

AN ORDINANCE FOR RIGHT OF WAY EXCHANGE

WHEREAS, changes made to the Perimeter Center West improvements during construction resulted in certain portions of the acquired right-of-way to be no longer needed for the operation and maintenance of the roadway; and

WHEREAS, additional rights-of-way on Perimeter Center West and Hammond Drive are to be dedicated for the construction of proposed improvements to property located on Perimeter Center West and Hammond Road;

WHEREAS, approximately 3,868 square feet property is to be abandoned having a fair market value of \$116,040.00; and

WHEREAS, approximately 3,868 square feet of property is to be dedicated having a fair market value of \$186,450.00;

WHEREAS, the property descriptions are attached as Exhibit A hereto;

WHEREAS, the property appraisal document is attached as Exhibit B hereto;

WHEREAS, the proposed exchange serves the best interest of the public; and

WHEREAS, the City is authorized under O.C.G.A. § 36-37-6 to approve this conveyance of property.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Dunwoody hereby approve the exchange of properties as described as dedication and abandonment of properties in Exhibit "A" of this ordinance.

SO ORDAINED AND EFFECTIVE this the ____ day of _____,
2009.

Approved:

Ken Wright, Mayor

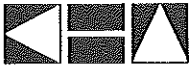
Attest:

Sharon Lowery, City Clerk

Approved as to Form and Content:

Brian Anderson, City Attorney

(Seal)



Kimley-Horn
and Associates, Inc.

January 19, 2009

■
Suite 600
3169 Holcomb Bridge Road
Norcross, Georgia
30071

Mr. Richard Meehan
City of Dunwoody
Director of Public Works
400 Northridge Road, #1250
Atlanta, GA 30350

Re: Perimeter Center Parkway Right-of-way Swap
KHA email dated January 19, 2008

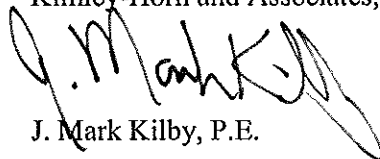
Dear Richard:

Per Kimley-Horn and Associates, Inc.'s (KHA) email dated January 19, 2008 regarding the Perimeter Center Parkway Right-of-way Swap, attached are the following documents for your review in association with the Perimeter Center Parkway and High Street project:

- Right-of-way Swap Exhibit – Overall View
- Right-of-way Plats and Legal Descriptions
- Property Appraisal Document
- 1051 Hammond Drive Property Title
- 223 Perimeter Center Parkway Property Title
- 219 Perimeter Center Parkway Property Title
- 211 Perimeter Center Parkway Property Title
- Environmental Site Assessment

As you can see on pages 6 and 7 of the Property Appraisal Document, the area to be dedicated is almost double that of the area to be abandoned. We appreciate your review of these documents. Should you have any questions, please call me at (678) 533-3905 or on my cell phone at (404) 291-7009.

Sincerely,
Kimley-Horn and Associates, Inc.



J. Mark Kilby, P.E.

HAMMOND DRIVE
DETAIL

HIGH STREET
PROJECT

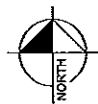
HAMMOND DRIVE

PERIMETER
STA: 105+37.31
DETAIL

CENTER
STA: 110+44.02
DETAIL

PARKWAY
STA: 115+57.37
DETAIL

STA: 117+89.00
DETAIL

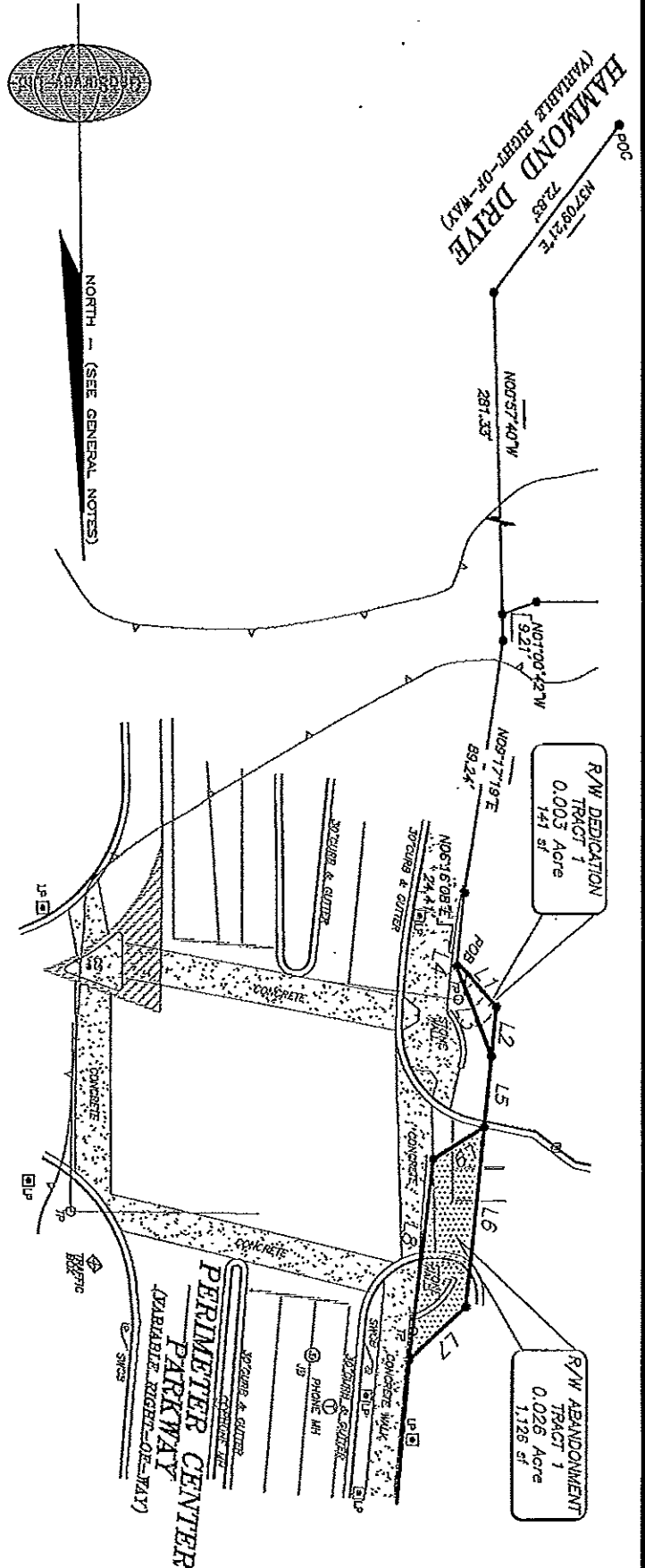


0 100 200
SCALE IN FEET

EXHIBIT 10C
HIGH STREET
RIGHT-OF-WAY SWAP
Revised: June 4, 2008

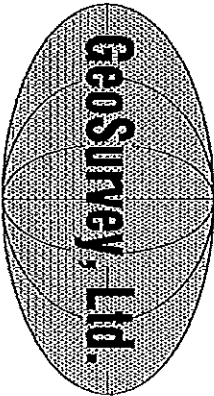


Kimley-Horn
and Associates, Inc.



SURVEY REFERENCES

1> ALTA/ACSM LAND TITLE SURVEY FOR WINDSOR ACQUISITIONS, LLC, WELLS FARGO BANK, N.A. AND COMMONWEALTH LAND TITLE INSURANCE COMPANY PREPARED BY 150 GEOSURVEY, LTD. DATED JULY 21, 2006.



Land Surveying & Mapping

1170 Atlanta Industrial Drive

Marietta, Georgia 30066

Phone: (770) 795-9900
Fax: (770) 795-8880

Windsor Acquisition LLC

PROPOSED RIGHT-OF-WAY DEDICATION & ABANDONMENT EXHIBIT

SITE INFORMATION

COUNTY: DEKALB

LAND LOT: 348

FIELD WORK: JG/LH

SURVEY DATE: JUNE 27, 2008

GS Dwg File: 20062860-0003.dwg

STATE: GEORGIA

DISTRICT: 18TH

PROJ MORE SEE

DRAWING SCALE: 1" = 60'

GS Job No.: 20062860

Property Description
Right-of-Way Dedication
Tract 1

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Perimeter Center Parkway the following courses and distances: North 00 degrees 57 minutes 40 seconds West a distance of 281.33 feet to a point; North 01 degrees 00 minutes 42 seconds West a distance of 9.21 feet to a point; North 09 degrees 17 minutes 19 seconds East a distance of 89.24 feet to a point; North 06 degrees 16 minutes 08 seconds East a distance of 24.41 feet to a point, said point being the **TRUE POINT OF BEGINNING**; Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 39 degrees 56 minutes 36 seconds West a distance of 20.68 feet to a point; North 06 degrees 13 minutes 21 seconds East a distance of 17.36 feet to a point on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way the following two courses and distances: South 20 degrees 04 minutes 28 seconds East a distance of 33.68 feet to a point; South 06 degrees 16 minutes 08 seconds West a distance of 1.49 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land contains 0.003 acre.

Property Description
Right-of-Way Abandonment
Tract 1

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Perimeter Center Parkway the following courses and distances: North 00 degrees 57 minutes 40 seconds West a distance of 281.33 feet to a point; North 01 degrees 00 minutes 42 seconds West a distance of 9.21 feet to a point; North 09 degrees 17 minutes 19 seconds East a distance of 89.24 feet to a point; North 06 degrees 16 minutes 08 seconds East a distance of 24.41 feet to a point Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 39 degrees 56 minutes 36 seconds West a distance of 20.68 feet to a point; North 06 degrees 13 minutes 21 seconds East a distance of 17.36 feet to a point on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way North 06 degrees 13 minutes 21 seconds East a distance of 25.09 feet to a point, said point being the **TRUE POINT OF BEGINNING**; Thence continuing along said right-of-way the following two courses and distances: North 06 degrees 13 minutes 21 seconds East a distance of 63.16 feet to a point; North 47 degrees 26 minutes 36 seconds East a distance of 26.91 feet to a point; Thence leaving said right-of-way South 07 degrees 23 minutes 03 seconds West a distance of 70.63 feet to a point; Thence South 58 degrees 06 minutes 25 seconds West a distance of 20.72 feet to a point located on the existing right-of-way of Perimeter Center Parkway, said point being the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land contains 0.026 acre.

HAMMOND DRIVE
(VARIABLE RIGHT-OF-WAY)

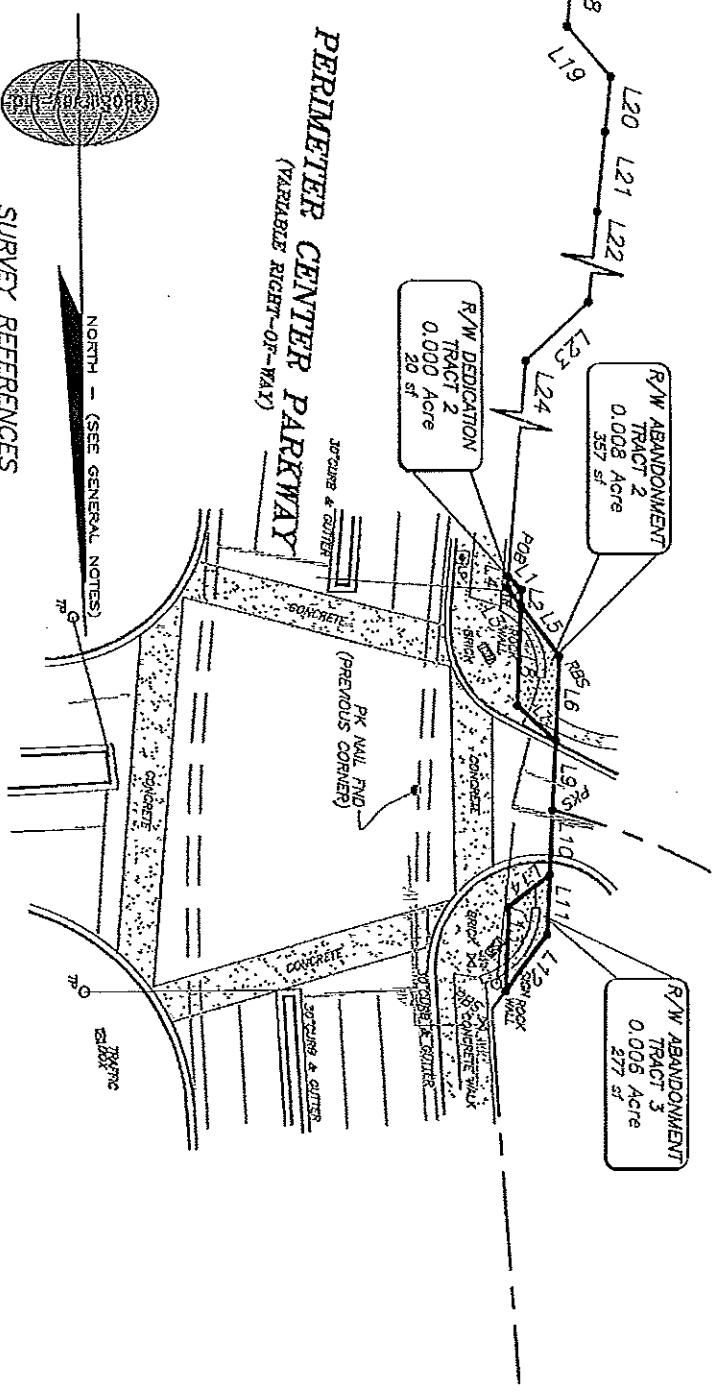
L15 L16 L17 L18 L19 L20 L21 L22

R/W ABANDONMENT
TRACT 2
0.008 Acre
357 sf

R/W ABANDONMENT
TRACT 3
0.005 Acre
277 sf

R/W DEDICATION
TRACT 2
0.000 Acre
20 sf

PERIMETER CENTER PARKWAY
(VARIABLE RIGHT-OF-WAY)



SURVEY REFERENCES

1> ALTA/ACSM LAND TITLE SURVEY FOR WINDSOR ACQUISITIONS, LLC, WELLS FARGO BANK, N.A. AND COMMONWEALTH LAND TITLE INSURANCE COMPANY PREPARED BY GEOSURVEY, LTD. DATED JULY 21, 2006.

GRAPHIC SCALE 1"=60'

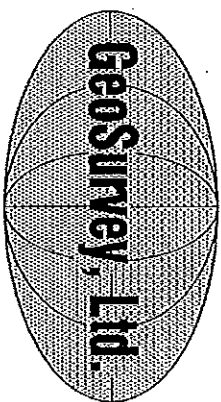


LEGEND

STANDARD SYMBOLS	STANDARD ABBREVIATIONS
	CMP CORRUGATED METAL PIPE
	CMF CONCRETE MONUMENT FND
	CTP CRIMPED TOP PIPE
	FND FOUND
	OTP OPEN TOP PIPE
	POB POINT OF BEGINNING
	RBR IRON REINFORCING BAR
	GUT WIRE
	POWER LINE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N44.31.26"W	5.03'
L2	N42.44.39"E	5.06'
L3	S36.31.52"E	7.26'
L4	S05.27.22"W	3.54'
L5	N36.31.52"W	19.65'
L6	N03.12.32"E	26.60'
L7	S46.10.26"E	16.22'
L8	S02.44.39"W	31.15'
L9	N03.12.32"E	21.78'
L10	N03.12.32"E	20.26'
L11	N03.12.32"E	18.68'
L12	N36.58.28"E	21.83'
L13	S02.46.22"W	26.29'
L14	S52.42.39"W	16.23'
L15	N37.09.21"E	72.83'
L16	N00.57.40"W	281.33'
L17	N09.17.19"E	89.24'
L18	N06.16.08"E	24.41'
L19	N39.56.36"W	20.68'
L20	N06.13.21"E	17.36'
L21	N06.13.21"E	25.09'
L22	N06.13.21"E	63.16'
L23	N47.26.36"E	26.91'
L24	N05.27.22"E	331.46'



Land Surveying & Mapping

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Windsor Acquisition LLC

PROPOSED RIGHT-OF-WAY DEDICATION & ABANDONMENT EXHIBIT

SITE INFORMATION

COUNTY: DEKALB	STATE: GEORGIA
LAND LOT: 348	DISTRICT: 18TH
FIELD WORK: JG/LH	PROJ TECH: DA
SURVEY DATE: JUNE 27, 2008	PROJ MGR: GEE
GS DWG FILE: 20062860-0003.dwg	REVIEWED: DLH
	DRAWING SCALE: 1" = 60'
	GS Job No.: 20062860

Property Description
Right-of-Way Dedication
Tract 2

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Perimeter Center Parkway the following courses and distances: North 00 degrees 57 minutes 40 seconds West a distance of 281.33 feet to a point; North 01 degrees 00 minutes 42 seconds West a distance of 9.21 feet to a point; North 09 degrees 17 minutes 19 seconds East a distance of 89.24 feet to a point; North 06 degrees 16 minutes 08 seconds East a distance of 24.41 feet to a point Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 39 degrees 56 minutes 36 seconds West a distance of 20.68 feet to a point; North 06 degrees 13 minutes 21 seconds East a distance of 17.36 feet to a point on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way North 06 degrees 13 minutes 21 seconds East a distance of 25.09 feet to a point; Thence continuing along said right-of-way the following three courses and distances: North 06 degrees 13 minutes 21 seconds East a distance of 63.16 feet to a point; North 47 degrees 26 minutes 36 seconds East a distance of 26.91 feet to a point; North 05 degrees 27 minutes 22 seconds East a distance of 331.46 feet to a point, said point being the **TRUE POINT OF BEGINNING**; Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 44 degrees 31 minutes 26 seconds West a distance of 6.03 feet to a point; North 02 degrees 44 minutes 39 seconds East a distance of 5.06 feet to a point located on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way the following two courses and distances: South 36 degrees 31 minutes 52 seconds East a distance of 7.26 feet to a point; South 05 degrees 27 minutes 22 seconds West a distance of 3.54 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land contains 0.000 acre (20 square feet).

Property Description
Right-of-Way Abandonment
Tract 2

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Perimeter Center Parkway the following courses and distances: North 00 degrees 57 minutes 40 seconds West a distance of 281.33 feet to a point; North 01 degrees 00 minutes 42 seconds West a distance of 9.21 feet to a point; North 09 degrees 17 minutes 19 seconds East a distance of 89.24 feet to a point; North 06 degrees 16 minutes 08 seconds East a distance of 24.41 feet to a point Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 39 degrees 56 minutes 36 seconds West a distance of 20.68 feet to a point; North 06 degrees 13 minutes 21 seconds East a distance of 17.36 feet to a point on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way North 06 degrees 13 minutes 21 seconds East a distance of 25.09 feet to a point; Thence continuing along said right-of-way the following three courses and distances: North 06 degrees 13 minutes 21 seconds East a distance of 63.16 feet to a point; North 47 degrees 26 minutes 36 seconds East a distance of 26.91 feet to a point; North 05 degrees 27 minutes 22 seconds East a distance of 331.46 feet to a point; Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 44 degrees 31 minutes 26 seconds West a distance of 6.03 feet to a point; North 02 degrees 44 minutes 39 seconds East a distance of 5.06 feet to a point located on the existing right-of-way of Perimeter Center Parkway, said point being the **TRUE POINT OF BEGINNING**; Thence along said existing right-of-way the following two courses and distances: North 36 degrees 31 minutes 52 seconds West a distance of 19.65 feet to a point; North 03 degrees 12 minutes 32 seconds East a distance of 26.60 feet to a point; Thence leaving said existing right-of-way South 46 degrees 10 minutes 26 seconds East a distance of 16.22 feet to a point; Thence South 02 degrees 44 minutes 39 seconds West a distance of 31.15 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

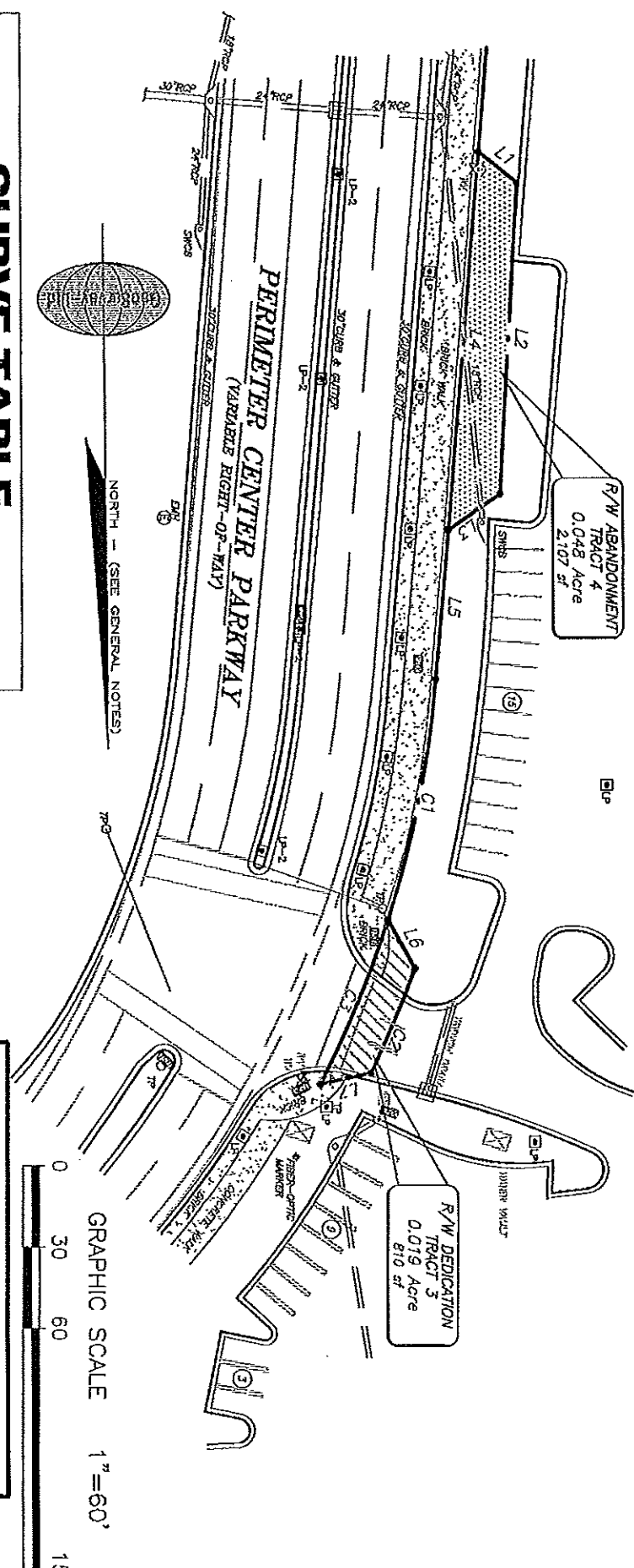
Said tract or parcel of land contains 0.008 acre (357 square feet).

Property Description
Right-of-Way Abandonment
Tract 3

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Perimeter Center Parkway the following courses and distances: North 00 degrees 57 minutes 40 seconds West a distance of 281.33 feet to a point; North 01 degrees 00 minutes 42 seconds West a distance of 9.21 feet to a point; North 09 degrees 17 minutes 19 seconds East a distance of 89.24 feet to a point; North 06 degrees 16 minutes 08 seconds East a distance of 24.41 feet to a point Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 39 degrees 56 minutes 36 seconds West a distance of 20.68 feet to a point; North 06 degrees 13 minutes 21 seconds East a distance of 17.36 feet to a point on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way North 06 degrees 13 minutes 21 seconds East a distance of 25.09 feet to a point; Thence continuing along said right-of-way the following three courses and distances: North 06 degrees 13 minutes 21 seconds East a distance of 63.16 feet to a point; North 47 degrees 26 minutes 36 seconds East a distance of 26.91 feet to a point; North 05 degrees 27 minutes 22 seconds East a distance of 331.46 feet to a point; Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 44 degrees 31 minutes 26 seconds West a distance of 6.03 feet to a point; North 02 degrees 44 minutes 39 seconds East a distance of 5.06 feet to a point located on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way the following three courses and distances: North 36 degrees 31 minutes 52 seconds West a distance of 19.65 feet to a point; North 03 degrees 12 minutes 32 seconds East a distance of 26.60 feet to a point; North 03 degrees 12 minutes 32 seconds East a distance of 42.05 feet to a point, said point being the **TRUE POINT OF BEGINNING**; Thence continuing along said existing right-of-way the following two courses and distances: North 03 degrees 12 minutes 32 seconds East a distance of 18.68 feet to a point; North 36 degrees 58 minutes 28 seconds East a distance of 21.83 feet to a point; Thence leaving said right-of-way along the proposed right-of-way the following two courses and distances: South 02 degrees 45 minutes 22 seconds West a distance of 26.29 feet to a point; South 52 degrees 42 minutes 39 seconds West a distance of 16.23 feet to a point on the existing right-of-way of Perimeter Center Parkway, said point being the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land contains 0.006 acre (277 square feet).



CURVE TABLE

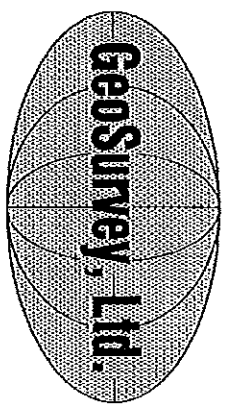
CURVE	CHORD BEARING	CHORD LENGTH	RADIUS	ARC LENGTH
C1	N1140.41"E	90.86'	402.01'	91.05'
C2	N2252.51"E	42.01'	422.01'	42.02'
C3	S2244.15"W	66.00'	402.01'	66.08'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N5102.26"W	18.03'
L2	N0346.31"E	115.04'
L3	N5527.50"E	23.43'
L4	S0516.07"W	140.00'
L5	N0516.10"E	55.58'
L6	N2749.22"W	20.55'
L7	N7757.55"E	19.19'

SURVEY REFERENCES

1> ALTA/ACSM LAND TITLE SURVEY FOR WINDSOR ACQUISITIONS, LLC, WELLS FARGO BANK, N.A. AND COMMONWEALTH LAND TITLE INSURANCE COMPANY PREPARED BY GEOSURVEY, LTD. DATED JULY 21, 2006.



Land Surveying & Mapping
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Phone: (770) 795-9900
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LEGEND

STANDARD SYMBOLS	STANDARD ABBREVIATIONS
	CMP CORUGATED METAL PIPE
	CMF CONCRETE MONUMENT FND
	CTP CRIMPED TOP PIPE
	FND FOUND
	OTP OPEN TOP PIPE
	POB POINT OF BEGINNING
	RBR IRON REINFORCING BAR

Windsor Acquisition LLC

PROPOSED RIGHT-OF-WAY DEDICATION & ABANDONMENT EXHIBIT

SITE INFORMATION

COUNTY: DEKALB	STATE: GEORGIA
LAND LOT: 348	DISTRICT: 15TH
FIELD WORK: JG/TH	PROD TECH: DA
SURVEY DATE: JUNE 27, 2008	PROD WORK: GEE
GS DWG FILE: 20062860-0003.dwg	DRAWING SCALE: 1" = 60'
	GS Job No.: 20062860

Property Description
Right-of-Way Abandonment
Tract 4

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

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leaving said existing right-of-way along the proposed right-of-way South 05 degrees 16 minutes 07 seconds West a distance of 140.00 feet to a point; said point being the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land contains 0.048 acre (2,108 square feet).

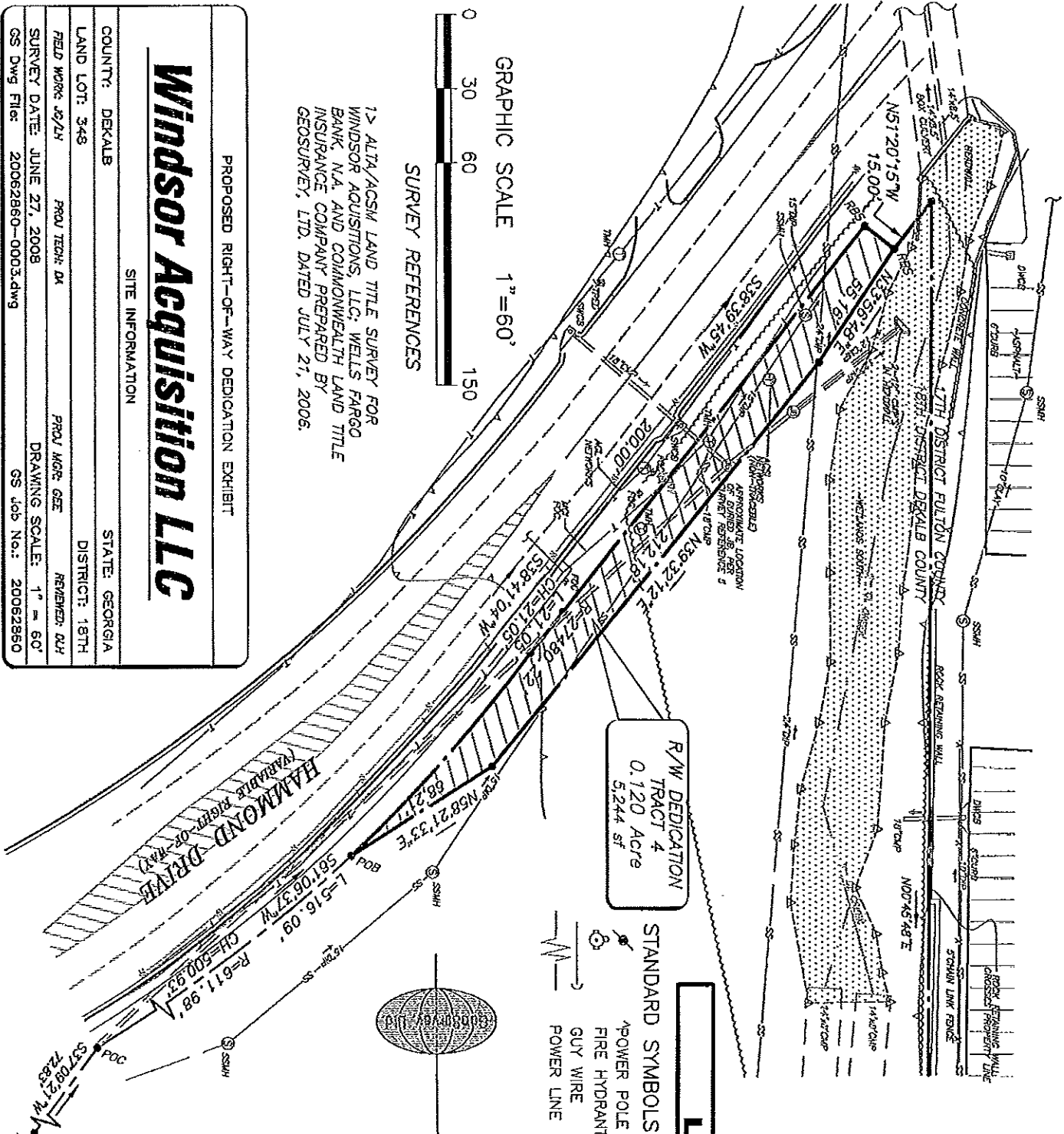
Property Description
Right-of-Way Dedication
Tract 3

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Perimeter Center Parkway the following courses and distances: North 00 degrees 57 minutes 40 seconds West a distance of 281.33 feet to a point; North 01 degrees 00 minutes 42 seconds West a distance of 9.21 feet to a point; North 09 degrees 17 minutes 19 seconds East a distance of 89.24 feet to a point; North 06 degrees 16 minutes 08 seconds East a distance of 24.41 feet to a point Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 39 degrees 56 minutes 36 seconds West a distance of 20.68 feet to a point; North 06 degrees 13 minutes 21 seconds East a distance of 17.36 feet to a point on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way North 06 degrees 13 minutes 21 seconds East a distance of 25.09 feet to a point; Thence continuing along said right-of-way the following three courses and distances: North 06 degrees 13 minutes 21 seconds East a distance of 63.16 feet to a point; North 47 degrees 26 minutes 36 seconds East a distance of 26.91 feet to a point; North 05 degrees 27 minutes 22 seconds East a distance of 331.46 feet to a point; Thence leaving said existing right-of-way along the proposed right-of-way the following two courses and distances: North 44 degrees 31 minutes 26 seconds West a distance of 6.03 feet to a point; North 02 degrees 44 minutes 39 seconds East a distance of 5.06 feet to a point located on the existing right-of-way of Perimeter Center Parkway; Thence along said existing right-of-way the following sixteen courses and distances: North 36 degrees 31 minutes 52 seconds West a distance of 19.65 feet to a point; North 03 degrees 12 minutes 32 seconds East a distance of 26.60 feet to a point; North 03 degrees 12 minutes 32 seconds East a distance of 42.05 feet to a point; North 03 degrees 12 minutes 32 seconds East a distance of 18.68 feet to a point; North 36 degrees 58 minutes 28 seconds East a distance of 21.83 feet to a point; North 36 degrees 50 minutes 17 seconds East a distance of 7.22 feet to a point; North 02 degrees 57 minutes 01 seconds West a distance of 15.68 feet to a point; North 03 degrees 35 minutes 53 seconds West a distance of 194.05 feet to a point; along a curve to the right with an arc length of 22.48 feet, said curve having a radius of 856.93 feet, with a chord distance of 22.48 feet, at North 02 degrees 49 minutes 35 seconds West, to a point; along a curve to the right with an arc length of 109.84 feet, said curve having a radius of 856.93 feet, with a chord distance of 109.77 feet, at North 01 degrees 35 minutes 50 seconds East, to a point; North 05 degrees 16 minutes 10 seconds East a distance of 35.53 feet to a point; North 51 degrees 02 minutes 26 seconds West a distance of 18.03 feet to a point; North 03 degrees 46 minutes 31 seconds East a distance of 115.04 feet to a point; North 55 degrees 27 minutes 50 seconds East a distance of 23.43 feet to a point; North 05 degrees 16 minutes 10 seconds East a distance of 55.58 feet; along a curve to the right with an arc length of 91.05 feet, said curve having a radius

of 407.01 feet, with a chord distance of 90.86 feet, at North 11 degrees 40 minutes 41 seconds East, to a point, said point being the **TRUE POINT OF BEGINNING**; Thence North 27 degrees 49 minutes 22 seconds West a distance of 20.55 feet to a point; Thence along a curve to the right with an arc length of 42.02 feet, said curve having a radius of 422.01 feet, with a chord distance of 42.01 feet, at North 22 degrees 52 minutes 51 seconds East, to a point; Thence North 77 degrees 57 minutes 55 seconds East a distance of 19.19 feet to a point; Thence along a curve to the left with an arc length of 66.08 feet, said curve having a radius of 407.01 feet, with a chord distance of 66.00 feet, at South 22 degrees 44 minutes 15 seconds West, to a point; said point being the **TRUE POINT OF BEGINNING**;

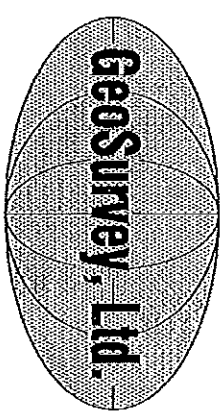
Said tract or parcel of land contains 0.019 acre (810 square feet).



LEGEND

STANDARD SYMBOLS	STANDARD ABBREVIATIONS
POWER POLE	CMP CORRUGATED METAL PIPE
FIRE HYDRANT	CMF CONCRETE MONUMENT
GUY WIRE	CTP CRIMPED TOP PIPE
POWER LINE	FND FOUND
	OTF OPEN TOP PIPE
	POB POINT OF BEGINNING
	RBR IRON REINFORCING BAR

NORTH - (SEE GENERAL NOTES)



Land Surveying & Mapping

1170 Atlanta Industrial Drive
Marietta, Georgia 30065
Phone: (770) 795-9900
Fax: (770) 795-8880

PERIMETER CENTER PARKWAY
(VARIABLE RIGHT-OF-WAY)

Windsor Acquisition LLC

SITE INFORMATION

COUNTY: DEKALB	STATE: GEORGIA
LAND LOT: 348	DISTRICT: 18TH
FIELD WORK: JG/JH	PROJ TECH: DX
SURVEY DATE: JUNE 27, 2008	DRAWING SCALE: 1" = 60'
GS DWG FILE: 20062860-0003.dwg	GS JOB NO.: 20062860

PROPOSED RIGHT-OF-WAY DEDICATION EXHIBIT

SURVEY REFERENCES

1> ALTA/ACSM LAND TITLE SURVEY FOR WINDSOR ACQUISITIONS, LLC; WELLS FARGO BANK, N.A. AND COMMONWEALTH LAND TITLE INSURANCE COMPANY PREPARED BY GEOSURVEY, LTD. DATED JULY 21, 2006.

GRAPHIC SCALE 1"=60'



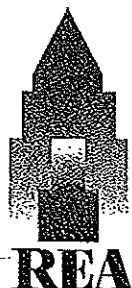
Property Description
Right-of-Way Dedication
Tract 4

All that tract or parcel of land lying and being in Land Lot 348 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a point northeastern miter at the intersection of the northern right-of-way of Hammond Drive (variable right-of-way) with the western right-of-way of Perimeter Center Parkway (variable right-of-way); Thence along said right-of-way of Hammond Drive along a curve to the left with an arc length of 405.44 feet, said curve having a radius of 611.98 feet, with a chord distance of 398.07 feet, at South 66 degrees 17 minutes 24 seconds West, to a point, said point being the **TRUE POINT OF BEGINNING**; Thence continuing along said existing right-of-way the following four courses and distances: along a curve to the left with an arc length of 110.65 feet, said curve having a radius of 611.98 feet, with a chord distance of 110.50 feet, at South 42 degrees 07 minutes 50 seconds West, to a point; along a curve to the left with an arc length of 21.05 feet, said curve having a radius of 27480.22 feet, with a chord distance of 21.05 feet, at South 38 degrees 41 minutes 04 seconds West, to a point; South 38 degrees 39 minutes 45 seconds West a distance of 200.00 feet to a point; North 51 degrees 20 minutes 15 seconds West a distance of 15.00 feet to a 5/8" rebar set; Thence leaving said existing right-of-way along the proposed right-of-way of Hammond Drive the following three courses and distances: North 33 degrees 56 minutes 48 seconds East a distance of 55.16 feet to a point; Thence North 39 degrees 32 minutes 12 seconds East a distance of 212.18 feet to a point; Thence North 58 degrees 21 minutes 33 seconds East a distance of 68.21 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land contains 0.120 acre (5,244 sf).

Exhibit "B"



Real Estate Analyst, Inc.
Appraisers & Tax Consultants
P.O. Box 261
Tucker, GA 30085-0261

770.492.9310
770.492.9925 fax

August 20, 2008

READIAZ@bellsouth.net

Mr. John Darrah, Vice President
High Street Development, LP
125 High Street
High Street Tower, 27th Floor
Boston, Massachusetts 02110

Re: Appraisal of:
Five areas of the High Street Project
Located in the northwest corner of
Hammond Drive and Perimeter Center Parkway:
To be involved in a property swap with
DeKalb County's Streetscape Improvement Program
DeKalb County, Georgia

Dear Mr. John Darrah:

As requested, the subject property has been reinspected and a credible appraisal has been made of the property identified as the High Street Project.

The purpose of this appraisal has been to estimate the Market Value of the Fee Simple Interest of the abandoned existing right-of-way and the partial taking, easement rights and any consequential damages less any special benefits to the remainder in accordance with applicable State law, as of August 1, 2008, please refer to the definitions of Market Value and Fee Simple Interest contained in the body of this report.

As requested, we have prepared a credible appraisal report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in the report. The appraiser is not responsible for unauthorized use of this report. The client is the addressee and the user is the client. The intended use of the appraisal is for an internal evaluation by our client.

Furthermore, in accordance with prior agreement between client and appraiser, this report is the result of an appraisal process in that certain allowable departures from specific guidelines of the Uniform Standards of Professional Appraisal Practice were invoked. The intended user of this report is warned that the reliability of the value conclusion provided may be impacted to the degree there is departure from specific guidelines of USPAP.

PURPOSE AND DATE OF APPRAISAL

We have made an inspection of the above referenced property and an investigation and analysis of pertinent data for the purpose of estimating the Market Value of the Fee Simple Interest of those portions of the subject property to be dedicated to the county and those portions of existing right-of-way to be abandoned by the county. The effective date of the opinion of value was, as of, August 1, 2008. The most recent date of viewing was August 1, 2008. The date of this appraisal report is August 20, 2008.

APPRAISAL SCOPE AND PROCEDURE

The scope of the appraisal is the extent of the process of collecting, confirming, and reporting the data utilized in connection with the analysis of the subject property. The scope of the work performed in this appraisal assignment includes the definition of the appraisal problem; viewing of the property being appraised; consideration of the highest and best use of the land and property as vacant; collection, verification and analysis of data which leads to the completion of the sales comparison approach to value as of the effective date of appraisal.

Appraisers typically use three approaches in valuing real property. The type and age of the property and the quantity and quality of data affect the applicability of each approach in a specific appraisal problem. The three approaches are commonly known as (1) the Cost Approach, wherein the value of the land as if vacant is added to the depreciated value of the improvements; (2) the Income Approach, wherein the net income imputable to the property is calculated and then capitalized into value, using an overall rate or other capitalization methods considered representative of the market place; and (3) the Sales Comparison Approach, wherein the appraiser researches the market for sales data considered highly comparable and significant to the property being appraised. In this instance, the Sales Comparison approach to value briefly outlined above will be utilized in the appraisal of the subject land. This is intended to be a complete appraisal in a summary format.

The appraiser(s)

- a) will view the subject property to note the characteristics of the property that are relevant to its valuation;
- b) will investigate available market data for use in a sales comparison approach to value. The appraiser's investigations will include research of public records through the use of commercial sources of data such as printed comparable data services and computerized databases. Search parameters such as dates of sales, leases, locations, sizes, types of properties and distances for the subject will start with relatively narrow constraints and, if necessary, be expanded until the appraiser has either retrieved data sufficient (in the appraiser's opinion) to estimate market value, or until the appraiser believes that he or

she has reasonably exhausted the available pool of data. Researched sales data will be viewed and, if found to be appropriate, efforts will be made to verify the data with persons directly involved in the transactions such as buyers, sellers, brokers, or agents. At the appraiser's discretion, some data will be used without personal verification if, in the appraiser's opinion the data appears to be correct. In addition, the appraiser will consider any appropriate listings or properties found through observation during appraiser's data collection process. The appraiser will report only the data deemed to be pertinent to the valuation problem;

- c) will analyze the data found and reach conclusions regarding the market value, as defined in the report, of the subject property as of the date of value using appropriate valuation approach identified above;
- d) will prepare the appraisal in compliance with the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Foundation and the Code of Professional Ethics and Certification Standard of the Appraisal Institute;
- e) will not be responsible for ascertaining the existence of any toxic waste or other contamination present on or off the site. The appraiser will, however, report any indications of toxic waste or contaminants that may affect value if they are readily apparent during appraiser's investigations. Appraiser cautions the user of the report that appraiser is not expert in such matters and that appraiser may overlook contamination that might be readily apparent to parties who are experts in such matters.
- f) will prepare a Summary Appraisal Report, as defined in USPAP, which will include photographs of the subject property, the site any improvements on the site, a description of the zoning, a highest and best use analysis, a summary of the most important sales used in the appraiser's valuation, a reconciliation and conclusion, and other data deemed by the appraiser to be relevant to the assignment. Pertinent data and analyses not included in the report may be retained in appraiser's files.

MARKET VALUE AND FEE SIMPLE DEFINITIONS

For purposes of this appraisal, Market Value has been defined in the Uniform Standards of Professional Appraisal Practice, copyright 1990 by the Appraisal Foundation, as located on the following page:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is consummation of a sale as of a specified date and passing of title from seller to buyer under conditions whereby:

- a) *Buyer and seller are typically motivated;*
- b) *Both parties are well informed or well advised, and each is acting in what they consider their own best interests;*

- c) *A reasonable time is allowed for exposure in the open market;*
- d) *Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- e) *The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Fee Simple has been defined in the 2nd edition of The Dictionary of Real Estate Appraisal, published by the American Institute of Real Estate Appraisers, as:

"Absolute ownership unencumbered by any other interest or estate; subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

PROPERTY DATA

History of the Property

Based on our research, the subject property consist of four (4) parcels and is under the ownership of WINDSOR AT CONVERGENCE 221 LLC (tax identification number 18-348-04-005, purchase price \$ 43,670,000), WINDSOR AT CONVERGENCE 219 LLC (tax identification number 18-348-04-023, purchase price \$ 26,190,000), WINDSOR AT CONVERGENCE 223 LLC (tax identification number 18-348-04-021, purchase price \$ 25,250,000) and WINDSOR AT CONVERGENCE 1051 LLC (tax identification number 18-348-04-022, purchase price \$ 8,140,000) September 28, 2006, where the property was transferred from GA-PERIMETER CENTER, L.L.C. via Limited Warranty Deeds, which were considered to be arm's length transactions. Total purchase price for all four (4) tracts is \$ 103,250,000.

There have been other transactions which have occurred within the past five (5) years, the majority via Quit Claim deeds and information pertaining to the additional transactions have been retained in our files.

Description of the Land of the Parent Tract

Size and Shape

The subject property is a highly irregular, somewhat rectangular shaped parcel of land containing a total of 34.935 acres, according to the DeKalb County Tax Assessor's records, with approximately 1,937 feet of road frontage along the west side of and Perimeter Center Parkway and approximately 785 feet of frontage along the north side of Hammond Drive.

<u>Location</u>	<u>Tract size</u>	<u>Road Frontage</u>	<u>Road Name</u>
211 Perimeter Center Parkway 18-348-04-005	13.035 ac	633± feet	Perimeter Center Parkway

219 Perimeter Center Parkway 18-348-04-023	7.811 ac	301± feet	Perimeter Center Parkway
223 Perimeter Center Parkway 18-348-04-021	7.035 ac	684± feet	Perimeter Center Parkway
1051 Hammond Drive 18-348-04-022	7.025 ac	785± feet 319± feet	Hammond Drive Perimeter Center Parkway

Topography and Drainage

The overall topography of the tract is gently rolling throughout, being generally at both road grades. The overall parcel has been developed with several multi-story office building with the exception of the 7.025 acre tract in the northwest corner of Hammond Drive and Perimeter Center Parkway which is currently a vacant tract of land being mostly open.

Drainage is considered average and is most likely to flow in an overall southwesterly direction.

Soil Condition

We have not been furnished a report indicating the capacity of the subsoil, and we assume no responsibility for hidden, unapparent or abnormal conditions which would render the land more or less valuable. Nor do we assume any responsibility for adverse soil conditions or for engineering which may be required to discover them.

Flood Hazard Statement

According to the national Flood Insurance Program Map, Panel 13089C0012 H, dated May 7, 2001, a portion of the subject property is located in Zone "AE", an area determined to be located within the 100 year flood plain. The majority of the flood hazard area is located in the southern portion of the overall tract.

This opinion is based on our visual inspection and review of the subject plat and available Flood Hazard Maps.

Therefore, based on our interpretation of the available information, we assumed that only a small portion of the subject tract is within a flood hazard area.

Furthermore, the appraiser is not qualified or trained to make engineering type determination regarding these type matters. Therefore, any person or persons contemplating purchase or financing of the subject property is/are advised to seek knowledgeable professional guidance in this regard.

Hazardous Material Statement

Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property.

The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Easements

No known easements traverse the subject tract, save standard utility easements that would be associated with the type of development that exists on the subject property.

Utilities

The subject tract is served by all utilities including water and sewer, severed by DeKalb County, electrical power, provided by Georgia Power and gas from a number of local providers. Also, if required, cable is available.

Description of the Land Involved in Swap (dedication and abandoned areas)

According to the provided plans, see attached exhibits, there are five (5) areas that are under this appraisal assignment which have areas to be dedicated, by the current property owners and/or abandoned, by DeKalb County. All of the tracts to be dedicated by the current property owner and the tracts to be abandoned by DeKalb County are irregular in shape and have road frontage. Each parcel is listed on the following page and has been identified by the Station Number or the road frontage.

<u>Location (Station Number)</u>	<u>Area to be Dedicated</u>	<u>Area to be Abandoned</u>
117+89.00	810 square feet	N/A
115+57.37	N/A	2,108 square feet
110+44.02	20 square feet	357 square feet 277 square feet
105+37.31	141 square feet	1,126 square feet

Hammond Drive	5,244 square feet	N/A
Totals	6,215 square feet	3,868 square feet

Description of the Improvements

At the time of inspection, three of the four parcels were improved. Below is a chart with the subject's identification and the type improvements currently located on the subject property.

<u>Location</u>	<u>Tract size</u>	<u>Type Improvement</u>	<u>Improvement size</u>
211 Perimeter Center Parkway 18-348-04-005	13.035 ac	10 story office	491,040 square feet
219 Perimeter Center Parkway 18-348-04-023	7.811 ac	6 story office	130,512 square feet
223 Perimeter Center Parkway 18-348-04-021	7.035 ac	6 story office	129,630 square feet
1051 Hammond Drive 18-348-04-022	7.025 ac	Vacant land	N/A

Since none of the major improvements will be affected by the acquisition, a detailed description of the improvements will not be provided. Also, as instructed no site improvements will be described or valued since all site improvement will be replaced or upgraded by either the property owners or by DeKalb County.

ZONING

Reportedly, the land is zoned by the DeKalb County zoning authorities, who have the subject property under the OI, Office Institutional District and OCR, Office Commercial Residential District.

HIGHEST AND BEST USE

A conclusion as to the Highest and Best Use of the property has been based primarily upon the subject's conformance with types and quality of land uses in the area, existing subject improvements and the anticipated growth patterns in the Perimeter Mall area. An analysis of each of these factors and any other factors which may be important have been considered by the appraiser. After making a preliminary analysis of the factors considered pertinent, it is our

opinion that utilization of the subject property for it's current development, office institutional, is reflective of highest and best use.

VALUATION PROCEDURES AND APPRAISAL CONDITIONS

In developing an estimate of value of the land, we have considered the sales comparison approach, which is the most valid approach in the appraisal of unimproved land.

The cost approach and income approach have not been considered since the subject is vacant, unimproved property. Therefore, these approaches are not applicable.

A summary of the approach used is provided in this letter report, including a summary analysis of pertinent data such as land sales, as it may apply to the property appraised. Details have been retained in our files.

LAND VALUATION

In order to estimate market value, we have given consideration to market data relative to recent sales of land parcels located in the subject's market area. Our analysis of the market data has utilized the sale price per acre as the unit of comparison, with adjustments included for various dissimilar features that influence value.

These factors include: property rights, financing terms, conditions of sale, market conditions (time), location and physical characteristics. The market data, which has been given primary consideration is presented below.

The sales are summarized as follows:

<u>Sale No.</u>	<u>Location</u>	<u>Date of Sale</u>	<u>Sale Price</u>	<u>Size (Acres)</u>	<u>Sales Price per Square Foot</u>
1	Peachtree Dunwoody Road and Mount Vernon Highway	11/13/06	\$ 2,500,000	2.5657	\$ 22.37
2	Mount Vernon Highway and Barfield Road	02/23/05	\$ 5,700,000	4.8240	\$ 27.13
3	Central Parkway east of Peachtree Dunwoody Road	09/28/06	\$ 9,500,000	6.0700	\$ 35.93
4	Perimeter Summit Parkway	05/04/07	\$ 4,650,000	3.0500	\$ 35.00
5	5600 Roswell Road	10/02/07	\$ 9,900,000	4.6200	\$ 49.19
6	4055 Roswell Road	08/23/07	\$ 2,250,000	4.8600	\$ 10.63

The various factors considered regarding the adjustments of the sales are as indicated below and on the following pages.

Property Rights

All of the sales were transferred in fee simple and therefore, no adjustments are necessary for this feature.

Financing

No adjustments are necessary for financing, since all the sales were sold on an all cash basis or are considered to represent market terms which would equal an all cash sale.

Conditions of Sale

The sales are believed to be arms length transactions and no adjustments were needed.

Market Conditions

The sales do not require any adjustments for market conditions. This is due to the recent sale dates which are considered to reflect current market conditions.

Location

Sales 1, 2, 3 and 4 are considered to be in the same general area as that of the subject while Sales 5 and 6 are on Roswell Road. However, positive location adjustment were considered for Sales 2 and 6. While slightly different no location adjustment was utilized for the remaining sales.

Physical Characteristics

Utilities

Since all the sales shared similar utilities, no adjustment was required for this feature.

All other characteristics are considered similar and no other adjustments are necessary for these features.

Proper weight and emphasis has been placed on indications of sales which are opined to offer reliable indications after considering the various similar and dissimilar comparison features. Based on the market data and our analysis thereof, it is our opinion that the Market Value of the subject property is best reflected by a per unit value of \$ 30.00 per square foot of land area.

In our opinion, an exposure period of one (1) year will be required to achieve a sale at the above stated value.

Mr. John Darrah
August 20, 2008

page 10

Estimate of Value, Parts to be Dedicated and Abandoned

As discussed earlier, the appraisal assignment is to determine the value of those portions of property to be dedicated to the county and those sections of property to be abandoned by the county. Areas to be dedicated to the county includes 6,215 square feet while the area to be abandoned by the county totals 3,868 square feet.

Therefore, an estimate of market value for the subject land is derived as follows:

Dedicated lands:

$$6,215 \text{ square feet} \times \$ 30.00 / \text{square foot} = \$ 186,450.00.$$

Abandoned lands:

$$3,868 \text{ square feet} \times \$ 30.00 / \text{square foot} = \$ 116,040.00.$$

FINAL CONCLUSION OF VALUE

Therefore, it is our opinion that Market Value of the Fee Simple Interest in the valued properties, as is, as of, June 25, 2008, 2006, was:

Dedicated lands:

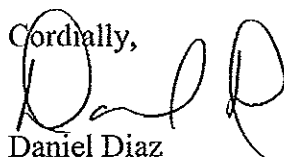
ONE HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED DOLLARS
(\$ 186,500)

Abandoned lands:

ONE HUNDRED SIXTEEN THOUSAND DOLLARS
(\$ 116,000)

It has been a pleasure to serve you in this matter.

Cordially,



Daniel Diaz
Certified Real Estate Appraiser No. 4920
Real Estate Analyst, Inc.