DEPARTMENT OF THE ARMY PERMIT

PERMITTEE: Mr. Rees Walte, TFA Realty Services, LLC, 3550 Engineering Drive, Suite 256, Norcross, Georgia 30092, TFA Realty Services, LLC

PERMIT NUMBER: SAS-2012-00729

ISSUING OFFICE: US Army Corps of Engineers 1590 Adamson Parkway, Suite 200 Morrow, Georgia 30260

NOTE: This term "you" and its derivatives used in this permit, means the permittee or any future transferce. This term "this office" takes to the appropriate District or Division office of the U.S. Army Corps of Regiments having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified solone

PROJECT DESCRIPTION: The project is to construct a multi-phase commercial development with rotal features, as well as attendant infrastructure (i.e. roads, utilities; pedestrian walkways, and storm water management facilities) necessary to support the development.

PRODECT LOCATION: The project size is located at latitude 33.9611, longitude -84.2268, at the intersection of Engineering Drive and State Route 341/Peachtree Parkway, in the center of the City of Peachtree Corners, Gwinnett County, Georgia

PERMIT CONDITIONS:

General Conditions.

- 4. The time limit for completing the work authorized by this individual Permit ends on June 30, 2018. If you find that you need more time to complete the authorized activity, you must submit a request for your permit extension at less one mouth prior to the above date.
- 2. You must maintain the activity authorized by this permit in good roudition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third partly in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

- 12. Prior to the commencement of any work in jurisdictional waters of the United States for this activity, you will purchase 0.30 wetland mitigation credits from Carrollton Mills Mitigation Bank (SAS2007-00310). You or the mitigation bank spousor must provide this office with documentation of this purchase before any work may commence. The notice should reference the US Army Corps of Engitteer file number assigned to this project.
- 13. Prior to the commencement of any work in jurisdictional waters of the United States for this activity, you will purchase 4.977.45 stream credits from Southern Cross Rauch Mitigation Bank (SAS-2006-1443). You or the mitigation bank spouser must provide this office with documentation of this purchase before any work may commence. The notice should reference the US Army Corps of Engineer file number assigned to this project.
- 14. This permit does not authorize the interference with any existing or proposed Pederal Project and the permittee shall not be cutilied to compensation for damage or injury to the structures or work authorized herein, which may be caused by or result from existing or future operations undertaken by the United States in the public interest.
- 15. A copy of this permit, including the approved drawings and plans; see a Commonstant any smeathments shall be maintained at the work site whenever work is a set perform. The permittee(s) shall assure that all contractors, subcontractors, and other permittee work are fully aware of the permit terms and only.
- accolable, at least tendays in adoption to be write yellow or facsim accolable, at least tendays in adoption that it comment work water of the United States for the permitted accolable were mitter shall also utily the state, in writing, 30 days after this project is imported using the accolable which the Commission of Comm
- 17. Wetland end/or Stream a volighte/Minimization of the Permittee shall avoid the remaining wetlands and streams of the Street. These natural found and stream areas were avoided as part of the permit applicates review process and therefore will not be disturbed by usig dredging, filling, mechanized law the time, agricultural activities, or other construction work whatsures are Corps reserves. I think to deny review of any requests for future impacts.

ENTHER NEON ON

Connessional Authorities: You have been authorized to undertake the activity described and to Section 404 of the Clean Water Act (33 U.S.C. 1344).

🖊 2. Limits of this Authorization

36. This permit does not obviate the need to obtain other federal, state, or local, authorizations required by law.

- 3. If you discover any previously inknown historic or archeological remains white accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned Water Quality Certification has been issued for your project, you must comply with conditions specified in the certification as Special Conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- Non must allow representatives from this office to inspect the authorized activity at any time decayed necessary to ensure that it is being or less been accomplished in accordance with the terms and conditions of your penuit.
- 7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or it, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the firer navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or after the structural work or obstructions caused thereby, without expense to the United States. Notiann shall be made against the United States because of any such removal or alterations.

Special Conditions

- 17 All dradged or homowed material used as fill on this project will be from clear, nontaminated sources and free from cultural resonances.
- That no construction activity or stockpiling will occur in waters of the United States, including welland areas, outside of the areas authorized for filling under this permit.
- 3. Prior to the commencement of construction activities for this project, the limits of the proposed fill areas in jurisdictional waters shall be clearly flagged and staked by you audior your contractors. All construction personnel shall be shown the location(s) of all wetland and/or stream areas contain of the construction area to prevent encroachment from heavy equipment into these areas.
- 4. Borrow site or sites for stockpiling fill dirt shall be prohibited within 200 feet of streambants, 50 feet of wetlands and open waters or elsewhere muoff from the site would increase sedimentation in waters of the United States unless specifically authorized by just permit. Normal grading activities such as outling and filling within 200 feet of streams or 50 feet of wetlands/one waters are authorized.

- b. This permit does to soot as property whits or exclusive privileges.
- This permit does not authorize any injury to the property or rights of others.
- d. Lis permit does not authorize interference with any existing or proposed federal.
- Limit of Eyderal Liability. In issuing this permit, the Federal Government does not appear of the following:
- Liumage to the permitted project or uses thereof as a result of other permitted or impermitted an evities or from natural causes.
- h. Jamages in the permitted project or uses thereof as a result of current or fedure activities taken by or on behalf of the United States in the public interest.
- z. Damages to persons, property, or to other pennitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- c. Damage claims associated with any future modification, suspension, or revocation of this sit.
- Reliance on Applicant's Data. The determination of this office that issuance of this permit
 is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warment. Circumstances that could require reevaluation include, but are not limited to, the following:
- a. You fall to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reacting the original public interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 235.7, or enforcement procedures such as those contained in 33 CFR 236.4 and 336.5. The referenced enforcement procedures provide for the issuance of an administrative order, which requires you to compty with the terms and conditions of your permit and for the initiation of legal action where appropriate.

- Construction debris, liquid concrete, old riprap, old suppert materials, or other litter shall not be placed in streams or in areas where migration into streams endor wetlands could, reasonability be expected.
- 6. Staging areas and equipment maintenance areas will be located at least 200 feet from streambanks to minimize the potential for west water, petroleum products, or other contaminants from construction equipment entering the streams.
- 7. The permittee shall ensure that the project's master drainage plan is designed and implemented to avoid inadvertent drainage of wetlands and inadvertent water diversion resulting in a reduction of favoreign in wetlands. The permittee shall also ensure that secondary road ditches another small after-project drainage ditches do not inadvertently impact wetlands or waters of the UK.
- 8. The permitties shall minimize bank erosion and sedimentation in construction areas by utilizing Best Management Practices for stream conciders, installing and maintaining significant erosion and sediment coursol measures, and providing deliv reviews of construction and protection methods. Check dams and riprap placed in streams and welfands as cropt commences are considered a fill and not sufficient under this permit unless they was conficult authorized by this normal.
- 9. All work conducted under this permit about a located, outlined, destend, commended and persisted in accordance with the minimal requirements as contained in the arraise Electronic and Sedimentation Control Act of 1972 as mend. Utilization of places and a full interest as contained in the "Manual for Errogia as Sediment as root, (Latest Edition)," passed by the Georgia Soil and Water Conservation of many soils or was agreeded, and in additional compliance with the attreatment to sed of the property o
- 10. You so Joint in a large of the water of the Watershell Projection Branch at (404) 675-6240.

 Variance for much by the Direct of the Geo an Injurior water water of the projection (EPD), as defined in the again Ercsion and intensity of the Control of the Watershell Projection Branch at (404) 675-6240.
- 11. If you or you antracted discover any federally listed threatened or endangered species and/or their habitat with a finglishing the activities authorized by this permit, you must maneflately ST DP way to the area and notify the issuing office of what you have found. We lill initiate the orderal and state coordination required to determine if the species and/or habitat you fart.

d. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as these specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are sincurstances requiring either a prompt completion of the authorized activity or a reconstancing of the public interest decision, the U.S. Army Corps of Engineers will normally consider a request for an extension of time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Phy White

7/10 / 13 (DATE)

This permit becomes effective when the federal official, designated to act for the Secretary of the Army, has signed below, $\frac{1}{2} \left(\frac{1}{2} + \frac{1}{2}$

issued for and in behalf of.

Colonel, US Army

7/1/20/3 (DATE)

When the structures or work authorized by this pennit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the now owner(s) of the property. To validate the transfer of this permit and the associated habilities with compliance with its terms and conditions, have the transferred sign and dark below.

(TRANSFEREE)

(DATE)

IT IS THE RESPONSIBILITY OF THE APPLICANT TO SPEAK WITH THE UNITED STATES ARMY CORPS OF ENGINEERS ABOUT ACQUIRING APPROPRIATE PERMITS FOR THIS ACTIVITY GR-3