

SPRING WELCH COUNTY

personally before the undersigned attesting officer appeared WERT L. BRILL, Sr., who, being duly sworn, deposes and states on oath as follows:

1.

Deponent resides at 2734 The Fontainebleau, N.W., Atlanta, Georgia, in the Continental Colony Subdivision.

2.

Deponent's attention was first drawn to the Continental Colony Subdivision on the basis of a half-page advertisement in one of the larger Atlanta newspapers several months prior to August 1960.

3.

Deponent went to the subdivision and a Mr. Walter A. Flanagan, Sales Representative for Scott Hudgens Realty & Mortgage Company, Inc., was present and discussed the overall development with deponent. Deponent was specifically concerned with whether the overall development would be in keeping with the discussion with Mr. Flanagan and Mr. Flanagan furnished deponent and his wife a four-page brochure entitled, "See You at the Fountain," and a copy of a four-page document entitled, "Restrictive Covenant for Continental Colony Subdivision."

4.

Deponent also compared the diagram on the brochure with the actual plat by Harold L. Bush & Associates, dated September 1959, which included the property which deponent desired to purchase.

5.

Deponent was assured by the said Mr. Flanagan that the entire development would be in accordance with the diagram and would be controlled by the covenant furnished to him.

6.

On the 2nd day of August, 1960, deponent entered into a sales agreement and on the 11th day of August, 1960, deponent purchased Lot 24 of Block D, which is deponent's present residence.

7.

Deponent was particularly interested in the lot width and the type of houses to be built and was assured by the said Mr. Flanagan that his house, which cost \$27,500.00, would be one of the cheaper houses in the subdivision and that the lot width would be one hundred (100) feet minimum. Deponent was also concerned with the apartments and the shopping center, and the apartment area and approximate number were pointed out by the said Mr. Flanagan, who represented to deponent and assured him that the apartments were there to constitute a buffer in order to protect the property value, and that the apartments to the west would be garden type apartments but those to the east would not be quite as nice apartments. Deponent explored this aspect thoroughly as he felt that after his retirement from Civil Service he and his wife might possibly desire to sell and move into an apartment, but deponent's primary concern was that the apartments be restricted in area and number so as to properly protect the value of his property.

8.

Deponent attaches to this affidavit a copy of the covenants and a copy of the brochure identical with those furnished to him by Mr. Flanagan.

9.

This affidavit is made for the purpose of being used in connection with opposition to rezoning for apartments and business purposes in the rezoning in the general vicinity of Greenbriar Shopping Center scheduled for consideration on the 24th day of February, 1966.

ROBERT L. SPRUILL, SR.

Sworn to and subscribed before me

this _____ day of _____, 1966.

Notary Public