

JOINT APPLICATION
FOR
A DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS PERMIT,
STATE OF GEORGIA MARSHLAND PROTECTION PERMIT,
REVOCABLE LICENSE AGREEMENT
AND REQUEST FOR
WATER QUALITY CERTIFICATION
AS APPLICABLE

INSTRUCTIONS FOR SUBMITTING APPLICATION:

Every Applicant is Responsible to Complete The Permit Application and Submit as Follows: One copy each of application, location map, drawings, copy of deed and any other supporting information to addresses 1, 2, and 3 below. If water quality certification is required, send only application, location map and drawing to address No. 4.

1. For Department of the Army Permit, mail to: Commander, U.S. Army Engineer District, Savannah ATTN: CESAS-OP-F, P.O. Box 889, Savannah, Georgia 31402-0889. Phone (912)652-5347 and/or toll free, Nationwide 1-800-448-2402.

2. For State Permit - State of Georgia (six coastal counties only) mail to: Habitat Management Program, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.

3. For Revocable License - State of Georgia (six coastal counties plus Effingham, Long, Wayne, Brantley and Charlton counties only) - Request must have State of Georgia's assent or a waiver authorizing the use of State owned lands. All applications for dock permits in the coastal counties, or for docks located in tidally influenced waters in the counties listed above need to be submitted to Real Estate Unit. In addition to instructions above, you must send two signed form letters regarding revocable license agreement to: Ecological Services Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.

4. For Water Quality Certification State of Georgia, mail to: Water Protection Branch, Environmental Protection Division, Georgia Department of Natural Resources, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 (404) 675-1631.

The application must be signed by the person authorized to undertake the proposed activity. The applicant must be the owner of the property or be the lessee or have the authority to perform the activity requested. Evidence of the above may be furnished by copy of the deed or other instrument as may be appropriate. The application may be signed by a duly authorized agent if accompanied by a statement from the applicant designating the agent. See item 6, page 2.

1. Application No. _____

2. Date _____

3. For Official Use Only _____

4. Name and address of applicant.
Chatham 701 13th LLC Attn: Mr. Brent Watts
2108 Drayton Street
Savannah, GA 31401
404-307-2868
bwatts@cabrettacapital.com

5. Location where the proposed activity exists or will occur.

Lat. 31.998111° Long. -80.853234°

Chatham		Tybee Island
County	Military District	In City or Town
		LOT 358A AND 359A WARD 4
Near City or Town	Subdivision	Lot No.
		Georgia
Lot Size	Approximate Elevation of Lot	State
Horsepen Creek		
Name of Waterway	Name of Nearest Creek, River, Sound, Bay or Hammock	

6. Name, address, and title of applicant's authorized agent for permit application coordination.
Resource & Land Consultants Attn: Russell Parr, Sr.
41 Park of Commerce Drive, Suite 101 (912) 443-5896
Savannah, Georgia 31405

Statement of Authorization: I Hereby designate and authorize the above named person to act in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of this application.

Brent Watts

May 9 2022

Signature of Applicant/Date

7. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any to be erected on fills, piles, of float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance. If more space is needed, use remarks section on page 4 or add a supplemental sheet. (See Part III of the Guide for additional information required for certain activities.)

See Attached Project Description

8. Proposed use: Private X Public Commercial Other

9. Names and addresses of adjoining property owners whose property also adjoins the waterway.
See attached

10. Date activity is proposed to commence. Upon receipt of authorization to proceed.

Date activity is expected to be completed. Within 5 years of authorization to proceed.

11. Is any portion of the activity for which authorization is sought now complete Y X N

A. If answer is "Yes", give reasons in the remarks in the remarks section.

Indicate the existing work on the drawings.

B. If the fill or work is existing, indicate date of commencement and completion.

C. If not completed, indicate percentage completed.

12. List of approvals or certifications required by other Federal, State or local agencies for any structures, construction discharges, deposits or other activities described in this application. Please show zoning approval or status of zoning for this project.

<u>Issuing Agency</u>	<u>Type Approval</u>	<u>Identification No.</u>	<u>Date/Application</u>	<u>Date/Approval</u>
USACE	Standard Permit/LOP		Concurrent	In-Process
GADNR	CPMA Permit		Concurrent	In-Process

13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes X NO (If "yes", explain).

Note: Items 14 and 15 are to be completed if you want to bulkhead, dredge or fill.

14. Description of operation: (If feasible, this information should be shown on the drawing).

- A. Purpose of excavation or fill Construction of a private dock
1. Access channel : length _____ depth _____ width _____
2. Boat basin : length _____ depth _____ width _____
3. Fill area : see attached length _____ depth _____ width _____
4. Other: Excavation Area: length _____ depth _____ width _____
- B. 1.If bulkhead, give dimensions N/A
- 2.Type of bulkhead construction (material) N/A
- Backfill required: Yes _____ No _____ Cubic yards _____
- Where obtained _____
- C. Excavated material :
- 1.Cubic yards N/A
- 2.Type of material N/A

15.Type of construction equipment to be used Mechanized dock construction equipment

- A. Does the area to be excavated include any wetland? Yes _____ No X
- B. Does the disposal area contain any wetland? Yes _____ No X Project does not include construction of dredge disposal site.
- C. Location of disposal area N/A
- D. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized: N/A
- E. Will dredged material be entrapped or encased? N/A
- F. Will wetlands be crossed in transporting equipment to project site? N/A
- G. Present rate of shoreline erosion (if known) N/A

16. WATER QUALITY CERTIFICATION: In some cases, Federal law requires that a Water Quality Certification from the State of Georgia be obtained prior to issuance of a Federal license or permit. Applicability of this requirement to any specific project is determined by the permitting Federal agency. The information requested below is generally sufficient for the Georgia Environmental Protection Division to issue such a certification if required. Any item which is not applicable to a specific project should be so marked. Additional information will be requested if needed.

- A. Please submit the following:
1. A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generally on your property.
 2. A plan of the existing or proposed project and your adjacent property for which permits are being requested.
 3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any above-ground storage areas must be diked, and there should be no storm drain catch basins within the diked areas. All valving arrangements on any petro-chemical transfer lines should be shown.
 4. A contingency plan delineating action to be taken by you in the event of spillage of petro-chemical products or other materials from your operation.
 5. Plan and profile drawings showing limits of areas to be dredged, areas to be used for

placement of spoil, locations of any dikes to be constructed showing locations of any weir(s), and typical cross sections of the dikes.

B. Please provide the following statements:

1. A statement that all activities will be performed in a manner to minimize turbidity in the stream.
2. A statement that there will be no oils or other pollutants released from the proposed activities which will reach the stream.
3. A statement that all work performed during construction will be done in a manner to prevent interference with any legitimate water uses.

17. Application is hereby made for a permit or permits to authorize the activities described herein, Water Quality Certification from the Georgia Environmental Protection Division is also requested if needed. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Brent Watts

May 9 2022

Signature of Applicant/Date

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

SUPPORTING REMARKS:

See Attached.

STATE OF GEORGIA

REQUEST FOR A REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): _____

MAILING ADDRESS: _____
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: _____

COUNTY: _____ WATERWAY: _____

LOT, BLOCK & SUBDIVISION NAME FROM DEED: _____

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or rights in, or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit, or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has executed a revocable license in accordance with this request.

Sincerely,

By: Brent Watts Date: _____
Signature of Applicant

Title, if applicable

By: _____ Date: _____
Signature of Applicant

Title, if applicable

Attachments



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY • BRUNSWICK, GA 31520 • 912.264.7218
COASTALGADNR.ORG

MARK WILLIAMS
COMMISSIONER

DOUG HAYMANS
DIRECTOR

Marsh/Shore Jurisdiction Determination Request

Property Owner Name(s): _____

Mailing Address: _____

(Street)

(City)

(State)

(Zip)

Telephone: _____ **Email:** _____

Fax: _____

Name of Agent/Surveyor (if desired): _____

Mailing Address: _____

Telephone: _____ **Email:** _____

Fax: _____

Property Location: _____

County: _____ **Waterway:** _____ **Tax Parcel ID:** _____

Lot, Block & Subdivision Name from Deed: _____

Reason for Request of Marsh/Shore: _____

Georgia Department of Natural Resources-Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I, _____, am requesting to have a jurisdictional determination for the marsh/shore area at my property. By this request, I am permitting Department Staff to access my property for such determination. I also understand that upon receipt of this request, additional information may be required before the Department delineates the marsh/shore jurisdictional area.

Sincerely,

By: Brent Watts
(Applicant), title if applicable

By: _____
(Applicant), title if applicable

Type: WD
Kind: WARRANTY DEED
Recorded: 2/1/2022 11:31:00 AM
Fee Amt: \$865.00 Page 1 of 2
Transfer Tax: \$840.00
Chatham, Ga. Clerk Superior Court
Tammie Mosley Clerk Superior Court

Participant ID(s): 7428341760,
7067927936

BK 2696 PG 439 - 440

Prepared by:
McManamy Jackson Hollis, LLC
415 Eisenhower Drive, Ste 1
Savannah, GA 31406
Phone: (912) 691-0943
Fax: (912) 691-0947

LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of 18th day of January, 2022, by and between

Bradley W. Elsby and Kim A. Elsby, a married couple
(Hereinafter referred to as the "Grantor"), and

Chatham 701 13th LLC, a Georgia Limited Liability Company
(hereinafter referred to as "Grantee")

WITNESSETH, THAT:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed by these presents does grant, bargain, sell, and convey and confirm unto said Grantee:

ALL that certain lot tract or parcel of land situate, lying and being in The City of Tybee Island, Chatham County, Georgia, known as Lot 338-A, on a plat thereof dated October 6, 2004, prepared by J. Whitley Reynolds recorded in Plat Record Book 29-P, Page 37, in the Office of the Clerk of Superior Court of Chatham County, Georgia.

ALL those certain lots, tracts or parcels of land situate, lying and being in The City of Tybee, Chatham County, Georgia, known as Lots 358-A and 359-A, Ward Four (4), on that certain map or plat prepared by Thomas and Hutton Engineering Company dated August 8, 1957, recorded In the Office of the Clerk of Superior Court of Chatham County, Georgia in Plat Record Book H, Folio 318.

Subject, however, to the: Right, title or claims of the State of Georgia or others to any portion of the said herein described real property determined to be marshlands within the estuarine area as defined in The Coastal Marshlands Protection Act of 1970, as amended, and/or right, title or claim to any portion of the said herein described real property now or hereinafter determined to be marshlands, wetlands, tidelands or filled lands.

701 13th Street, Tybee Island, GA 31328
PIN 4-0011-03-020
PIN 4-0011-09-021

Said property containing improvements thereon currently known as 701 13th Street, Tybee Island, GA 31328, PIN 4-0011-03-020

(hereinafter referred to as the "Property")

SUBJECT, however, to certain restrictions, covenants and easements of record or evidenced by use.

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

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed on the day and year first above written.

Signed, sealed and delivered before me on the day and year first above written,
In the presence of:

 (SEAL)
Bradley W. Elsby

 (SEAL)
Kim A. Elsby


Unofficial Witness



Notary Public
(NOTARIAL SEAL)



EXHIBIT “A”

ALL that certain lot tract or parcel of land situate, lying and being in The City of Tybee Island, Chatham County, Georgia, known as Lot 338-A, on a plat thereof dated October 6, 2004, prepared by J. Whitley Reynolds recorded in Plat Record Book 29-P, Page 37, in the Office of the Clerk of Superior Court of Chatham County, Georgia.

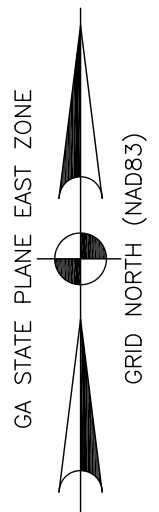
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Subject, however, to the: Right, title or claims of the State of Georgia or others to any portion of the said herein described real property determined to be marshlands within the estuarine area as defined in The Coastal Marshlands Protection Act of 1970, as amended, and/or right, title or claim to any portion of the said herein described real property now or hereinafter determined to be marshlands, wetlands, tidelands or filled lands.

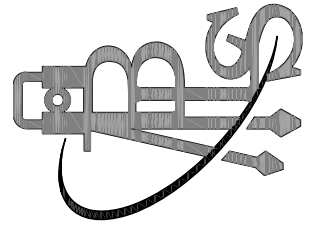
701 13th Street, Tybee Island, GA 31328
PIN 4-0011-03-020
PIN 4-0011-09-021

CURVE DATA TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.46'	987.51'	2°55'39"	N57°14'43"E	50.45'
C2	50.46'	987.51'	2°55'39"	N54°19'04"E	50.45'



BREWER
LAND SURVEYING
604 US HIGHWAY 80W
Pooler, GA 31322
Info@brewersurvey.com
Phone (912) 856-2205
www.BrewerSurvey.com
LSF001095

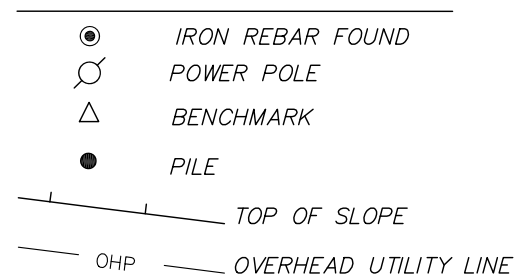


A TOPOGRAPHIC & SOUNDING SURVEY OF
LOTS 358-A & 3359-A, WARD NO. 4
TYBEE ISLAND, CHATHAM COUNTY, GEORGIA

PREPARED FOR:
ROBERTS CIVIL ENGINEERING, INC.

PROJECT #:	200697
FIELD DATE:	10/08/2020
PLAT DATE:	10/14/2020
LAST REVISED:	N/A
DRAWN BY:	J.C.B.
SCALE:	1"=20'

LEGEND



SURVEYOR'S NOTES

1. THE ELEVATIONS AND CONTOURS SHOWN ARE BASED ON NAVD83 DATUM. THE CONTOUR INTERVAL IS 1 FOOT.
2. ACCORDING TO THE FLOOD INSURANCE RATE MAP 1305100161G, REF. 08/16/2017, THE PROPERTY LIES IN ZONE X, NOT A 100 YEAR FLOOD HAZARD AREA.
3. ONLY ABOVEGROUND, READILY VISIBLE STRUCTURES WERE LOCATED FOR THIS SURVEY. THIS SURVEYOR MAKES NO WARRANTY OR GUARANTEE AS TO THE LOCATION, DEPTH, OR EXISTENCE OF ANY BELOW GROUND, NON-VISIBLE UTILITIES OR STRUCTURES.
4. PROPERTY LINES TAKEN FROM SURVEY PREPARED BY J. WHITLEY REYNOLDS, G. REGISTERED LAND SURVEYOR #2249.
5. PROPERTY SHOWN IN THIS SURVEY IS SUBJECT TO ANY APPLICABLE MUNICIPAL SETBACKS OR NEIGHBORHOOD COVENANTS.



