

**STATE OF GEORGIA**

**COUNTY OF HALL**

**AFFIDAVIT OF DISCLOSURE OF NON-CONFLICT OF INTEREST**

Personally appeared before me, the undersigned attesting authority in the State and County aforesaid, Kathy Cooper (“Deponent”), known to me to be the person whose name is subscribed below, and who, after being duly sworn, does state on her oath that she is authorized to make this Affidavit and that she has personal knowledge that the following matters, facts and things set forth herein are true and correct to the best of her knowledge. Accordingly, Deponent deposes and states on oath the following:

1.

I am the District 1 Commissioner for Hall County, Georgia, serving on the Hall County Board of Commissioners (“Board”) and, as such, I am fully authorized to make this Affidavit, and have actual, personal knowledge of the matters set forth herein.

2.

On January 6, 2025, I submitted to our Commission Clerk a Conflict of Interest Disclosure in which I disclosed that I had a conflict of interest related to two zoning applications before the Board for properties located at 5111 Old Winder Highway and 5079 Old Winder Highway, and that I would be recusing myself from their consideration. To that end, I did recuse myself and did not participate in the hearings held on those items by the Board on January 9, 2025, and January 23, 2025. At the time of my recusal, I judged that I had a conflict of interest based solely on the fact that I had previously worked as the selling agent for Atlas Development Services, Inc., in the prior sale of 5079 Old Winder Highway in 2024, which is currently owned by ADC 5 Atlanta, LLC (“ADC 5”).

3.

In the zoning applications from which I recused, the property at 5079 Old Winder Highway was seeking amended conditions of zoning and the property at 5111 Old Winder Highway was seeking a partial rezoning from Agricultural-Residential IV (AR-IV) to Planned Residential Development (PRD). Although I had no business relationship with Chestnut Mountain Church of Christ, Inc. (the “Church”), owner of 5111 Old Winder Highway, I did have a past business relationship with Atlas as the sales agent in its purchase of 5079 Old Winder Highway. As the zoning applications related to these properties were heard together but decided separately, I thought it appropriate not to participate in their consideration due to the conflict I perceived to exist from my past involvement with Atlas in the purchase of 5079 Old Winder Highway.

4.



On January 23, 2025, the rezoning application for 5111 Old Winder Highway was denied by the Board of Commissioners, and the application for amended conditions of zoning for 5079 Old Winder Highway was deemed moot and withdrawn. The property owner and applicant timely appealed the Board's decision as to 5111 Old Winder Highway and the case is currently pending in the Superior Court of Hall County. On October 14, 2025, Hall County, the Church, and Atlas consented to the Superior Court entering an order that remanded the application for rezoning back to the Board for a subsequent hearing, which has been rescheduled for Thursday, December 11, 2025, at 6:00 p.m.

The rezoning application pertains to approximately  $\pm$  10 acres of 5111 Old Winder Highway (Tax Parcel 15038 000076), which has been split from the remaining  $\pm$  16.5 acres owned by the Church and sold to ADC Venture 5, LLC ("ADC Venture") during the pendency of the lawsuit. I have not been involved in any way personally with the underlying transaction between the Church, ADC Venture, or ADC 5, nor do I have a financial interest in the outcome of that transaction or any current business relationship with those entities or their principals. For that reason, I have determined I do not have a conflict of interest that would prohibit me from participating in the rehearing of this application for 5111 Old Winder Highway.

FURTHER AFFIANT SAYETH NOT.

  
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Kathy Cooper, Commissioner  
Hall County, Georgia

Sworn to and subscribed before me on this 8<sup>th</sup> day of December, 2025.

 (Seal)  
Notary Public, State of Georgia  
  
Printed Name of Notary



My commission expires: May 10, 2029