

Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

After Recording Return to:
KAV, LLC
Beau King
1819 Peachtree Road, Suite 575
Atlanta, Georgia 30309

CROSS-REFERENCE:
County: Dekalb Co, Georgia
Deed Book: 30565
Page: 258

ENVIRONMENTAL COVENANT—AMENDMENT NO. 1

Property Subject

The Property subject to this Amendment is a tract of approximately 1.122 acres of real property located at 1251 Park Avenue and 2600 Apple Valley Road, Atlanta, DeKalb County, Georgia 30319, which is further identified by the tax parcel ID number(s) below (hereinafter "Property"). The Property was conveyed from Rollins Continental, Inc. to KAV, LLC on January 24, 2023 and recorded in DeKalb County Clerk of Superior Court in Deed Book 30744, Page 267.

The Property is located in Land Lot 241 of the 18th District of DeKalb County, Georgia.

The tax parcel(s) of the Property associated with the RUZs include:

18-241-05-016 of DeKalb County Georgia, and;

A portion of 18-241-05-003 of DeKalb County Georgia

Agreement

This Amendment is being recorded to correct the Legal Description of the Type 5 Restricted Use Zones (RUZs) previously identified in the Environmental Covenant dated June 1, 2022 and recorded in DeKalb County Clerk of Superior Court Records, Deed Book 30565, Page 258.

A correct legal description of the RUZs of the Property is attached as Exhibit A and a survey of the RUZs of the Property is attached as Exhibit B. The RUZ area being highlighted in gray on said survey.

This Amendment shall be effective on the date the fully executed Amendment is recorded in accordance with O.C.G.A. § 44-16-8(a).

In connection with Former Grantee/Holder's (Rollins Continental, Inc.) conveyance of the Property to Grantee, Former Grantee hereby waives Former Grantee's right, from and after the date hereof, to consent to any future termination, modifications, or amendment of the certain Environmental Covenant between Grantor and State of Georgia, Department of Natural Resources, dated June 1, 2022, filed September 15, 2022, recorded in deed book 30565, page 258, Dekalb County, Georgia, aforesaid records, including, without limitation, any termination, amendment or modification to

remove therefrom the activity and/or use limitation that restricts the use of the Property only for non-residential uses.

Grantor

KAV, LLC



(Signature)

Signed in the presence of:

Name: D. Kimbrough King Jr.

Title: Manager



Unofficial Witness (signature)

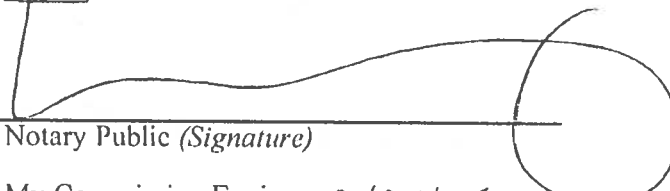
DANIEL CONNOR

Unofficial Witness (print name)

State of Georgia
County of DeKalb

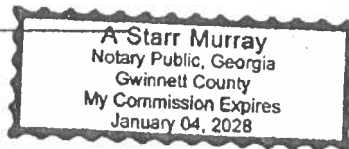
This instrument was signed or attested before
me this 7th day of November, 2024 by

☒ Personally Known
☐ Produced Identification


Notary Public (Signature)

My Commission Expires: 01/04/28

(NOTARY SEAL)



Grantee/Holder

KAV, LLC


(Signature)

Signed in the presence of:

Name: D. Kimbrough King, Jr.

Title: Manager

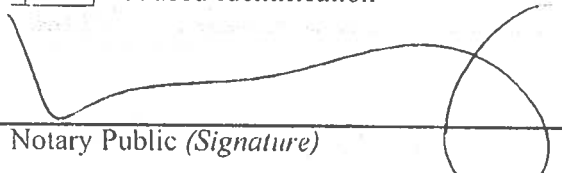

Unofficial Witness (signature)

DANIEL CONNER
Unofficial Witness (print name)

State of Georgia
County of DeKalb

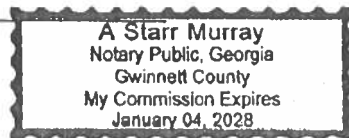
This instrument was signed or attested before
me this 7th day of November, 2021 by

☒ Personally Known
☐ Produced Identification


Notary Public (Signature)

My Commission Expires: 01/04/22

(NOTARY SEAL)



Former Grantee / Holder

ROLLINS CONTINENTAL, INC

Kimberly Youngpetra
(Signature)

Signed in the presence of:

Name: Kimberly Youngpetra

Title: VP Corp. Sec.

[Signature]
Unofficial Witness (signature)

Tammy Stoops
Unofficial Witness (print name)

State of Georgia
County of DeKalb

This instrument was signed or attested before
me this 14 day of November, 2024 by

☒ Personally Known
☐ Produced Identification

Patricia L. Gilbert
Notary Public (Signature)

My Commission Expires: November 12, 2028

(NOTARY SEAL) _____



For the Environmental Protection Division, Department of Natural Resources, State of Georgia,
this 5th day of December, 2024 :

Jeffrey W. Cown
(Signature)

Signed in the presence of:

Jeffrey W. Cown
Director, Environmental Protection
Division

Talina Zuegel
Unofficial Witness (signature)

Talina Zuegel
Unofficial Witness (print name)

State of Georgia
County of Fulton

This instrument was signed or attested before
me this 5 day of December, 2024, by

☒ Personally Known
☐ Produced Identification

[Signature]
Notary Public (Signature)
My Commission Expires: 7/9/2027
(NOTARY SEAL)

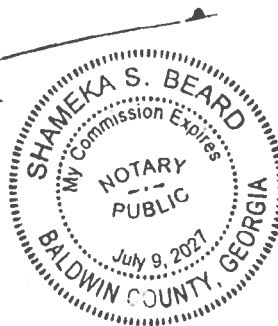


Exhibit A
Legal Description of Restricted Use Zone

LEGAL DESCRIPTION OF RESTRICTED USE ZONE (RUZ):

ALL THAT CERTAIN PIECE, PARCEL, OR TRACT OF LAND LYING AND BEING IN LAND LOT 241, 18TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN ON THE CORNER FORMING THE INTERSECTION OF THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF APPLE VALLEY ROAD (APPARENT 40 FOOT PUBLIC RIGHT-OF-WAY) AND THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF PARK AVENUE (45 FOOT PUBLIC RIGHT-OF-WAY) HAVING GA WEST GRID COORDINATES OF N 1,405,237.99, E 2,244,988.34, THENCE ALONG A TIE LINE ALONG THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF PARK AVENUE N84°32'47"W A DISTANCE OF 168.21 FEET TO AN IRON PIN AND BEING THE POINT OF BEGINNING; THENCE ALONG THE COMMON LINES OF KAV, LLC S20°02'39"W A DISTANCE OF 118.56 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE S72°22'13"E A DISTANCE OF 82.47 FEET TO A POINT, THENCE S20°06'15"W A DISTANCE OF 71.41 FEET TO A POINT, THENCE S69°53'45"E A DISTANCE OF 28.17 FEET TO A POINT, THENCE S20°06'15"W A DISTANCE OF 5.62 FEET TO A POINT, THENCE S70°04'15"E A DISTANCE OF 5.36 FEET TO A POINT, THENCE S20°28'54"W A DISTANCE OF 13.31 FEET TO A POINT, THENCE N69°52'33"W A DISTANCE OF 5.34 FEET TO A POINT, THENCE S20°06'15"W A DISTANCE OF 7.75 FEET TO A POINT, THENCE N69°53'45"W A DISTANCE OF 20.58 FEET TO A POINT, THENCE S20°06'15"W A DISTANCE OF 16.39 FEET TO A POINT, THENCE N69°53'45"W A DISTANCE OF 7.07 FEET TO A POINT, THENCE S20°06'15"W A DISTANCE OF 15.57 FEET TO A POINT, THENCE N70°12'45"W A DISTANCE OF 82.72 FEET TO A POINT, THENCE ALONG THE COMMON LINES OF KAV, LLC AND ANCO PROPERTIES, LLC S20°02'39"W A DISTANCE OF 238.17 FEET TO A POINT, THENCE ALONG THE SOUTHEASTERLY MARGIN OF THE RIGHT-OF-WAY OF SOUTHERN RAILWAY (FOR THE FOLLOWING FIVE CALLS) (1) N69°57'21"W A DISTANCE OF 75.00 FEET TO AN IRON PIN, (2) THENCE N20°02'39"E A DISTANCE OF 491.43 FEET TO A NAIL, (3) THENCE ALONG A COUNTERCLOCKWISE CURVE FOR 44.67 FEET HAVING A RADIUS OF 199.67 FEET A CHORD BEARING OF S80°00'33"E AND A CHORD DISTANCE OF 44.58 FEET TO A NAIL, (4) THENCE S83°41'38"E A DISTANCE OF 21.72 FEET TO A NAIL, (5) THENCE S83°41'42"E A DISTANCE OF 10.29 FEET TO A NAIL, THENCE ALONG THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK AVENUE S20°02'39"W A DISTANCE OF 23.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 48,879 S.F. OR 1.122 ACRES MORE OR LESS.

Exhibit B
Survey of RUZ

