

# JOHN W. BELL, P. C.

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### ATTORNEY'S TITLE CERTIFICATE AND OPINION ON THE PROPERTY OF

#### FULTON COUNTY

CLIENT:	Fulton County	TAX PARCEL:	14-0103-LL-031-3
PROJECT:	Jere Wells Health Center	OUR FILE:	07-20032
DISTRICT:	14	LAND LOT(S):	103
PARCEL:	2925 Lakewood Avenue	EFFECTIVE DATE:	August 15, 2007

This is to certify that in consideration of a fee to be paid to the undersigned attorneys, the undersigned does hereby certify that a careful examination has been made of the public records of Fulton County, Georgia affecting title to property described in Caption insofar as is correctly shown by indexes to said records from which indexes this certificate is furnished; and we hereby certify that record fee simple title to said property is now vested in **FULTON COUNTY** by virtue of a **Warranty Deed** dated **February 15, 1949** and recorded in **Deed Book 2432, Page 177**, Fulton County, Georgia records, as described therein; subject, however, to the below referenced objections. This title certificate and opinion is prepared solely for the use of the client and project listed herein for the property interests described by the above referenced parcel designation and may not be relied upon by any third party or for any other purpose.

#### STANDARD EXCEPTIONS

- (a) The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which would be disclosed by an accurate survey and inspection of the property.
- (b) Any matters not shown by the public records or which are improperly indexed of record.
- (c) Any documents, instruments, or encumbrances filed under names other than those appearing in the chain of title.
- (d) Title to that portion of the property included within the bounds of roads, highways, easements and rights of way, particularly roads and easements which are created by adverse or prescriptive usage.
- (e) Rights of upper and lower riparian owners to the streams, creeks and branches crossing, abutting, or located on the property, free from diminution or pollution thereof.
- (f) Rights, if any, of tenants or other persons who may be in possession under claims not appearing of record.
- (g) Possible liens of architects, laborers and materialmen for improvement of the property, not filed for record as of the effective date of this Certificate of Title.
- (h) All municipal or county zoning laws, ordinances and regulations, and all governmental regulations of the use and occupancy of the property.
- (i) Any matters relating to the presence or absence of any hazardous materials or waste on or within the property, and any violations with regard to hazardous materials or waste under any and all Federal and State environmental protection laws, rules or regulations.
- (j) Pay-as-you-enter water or sewer lines, which, while not technically liens, will be payable upon connection with such lines.
- (k) The location of any portion of the property within the limits of any "wet lands," and any laws, rules and regulations affecting wet land areas.
- (l) Any matters relating to past due utility bills, including but not limited to gas, water, electricity, telephone, sewer, and sanitary services.
- (m) Liens for taxes not yet due and payable.

## SPECIAL EXCEPTIONS

### LOAN DEEDS

1. None found. Please inquire.

### PROTECTIVE COVENANTS AND SURVEY AND PLAT RESTRICTIONS

1. None.

### EASEMENTS, RIGHT-OF-WAY DEEDS AND AGREEMENTS

1. Right of Way Deed and associated easement from Fulton County to the State Highway Department of Georgia, dated April 11, 1962, filed May 8, 1962 and recorded in Deed Book 3879, Page 390, Fulton County, Georgia records.
  - a. Please note that no plat is attached to the above referenced Right of Way Deed, and the exact location of the area conveyed cannot be determined based on the included legal description; however, it is probable that the area described actually refers to the slight jog in the right-of-way on the tract immediately to the east of the subject property, which right-of-way area was conveyed by the City of Atlanta to Fulton County by that certain Quitclaim Deed dated April 19, 1962 and recorded in Deed Book 3918, Page 269, aforesaid records, and which was then conveyed to the State Highway Department of Georgia.
  - b. Obligations of Fulton County contained in that certain Quitclaim Deed from the City of Atlanta to Fulton County, dated April 19, 1962 and recorded in Deed Book 3918, Page 269, aforesaid records.

### LIENS AND JUDGMENTS

1. Numerous lawsuits involving Fulton County.

### TAXES

1. The Fulton County Tax Commissioner's office indicates that this parcel is exempt from real estate ad valorem taxes.

**OTHER EXCEPTIONS**

1. Please note that the owner of the property lying immediately to the east of the subject property may claim an interest in a possibly overlapping property line. A survey is recommended to determine possible competing claims. The adjacent property appears to be owned by The Board of Education of the City of Atlanta by virtue of a Quitclaim Deed dated October 23, 1998, filed October 28, 1998 and recorded in Deed Book 25406, Page 3, aforesaid records. On any conveyance of title by Fulton County, use of a Quitclaim Deed is recommended, and no warranty other than that granted by a Limited Warranty Deed should be given.
  
2. Please note that a grantee search was conducted for an indexed reference to a granting of an interest to Fulton County to the parking area located immediately east of the subject property. No easement or conveyance was located, other than two Quitclaim Deeds from the City of Atlanta to Fulton County, recorded in Deed Book 3662, Page 295, and Deed Book 3879, page 390, aforesaid records. The search was conducted for the period 1949-present. For an additional hourly fee, additional research can be conducted on the adjacent tract, and research can be conducted for conveyances not properly indexed. This Title Certificate and Opinion is limited to those matters properly indexed and record as lying in Land Lot 103 of the 14<sup>th</sup> District of Fulton County.

This the 9<sup>th</sup> day of October, 2007.

**JOHN W. BELL, P.C.**

By: 

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John W. Bell, Examining Attorney