

ARCHER & LOVELL, P.C.

ATTORNEYS AT LAW
102 LEAKE STREET
P. O. BOX 1024
CARTERSVILLE, GEORGIA 30120

David G. Archer
E. Keith Lovell

(770) 386-1116
klovell@archerlovell.com

MEMORANDUM

TO: Randy Mannino, Director, Planning & Development
CC: David Hardegree, City Planner/Assistant Director, Planning & Development
FROM: E. Keith Lovell, City Attorney (EKL)
DATE: March 24, 2026
RE: Right of Way – Dixie Avenue (SU-26-03)

Gentlemen,

After reviewing the title for this property, between 1972 and 1978, the property was acquired by Cartersville Inn Inc. on December 19, 1972, indicating that it did not include the portion of Dixie Avenue in question as part of the transfer of ownership.

In a separate transaction on December 15, 1972, the City conveyed the portion of Dixie Avenue in question to Cartersville Inn Inc.

A review of subsequent deeds shows that the road was not excluded from subsequent transactions indicating that it was included within the legal description. This does not address the issue if the road may exist through prescriptive rights to adjoining property owners.

In conclusion, this portion of Dixie Avenue on SU-26-03 is not part of the City of Cartersville's municipal street system.

Copies of the relevant real estate records are attached for your review.

DOCH 003892
FILED IN OFFICE
4/4/2019 09:53 AM
BK:3079 PG:26-29
MELBA SCOGGINS
CLERK OF SUPERIOR COURT
BARTOW COUNTY

Melba Scoggins

REAL ESTATE TRANSFER
TAX PAID: \$0.00

RECEIVED

Clerk of Superior Court - Bartow Co. Ga
04/04/2019 09:44 AM

PT-61 008-2019-001365

After Recording Return to:
John A. Christy
1100 Peachtree Street
Suite 800
Atlanta, Georgia 30309

STATE OF GEORGIA
COUNTY OF BARTOW

LIMITED WARRANTY DEED

THIS INDENTURE, made this 3rd day of April, 2019, between NEILPREET, LLC, a Georgia limited liability company, as Grantor, and NARHARI & PREET, LLC, a Georgia limited liability company, as Grantee.

WITNESSETH THAT:

The Grantor, for and in consideration of Ten and 00/100 Dollars (\$10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

ALL THAT TRACT or parcel of land in Bartow County, Georgia described in **Exhibit "A"** attached hereto and incorporated by reference herein as if set forth in full, together with all improvements located thereon and more commonly known as 235 South Dixie Avenue, Cartersville, Georgia according to the current numbering system in effect for property located in Bartow County, Georgia (hereinafter, the "**Property**").

TOGETHER WITH all fixtures, structures and improvements on said property and all and

singular the rights, members and appurtenances to the said premises in anywise appertaining.

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

SUBJECT, HOWEVER, ONLY to the Permitted Exceptions set forth on Exhibit "B", attached hereto and made a part hereof.

AND THE SAID Grantor will warrant and forever defend the right and title to the Property unto said Grantee against the claims of all persons and entities whomsoever claiming by, through or under Grantor (but not otherwise) subject to those matters set forth hereinabove.

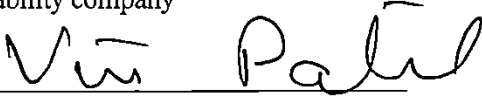
IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

NEILPREET, LLC, a Georgia limited
liability company





Witness

Vinod Patel, Manager



Notary Public

My Commission Expires: 1/5/20

[NOTARIAL SEAL]

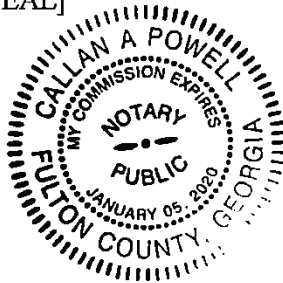


EXHIBIT "A"

The Property

(Legal Description of 235 S. Dixie Avenue, Cartersville, Georgia)

ALL THAT TRACT or parcel of land lying and being in Land Lots 528 and 529, 4th District, 3rd Section, in the City of Cartersville, Bartow County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found on the northwesterly right-of-way of Brook Drive (a 40-foot right-of-way) 709.71 feet east of the intersection with the easterly right-of-way of South Tennessee Street and the TRUE POINT OF BEGINNING; thence leaving said northwesterly right-of-way of Brook Drive and proceeding North 15 degrees 45 minutes 00 seconds West a distance of 524.76 feet to an iron pin found on the southwesterly right-of-way of Ridge Row (a 25-foot right-of-way); thence proceeding southeasterly along said southwesterly right-of-way of Ridge Row South 88 degrees 06 minutes 00 seconds East a distance of 371.66 feet to an iron pin found at a point formed by the intersection of the southwesterly right-of-way of Ridge Row and the easterly right-of-way of Ridge Row (a 25-foot right-of-way); thence proceeding northwesterly along said easterly right-of-way of Ridge Row North 01 degrees 48 minutes 00 seconds West a distance of 165.40 feet to an iron pin found; thence leaving said easterly right-of-way of Ridge Row and proceeding along the following courses and distances on the westerly right-of-way of Joe Frank Harris Parkway (a variable right-of-way): South 12 degrees 23 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 16 degrees 39 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 18 degrees 38 minutes 00 seconds East a distance of 102.00 feet to an iron pin found; South 23 degrees 18 minutes 00 seconds East a distance of 91.00 feet to an iron pin found; South 88 degrees 32 degrees 00 minutes East a distance of 26.00 feet to an iron pin found; South 23 degrees 58 minutes 00 seconds East a distance of 95.90 feet to an iron pin found; South 29 degrees 15 minutes 00 seconds East a distance of 150.00 feet to an iron pin found; thence leaving said westerly right-of-way of Joe Frank Harris Parkway and proceeding South 74 degrees 15 minutes 00 seconds West a distance of 51.70 feet to an iron pin found on the northeasterly right-of-way of Dixie Avenue (a 40-foot right-of-way); thence proceeding along said northeasterly right-of-way of Dixie Avenue North 26 degrees 02 minutes a distance of 40.65 feet to an iron pin found; leaving said northeasterly right-of-way of Dixie Avenue and proceeding across Dixie Avenue and along the northwesterly right-of-way of Brook Drive South 74 degrees 15 minutes 00 seconds West a distance of 422.34 feet to an iron pin found on said northwesterly right-of-way of Brook Drive and the TRUE POINT OF BEGINNING, being improved property and containing 4.565 acres, more or less, all as shown on that Survey for Lee's Hospitality, LLC d/b/a Quality Inn, First Intercontinental Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation, dated June 22, 2007, by A.S. Giometti, G.R.L.S. No. 1125, of A.S. Giometti & Associates, Inc.

EXHIBIT "B"

Permitted Exceptions

1. All general and special taxes and assessments for the year 2019 and subsequent years, not yet due and payable and any additional taxes which may result from a reassessment of the Property.
2. All matters that may affect the Property as described on that recorded plat of survey recorded at Plat Book 12, Page 137, Bartow County, Records.
3. Easement from Mrs. Foster Jones Brooke to Southern Bell Telephone and Telegraph Company, dated March 19, 1940, recorded at Deed Book 76, Page 383, Bartow County, Georgia records.
4. Memorandum of Lease from Quality Inn of Cartersville, Inc. to Mac-Gray Services, dated September 24, 1999, recorded at Deed Book 1258, Page 420, Bartow County, Georgia Records, as revised by that Revised Memorandum of Lease, filed August 3, 2007, recorded at Deed Book 2219, Page 920, Bartow County, Georgia Records, as affected by that certain Purchase/Sale Agreement between Neilpreet, LLC d/b/a Sky Suites, Cartersville and Unique Business Venture, LLC with Mr. Ankur Patel as its Executive Manager, dated March 15, 2015 and recorded in Deed Book 2858, Page 906, Bartow County, Georgia Records.
5. Any and all matters shown on that certain Survey for Lee's Hospitality, LLC d/b/a Quality Inn, First Intercontinental Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation, dated June 22, 2007, by A.S. Giometti, G.R.L.S. No. 1125, of A.S. Giometti & Associates, Inc.

3

DOC # 005733
FILED IN OFFICE
06/20/2011 01:17 PM
BK: 2480 PG: 691-693
GARY BELL
CLERK OF SUPERIOR
COURT
BARTOW COUNTY

Gary Bell

REAL ESTATE TRANSFER T
PAID: \$1100.00

This document prepared by
and upon recording return to:
Robert T. Morgan, Esq.
Robert T. Morgan, P.C.
750 Hammond Drive
Building 12, Suite 100
Atlanta, Georgia 30328
File No.: 9882-12-159

File: 008-2011-001946

LIMITED WARRANTY DEED

THIS INDENTURE is made on this 9th day of **June, 2011**, between **FIRST INTERCONTINENTAL BANK**, as party of the first part, and **NEILPREET, LLC**, a Georgia limited liability company, as party of the second part.

WITNESSETH: That the said party of the first part, 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 and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, its successors and assigns:

All that tract or parcel of land lying and being in **Land Lots 528 and 529, 4th District, 3rd Section, Bartow County, Georgia**, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein, together with and subject to all those items set forth on **Exhibit "B"** attached hereto and incorporated herein.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, including leases, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns, forever, IN FEE SIMPLE.

And the said party of the first part, for its successors and assigns, will warrant and forever defend the right and title to the above-described property unto the said party of the second part, its successors and assigns, against the lawful claims of all persons claiming through the party of the first part.

The party of the second part accepts the above-described property (including any personal property) without recourse of any nature to the party of the first part or without any warranty from the party of the first part of any kind whatsoever (except title), with the above-described property being transferred "as-is" and "where-is" with all faults.

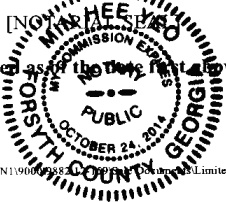
IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 10/24/14



Accepted as for the first part above-written by:

FIRST INTERCONTINENTAL BANK

By: *[Signature]*

Title: ZVP & CO.

[BANK SEAL]

NEILPREET, LLC

By: *[Signature]*

Title: Sole Member

G:\MORGAN\19069882-12-159\008-2011-001946\008-2011-001946 Limited Warranty Deed-As is, where is.wpd

EXHIBIT "A"

(Legal Description of 235 S. Dixie Avenue, Cartersville, Georgia)

ALL THAT TRACT or parcel of land lying and being in Land Lots 528 and 529, 4th District, 3rd Section, in the City of Cartersville, Bartow County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found on the northwesterly right-of-way of Brook Drive (a 40-foot right-of-way) 709.71 feet east of the intersection with the easterly right-of-way of South Tennessee Street and the TRUE POINT OF BEGINNING; thence leaving said northwesterly right-of-way of Brook Drive and proceeding North 15 degrees 45 minutes 00 seconds West a distance of 524.76 feet to an iron pin found on the southwesterly right of way of Ridge Row (a 25-foot right-of-way); thence proceeding southeasterly along said southwesterly right-of-way of Ridge Row South 88 degrees 06 minutes 00 seconds East a distance of 371.66 feet to an iron pin found at a point formed by the intersection of the southwesterly right-of-way of Ridge Row and the easterly right-of-way of Ridge Row (a 25-foot right-of-way); thence proceeding northwesterly along said easterly right-of-way of Ridge Row North 01 degrees 48 minutes 00 seconds West a distance of 165.40 feet to an iron pin found; thence leaving said easterly right-of-way of Ridge Row and proceeding along the following courses and distances on the westerly right-of-way of Joe Frank Harris Parkway (a variable right-of-way): South 12 degrees 23 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 16 degrees 39 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 18 degrees 38 minutes 00 seconds East a distance of 102.00 feet to an iron pin found; South 23 degrees 18 minutes 00 seconds East a distance of 91.00 feet to an iron pin found; South 88 degrees 32 degrees 00 minutes East a distance of 26.00 feet to an iron pin found; South 23 degrees 58 minutes 00 seconds East a distance of 95.90 feet to an iron pin found; South 29 degrees 15 minutes 00 seconds East a distance of 150.00 feet to an iron pin found; thence leaving said westerly right-of-way of Joe Frank Harris Parkway and proceeding South 74 degrees 15 minutes 00 seconds West a distance of 51.70 feet to an iron pin found on the northeasterly right-of-way of Dixie Avenue (a 40-foot right-of-way); thence proceeding along said northeasterly right-of-way of Dixie Avenue North 26 degrees 02 minutes a distance of 40.65 feet to an iron pin found; leaving said northeasterly right-of-way of Dixie Avenue and proceeding across Dixie Avenue and along the northwesterly right-of-way of Brook Drive South 74 degrees 15 minutes 00 seconds West a distance of 422.34 feet to an iron pin found on said northwesterly right-of-way of Brook Drive and the TRUE POINT OF BEGINNING, being improved property and containing 4.565 acres, more or less, all as shown on that Survey for Lee's Hospitality, LLC d/b/a Quality Inn, First Intercontinental Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation, dated June 22, 2007, by A.S Giometti, G.R.L.S. No. 1125, of A.S. Giometti & Associates, Inc.

EXHIBIT "B"

Permitted Exceptions

1. All general and special taxes and assessment for the year 2011 and subsequent years, not yet due and payable and any additional taxes which may result from a reassessment in caption property.
2. All matters that may affect captioned property as described on that recorded plat of survey recorded at Plat Book 12, Page 137, Bartow County, Georgia records.
3. Easement from Mrs. Foster Jones Brooke to Southern Bell Telephone and Telegraph Company, dated March 19, 1940, recorded at Deed Book 76, Page 383, Bartow County, Georgia records.
4. Memorandum of Lease from Quality Inn of Cartersville, Inc. to Mac-Gray Services, dated September 24, 1999, recorded at Deed Book 1258, Page 420, Bartow County, Georgia records, as revised by that Revised Memorandum of Lease, filed August 3, 2007, recorded at Deed Book 2219, Page 920, Bartow County, Georgia records.
5. Any and all matters as shown on that certain Survey for Lee's Hospitality, LLC d/b/a Quality Inn, First Intercontinental Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation, dated June 22, 2007, by A.S Giometti, G.R.L.S. No. 1125, of A.S. Giometti & Associates, Inc.

DOC# 010198
FILED IN OFFICE
10/12/2010 12:47 PM
BK: 2442 PG: 562-564
GARY BELL
CLERK OF SUPERIOR
COURT
BARTOW COUNTY
Gary Bell
REAL ESTATE TRANSFER T
AX
PAID: \$0.00

This document prepared by
and upon recording return to:
Robert T. Morgan, Esq.
Robert T. Morgan, P.C.
750 Hammond Drive
Building 12, Suite 100
Atlanta, Georgia 30328
File No.: 9882-5-44

3

PT-61-008-2010-004177
STATE OF GEORGIA

DEED UNDER POWER

COUNTY OF DEKALB

THIS INDENTURE, made as of the 6th day of October, 2010, by LEE'S HOSPITALITY, LLC d/b/a Quality Inn, acting through its duly appointed Agent and Attorney-in-Fact, FIRST INTERCONTINENTAL BANK, as party of the first part, and FIRST INTERCONTINENTAL BANK, as party of the second part;

WITNESSETH:

WHEREAS, said LEE'S HOSPITALITY, LLC d/b/a Quality Inn executed and delivered to FIRST INTERCONTINENTAL BANK that certain Deed to Secure Debt dated July 25, 2007, and recorded in Deed Book 2219, Pages 857-881, Bartow County Records (the "Security Deed"), conveying the after-described property to secure a Promissory Note in favor of FIRST INTERCONTINENTAL BANK of even date therewith in the original principal amount of ONE MILLION FIVE HUNDRED THREE THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$1,503,500.00) (the "Note"); and

WHEREAS, defaults in the payment of principal and interest installments due under said Note occurred, and whereas by reason of said defaults, said FIRST INTERCONTINENTAL BANK elected, pursuant to the terms of the Security Deed and the Note, and declared the entire principal and interest immediately due and payable under the Note; and

WHEREAS, said entire indebtedness under the Note still being upon paid, said FIRST INTERCONTINENTAL BANK, on behalf of the said LEE'S HOSPITALITY, LLC d/b/a Quality Inn and according to the terms of the Security Deed, did advertise said after-described property for sale once a week for four weeks in the legal newspaper in Bartow County, Georgia, wherein the Sheriff carried his advertisement, namely The Daily Tribune, said dates of publication being September 9, 16, 23 and 30, 2010; and

WHEREAS, said FIRST INTERCONTINENTAL BANK did expose said after-described property for sale to the highest bidder for cash on the first Tuesday in October, 2010, within the legal hours of sale at the usual place for conducting Sheriff's sales in Bartow County before the Courthouse door in said County, and offered said property for sale at public outcry to the highest bidder for cash when and where said FIRST INTERCONTINENTAL BANK bid ONE MILLION FOUR HUNDRED SIXTY-THREE THOUSAND FIVE HUNDRED FORTY-THREE AND 13/100 DOLLARS (\$1,463,543.13); and

WHEREAS, said property was knocked off to **FIRST INTERCONTINENTAL BANK** for the sum of **ONE MILLION FOUR HUNDRED SIXTY-THREE THOUSAND FIVE HUNDRED FORTY-THREE AND 13/100 DOLLARS (\$1,463,543.13)**;

NOW, THEREFORE, in consideration of the premises and said sum of money and by virtue of and in the exercise of the power of sale contained in the Security Deed, the party of the first part, **LEE'S HOSPITALITY, LLC d/b/a Quality Inn, acting through its duly appointed Agent and Attorney-in-Fact, FIRST INTERCONTINENTAL BANK**, has bargained, sold, granted and conveyed, and by these presents does hereby bargain, sell, grant and convey to the party of the second part, **FIRST INTERCONTINENTAL BANK**, its successors and assigns, all those tracts or parcels of land lying and being in **Land Lots 528 and 529, 4th District, 3rd Section, Bartow County, Georgia** as more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference, **along with any personal property associated with said property as may be described in that certain UCC Financing Statement No. 8-2007-1628 filed August 3, 2007, with the Georgia Secretary of State of Georgia along with UCC Financing Statement recorded at Deed Book 2219, Page 916, Bartow County, Georgia records.**

Together with all and singular the rights, members and appurtenances thereto appertaining; also, all the estate, right, title, interest, claim or demand of the said party of the first part and assigns, legal, equitable or otherwise whatsoever, in and to the same.

TO HAVE AND TO HOLD the said premises and every part thereof unto **FIRST INTERCONTINENTAL BANK**, its successors and assigns, to its own proper use, benefit and behoof in **FEE SIMPLE**, in as full and ample a manner as the said party of the first part and assigns did hold and enjoy the same.

IN WITNESS WHEREOF, said **LEE'S HOSPITALITY, LLC d/b/a Quality Inn, acting through its duly appointed Agent and Attorney-in-Fact, FIRST INTERCONTINENTAL BANK**, has hereunto affixed its hand and seal, the day and year first above written.

FIRST INTERCONTINENTAL BANK, acting as the duly appointed Agent and Attorney-in-Fact for LEE'S HOSPITALITY, LLC d/b/a Quality Inn

Signed, sealed and delivered in the presence of

H. H. [Signature]
Witness

J. M. [Signature]
Notary Public

My Commission: Oct, 11, 2010

By: [Signature]
Title: President

[BANK SEAL]

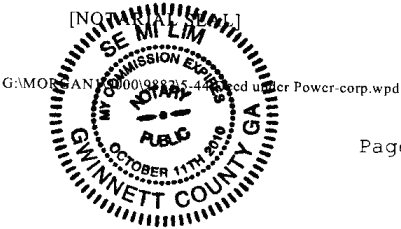


EXHIBIT "A"

(Legal Description of 235 S. Dixie Avenue, Cartersville, Georgia)

ALL THAT TRACT or parcel of land lying and being in Land Lots 528 and 529, 4th District, 3rd Section, in the City of Cartersville, Bartow County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found on the northwesterly right-of-way of Brook Drive (a 40-foot right-of-way) 709.71 feet east of the intersection with the easterly right-of-way of South Tennessee Street and the TRUE POINT OF BEGINNING; thence leaving said northwesterly right-of-way of Brook Drive and proceeding North 15 degrees 45 minutes 00 seconds West a distance of 524.76 feet to an iron pin found on the southwesterly right of way of Ridge Row (a 25-foot right-of-way); thence proceeding southeasterly along said southwesterly right-of-way of Ridge Row South 88 degrees 06 minutes 00 seconds East a distance of 371.66 feet to an iron pin found at a point formed by the intersection of the southwesterly right-of-way of Ridge Row and the easterly right-of-way of Ridge Row (a 25-foot right-of-way); thence proceeding northwesterly along said easterly right-of-way of Ridge Row North 01 degrees 48 minutes 00 seconds West a distance of 165.40 feet to an iron pin found; thence leaving said easterly right-of-way of Ridge Row and proceeding along the following courses and distances on the westerly right-of-way of Joe Frank Harris Parkway (a variable right-of-way): South 12 degrees 23 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 16 degrees 39 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 18 degrees 38 minutes 00 seconds East a distance of 102.00 feet to an iron pin found; South 23 degrees 18 minutes 00 seconds East a distance of 91.00 feet to an iron pin found; South 88 degrees 32 degrees 00 minutes East a distance of 26.00 feet to an iron pin found; South 23 degrees 58 minutes 00 seconds East a distance of 95.90 feet to an iron pin found; South 29 degrees 15 minutes 00 seconds East a distance of 150.00 feet to an iron pin found; thence leaving said westerly right-of-way of Joe Frank Harris Parkway and proceeding South 74 degrees 15 minutes 00 seconds West a distance of 51.70 feet to an iron pin found on the northeasterly right-of-way of Dixie Avenue (a 40-foot right-of-way); thence proceeding along said northeasterly right-of-way of Dixie Avenue North 26 degrees 02 minutes a distance of 40.65 feet to an iron pin found; leaving said northeasterly right-of-way of Dixie Avenue and proceeding across Dixie Avenue and along the northwesterly right-of-way of Brook Drive South 74 degrees 15 minutes 00 seconds West a distance of 422.34 feet to an iron pin found on said northwesterly right-of-way of Brook Drive and the TRUE POINT OF BEGINNING, being improved property and containing 4.565 acres, more or less, all as shown on that Survey for Lee's Hospitality, LLC d/b/a Quality Inn, First Intercontinental Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation, dated June 22, 2007, by A.S Giometti, G.R.L.S. No. 1125, of A.S. Giometti & Associates, Inc.

This document prepared by
and after recordation return to:
Robert T. Morgan, Esq.
Morgan & Chakales, P.C.
750 Hammond Drive
Building 12, Suite 100
Atlanta, GA 30328
File No.: 9882-12-55

DOC# 015460
FILED IN OFFICE
08/03/2007 11:23 AM
BK:2219 PG:855-856
GARY BELL
CLERK OF SUPERIOR
COURT
BARTOW COUNTY
REAL ESTATE TRANSFER T
AX
PAID: \$0.00

2

PT. 01-008-2007-004030

QUITCLAIM DEED

THIS INDENTURE is made this 25 day of **July, 2007**, between **BEN TZER YUL AND SHWU HUEY JIANG YUL, TRUSTEES OF THE YUL FAMILY TRUST DATED FEBRUARY 19, 1992** ("Grantor") and **LEE'S HOSPITALITY, LLC**, a Georgia limited liability company ("Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

GRANTOR in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release, and forever quitclaim to Grantee all the right, title and interest, claim or demand which the Grantor has or may have had in and to all that tract or parcel of land lying and being in the **City of Cartersville, Bartow County, Georgia** (the "Property"), as more particularly described as follows:

See **Exhibit "A"** attached hereto and incorporated herein.

TO HAVE AND TO HOLD the Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining unto Grantee, so that neither Grantor, nor any other person or persons claiming under Grantor at any time claim or demand any right, title or interest to the Property or its appurtenances.

This Quitclaim Deed has been prepared, signed and filed solely for title purposes.

EXECUTED under seal as of the date above.

Signed, sealed and delivered
in the presence of:

GRANTOR:

BEN TZER YUL AND SHWU HUEY JIANG YUL, TRUSTEES OF THE YUL FAMILY TRUST DATED FEBRUARY 19, 1992

Unofficial Witness

By: [Signature]
Ben Tzer Yul, as Trustee aforesaid

Notary Public

Title: [Signature]
Shwu Huey Jiang Yul, as Trustee aforesaid

Commission Expiration Date: _____

[NOTARY SEAL]

G:\MORGAN\19000\9882\12-55\Sale Documents\Quitclaim Deed.wpd

(Legal Description of 235 S. Dixie Avenue, Cartersville, Georgia)

ALL THAT TRACT or parcel of land lying and being in Land Lots 528 and 529, 4th District, 3rd Section, in the City of Cartersville, Bartow County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found on the northwesterly right-of-way of Brook Drive (a 40-foot right-of-way) 709.71 feet east of the intersection with the easterly right-of-way of South Tennessee Street and the TRUE POINT OF BEGINNING; thence leaving said northwesterly right-of-way of Brook Drive and proceeding North 15 degrees 45 minutes 00 seconds West a distance of 524.76 feet to an iron pin found on the southwesterly right of way of Ridge Row (a 25-foot right-of-way); thence proceeding southeasterly along said southwesterly right-of-way of Ridge Row South 88 degrees 06 minutes 00 seconds East a distance of 371.66 feet to an iron pin found at a point formed by the intersection of the southwesterly right-of-way of Ridge Row and the easterly right-of-way of Ridge Row (a 25-foot right-of-way); thence proceeding northwesterly along said easterly right-of-way of Ridge Row North 01 degrees 48 minutes 00 seconds West a distance of 165.40 feet to an iron pin found; thence leaving said easterly right-of-way of Ridge Row and proceeding along the following courses and distances on the westerly right-of-way of Joe Frank Harris Parkway (a variable right-of-way): South 12 degrees 23 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 16 degrees 39 minutes 00 seconds East a distance of 86.10 feet to an iron pin found; South 18 degrees 38 minutes 00 seconds East a distance of 102.00 feet to an iron pin found; South 23 degrees 18 minutes 00 seconds East a distance of 91.00 feet to an iron pin found; South 88 degrees 32 degrees 00 minutes East a distance of 26.00 feet to an iron pin found; South 23 degrees 58 minutes 00 seconds East a distance of 95.90 feet to an iron pin found; South 29 degrees 15 minutes 00 seconds East a distance of 150.00 feet to an iron pin found; thence leaving said westerly right-of-way of Joe Frank Harris Parkway and proceeding South 74 degrees 15 minutes 00 seconds West a distance of 51.70 feet to an iron pin found on the northeasterly right-of-way of Dixie Avenue (a 40-foot right-of-way); thence proceeding along said northeasterly right-of-way of Dixie Avenue North 26 degrees 02 minutes a distance of 40.65 feet to an iron pin found; leaving said northeasterly right-of-way of Dixie Avenue and proceeding across Dixie Avenue and along the northwesterly right-of-way of Brook Drive South 74 degrees 15 minutes 00 seconds West a distance of 422.34 feet to an iron pin found on said northwesterly right-of-way of Brook Drive and the TRUE POINT OF BEGINNING, being improved property and containing 4.565 acres, more or less, all as shown on that Survey for Lee's Hospitality, LLC d/b/a Quality Inn, First Intercontinental Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation, dated June 22, 2007, by A.S. Giometti, G.R.L.S. No. 1125, of A.S. Giometti & Associates, Inc.

3

This document prepared by
and upon recording return to:
Robert T. Morgan, Esq.
Morgan & Chakales, P.C.
750 Hammond Drive
Building 12, Suite 100
Atlanta, Georgia 30328
File No.: 9882-12-55

DOC# 015459
FILED IN OFFICE
08/03/2007 11:23 AM
BK:2219 PG:852-854
GARY BELL
CLERK OF SUPERIOR
COURT
BARTOW COUNTY
REAL ESTATE TRANSFER T
AX
PAID: \$2950.00

PT.61-008-2007-004029

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FULTON

THIS INDENTURE is made on this 25th day of **July, 2007**, between **BEN TZER YUL AND SHWU HUEY JIANG YUL, TRUSTEES OF THE YUL FAMILY TRUST DATED FEBRUARY 19, 1992**, as party of the first part, and **LEE'S HOSPITALITY, LLC**, a Georgia limited liability company, as party of the second part.

WITNESSETH: That the said party of the first part, 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 and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, its successors and assigns:

All that tract or parcel of land lying and being in the **City of Cartersville, Bartow County, Georgia**, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein, together with and subject to all those items set forth on **Exhibit "B"** attached hereto and incorporated herein.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, including leases, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns, forever, IN FEE SIMPLE.

And the said party of the first part, for its successors and assigns, will warrant and forever defend the right and title to the above-described property unto the said party of the second part, its successors and assigns, against the lawful claims of all persons claiming through the party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

**BEN TZER YUL AND SHWU HUEY JIANG YUL,
TRUSTEES OF THE YUL FAMILY TRUST DATED
FEBRUARY 19, 1992**

Unofficial Witness
Michele C. Della
Notary Public

By: _____
Ben Tzer Yul, as Trustee aforesaid
By: _____
Shwu Huey Jiang Yul, as Trustee aforesaid

Commission Expiration Date: _____

[NOTARY SEAL]

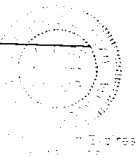


EXHIBIT "A"

All that tract or parcel of land lying and being in the city of Cartersville, Bartow County, Georgia, more particularly described as follows:

BEGINNING at the point on the east right of way line of Dixie Avenue where the south right of way line of Ridge Row Drive would intersect said east right of way line of Dixie Avenue if extended across Dixie Avenue and running thence north 1 degree 48 minutes west 165.4 feet to a point on the west right of way line of U.S. Highway 41 (Four Lane); thence along said U.S. Highway 41 (Four Lane) right of way line south 12 degrees 23 minutes east 86.1 feet to a point; thence continuing south 16 degrees 39 minutes east 86.1 feet to a point; thence continuing south 18 degrees 48 minutes east 102 feet to a point; thence continuing south 23 degrees 18 minutes east 91 feet to a concrete marker; thence south 23 degrees 32 minutes east 26 feet to a concrete marker; thence continuing south 23 degrees 58 minutes east 95.9 feet to an iron pin; thence south 29 degrees 16 minutes east 150 feet to an iron pin; thence south 74 degrees 15 minutes west 51.7 feet to an iron pin located on the east right of way line of Dixie Avenue; thence continuing south 74 degrees 15 minutes west across Dixie Avenue to the west side thereof and then continuing south 74 degrees 15 minutes west 389.14 feet to a point; thence north 15 degrees 45 minutes west 564.76 feet to an iron pin located on the south right of way line of Ridge Row Drive; thence south 88 degrees 06 minutes east along the south right of way line of Ridge Row Drive to the west right of way line of Dixie Avenue and then continuing across Dixie Avenue to its east right of way line and the beginning point, a total distance of 409.61 feet.

EXHIBIT "B"

Permitted Exceptions

1. All general and special taxes and assessment for the year 2007 and subsequent years, not yet due and payable.
2. All matters that may affect captioned property as described on that recorded plat of survey recorded at Plat Book 12, Page 137, Bartow County, Georgia records.
3. Easement from Mrs. Foster Jones Brooke to Southern Bell Telephone and Telegraph Company, dated March 19, 1940, recorded at Deed Book 76, Page 383, Bartow County, Georgia records.

WARRANTY DEED

GEORGIA, BARTOW COUNTY:

Vol. 722 page 248

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable considerations, the receipt whereof is hereby acknowledged, the undersigned, BEN-CHUNG YUL, does hereby grant, bargain, sell and convey unto BEN-TZER YUL AND YUL JIANG SHWU-HUEY a/k/a SHWU-HUEY JIANG YUL, AS TRUSTEES OF THE YUL FAMILY TRUST, their successors and assigns, the following described property, to-wit:

ALL HIS UNDIVIDED INTEREST IN AND TO:

All that tract or parcel of land lying and being in the City of Cartersville, Bartow County, Georgia, more particularly described as follows:

BEGINNING at the point on the East right of way line of Dixie Avenue where the South right of way line of Ridge Row Drive would intersect said East right of way line of Dixie Avenue if extended across Dixie Avenue and running thence North 1 degree 48 minutes West 165.4 feet to a point on the West right of way line of U.S. Highway 41 (Four Lane); thence along said U.S. Highway 41 (Four Lane) right of way line South 12 degrees 23 minutes East 86.1 feet to a point; thence continuing South 16 degrees 39 minutes East 86.1 feet to a point; thence continuing South 18 degrees 48 minutes East 102 feet to a point; thence continuing South 23 degrees 18 minutes East 91 feet to a concrete marker; thence South 88 degrees 32 minutes East 26 feet to a concrete marker; thence continuing South 23 degrees 58 minutes East 95.9 feet to an iron pin; thence South 29 degrees 16 minutes East 150 feet to an iron pin; thence South 74 degrees 15 minutes West 51.7 feet to an iron pin located on the East right of way line of Dixie Avenue; thence continuing South 74 degrees 15 minutes West across Dixie Avenue to the West side thereof and then continuing South 74 degrees 15 minutes West 389.14 feet to a point; thence North 15 degrees 45 minutes West 564.76 feet to an iron pin located on the South right of way line of Ridge Row Drive; thence South 88 degrees 06 minutes East along the South right of way line of Ridge Row Drive to the West right of way line of Dixie Avenue and then continuing across Dixie Avenue to its East right of way line and the beginning point, a total distance of 409.61 feet.

And being the same property as shown by plat of A. Lee Smith, Registered Land Surveyor, dated November 17, 1972, and being Tracts 1, 2, and 3, said plat being recorded in Plat Book 12, Page 137, Clerk's Office, Superior Court of Bartow County, Georgia.

TO HAVE AND TO HOLD said described property unto the said BEN-TZER YUL AND YUL JIANG SHWU-HUEY a/k/a SHWU-HUEY JIANG YUL, AS TRUSTEES OF THE YUL FAMILY TRUST, their successors and assigns, forever in fee simple with full warranty of title, and said undersigned will forever defend the title to said property against the lawful claims of all persons whomsoever.

DAVIS & WHITE
ATTORNEYS AT LAW
P.O. BOX 828
CARTERSVILLE, GEORGIA
30120
(404) 382-9591

Bartow County, Georgia
Real Estate Transfer Tax
5/17/92
GRADY JEFFERSON
Clerk of Superior Court

BY *gib*
1
GRADY JEFFERSON
CLERK OF SUPERIOR COURT
92 MAY -1 PM 4: 25
RECORDED
BARTOW COUNTY, GEORGIA
5/17/92

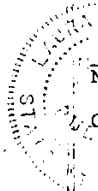
VOL. 722 page 248

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and affixed his seal this 30th day of April, 1992.

Signed, sealed and delivered in the presence of:

[Signature]
WITNESS

[Signature] (SEAL)
BEN-CHUNG YUL



Laura Williams
NOTARY PUBLIC
COMMISSION EXPIRES: 7-1-95

NOTARY SEAL

DAVIS & WHITE
ATTORNEYS AT LAW
P.O. BOX 828
CARTERSVILLE, GEORGIA
30120
(404) 382-9591

STATE OF GEORGIA, BARTOW COUNTY. VOL. 716 page 182

THIS INDENTURE, made this 4th day of MARCH 1992, in the year of our Lord One Thousand Nine Hundred and Ninety-Two, between BEN TZER YUL and SHWU HUEY JIANG YUL a/k/a YUL JIANG, SHWU-HUEY, of the County of Bartow and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and BEN TZER YUL and SHWU HUEY JIANG YUL, Trustees, or their successors in trust, of the Yul Family Trust dated February 19, 1992, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of ONE DOLLAR cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold, and by these presents bargain, sell, remise, release, and forever QUIT-CLAIM to the said Grantee, all the right, title, interest, claim, or demand which the said Grantor has or may have had in and to

All that tract or parcel of land lying and being in the city of Cartersville, Bartow County, Georgia, more particularly described as follows:

BEGINNING at the point on the east right of way line of Dixie Avenue where the south right of way line of Ridge Row Drive would intersect said east right of way line of Dixie Avenue if extended across Dixie Avenue and running thence north 1 degree 48 minutes west 165.4 feet to a point on the west right of way line of U.S. Highway 41 (Four Lane); thence along said U.S. Highway 41 (Four Lane) right of way line south 12 degrees 23 minutes east 86.1 feet to a point; thence continuing south 16 degrees 39 minutes east 86.1 feet to a point; thence continuing south 18 degrees 48 minutes east 102 feet to a point; thence continuing south 23 degrees 18 minutes east 91 feet to a concrete marker; thence south 23 degrees 32 minutes east 26 feet to a concrete marker; thence continuing south 23 degrees 58 minutes east 95.9 feet to an iron pin; thence south 29 degrees 16 minutes east 150 feet to an iron pin; thence south 74 degrees 15 minutes west 51.7 feet to an iron pin located on the east right of way line of Dixie Avenue; thence continuing south 74 degrees 15 minutes west across Dixie Avenue to the west side thereof and then continuing south 74 degrees 15 minutes west 389.14 feet to a point; thence north 15 degrees 45 minutes west 564.76 feet to an iron pin located on the south right of way line of Ridge Row Drive; thence south 88 degrees 06 minutes east along the south right of way line of Ridge Row Drive to the west right of way line of Dixie Avenue and then continuing across Dixie Avenue to its east right of way line and the beginning point, a total distance of 409.61 feet.

And being the same property as shown by plat of A. Lee Smith, Registered Land Surveyor, dated November 17, 1972, and being Tracts Nos. 1, 2, 3, said plat being recorded in Plat Book 12 page 137, Clerk's Office, Superior Court of Bartow County, Georgia.

This conveyance is made subject to all zoning ordinances, easements, and restrictions of record affecting said described property.

with all the rights, members, and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, so that neither the said Grantor nor any other person or persons claiming under said Grantor shall at any time claim or demand any right, title, or interest to the aforesaid described premises or its appurtenances.

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

Signed, sealed, and delivered in the presence of:

[Signature]
Unofficial Witness

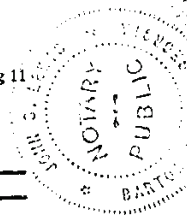
[Signature] (SEAL)
BEN TZER YUL

[Signature]
Notary Public My Com. expires 12/26/93

[Signature] (SEAL)
SHWU HUEY JIANG YUL

Please return to:
Glenn M. Wall
Attorney at Law
750 Hammond Drive, Building 11
Atlanta, Georgia 30328

Bartow County, Georgia
Real Estate Transfer Tax



92 MAR 19 AM 10:28
GRACY JEFFERSON
CLERK OF SUPERIOR COURT

RECORDED
BARTOW COUNTY, GEORGIA
3/19/92

3/19/92
JEFFERSON
Clerk of Superior Court

WARRANTY DEED

[VOL. 425] 213

GEORGIA, BARTOW COUNTY

FOR AND IN CONSIDERATION of the sum of Ten (\$10.00) Dollars and other valuable considerations, the receipt whereof is hereby acknowledged, the undersigned, SHERRY LIOU, does hereby grant, bargain, sell and convey unto BEN-TZER YUL, BEN-CHUNG YUL, and YUL JIANG, SHWU-HUEY, their heirs and assigns, the following described property, to-wit:

All that tract or parcel of land lying and being in the City of Cartersville, Bartow County, Georgia, more particularly described as follows:

BEGINNING at the point on the east right of way line of Dixie Avenue where the south right of way line of Ridge Row Drive would intersect said east right of way line of Dixie Avenue if extended across Dixie Avenue and running thence north 1 degree 48 minutes west 165.4 feet to a point on the west right of way line of U.S. Highway 41 (Four Lane); thence along said U.S. Highway 41 (Four Lane) right of way line south 12 degrees 23 minutes east 86.1 feet to a point; thence continuing south 16 degrees 39 minutes east 86.1 feet to a point; thence continuing south 18 degrees 48 minutes east 102 feet to a point; thence continuing south 23 degrees 18 minutes east 91 feet to a concrete marker; thence south 88 degrees 32 minutes east 26 feet to a concrete marker; thence continuing south 23 degrees 58 minutes east 95.9 feet to an iron pin; thence south 29 degrees 16 minutes east 150 feet to an iron pin; thence south 74 degrees 15 minutes west 51.7 feet to an iron pin located on the east right of way line of Dixie Avenue; thence continuing south 74 degrees 15 minutes west across Dixie Avenue to the west side thereof and then continuing south 74 degrees 15 minutes west 389.14 feet to a point; thence north 15 degrees 45 minutes west 564.76 feet to an iron pin located on the south right of way line of Ridge Row Drive; thence south 88 degrees 06 minutes east along the south right of way line of Ridge Row Drive to the west right of way line of Dixie Avenue and then continuing across Dixie Avenue to its east right of way line and the beginning point, a total distance of 409.61 feet.

And being the same property as shown by plat of A. Lee Smith, Registered Land Surveyor, dated November 17, 1972, and being Tracts Nos. 1, 2, 3, said plat being recorded in Plat Book 12 page 137, Clerk's Office, Superior Court of Bartow County, Georgia.

TO HAVE AND TO HOLD said described property, unto the said BEN-TZER YUL, BEN-CHUNG YUL, and YUL JIANG, SHWU-HUEY, their heirs and assigns, forever in fee simple with full warranty of title, and said undersigned will forever defend the title to said property against the lawful claims of all persons whomsoever, except as to the lien of Phenix Federal Savings and Loan Association.

Page One

Bartow County, Georgia
Real Estate Transfer Tax
Paid \$ 10.59 00
Date May 3, 1995
Grady Jefferson
Clerk of Superior Court

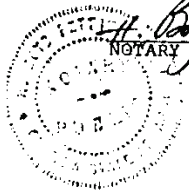
VOL 425 214

IN WITNESS WHEREOF, said undersigned has hereunto set her hand and affixed her seal this 1 day of May, 1982.

Signed, sealed and delivered in the presence of:

John A. Houlday
WITNESS

Sherry G. Iou
SHERRY IOU



Raymond P. ...
NOTARY PUBLIC

GEORGIA, BARTOW COUNTY }
CLERK'S OFFICE SUPERIOR COURT }
Filed for record this 3 day of
May 19 82 at 10:10 o'clock A.M.
Recorded in Deed record No. 425
Page 213 this 4 day of
May 19 82
Gandy Jefferson Clerk



Georgia Superior Court Clerks' Cooperative Authority

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FILE SEARCH LEARN MANAGE FINES & FEES CLERKS NOTARY & APOSTILLES

Carbon Registry Index Lien Index Notary Index Plat Index PT-61 Index Real Estate Index UCC Index



SEARCH

Real Estate Index > Name Search

Fullscreen View

Back

Name Selected: **CARTERSVILLE INN INC**

Searched: **All Parties in BARTOW County for All Instruments**

County good from **1/1/1971** through **3/18/2026**

Query Made: **3/24/2026 3:10:35 PM**

County	Instrument Type	Date Filed	Time	Book	Page
BARTOW	WARRANTY DEED	2/2/1973		214	571

Description not warranted

FILED DATE USED IS THE RECORDED DATE FOUND ON INSTRUMENT CITY OF CARTERSVILLE

Sec/GMD District Land Lot Subdivision Unit Block Lot Comment

Grantor

CARTERSVILLE CITY

Grantee

CARTERSVILLE INN INC

This record was added to the statewide Deed database index on 8/12/2021 2:00:03 AM

View Image



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With reference to the deed entered into this 11th day of February 1973, between the City of Cartersville, Georgia, hereinafter called first party, and State of Georgia, hereinafter called second party, witnesseth:

Whereas, first party, by duly authorized resolution adopted on the 11th day of February, 1973, as shown on minutes of said meeting recorded in Minute Book _____ page _____ authorized and directed the proper officials of the City of Cartersville to make, execute and deliver a deed to the City of Dixie Avenue located in said city of Cartersville as herein-after described, and closing that part of Dixie Avenue as a public street and thoroughfare as described below upon the exchange of a 40-foot strip of land adjoining the entire north side of the property of Cartersville Housing Authority, Georgia Project 68-5A from the southend of the closed part of Dixie Avenue running westerly to Tennessee Street.

Now therefore, in consideration of the premises first party hereby bargains, grants, sells and conveys unto second party, its successors and assigns the following described property, to-wit:

All that tract or parcel of land lying and being in the city of Cartersville, Bartow County, Georgia, and being that part of Dixie Avenue lying between the south right of way line of Ridge Row Drive and running southerly 400 feet, more or less, to a point 40 feet north of the extension of the north line of the property of the Cartersville Housing Authority, Georgia Project 68-5A.

TO HAVE AND TO HOLD said bargained premises with all the manors, rights, and appurtenances thereto appertaining unto second party, its successors and assigns, forever in fee simple.

And first party will forever warrant and defend the title to the above described property against the claims of all persons whatsoever.

Witness the corporate name and seal of first party the day and year first above written.

Signed, sealed and delivered in the presence of:

City of Cartersville (L.S.)

BY: _____
Mayor

NOTARY PUBLIC, BARTOW COUNTY, GA.

Attest: _____
City Clerk

Recorded Feb 2, 1973
Grady Jefferson, Reg





Georgia Superior Court Clerks' Cooperative Authority

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search



FILE SEARCH LEARN MANAGE FINES & FEES CLERKS NOTARY & APOSTILLES

Carbon Registry Index Lien Index Notary Index Plat Index PT-61 Index Real Estate Index UCC Index



SEARCH

Real Estate Index > Name Search

Fullscreen View

Back

Name Selected: **CARTERSVILLE INN INC**

Searched: **All Parties in BARTOW County for All Instruments**

County good from **1/1/1971** through **3/18/2026**

Query Made: **3/24/2026 3:09:23 PM**

County	Instrument Type	Date Filed	Time	Book	Page
BARTOW	WARRANTY DEED	2/2/1973		214	572

Description not warranted

FILED DATE USED IS THE RECORDED DATE FOUND ON INSTRUMENT CITY OF CARTERSVILLE TRACTS 1-3

Sec/GMD District Land Lot Subdivision Unit Block Lot Comment

Grantor

MILLBROOK CORP

Grantee

CARTERSVILLE INN INC

Cross-Referenced Instruments

PLAT PLAT / MAP **BOOK 12, PAGE 137**

This record was added to the statewide Deed database index on 8/12/2021 2:00:03 AM

View Image



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GEORGIA, BARTOW COUNTY.

24 572

This indenture made and entered into this 10th day of February, 1973, between WILLIAM B. BISHOP, JR., hereinafter called first party, and CARTERSVILLE INN, INC., hereinafter called second party, witnesseth:

For and in consideration of \$10.00--- and other cash in hand paid first party by second party at and before the signing and delivery of these presents, receipt whereof is hereby acknowledged, first party hereby bargains, grants, sells and conveys unto second party, its successors and assigns, the following described property, to-wit:

All that tract or parcel of land lying and being in the City of Cartersville, Bartow County, Georgia, more particularly described as follows: BEGINNING at the point on the east right of way line of Dixie Avenue where the south right of way line of Ridge Row Drive would intersect said east right of way line of Dixie Avenue if extended across Dixie Avenue and running thence north 1 degree 48 minutes west 163.4 feet to a point on the west right of way line of U. S. Highway 41 (Four Lane); thence along said U. S. Highway 41 (Four Lane) right of way line south 12 degrees 23 minutes east 26.1 feet to a point; thence continuing south 16 degrees 30 minutes east 86.1 feet to a point; thence continuing south 18 degrees 48 minutes east 162 feet to a point; thence continuing south 23 degrees 18 minutes east 91 feet to a concrete marker; thence south 98 degrees 32 minutes east 26 feet to a concrete marker; thence continuing south 23 degrees 58 minutes east 95.9 feet to an iron pin; thence continuing south 29 degrees 16 minutes east 150 feet to an iron pin; thence south 74 degrees 15 minutes west 51.7 feet to an iron pin located on the east right of way line of Dixie Avenue; thence continuing south 74 degrees 35 minutes west across Dixie Avenue to the west side thereof and then continuing south 74 degrees 15 minutes west 389.14 feet to a point; thence north 15 degrees 45 minutes west 564.75 feet to an iron pin located on the south right of way line of Ridge Row Drive; thence south 88 degrees 06 minutes east along the south right of way line of Ridge Row Drive to the west right of way line of Dixie Avenue and then continuing across Dixie Avenue to its east right of way line and the beginning point, a total distance of 499.61 feet; EXCLUDING the right of way of Dixie Avenue which runs through the easterly part of said tract of land. And being the same property as shown by plat of A. Lee Smith, Registered Land Surveyor, dated November 17, 1972 and being tracts Nos. 1, 2, 3 and the easterly part of a proposed right of way for a proposed street, said plat being recorded in Plat Book 13, page 17, Clerk's Office, Superior Court of Bartow County, Georgia.

Recorded Feb 2, 1973 Study Jefferson, Dug

TO HAVE AND TO HOLD said bargained premises with all the covenants, rights and appurtenances thereto appertaining unto second party, its successors and assigns, forever in fee simple.

And first party will forever warrant and defend the title to the above described property against the claims of all persons whomsoever.

Witness the superior's hand and seal of first party this 10th day of February, 1973.

Signed, sealed and delivered in the presence of:

ALL THIS AGREEMENT

[Signature]
WILLIAM B. BISHOP, JR.

BY *[Signature]*
CARTERSVILLE INN, INC.

GEORGIA, BARTOW COUNTY.

For and in consideration of \$1.00 and other cash in hand paid CARTERSVILLE INN, INC., hereinafter called first party, by SHERRY LIOU, hereinafter called second party, at and before the signing and delivery of these presents, receipt whereof is hereby acknowledged, first party hereby bargains, grants, sells, conveys, releases, remises and quit-claims unto second party, her heirs and assigns, all of first party's right, title, interest and equity in and to the following described property, to-wit:

All that tract or parcel of land lying and being in the City of Cartersville, Bartow County, Georgia, more particularly described as follows: BEGINNING at the point on the east right of way line of Dixie Avenue where the south right of way line of Ridge Row Drive would intersect said east right of way line of Dixie Avenue if extended across Dixie Avenue and running thence north 1 degree 48 minutes west 165.4 feet to a point on the west right of way line of U. S. Highway 41 (Four Lane); thence along said U. S. Highway 41 (Four Lane) right of way line south 12 degrees 23 minutes east 86.1 feet to a point; thence continuing south 16 degrees 39 minutes east 86.1 feet to a point; thence continuing south 18 degrees 48 minutes east 102 feet to a point; thence south 23 degrees 18 minutes east 91 feet to a concrete marker; thence south 88 degrees 32 minutes east 26 feet to a concrete marker; thence continuing south 23 degrees 58 minutes east 95.9 feet to an iron pin; thence south 29 degrees 16 minutes east 150 feet to an iron pin; thence south 74 degrees 15 minutes west 51.7 feet to an iron pin located on the east right of way line of Dixie Avenue; thence continuing south 74 degrees 15 minutes west across Dixie Avenue to the west side thereof and then continuing south 74 degrees 15 minutes west 389.14 feet to a point; thence north 15 degrees 45 minutes west 564.76 feet to an iron pin located on the south right of way line of Ridge Row Drive; thence south 88 degrees 06 minutes east along the south right of way line of Ridge Row Drive to the west right of way line of Dixie Avenue and thence continuing across Dixie Avenue to its east right of way line and the beginning point, a total distance of 409.61 feet.

And being the same property as shown by plat of A. Lee Smith, Registered Land Surveyor, dated November 17, 1972 and being Tracts Nos. 1, 2 and 3, said plat being recorded in Plat Book 12 page 137, Clerk's Office, Superior Court of Bartow County, Georgia.

THE PURPOSE OF THIS QUITCLAIM DEED is to release the above described property from lien of that certain security deed in the original principal sum of \$50,000.00, said security deed dated November 1, 1978 and recorded in Deed Book 340 page 143, Clerk's Office, Superior Court of Bartow County, Georgia, which security deed has been paid in full and should be cancelled and satisfied of record.

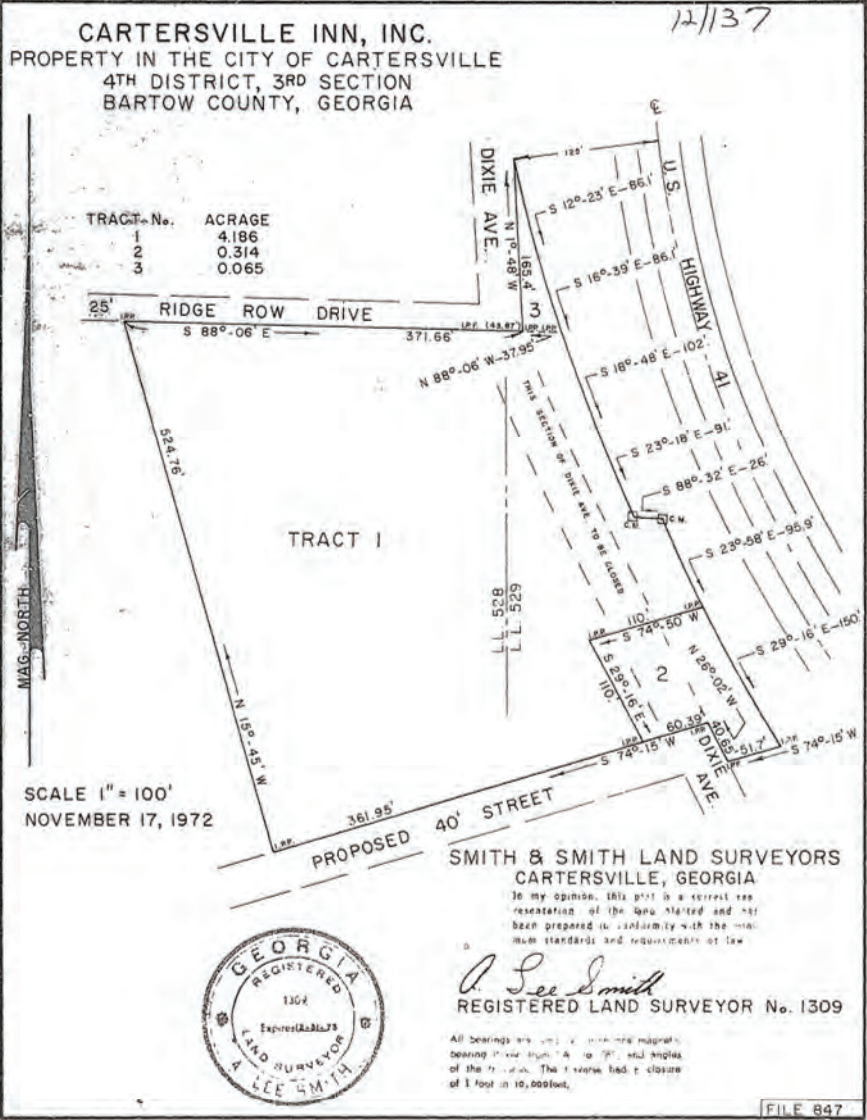
TO HAVE AND TO HOLD said bargained premises with all the members, rights and appurtenances thereto appertaining, unto second party, her heirs and assigns, forever in fee simple.

Witness the corporate name and seal of first party this 9th day of May, 1980.

Signed, sealed and delivered in the presence of: [Signatures] NOTARY PUBLIC, BARTOW COUNTY, GA.

CARTERSVILLE INN, INC. [Seal] BY Wesley Harris, President

RECORDED This 12 day of May 1980 Grady Jetterson, Deputy C.S.C.



*Recorded Feb 16, 1973
Andy Jefferson, Dep*

Application for Special Use
City of Cartersville

Case Number: SU26-03
Date Received: 2-3-26

Public Hearing Dates:

Planning Commission 3-10-26 5:30pm 1st City Council 3-19-26 7:00pm 2nd City Council 4-2-26 7:00pm

Applicant Naresh Parikh Office Phone 678-523-7167
(printed name)
Address 235 S Dixie Ave Mobile/ Other Phone 678-523-7167
City Cartersville State GA Zip 30120 Email nparikh1950@gmail.com
Rajiv Goswami Phone (Rep) 678-523-1562
Representative's printed name (if other than applicant) Email (Rep) rajigos@gmail.com
Rajiv Goswami Representative Signature Naresh Parikh Applicant Signature
Signed, sealed and delivered in presence of: My commission expires: 01/22/2028
Nayeli Calderon Notary Public

* Titleholder Naresh Parikh Phone 678-523-7167
(titleholder's printed name)
Address 9210 Prestwick Club Dr. Duluth GA 30097 Email nparikh1950@gmail.com
Signature Naresh Parikh
Signed, sealed, delivered in presence of: My commission expires: 01/22/2028
Nayeli Calderon Notary Public

Present Zoning District M-U., Multiple Use Parcel ID No. C017-0007-016
Acreage 4.57 +/- Land Lot(s) 528/529 District(s) 4 Section(s) 3
Location of Property: 235 S Dixie Ave.
(street address, nearest intersections, etc.)
Reason for Special Use Request: Site Redevelopment. Apartments and condominiums, above, below, or behind commercial uses in the same building require special use permit
(attach additional statement as necessary)

* Attach additional notarized signatures as needed on separate application pages.

SPECIAL USE JUSTIFICATION

The Mayor and City Council, upon review, may authorize a Special Use which is not classified as a permitted use by right in a zoning district.

Zoning Ordinance section 16.3.A

In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special use:

1. *The effect of the proposed activity on traffic flow along adjoining streets;*
2. *The availability, number and location of off-street parking;*
3. *Protective screening;*
4. *Hours and manner of operation of the proposed use;*
5. *Outdoor lighting;*
6. *Ingress and egress to the property; and*
7. *Compatibility with surrounding land use.*

Zoning Ordinance section 16.4 states standards for specific uses – if the use you are applying for has additional standards, these must also be addressed below.

Use applied for:

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met:

Only minor changes to current traffic patterns are expected with the use change. The special use of apartments over the retail is not expected to be the primary driver of any traffic pattern change. The retail, which is an approved use, will be the primary driver of traffic pattern change. We have agreed to additional study of the intersection of S. Dixie Avenue and Postelle St.

Standard #2: The availability, number, and location of off-street parking.

How Standard #2 has / will be met:

Current submitted plan shows 162 spaces required and 181 spaces provided. We will likely refine these numbers during the planning to permit phase, but adequate space exists for the required number of parking spaces as proposed.

Standard #3: Protective screening.

How Standard #3 has / will be met:

Protective screening is required between the townhouses and the property adjacent being used as a single family residence. We have adequate room to exceed the minimum 15' buffer requirement here. Buffer is shown on the proposed plans.

Standard #4: Hours and manner of operation of the proposed use.

How Standard #4 has / will be met:

Proposed special use is apartments over retail. Special Use Apartments will be open 24 hours a day and operated as apartments. Allowed use of retail will be open based on individual tenants and under the jurisdiction of Cartersville.

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

Street pole lighting will be provided on the public and private streets.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

Residential ingress and egress shall be off of the residential streets of Ridge Row Drive to the north of the site and Brook Drive to the south of the site. Expanded right of way is being given to the city for this use. Primary ingress and egress for the retail portion of the property shall be by Hwy 41 to the east of the property.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

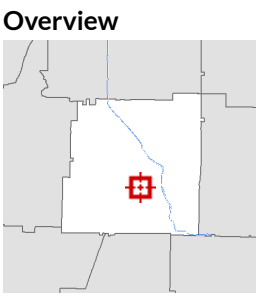
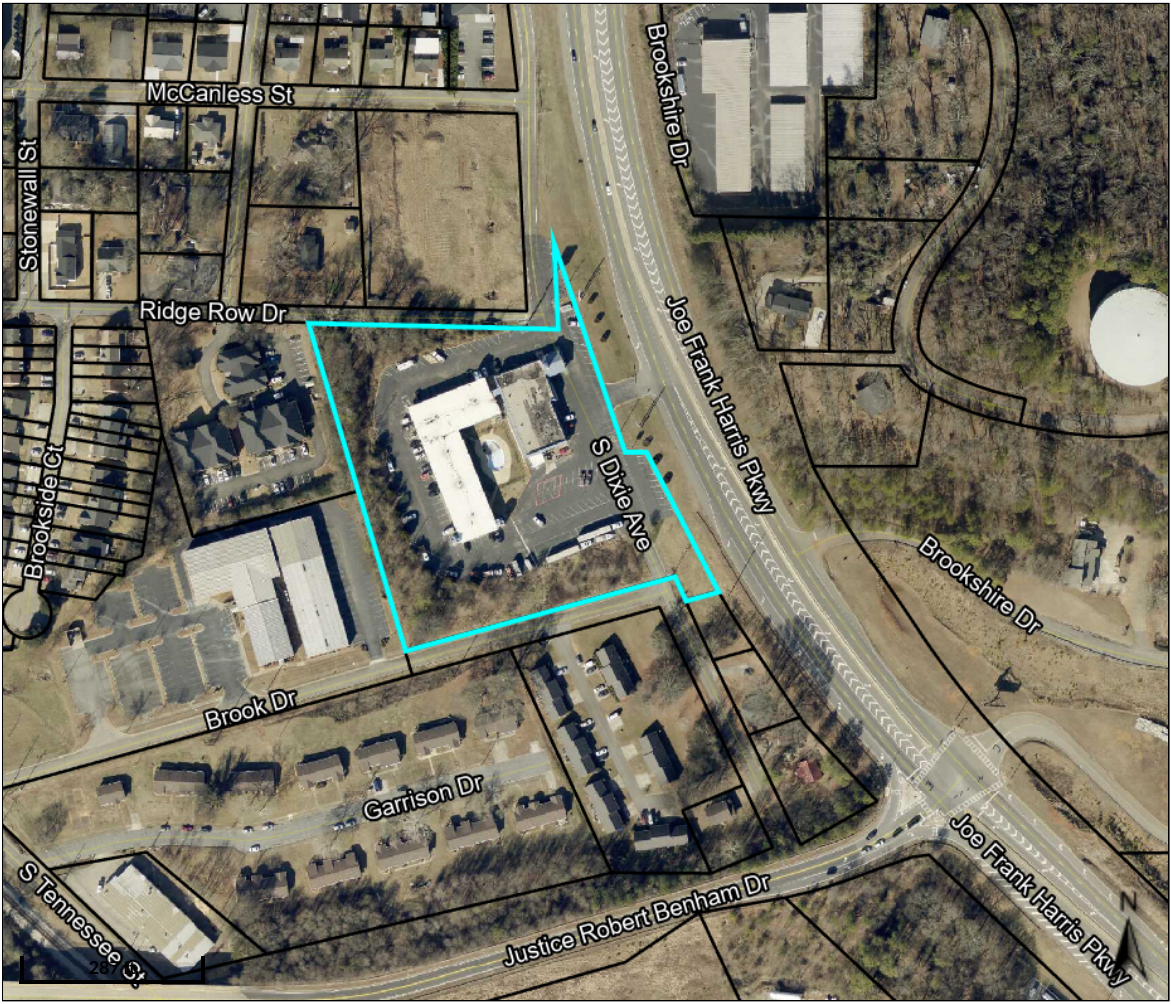
Apartment use is provided on the property immediately to the west of our site with Townhouse use adjacent to that off of Brookside Ct. Street frontage retail is provided 2 blocks north of the property along Postelle St.

Additional standards from Zoning Ordinance section 16.4 for use applied for and how they are met:

1. The dwelling unit shall comply with all applicable City of Cartersville building and fire codes. - Building plans for permit shall document compliance. The combined buildings will be fully sprinklered.
2. Minimum floor area requirements for a dwelling unit shall be the following:
 - 3-bedroom: Nine hundred (900) square feet. - Proposed 1100 or greater.
 - 2-bedroom: Seven hundred fifty (750) square feet. - Proposed = 900 or greater.
 - 1-bedroom: Six hundred (600) square feet. - Propopsed = 700 or greater
3. Studio/loft (in existing buildings): Four hundred fifty (450) square feet. Proposed are not existing buildings and this type not proposed.
3. Minimum number of parking spaces: Two (2) spaces for each dwelling unit plus three (3) spaces for each one thousand (1,000) square feet of commercial use. Proposed meets and exceeds.
4. Parking lot outdoor lighting shall be directed away and shielded from residential above or behind commercial use and from abutting residential districts or use. Freestanding street lighting fixtures shall have a maximum height of thirty-five (35) feet. This will be documented on the permit plans. Location of the retail at front/Hwy 41 side allows for lights to shine from building to parking lot and there is no adjacent residential beyond in that direction.
5. Reserved.
6. Sound-deadening construction materials and techniques should be used and bedrooms should be oriented away from noise sources. This will be documented on the permit plans. Bedrooms on the 2 bedroom front apartments will open in the direction of Hwy 41 and sound deadening techniques will be used at these locations.

Signed: 
Applicant or Representative

1/27/2026
Date



Legend
 □ Parcels
 — Roads

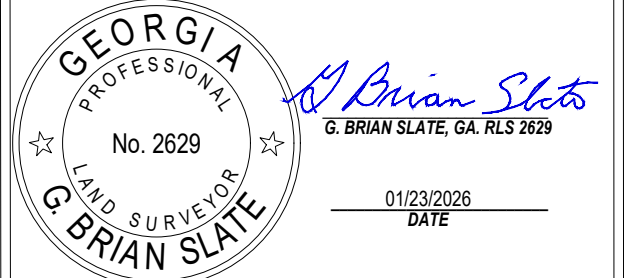
Parcel ID	C017-0007-016	Alternate ID	34354	Owner Address	235 DIXIE AVENUE CARTERSVILLE, GA 30120 C017-0007-016-NARHARI & PREET LLC
Sec/Twp/Rng	n/a	Class	Commercial		
Property Address	235 S DIXIE AV	Acreage	4.57		
District	Cartersville				
Brief Tax Description	LL528 529 D4 Quality Inn <i>(Note: Not to be used on legal documents)</i>				

Date created: 2/17/2026
 Last Data Uploaded: 2/17/2026 6:08:05 AM

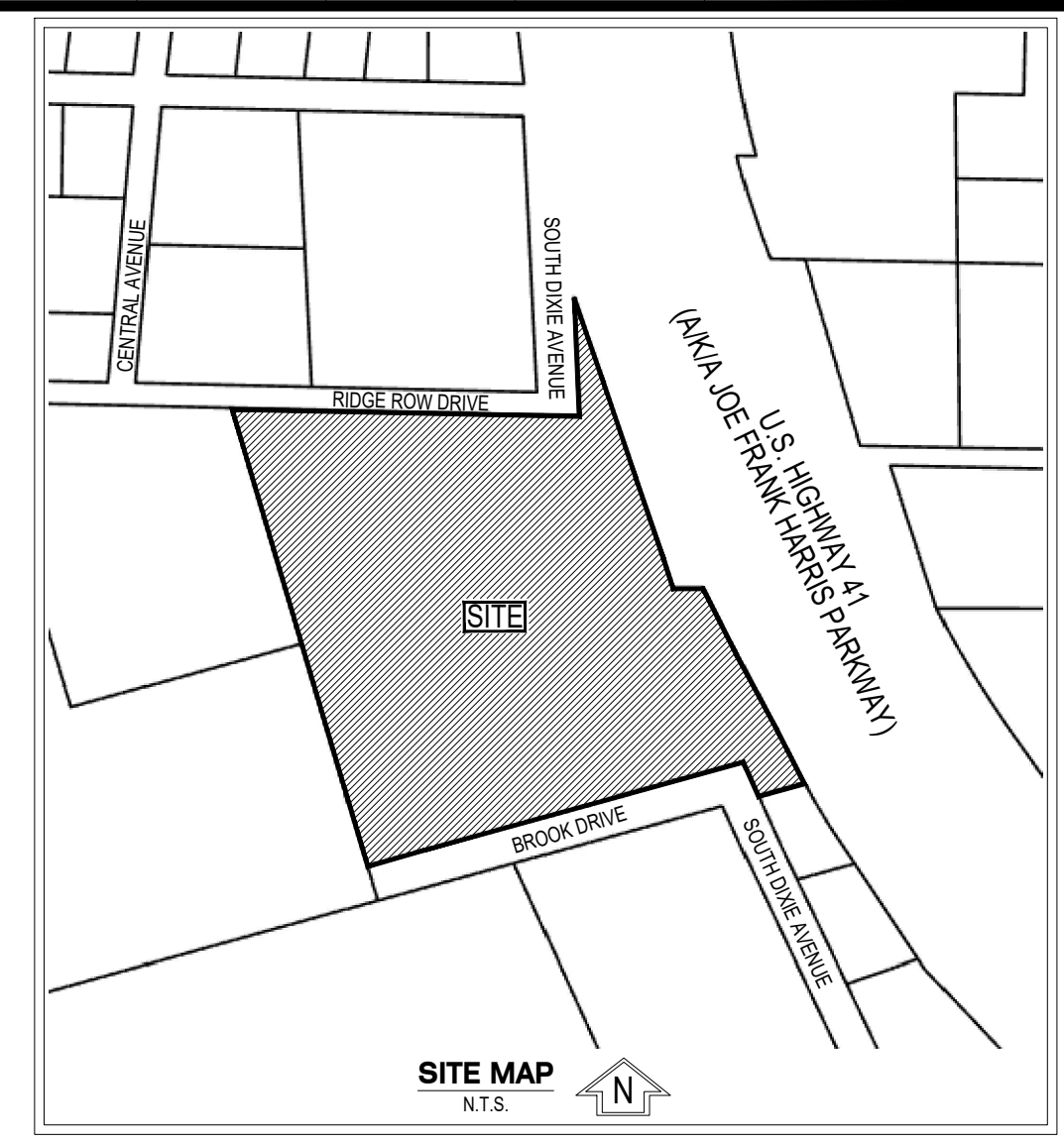


SURVEYORS CERTIFICATION

This plan is a representation of an existing parcel or parcels of land and does not add, delete or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plans, or other instruments which related to the parcel or parcels are stated herein. RESURVEYING OF THIS PLAN DOES NOT CONSTITUTE AN ADOPTION OF ANY LOCAL JURISDICTION AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plan complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



AUTHORIZED THE SURVEY & DEVELOPER & 24 HOUR CONTACT
NARHARI & PREET, LLC
9210 PRESTWICK CLUB DRIVE
DULUTH, GA 30067



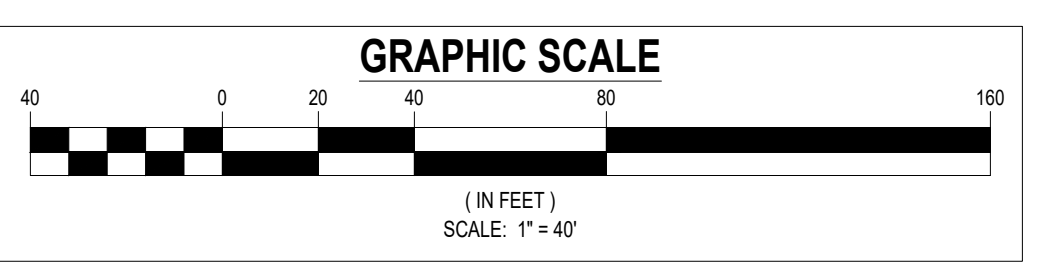
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

THE PURPOSE OF THIS PLAN IS A BOUNDARY RETRACEMENT TOPOGRAPHICAL AND EXISTING CONDITIONS SURVEY OF AN EXISTING TRACT KNOWN AS TAX MAP PARCEL C017-0007-016, BARTOW COUNTY, GEORGIA, THE SOURCE OF TITLE DESCRIPTION IS PER DB 3079, PG 28, AFORESAID COUNTY. THE CURRENT OWNER, AS PER THE INDICATED TAX RECORDS IS NARHARI & PREET, LLC. THE PROPERTY ADDRESS IS 235 SOUTH DIXIE AVENUE, CARTERSVILLE, GEORGIA, 30120.

- LEGEND**
- = COMPUTED POINT
- = IRON PIN SET (1/2" REBAR)
- △ = TEMPORARY BENCH MARK
- = IRON PIN FOUND
- ⊕ = GUY ANCHOR WIRE POLE
- ♿ = HANDICAP PARKING
- ⚡ = FIRE HYDRANT
- ☎ = TELEPHONE JUNCTION BOX
- ☎ = TELEPHONE PEDESTAL
- ☎ = TELEPHONE POLE
- ⊕ = GAS METER
- ⊕ = GAS VALVE
- ⊕ = GREASE TRAP
- ⊕ = ELECTRIC BOX
- ⊕ = UG ELECTRIC STUB
- ⊕ = LIGHT POLE
- ⊕ = POWER POLE
- ⊕ = GUY ANCHOR WIRE
- = SIGN
- ⊕ = BOLLARD
- ⊕ = WATER SPIGOT
- ⊕ = ELECTRIC TRANSFORMER
- ⊕ = SANITARY SEWER MAN HOLE
- ⊕ = CLEAN OUT
- ⊕ = GRATE INLET
- ⊕ = POOL PUMP
- ⊕ = WATER METER
- ⊕ = WATER VALVE
- = STORM PIPE
- FO- = FIBER OPTIC LINE
- GAS- = GAS LINE
- OHP- = OVERHEAD POWER
- SS- = SANITARY SEWER LINE
- T- = TELEPHONE LINES & CABLE
- UE- = UNDERGROUND ELECTRIC POWER
- UT- = UNDERGROUND TELEPHONE
- W- = WATER LINE
- X- = FENCE LINE
- AKIA = ALSO KNOWN AS
- APPROX = APPROXIMATE
- B.S.L. = BUILDING SETBACK LINE
- C&G = CURB & GUTTER
- CIP = CAST IRON PIPE
- CONC = CONCRETE
- DB = DEED BOOK
- DIP = DUCTILE IRON PIPE
- EL = ELEVATION
- EOP = EDGE OF PAVEMENT
- EX = EXISTING
- FFE = FINISH FLOOR ELEVATION
- FH = FIRE HYDRANT
- GI = GRATE INLET
- GT = GREASE TRAP
- GV = GAS VALVE
- HGI = HOODED GRATE INLET
- IE = INVERT ELEVATION
- LL = LAND LOT
- LLL = LAND LOT LINE
- LP = LIGHT POLE
- LT = LEFT
- MDI = MEDIAN DRAIN INLET
- MP = MILE POST
- NTS = NOT TO SCALE
- P = PROPERTY LINE
- PB = PLAT BOOK
- PG = PAGE
- PNCF = CONCRETE NAIL FOUND
- PNNS = CONCRETE NAIL SET
- POB = POINT OF BEGINNING
- PLP = POWERLIGHT POLE
- PVC = POLYVINYL CHLORIDE PIPE
- RR = RAILROAD
- RW = RIGHT OF WAY
- REB = REBAR FOUND
- RBS = REBAR SET (1/2")
- RCC = REINFORCED CONCRETE PIPE
- SF = SQUARE FEET
- SMH = SANITARY SEWER MANHOLE
- TCP = TERRA COTTA CLAY PIPE
- TMP = TAX MAP PARCEL
- TP = TELEPHONE POLE
- UG = UNDERGROUND
- WM = WATER METER
- WV = WATER VALVE

SURVEY NOTES:

- THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS AND THE BASED REFERENCE FRAME ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EOPR SOLUTIONS. THE HORIZONTAL DATUM IS GEORGIA STATE PLANE WEST ZONE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83).
- THE VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88).
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. SUBJECT AND ADJACENT PROPERTY OWNERS' DEED AND PLAT REFERENCES WERE OBTAINED BY GEORGIA CIVIL, INC. AND ARE NOT GUARANTEED AS TO ACCURACY NOR COMPLETENESS.
- ALL DEED AND PLAT BOOK REFERENCES AS SHOWN HEREON ARE RECORDED IN THE CLERK OF SUPERIOR COURTS OFFICE OF BARTOW COUNTY, GEORGIA.
- STRUCTURES VISIBLE ON THE DATE OF THE SURVEY ARE AS SHOWN HEREON. ALL LOCATIONS ARE ACCURATE ONLY WHERE DIMENSIONED.
- THIS PROPERTY IS LOCATED IN ZONE "X" AND IS NOT SHOWN TO BE LOCATED WITHIN THE LIMITS OF A SPECIAL FLOOD HAZARD AREA, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP NO. 130150206H, EFFECTIVE DATE: 10/05/2018. THIS STATEMENT IS BASED ON GRAPHICALLY LOCATING THE SUBJECT PROPERTY ON SAID MAP. NO ADDITIONAL FIELD WORK HAS BEEN COMPLETED TO VERIFY THIS INFORMATION.
- THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE. THE TERM "CERTIFICATION" AS USED IN RULE 115-6-20(2) AND (3) AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES, AS DEFINED IN O.C.G.A. 43-15-2(6) AND (11), SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED.
- THIS SURVEY COMPLES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67, IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.
- UTILITIES, AS SHOWN HEREON, ARE BASED ON ABOVE GROUND VISIBLE EVIDENCE AND MARKINGS PROVIDED BY UNITED LINE SERVICES, LLC, DATED 12/07/2025. THE SURVEYOR DOES NOT WARRANT THE EXACT SIZE, TYPE, LOCATION, ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING THE ABOVE UNDERGROUND UTILITIES AND STRUCTURES. NO GUARANTEE IS MADE THAT OTHER UTILITIES MAY EXIST ON THE SITE, THAT MAY NOT BE SHOWN.
- THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS AN AVERAGE RELATIVE ACCURACY OF 0.03 FEET AT A 95% CONFIDENCE LEVEL AND HAS NOT BEEN ADJUSTED. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 751,356 FEET. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAN WERE OBTAINED BY UTILIZING A GEOMAX ROBOTIC TOTAL STATION AND A CARLSON BR67 GPS UNIT (MFG#192 168 10 1) IN THE PREPARATION OF THIS PLAN. THE FIELD MEASUREMENTS WERE COMPLETED ON 12/19/2025.
- THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS OF RECORD.
- IN MY OPINION, THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
- THIS PLAN HAS BEEN COMPLETED FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH HEREON. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAN BY THIRD PARTIES.
- THE TOPOGRAPHICAL INFORMATION SHOWN HEREON, IS BASED ON FIELD SURVEYED DATA. ELEVATIONS SHOWN ARE BASED ON NAV88 (COMPUTED USING GEOID18).
- NO EVIDENCE WAS OBSERVED OF WETLAND MARKINGS IN THE PROCESS OF CONDUCTING THE SURVEY FIELD WORK.
- THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.



ZONING NOTES:

THE CURRENT ZONING CLASSIFICATION IS M-U
MULTIPLE USE DISTRICT.

SOURCE OF ZONING INFORMATION:
CODE OF ORDINANCES CITY OF CARTERSVILLE, GEORGIA
PUBLISHED IN 2010 BY ORDER OF THE CITY COUNCIL
REPUBLICED JULY 2010
HTTPS://LIBRARY.MUNICODE.COM/CA/CARTERSVILLE/CODES/CODE_OF_ORDINANCES

SEC. 9-2 - M-U MULTIPLE USE DISTRICT
SEC. 9-2.3 - DEVELOPMENT STANDARDS

A. BUILDING HEIGHT REGULATIONS:

- 1. SINGLE FAMILY..... MAXIMUM 35 FEET OR 2 1/2 STORIES
- 2. MULTIFAMILY & NON RESIDENTIAL..... MAXIMUM 45 FEET OR 3 1/2 STORIES

B. BUILDING SETBACK:

- 1. FRONT YARD SETBACK..... 10 FEET
- 2. SIDE YARD SETBACK..... 10 FEET
- 3. REAR YARD SETBACK:
 - a. OFFICE/INSTITUTIONAL/COMMERCIAL..... 20 FEET
 - b. MULTIFAMILY..... 25 FEET
 - c. TOWNHOUSE..... 20 FEET
 - d. SINGLE FAMILY ATTACHED..... 20 FEET
 - e. SINGLE FAMILY DETACHED..... 20 FEET
 - f. DUPLEX DWELLINGS..... 20 FEET

NOTE: THE ZONING INFORMATION IS SUBJECT TO CHANGE. SURVEYOR ADVISES THAT THE CURRENT ZONING BE CONFIRMED BY THE LOCAL JURISDICTION PRIOR TO THE USE OF THIS INFORMATION.

COORDINATE TABLE

POINT	NORTHING	EASTING	ELEV	DESC
100	1513628.8098	2108349.9921	796.79	PNNS
101	1513601.5787	2108378.8170	810.28	PNNS
102	1513641.6614	2108116.3154	795.11	PNNS
103	1513897.5465	2108051.9336	796.23	PNNS
106	1514106.6809	2108297.6263	805.36	PNNS
302	1513570.3804	2108423.9468	797.85	PNCF
308	1513525.8281	2108501.4225	797.08	R/R SPIKE
309	1513480.2134	2108532.7436	794.78	PNCF
310	1513626.6534	2108674.4269	800.22	PNCF

ELEVATIONS SHOWN IN FEET-NAVD 88-GEOD18

georgia civil
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
LAND SURVEYING

311 North Main Street, Unit C, Suite 101
P.O. Box 896 | Madison, GA 30650
P: 706.342.1104 | C: 706.201.0996
www.georgiacivil.com

SURVEYED BY:
G. BRIAN SLATE, RL 542629
C: 706-201-0996
bslate@georgiacivil.com

THE SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67, AS AMENDED BY HB1004 (2016).
CERTIFICATE OF AUTHORIZATION LSF001055
Project Information

SURVEY FOR:

NARHARI & PREET, LLC
4.564 ACRES
IN LAND LOTS 528 AND 529 OF THE 4th LAND DISTRICT, 3rd SECTION
IN THE CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA

CREW CHIEF: TG
SURVEYED: 12/15/2025
PROJECT #: 25NP1001
DRAWING DATE: 01/23/2026
DRAWN BY: GBS
CHECKED BY: GBS

REVISIONS

DATE:	DESCRIPTION:

SCALE: 1"=40'

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Sheet Title
**BOUNDARY
RETRACEMENT
TOPOGRAPHICAL
AND
EXISTING
CONDITIONS
SURVEY**

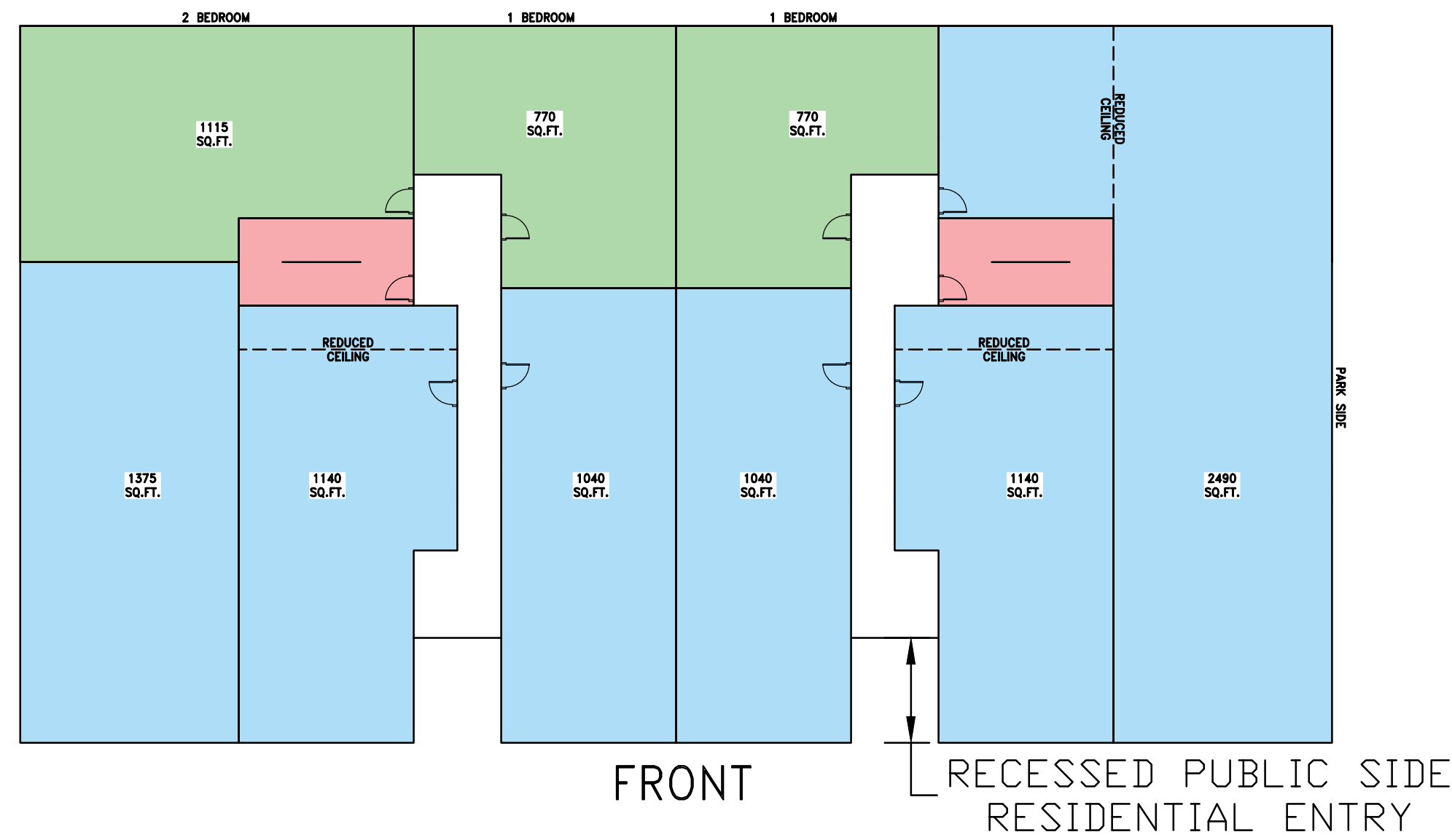
Sheet Number
TS-1



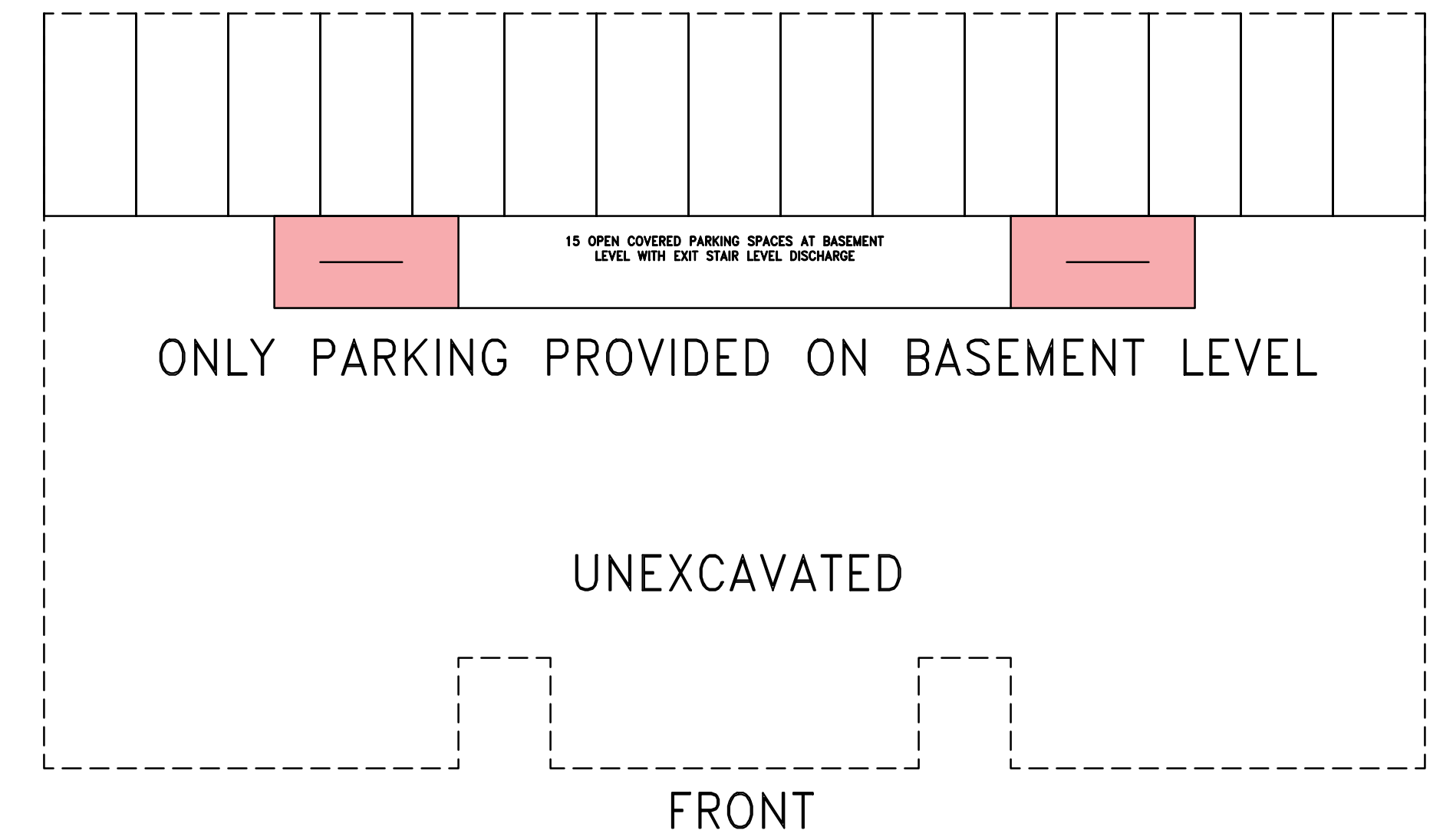
E1 FRONT ELEVATION
SCALE: 1/16" = 1'-0"

E2 SIDE ELEVATION
SCALE: 1/16" = 1'-0"

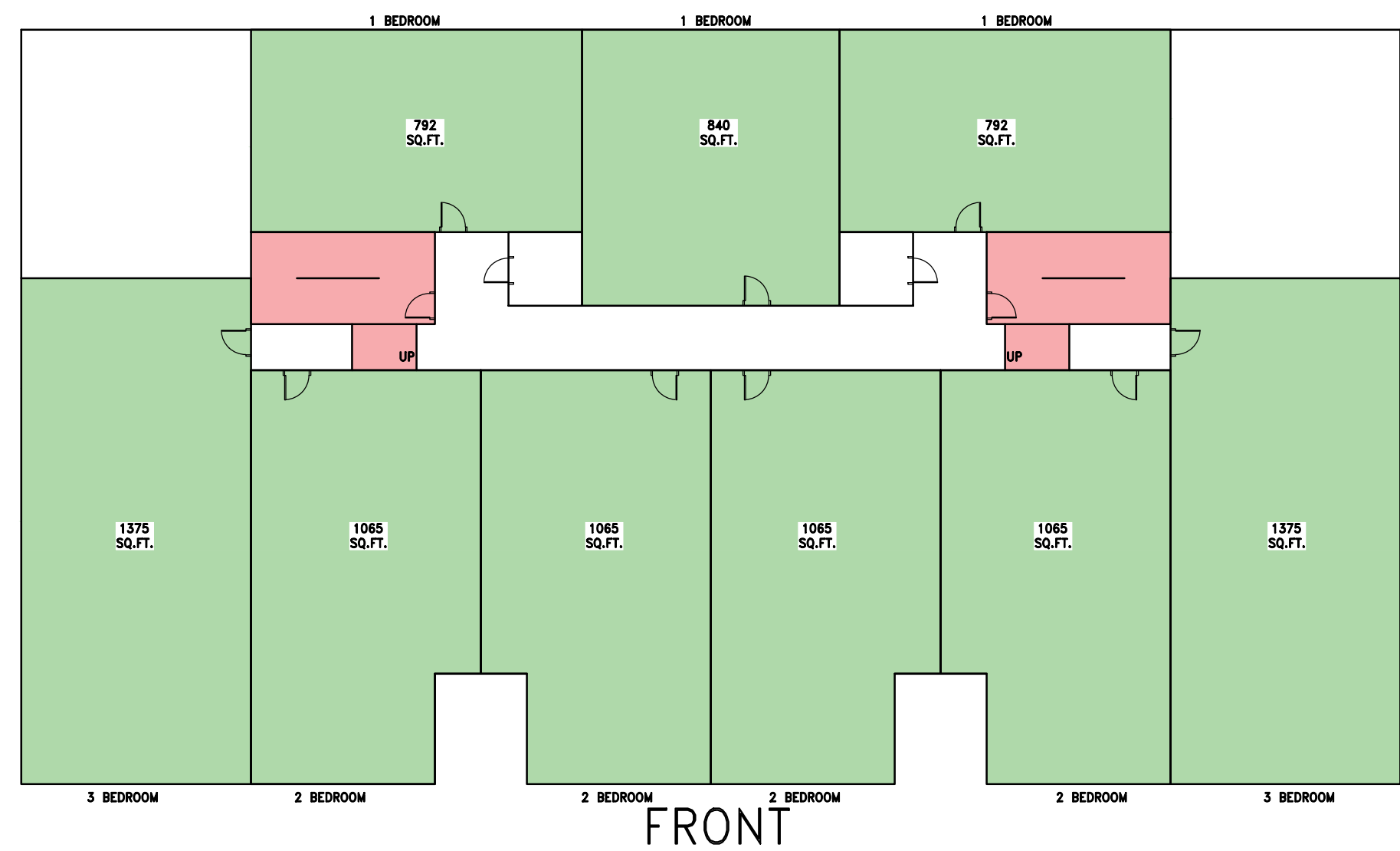
E3 REAR ELEVATION
SCALE: 1/16" = 1'-0"



P1 FIRST FLOOR PLAN
SCALE: 1/16" = 1'-0"

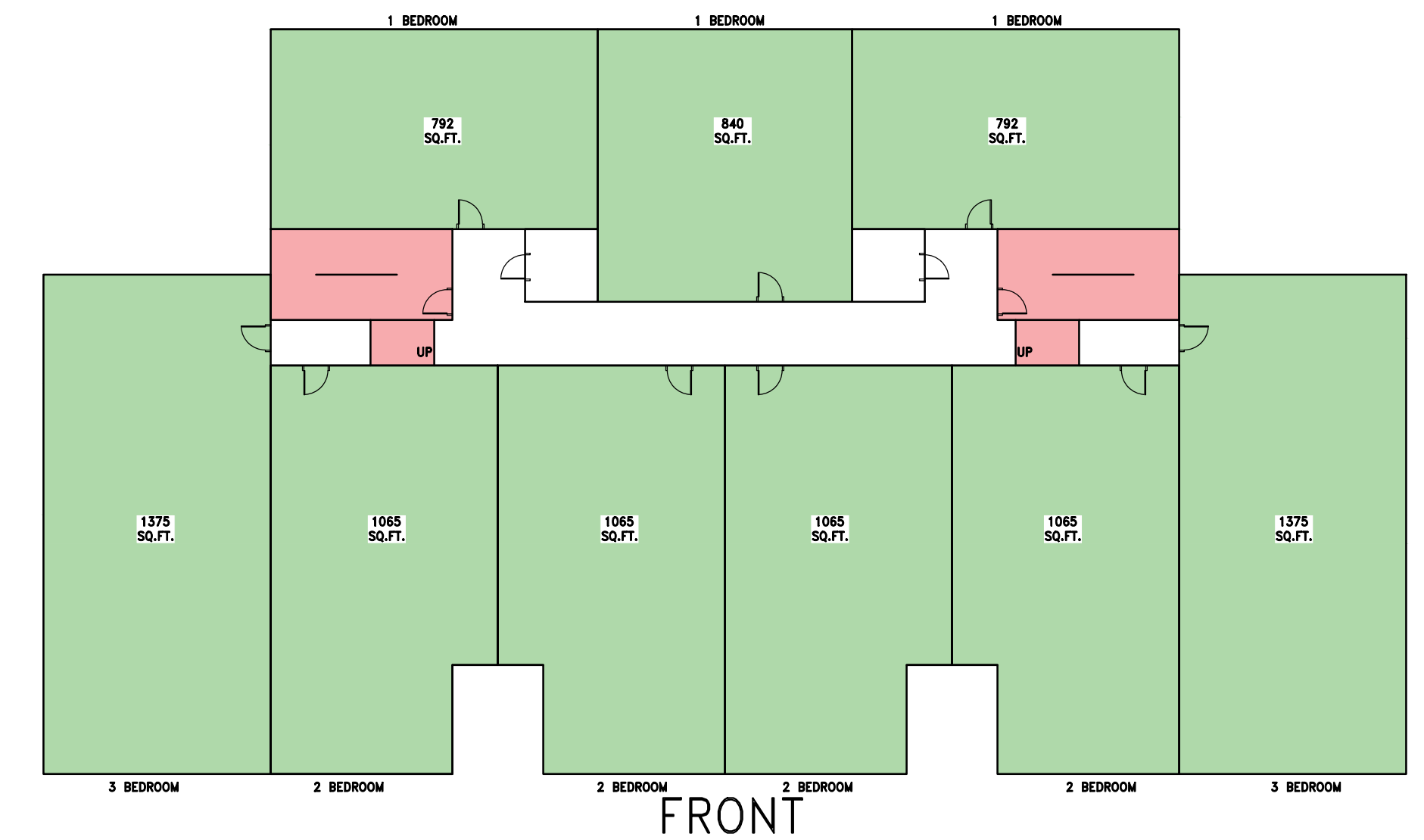


P0 BASEMENT PLAN
SCALE: 1/16" = 1'-0"



P2 SECOND FLOOR PLAN
SCALE: 1/16" = 1'-0"

21 UNITS x 2 Buildings
44 BEDROOMS PER BUILDING
(8) 1 BEDROOM
(9) 2 BEDROOM
(4) 3 BEDROOM
8225 Leaseable (16450 total)



P3 THIRD FLOOR PLAN
SCALE: 1/16" = 1'-0"

DRAWN	TML
DATE	02/02/2026
JOB NO.	9067
SHEET	

DANIEL LEMBERG - ARCHITECT
3445 CONCORD CORNER
CONYERS, GA 30013
PHONE: 770-922-8322

APARTMENTS OVER RETAIL PROPOSAL - FOR SPECIAL USE APPROVAL
235 SOUTH DIXIE AVENUE
CARTERSVILLE, GA

SPECIAL USE APPLICATION	02/02/26

SPECIAL USE APPLICATION SYNOPSIS

REQUEST SUMMARY:

Naresh Parikh, property owner and applicant, requests a special use permit to allow apartments and condominiums, above, below, or behind commercial uses in the same building as part of a mixed-use redevelopment in the M-U, Multiple Use, zoning district.

Application Number: **SU26-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Naresh Parikh

Representative: Naresh Parikh or Rajiv Goswami

Location: 235 S. Dixie Ave. Tax Parcel ID C017-0007-016

Total Acreage: 4.56 acres

LAND USE INFORMATION

Current Zoning: M-U (Multiple Use)

Proposed Zoning: Same

Proposed Use: Mixed-Use development with Commercial space, Multi-family and Townhouse residential products

Current Zoning of Adjacent Property:

North: M-U

South: M-U

East: G-C

West: M-U

Other Data:

District: 4th **Section:** 3rd **LL(S):** 528 & 529

Ward: 2 **Council Member:** Jayce Stepp

The Future Development Map designates adjacent properties as: Parkway Corridor

The Future Land Use Map designates adjacent or nearby city properties as:
Commercial

1. City Departments Reviews

Electric: No comments received.

Fibercom: Takes no exception.

Fire: SU26-03- Cartersville Fire Department takes no exceptions to the request for the special use permit to allow Apartment and Condominiums in M-U zoning provided that all applicable city adopted codes and ordinances are met. The statement of "takes no exceptions" does not imply that the concept plan attached to the application meets the Cartersville Development Regulations.

Gas: Takes no exception.

Planning and Development: Takes no exception.

Public Works: No comments received as of 3-2-26, but written comments were made via email to the site engineer on 9-23-25 after the first concept review. The comments informed the site engineer of stormwater challenges and preferred solutions to consider. No barriers to redevelopment were identified.

Cartersville Water and Sewer: Takes No Exception. Please note that project would involve water main relocation and water & sewer extension which would be addressed during plan review.

Cartersville School district: No comments received as of 3-2-26.

Public comments: None as of 3-2-26

2. Special Use Review

Naresh Parikh, property owner and applicant, requests a special use permit to allow apartments and condominiums, above, below, or behind commercial uses in the same building as part of a mixed-use redevelopment in the M-U, Multiple Use, zoning district.

The site was developed for a hotel and is currently serves as a Quality Inn Hotel. The proposed project would redevelop the site into a mixed-use development with ground floor retail/ commercial space with multi-family residential (apartments) above, below and behind the commercial space. Townhomes are proposed along the western property line behind the commercial space and multi-family units.

All requirements can be met in Ordinance Sec. 9.2, Multiple Use Zoning District, and Sec. 16.4.2, Special Use Requirements for *Apartment, above, below, or behind commercial and office uses in the same building.*

The proposed development components per the conceptual site plan are:

1. Total ground floor retail/ commercial space: 16,450sf. Leasable space- 8,225sf.
2. Total Multi-Family units (apartments): Forty Two (42) units. (2) buildings x (21) units/ ea:
Bedroom counts per building:
 - 1 BR- (8 units) x 2 buildings= (16) Total Units
 - 2 BR- (9 units) x 2 buildings= (18) Total Units
 - 3 BR- (4 units) x 2 buildings= (8) Total Units
3. Townhomes. Eighteen (18), 2-story units

Parking Space requirements per Ordinance Sec. 16.4.2(B)(3) & Sec. 17.6.

Land Use	Requirement	Required	Proposed	Net Quantity
Commercial (16,450sf) + MFR shared spaces	3 sp/ 1000 sf. (*Per 16.4.2(B)(3))	50	115	+65
Multi-family– 42 units	2 sp/ unit	84	30 (covered)	-54
	Totals	134	145	+11 **
Townhomes- 18 units	2 sp/ unit (Sec. 17.6.28)	36	36 (2-car garage)	0

* Per 16.4.2 (B)(3): Minimum number of parking spaces: Two (2) spaces for each dwelling unit plus three (3) spaces for each one thousand (1,000) square feet of commercial use.

** Number may adjust down to account for ADA parking

3. Zoning Ordinance Findings

Please review the following findings, as stated in the Zoning Ordinance, which are to be utilized in determining justification for approval or denial of special use request(s).

Article XVI. Special Uses

Sec. 16.1. Scope and intent.

- A. This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.

- B. In granting a Special use, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors in order to assimilate the proposed development or use into the neighborhood with minimal impact.

4. Sec. 16.2. Application of regulations and approval.

Uses allowable with a Special use and the minimum standards for such uses are listed in section 16.4 of this article.

Uses in the districts enumerated herein may be authorized by Special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

Any use which may be authorized by Special use shall be approved by the Mayor and Council in accordance with section 16.1, scope and intent, provided:

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from the planning and development staff and other appropriate City departments.
- C. A public hearing has been held in relation to the Special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a Special use; and
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

- A. In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site proposed for a use which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special Use permit:
 - 1. The effect of the proposed activity on traffic flow along adjoining streets;
 - 2. The availability, number and location of off-street parking;
 - 3. Protective screening;
 - 4. Hours and manner of operation of the proposed use;
 - 5. Outdoor lighting;
 - 6. Ingress and egress to the property; and
 - 7. Compatibility with surrounding land use.
- B. Any use which may be authorized by special use shall comply with all other City regulations, zoning district regulations and other regulations contained herein, and conditions of zoning approval if applicable. Whenever a standard contained in this section is in conflict with another provision of this chapter, the more restrictive provision shall prevail.

5. How General Standards Are Met (Staff assessment):

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met: Minimal negative effect is expected for traffic ingressing/ egressing from Joe Frank Harris Pkwy for most commercial and multi-family residents or guests. An increase in traffic is anticipated on Ridge Row Dr which provides several options for accessing E. Main St, Tennessee St, and S. Dixie Avenue. An increase in traffic is anticipated on Brook Drive which provides direct access to Tennessee St. Brook Drive is a private street south of the project site to Tennessee St as it is located on the property with State and County government services.

Standard #2: The availability, location, and number of off-street parking.

How Standard #2 has / will be met: Off-street parking requirements can be met per the concept plan. Special Use requirements are per Zoning Ordinance, Chapter 26, Article XVI, Sec. 16.4.2 and Article XVII, Off Street Parking and Service Requirements.

Standard #3: Protective screening.

How Standard #3 has / will be met: Landscape buffers are required adjacent to Single Family Residential properties. The concept demonstrates that space is available for planted buffers.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: Typical standard business hours are anticipated for the commercial component.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: Will be addressed during site plan review.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Access to the property will be from Ridge Row Drive, Joe Frank Harris Pkwy, S. Dixie Avenue, and N. Tennessee St. via Brook Drive. GDOT should be consulted regarding the change in land use. No new driveway cuts on Joe Frank Harris are proposed. New driveway cuts are proposed along Ridge Row Drive and Brook Drive.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: No compatibility conflicts have been identified. Landscape buffers will be required adjacent to Single Family Residential uses.

6. Sec. 16.4. - Minimum special use standards

16.4.2. Apartments, above, below, or behind commercial and office uses in the same building.

A. Allowable districts: DBD, M-U, P-D, O-C, and G-C.

B. Standards:

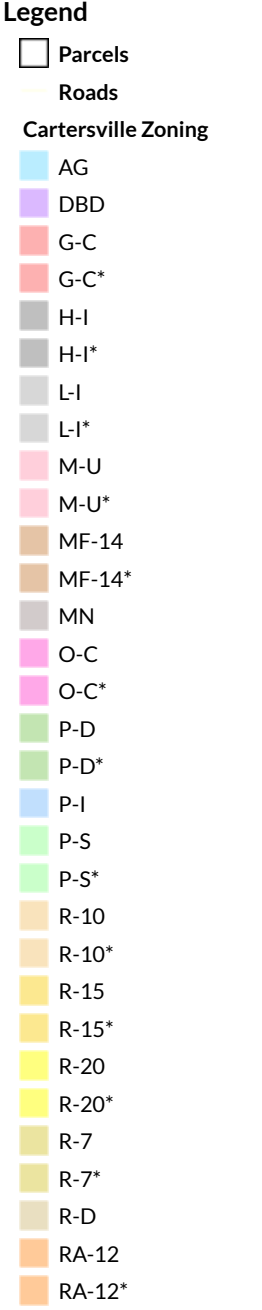
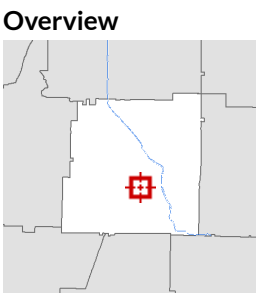
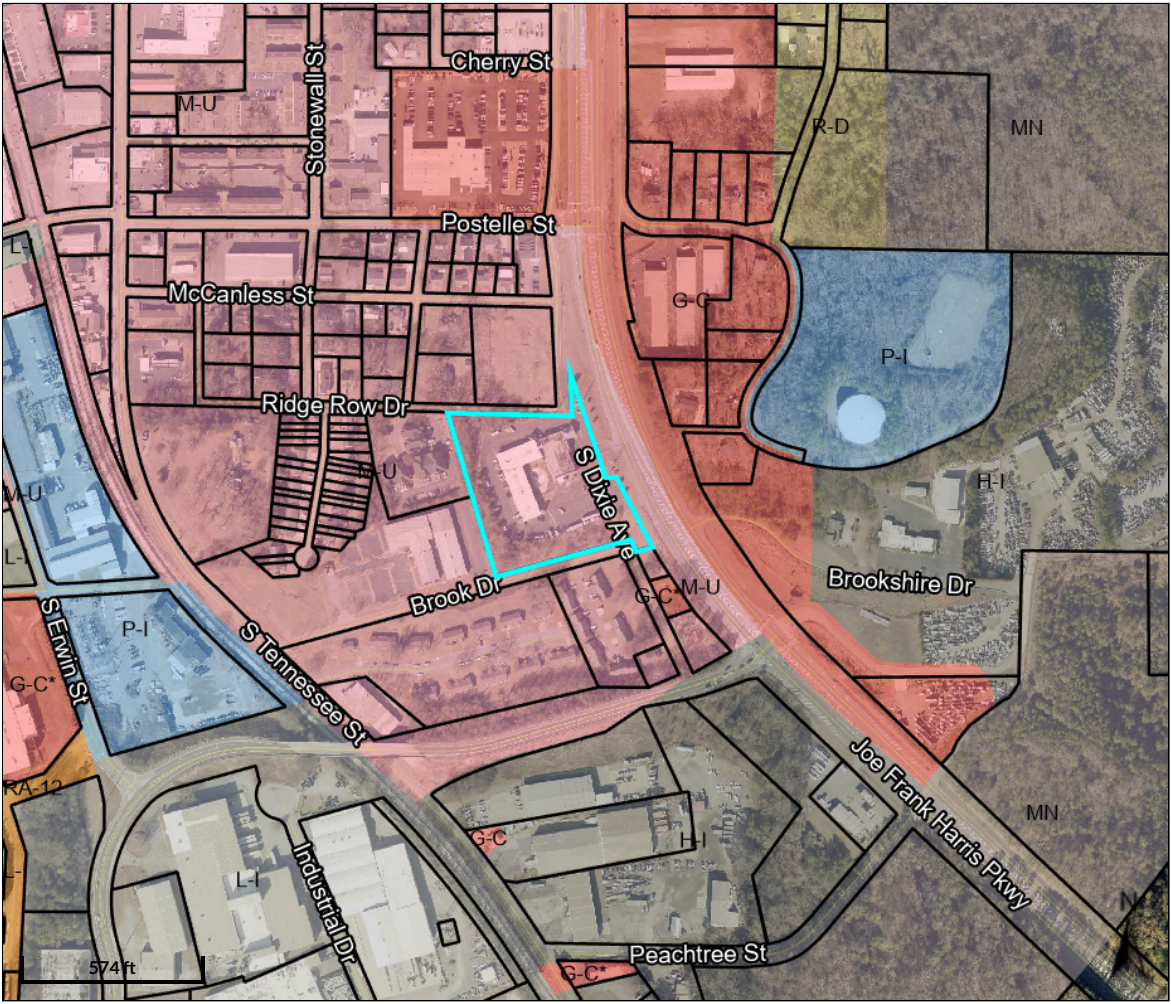
1. The dwelling unit shall comply with all applicable City of Cartersville building and fire codes.
2. Minimum floor area requirements for a dwelling unit shall be the following:
 - 3-bedroom: Nine hundred (900) square feet.
 - 2-bedroom: Seven hundred fifty (750) square feet.
 - 1-bedroom: Six hundred (600) square feet.
 - Studio/loft (in existing buildings): Four hundred fifty (450) square feet.
3. Minimum number of parking spaces: Two (2) spaces for each dwelling unit plus three (3) spaces for each one thousand (1,000) square feet of commercial use.
4. Parking lot outdoor lighting shall be directed away and shielded from residential above or behind commercial use and from abutting residential districts or use. Freestanding street lighting fixtures shall have a maximum height of thirty-five (35) feet.
5. Reserved
6. Sound-deadening construction materials and techniques should be used and bedrooms should be oriented away from noise sources.

7. Staff Recommendation:

Staff does not oppose the application with the following conditions:

Condition:

- 1) *If approved, the approval is per the project data provided on the special use application and concept plan; and,*
- 2) *This special use permit terminates when the approved special use changes or ceases or if the property is rezoned.*



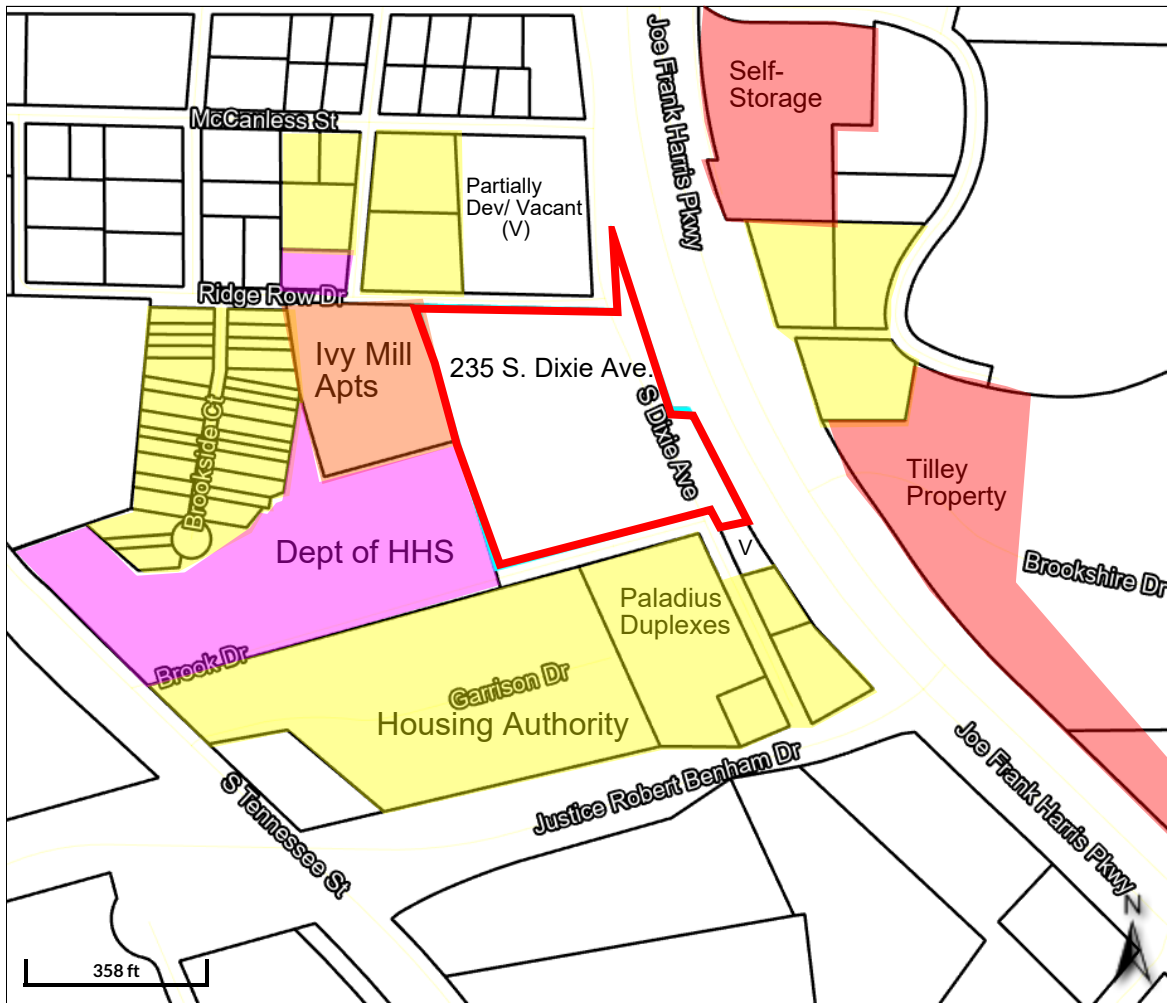
Parcel ID	C017-0007-016	Alternate ID	34354	Owner Address	
Sec/Twp/Rng	n/a	Class	Commercial	235 DIXIE AVENUE	
Property Address	235 S DIXIE AV	Acreage	4.57	CARTERSVILLE, GA 30120	
				C017-0007-016-NARHARI & PREET LLC	

District
Brief Tax Description

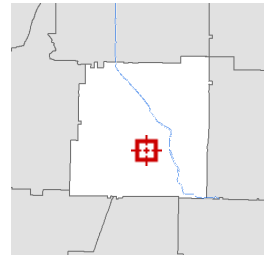
Cartersville
LL528 529 D4 Quality Inn
(Note: Not to be used on legal documents)

Date created: 2/17/2026
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Developed by  **SCHNEIDER**
GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Parcel ID	C017-0007-016	Alternate ID	34354	Owner Address	235 DIXIE AVENUE CARTERSVILLE, GA 30120 C017-0007-016-NARHARI & PREET LLC
Sec/Twp/Rng	n/a	Class	Commercial		
Property Address	235 S DIXIE AV	Acreage	4.57		

District Cartersville
Brief Tax Description LL528 529 D4 Quality Inn
 (Note: Not to be used on legal documents)

Date created: 2/26/2026
 Last Data Uploaded: 2/26/2026 6:08:34 AM

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Existing Land Use Legend

- Commercial
- Office Commercial
- Multi-Family Residential
- Single Family Residential

Ordinance Sec. 9.2 Multiple Use Zoning District. Zoning Analysis

Code Section	Description and/ or Requirements	Required	Proposed	Notes
9.2.1	M-U district scope and intent. Regulations in this section are the M-U district regulations. The M-U district is intended to provide land areas for medium to high density residential land uses and commercial uses complimentary to office and institutional uses as further described in section 3.1.15 of this chapter and where existing and projected traffic patterns encourage such development			Project introduces apartments above, behind and below commercial space in the same building. Townhomes are also introduced. Total site area: 4.56 acres.
9.2.2	Use Regulation	---	---	---
9.2.3	Development Standards	---	---	---
A.	Height regulations. Single-family residential (SFR) buildings shall not exceed a height of thirty-five (35) feet or two and one-half (2½) stories, whichever is higher; multifamily (MFR) and nonresidential buildings shall not exceed a height of forty-five (45) feet or three and one-half (3½) stories, whichever is higher.	SFR- Max. 35ft; MFR- Max. 45ft.	SFR- 35ft. max.; MFR/Commercial- Max. 45ft (front); Approx. 56ft (rear)	56ft height in rear due to below grade parking (11'-4") per concept plan. Parapet walls, if 4ft or less, excluded from height calculations per Sec. 4.19.
B.	Front yard: Ten (10) feet.	10ft.		Requirement can be met.
C.	Side yard: Ten (10) feet.	10ft.		Requirement can be met.
1	If single-family attached, ten (10) feet end of each row	---		
D.	Rear yard:	---		
1	Office/institutional/commercial: Twenty (20) feet.	20ft.		Requirement can be met.
2	Multifamily: Twenty-five (25) feet.	25ft.		Requirement can be met.
3	Townhouse: Twenty (20) feet.	20ft.		Requirement can be met.
4	Single-family attached: Twenty (20) feet	---		
5	Single-family detached: Twenty (20) feet.	---		
6	Duplex dwellings: Twenty (20) feet.	---		
E.	Minimum Lot Area	---		
1	Townhouse/attached: Two thousand (2,000) square feet	2000sf		Requirement can be met.
2	Single-family detached and duplex dwellings Seven thousand (7,000) square feet	---		

Code Section	Description and/ or Requirements	Required	Proposed	Notes
F.	Maximum Density	---		
1	Multifamily: Fourteen (14) dwelling units per acre.	63 units max.	42	Proposed density: 9.21 un/ acre (Total area=4.56ac).
2	Townhouse/attached: Twelve (12) dwelling units per acre.	54 units max.	18	Proposed density: 3.95 un/ acre (Total area=4.56ac).
G.	<i>Minimum lot width at building line.</i>			
1	Office/institutional/commercial: One hundred ten (110) feet per lot.	Min. 110ft	>110ft	Requirement can be met.
2	Multifamily: One hundred ten (110) feet.	Min. 110ft	>110ft	
3	Townhouse: Twenty (20) feet per lot.	Min. 20ft	21'-4"	Requirement can be met.
4	Single-family attached: Fifty (50) feet per lot.	---		
5	Single-family detached: Sixty (60) feet per lot.	---		
6	Duplex dwellings: Fifty (50) feet per lot.	---		
H	Minimum lot frontage.	---		
1	Office/institutional/commercial: One hundred ten (110) feet per lot.	Min. 110ft	>110ft	Requirement can be met.
2	Multifamily: One hundred ten (110) feet per lot.	Min. 110ft	>110ft	Requirement can be met.
3	Townhouse: Twenty (20) feet per lot.	Min. 20ft	21'-4"	Requirement can be met.
4	Single-family attached: Fifty (50) feet per lot.	---		
5	Single-family detached: Sixty (60) feet per lot.	---		
6	Duplex dwellings: Thirty-five (35) feet per lot.	---		
I.	Minimum heated floor area per dwelling unit.	---		
1	Multifamily:			
a.	3-bedroom: Nine hundred (900) square feet.	Min. 900sf.	Min. 1100sf.	Requirement can be met. Complies with Sec. 16.4.2.
b.	2-bedroom: Seven hundred fifty (750) square feet.	Min. 750sf	Min. 900sf.	Requirement can be met. Complies with Sec. 16.4.2.
c.	1-bedroom: Six hundred (600) square feet.	Min. 600sf.	Min. 700sf.	Requirement can be met. Complies with Sec. 16.4.2.
d.	Studio/loft (in existing buildings): Four hundred fifty (450) square feet.	---	---	None proposed.

Code Section	Description and/ or Requirements	Required	Proposed	Notes
2	Townhouse/attached: One thousand (1,000) square feet.	Min. 1,000sf	>2,000sf	Requirement can be met.
3	Single-family detached: One thousand (1,000) square feet.	---	---	
4	Duplex: Nine hundred (900) square feet.	---	---	
5	Single-family detached: One thousand (1,000) square feet.	---	---	
6	Duplex: Nine hundred (900) square feet.	---	---	
J.	Metal panels, metal sheathing, standard gray concrete block.	---	---	
	The use of metal panels or metal sheathing and/or standard gray concrete block on the exterior walls of any building or structure shall be prohibited with the exception that such materials may be used if finished with a product consisting of brick, stone, hard-coat stucco, or fiber cement siding.	---	None	Requirement can be met.
K.	Air conditioning units and HVAC systems.	---	---	
	Air conditioning units and HVAC systems shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, or landscaping on multifamily and nonresidential properties.	---	---	Requirement can be met.
L.	Gable or hip roofs.	---	---	
	Gable or hip roofs shall have a minimum roof pitch of 6/12. Both gable and hip roofs shall provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall.	---	---	Requirement can be met.
M.	Front building facade.	---	---	
	The front building facade of all principal buildings shall be oriented toward street fronts or adjacent arterial street fronts.	---	---	Requirement can be met.
N.	Minimum buffer requirements.	---	---	

Code Section	Description and/ or Requirements	Required	Proposed	Notes
	In addition to required setbacks, all nonresidential and/or multifamily property uses within the M-U district which abut a single-family residential district or use shall provide a minimum fifteen-foot wide buffer, five (5) feet of which can be within required setback, to provide a visual screen in accordance with section 4.17 of this chapter.	15ft. Buffer required adjacent to SFR. 5ft can be within building setback.	Min. 25ft buffer & setback proposed along south property line.	Commercial buffer requirement can be met even after ROW dedication.
O.	Minimum open space.	---	---	
	Multifamily developments shall have a minimum twenty (20) percent of gross acreage set aside as open space and shall provide recreational areas within said open space.	---	---	Greenspace area provided. Actual percentage is unknown at this time.
P.	Maximum commercial building floor area:	---	---	
	Twenty thousand (20,000) square feet.	20000sf Max.	16,450 sf	Leasable space is 8,225sf. Per concept plan.
Q.	Accessory structure requirements. See section 4.9 of this chapter.	---	---	Applicable to mail kiosk & dumpster area
R.	Other standards.			
1	Townhouse developments shall have a minimum development area of one-half (½) acre. In addition to required setbacks, a fifteen-foot wide buffer is required along all property lines which abut a single-family district or use to provide a visual screen in accordance with section 4.17 of this chapter.	Min. 0.5ac. Setbacks + 15ft buffer along SFR districts or use.	Min. 25ft.	Site will allow for landscape buffer where applicable.
a.	Minimum lot depth: one hundred (100) feet.	min. 100ft.	100ft.	Requirement can be met.
b.	No fewer than three (3) dwelling units in a row shall be allowed.	Min. 3 units	Min. 7 units	Requirement can be met.
c.	Alley or private drive access required.		Provided	Requirement can be met.

Code Section	Description and/ or Requirements	Required	Proposed	Notes
	d. Required parking shall be allowed in the rear yard only.		Provided	Requirement can be met.
	e. Principal buildings shall front a private drive or public right-of-way.		Provided	Requirement can be met.
2	Multifamily developments shall comply with section 7.1.3.K. and N. of this chapter.	---	---	
	7.1.3(K): Minimum buffer requirements. In addition to required setbacks, a twenty-five-foot wide buffer shall be required along all property lines which abut a single-family district or use to provide a visual screen in accordance with section 4.17 of this chapter and a ten-foot buffer adjacent to all other districts other than MF-14.	---	---	MFR Buffer requirement defaulted to Commercial requirements per Sec. 9.2.3 (N). Sec. 9.2.3 requirement can be met.
	7.1.3N: Other required standards..			
(1)	Principal structures within the MF-14 district shall have a minimum of fifty (50) percent finish product on the exterior walls of the buildings consisting of brick, stone, hard-coat stucco, or fiber cement siding		---	Requirement can be met.
(2)	A metal panel exterior finish product shall not be allowed on metal buildings exceeding one hundred fifty (150) square feet in gross floor area constructed or placed on lots within the MF-14 district.		None per elevations	Requirement can be met.
3	Outdoor storage of landscape supplies and materials may be allowed in the side and rear yards of a non-residential land use with a special use (SU) permit.	NA	NA	
S.	Guest house. In addition to standards required in this chapter, the following standards shall be met for a guest house:	NA	NA	
1	No more than one (1) guest house structure per lot.	NA	NA	
2	A minimum lot size of fifteen thousand (15,000) square feet shall be required.	NA	NA	

Code Section	Description and/ or Requirements	Required	Proposed	Notes
3	A guest house shall be occupied by relatives, employees that work on the property, or guests only.	NA	NA	
4	Heated floor area shall not exceed fifty (50) percent of the heated floor area of the principal building.	NA	NA	
5	A guest house structure shall comply with the principal setbacks of the district.	NA	NA	
6	A guest house shall not be allowed in the front yard.	NA	NA	
7	A guest house shall not exceed the height of the principal building on the lot.	NA	NA	
8	Requires owner-occupancy of the principal building on the lot.	NA	NA	
9.2.4	Other regulations. The headings below contain additional, but not necessarily all, provisions applicable to the M-U district.	NA	NA	
1	City of Cartersville Landscaping Ordinance (Chapter 17).	---	---	Requirement can be met.
2	City of Cartersville Sign Ordinance (Chapter 20)	---	---	Requirement can be met.

Sec. 9.2. - M-U Multiple use district.

9.2.1. *M-U district scope and intent.* Regulations in this section are the M-U district regulations. The M-U district is intended to provide land areas for medium to high density residential land uses and commercial uses complimentary to office and institutional uses as further described in section 3.1.15 of this chapter and where existing and projected traffic patterns encourage such development. The M-U district is intended to:

- A. Encourage the development of tracts of land in the community;
- B. Encourage flexible, innovative, and creative concepts in site planning;
- C. Encourage efficient use of land;
- D. Provide a stable multiple use environment compatible with surrounding uses; and
- E. Protect neighboring residential properties by locating less intense uses adjacent to residential developments or by locating buffers between nonresidential and residential uses.

9.2.2. *Use regulations.* Within the M-U district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section shall be prohibited.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

- Accessory apartments (SU).*
- Amateur radio transmitter.
- Amenities (as defined by this chapter).
- Amusement, indoor.
- • Apartments and condominiums, above, below, or behind commercial uses in the same building (SU).*
- Art galleries.
- Assembly halls.
- Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).
- Automotive specialty shops (allowed on properties fronting an arterial or major collector street only and shall be limited to four (4) bays).
- Barber shops.
- Beauty salons.
- Bed and breakfast inn (SU).*
- Brewpub.
- Catering, carry out, delivery.
-

Clinics (excludes veterinary).

- Clubs or lodges (noncommercial) (SU).*
- Colleges and universities.
- Community center buildings.
- Condominiums.
- Construction contractors:
 - ▲ General building contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Heavy equipment contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Special trade contractors; including but not limited to, construction subcontractors, engineers, architects, and land surveyors (provided there is no exterior storage of equipment, materials, or construction vehicles).
- Convenience stores.
- Dancing schools.
- Day care facilities.
- Delicatessens.
- Distillery (SU).*
- Dry cleaners.
- Duplex dwellings.
- Family day care.
- Financial establishments.
- Funeral homes (allowed on properties fronting an arterial or major collector street only) (crematories may be allowed in conjunction with a funeral home with approval of a special use).*
- Group homes (SU).*
- Guest house.
- Gymnasiums/health clubs.
- Home occupations.
- Homeless shelters (SU).*
- Hospices (SU).*
- Hotels (allowed on properties fronting an arterial or major collector street only).
-

Institutions of higher learning including business colleges, music conservatories, and similar institutions.

- Laboratories (medical and dental).
- Laundromats.
- Libraries.
- Medical offices (excludes veterinary).
- Microbreweries (SU).*
- Multifamily dwellings.
- Museums.
- Nursing home facilities.
- Offices, general.
- Parking lots.
- Parks, private.
- Patio homes.
- Pawn shops and/or title pawn (SU).*
- Pet grooming.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Printing establishments.
- Pubs and taverns.
- Public utility facilities.
- Radio and television broadcast stations.
- Radio, television, or other communication towers.
- Religious institutions (SU).*
- Repair services, light (shoes, small appliances or similar).
- Restaurants (drive-thru restaurants as SU).*
- Retail, general.
- Retail package stores (including liquor and malt beverages and/or wine sales only in a multi-tenant shopping center development consisting of a minimum of seven (7) business suites and additionally, that detached, stand alone, retail package stores shall not be permitted).
- Retirement centers (SU).*
- Reupholstery shops.
- Schools, private (SU).*

- Service stations (allowed on properties fronting an arterial or major collector street only).
 - Single-family attached dwellings.
 - Single-family detached dwellings.
 - Stadiums (allowed on properties fronting an arterial or major collector street only).
 - Storage, warehouse (allowed on properties fronting an arterial or major collector street only).
 - Theaters.
 - Townhouses.
 - Wholesale sales office.
- * Special use approval required.

B. *Accessory uses.* Structures and land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation.

9.2.3. *Development standards.*

- A. *Height regulations.* Single-family residential buildings shall not exceed a height of thirty-five (35) feet or two and one-half (2½) stories, whichever is higher; multifamily and nonresidential buildings shall not exceed a height of forty-five (45) feet or three and one-half (3½) stories, whichever is higher.
- B. *Front yard setback:* Ten (10) feet.
- C. *Side yard setback:* Ten (10) feet.
- If single-family attached, ten (10) feet end of each row.
- D. *Rear yard setback:*
- *Office/institutional/commercial:* Twenty (20) feet.
 - *Multifamily:* Twenty-five (25) feet.
 - *Townhouse:* Twenty (20) feet.
 - *Single-family attached:* Twenty (20) feet.
 - *Single-family detached:* Twenty (20) feet.
 - *Duplex dwellings:* Twenty (20) feet.
- E. *Minimum lot area.*
- *Townhouse/attached:* Two thousand (2,000) square feet.
 - *Single-family detached and duplex dwellings* Seven thousand (7,000) square feet.
- F. *Maximum density.*
- *Multifamily:* Fourteen (14) dwelling units per acre.
 - *Townhouse/attached:* Twelve (12) dwelling units per acre.

G. *Minimum lot width at building line.*

- *Office/institutional/commercial:* One hundred ten (110) feet per lot.
- *Multifamily:* One hundred ten (110) feet.
- *Townhouse:* Twenty (20) feet per lot.
- *Single-family attached:* Fifty (50) feet per lot.
- *Single-family detached:* Sixty (60) feet per lot.
- *Duplex dwellings:* Fifty (50) feet per lot.

H. *Minimum lot frontage.*

- *Office/institutional/commercial:* One hundred ten (110) feet per lot.
- *Multifamily:* One hundred ten (110) feet per lot.
- *Townhouse:* Twenty (20) feet per lot.
- *Single-family attached:* Fifty (50) feet per lot.
- *Single-family detached:* Sixty (60) feet per lot.
- *Duplex dwellings:* Thirty-five (35) feet per lot.

I. *Minimum heated floor area per dwelling unit.*

- *Multifamily:*
 - ▲ *3-bedroom:* Nine hundred (900) square feet.
 - ▲ *2-bedroom:* Seven hundred fifty (750) square feet.
 - ▲ *1-bedroom:* Six hundred (600) square feet.
 - ▲ *Studio/loft (in existing buildings):* Four hundred fifty (450) square feet.
- *Townhouse/attached:* One thousand (1,000) square feet.
- *Single-family detached:* One thousand (1,000) square feet.
- *Duplex:* Nine hundred (900) square feet.

J. *[Metal panels, metal sheathing, standard gray concrete block.]* The use of metal panels or metal sheathing and/or standard gray concrete block on the exterior walls of any building or structure shall be prohibited with the exception that such materials may be used if finished with a product consisting of brick, stone, hard-coat stucco, or fiber cement siding.

K. *[Air conditioning units and HVAC systems.]* Air conditioning units and HVAC systems shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, or landscaping on multifamily and nonresidential properties.

L.

[Gable or hip roofs.] Gable or hip roofs shall have a minimum roof pitch of 6/12. Both gable and hip roofs shall provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall.

- M. *[Front building facade.]* The front building facade of all principal buildings shall be oriented toward street fronts or adjacent arterial street fronts.
- N. *Minimum buffer requirements.* In addition to required setbacks, all nonresidential and/or multifamily property uses within the M-U district which abut a single-family residential district or use shall provide a minimum fifteen-foot wide buffer, five (5) feet of which can be within required setback, to provide a visual screen in accordance with section 4.17 of this chapter.
- O. *Minimum open space.* Multifamily developments shall have a minimum twenty (20) percent of gross acreage set aside as open space and shall provide recreational areas within said open space.
- P. *Maximum commercial building floor area:* Twenty thousand (20,000) square feet.
- Q. *Accessory structure requirements.* See section 4.9 of this chapter.
- R. *Other standards.*
1. Townhouse developments shall have a minimum development area of one-half (½) acre. In addition to required setbacks, a fifteen-foot wide buffer is required along all property lines which abut a single-family district or use to provide a visual screen in accordance with section 4.17 of this chapter.
 - (a) Minimum lot depth: one hundred (100) feet.
 - (b) No fewer than three (3) dwelling units in a row shall be allowed.
 - (c) Alley or private drive access required.
 - (d) Required parking shall be allowed in the rear yard only.
 - (e) Principal buildings shall front a private drive or public right-of-way.
 2. Multifamily developments shall comply with section 7.1.3.K. and N. of this chapter.
 3. Outdoor storage of landscape supplies and materials may be allowed in the side and rear yards of a non-residential land use with a special use (SU) permit.
- S. *Guest house.* In addition to standards required in this chapter, the following standards shall be met for a guest house:
1. No more than one (1) guest house structure per lot.
 2. A minimum lot size of fifteen thousand (15,000) square feet shall be required.
 3. A guest house shall be occupied by relatives, employees that work on the property, or guests only.
 - 4.

Heated floor area shall not exceed fifty (50) percent of the heated floor area of the principal building.

5. A guest house structure shall comply with the principal setbacks of the district.
6. A guest house shall not be allowed in the front yard.
7. A guest house shall not exceed the height of the principal building on the lot.
8. Requires owner-occupancy of the principal building on the lot.

9.2.4. *Other regulations.* The headings below contain additional, but not necessarily all, provisions applicable to the M-U district.

- City of Cartersville Landscaping Ordinance.
- City of Cartersville Sign Ordinance.

(Ord. No. 69-12, § 2, 12-6-12; Ord. No. 01-13, § 6, 1-3-13; Ord. No. 11-13, § 1, 7-1-13; Ord. No. 02-18, § 2, 1-18-18; Ord. No. 09-18, § 1, 4-19-18; Ord. No. 11-18, § 2, 5-17-18; Ord. No. 34A-18, § 1, 12-6-18; Ord. No. 30-19, § 1, 8-1-19)

Sec. 16.4. - Minimum special use standards.16.4.1. *Adult entertainment establishments.*A. *Allowable districts:* L-I and H-I.B. *Standards:*

1. The standards required shall be those standards and regulations stated in the City of Cartersville Code of Ordinances, chapter 10, article IX, Adult Entertainment Establishments.

16.4.2. *Apartment, above, below, or behind commercial and office uses in the same building.*A. *Allowable districts:* DBD, M-U, P-D, O-C, and G-C.B. *Standards:*

1. The dwelling unit shall comply with all applicable City of Cartersville building and fire codes.
2. Minimum floor area requirements for a dwelling unit shall be the following:
 - *3-bedroom:* Nine hundred (900) square feet.
 - *2-bedroom:* Seven hundred fifty (750) square feet.
 - *1-bedroom:* Six hundred (600) square feet.
 - *Studio/loft (in existing buildings):* Four hundred fifty (450) square feet.
3. Minimum number of parking spaces: Two (2) spaces for each dwelling unit plus three (3) spaces for each one thousand (1,000) square feet of commercial use.
4. Parking lot outdoor lighting shall be directed away and shielded from residential above or behind commercial use and from abutting residential districts or use. Freestanding street lighting fixtures shall have a maximum height of thirty-five (35) feet.
5. Reserved.
6. Sound-deadening construction materials and techniques should be used and bedrooms should be oriented away from noise sources.

16.4.3. *Apartment, accessory.*A. *Allowable districts:* R-20, R-15, R-10, R-7, P-D, P-S, and M-U.B. *Standards:*

1. No more than one (1) accessory apartment per lot shall be allowed.
2. A minimum lot size of ten thousand (10,000) square feet shall be required.
3. An accessory apartment shall not exceed six hundred fifty (650) square feet in gross floor area.
4. Kitchen facilities shall be allowed.

5. The detached garage structure accommodating such apartment shall not exceed the height of the principal building on the lot.
6. The detached garage structure accommodating such apartment shall meet the principal setbacks of the district.
7. All parking areas shall be surfaced with an all-weather surface material.
8. Requires owner-occupancy of the principal building on the lot.

16.4.4. *Bed and breakfast inn.*

A. *Allowable districts:* AG, R-20, R-15, R-10, R-7, R-D, and M-U.

B. *Standards:*

1. Bed and breakfast inns shall be limited to existing structures built for single-family use and no exterior modifications to the existing structure to accommodate the bed and breakfast inn shall be allowed.
2. A minimum of twenty five hundred (2,500) square feet of heated living area in the home to be used as the inn shall be required.
3. A minimum of two (2) guest rooms shall be permitted.
4. The bed and breakfast inn shall be operator occupied.
5. Parking requirements shall be one (1) space per guest room in addition to a required two (2) spaces for single-family residential use.
6. Parking spaces shall be screened from all adjoining residential properties with a solid fence, of a minimum of five (5) feet in height, or evergreen trees and shrubs densely planted which will provide a visual screen height of five (5) feet within two (2) years of planting.
7. Parking in the front yard shall be prohibited.
8. One (1) identification sign having a maximum size of six (6) square feet in area and a maximum height of five (5) feet shall be allowed on each street frontage.
9. No meals except breakfast may be served to any guest.
10. All bed and breakfast operations shall be subject to the hotel/motel tax of the city. Required registration and reporting forms must be obtained from the city clerk's office.

16.4.5. *Day care facility.*

A. *Allowable districts:* All except AG, FG, H-I, L-I, MN, R-10A, and RSL.

B. *Standards:*

1. Facilities shall be for seven (7) or more persons.
- 2.



Brook Dr



JFH Pkwy.
Project Site main entrance

JFH Pkwy is
Joe Frank Harris
Parkway/ Hwy 41.



Ridge Row Dr.



Hotel Main Entrance
JFH Pkwy



SE corner of project site
View north along
S. Dixie Ave.



SE/ central area of project site.
View west.
Paladius Duplexes on left



SE corner. View west.
Paladius Duplexes on left with Brook Dr.



SW corner of project site.
View north along hotel rooms.



Midpoint of western boundary.
View south to SW corner of
project site.



View from NW corner south to
SW corner of project site.



View from NW corner to
NE corner of project site.



View from NE corner west to NW corner of project site.



View from NE corner west across S.Dixie Ave to Ridge Row Dr.



View west along Ridge Row Dr.



View east to NE corner of project site along Ridge Row Dr,



View north along JFH Pkwy from main entrance into project site.



View east across JFH Pkwy from main entrance into project site.



View south across JFH Pkwy from main entrance into project site.



View west along Brook Dr from SE corner of project site. Paladius duplexes on left.



View east along Brook Dr to JFH Pkwy from entrance to government services campus.

Public Housing on right.