed hereby against the lawful claims and demands of all persons whomsoever claiming by, through, or under Grantor, but not otherwise. However, the Permitted Exceptions shall only be deemed permitted exceptions to the extent the same are currently valid, subsisting, and applicable to the property described on Exhibit A. By acceptance of this deed with the above list of Permitted Exceptions, Grantee shall not be deemed to have waived, modified or otherwise released any coverages, remedies or recourse available to Grantee under any current or future policy or policies of title insurance, nor shall Grantee be deemed to have acknowledged that such exceptions are currently valid, subsisting and applicable to the property conveyed hereby; but Grantee shall have no recourse whatsoever to Grantor relative to the Permitted Exceptions.

This deed is further subject to the obligation for the Grantor to assign, transfer, cooperate and assist Grantee in soliciting the cooperation of Norfolk Southern to fulfill the terms and conditions contained in the Limited Warranty Deed to the Grantor in order to obtain the abandonment of the rail right of way described in the Limited Warranty Deed into the Grantor.

[Remainder of page left intentionally blank.]

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name and on its behalf, and its corporate seal to be affixed by its proper officers, as of the day and year first above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

Sonya Conell
Unofficial Witness

Sonya Conell
Notary Public

[NOTARIAL SEAL]



ANSLEY NORTH BELTLINE, LLC, a Georgia
limited liability company

By: *Keith W. Mason* (SEAL)
Keith W. Mason, Manager

ANSLEY SOUTH BELTLINE, LLC, a Georgia
limited liability company

By: *Keith W. Mason* (SEAL)
Keith W. Mason, Manager

PIEDMONT BELTLINE, LLC, a Georgia limited
liability company

By: *Keith W. Mason* (SEAL)
Keith W. Mason, Manager

NORTH AVENUE BELTLINE, LLC, a Georgia
limited liability company

By: *Keith W. Mason* (SEAL)
Keith W. Mason, Manager

CORRIDOR BELTLINE, LLC, a Georgia limited
liability company

By: *Keith W. Mason* (SEAL)
Keith W. Mason, Manager

CORRIDOR EDGEWOOD, LLC, a Georgia
limited liability company

By: *Keith W. Mason* (SEAL)
Keith W. Mason, Manager

EXHIBIT "A"

Parcel 1
Norfolk Southern Railway Company to
Ansoy North Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 56 and 57 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline of Railway Valuation Station 5056+20, more or less, said point also being 100 feet as measured radially and at right angles from the said centerline of Beltline to the point of intersection of the westerly right of way line of said Beltline and the southerly right of way line of the "Y" track connecting the said Beltline to the main line right of way of Grantor running between Atlanta, Georgia, and Washington, D.C., said point being a distance of 230 feet, more or less, as measured in a southerly direction along the said centerline of Beltline from a 2.5' x 2.5' stone box culvert located at Railway Valuation Station 5053+90, more or less;

Thence, along the original centerline of said Beltline in a general southeasterly direction with a strip of land 200 feet wide, being 100 feet in width on each side of the original centerline of said Beltline for a distance of 3,247.5 feet, more or less, to the point of terminus of said strip of land, said point being the centerline of Clear Creek located at Railway Valuation Station 5088+67.5, more or less, and containing 14.91 acres, more or less.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/1 and V-12a/2, copies of which are attached hereto and made a part hereof and on file in the Office of the Archivist of Grantor.

Said property being a portion of that property described in Deed Book N, page 377 in the Office of the Clerk of Superior Court of Fulton County which lies south of the beginning point of the above-described property at Railway Valuation Station 5056+20 and being a portion of that property described in Deed Book S, page 381 in said Clerk's Office which lies north of the centerline of Clear Creek.

Parcel 2
Norfolk Southern Railway Company to
Angley South Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 55 and 56 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5088+67.5, more or less, said point of beginning also being the centerline of Clear Creek and the point of terminus of Parcel 1;

Thence, along the said original centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 758.5 feet, more or less, to a point, said point being the common line between Land Lots 55 and 56 located at Railway Valuation Station 5097+26, more or less;

Thence, continuing along the said original centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline a distance of 420 feet, more or less, to the point of terminus, said point being the north line of Piedmont Avenue (Road) located at Railway Valuation Station 5101+46, more or less, and containing 5.21 acres, more or less, and being substantially as shown on Railway Valuation Map V-12a/2, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel being that portion of the property described in Deed Book 8, page 381 in the Office of the Clerk of Superior Court of Fulton County lying south of the centerline of Clear Creek and that portion of the property described in a deed from J. J. Thrasher, et al, Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book _____, page _____ in said Clerk's Office which lies north of the north line of Piedmont Avenue (Road).

Parcel 3
Norfolk Southern Railway Company to
Piedmont Beltline, L.L.C.

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 54 and 55 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5101+46, said point being the north line of Piedmont Avenue (Road) and also being the point of terminus of Parcel 2;

Thence, along the said centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline for a distance of 709 feet, more or less, to a point, said point being the centerline of Clear Creek located at Railway Valuation Station 5102+55, more or less;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 4,257 feet, more or less, to the point of terminus, said point being the west line of Monroe Drive located at Railway Valuation Station 5151+12, more or less, and containing 28.69 acres, more or less, and being substantially as shown on Railway Valuation Maps V-12a/2 and V-12a/3, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being the portion of that property described in a deed from J. J. Thresher to Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book _____, page _____ in the Office of the Clerk of Superior Court of Fulton County which lies south of the north line of Piedmont Avenue (Road), all of that property described in Deed Book M, page 769 in said Clerk's Office and the portion of that property described in Deed Book M, page 781 and Deed Book 565, page 2 which lies north of the north line of Monroe Drive.

Parcel 4
Norfolk Southern Railway Company to
Corridor Beltline LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 53 and 54 of the 17th District and Land Lot 17 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5151+12, more or less, said point of beginning being the west line of Monroe Drive and also being the point of terminus of Parcel 3;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 100 feet wide, being 50 feet in width on each side of said centerline for a distance of 3,164.9 feet, more or less, to the point of terminus of said strip of land, said point being the common line between Land Lots 17 and 18 located at Railway Valuation Station 5194+42.9, more or less.

Said parcel of land being a portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies southeast of the northwest line of Monroe Drive, all of that property described in Deed Book M, page 758, Deed Book 1, page 176 and Deed Book M, page 757 in the Office of the Clerk of Superior Court of Fulton County

Also a strip of land lying on the east side of and adjoining the above-described parcel of land beginning at the south line of Roy Street and ending at the north line of Greenwood Avenue as shown as parcel 3 on Railway Valuation Maps V-12a/3.

LESS AND EXCEPT the westerly 50 feet wide strip of land lying between the southerly line of Monroe Drive and the common line between Land Lots 53 and 17 located at Railway Valuation Station 5162+78.

Said property being shown on Railway Valuation Maps V-12a/3 and V-12a/4, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Parcel 5
Norfolk Southern Railway Company to
North Avenue Belkline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Belkline comprised of land and right of way lying and being in Land Lot 18 in the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Belkline at Railway Valuation Station 5194+42.9, said point of beginning being the common line between Land Lots 17 and 18 and also being the point of terminus of Parcel 4;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1602.8 feet, more or less, to a point being at or near the north line of Ralph McCall Boulevard (Forest Avenue) located at Railway Valuation Station 5210+45.7, more or less;

Thence, continuing along said centerline in a general southerly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 1,070.3 feet, more or less, to a point at Railway Valuation Station 5221+16 and being the point of terminus of said strip of land and being substantially as shown on Railway Valuation Map V-12a⁴, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being all of that property described in Deed Book N, page 382, and a portion of that property described in Deed Book N, page 383 and Deed Book 9, page 379 in the Office of the Clerk of Superior Court of Fulton County and as acquired by Georgia Air Line Railway Company pursuant to condemnation proceedings against M. E. Dutsey, Executor.

Parcel 5
Norfolk Southern Railway Company to
Corridor Beltline, L.L.C.

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline composed of land and right of way lying and being in Land Lots 18 and 19 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railroad Valuation Station 5221+16, more or less, said point being 1070.3 feet, more or less, south of the north line of Ralph McGill Boulevard (Forrest Avenue) as measured along said centerline and also being the point of terminus of Parcel 5;

Thence, along said centerline in a general southwesterly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 644 feet, more or less, to a point, said point being the common line between Land Lots 18 and 19 located at Railway Valuation Station 5227+60;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 866.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5235+66.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 1,738.3 feet, more or less, to a point, said point being the north line of Irwin Street or Lake Avenue located at Railroad Valuation Station 5253+05, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side said centerline for a distance of 840 feet, more or less, to the point of terminus of said strip of land, said point being 350 feet north of the north line of Edgewood Avenue located at Railroad Valuation Station 5261+45, more or less.

Said parcel of land being apportioned of that property described in Deed Book N, page 383, Deed Book S, page 379, Deed Book N, page 380, Deed Book S, page 378, Deed Book 140, page 381, and a portion of that property described in Deed Book N, page 378 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled as parcel 5 on Railroad Valuation Map V-12w/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book S, Page 378, in said Clerk's Office.

Also, that parcel of land labeled as parcel 10 on Railroad Valuation Map 12a/5 adjoining and lying on both sides of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book 8, Page 37E, in said Clerk's Office.

Also, that parcel of land labeled as parcel 9 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to Southern Railway Company by deed dated May 22, 1899 and recorded in Deed Book 140, Page 38F, in said Clerk's Office.

LESS AND EXCEPT the following parcels of land:

1. The parcel of land shown as parcel 6a on Railroad Valuation Map V-12a/4 and parcel 1a on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company to Grinnell Corp. by deed dated February 18, 1949;
2. The parcel of land shown as parcel 10a on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company to William Cromer by deed dated May 14, 1980;
3. The parcel of land shown as parcel 9a on Railroad Valuation Map V-12a/5 and being conveyed by Southern Railway Company to Montag Brothers by deed dated August 13, 1946;
4. The parcels of land shown as parcel 5a, parcel 5b and parcel 7a on Railroad Valuation Map V-12a/5 as condemned by the City of Atlanta, Georgia.
5. The parcel of land shown as parcel 5c on Railroad Valuation Map V-12a/5 and being conveyed by Norfolk Southern Railway Company to Berman Development, LLC by deed dated April 24, 1998.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/3, V-12a/4 and V-12a/5 copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Parcel 7
Norfolk Southern Railway Company to
Corridor Edgewood, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Bellline comprised of land and right of way lying and being in Land Lot 20 in the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Bellline, said point being at Railway Valuation Station 5261+45, and being 350 feet, more or less north of the north line of Edgewood Avenue as measured along said centerline;

Thence, along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet wide on each side of said centerline for a distance of 419 feet to a point on the south line of Edgewood Avenue located at Railway Valuation Station 5269+55, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline for a distance of 390 feet, more or less, to a point on the northeast line of Airline Street at Railway Valuation Station 5269+45, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline for a distance of 260 feet, more or less, to the point of terminus, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being substantially as shown on Railway Valuation Map V-12a/5, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being a portion of that property described in Deed Book M, page 756, Deed Book N, page 141, Deed Book N, page 381 and Deed Book N page 138 and 21 of that property described in Deed Book N, page 376 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled parcel 20 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land conveyed to the Atlanta and Charlotte Air Line Railway Company by deed dated March 14, 1878, and recorded in Deed Book DD, Page 593 in said Clerk's Office.

Less and except the following parcel of land:

That parcel of property conveyed by Norfolk Southern Railway Company to Atlanta Metal, Inc. by deed dated October 1, 1998, and shown as parcel 23a on said Railway Valuation Map V-12a/5.

Less and except:

All that tract or parcel of land lying and being in Land Lots 55 and 56 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the northwesterly right of way of Piedmont Avenue (70' R/W) and the former northeastern Right of Way of Norfolk Southern Railway; thence along said Right of Way of Piedmont Avenue running South 36° 20' 19" West a distance of 40.15 feet to a point (said point being 30' from centerline of former Norfolk Southern Right of Way); thence leaving Piedmont Avenue Right of Way and running along a line 30' from the centerline of the former Norfolk Southern Right of Way the following courses: along a curve to the left an arc distance of 84.11 feet (said curve having a radius of 2800.70 feet; a chord bearing of North 28° 03' 13" West and a chord distance of 84.11 feet) to a point; thence North 28° 17' 08" West a distance of 218.90 feet to a point; thence leaving said line and running North 39° 47' 38" West a distance of 25.05 feet to a point (said point being 25' from centerline of former Norfolk Southern Right of Way); thence along a line 25' from the centerline of the former Norfolk Southern Right of Way North 28° 17' 08" West a distance of 446.20 feet to a point; thence leaving said line and running North 61° 42' 52" East a distance of 75.00 feet to a point on the former northeasterly Right of Way of Norfolk Southern Railway; thence along said former Right of Way the following courses: South 28° 17' 08" East a distance of 432.18 feet to a point common to Land Lots 55 and 56; thence running along the common Land Lots 55 and 56 North 89° 53' 00" West a distance of 38.64 feet to a point; thence South 28° 17' 08" East a distance of 275.43 feet to a point; thence along a curve to the right an arc distance of 67.29 feet (said curve having a radius of 2836.70 feet; a chord bearing of South 28° 14' 04" East and a chord distance of 67.29 feet) to a point on the northwesterly right of way of aforementioned Piedmont Avenue and the TRUE POINT OF BEGINNING. Said tract containing 1.015 acres.

Legal Description

Norfolk Southern Railroad – 85 Foot Strip

Station 5056+20 to North Right of Way of Montgomery Ferry Road

All that tract or parcel of land lying and being in Land Lots 56 and 57 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the northerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running the following courses: North 28° 17' 08" West a distance of 1688.27 feet to a point; along a curve to the right an arc distance of 488.48 feet (said curve having a radius of 2964.79 feet; a chord bearing of North 23° 33' 56" West and a chord distance of 487.92 feet) to a point; thence leaving said westerly right of way of Norfolk Southern Railroad and running North 71° 09' 16" East a distance of 16.79 feet to a point; thence along a curve to the right an arc distance of 179.31 feet (said curve having a radius of 572.84 feet; a chord bearing of South 37° 18' 25" East and a chord distance of 178.58 feet) to a point; thence South 28° 20' 23" East a distance of 307.15 feet to a point; thence South 28° 17' 08" East a distance of 1688.79 feet to a point intersecting the northerly right of way of aforementioned Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 85.00 feet to the POINT OF BEGINNING. Said tract containing 4.053 acres.

Legal Description

Norfolk Southern Railroad – 80 Foot Strip

Area Within Montgomery Ferry Road Right of Way

All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running of North 28° 17' 08" West a distance of 40.00 feet to a point intersecting the northerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 80.00 feet to a point; thence South 28° 17' 08" East a distance of 40.00 feet) to a point intersecting the southerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 80.00 feet to the POINT OF BEGINNING. Said tract containing 0.073 acre.

Legal Description

Norfolk Southern Railroad – 80 Foot Strip

South Right of Way of Montgomery Ferry Road to Clear Creek (Station 5088+67.5)

All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 80.00 feet to a point; thence South 28° 17' 08" East a distance of 1046.71 feet to a point; thence South 61° 42' 52" West a distance of 80.00 feet to a point on the westerly right of way of Norfolk Southern Railroad; thence along said right of way North 28° 17' 08" West a distance of 1047.21 feet to the POINT OF BEGINNING. Said tract containing 1.923 acres.

ALL THAT TRACT OF LAND in Land Lot 18 of the 14th District, Fulton County, Georgia, described as follows:

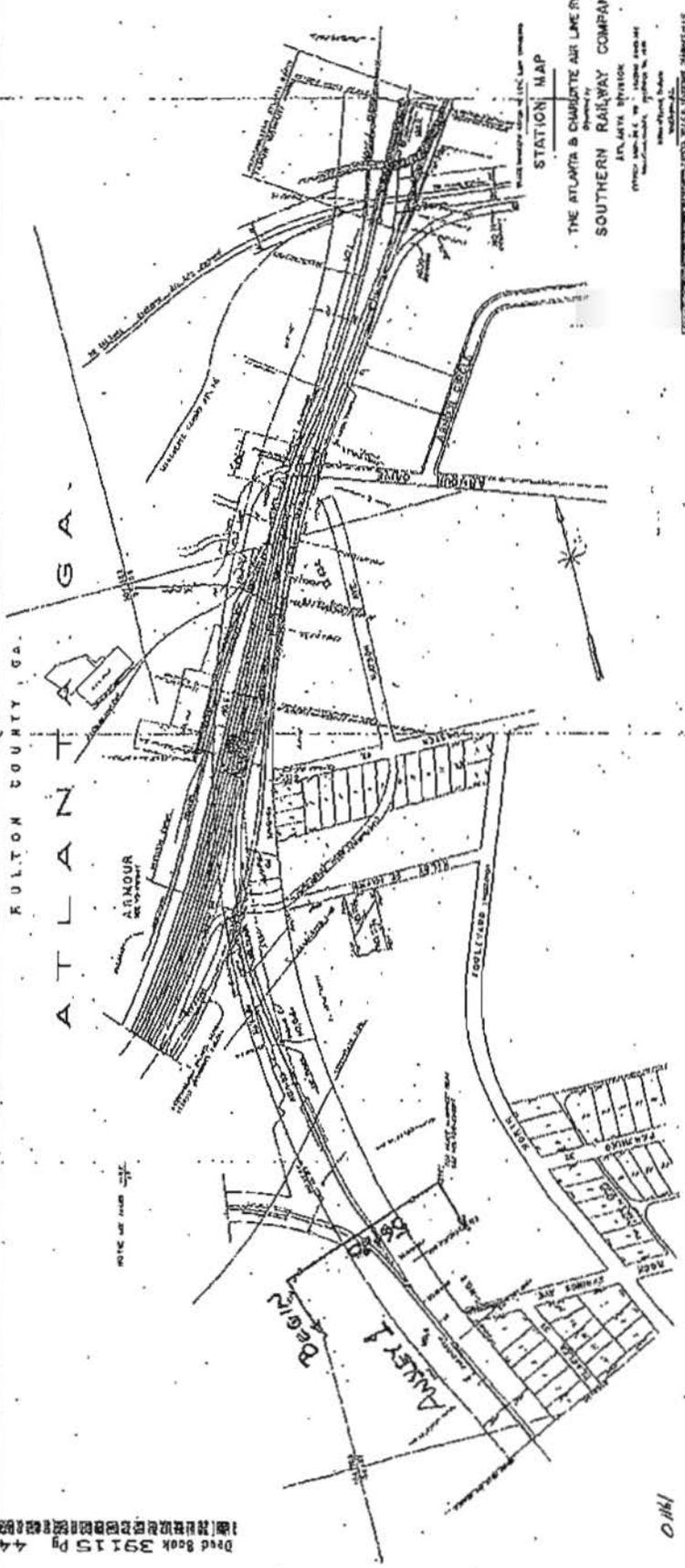
TO FIND THE TRUE POINT OF BEGINNING, commence at an "x" in concrete on the east right-of-way line of North Angier Avenue (50 foot right-of-way) at the rounded intersection of the south right-of-way line of North Avenue (right-of-way varies) with the east right-of-way line of North Angier Avenue; running thence along said rounded intersection along the arc of a curve to the right (which arc is subtended by a chord having a bearing and distance of North 28 degrees 26 minutes 02 seconds East 8.48 feet and a radius of 5 00 feet) 10 13 feet to a point on the south right-of-way line of North Avenue; thence along said south right-of-way line, the following courses and distances: (1) North 86 degrees 43 minutes 28 seconds East 142 04 feet to a point, and (2) South 89 degrees 30 minutes 13 seconds East 19 39 feet to a 1/2-inch rebar set; thence, leaving said right-of-way line, along the arc of a curve to the left (which arc is subtended by a chord having a bearing and distance of South 20 degrees 49 minutes 56 seconds East 60 29 feet and a radius of 2951.44 feet) 60 29 feet to the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, running thence North 67 degrees 31 minutes 07 seconds East 20.56 feet to a point; thence South 22 degrees 56 minutes 04 seconds East 38.09 feet to a point; thence South 67 degrees 31 minutes 07 seconds West 21.32 feet to a point; thence along the arc of a curve to the right (which arc is subtended by a chord having a bearing and distance of North 21 degrees 47 minutes 14 seconds West 38.10 feet and a radius of 2951.44 feet) 38.10 feet to the TRUE POINT OF BEGINNING, as shown on plat of ALTA/ACSM Land Title Survey for Poncey Highlands Investors I, LLC, Masquerade Limited Partnership, Chicago Title Insurance Company and Wachovia Bank, National Association, its successors and assigns, prepared by SCI Development Services, bearing the seal and certification of John A. Speerman, Georgia Registered Land Surveyor No. 2576, dated September 28, 2005, last revised January 10, 2006.

All that tract or parcel of land lying and being in Land Lot 19 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the point of beginning, commence at the intersection of the southeastern right-of-way line of Southern Railway Company (68 foot right-of-way) with the southwestern right-of-way line of Highland Avenue (right-of-way varies); THENCE 667.44 feet along the southeastern right-of-way line of Southern Railway Company to a 5/8 inch rebar found, said 5/8 inch rebar being the POINT OF BEGINNING; THENCE leaving said right-of-way line South 03 degrees 13 minutes 33 seconds West for a distance of 294.00 feet to a point; THENCE North 88 degrees 53 minutes 26 seconds West for a distance of 51.43 feet to a 5/8 inch rebar found; THENCE North 87 degrees 32 minutes 39 seconds West for a distance of 55.13 feet to a point located at the northeasterly corner of a brick and rock building; THENCE North 88 degrees 17 minutes 57 seconds West for a distance of 100.40 feet along the northerly building line of said brick and rock building to a 1/2 inch rebar found on the southeastern right-of-way line of Southern Railway company (68 foot right-of-way); THENCE along a curve to the right having a radius of 1812.69 feet and an arc length of 354.46 feet, being subtended by a chord of North 37 degrees 52 minutes 42 seconds East for a distance of 363.84 feet along said southeastern right-of-way line of Southern Railway Company to a 5/8 inch rebar found, said 5/8 inch rebar being the POINT OF BEGINNING.

Said property contains 0.750 acres or 32655 square feet.

Dred Book 39115 Pg 445
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

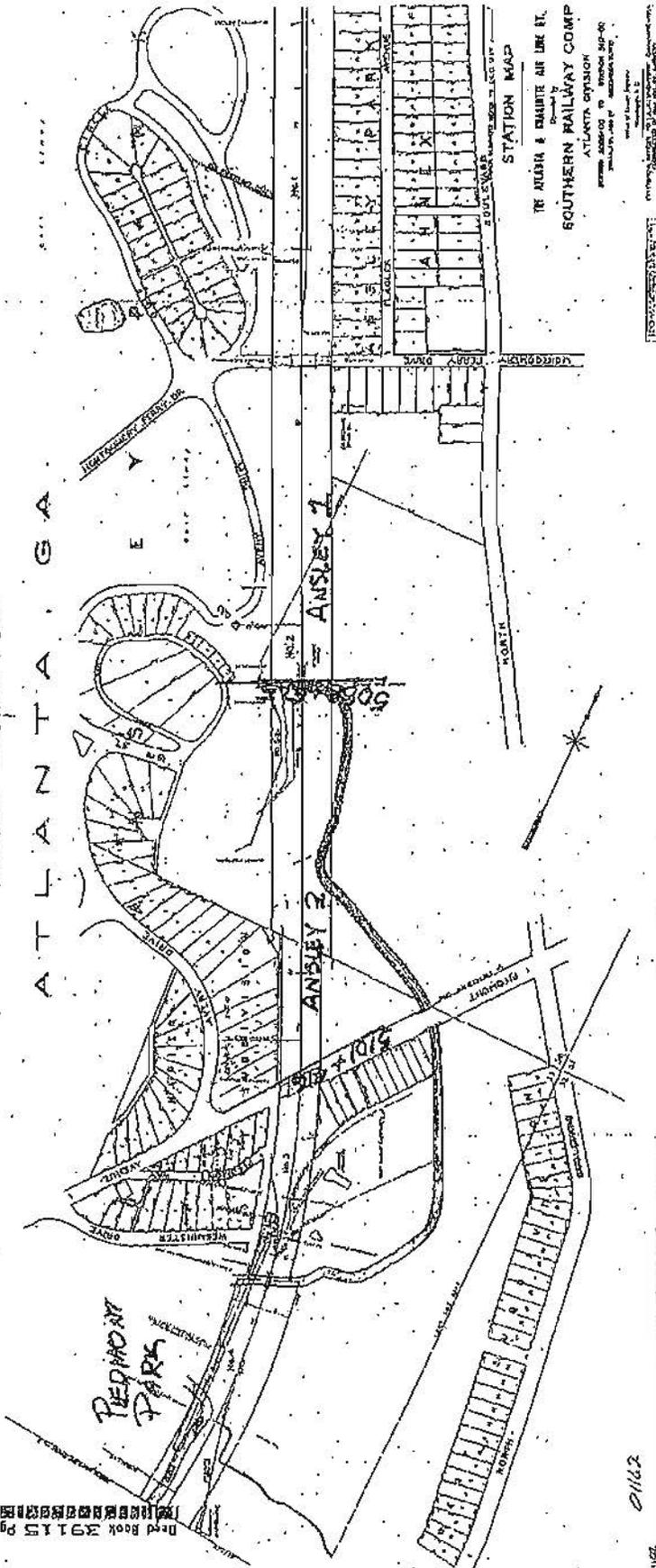


1910

FULTON COUNTY, GA.

A T T L A N T A G A

Red Book 89115 pg. 447



STATION MAP
 THE ALBANY & CHARLOTTE AIR LINE RY.
 Operated by
 SOUTHERN RAILWAY COMPANY
 ATLANTA DIVISION
 PHONE 408-00 TO STATION 347-40
 TELEPHONE 347-40 TO STATION 347-40
 1921

01162

1071

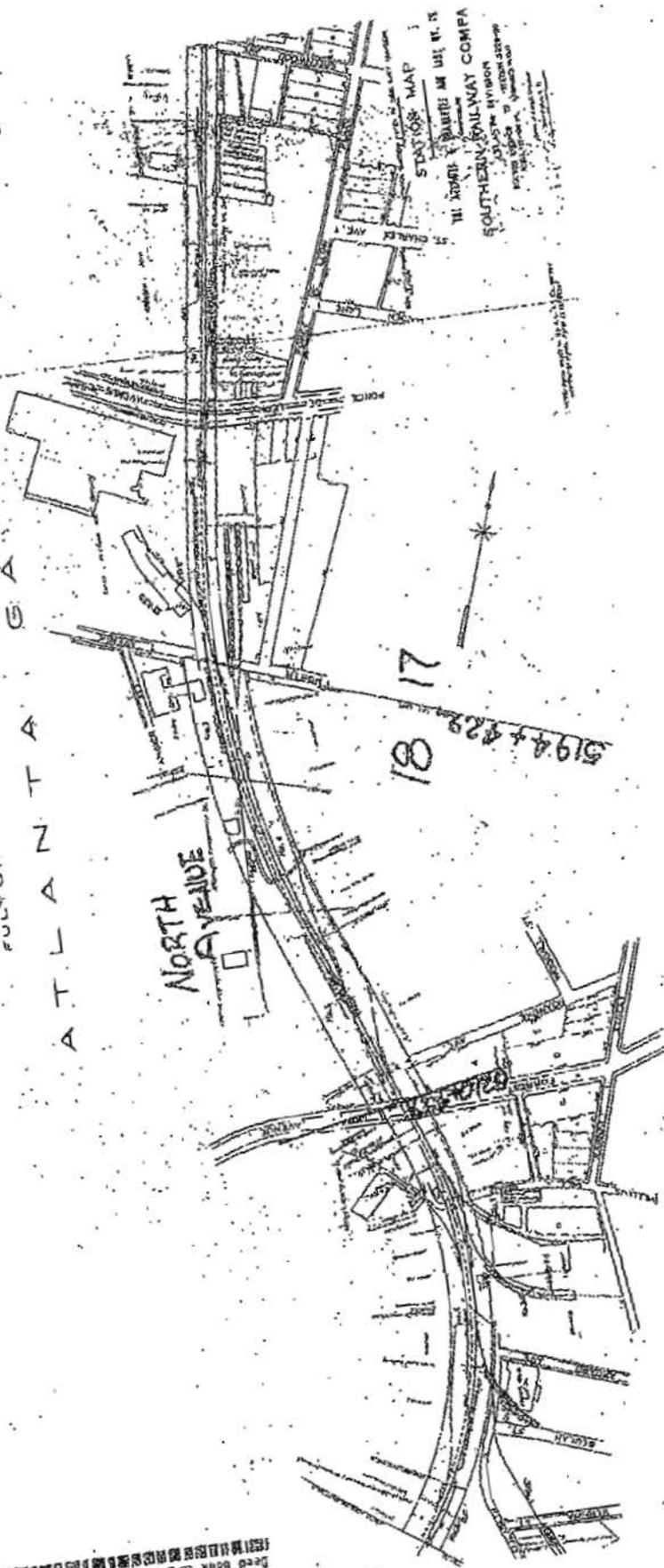
ATLANTA, GA.
FULTON COUNTY, GA.

Deed Book 39115 Pg. 449

NORTH AVENUE

519.4 + 429.00
21

STATION MAP
IN CONNECTION WITH THE
SOUTHERN RAILWAY COMPANY
FOR THE DIVISION
FROM CHAS. TO WASH. STATION



1911

EXHIBIT "B"
Permitted Exceptions

1. All taxes for 2008, a lien not yet due and payable, and subsequent years thereto.
2. Easement from Southern Railway Company, a Virginia corporation to Georgia Railway and Power Company, a Georgia corporation, dated August 19, 1912, filed November 14, 1912 and recorded in Deed Book 355, Page 362, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 1)
3. Easement from Southern Railway Company, a Virginia corporation to Georgia Railway and Power Company, a Georgia corporation, dated August 19, 1912, filed November 1, 1912 and recorded in Deed Book 354, Page 244, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 1)
4. Easement from Southern Railway Company, a Virginia corporation to City of Atlanta, a Georgia municipal corporation, dated September 10, 1938, filed October 7, 1938 and recorded in Deed Book 1693, Page 476, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 1)
5. Easement from Southern Railway Company, a Virginia corporation to City of Atlanta, a Georgia municipal corporation, dated August 23, 1922, filed August 17, 1950 and recorded in Deed Book 2673, Page 601, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 2)
6. All those matters as disclosed by that certain plat recorded in Plat Book 44, Page 11, records of the Superior Court of Fulton County, Georgia. (Affects Parcels 1 and 2)
7. Easement (sewer purposes) by and between Southern Railway Company, a Virginia corporation and City of Atlanta, a Georgia municipal corporation, dated July 6, 1938 at 2:15 p.m., recorded in Deed Book 1653, Page 665, records of the Superior Court of Fulton County, Georgia. (Affects Parcels 2 and 3)
8. Easement (sewer purposes) by and between Southern Railway Company, a Virginia corporation and George C. Finch, Jr., dated November 29, 1978, effective as of November 28, 1978, filed for record December 12, 1978 at 12:09 p.m., recorded in Deed Book 7124, Page 183, records of the Superior Court of Fulton County, Georgia. (Affects Parcels 2 and 3)
9. Easement from Southern Railway Company, a Virginia corporation to Georgia Power Company, a Georgia corporation, dated April 4, 1962, filed April 24, 1962 and recorded in Deed Book 3872, Page 469, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 3)
10. Term and conditions of the Lease as evidenced by that certain Certificate by and between Southern Railway Company, a Virginia corporation ("Lessor"), Park Side Restaurant, L.P., a Georgia limited partnership ("Lessee"), Southern Federal Savings and Loan Association of Georgia, The Business Development Corporation of Georgia and The Business Growth Corporation of Georgia, and The U. S. Small Business Administration, its Agent, The Business Growth Corporation of Georgia, dated April 25, 1989, filed June 27, 1989 and recorded in Deed Book 12601, Page 82, aforesaid records; as assigned to Piedmont Park, Inc., a Georgia corporation by that certain Assignment by The Business Development Corporation of Georgia, Inc., a successor to Parkside Restaurant, L.P., which was a successor to Parkside at Piedmont, Inc., a Georgia corporation, dated July 24, 1995, filed March 12, 1996 and recorded in Deed Book 20715, Page 146, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 3)
11. Memorandum of Sublease by and between Piedmont Park, Inc. ("Sublessor") and Parkside Mill, Inc. ("Sublessee"), dated March 11, 1996, filed March 12, 1996 and recorded in Deed Book 20715, Page 168, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 3)
12. Agreement from Norfolk Southern Corporation to Georgia Power Company, dated April 25, 1990, filed June 4, 1990 and recorded in Deed Book 13457, Page 38, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 3)

13. Unrecorded letter RE: Encroachment of Georgia Railway & Electric Company, dated September 25, 1907. (Affects Parcel 4)

Note: The Company affirmatively insures the insured against the forced removal of any existing or contemplated improvements erected on the ground as a result of a third party claim that the erection of the improvements or use of the improvements is in violation of the restrictions set forth within the above exception.

14. Rights of Robert H. Jennings, Jr. in and to subject property. (Affects Parcel 4)

The above exception is raised because the above fee owner did not enter into that certain Boundary Line Agreement by and between The Atlanta and Charlotte Air Line Railway Company, a Georgia, South Carolina and North Carolina corporation and Ackerman-Midtown Associates, Ltd., a Georgia limited partnership, dated June 21, 1983, filed December 19, 1984 and recorded in Deed Book 9305, Page 432, records of the Superior Court of Fulton County, Georgia.

15. Easement Agreement by and between Southern Railway Company, a corporation and Georgia Railway and Electric Company, a corporation, dated April 12, 1907, filed April 17, 1907 and recorded in Deed Book 178, Page 613, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 4)
16. Easement from Corridor Beltline, LLC to Georgia Power Company, dated December 15, 2006, filed December 22, 2006 and recorded in Deed Book 44125, Page 94, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 4)
17. License Agreement by and between Southern Railway Company, a Virginia corporation and City of Atlanta, a municipal corporation, dated June 2, 1970, filed June 30, 1970 and recorded in Deed Book 5244, Page 448, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 6)
18. Agreement by and between Southern Railway Company, a Virginia corporation and Atlanta Gas Light Company, a Georgia corporation, dated March 2, 1955, filed May 31, 1955 and recorded in Deed Book 3000, Page 477, records of the Superior Court of Fulton County, Georgia. (Affects Parcels 5 and 6)
19. Notification of the Designation of Property Under the City of Atlanta's Historic Preservation Ordinances Code of Ordinances of the City of Atlanta, Section 16-20.006(e) by City of Atlanta, dated April 18, 2002, filed April 19, 2002 and recorded in Deed Book 32287, Page 344, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 6)
20. Easement from Southern Railway Company, a Virginia corporation to Atlanta Gas Light Company, a Georgia corporation, dated February 14, 1950, filed April 14, 1950 and recorded in Deed Book 2516, Page 692, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 6)
21. All those matters as disclosed by that certain plat recorded in Plat Book 39, Page 72 records of the Superior Court of Fulton County, Georgia. (Affects Parcel 6)
22. Easement from F. P. Rice and R. Mitchell to Georgia Air Line Rail Road Company, dated March 10, 1869, recorded January 24, 1870 and recorded in Deed Book N, Page 379, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 6)

Note: The Company affirmatively insures the insured against the forced removal of any existing or contemplated improvements erected on the ground as a result of a third party claim that the erection of the improvements or use of the improvements is in violation of the restrictions set forth within the above exception.

23. Spur Track Agreement by and between Southern Railway Company and J. A. Morris, dated April 16, 1895 and recorded in Deed Book 112, Page 543, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 7)

Note: The Company affirmatively insures the insured against any loss or damage that may arise in the event of a claim by a third party that the reversionary interests contained in the above referenced, shall have any effect on the fee simple parcels of land insured in this Policy.

24. Spur Track Agreement by and between A. G. Rhodes and Southern Railway Company, dated December 6, 1903, filed December 31, 1903 and recorded in Deed Book 160, Page 888, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 7)

Note: The Company affirmatively insures the insured against any loss or damage that may arise in the event of a claim by a third party that the reversionary interests contained in the above referenced, shall have any effect on the fee simple parcels of land insured in this Policy.

25. All those matters as disclosed by that certain plat recorded in Plat Bok 11, Page 160, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 7)

26. Reservation of Easements and Rights contained in that Special Warranty Deed from Norfolk Southern Railway Company, a Virginia corporation, successor to the Georgia Air Line Railway Company, the Atlanta and Richmond Air Line Railway Company, Richmond and Danville Railroad Company, the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company to Ansley North Beltline, LLC (as to Parcel 1), Ansley South Beltline, LLC (as to parcel 2, Piedmont Beltline, LLC (as to Parcel 3), North Avenue Beltline, LLC (as to Parcel 5), Corridor Beltline, LLC (as to Parcels 4 and 6) and Corridor Edgewood, LLC (as to Parcel 7), dated December 30, 2004, filed January 3, 2005 and recorded in Deed Book 39115, Page 430, records of the Superior Court of Fulton County, Georgia.

27. Easements, licenses, or any other rights granted by the following documents:

- (a) Fiber Optic Cable License by and between Norfolk Southern Railway Company, a Virginia corporation and Qwest Communications Corporation, a Delaware corporation, dated June 26, 1997.

- (b) Fiber Optic Cable License by and between Norfolk Southern Railway Company, a Virginia corporation and Worldcom Network Services, Inc. a Delaware corporation, dated August 18, 1998.

28. Easement from Ansley North Beltline, LLC, a Georgia limited liability company and Ansley South Beltline, LLC, a Georgia limited liability company to Atlanta Gas Light Company, a Georgia corporation, dated July 11, 2007, filed July 18th, 2007 and recorded in Deed Book 45382, Page 589 records of Superior Court of Fulton County, Georgia.
29. All items shown on those certain ALTA/ ACSM Land Title Surveys for Parcels 1 through 7 prepared by Technical Survey Services, Inc. and containing the Seal of Walter Y. Prevatte GRLS No. 2107 dated March 21, 2005, last revised October ____, 2007.
30. Unrecorded Agreement by and between Piedmont Beltline, LLC, Norfolk Southern Railway Company, and the City of Atlanta dated September XX, 2005.
31. Rights of parties in possession pursuant to existing unrecorded lease and license agreements.

EXHIBIT 3

Deed Book 45938 Pg 232
Filed and Recorded Nov-06-2007 02:08pm
2007-0311562
Real Estate Transfer Tax \$0.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

RECORD AND RETURN TO:

R.E. Hodges, Jr., Esq.
2230 Towne Lake Parkway
Bldg. 200, Ste. 120
Woodstock, Georgia 30189
HOLLE.FTB

**PERMANENT PUBLIC RIGHT-OF-WAY
EASEMENT**

THIS PERMANENT PUBLIC RIGHT-OF-WAY EASEMENT is made and effective this 31st day of October, 2007 (the "Effective Date"), by and between **NE CORRIDOR PARTNERS, LLC** and or its successors and assigns (hereinafter referred to as "Grantor") and **ATLANTA BELTLINE, INC.** (hereinafter referred to as "Grantee").

WITNESSTH

WHEREAS, Grantor is the owner of certain property located in Land Lots 53, 54, 55, 56, and 57 of the 17th District of Fulton County, Georgia and Land Lots 17, 18, 19 and 20 of the 14th District of Fulton County, Georgia, which is more fully described in Exhibit A which is attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, Grantee desires to secure a permanent easement for the development, construction, operation, maintenance and improvement from time to time of a system of transit, trails and integrated transportation, including green space, collectively referred to herein as the "Atlanta Beltline Project" and said easement area herein referred to as the "Right-of-Way"; and

WHEREAS, it is in the mutual interest of the Grantor and the Grantee that said Right-of-Way exist and that Grantee be allowed as an easement in perpetuity for the benefit of the Atlanta Beltline Project;

NOW, THEREFORE, for and in consideration of the sum of One Hundred Dollars (\$100.00), the mutual covenants and conditions herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Grantor, the parties hereto agree, for themselves, their heirs, successors and assigns, as follows:

I. GRANT

1. Grantor does hereby grant and convey unto the Grantee, the perpetual and exclusive right and easement to develop, construct, maintain, inspect, remove from, rebuild replace and operate and maintain a system of transit, trails and integrated transportation (including tracks, appurtenant facilities and stations for use in the said transportation system) including green spaces referred to as the Atlanta Beltline Project, through the area defined herein as the Right-of-Way. The easement, right and privilege herein granted shall be perpetual, appurtenant to the land, and shall inure to the benefit of Grantee's successors and assigns. Grantee shall have the right to license, permit or otherwise agree to the joint use of the Right-of-Way by any other person or legal entity, which joint use may include the operation of the said transit system by such other person or legal entity for the benefit of Grantee, for the above-stated purpose.

2. In furtherance of the stated purpose, Grantee shall have the right to erect or make such improvements to and within the Right-of-Way as it shall deem necessary or convenient for the Atlanta Beltline Project and, by such means as it may determine, to cut, trim, destroy and/or remove from the Right-of-Way any brush, trees, logs, stumps, branches, weeds or grass lying or standing in the Right-of-Way. Grantee shall also have the right to do grade, level, fill, drain, pave, contract, operate, repair and rebuild transportation delivery services for the Atlanta Beltline Project, together with such tracks, appurtenant facilities, station structures and platforms, bridges, culverts, drainage way, ramps, sidewalks, curbs, gutters and cuts as Grantee shall deem appropriate for the Atlanta Beltline Project.

3. Any facilities or improvements erected by Grantee shall remain the property of Grantee, who shall have the right to inspect, rebuild, reuse, repair improve and make changes, alterations, substitutions and additions in and to such facilities and improvements as it may from time to time deem advisable.

4. For the purpose of constructing, inspecting, maintaining, operating or improving its facilities, Grantee shall have the right of ingress and egress from the Right-of-Way over lands of Grantor adjacent to the Right-of-Way and lying between public or private roads and the Right-of-Way, such right to be exercised in such manner as to occasion the least practicable inconvenience to Grantor.

5. All of the rights contained in this Section shall be subject to the approval rights granted to the holder of the Security Deed in Section IV.

II. DESIGNATION AND RELOCATION OF RIGHT-OF-WAY

1. The Right-of-Way to which the easement and perpetual rights herein granted apply shall be over, under, through, across and along the Property as more fully described in Exhibit B.

2. Pending to completion of certain engineering studies by Grantee, the designation and location of the Right-of-Way as described herein is appropriate. Grantor further grants Grantee the right at any time for up to two years from the Effective Date to amend, modify or alter the existing location and dimensions of the Right-of-Way by filing another plat or survey locating the final exact location once the same has been finalized by Grantee, subject to the approval rights granted to the holder of the Security Deed in Section IV. Once filed, said plat shall describe the Property subject to the Right-of-Way for all purposes hereunder.

3. Grantor hereby releases and waives any right to object to or deny the effect of the validity of the Right-of-Way due to a "lack of specificity" about the dimensions and location of the initial site of the Right-of-Way and to object to or deny the effect of the validity of the final location and dimensions of the Right-of-Way.

III. RESERVATIONS OF AND LIMITATION ON GRANTOR, ITS SUCCESSORS AND ASSIGNS

1. Grantor, its successors or assigns shall retain all underlying fee interest in the Property, including that burdened by the Right-of-Way, subject however, to the Right-of-Way's use by Grantee for the purposes described herein. Grantor, for itself and its successors and assigns, agrees that Grantor is prohibited from placing or constructing any structure or improvement within the Right-of-Way, and from engaging in any use that will interfere with Grantee's use of the Right-of-Way for the Atlanta Beltline Project.

2. This Permanent Public Right-of-Way Easement shall run with the land and be binding upon the Grantor, its successors and assigns, unless terminated by the abandonment of this easement by Grantee, its successors or assigns.

IV. SUBJECT TO DEED TO SECURE DEBT

This Permanent Public Easement is subject and subordinate to that certain Deed to Secure Debt, Assignment and Security Agreement from NE Corridor Partners, LLC to Ansley North Beltline, LLC, Ansley South Beltline, LLC, Piedmont Beltline, LLC, North Avenue Beltline, LLC, Corridor Beltline, LLC, and Corridor Edgewood, LLC of even date herewith (the "Security Deed"). All of the rights granted to Grantee hereunder accordingly are subject and inferior to any conflicting provisions in the Security Deed, and Grantor and Grantee acknowledge that a foreclosure of the Security Deed will terminate this Permanent Public Easement. Grantor and Grantee acknowledge and agree to the existence and priority of the Security Deed over this Permanent Public Easement, and Grantee further specifically agrees to abide by any provisions in the Security Deed which in any way limit or restrict the activities, uses and improvements upon the Right-of-Way herein. So long as the Security Deed binds any portion of the real property burdened by the Permanent Public Easement, the holder of the Security Deed shall have the right to prior review and approval of any construction, relocation or reconfiguration of the Permanent Public Easement and any improvements therein and any applications for change of use, permits, licenses or abandonment of the rail corridor from the appropriate governmental authority.

V. GENERAL

1. This Permanent Public Easement shall be governed, interpreted, construed and enforced in accordance with the laws of the State of Georgia.

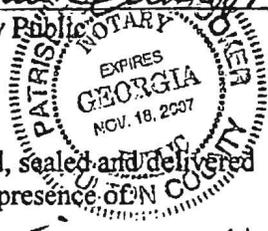
2. The invalidity or unenforceability of any particular provision of this Permanent Public Easement shall not affect the other provisions hereof, and the Permanent Public Easement shall be construed in all respects as if such invalid or unenforceable provision were omitted. If any provision contained herein is determined to be illegal or invalid, the parties desire that a court should interpret and construe the provisions of this Permanent Public Easement consistent with the intent of the parties and the purpose for which the Permanent Public Easement is being granted and to interpret the provisions herein to give the maximum flexibility and enforcement to the agreement reached between the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and their seals on the date first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public



Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public



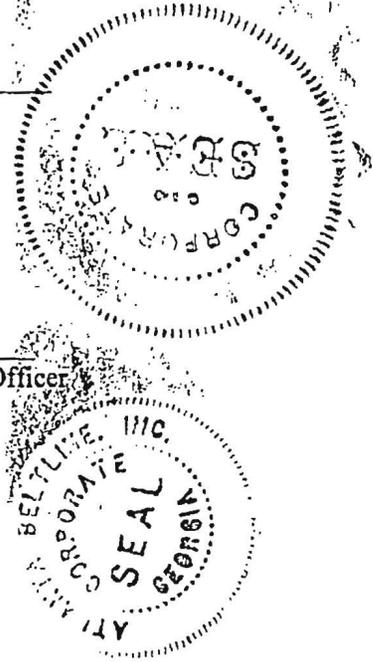
NE CORRIDOR PARTNERS, LLC

By: [Signature]
Member

By: _____
Member

ATLANTA BELTLINE, INC.

By: [Signature]
Its: President & Chief Executive Officer



**EXHIBIT A
LEGAL DESCRIPTIONS OF THE PROPERTY**

(Attach copies of the legal descriptions for the 7 parcels)

EXHIBIT "A"

Parcel 1
Norfolk Southern Railway Company to
Amley North Beltline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 56 and 57 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5056+20, more or less, said point also being 100 feet as measured radially and at right angles from the said centerline of Beltline to the point of intersection of the westerly right of way line of said Beltline and the southerly right of way line of the "Y" track connecting the said Beltline to the main line right of way of Grantor running between Atlanta, Georgia, and Washington, D.C., said point being a distance of 230 feet, more or less, as measured in a southerly direction along the said centerline of Beltline from a 2.5' x 2.5' stone box culvert located at Railway Valuation Station 5053+90, more or less;

Thence, along the original centerline of said Beltline in a general southeasterly direction with a strip of land 200 feet wide, being 100 feet in width on each side of the original centerline of said Beltline for a distance of 3,247.5 feet, more or less, to the point of terminus of said strip of land, said point being the centerline of Clear Creek located at Railway Valuation Station 5088+67.5, more or less, and containing 14.91 acres, more or less.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/1 and V-12a/2, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said property being a portion of that property described in Deed Book N, page 377 in the Office of the Clerk of Superior Court of Fulton County which lies south of the beginning point of the above-described property at Railway Valuation Station 5056+20 and being a portion of that property described in Deed Book S, page 381 in said Clerk's Office which lies north of the centerline of Clear Creek.

Parcel 2
North Georgia Railway Company (d
Asst. South Bishop, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 55 and 56 in the 1st District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original certificate of said Beltline at Railway Valuation Station 5089+67.5, more or less, said point of beginning also being the centerline of Clear Creek and the point of terminus of Parcel 1;

Thence, along the said original certificate in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 858.5 feet, more or less, to a point, said point being the common line between Land Lots 55 and 56 located at Railway Valuation Station 5097+26, more or less;

Thence, continuing along the said original certificate in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline a distance of 420 feet, more or less, to the point of terminus, said point being the north line of Piedmont Avenue (Road) located at Railway Valuation Station 5101+46, more or less, and containing 521 acres, more or less, and being substantially as shown on Railway Valuation Map V-1542, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archiver of Grantor.

Said parcel being that portion of the property described in Deed Book 8, page 381 in this Office of the Clerk of Superior Court of Fulton County lying south of the centerline of Clear Creek and that portion of the property described in a deed from J. J. Thomas, et al, Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book _____, page _____ in said Clerk's Office which lies north of the north line of Piedmont Avenue (Road).

Parcel 3
Norfolk Southern Railway Company to
Piedmont Behline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Behline comprised of land and right of way lying and being in Land Lots 54 and 55 in the 17th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Behline at Railway Valuation Station 5101+46, said point being the north line of Piedmont Avenue (Road) and also being the point of terminus of Parcel 2;

Thence, along the said centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline for a distance of 709 feet, more or less, to a point, said point being the centerline of Clear Creek located at Railway Valuation Station 5108+55, more or less;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 4,257 feet, more or less, to the point of terminus, said point being the west line of Monroe Drive located at Railway Valuation Station 5151+12, more or less, and containing 21.69 acres, more or less, and being substantially as shown on Railway Valuation Maps V-12a/2 and V-12a/3, copies of which are attached hereto and made a part hereof and on file in the Office of the Archiver of Grantor.

Said parcel of land being the portion of that property described in a deed from J. J. Thrasher to Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book _____, page _____ in the Office of the Clerk of Superior Court of Fulton County which lies south of the north line of Piedmont Avenue (Road), all of that property described in Deed Book M, page 760 in said Clerk's Office and the portion of that property described in Deed Book M, page 761 and Deed Book 563, page 2 which lies north of the north line of Monroe Drive.

Parcel 1
Norfolk Southern Railway Company
Carrier Facilities, LLC

All right, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 53 and 54 of the 1st District and Land Lot 17 of the 1st District of Pulaski County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5151+12, more or less, said point of beginning being the west line of Monroe Drive and also being the point of terminus of Parcel 3;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 100 feet wide, being 50 feet in width on each side of said centerline for a distance of 3,164.9 feet, more or less, to the point of terminus of said strip of land, said point being the common line between Land Lots 17 and 18 located at Railway Valuation Station 5194+42.9, more or less.

Said parcel of land being a portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies southeast of the easement line of Monroe Drive, all of that property described in Deed Book M, page 758, Deed Book L, page 176 and Deed Book N, page 757 in the Office of the Clerk of Superior Court of Pulaski County

Also a strip of land lying on the east side of and adjoining the above-described parcel of land beginning at the south line of Roy Street and ending at the north line of Greenwood Avenue as shown on parcel 5 on Railway Valuation Map V-126A.

LESS AND EXCEPT the westerly 30 feet wide strip of land lying between the southerly line of Monroe Drive and the common line between Land Lots 53 and 17 located at Railway Valuation Station 5162+78.

Said property being shown on Railway Valuation Maps V-126A3 and V-126A4, copies of which are attached hereto and made a part hereof and on file in the Office of the Archivist of Grantor.

Parcel 5
Norfolk Southern Railway Company vs
North Avenue Bellline, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Bellline comprised of land and right of way lying and being in Land Lot 18 in the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Bellline at Railway Valuation Station 5194+42.9, said point of beginning being the common line between Land Lots 17 and 18 and also being the point of terminus of Parcel 4;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1602.8 feet, more or less, to a point being at or near the north line of Ralph McGill Boulevard (Ponce Avenue) located at Railway Valuation Station 5210+45.7, more or less;

Thence, continuing along said centerline in a general southerly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 1,070.3 feet, more or less, to a point at Railway Valuation Station 5221+16 and being the point of terminus of said strip of land and being substantially as shown on Railway Valuation Map V-12a/4, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being all of that property described in Deed Book N, page 382, and a portion of that property described in Deed Book N, page 383 and Deed Book 8, page 379 in the Office of the Clerk of Superior Court of Fulton County and as acquired by Georgia Air Line Railway Company pursuant to condemnation proceedings against M. E. Dorsey, Executor.

Parcel 4
North Georgia Railway Company vs
Charles Bellows, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline composed of land and right of way lying and being in Land Lots 18 and 19 of the 14th District of Pulask County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railroad Valuation Station 5221+16, more or less, said point being 1070.3 feet, more or less, south of the north line of Ralph McGinn Boulevard (Purnett Avenue) as measured along said centerline and also being the point of terminus of Parcel 5;

Thence, along said centerline in a general southwesterly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline a fix distance of 644 feet, more or less, to a point, said point being the common line between Land Lots 18 and 19 located at Railway Valuation Station 5274+66;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 806.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5215+66.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 1,738.5 feet, more or less, to a point, said point being the north line of Travin Street or Lake Avenue located at Railroad Valuation Station 5253+05, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side said centerline for a distance of 840 feet, more or less, to the point of terminus of said strip of land, said point being 350 feet north of the north line of Edgewood Avenue located at Railroad Valuation Station 5261+45, more or less.

Said parcel of land being a portion of that property described in Deed Book N, page 383, Deed Book 8, page 379, Deed Book N, page 380, Deed Book S, page 378, Deed Book 140, page 381, and a portion of that property described in Deed Book N, pages 378 in the Office of the Clerk of Superior Court of Pulask County.

Also, that parcel of land labeled as parcel 5 on Railroad Valuation Map V-1267 adjusting and lying east of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book 8, Page 378, in said Clerk's Office.

Also, that parcel of land labeled as parcel 10 on Railroad Valuation Map 12a/5 adjoining and lying on both sides of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 5, 1870 and recorded in Deed Book 5, Page 578, in said Clerk's Office.

Also, that parcel of land labeled as parcel 9 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to Southern Railway Company by deed dated May 22, 1889 and recorded in Deed Book 140, Page 381, in said Clerk's Office.

LESS AND EXCEPT the following parcels of land:

1. The parcel of land shown as parcel 6a on Railroad Valuation Map V-12a/4 and parcel 1a on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company to Ginnell Corp. by deed dated February 18, 1949;
2. The parcel of land shown as parcel 10a on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company to William Cowser by deed dated May 14, 1980;
3. The parcel of land shown as parcel 9a on Railroad Valuation Map V-12a/5 and being conveyed by Southern Railway Company to Montebg Brothers by deed dated August 13, 1946;
4. The parcels of land shown as parcel 5a, parcel 5b and parcel 7a on Railroad Valuation Map V-12a/5 as condemned by the City of Atlanta, Georgia.
5. The parcel of land shown as parcel 5c on Railroad Valuation Map V-12a/5 and being conveyed by Norfolk Southern Railway Company to Bernan Development, LLC by deed dated April 24, 1998.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/4, V-12a/5 and V-12a/3 copies of which are attached hereto and made a part hereof and on file in the Office of the Archivist of Georgia.

Parcel 2
Norfolk Southern Railway Company vs
Conditur Redeemed, LLC

All rights, title and interest of Conditur in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 20 in the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline, said point being at Railway Valuation Station 5261+45, and being 330 feet more or less north of the north line of Edgewood Avenue as measured along said centerline;

Thence, along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet wide on each side of said centerline for a distance of 410 feet to a point on the south line of Edgewood Avenue located at Railway Valuation Station 5263+55 more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline for a distance of 390 feet more or less, to a point on the northeast line of Airline Street at Railway Valuation Station 5269+45, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline for a distance of 260 feet more or less, to the point of terminus, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being substantially as shown on Railway Valuation Map V-1285, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archivist of Georgia.

Said parcel of land being a portion of that property described in Deed Book M, page 736, Deed Book N, page 141, Deed Book N, page 381 and Deed Book N page 138 and all of that property described in Deed Book N, page 376 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled parcel 20 on Railroad Valuation Map 1285 adjoining and lying east of the above described strip of land conveyed to the Atlanta and Charlotte Air Line Railway Company by deed dated March 14, 1878, and recorded in Deed Book DD, Page 991 in said Clerk's Office.

Less and except the following parcel of land:

That parcel of property conveyed by Norfolk Southern Railway Company to Atlanta Metal, Inc. by deed dated October 1, 1998, and shown as parcel 24a on said Railway Valuation Map V-1285.

Less and except:

All that tract or parcel of land lying and being in Land Lots 55 and 56 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the northwesterly right of way of Piedmont Avenue (70' R/W) and the former northeastern Right of Way of Norfolk Southern Railway, thence along said Right of Way of Piedmont Avenue running South 36° 20' 19" West a distance of 40.15 feet to a point (said point being 30' from centerline of former Norfolk Southern Right of Way); thence leaving Piedmont Avenue Right of Way and running along a line 30' from the centerline of the former Norfolk Southern Right of Way the following courses: along a curve to the left an arc distance of 84.11 feet (said curve having a radius of 2400.70 feet; a chord bearing of North 28° 03' 13" West and a chord distance of 84.11 feet) to a point; thence North 28° 17' 08" West a distance of 218.90 feet to a point; thence leaving said line and running North 39° 47' 38" West a distance of 23.05 feet to a point (said point being 25' from centerline of former Norfolk Southern Right of Way); thence along a line 25' from the centerline of the former Norfolk Southern Right of Way North 28° 17' 08" West a distance of 446.20 feet to a point; thence leaving said line and running North 61° 42' 52" East a distance of 73.00 feet to a point on the former northeastern Right of Way of Norfolk Southern Railway; thence along said former Right of Way the following courses: South 28° 17' 08" East a distance of 432.18 feet to a point common to Land Lots 55 and 56; thence running along the common Land Lots 55 and 56 North 89° 55' 00" West a distance of 38.64 feet to a point; thence South 28° 17' 08" East a distance of 275.43 feet to a point; thence along a curve to the right an arc distance of 67.29 feet (said curve having a radius of 2836.70 feet; a chord bearing of South 28° 14' 04" East and a chord distance of 67.29 feet) to a point on the northwesterly right of way of aforementioned Piedmont Avenue and the TRUE POINT OF BEGINNING. Said tract containing 1.015 acres.

Legal Description

Norfolk Southern Railroad – 85 Foot Strip

Station 5056+20 to North Right of Way of Montgomery Ferry Road

All that tract or parcel of land lying and being in Land Lots 56 and 57 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the northerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running the following courses: North 28° 17' 08" West a distance of 1688.27 feet to a point; along a curve to the right an arc distance of 488.48 feet (said curve having a radius of 2964.79 feet; a chord bearing of North 23° 33' 56" West and a chord distance of 487.92 feet) to a point; thence leaving said westerly right of way of Norfolk Southern Railroad and running North 71° 09' 16" East a distance of 16.79 feet to a point; thence along a curve to the right an arc distance of 179.31 feet (said curve having a radius of 572.84 feet; a chord bearing of South 37° 18' 25" East and a chord distance of 178.58 feet) to a point; thence South 28° 20' 23" East a distance of 307.15 feet to a point; thence South 28° 17' 08" East a distance of 1688.79 feet to a point intersecting the northerly right of way of aforementioned Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 85.00 feet to the POINT OF BEGINNING. Said tract containing 4.053 acres.

Legal Description

Norfolk Southern Railroad – 80 Foot Strip

Area Within Montgomery Ferry Road Right of Way

All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running of North 28° 17' 08" West a distance of 40.00 feet to a point intersecting the northerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 80.00 feet to a point; thence South 28° 17' 08" East a distance of 40.00 feet) to a point intersecting the southerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 80.00 feet to the POINT OF BEGINNING. Said tract containing 0.073 acre.

Legal Description

Norfolk Southern Railroad – 80 Foot Strip

South Right of Way of Montgomery Ferry Road to Clear Creek (Station 5088+67.5)
All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of
Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 80.00 feet to a point; thence South 28° 17' 08" East a distance of 1046.71 feet to a point; thence South 61° 42' 52" West a distance of 80.00 feet to a point on the westerly right of way of Norfolk Southern Railroad; thence along said right of way North 28° 17' 08" West a distance of 1047.21 feet to the POINT OF BEGINNING. Said tract containing 1.923 acres.

ALL THAT TRACT OF LAND in Land Lot 18 of the 14th District, Fulton County, Georgia,
described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an "x" in concrete on the east right-of-way line of North Angier Avenue (50 foot right-of-way) at the rounded intersection of the south right-of-way line of North Avenue (right-of-way varies) with the east right-of-way line of North Angier Avenue; running thence along said rounded intersection along the arc of a curve to the right (which arc is subtended by a chord having a bearing and distance of North 28 degrees 26 minutes 02 seconds East 8.48 feet and a radius of 5 00 feet) 10 13 feet to a point on the south right-of-way line of North Avenue; thence along said south right-of-way line, the following courses and distances: (1) North 86 degrees 43 minutes 28 seconds East 142.04 feet to a point, and (2) South 89 degrees 30 minutes 13 seconds East 19.39 feet to a ½-inch rebar set; thence, leaving said right-of-way line, along the arc of a curve to the left (which arc is subtended by a chord having a bearing and distance of South 20 degrees 49 minutes 56 seconds East 60.29 feet and a radius of 2951.44 feet) 60.29 feet to the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, running thence North 67 degrees 31 minutes 07 seconds East 20.56 feet to a point; thence South 22 degrees 56 minutes 04 seconds East 38.09 feet to a point; thence South 67 degrees 31 minutes 07 seconds West 21.32 feet to a point; thence along the arc of a curve to the right (which arc is subtended by a chord having a bearing and distance of North 21 degrees 47 minutes 14 seconds West 38.10 feet and a radius of 2951.44 feet) 38.10 feet to the TRUE POINT OF BEGINNING, as shown on plat of ALTA/ACSM Land Title Survey for Poncey Highlands Investors I, LLC, Masquerade Limited Partnership, Chicago Title Insurance Company and Wachovia Bank, National Association, its successors and assigns, prepared by SCI Development Services, bearing the seal and certification of John A. Speerman, Georgia Registered Land Surveyor No. 2576, dated September 28, 2005, last revised January 10, 2006.

All that tract or parcel of land lying and being in Land Lot 19 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the point of beginning, commence at the intersection of the southeastern right-of-way line of Southern Railway Company (68 foot right-of-way) with the southwestern right-of-way line of Highland Avenue (right-of-way varies); THENCE 667.44 feet along the southeastern right-of-way line of Southern Railway Company to a 5/8 inch rebar found, said 5/8 inch rebar being the POINT OF BEGINNING; THENCE leaving said right-of-way line South 03 degrees 13 minutes 33 seconds West for a distance of 294.00 feet to a point; THENCE North 88 degrees 53 minutes 26 seconds West for a distance of 51.43 feet to a 5/8 inch rebar found; THENCE North 87 degrees 32 minutes 39 seconds West for a distance of 55.13 feet to a point located at the northeasterly corner of a brick and rock building; THENCE North 88 degrees 17 minutes 57 seconds West for a distance of 100.40 feet along the northerly building line of said brick and rock building to a 1/2 inch rebar found on the southeastern right-of-way line of Southern Railway company (68 foot right-of-way); THENCE along a curve to the right having a radius of 1812.69 feet and an arc length of 364.46 feet, being subtended by a chord of North 37 degrees 52 minutes 42 seconds East for a distance of 363.84 feet along said southeastern right-of-way line of Southern Railway Company to a 5/8 inch rebar found, said 5/8 inch rebar being the POINT OF BEGINNING.

Said property contains 0.750 acres or 32655 square feet.

EXHIBIT B
LEGAL DESCRIPTION OF THE RIGHT-OF-WAY

All that tract or parcel of land lying and running through Land Lots 53, 54, 55, 56, and 57 of the 17th District of Fulton County, Georgia and Land Lots 17, 18, 19 and 20 of the 14th District of Fulton County, Georgia which contains a certain corridor along the western edge of the Property described in Exhibit A measuring fifty-two feet (52') in width along the western edge of the property except for specific locations, to be identified, for transit stops. A copy of a plat of the same is attached hereto as Exhibit B-1 for reference.

The above legal description may be amended by the Grantee to identify certain portions of the reserved easement area to be used as transit stops, at which location the reserved easement area shall be expanded to fifty-eight feet (58') wide by filing a new plat of the revisions to the Right-of-Way and cross referencing the same to this recorded instrument.

EXHIBIT 4

Deed Book 47320 Pg 573
Filed and Recorded Oct-31-2008 01:53pm
2008-0284293
Real Estate Transfer Tax 10.00
Cathlene Robinson
Clerk of Superior Court
Fulton County, Georgia

After recording return to:
Thomas D. Anthony, Esq.
Anthony Law Group, LLC
Centennial Tower, Suite 3115
101 Marietta Street
Atlanta, Georgia 30303

RECORD AND RETURN TO:
R.E. Hodges, Jr., Esq.
2230 Towne Lake Parkway
Bldg. 200, Ste. 120
Woodstock, Georgia 30189 Hoq. 776.1

STATE OF GEORGIA
COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE, made this 31 day of October, 2008, between NE CORRIDOR PARTNERS, LLC, a Georgia limited liability company ("Grantor"), and THE ATLANTA DEVELOPMENT AUTHORITY, a Georgia public body corporate and politic ("Grantee");

WITNESSETH, that Grantor for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, its successors, legal representatives and assigns, all of that tract or parcel of land described on Exhibit "A" attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD the above described premises, without any representation or warranty of any kind whatsoever, except that Grantor represents and warrants to and covenants with Grantee that, subject to those Permitted Exceptions set forth on Exhibit "B" attached hereto and made a part hereof, Grantor shall defend the interest conveyed hereby against the lawful claims and demands of all persons whomsoever claiming by, through, or under Grantor, but not otherwise. However, the Permitted Exceptions shall only be deemed permitted exceptions to the extent the same are currently valid, subsisting, and applicable to the Property. By acceptance of this deed with the above list of Permitted Exceptions, Grantee shall not be deemed to have waived, modified or otherwise released any coverages, remedies or recourse available to Grantee under any current or future policy or policies of title insurance, nor shall Grantee be deemed to have acknowledged that such exceptions are currently valid, subsisting and applicable to the Property; but Grantee shall have no recourse whatsoever to Grantor relative to the Permitted Exceptions.

SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name and on its behalf, under seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Rand J
Unofficial Witness

GRANTOR:

NE CORRIDOR PARTNERS, LLC,
a Georgia limited liability company

By: ATLANTA BELTLINE, INC.,
a Georgia non-profit corporation, its Manager

Trent X. Montague
Trent X. Montague
President and Chief Executive Officer

Diane Conner
Notary Public



EXHIBIT "A"

Parcel 1
North-Southern Railway Company
And its North Station, D.C.

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Domestic Street Beltline comprised of land and right of way being and being in Land Lots 56 and 57 in the 17th District of Police County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 3056+20, more or less, said point also being 100 feet as measured radially and at right angles from the said centerline of Beltline to the point of intersection of the westerly right of way line of said Beltline and the westerly right of way line of the "Y" track connecting the said Beltline to the main line right of way of Grantor running between Atlanta, Georgia, and Washington, D.C., said point being a distance of 220 feet, more or less, as measured in westerly direction along the said centerline of Beltline from a 15' x 15' stone box culvert located at Railway Valuation Station 3053+50, more or less.

Thence, along the original centerline of said Beltline in a general westerly direction with a strip of land 200 feet wide, being 100 feet in width on each side of the original centerline of said Beltline for a distance of 3,247.5 feet, more or less, to the point of beginning of said strip of land, said point being the centerline of Clear Creek located at Railway Valuation Station 3088+67.5, more or less, and containing 14.91 acres, more or less.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/1 and V-12a/2, copies of which are attached hereto and made a part hereof and on file in the Office of the Archivist of Grantor.

Said property being a portion of that property described in Deed Book N, page 377 in the Office of the Clerk of Superior Court of Police County which lies south of the beginning point of the above-described property at Railway Valuation Station 3056+20 and being a portion of that property described in Deed Book S, page 111 in said Clerk's Office which lies north of the centerline of Clear Creek.

Parcel 3
Marbletop Southern Railway Company to
Arthur Smith Holdings, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Railroad comprised of land and right of way lying and being in Land Lots 55 and 56 in the 17th District of Polk County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Belting at Railway Valuation Station 3087+67.5, more or less, said point of beginning also being the centerline of Chew Creek and the point of terminus of Parcel 1;

Thence, along the said original centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 1528.5 feet, more or less, to a point, said point being the common line between Land Lots 55 and 56 located at Railway Valuation Station 3097+26, more or less;

Thence, continuing along the said original centerline in a general south easterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline a distance of 420 feet, more or less, to the point of terminus, said point being the north line of Piedmont Avenue (Road) located at Railway Valuation Station 3101+46, more or less, and containing 1.21 acres, more or less, said being substantially as shown on Railway Valuation Map V-12092, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archivist of Grantor.

Said parcel being that portion of the property described in Deed Book 2, page 387 in the Office of the Clerk of Superior Court of Polk County lying south of the centerline of Chew Creek and that portion of the property described in a deed from J. K. Thurston, et al. Georgia Air-Line Railway Company dated September 25, 1866 and recorded in Deed Book _____ page _____ in said Clerk's Office which lies north of the north line of Piedmont Avenue (Road).

Part 23
North Georgia Railway Company to
Piedmont Real Estate, L.C.

All rights, title and interest of Grantor in a parcel of land being a portion of three lots of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 54 and 55 in the 17th District of Pulask County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5101+46, said point being the north line of Piedmont Avenue (Road) and also being the point of terminus of Parcel 2;

Thence, along the said centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline for a distance of 269 feet, more or less, to a point, said point being the centerline of Clear Creek located at Railway Valuation Station 5108+55, more or less;

Thence, easterly along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 4,257 feet, more or less, to the point of terminus, said point being the west line of Monroe Drive located at Railway Valuation Station 5154+12, more or less, and containing 21.69 acres, more or less, and being substantially as shown on Railway Valuation Maps V-12a/2 and V-12a/3, copies of which are attached hereto and made a part hereof and on file in the Office of the Architect of Georgia;

Said parcel of land being the portion of that property described in a deed from J.J. Thresher to Georgia Air Line Railway Company dated September 25, 1888 and recorded in Deed Book _____ page _____ in the Office of the Clerk of Superior Court of Pulask County which lies north of the north line of Piedmont Avenue (Road), all of that property described in Deed Book M, page 769 in said Clerk's Office and the portion of that property described in Deed Book M, page 769 and Deed Book 555, page 2 which lies north of the north line of Monroe Drive.

Parcel 4
Norfolk Southern Railway Company for
Corridor Belongs 12-C

All right, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land as a right-of-way lying and being in Land Lot 53 and 54 of the 17th District and Land Lot 17 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5151+12, more or less, said point of beginning being the west line of Monroe Drive and also being the point of terminus of Parcel 3;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 100 feet wide, being 50 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to the point of terminus of said strip of land, said point being the common line between Land Lots 77 and 18 located at Railway Valuation Station 5184+25, more or less;

Said parcel of land being a portion of that property described in Deed Book 64, page 761 and Deed Book 565, page 2 which lies southest of the northwest line of Monroe Drive, all of that property described in Deed Book 64, page 738, Deed Book 1, page 76 and Deed Book 64, page 757 in the Office of the Clerk of Superior Court of Fulton County.

Also a strip of land lying on the east side of and adjoining the above-described parcel of land beginning at the south line of Ray Street and ending at the north line of Greenwood Avenue as shown in parcel 5 on Railway Valuation Map V-12a/3.

LESS AND EXCEPT the westerly 5/8 feet wide strip of land lying between the westerly line of Monroe Drive and the common line between Land Lots 53 and 17 located at Railway Valuation Station 5162+78.

Said property being shown on Railway Valuation Maps V-12a/3 and V-12a/4, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Parcel 5
North Atlantic Railway Company to
North Avenue Building, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Station extended of land and right of way lying and being in Land Lot 14 in the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Station at Railway Valuation Station 5194+42.9, said point of beginning being the common line between Land Lots 17 and 18 and also being the point of terminus of Parcel 4;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1607.8 feet, more or less, to a point being at or near the north line of Ralph McGill Boulevard (Poyrest Avenue) located at Railway Valuation Station 5210+45.7, more or less;

Thence, continuing along said centerline in a general southerly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 1,070.3 feet, more or less, to a point at Railway Valuation Station 5221+16 and being the point of terminus of said strip of land and being substantially as shown on Railway Valuation Map Y-1204, a copy of which is attached hereto and made a part hereof and so file in the Office of the Archives of Georgia.

Said piece of land being all of that property described in Deed Book N, page 382, and a portion of that property described in Deed Book N, page 383 and Deed Book S, page 379 in the Office of the Clerk of Superior Court of Fulton County and as acquired by Georgia Air Line Railway Company pursuant to condemnation proceedings against M. E. Dealey, Executor.

Parcel 6
North Georgia Railway Company to
City of Atlanta, Ga.

All rights, title and interest of Grantor to a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline composed of land and right of way lying and being in Land Lots 18 and 19 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railroad Valuation Station 5221+16, more or less, said point being 1070.5 feet, more or less, south of the north line of Ralph McCall Boulevard (Forest Avenue) as measured along said centerline and also being the point of termination of Parcel 5;

Thence, along said centerline in a general southwesterly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 644 feet, more or less, to a point, said point being the common line between Land Lots 18 and 19 located at Railway Valuation Station 5227+60;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 866.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5233+66.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 1,733.3 feet, more or less, to a point, said point being the north line of Franklin Street or Lake Avenue located at Railroad Valuation Station 5233+68, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 840 feet, more or less, to the point of termination of said strip of land, said point being 350 feet north of the north line of Edgewood Avenue located at Railroad Valuation Station 5267+45, more or less.

Said parcel of land being a portion of that property described in Deed Book N, page 383, Deed Book S, page 379, Deed Book N, page 380, Deed Book S, page 378, Deed Book 140, page 387, and a portion of that property described in Deed Book N, page 378 in the Office of the Clerk of Superior Court of Fulton County.

All the that parcel of land labeled as parcel 5 on Railroad Valuation Map V-12a/X adjoining and being a part of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book S, Page 378, in said Clerk's Office.

Also that parcel of land labeled as parcel 10 on Railroad Valuation Map 12a/5 adjoining and lying on both sides of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1890 and recorded in Deed Book 9, Page 378, in said Clerk's Office.

Also that parcel of land labeled as parcel 9 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to Southern Railway Company by deed dated May 22, 1892 and recorded in Deed Book 140, Page 381, in said Clerk's Office.

LESS AND EXCEPT the following parcels of land:

1. The parcel of land shown as parcel 6a on Railroad Valuation Map V-12a/4 and parcel 1c on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company to Orinall Corp. by deed dated February 12, 1949;
2. The parcel of land shown as parcel 10c on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company to William Carter by deed dated May 14, 1980;
3. The parcel of land shown as parcel 9c on Railroad Valuation Map V-12a/5 and being conveyed by Southern Railway Company to Monday Brothers by deed dated August 13, 1946;
4. The parcels of land shown as parcel 5a, parcel 5b and parcel 7a on Railroad Valuation Map V-12a/4 as owned by the City of Atlanta, Georgia;
5. The parcel of land shown as parcel 5c on Railroad Valuation Map V-12a/5 and being conveyed by Norfolk Southern Railway Company to Berman Development, LLC by deed dated April 26, 1998.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/3, V-12a/4 and V-12a/5 copies of which are attached hereto and made a part hereof and on file in the Office of the Archivist of Georgia.

Parcel 7
Northfolk Southern Railway Company, Inc.
Corridor Redevelopment, LLC

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline occupied off and to right of way being and being in Land Lot 20 in the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline, said point being at Railway Valuation Station 5261445, and being 350 feet, more or less south of the north line of Edgewood Avenue as measured along said centerline;

Thence, along said centerline in a general southeasterly direction with a strip of land being 68 feet wide, being 34 feet wide on each side of said centerline for a distance of 410 feet to a point on the south line of Edgewood Avenue located at Railway Valuation Station 5265455, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline for a distance of 390 feet, more or less, to a point on the northern line of Atlanta Street at Railway Valuation Station 5269465, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land 40 feet in width, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline for a distance of 760 feet, more or less, to the point of commencing, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272405, more or less, and being substantially as shown on Railway Valuation Map V-12a/5, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being a portion of that property described in Deed Book M, page 756, Deed Book N, page 141, Deed Book N, page 183 and Deed Book N, page 138 and all of that property described in Deed Book N, page 376 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled parcel 20 on Railway Valuation Map 12a/5 adjoining and lying east of the above described strip of land conveyed to the Atlanta and Charlotte Air Line Railway Company by deed dated March 14, 1878, and recorded in Deed Book DD, Page 591 in said Clerk's Office.

Less and except the following parcel of land:

That parcel of property conveyed by Norfolk Southern Railway Company to Atlanta Metal, Inc. by deed dated October 1, 1998, and shown as parcel 23a on said Railway Valuation Map V-12a/5.

Legal Description

Norfolk Southern Railroad - 85 Foot Strip

Station 5056+20 to North Right of Way of Montgomery Ferry Road

All that tract or parcel of land lying and being in Land Lots 56 and 57 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the northerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running the following courses: North 28° 17' 08" West a distance of 1688.27 feet to a point; along a curve to the right an arc distance of 488.48 feet (said curve having a radius of 2954.79 feet; a chord bearing of North 23° 33' 56" West and a chord distance of 487.92 feet) to a point; thence leaving said westerly right of way of Norfolk Southern Railroad and running North 71° 09' 16" East a distance of 16.79 feet to a point; thence along a curve to the right an arc distance of 179.31 feet (said curve having a radius of 572.84 feet; a chord bearing of South 37° 18' 25" East and a chord distance of 178.58 feet) to a point; thence South 28° 20' 23" East a distance of 307.15 feet to a point; thence South 28° 17' 08" East a distance of 1688.79 feet to a point intersecting the northerly right of way of aforementioned Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 85.00 feet to the POINT OF BEGINNING. Said tract containing 4.053 acres.

Legal Description

Norfolk Southern Railroad - 80 Foot Strip

Area Within Montgomery Ferry Road Right of Way

All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W); thence along said right of way of Norfolk Southern Railroad and running of North 28° 17' 08" West a distance of 40.00 feet to a point intersecting the northerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05" East a distance of 80.00 feet to a point; thence South 28° 17' 08" East a distance of 40.00 feet to a point intersecting the southerly right of way of Montgomery Ferry Road; thence along said right of way of Montgomery Ferry Road and running South 62° 04' 05" West a distance of 80.00 feet to the POINT OF BEGINNING. Said tract containing 0.073 acre.

Less and except:

All that tract or parcel of land lying and being in Lots 55 and 56 of the 17th District of Pulask County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the northwesterly right of way of Piedmont Avenue (70' R/W) and the former northeastern Right of Way of Norfolk Southern Railway; thence along said Right of Way of Piedmont Avenue running South 36° 20' 19" West a distance of 40.15 feet to a point (said point being 30' from centerline of former Norfolk Southern Right of Way); thence leaving Piedmont Avenue Right of Way and running along a line 30' from the centerline of the former Norfolk Southern Right of Way the following courses: along a curve to the left an arc distance of 84.11 feet (said curve having a radius of 2809.70 feet; a chord bearing of North 28° 03' 13" West and a chord distance of 84.11 feet) to a point; thence North 28° 17' 08" West a distance of 218.90 feet to a point; thence leaving said line and running North 39° 47' 38" West a distance of 23.05 feet to a point (said point being 25' from centerline of former Norfolk Southern Right of Way); thence along a line 25' from the centerline of the former Norfolk Southern Right of Way North 28° 17' 08" West a distance of 446.20 feet to a point; thence leaving said line and running North 61° 42' 32" East a distance of 75.00 feet to a point on the former northeastern Right of Way of Norfolk Southern Railway; thence along said former Right of Way the following courses: South 28° 17' 08" East a distance of 432.18 feet to a point common to Land Lots 55 and 56; thence running along the common Land Lots 55 and 56 North 89° 55' 00" West a distance of 38.64 feet to a point; thence South 28° 17' 08" East a distance of 275.43 feet to a point; thence along a curve to the right an arc distance of 67.29 feet (said curve having a radius of 2836.70 feet; a chord bearing of South 28° 14' 04" East and a chord distance of 67.29 feet) to a point on the northwesterly right of way of aforementioned Piedmont Avenue and the TRUE POINT OF BEGINNING. Said tract containing 1.015 acres.

Legal Description

Norfolk Southern Railroad - 80 Foot Strip

South Right of Way of Montgomery Ferry Road to Clear Creek (Station 5088+67.5)
 All that tract or parcel of land lying and being in Land Lot 56 of the 14th District of
 Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of Norfolk
 Southern Railroad and the southerly right of way of Montgomery Ferry Road (40' R/W);
 thence along said right of way of Montgomery Ferry Road and running North 62° 04' 05"
 East a distance of 80.00 feet to a point; thence South 28° 17' 08" East a distance of
 1046.71 feet to a point; thence South 61° 42' 52" West a distance of 80.00 feet to a point
 on the westerly right of way of Norfolk Southern Railroad; thence along said right of way
 North 28° 17' 08" West a distance of 1047.21 feet to the POINT OF BEGINNING. Said
 tract containing 1.923 acres.

ALL THAT TRACT OF LAND in Land Lot 18 of the 14th District, Fulton County, Georgia,
 described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an 'x' in concrete on the east
 right-of-way line of North Angler Avenue (50 foot right-of-way) at the rounded intersection of
 the south right-of-way line of North Avenue (right-of-way vacated) with the east right-of-way line
 of North Angler Avenue; running thence along said rounded intersection along the arc of a curve
 to the right (which arc is subtended by a chord having a bearing and distance of North 28 degrees
 26 minutes 02 seconds East 8.48 feet and a radius of 500 feet) 10.13 feet to a point on the south
 right-of-way line of North Avenue; thence along said south right-of-way line, the following
 courses and distances: (1) North 86 degrees 43 minutes 28 seconds East 142.04 feet to a point,
 leaving said right-of-way line, along the arc of a curve to the left (which arc is subtended by a
 chord having a bearing and distance of South 20 degrees 49 minutes 56 seconds East 68.29 feet
 and a radius of 2951.44 feet) 60.29 feet to the TRUE POINT OF BEGINNING; from the TRUE
 POINT OF BEGINNING as thus established, running thence North 67 degrees 31 minutes 07
 seconds East 20.56 feet to a point; thence South 22 degrees 56 minutes 04 seconds East 38.09
 feet to a point; thence South 67 degrees 31 minutes 07 seconds West 21.32 feet to a point; thence
 along the arc of a curve to the right (which arc is subtended by a chord having a bearing and
 distance of North 21 degrees 47 minutes 14 seconds West 38.10 feet and a radius of 2951.44
 feet) 38.10 feet to the TRUE POINT OF BEGINNING, as shown on plat of ALTA/ACSM Land
 Title Survey for Pomeoy Highlands Investors I, LLC, Masquerade Limited Partnership, Chicago
 Title Insurance Company and Wachovia Bank, National Association, its successors and assigns,
 prepared by SCI Development Services, bearing the seal and certification of John A. Sperrman,
 Georgia Registered Land Surveyor No. 2576, dated September 28, 2005, last revised January 10,
 2006.

All that tract or parcel of land lying and being in Land Lot 19 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the point of beginning, commence at the intersection of the southeastern right-of-way line of Southern Railway Company (68 foot right-of-way) with the southwestern right-of-way line of Highland Avenue (right-of-way varied); THENCE 657.44 feet along the southeastern right-of-way line of Southern Railway Company to a 5/8 inch rebar found, said 5/8 inch rebar being the POINT OF BEGINNING; THENCE leaving said right-of-way line South 03 degrees 13 minutes 33 seconds West for a distance of 204.00 feet to a point; THENCE North 88 degrees 53 minutes 26 seconds West for a distance of 51.43 feet to a 5/8 inch rebar found; THENCE North 87 degrees 32 minutes 39 seconds West for a distance of 55.13 feet to a point located at the northeasterly corner of a brick and rock building; THENCE North 88 degrees 17 minutes 57 seconds West for a distance of 100.40 feet along the northerly building line of said brick and rock building to a 1/2 inch rebar found on the southeastern right-of-way line of Southern Railway Company (68 foot right-of-way); THENCE along a curve to the right having a radius of 1812.59 feet and an arc length of 364.46 feet, being subtended by a chord of North 37 degrees 52 minutes 42 seconds East for a distance of 363.84 feet along said southeastern right-of-way line of Southern Railway Company to a 5/8 inch rebar found, said 5/8 inch rebar being the POINT OF BEGINNING.

Said property contains 0.750 acres or 32555 square feet.

EXHIBIT "B"

Permitted Exceptions

1. All taxes for 2009, a lien not yet due and payable.
2. Easement from Southern Railway Company, a Virginia corporation to Georgia Railway and Power Company, a Georgia corporation, dated August 19, 1912, filed November 14, 1912 and recorded in Deed Book 355, Page 362, records of the Superior Court of Fulton County, Georgia. (Affects Parcel 1)
3. Easement from Southern Railway Company, a Virginia corporation to Georgia Railway and Power Company, a Georgia corporation, dated August 19, 1912, filed November 1, 1912 and recorded in Deed Book 354, Page 244, aforesaid records. (Affects Parcel 1)
4. Easement from Southern Railway Company, a Virginia corporation to City of Atlanta, a Georgia municipal corporation, dated September 10, 1938, filed October 7, 1938 and recorded in Deed Book 1693, Page 476, aforesaid records. (Affects Parcel 1)
5. Easement from Southern Railway Company, a Virginia corporation to City of Atlanta, a Georgia municipal corporation, dated August 23, 1922, filed August 17, 1950 and recorded in Deed Book 2673, Page 601, aforesaid records. (Affects Parcels 1 and 2)
6. Easement from Southern Railway Company, a Virginia corporation to Georgia Power Company, a Georgia corporation, dated April 4, 1962, filed April 24, 1962 and recorded in Deed Book 3872, Page 469, aforesaid records. (Affects Parcels 2 and 3)
7. Term and conditions of the Lease as evidenced by that certain Certificate by and between Southern Railway Company, a Virginia corporation ("Lessor"), Park Side Restaurant, L.P., a Georgia limited partnership ("Lessee"), Southern Federal Savings and Loan Association of Georgia, The Business Development Corporation of Georgia and The Business Growth Corporation of Georgia, and The U. S. Small Business Administration, its Agent, The Business Growth Corporation of Georgia, dated April 25, 1989, filed June 27, 1989 and recorded in Deed Book 12601, Page 82, aforesaid records; as assigned to Piedmont Park, Inc., a Georgia corporation by that certain Assignment by The Business Development Corporation of Georgia, Inc., a successor to Parkside Restaurant, L.P., which was a successor to Parkside at Piedmont, Inc., a Georgia corporation, dated July 24, 1995, filed March 12, 1996 and recorded in Deed Book 20715, Page 146, aforesaid records. (Affects Parcel 3)
8. Memorandum of Sublease by and between Piedmont Park, Inc. ("Sublessor") and Parkside Mill, Inc. ("Sublessee"), dated March 11, 1996, filed March 12, 1996 and recorded in Deed Book 20715, Page 168, aforesaid records. (Affects Parcel 3)

9. Agreement from Norfolk Southern Corporation to Georgia Power Company, dated April 25, 1990, filed June 4, 1990 and recorded in Deed Book 13457, Page 38, aforesaid records. (Affects Parcel 3)

10. Unrecorded letter RE: Encroachment of Georgia Railway & Electric Company, dated September 25, 1907. (Affects Parcel 4)

11. Rights of Robert H. Jennings, Jr in and to subject property. (Affects Parcel 4)

The above exception is raised because the above fee owner did not enter into that certain Boundary Line Agreement by and between The Atlanta and Charlotte Air Line Railway Company, a Georgia, South Carolina and North Carolina corporation and Ackerman-Midtown Associates, Ltd., a Georgia limited partnership, dated June 21, 1983, filed December 19, 1984 and recorded in Deed Book 9305, Page 432, aforesaid records.

12. Easement Agreement by and between Southern Railway Company, a corporation and Georgia Railway and Electric Company, a corporation, dated April 12, 1907, filed April 17, 1907 and recorded in Deed Book 178, Page 613, aforesaid records. (Affects Parcel 4)

13. Easement from Corridor Beltline, LLC to Georgia Power Company, dated December 15, 2006, filed December 22, 2006 and recorded in Deed Book 44125, Page 94, aforesaid records. (Affects Parcel 4)

14. License Agreement by and between Southern Railway Company, a Virginia corporation and City of Atlanta, a municipal corporation, dated June 2, 1970, filed June 30, 1970 and recorded in Deed Book 5244, Page 448, aforesaid records. (Affects Parcels 5 and 6)

15. Agreement by and between Southern Railway Company, a Virginia corporation and Atlanta Gas Light Company, a Georgia corporation, dated March 2, 1955, filed May 31, 1955 and recorded in Deed Book 3000, Page 477, aforesaid records. (Affects Parcels 5 and 6)

16. Notification of the Designation of Property Under the City of Atlanta's Historic Preservation Ordinances Code of Ordinances of the City of Atlanta, Section 16-20.006(e) by City of Atlanta, dated April 18, 2002, filed April 19, 2002 and recorded in Deed Book 32287, Page 344, aforesaid records. (Affects Parcel 6)

17. Easement from Southern Railway Company, a Virginia corporation to Atlanta Gas Light Company, a Georgia corporation, dated February 14, 1950, filed April 14, 1950 and recorded in Deed Book 2516, Page 692, aforesaid records. (Affects Parcel 6)

18. Easement from F. P. Rice and R. Mitchell to Georgia Air Line Rail Road Company, dated March 10, 1869, recorded January 24, 1870 and recorded in Deed Book N, Page 379, aforesaid records. (Affects Parcel 6)

19. Spur Track Agreement by and between Southern Railway Company and J. A. Morris, dated April 16, 1895 and recorded in Deed Book 112, Page 543, aforesaid records (Affects Parcel 7)

20. Spur Track Agreement by and between A. G. Rhodes and Southern Railway Company, dated December 6, 1903, filed December 31, 1903 and recorded in Deed Book 160, Page 868, aforesaid records. (Affects Parcel 7)

21. Reservation of Easements and Rights contained in that Special Warranty Deed from Norfolk Southern Railway Company, a Virginia corporation, successor to the Georgia Air Line Railway Company, the Atlanta and Richmond Air Line Railway Company, Richmond and Danville Railroad Company, the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company to Ansley North Beltline, LLC (as to Parcel 1), Ansley South Beltline, LLC (as to Parcel 2), Piedmont Beltline, LLC (as to Parcel 3), North Avenue Beltline, LLC (as to Parcel 5), Corridor Beltline, LLC (as to Parcels 4 and 6) and Corridor Edgewood, LLC (as to Parcel 7), dated December 30, 2004, filed January 3, 2005 and recorded in Deed Book 39115, Page 430, aforesaid records, as amended by Deed of Correction in Deed Book 45194, Page 351 as further amended by unrecorded Supplemental Agreement between Norfolk Southern Railway Company, a Virginia corporation, and Piedmont Park, Inc., dated as of March 11, 1996, as further amended by an Assignment from Ansley North Beltline, LLC; Ansley South Beltline, LLC; Piedmont Beltline, LLC; North Avenue Beltline, LLC; Corridor Beltline, LLC; and Corridor Edgewood, LLC to NE Corridor Partners, LLC and consented to by Norfolk Southern Railway Company, dated as of October, 2007.

22. Easements, licenses, or any other rights granted by the following documents:

(a) Fiber Optic Cable License by and between Norfolk Southern Railway Company, a Virginia corporation and Qwest Communications Corporation, a Delaware corporation, dated June 26, 1997; and

(b) Fiber Optic Cable License by and between Norfolk Southern Railway Company, a Virginia corporation and Worldcom Network Services, Inc. a Delaware corporation, dated August 18, 1998

23. Easement Agreement from Ansley North Beltline, LLC a Georgia limited liability company and Ansley South Beltline, LLC, a Georgia limited liability company to Atlanta Gas Light Company, dated July 11, 2007, filed July 18, 2007 and recorded in Deed Book 45382, Page 589, aforesaid records.

24. Permanent Public Right-of-Way Easement by and between Northeast Corridor Partners, LLC and Atlanta Beltline, Inc., dated October 31, 2007, filed and recorded November 6, 2007 in Deed Book 45938, Page 232, aforesaid records.

Deed Book 47320 Pg 590
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

25. Temporary Access Easement and License Agreement by and among NE Corridor Partners, LLC, The Atlanta Botanical Garden, Inc., Norfolk Southern Railway Company, and for the sole purpose of consenting to the terms thereof, Ansley North Beltline, LLC, Ansley South Beltline, LLC, Corridor Beltline, LLC, Piedmont Beltline, LLC, North Avenue Beltline, LLC, and Corridor Edgewood, LLC, dated January 17, 2008, filed February 7, 2008 and recorded in Deed Book 46309, Page 353, aforesaid records.

26. Easement Agreement by and between Fulton County and Atlanta Beltline, Inc., dated September 29, 2008, filed October 1, 2008 and recorded in Deed Book 47228, Page 461, aforesaid records.

EXHIBIT 5



July 24, 2015

Gordon B. Ragan, Jr. and Cynthia Vick
1720 Flagler Avenue NE
Atlanta, Georgia 30309

**Re: 1720 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010261) Property
Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Ragan and Ms. Vick:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the metal fences in the rear of your property located at **1720 Flagler Avenue NE, (Tax ID# 17-0056-00010261)** extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the metal fences will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbelpline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbelpline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Loran M. and Jane G. Powell
1724 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1724 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010253)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. and Mrs. Powell:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the metal fence in the rear of your property at **1724 Flagler Avenue NE, (Tax ID# 17-0056-00010253)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the metal fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbelpline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbelpline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Riderick and Dawn Smith
1736 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1736 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010238)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. and Mrs. Smith:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence and basketball court in the rear of your property at 1736 Flagler Avenue NE, (Tax ID# 17-0056-00010238) extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence and basketball court will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

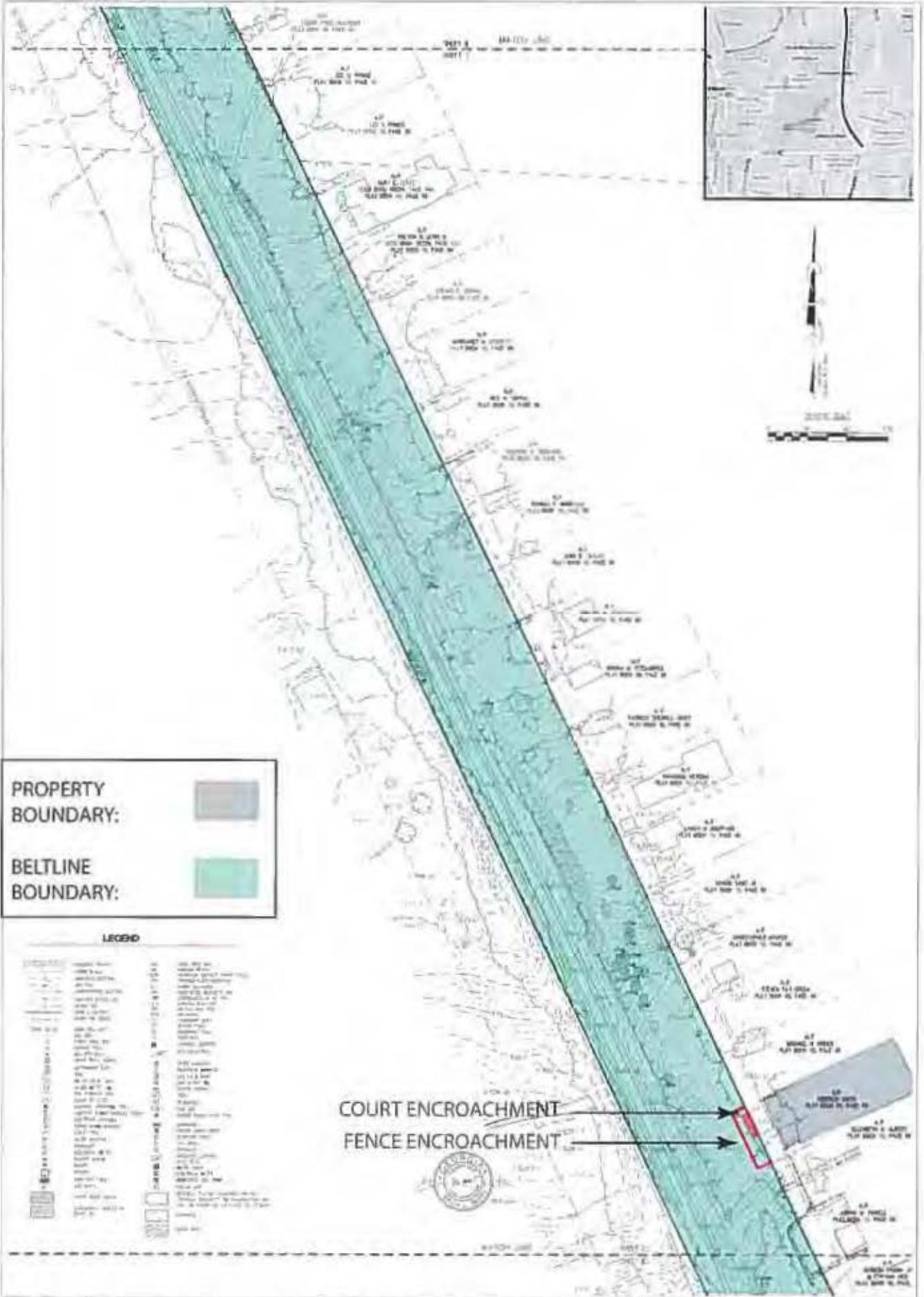
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



PROPERTY BOUNDARY: 

BELTLINE BOUNDARY: 

LEGEND

	Survey Boundary
	Property Boundary
	Beltline Boundary
	Encroachment
	Easement
	Right-of-Way
	Utility
	Other

COURT ENCROACHMENT →

FENCE ENCROACHMENT →





July 24, 2015

Robin Tubbs
1742 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1742 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010220)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Ms. Tubbs:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1742 Flagler Avenue NE, (Tax ID# 17-0056-00010220)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

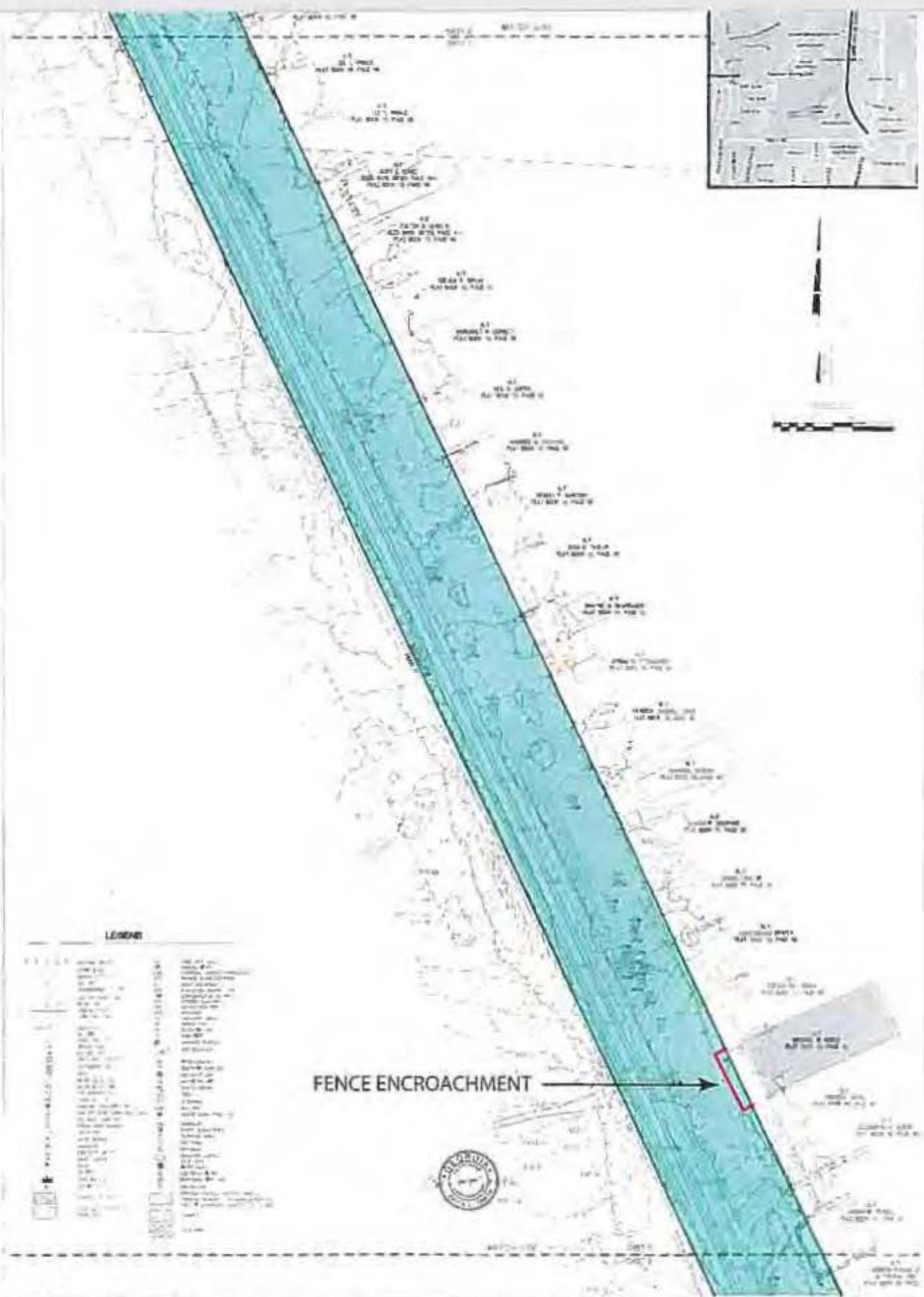
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



LEGEND

<p>1. FENCE ENCROACHMENT</p> <p>2. ...</p> <p>3. ...</p> <p>4. ...</p> <p>5. ...</p> <p>6. ...</p> <p>7. ...</p> <p>8. ...</p> <p>9. ...</p> <p>10. ...</p> <p>11. ...</p> <p>12. ...</p> <p>13. ...</p> <p>14. ...</p> <p>15. ...</p> <p>16. ...</p> <p>17. ...</p> <p>18. ...</p> <p>19. ...</p> <p>20. ...</p> <p>21. ...</p> <p>22. ...</p> <p>23. ...</p> <p>24. ...</p> <p>25. ...</p> <p>26. ...</p> <p>27. ...</p> <p>28. ...</p> <p>29. ...</p> <p>30. ...</p> <p>31. ...</p> <p>32. ...</p> <p>33. ...</p> <p>34. ...</p> <p>35. ...</p> <p>36. ...</p> <p>37. ...</p> <p>38. ...</p> <p>39. ...</p> <p>40. ...</p> <p>41. ...</p> <p>42. ...</p> <p>43. ...</p> <p>44. ...</p> <p>45. ...</p> <p>46. ...</p> <p>47. ...</p> <p>48. ...</p> <p>49. ...</p> <p>50. ...</p> <p>51. ...</p> <p>52. ...</p> <p>53. ...</p> <p>54. ...</p> <p>55. ...</p> <p>56. ...</p> <p>57. ...</p> <p>58. ...</p> <p>59. ...</p> <p>60. ...</p> <p>61. ...</p> <p>62. ...</p> <p>63. ...</p> <p>64. ...</p> <p>65. ...</p> <p>66. ...</p> <p>67. ...</p> <p>68. ...</p> <p>69. ...</p> <p>70. ...</p> <p>71. ...</p> <p>72. ...</p> <p>73. ...</p> <p>74. ...</p> <p>75. ...</p> <p>76. ...</p> <p>77. ...</p> <p>78. ...</p> <p>79. ...</p> <p>80. ...</p> <p>81. ...</p> <p>82. ...</p> <p>83. ...</p> <p>84. ...</p> <p>85. ...</p> <p>86. ...</p> <p>87. ...</p> <p>88. ...</p> <p>89. ...</p> <p>90. ...</p> <p>91. ...</p> <p>92. ...</p> <p>93. ...</p> <p>94. ...</p> <p>95. ...</p> <p>96. ...</p> <p>97. ...</p> <p>98. ...</p> <p>99. ...</p> <p>100. ...</p>	<p>1. FENCE ENCROACHMENT</p> <p>2. ...</p> <p>3. ...</p> <p>4. ...</p> <p>5. ...</p> <p>6. ...</p> <p>7. ...</p> <p>8. ...</p> <p>9. ...</p> <p>10. ...</p> <p>11. ...</p> <p>12. ...</p> <p>13. ...</p> <p>14. ...</p> <p>15. ...</p> <p>16. ...</p> <p>17. ...</p> <p>18. ...</p> <p>19. ...</p> <p>20. ...</p> <p>21. ...</p> <p>22. ...</p> <p>23. ...</p> <p>24. ...</p> <p>25. ...</p> <p>26. ...</p> <p>27. ...</p> <p>28. ...</p> <p>29. ...</p> <p>30. ...</p> <p>31. ...</p> <p>32. ...</p> <p>33. ...</p> <p>34. ...</p> <p>35. ...</p> <p>36. ...</p> <p>37. ...</p> <p>38. ...</p> <p>39. ...</p> <p>40. ...</p> <p>41. ...</p> <p>42. ...</p> <p>43. ...</p> <p>44. ...</p> <p>45. ...</p> <p>46. ...</p> <p>47. ...</p> <p>48. ...</p> <p>49. ...</p> <p>50. ...</p> <p>51. ...</p> <p>52. ...</p> <p>53. ...</p> <p>54. ...</p> <p>55. ...</p> <p>56. ...</p> <p>57. ...</p> <p>58. ...</p> <p>59. ...</p> <p>60. ...</p> <p>61. ...</p> <p>62. ...</p> <p>63. ...</p> <p>64. ...</p> <p>65. ...</p> <p>66. ...</p> <p>67. ...</p> <p>68. ...</p> <p>69. ...</p> <p>70. ...</p> <p>71. ...</p> <p>72. ...</p> <p>73. ...</p> <p>74. ...</p> <p>75. ...</p> <p>76. ...</p> <p>77. ...</p> <p>78. ...</p> <p>79. ...</p> <p>80. ...</p> <p>81. ...</p> <p>82. ...</p> <p>83. ...</p> <p>84. ...</p> <p>85. ...</p> <p>86. ...</p> <p>87. ...</p> <p>88. ...</p> <p>89. ...</p> <p>90. ...</p> <p>91. ...</p> <p>92. ...</p> <p>93. ...</p> <p>94. ...</p> <p>95. ...</p> <p>96. ...</p> <p>97. ...</p> <p>98. ...</p> <p>99. ...</p> <p>100. ...</p>
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FENCE ENCROACHMENT →







July 24, 2015

Steven Green & Stacy Clay
1746 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1746 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17 0056-00010212)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Green & Mr. Clay:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the fences and doghouse in the rear of your property at 1746 Flagler Avenue NE, (Tax ID# 17 0056-00010212) extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the fences and doghouse will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbelpline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbelpline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Christopher Draper
1752 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1752 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17 0056-00010204)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Draper:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1752 Flagler Avenue NE, (Tax ID# 17 0056-00010204)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

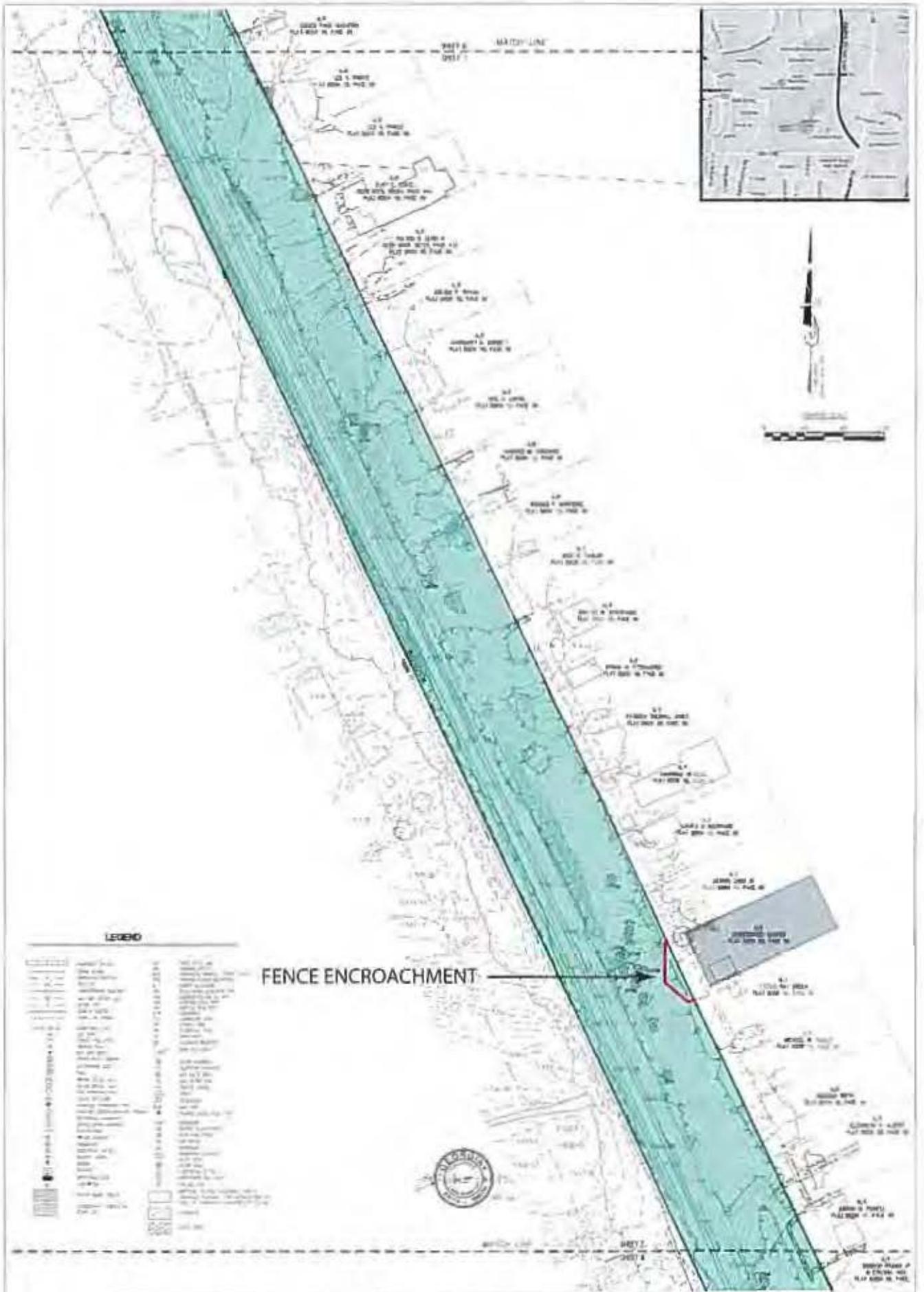
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



7 of 8

DATE: 11/11/2014
 TIME: 10:00 AM
 PROJECT: 1508-100-0000
 SHEET: 7 OF 8

REDLINE EAST RIGHT-OF-WAY SURVEY
 FROM KACHICE DR. & 10TH ST TO OLD
 INTERSTATE 86
 LAND LOT 34, 34.2 & 17th DISTRICT
 CITY OF ATLANTA
 FULTON COUNTY, GEORGIA

WITCH BOTT MADON
 SUE MERTZIG COURT
 1010 17th
 ATLANTA, GEORGIA 30318

12th District 100 Road
 Box 100
 Atlanta, GA 30341
 Phone: (404) 999-4172
 Fax: (404) 999-4176

DATE	
TIME	
PROJECT	
SHEET	





July 24, 2015

Dennis Sabo, Jr.
1758 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1758 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010196)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Sabo:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1758 Flagler Avenue NE, (Tax ID# 17-0056-00010196)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Laura M. Shepard
1764 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1764 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010188)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Ms. Shepard:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence, shed, and tree house structures in the rear of your property at 1764 Flagler Avenue NE, (Tax ID# 17-0056-00010188) extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence, shed, and tree house structures will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

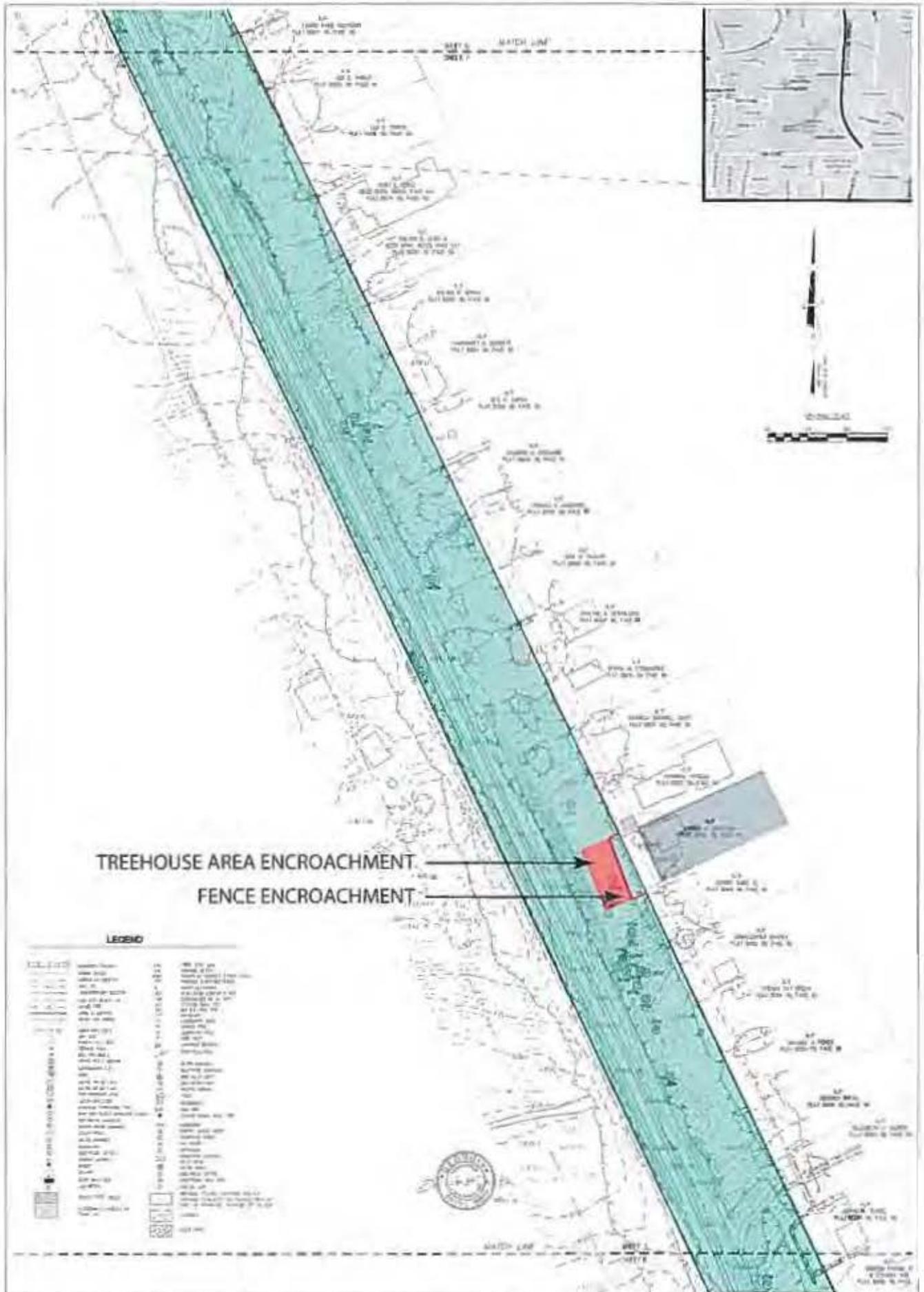
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



TREEHOUSE AREA ENCROACHMENT →
 FENCE ENCROACHMENT →

LEGEND

1.00	Proposed Encroachment	Green Hatched
1.01	Proposed Encroachment	Red
1.02	Proposed Encroachment	Blue
1.03	Proposed Encroachment	Yellow
1.04	Proposed Encroachment	Pink
1.05	Proposed Encroachment	Light Green
1.06	Proposed Encroachment	Light Blue
1.07	Proposed Encroachment	Light Yellow
1.08	Proposed Encroachment	Light Pink
1.09	Proposed Encroachment	Light Green
1.10	Proposed Encroachment	Light Blue
1.11	Proposed Encroachment	Light Yellow
1.12	Proposed Encroachment	Light Pink
1.13	Proposed Encroachment	Light Green
1.14	Proposed Encroachment	Light Blue
1.15	Proposed Encroachment	Light Yellow
1.16	Proposed Encroachment	Light Pink
1.17	Proposed Encroachment	Light Green
1.18	Proposed Encroachment	Light Blue
1.19	Proposed Encroachment	Light Yellow
1.20	Proposed Encroachment	Light Pink
1.21	Proposed Encroachment	Light Green
1.22	Proposed Encroachment	Light Blue
1.23	Proposed Encroachment	Light Yellow
1.24	Proposed Encroachment	Light Pink
1.25	Proposed Encroachment	Light Green
1.26	Proposed Encroachment	Light Blue
1.27	Proposed Encroachment	Light Yellow
1.28	Proposed Encroachment	Light Pink
1.29	Proposed Encroachment	Light Green
1.30	Proposed Encroachment	Light Blue
1.31	Proposed Encroachment	Light Yellow
1.32	Proposed Encroachment	Light Pink
1.33	Proposed Encroachment	Light Green
1.34	Proposed Encroachment	Light Blue
1.35	Proposed Encroachment	Light Yellow
1.36	Proposed Encroachment	Light Pink
1.37	Proposed Encroachment	Light Green
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1.40	Proposed Encroachment	Light Pink
1.41	Proposed Encroachment	Light Green
1.42	Proposed Encroachment	Light Blue
1.43	Proposed Encroachment	Light Yellow
1.44	Proposed Encroachment	Light Pink
1.45	Proposed Encroachment	Light Green
1.46	Proposed Encroachment	Light Blue
1.47	Proposed Encroachment	Light Yellow
1.48	Proposed Encroachment	Light Pink
1.49	Proposed Encroachment	Light Green
1.50	Proposed Encroachment	Light Blue

7 of 8

PROJECT: RESTORE EAST RIGHT OF WAY SURVEY FROM MICHIGAN & 10TH ST TO OLD WINDYCREAK RD. LOTS 101, 102 & 103. DISTRICT: CITY OF ATLANTA. PER 700 COUNTY GEORGIA.

DATE: 08/11/2011
 TIME: 10:00 AM
 PROJECT: RESTORE EAST RIGHT OF WAY SURVEY FROM MICHIGAN & 10TH ST TO OLD WINDYCREAK RD. LOTS 101, 102 & 103. DISTRICT: CITY OF ATLANTA. PER 700 COUNTY GEORGIA.

CERN
 CIVIL ENGINEERING
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 Phone: (404) 525-1100
 Fax: (404) 525-1101

NO.	DATE	DESCRIPTION





July 24, 2015

Hannibal Heredia & Angela Fox
1770 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1770 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010170)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Heredia & Ms. Fox:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the small roof in the rear of your property at 1770 Flagler Avenue NE, (Tax ID# 17-0056-00010170) extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the small roof will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

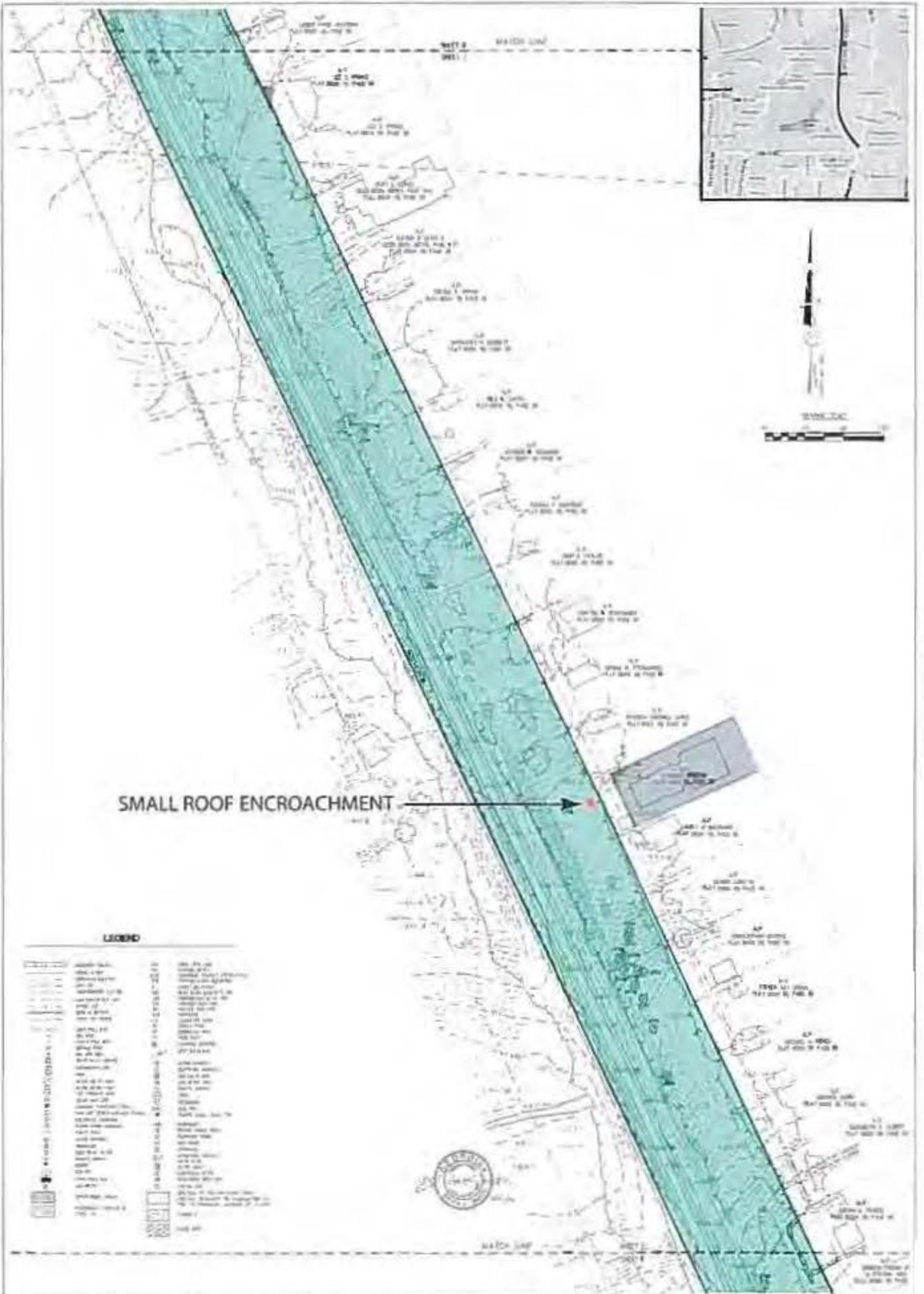
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



SMALL ROOF ENCROACHMENT

LEGEND

	Right-of-Way
	Easement
	Utility
	Street
	Lot
	Encroachment
	Building
	Fence
	Tree
	Water
	Sewer
	Gas
	Electric
	Telephone
	Cable
	Survey
	Boundary
	Corner
	Monument
	Marker
	Iron Pipe Cap
	Cast Iron Pipe
	Concrete Pipe
	Brick Pipe
	Clay Pipe
	Glass Pipe
	Lead Pipe
	Steel Pipe
	Copper Pipe
	Aluminum Pipe
	Plastic Pipe
	Rubber Pipe
	Fabric Pipe
	Paper Pipe
	Cardboard Pipe
	Metal Pipe
	Concrete Pipe
	Brick Pipe
	Clay Pipe
	Glass Pipe
	Lead Pipe
	Steel Pipe
	Copper Pipe
	Aluminum Pipe
	Plastic Pipe
	Rubber Pipe
	Fabric Pipe
	Paper Pipe
	Cardboard Pipe
	Metal Pipe





July 24, 2015

Patricia Sherrill Jones
1776 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1776 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010162)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Ms. Jones:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the metal fence, garden, shed, and pond in the rear of your property at 1776 Flagler Avenue NE, (Tax ID# 17-0056-00010162) extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the metal fence, garden, shed, and pond will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

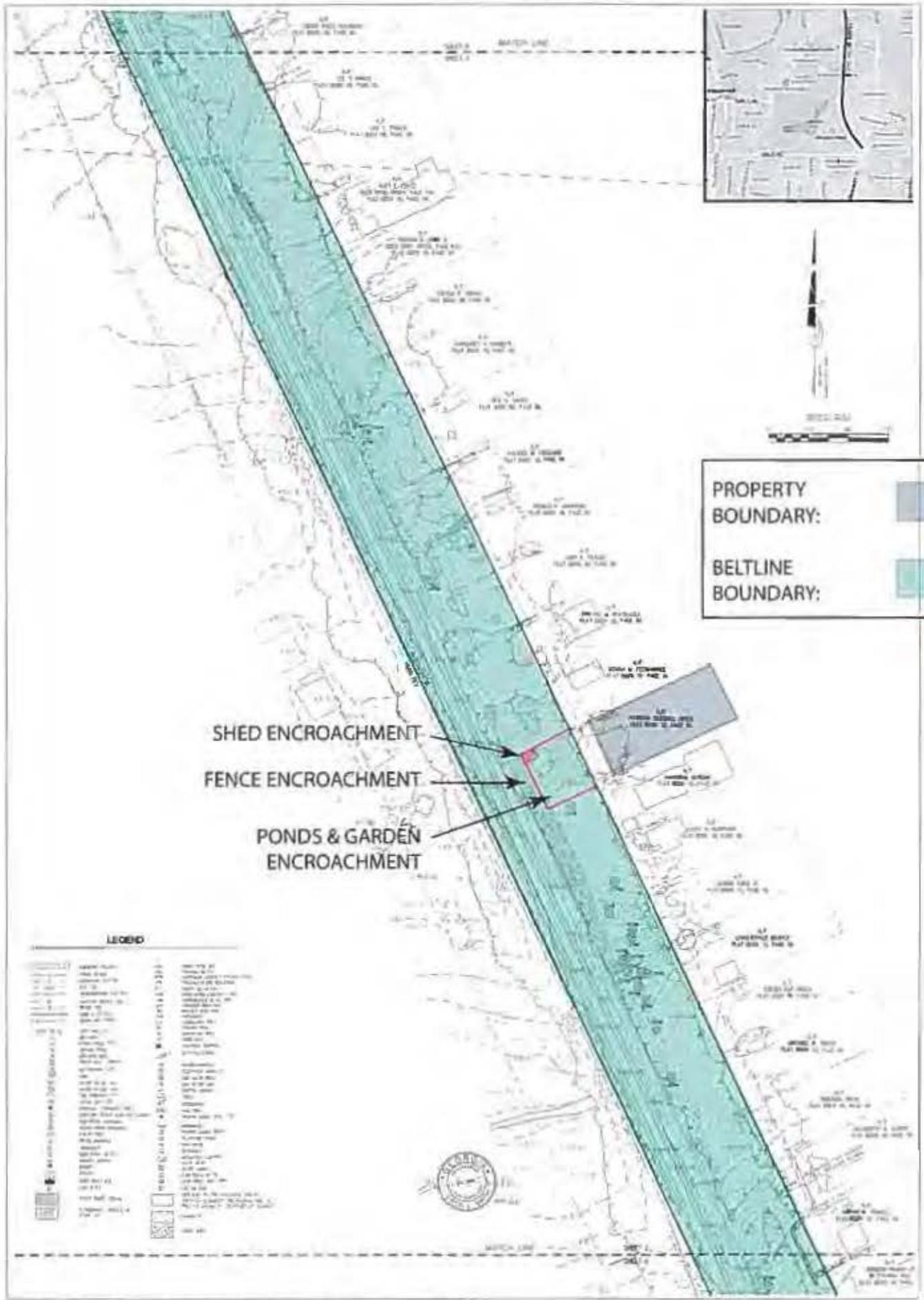
Sincerely,

A handwritten signature in black ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



LEGEND

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SHED ENCROACHMENT →
 FENCE ENCROACHMENT →
 PONDS & GARDEN ENCROACHMENT →

PROPERTY BOUNDARY:

BELTLINE BOUNDARY:





**Atlanta
BeltLine**

July 24, 2015

Donna M. and Patrick J. Fitzmaurice
1780 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1780 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010154)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. and Mrs. Fitzmaurice:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence and shed in the rear of your property at 1780 Flagler Avenue NE, (Tax ID# 17-0056-00010154) extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence and shed will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

Sincerely,

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Dewayne M. & Samantha C. Bontrager
1786 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1786 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010147)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. and Mrs. Bontrager:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the metal fence in the rear of your property at **1786 Flagler Avenue NE, (Tax ID# 17-0056-00010147)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the metal fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Josh B. Taylor
1792 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1792 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010139)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Taylor:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence, playground structures, and trampoline in the rear of your property at 1792 Flagler Avenue NE, (Tax ID# 17-0056-00010139) extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence, playground structures, and trampoline will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

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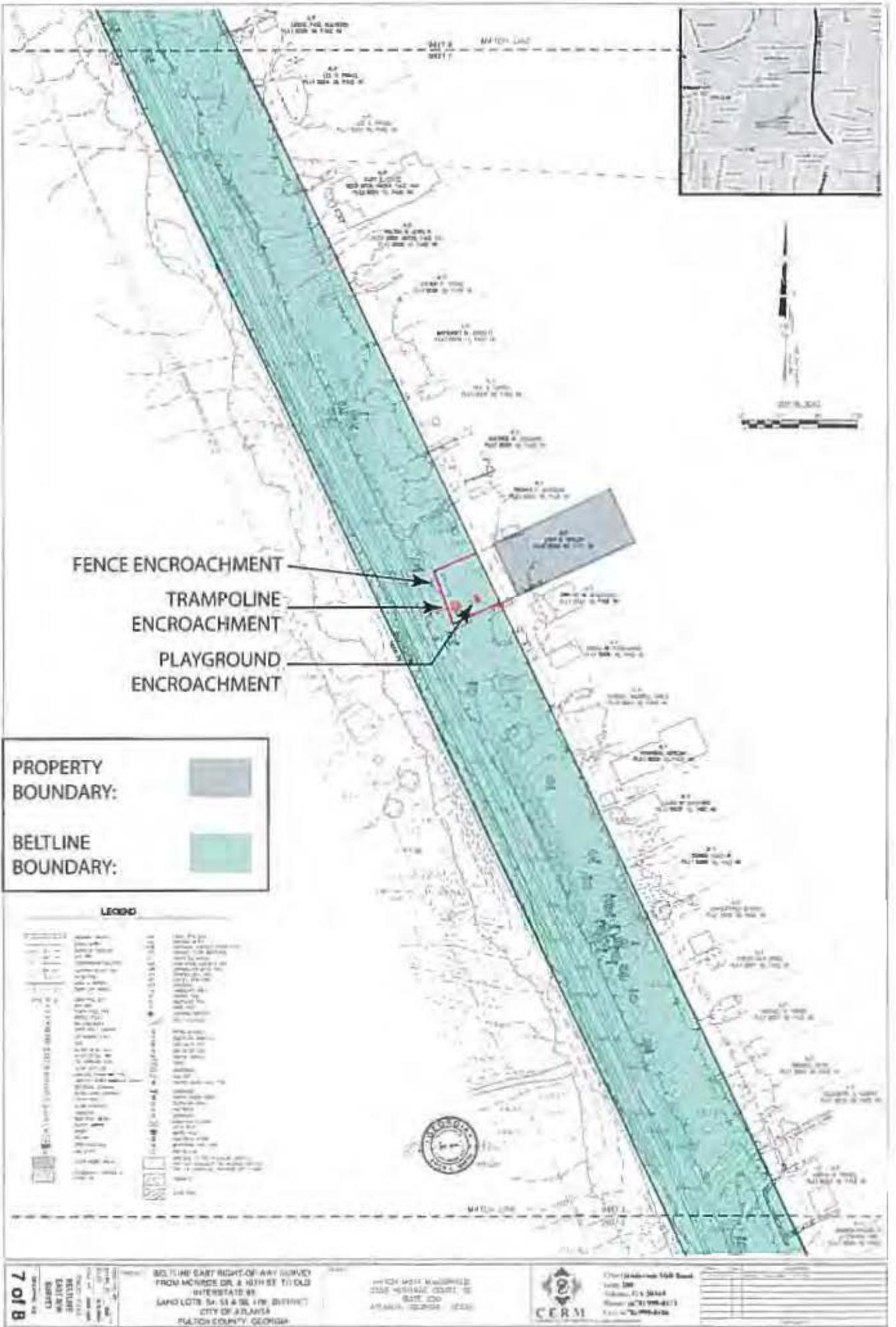
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



FENCE ENCROACHMENT
 TRAMPOLINE ENCROACHMENT
 PLAYGROUND ENCROACHMENT

PROPERTY BOUNDARY:
 BELTLINE BOUNDARY:

LEGEND

Property Boundary	Grey Shaded Area
Beltline Boundary	Green Shaded Area
Fence Encroachment	Red Outline
Trampoline Encroachment	Red Dot
Playground Encroachment	Red Dot





July 24, 2015

Thomas R. Markovic
1798 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1798 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010121)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Markovic:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence and shed in the rear of your property at **1798 Flagler Avenue NE, (Tax ID# 17-0056-00010121)** extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence and shed will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Matthew R. Cochard
1802 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1802 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010113)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Cochard:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the metal fence in the rear of your property at **1802 Flagler Avenue NE, (Tax ID# 17-0056-00010113)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the metal fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Neil K. and Amanda K. Sapra
1808 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1808 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010105)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. and Mrs. Sapra:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence, playground structure, and electrical outlets in the rear of your property at **1808 Flagler Avenue NE, (Tax ID# 17-0056-00010105)** extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence, playground structure, and electrical outlets will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atbeltline.org or 404-477-3663. Thank you.

Sincerely,

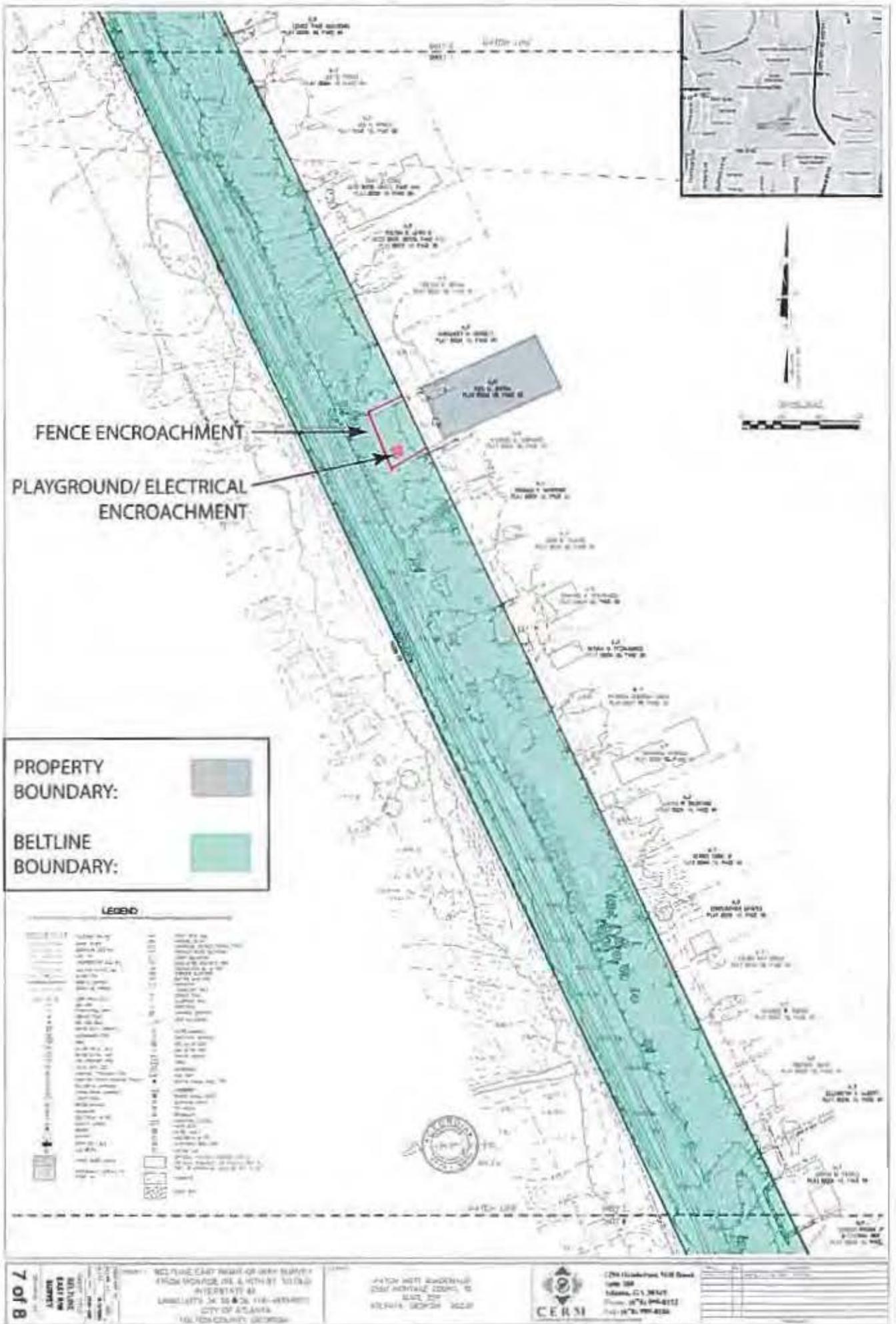
A handwritten signature in black ink, appearing to read "Stacy Patton", written over a horizontal line.

Stacy Patton

Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer







July 24, 2015

Nicholas Albano & Eric Bymaster
1820 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1820 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010089)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Albano and Mr. Bymaster:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1820 Flagler Avenue NE, (Tax ID# 17-0056-00010089)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

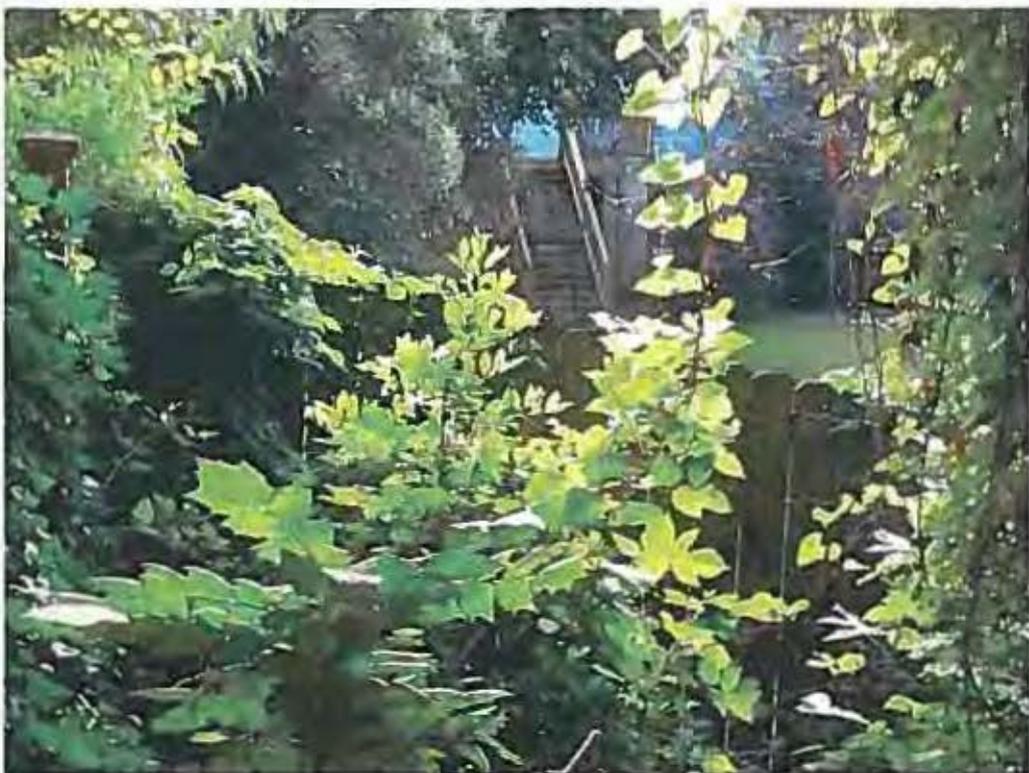
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Fulton D. Lewis III & Stephen N. Rhoney
1826 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1826 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010071)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Lewis and Mr. Rhoney:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1826 Flagler Avenue NE, (Tax ID# 17-0056-00010071)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

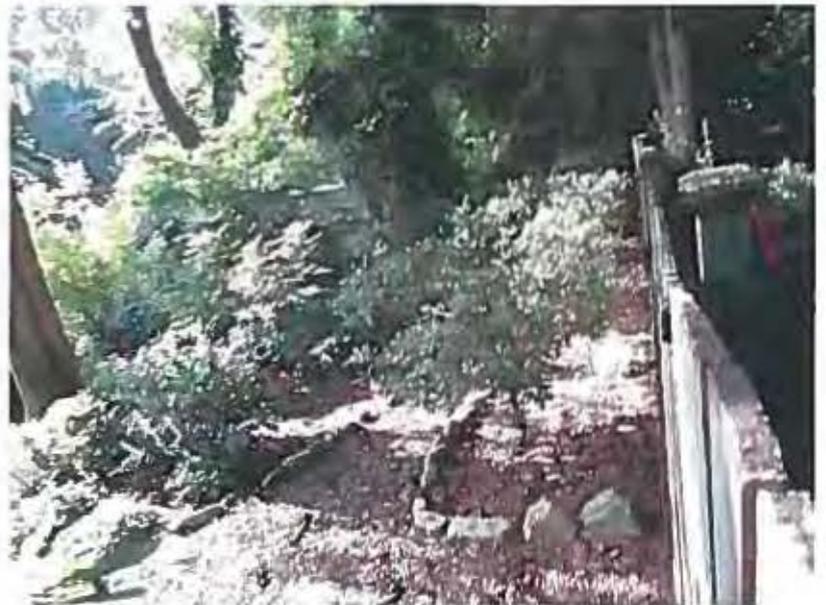
Sincerely,

A handwritten signature in blue ink, appearing to read "Stacy Patton", with a long horizontal flourish extending to the right.

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Thomas E. Philpot
1832 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1832 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010063)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Philpot:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1832 Flagler Avenue NE, (Tax ID# 17-0056-00010063)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atbeltline.org or 404-477-3663. Thank you.

Sincerely,

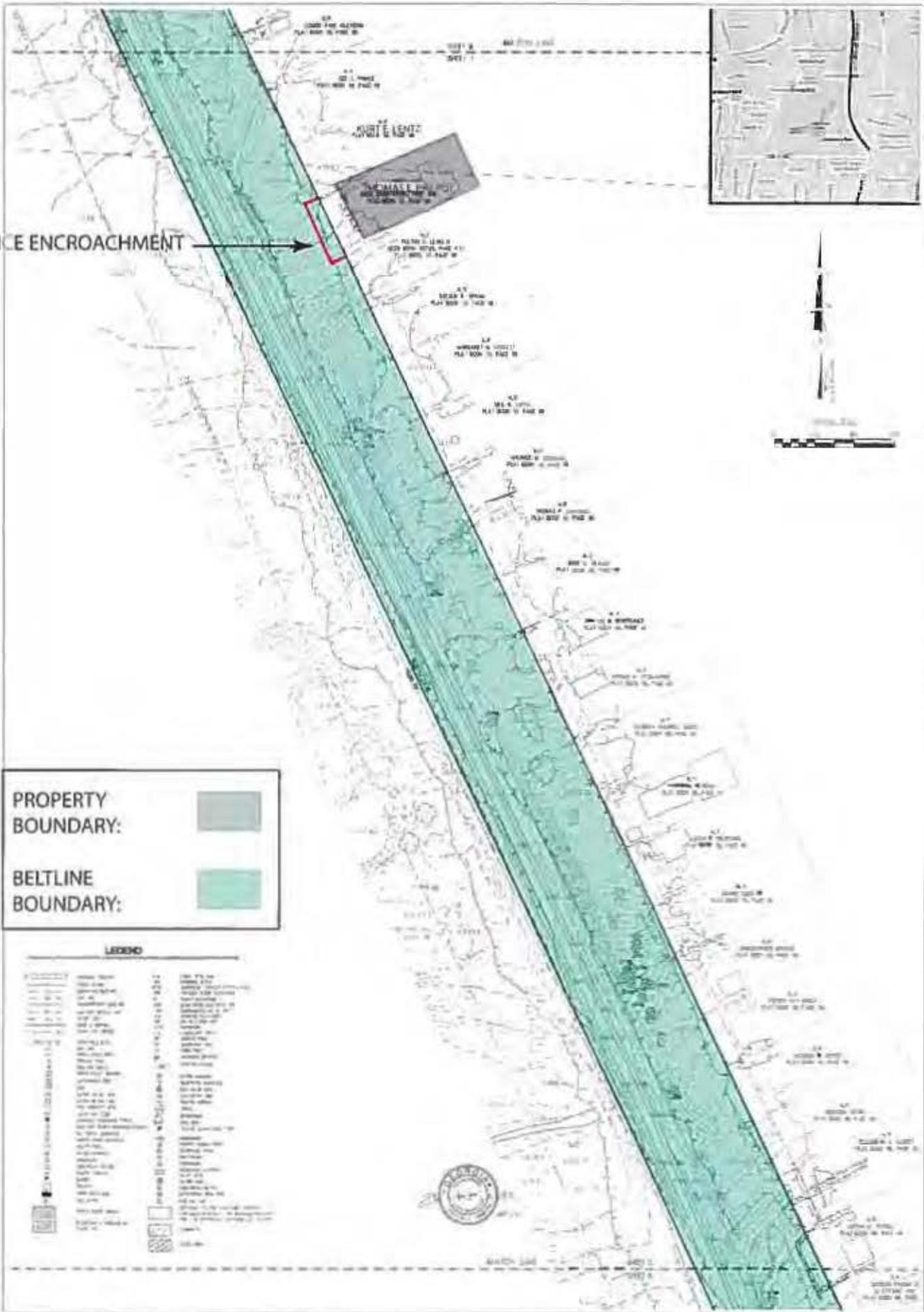
A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer

FENCE ENCROACHMENT



PROPERTY
BOUNDARY:

BELTLINE
BOUNDARY:

LEGEND

[Symbol]	Survey Point
[Symbol]	Property Boundary
[Symbol]	Beltline Boundary
[Symbol]	Encroachment
[Symbol]	Water
[Symbol]	Topography
[Symbol]	Other





July 24, 2015

Kurt E. and Anna L. Lentz
1836 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1836 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010055)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. and Mrs. Lentz:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence, trampoline, and shed in the rear of your property at **1836 Flagler Avenue NE, (Tax ID# 17-0056-00010055)** extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence, trampoline, and shed will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at ybrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

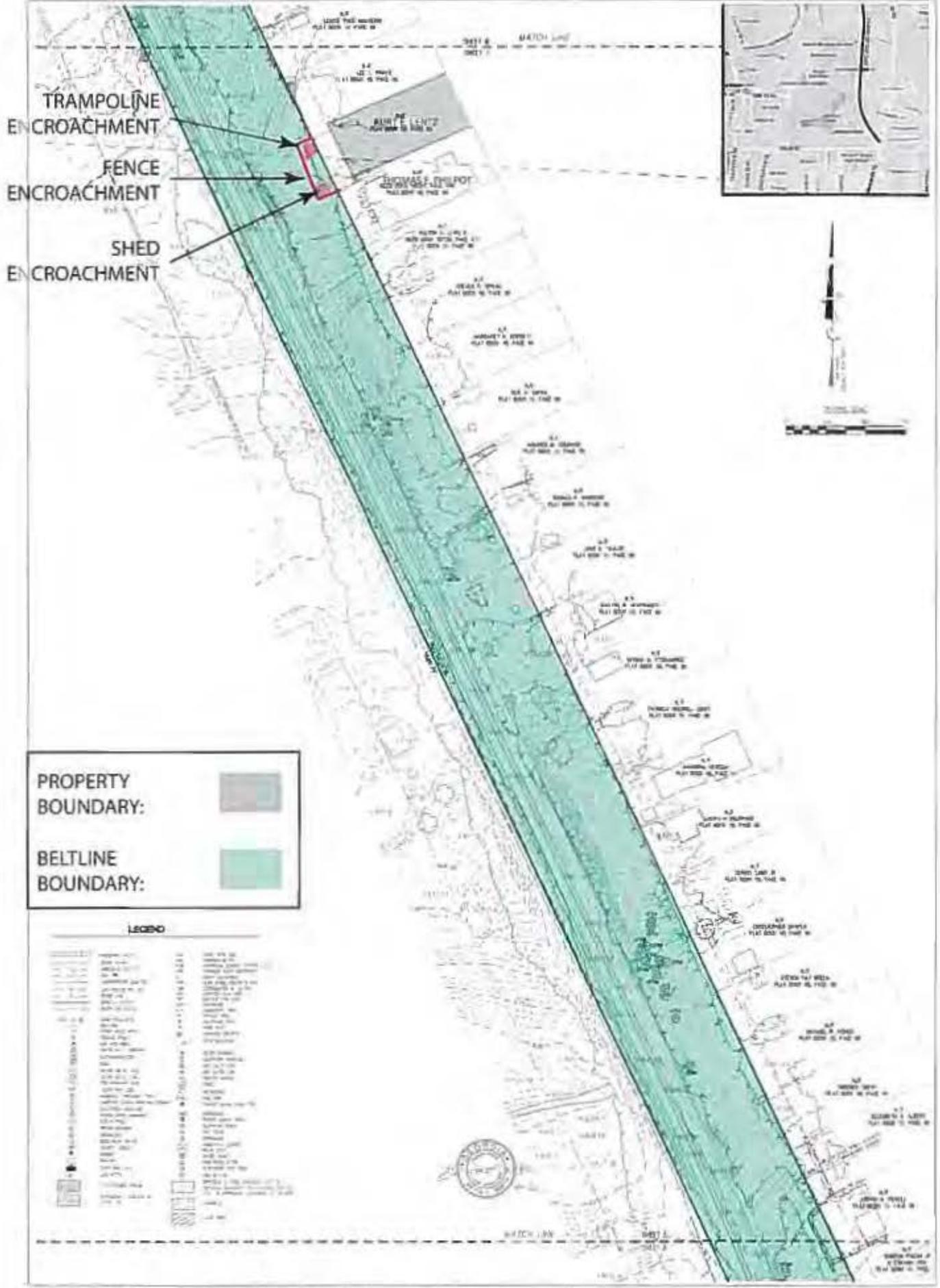
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



PROPERTY BOUNDARY: 

BELTLINE BOUNDARY: 

LEGEND

	PROPERTY BOUNDARY
	BELTLINE BOUNDARY
	ENCROACHMENT
	LOT BOUNDARY
	STREET BOUNDARY
	UNDEVELOPED LOT
	DEVELOPED LOT
	WATER FEATURE
	UTILITY
	ENCROACHMENT
	ENCROACHMENT





July 24, 2015

Lee S. Prince
1842 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1842 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010048)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Prince:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the fence obscured by the vines in the rear of your property at **1842 Flagler Avenue NE, (Tax ID# 17-0056-00010048)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at ybrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

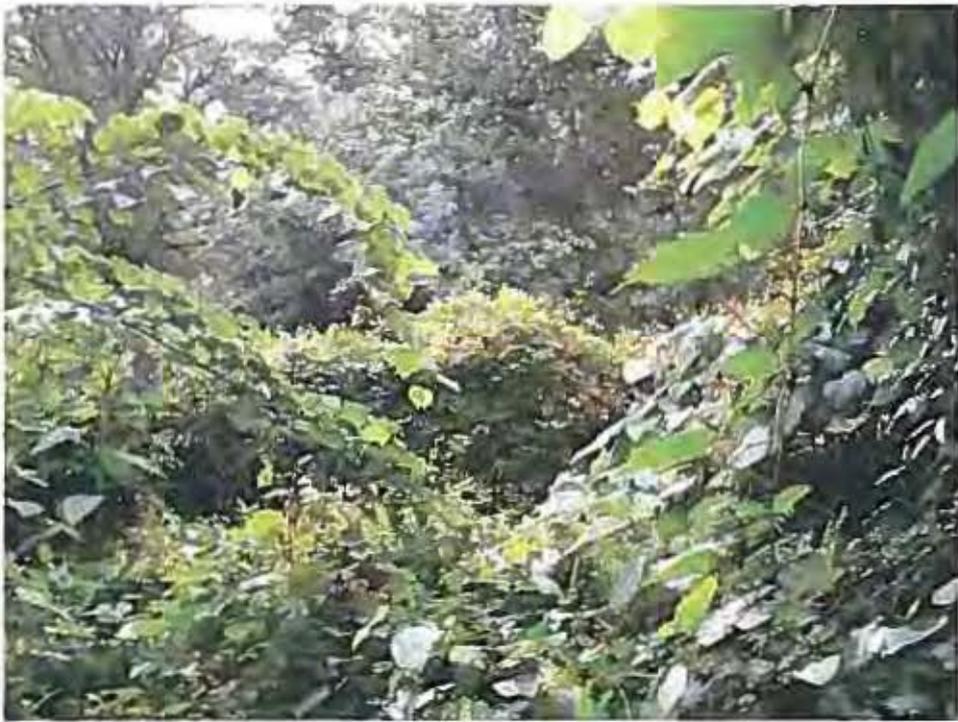
Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Louise Page Mulherin
1848 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1848 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010030)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Mulherin:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the fence obscured by vines in the rear of your property at 1848 Flagler Avenue NE, (Tax ID# 17-0056-00010030) extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Mary Lou B. Saye
1854 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1854 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010022)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Ms. Saye:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence in the rear of your property at **1854 Flagler Avenue NE, (Tax ID# 17-0056-00010022)** extends onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence will need to be moved to or within your property's boundary line. We are requesting that you move the said item as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atlbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atlbeltline.org or 404-477-3663. Thank you.

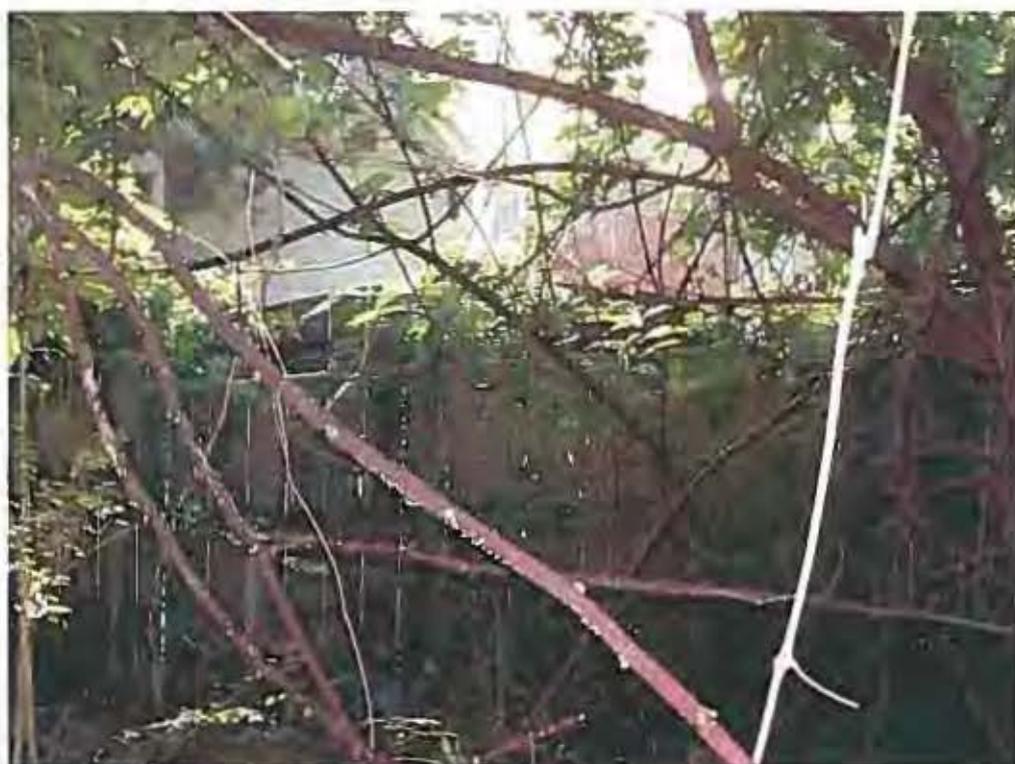
Sincerely,

A handwritten signature in black ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer





July 24, 2015

Alan B. Patricio
1860 Flagler Avenue, NE
Atlanta, Georgia 30309

**Re: 1860 Flagler Avenue NE, Atlanta, Georgia (Tax ID# 17-0056-00010303)
Property Encroachment onto Atlanta BeltLine's Right-of-Way**

Dear Mr. Patricio:

I am Real Estate and Asset Management Director to Atlanta Beltline, Inc. ("ABI"). ABI has completed the process of surveying properties that comprise the right-of-way of the Atlanta BeltLine East in preparation for the construction of the continuation of the Eastside Trail. Our surveyors have reviewed the boundary lines on adjacent properties in the area and discovered an encroachment of your property onto the Atlanta BeltLine's right-of-way. Apparently, the wooden fence, lighting, and shed in the rear of your property at **1860 Flagler Avenue NE, (Tax ID# 17-0056-00010303)** extend onto the Atlanta BeltLine's right-of-way. I have highlighted the area of the encroachment on the attached plat for your reference.

To correct this matter, the wooden fence, lighting, and shed will need to be moved to or within your property's boundary line. We are requesting that you move the said items as soon as possible but no later than October 1, 2015. It is important that this encroachment is corrected by this date because of the anticipated schedule for commencement of detailed design of the trail extension.

If you disagree with our surveyor's findings we can have the rear property line staked for your reference, however we will need to obtain access to your property to do so. Attached is a survey access consent form for you to sign and return to us in the enclosed self-addressed stamped envelope. If you would prefer to coordinate access to your property please contact Valinda Brown, ABI's Real Estate paralegal, to provide a telephone number where you can be reached by our surveyor. Valinda can be reached via email at vbrown@atbeltline.org, or via phone at 404-477-3691. If based on the property line stakes you are still in disagreement with our assessment, you may hire your own surveyor to perform a survey of the rear lot line and send us a copy of the survey to present to our surveyor for review.

Please contact me with questions at spatton@atbeltline.org or 404-477-3663. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Patton".

Stacy Patton
Real Estate and Asset Management Director, Atlanta Beltline, Inc.

Enclosure

cc: Catherine Owens, ABI Principal Engineer



**Before the
Surface Transportation Board
Washington, D.C.**

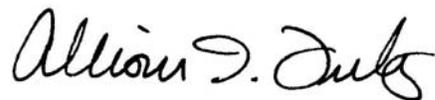
Finance Docket No. 35991

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of May 2016, I have caused a copy of the foregoing Second Supplement of The Atlanta Development Authority and Atlanta Beltline, Inc. to Petition for a Declaratory Order to be served upon the following individuals via first class mail, postage prepaid:

R. Kyle Williams
Williams Teusink, LLC
The High House
309 Sycamore Street
Decatur, Georgia 30030

Maquiling Parkerson
Norfolk Southern
Three Commercial Place
Norfolk, VA 23510



Allison I. Fultz
Kaplan Kirsch & Rockwell LLP
1001 Connecticut Avenue, NW
Suite 800
Washington, DC 20036
(202) 955-5600
afultz@kaplankirsch.com

Dated: May 13, 2016