

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, Savannah District, US Army Corps of Engineers, ATTN: CESAS-RD, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640. 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 10/23/20

3. For Official Use Only _____

4. Name and address of applicant.

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

Lat. 31.998323° Long. -80.853413

Chatham

County

Savannah

Near City or Town

< 1 acre

Lot Size

Horsepen Creek

Name of Waterway

Military District

Ward 4

Subdivision

unknown

Approximate Elevation of Lo

Horsepen Creek

Name of Nearest Creek, River, Sound, Bay or Hammock

Tybee Island

In City or Town

358A & 359A

Lot No.

Georgia

State

6. Name, address and title of applicant's authorized agent for permit application coordination.

Sam LaBarba, Roberts Civil Engineering, 301 Sea Island Rd., SSI, GA 31522

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.

 _____ Oct 24 2020
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.)

8. Proposed use: Private Public Commercial Other (Explain)

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

10. Date activity is proposed to commence. 1/1/21
Date activity is expected to be completed. 6/1/21

11. Is any portion of the activity for which authorization is sought now complete ~~Y~~ ~~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. Date/Application</u>	<u>Date/Approval</u>
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13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
 Yes 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 NA

1. Access channel length NA depth _____ width _____

2. Boat basin length _____ depth _____ width _____

3. Fill area length _____ depth _____ width _____

4. Other _____ length _____ depth _____ width _____

(Note: If channel, give reasons for need of dimensions listed above.)

b. If bulkhead, give dimensions NA

-- Type of bulkhead construction (material) _____

1. Backfill required: Yes _____ No _____ Cubic yards _____

2. Where obtained _____

c. Excavated material

1. Cubic yards NA

2. Type of material NA

15. Type of construction equipment to be used NA

a. Does the area to be excavated include any wetland? Yes No

b. Does the disposal area contain any wetland? Yes No

c. Location of disposal area _____

d. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized: NA

e. Will dredged material be entrapped or encased? NA

f. Will wetlands be crossed in transporting equipment to project site? NA

g. Present rate of shoreline erosion (if known) NA

16. Description of Avoidance, Minimization and Compensation: Provide a brief explanation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also, provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts.

17. 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 aboveground storage areas must be diked, and there should be no storm drain catch basins within the dike 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.

18. 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.


Signature of Applicant

19. 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 fills 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:

STATE OF GEORGIA

REVOCABLE LICENSE REQUEST FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANTS NAME(S): Bradley and Kim Elsby

MAILING ADDRESS: 1850 Settindown Dr Roswell GA 30075
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: Venetian Dr, Tybee Island

COUNTY: Chatham WATERWAY: Horse Pen DATE: Oct 2 2019

LOT, BLOCK & SUBDIVISION NAME FROM DEED: LOT 358A and 359A Ward 4

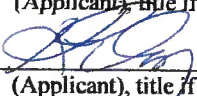
Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

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 signed a copy of this request.

Sincerely,

By: 
(Applicant), title if applicable

By: 
(Applicant), title if applicable

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be constructed and completed within the specified timeframe associated with the authorization and/or transmittal letter associated with this revocable license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

STATE OF GEORGIA
Office of the Governor

By: _____
For: Mark Williams, Commissioner-DNR

Date: _____

Revised 6/20/2017

RECEIVED

NOV 24 19

GA-DNR

Clock#: 319724
FILED FOR RECORD
6/23/2006 03:03pm
PAID: 14.00
Daniel W. Massey, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Thomas J. McNamara
Attorney at Law
7370 Hodgson Memorial Drive
Suite B-11
Savannah, GA 31406

308 0 BOOK
040 PAGE

STATE OF GEORGIA

CORRECTIVE WARRANTY DEED

COUNTY OF CHATHAM

This indenture, made this 31st day of March, 2006, between
RICHARD O. MITCHELL
as Party of the First Part, and
STEPHEN D. KICKLIGHTER and WILLIAM A. MADISON, AS JOINT TENANTS WITH THE
RIGHT OF SURVIVORSHIP, and not as Tenants in Common, as Party of the Second Part:

* W I T N E S S E T H *

That first Party for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and does hereby grant, bargain, sell, alien, convey and confirm unto the Party of the Second Part the following described property, to wit:

See Schedule A attached hereto and by this reference made a part hereof.

SUBJECT, HOWEVER, to all valid easements, restrictive covenants, and rights of way of record.

TO HAVE AND TO HOLD the Land, 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 Grantee forever in **FEE SIMPLE**. The party of the first part expressly covenants that it is seized of said property in good fee simple title and that it has the full right power and authority to convey the same; that the said property and the grantor thereof are free and clear of any liens, claims or encumbrances whatever whereby the title to said property may in anywise be charges, changes, impaired or defeated, and that the party of the first part will forever **WARRANT and DEFEND** the said premises against the lawful claim of all persons whomsoever.

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PARTY OF THE FIRST PART hereto does hereby warranty the following: a) That party of the first part presently has good and marketable fee simple title to the property; b) That property will be in substantially the same condition at time of Closing as on the date hereof; c) Party of the first part has no knowledge of any pending rezoning; d) No party is in possession of the property or any portion thereof, whether as a lessee or tenant at sufferance, other than party of the first part or an entity owned or controlled by party of the first part; e) To the best knowledge of party of the first part, no part of the property has been used for or as a landfill or toxic waste site; f) To the best knowledge of party of the first part, there are no assessment, condemnation or eminent domain actions or proceedings pending or threatened against the property or any portion thereof; g) There is no option to purchase, right of first refusal to purchase or agreement for the sale and purchase of the property or any portion thereof to any person or entity, except for this agreement; and h) No consent or approval of any other person or entity is required in order for this agreement to be legal, valid and binding upon the party of the first part.

PARTY OF THE FIRST PART does hereby give unto party of the second part all Warranties of Title, including the foregoing, both express and implied, and shall not be limited to the aforesated Warranties of Title.

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

Richard O. Mitchell (L.S.)
RICHARD O. MITCHELL

_____ (L.S.)

Signed, seal and delivered in the presence of:

Cathleen Kaine
Witness

Donna M. Yawn
Notary Public

My Commission Expires: **DONNA M. YAWN**
Notary Public, Chatham County, GA
My Commission Expires March 27, 2007



PREPARED BY: THOMAS J. MCNAMARA
RECORD & RETURN TO:
THOMAS J. MCNAMARA
7370 HODGSON MEMORIAL DRIVE, SUITE B-11
SAVANNAH, GEORGIA 31406

File No.: MADKICK/MITCHE

BOOK 308 Q
PAGE 042

Schedule A

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND SITUATE, LYING AND BEING IN THE TOWN OF TYBEE ISLAND, COUNTY OF CHATHAM AND STATE OF GEORGIA, BEING KNOWN AND DESIGNATED AS LOT 358-A AND THE NORTHERN ONE-HALF (1/2) LOT LOT 359-A, WARD FOUR (4), AS SHOWN UPON THAT CERTAIN MAP OR PLAT, PREPARED BY THOMAS & HUTTON ENGINEERING COMPANY, DATED AUGUST 8, 1957 AND RECORDED IN PLAT RECORD BOOK H, FOLIO 318 IN THE OFFICIAL RECORDS OF THE CLERK OF SUPERIOR COURT OF CHATHAM COUNTY, GEORGIA, WHICH SAID MAP OR PLAN IS HEREBY INCORPORATED INTO AND MADE A PART OF THIS DESCRIPTION.

SUBJECT, HOWEVER TO ALL VALID RESTRICTION, EASEMENTS AND RIGHTS OF WAY OF RECORD, INCLUDING VALID CLAIMS OF GOVERNMENTAL AUTHORITIES ON ANY SAID PROPERTY THAT IS MARSHLAND.

AND ALSO: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE STATE OF GEORGIA, COUNTY OF CHATHAM AND BEING KNOWN AND DESIGNATED AS THE SOUTHERN ONE-HALF (1/2) OF LOT THREE HUNDRED FIFTY-NINE (359-A), WARD FOUR (4), UPON THAT CERTAIN MAP OR PLAT, PREPARED BY THOMAS & HUTTON ENGINEERING COMPANY, DATED AUGUST 8, 1957 AND RECORDED IN THE PUBLIC LAND RECORDS OF CHATHAM COUNTY, GEORGIA IN PLAT RECORD BOOK H, FOLIO 318; AND SAID MAP OR PLAN IS HEREBY INCORPORATED INTO AND MADE A PART OF THIS DESCRIPTION; SAID SOUTHERN ONE-HALF (1/2) OF LOT 359-A HEREBY CONVEYED HAVING A FRONTAGE ON VENETIAN DRIVE OF TWENTY-FIVE FEET AS FORMED BY EXTENDING A LINE FOR A POINT MIDWAY IN THE FRONT BOUNDARY LINE OF LOT 359-A, WARD 4, TO THE REAR OF LOT 359-A, WARD 4, SAID DIVISION LINE BEING EQUIDISTANT FROM THE SIDE BOUNDARY LINES OF LOT 359-A, WARD 4, SO THE THE PRESENT LOT 359-A, WARD 4, IS EQUALLY DIVIDED INTO A SOUTHERN AND NORTHERN PARCEL.

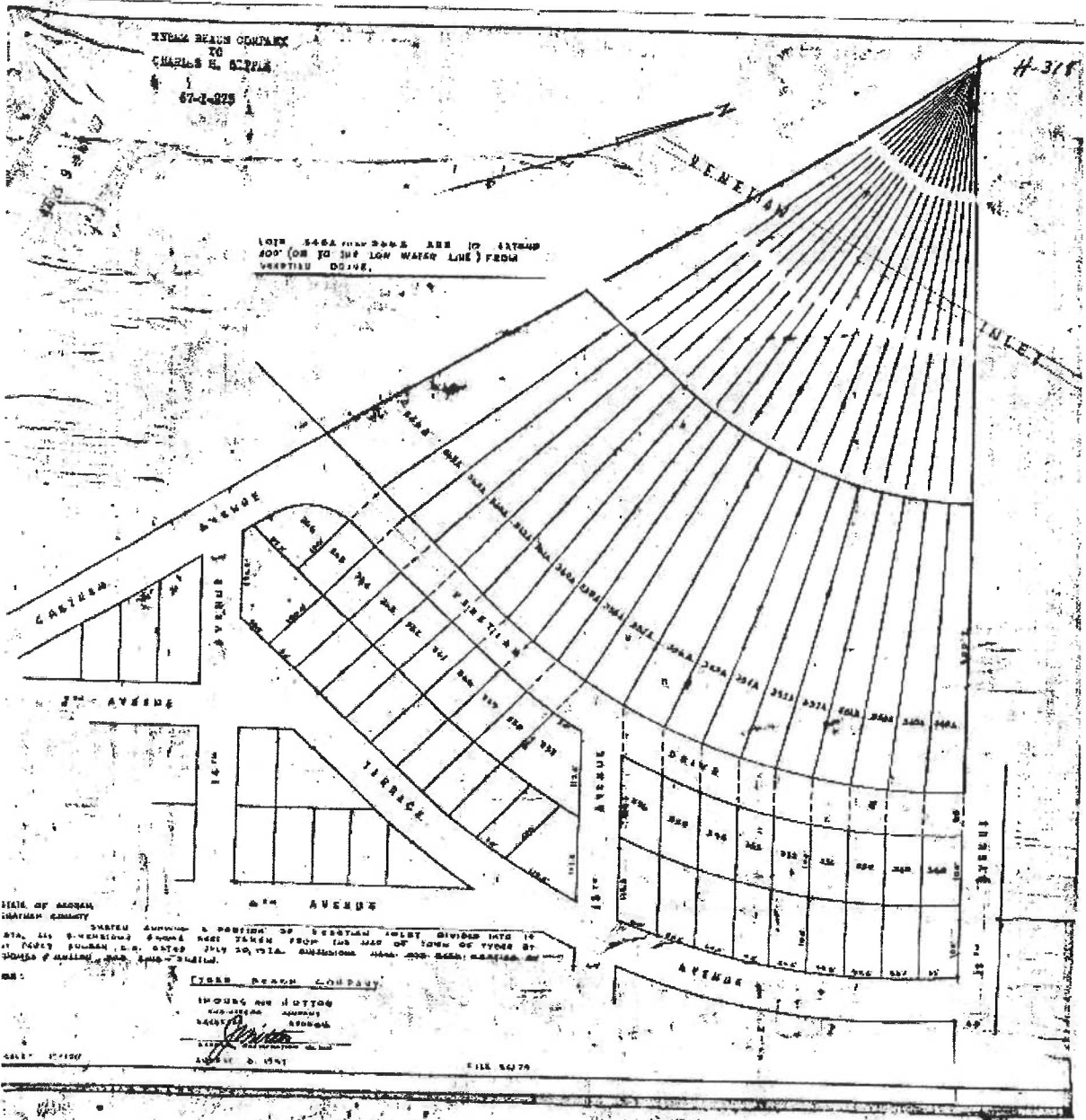
File No.: MADKICK/MITCHE

915

TRUSS BEAM COMPANY
TO
CHARLES H. BULLOCK
67-1-273

H-318

LOTS 246A AND 246B ARE TO EXTEND
100' (OR TO THE LOW WATER LINE) FROM
WHEELER DRIVE.



PLAT OF AGRICULTURAL
LANDS

THESE AGRICULTURAL LANDS WERE DIVIDED INTO 10
ATA, ALL DIMENSIONS SHOWN WERE TAKEN FROM THE MAP OF TOWN OF TOWN BY
AT TOWN OF TOWN, D.D. DATED JULY 10, 1914. DIMENSIONS WERE TAKEN FROM THE
MAP OF TOWN OF TOWN, D.D. DATED JULY 10, 1914.

BY:

TRUSS BEAM COMPANY

BY: HENRY H. HAYES

REGISTERED SURVEYOR

STATE OF ALABAMA

APPROVED: [Signature]

APPROVED: [Signature]

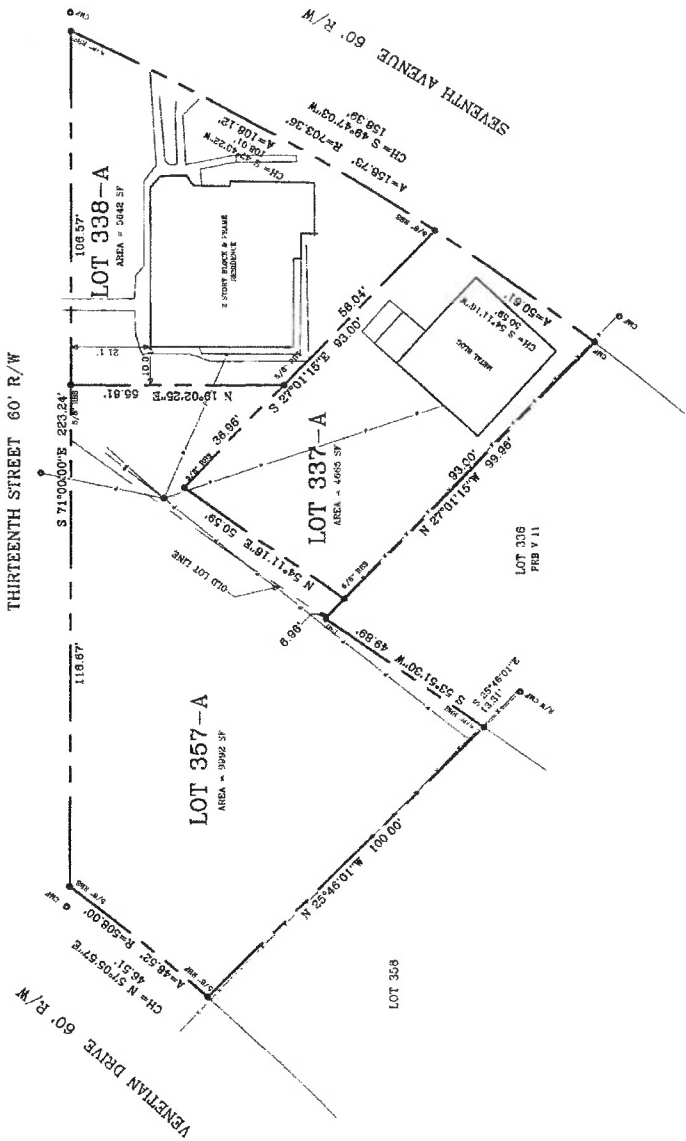
SCALE: 1" = 100'

APPROVED: [Signature]

FILE NO. 279

H

2002 JUN 25 AM 11:04
GREGORY M. PARKER
D:\PROJECTS\13-6-04\13-6-04.PLT

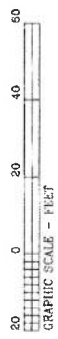


PLAT OF A RECOMBINATION OF LOTS 337, 338 & 357, WARD NO 4, TYBEE ISLAND, CHATHAM COUNTY, GEORGIA

25918

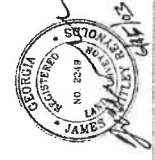
FOR: GREGORY M. PARKER

"THIS WILL CERTIFY THAT THE PROVISIONS RELATIVE TO GEORGIA CODE SECT 13-6-6-(B)(1) DO NOT REQUIRE APPROVAL OF THIS PLAT BY THE CLERK OF SUPERIOR COURT ACCORDING WITH THE CLERK OF SUPERIOR COURT"



EQUIPMENT:
TOPCON AP-11A
BORIS CLOSURE
SINUS 100
ANG. 117/ANGLE
BALANCED BY: L.S.
PLAT 1/12/700

SCALE 1" = 20'
DATE NOVEMBER 14, 2000
NO. 2519
FILE NO. 00-1896



J. WHITLEY REYNOLDS
LAND SURVEYOR
638 STEPHENSON AVENUE
SAVANNAH, GEORGIA 31405
TELEPHONE: 912-352-0464
FAX: 912-352-7797

REFERENCE: PUB Q 45
ZONE 4-0, WFS 13

ACCORDING TO THE FLOOD INSURANCE RATE MAPS THIS SITE IS WITHIN THE 100 YEAR FLOOD ZONE.