

L

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received:	Application No:
	nnen stin@euphoricdevelopment.com 65 Glenridge Connector Suite 325 Atlanta, GA 30342
Applicant Daytime Phone: 67	8-612-6111 Fax:
	ntures LLC, Project Cross LLC If more than one owner, attach list of owners. Genridge Connector Suite 325 Atlanta, GA 30342 612-6111
Address of Subject Property:	8361 Covington Highway Lithonia, GA 30058, 8637 Covington Highway Lithonia, GA 30058
Parcel ID#: 1618302003, 16	520202005
Acreage: <u>51,16</u>	Commission District: <u>5</u> , Super 7
Present Zoning District(s):	, Stonecrest Overlay District 1
Proposed Zoning District: M	
Present Land Use Designation	n: <u>M</u>
Proposed Land Use Designati	on (if applicable):



Chief Executive Officer

Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director Andrew A. Baker, AICP

REZONING APPLICATION CHECKLIST

Email one (1) copy of your application as one (1) file to planner. Submit application through our online portal epermits.dekalbcountyga.gov You MUST email us that you've submitted the application online. Any questions? Plansustain@dekalbcountyga.gov

1. Schedule a mandatory Pre-Application Conference with Planning & Sustainability staff by appointment. Obtain Pre-Application form (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.

2. Hold a Pre-Submittal Community Meeting with surrounding neighborhood associations and residents. Provide documentation of the meeting (meeting notice and sign in sheets). Letter(s) from homeowners association(s) may also be provided.

3. Submit Application (Email to planner and submit onlineepermits.dekalbcountyga.gov Please assemble materials in the following order.)

_A. Application form with name and address of applicant and owner, and address of subject property;

B. Pre-submittal community meeting notice and sign-in sheet and other documentation of meeting, if any;

C. Letter of application and impact analysis

- 1. Letter of application identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
- 2. Impact analysis of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

D. Authorization Form, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

E. Campaign disclosure statement (required by State law).

F. Legal boundary survey of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. (If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)

G. Site Plan, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

- a. complete boundaries of subject property;
- b. dimensioned access points and vehicular circulation drives;
- c. location of all existing and proposed buildings, structures, setbacks and parking;
- d. location of 100 year floodplain and any streams;
- _____ e. notation of the total acreage or square footage of the subject property;
- _____ f. landscaping, tree removal and replacement, buffer(s); and
- g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
- H. Reduced Site Plan, reduced to 8.5" x 11".
- _ I. Written Legal Description of metes and bounds of the subject property (can be printed on site plan or survey).

J. Building Form Information. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

K. Completed, signed Pre-application Form (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



February 9, 2023

Notice of Removal from Stonecrest Overlay District One Application Community Meeting

Dear Property Owner,

Euphoric Ventures LLC and Project Cross LLC are planning to apply for removal from Stonecrest Overlay District One through Dekalb County. The attached Exhibit A shows the location of the property. To find out more about the project, ask questions, and voice your opinion at the following community meeting:

Date: 02/28/2023

Time: 5:00 pm

Location: Microsoft Teams

Meeting ID: 249 911 883 212

Passcode: 2KXPzo

If you have any questions about the meeting, please email hunter@euphoricdevelopment.com.

Sincerely,

Austin Brannen

 Meeting Summary
 2

 Total Number of Participants
 2

 Meeting Title
 2

 Meeting Start Time
 2/28/2023, 4:59:59 PM

 Meeting End Time
 2/28/2023, 5:15:08 PM

 Meeting Id
 8537b78c-2d78-4891-aed9-d45853c58e2c

Full NameJoin TimeLeave TimeDurationEmailRoleParticipant ID (UPN)Hunter Himes2/28/2023, 4:59:59 PM2/28/2023, 5:15:08 PM15m 9shunter@euphoricdevelopment.comOrganizerhunter@euphoricdevelopment.comAustin Brannen2/28/2023, 5:00:30 PM2/28/2023, 5:15:06 PM14m 36sABrannen@naibg.comPresenterabrannen@naibg.com

Letter of Application

- 1. Project Address: 8361 Covington Highway Lithonia, GA 30058 & 8637 Covington Highway Lithonia, GA 30058
- 2. Owner: Euphoric Ventures LLC & Project Cross LLC
- 3. Parcel ID's: 1618302003 (51 Acres), 1620202005 (16 Acres)
- 4. Zoning/Overlay Information
 - a. Current Zoning Classification: M
 - b. Proposed Zoning Classification: M
 - c. Current Overlay District: Stonecrest Overlay District One
 - d. Proposed Overlay District: Removal from Stonecrest Overlay District One
- 5. Reason for Request
 - a. We are requesting removal from the Stonecrest overlay for parcels #1618302003 and #1620202005. We are not requesting a change in zoning, just removal from the overlay district. The Dekalb County 2050 Comprehensive Land Use plan has these two parcels included as light industrial and that is what we would like to provide. The overlay district does not align with the 2050 comprehensive plans for these two parcels. The current overlay restrict all M uses so light industrial users are not permitted to occupy the new Class A buildings. Currently only distribution users are allowed to occupy the buildings due to the overlay district. Distribution users do not create as many jobs as light industrial and also creates more truck traffic. A light industrial user will create more and better paying jobs for the area. Removal from the overlay will not affect and of the surrounding properties or their current uses.
- 6. Building Information
 - a. Three light industrial buildings totaling roughly 700,000 SF. The two-buildings associated with parcel #1618302003 are currently under construction and will be completed in late summer 2023. The newly constructed Class A light industrial buildings will provide much needed space for an end user. We have included a 10' paved utility path in the ROW, enhanced street lighting, and decorative landscaping along Covington Highway. Our permit numbers are listed below for reference and we have included site plans and building renderings with the application. We are proposing a 220,000 square foot light industrial building on parcel #1620202005 to be completed at a future date.
 - i. Land Disturbance Permit AP #1245599
 - ii. Building Permit #3109764
 - iii. Building Permit #3109767
 - b. The number of employees will be determined by the end user of the facilities. A light industrial user will create more salaried/hourly employees to run the operation.
 - c. We have included building renderings and the approved site plan with our application
 - d. The hours of operation will be determined by the end user
- 7. Neighborhood and Community Input
 - a. We held our pre-submittal meeting on 02/28 and we did not receive any opposition or comments from the community.
 - b. Several neighbors have voiced support for our request. We can provide contacts if needed.

IMPACT ANALYSIS

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
 - a. Yes we are in conformity with the policy and intent of the Comprehensive Plan. The Stonecrest area overlay district purpose and intent states implementing the policies and objectives of the DeKalb County Comprehensive Plan and enhancing the long-term economic viability of this portion of DeKalb County by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of DeKalb County. The 2050 Comprehensive Land Use plan has the parcels included as light industrial. The property is zoned M but the overlay does not allow for any M uses. Our facility is attractive to light industrial users due to the proximity to Interstate 20 (0.5 miles), distance to 285, and available work force. Removal from the overlay will attract users with higher paying and more jobs for these facilities. Currently only distribution users are allowed to occupy the buildings due to the overlay district. Distribution users do not create as many jobs as light industrial and also creates more truck traffic.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
 - a. The surrounding properties current uses are heavy industrial, light industrial, commercial, and a mobile home park. Directly across Covington Highway are car junk yards, railroad tracks, and a rock quarry. Our development will not impact the future development of any of the surrounding parcels. The warehouse buildings will be Class A space with storefront sections and an architectural paint scheme. The property also includes a 10' wide utility path in the right of way, deceleration lanes, decorative street lighting, and enhanced landscape features.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
 - a. The overlay greatly restricts the users who can occupy the buildings which has a negative economic impact. Removal from the overlay district will increase the economic impact of the development due to the available users. As mentioned above, light industrial users create more and better paying jobs than distribution. Large users are attracted to DeKalb due to the proximity to Atlanta and the workforce so removal from the overlay helps us attract these users.
- D. Whether the zoning proposal will adversely affect the existing use of usability of adjacent or nearby properties.
 - Our development will not impact the existing use of the surrounding properties. As mentioned above, we are surrounded by auto salvage yards, truck parking, mobile home park, and a rock quarry. Once completed, the development will include the latest technology in light industrial buildings and will be appealing from Covington highway. Please see our building renderings for reference.

- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
 - a. No known existing or changing conditions affecting the use and development of the property. The property is currently being developed with two Class A industrial buildings totaling 484,000 square feet.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
 - a. No historic building, sites, districts, or archaeological resources are present in the surrounding areas.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
 - a. The removal from he overlay will decrease the impact off the existing streets. Light industrial users will create less truck traffic the a strictly distribution users.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.
 - a. The development has been designed to all of the latest civil and water quality codes and has been approved by Dekalb County (LDP AP #1245599).

NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning or Special Land Use Permit of the Property subject to conditions which are different from the conditions requested by the Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Rezoning and Special Land Use Permit in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Rezoning and Special Land Use Permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.



Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 2/23/23

TO WHOM IT MAY CONCERN:

(1) (WE) Euphoric Ventures LLC Project Cross LLC Name of owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to

ranner

Name of Agent or Representative

to file an application on (my) (our) behalf.

Notary Public

Notary Public

stin Man

Owner

Owner

Notary Public

Owner

Notary Public

Owner



404.371.2155 (0) 404.371.4556 (f) DeKalbCountyGa.gov

Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes_____ No 🗙 *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

- The name and official position of the local government official to whom the campaign 1. contribution was made.
- The dollar amount and description of each campaign contribution made during the two 2. years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

m 2/23/23

Check one: Owner X Agent

Expiration Date/ Seal

*Notary seal not needed if answer is "no".



TITLE EXCEPTIONS - TRACTS 1-3 FIRST AMERICAN TITLE INSURANCE COMPANY ISSUING OFFICE FILE NUMBER: 2-40050(A) COMMITMENT DATE: FEBRUARY 25, 2021

- i. Easement from E. V. Reagin to Southern Telephone and Telegraph Co., Incorporated, dated March 21, 1929 and recorded May 11, 1929 in Deed Book 306, Page 541, records of DeKalb County, Georgia. (May affect subject property, insufficient legal description to determine location)
- Right of Way Deed from Bob Lowe to State Highway Board of Georgia, dated December 30, 1929, filed for record January 15, 1930 at 2:00 p.m., recorded in Deed Book 325. Page 134. aforesaid Records. (May affect subject property, insufficient legal description to determine location)
- k. Right of Way Deed from R. L. Lowe to State Highway Board of Georgia, dated March 5, 1931, filed for record July 8, 1931 at 9:00 a.m., recorded in Deed Book 354, Page 85, aforesaid Records. (Does affect subject property, not plottable)
- General Permit from R. L. Lowe to Southern Telephone and Telegraph Co., Incorporated, dated January 27, 1936, filed for record March 12, 1936 at 10:00 a.m., recorded in Deed Book 428, Page 95, aforesaid Records. (May affect subject property, insufficient legal description to determine location,
- m. General Permit from E. V. Reagin to Southern Telephone and Telegraph Co. Incorporated, dated January 27, 1936, filed for record March 12, 1936 at 10:00 a.m., recorded in Deed Book 428, Page 99, aforesaid Records. (May affect subject property, insufficient legal description to determine location
- n. General Permit from J. A. Richardson to Southern Telephone and Telegraph Co., Incorporated, dated January 28, 1936, filed for record March 12, 1936 at 10:00 a.m., recorded in Deed Book 428, Page 100, aforesaid Records. (May affect subject property, insufficient legal description to determine location)
- Easement from R. L. Lowe to Ga. Power Company, dated April 6, 1939, 0. filed for record July 26, 1939 at 1:00 p.m., recorded in Deed Book 500, Page 192, aforesaid Records. (Does affect subject property, not plottable, Right-of-Way Deed from Aron Oxford to Georgia Power Company, dated
- February 19, 1940, filed for record March 13, 1940 at 9:00 a.m., recorded in Deed Book 512, Page 96, aforesaid Records. (Does Not affect subject property. Not in the same Land Lot as subject property)
- q. Easement from E. V. Reagin to Southern Telephone and Telegraph Company, dated April 13, 1940, filed for record April 30, 1940 at 8:00 a.m., recorded in Deed Book 515, Page 212, aforesaid Records. (May affect
- subject property, insufficient legal description to determine location) r. Easement from G. C. Reagin & Ruth Reagin to Georgia Power Company, dated July 21, 1948, filed for record October 20, 1948 at 8;00 a.m., recorded in Deed Book 743, Page 458, aforesaid Records. (May affect subject property, illegible copy provided)
- s. Easement from G. C. Reagin & Ruth Reagin to Georgia Power Company, dated July 21, 1948, filed for record October 20, 1948 at 3:00 p.m., recorded in Deed Book 743, Page 459, aforesaid Records. (May affect subject property, insufficient legal description to determine location)
- Easement from G. C. Reagin to Georgia Power Company, dated June 22, 1949, filed for record August 24, 1949 at 5:00 p.m., recorded in Deed Book 781, Page 56, aforesaid Records. (Does affect subject property, not plottable)
- Right of Way Deed from Ruth Reagin, sole surviving heir of G. C. Reagin U. to State Highway Department of Georgia, dated September 26, 1951, filed for record November 6, 1951 at 9:00 a.m., recorded in Deed Book 902, Page 463, aforesaid Records. (Does affect subject property, not plottable)
- v. Right of Way Deed from Estate of Agron Oxford to American Telephone and Telegraph Company, dated April 20, 1956, filed for record May 28, 1956 at 9:00 a.m., recorded in Deed Book 1193, Page 349, aforesaid Records. (Does NOT affect subject property due to subsequent relocation (see Deed Book 6492, Page 597))
- w. Right of Way Deed (Limited Access) from E. B. Daniels, III to State Highway Department of Georgia, dated September 22, 1960, filed for record September 22, 1960 at 4:00 p.m., recorded in Deed Book 1529, Page 401, aforesaid Records. (Does affect subject property, not plottable)
- x. Access Easement from Ruth Reagin to Carl E. Harris and Myrtle Harris, dated September 29, 1960, filed for record November 7, 1960 at 10:00 a.m., recorded in Deed Book 1541, Page 157, aforesaid Records. (Does affect subject property, not plottable)
- Permit for Anchors, Guy Poles and Wires from H. T. Bray to Georgia Power Company, a corporation, dated October 10, 1973, filed for record February 6, 1974 at 9:37 a.m., recorded in Deed Book 3130, Page 417, aforesaid Records. (Does affect subject property. not plottable)
- Easement as contained in condemnation as evidenced by that certain Judgement of Court – Georgia Power Company vxs. A tract of land and Frank Leakey, at al. being Civil Action File No. 60,893, dated May 7, 1971, filed for record May 18. 1971 at 1:43 p.m., recorded in Deed Book 2648. Page 100, aforesaid Records; and that certain Return of Special Master -Georaia Power Company vs. A tract of land and Frank Leakey. et al. being Civil Action File No. 60.893, dated May 5, 1971, filed for record May 18. 1971 at 1:43 p.m., recorded in Deecd Book 2648. Page 102, aforesaid Records. (Does Not affect subject property, Not in the same Land Lot as subject property)
- aa. Easement for Right-of-Way from EB Daniels, III to Georgia Power Company, a corporation. dated May 6, 1971, filed for record May 6, 1971 at 4:27 p.m., recorded in Deed Book 2641, Page 772 aforesaid Records. (Does affect property as shown hereon)
- bb. Right of Way Easement from Dr. Eb Daniels, III to Snapping Shoals Electric Membership Corporation, a corporation, dated February 20, 1981, filed for record May 11, 1984 at 1:43 p.m., recorded in Deed Book 4976, Page 181, aforesaid Records. (Does affect subject property, not plottable)
- cc. Right of Way Easement from Carl E. Harris to Snapping Shoals Electric Membership Corporation, a corporation, dated December 28, 1970, filed for record February 28, 1984 at 11:30 a.m., recorded in Deed Book 4927, Page 537, aforesaid Records. (Does affect subject property, not plottable)
- dd. Grant of Easement by and between Comcast of Georaia/Virainia, Inc. and Turner Hill Partners, LLC, dated August 3, 2009, filed for record April 9, 2010 at 11:17 a.m., recorded in Deed Book 21924, Page 8, aforesaid Records. (Does affect subject property, not plottable)
- ee. Right of Way Easement from Earl J. Van Gerpen to Snapping Shoals Electric Membership Corporation, a corporation, dated November 30, 1988 filed for record May 11, 1989 at 1:28 p.m., recorded in Deed Book 6429, Page 619, aforesaid Records. (Does affect subject property, not plottable)
- ff. Easement as contained in that certain Limited Warranty Deed from Earl Van Gerpen to Turner Hill Partners, a Georgia general partnership, dated June 16, 1992, filed for record June 16, 1992 at 4:24 p.m., recorded in Deed Book 7304, Page 765, aforesaid Records. (Does NOT affect subject property, Easement has terminated by merger doctrine)
- gg. Tree Trim / Clearing Easement from Turner Hill Properties. LLC to Georaia Power Company, a Georgia corporation, dated June 13, 2019, filed July 25, 2019 and recorded in Deed Book 27688, Page 216, aforesaid records. (Does affect property as shown hereon)
- hh. Tree Trim / Clearing Easement from Turner Hill Properties, LLC to Georaia Power Company, a Georgia corporation, dated June 13, 2019, filed July 25, 2019 and recorded in Deed Book 27688, Page 183, aforesaid records. (Does affect property as shown hereon)
- ii. Tree Trim / Clearing Easement from Turner Hill Properties, LLC to Georgia Power Company, a Georgia corporation, dated June 13, 2019, filed July 25, 2019 and recorded in Deed Book 27688, Page 186, aforesaid records. (Does affect property as shown hereon)

- (jj) Sanitary Sewer Easement Agreement by and between Lockerman, Davis, Scott and affect property as shown hereon)
- (kk) Sanitary Sewer Easement Agreement by and between Lockerman, Davis, Scott and (Does affect property as shown hereon)
- (II) Access Easement Agreement by and between Betty Van Gerpen, individually
- (mm)Sanitary Sewer Easement Agreement by and between Betty Van Gerpen, 17, 2019 at 3:00 p.m., recorded in Deed Book 27613, Page 733,
- Plottable Matters)
- Plottable Matters)
- Plottable Matters)
- Plottable Matters)
- (rr) All those matters as disclosed by that certain plat recorded in Plat Book Matters)
- (ss) Plottable Matters)

TITLE EXCEPTIONS - TRACT 4

FIRST AMERICAN TITLE INSURANCE COMPANY ISSUING OFFICE FILE NUMBER: 2-40050(B)(R) COMMITMENT DATE: FEBRUARY 25. 2021

- (Does NOT Affect Subject Property)
- (i) Permit for Anchors, Guy Poles and Wires from Mrs. C.C. Crutchfield aka Martha
- determine location)
- (j) Right of Way Easement from Earl J. Van Gerpen to Snapping Shoals Electric (Does Affect Subject Property as Shown Hereon)
- partner in Turner Hill Partners, a Georgia general partnership, Harvey R. Holdings, both individually and as a general partner in Turner Hill Partners, a Georgia general
- Page 739, aforesaid Records. (Does NOT Affect Subject Property)
- partnership and York Residential-Southeast, LLC, a Georgia limited liability company, Page 739. aforesaid Records. (Does NOT Affect Subject Property)
- Records. (Does Affect Subject Property, Not Plottable)
- aforesaid Records. (Does Affect Subject Property, No Plottable Matters)

Hawkins, L.L.P., a Georaia limited liability partnership, Betty Stephenson Van Gerpen, as Executor of the Estate of Earl Jay Van Gerpen and Turner Hill Partners, a Georgia general partnership, dated as of April 14, 2008, filed for record June 18, 2010 at 9:23 a.m., recorded in Deed Book 22011, Page 745, aforesaid Records. (Does

Hawkins, L.L.P., a Georgia limited liability partnership and Betty Stephenson Van Gerpen, as Executor of the Estate of Earl Jay Van Gerpen and Turner Hill Partners, a Georgia general partnership, dated as of April 14, 2008, filed for record April 18, 2008 at 12:05 p.m., recorded in Deed Book 20765, Page 726, aforesaid Records.

and as Executor U/W of Earl Jay Van Gerpen, deceased, both individually and as a general partner in Turner Hill Partners, a Georgia general partnership, and Harvey R. Holding, both individually and as a general partner in Turner Hill Partners, a Georgia general partnership and York Residential – Southeast, LLC, a Georgia limited liability company, dated as of September 30, 2008, filed for record October 6, 2008 at 5:00 p.m., recorded in Deed Book 21079, Page 284, aforesaid Records; as affected by that certain Affidavit of Title as to Voiding and Release of Easements by Robert G. Holt, dated March 18, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613, Page 733, aforesaid Records. as further affected by that certain Affidavit of Title as to Voiding and Release of Easements by Betty Van Gerpen, dated June 13, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613, Page 739, aforesaid Records. (Does NOT affect subject property)

individually and as Executor U/W of Earl Jay Van Gerpen, deceased, both individually and as a general partner in Turner Hill Partners, a Georgia general partnership, and Harvey R. Holding, both individually and as a aeneral partner in Turner Hill Partners, a Georgia general partnership and York Residential – Southeast, LLC, a Georgia limited liability company, dated as of September 30, 2008, filed for record October 6, 2008 at 5:00 p.m., recorded in Deed Book 21079, Page 294, aforesaid Records; as affected by that certain Affidavit of Title as to Voiding and Release of Easements by Robert G. Holt, dated March 18, 2019, filed for record June

aforesaid Records; as further affected by that certain Affidavit of Title as to Voiding and Release of Easements by Betty Van Gerpen, dated June 13, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613, Page 739, aforesaid Records. (Does NOT affect subject property) (nn) All those matters as disclosed by that certain plat recorded in Plat Book 59, Page 41, aforesaid Records. (Does Affect Subject Property, No

(oo) All those matters as disclosed by that certain plat recorded in Plat Book 62, Page 51, aforesaid Records. (Does Affect Subject Property, No

(pp) All those matters as disclosed by that certain plat recorded in Plat Book 62, Page 151, aforesaid Records. (Does Affect Subject Property, No

(qq) All those matters as disclosed by that certain plat recorded in Plat Book 82, Page 32, aforesaid Records. (Does Affect Subject Property, No

82, Page 33, aforesaid Records. (Does Affect Subject Property, No Plottable

All those matters as disclosed by that certain plat recorded in Plat Book 209. Page 107. aforesaid Records. (Does Affect Subject Property. No

(a) Riaht-of-Wav Deed from Mrs. C.C. Crutchfield to Georgia Power Company, a Georgia corporation, dated September 28, 1970, filed for record October 13, 1970 at 4:05 p.m., recorded in Deed Book 2580, Page 340, Records of DeKalb County, Georaja.

(h) Easement from Mrs. C.C. Crutchfield aka Martha Crutchfield to Georgia Power Company, dated October 9, 1973, filed for record February 6, 1974 at 9:37 a.m., recorded in Deed Book 3130, Page 377, aforesaid Records. (Does NOT Affect Subject Property) Crutchfield to Georgia Power Company, a corporation, dated October 9, 1973, filed for record February 6. 1974 at 9:37 a.m., recorded in Deed Book 3130, Page 419, aforesaid Records. (May affect subject property, insufficient legal description to

Membership Corporation, a corporation, dated November 30, 1988, filed for record May 11, 1989 at 1:28 p.m., recorded in Deed Book 6429, Page 619, aforesaid Records.

(k) Terms, conditions and obligations as contained in that certain Sanitary Sewer Easement Agreement by and between Lockerman, Davis, Scott and Hawkins, L.L.P., a Georgia limited liability partnership and Betty Stephenson Van Gerpen, as Executor of the Estate of Earl Jay Van Gerpen and Turner Hill Partners, a Georgia general partnership. dated as of April 14, 2008, filed for record April 18, 2008 at 12:05 p.m., recorded in Deed Book 20765, Page 726, aforesaid Records. (Does NOT Affect Subject Property) (1) Access Easement Agreement by and between Betty Van Gerpen, individually and as Executor U/W of Earl Jay Van Gerpen, deceased, both individually and as a general

partnership and York Residential-Southeast, LLC, a Georgia limited liability company, dated as of September 30, 2008, filed for record October 6, 2008 at 5:00 p.m., recorded in Deed Book 21079, Page 284, aforesaid Records; as affected by that certain Affidavit of Title as to Voiding and Release of Easements by Robert G. Holt. dated March 18, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613, Page 733, aforesaid Records; as further affected by that certain Affidavit of Title as to Voiding and Release of Easements by Betty Van Gerpen, dated June 13, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613,

(m) Sanitary Sewer Easement Agreement by and between Betty Van Gerpen, individually and as Executor U/W of Earl Jay Van Gerpen, deceased, both individually and as a general partner in Turner Hill Partners, a Georgia general partnership, Harvey R. Holdings, both individually and as a general partner in Turner Hill Partners, a Georgia general

dated as of September 30, 2008, filed for record October 6, 2008 at 5:00 p.m., recorded in Deed Book 21079, Page 294, aforesaid Records; as affected by that certain Affidavit of Title as to Voiding and Release of Easements by Robert G. Holt, dated March 18, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613, Page 733, aforesaid Records; as further affected by that certain Affidavit of Title as to Voiding and Release of Easements by Betty Van Gerpen, dated June 13, 2019, filed for record June 17, 2019 at 3:00 p.m., recorded in Deed Book 27613,

(n) Distribution Tree Trim/Clearing Easement from BLJ Turner Hill Partners LLC to Georgia Power Company, a Georgia corporation, dated August 19, 2020, filed for record November 24, 2020 at 6:25 a.m., recorded in Deed Book 28840, Page 329, aforesaid

(o) All those matters as disclosed by that certain plat recorded in Plat Book 59. Page 41.

LEGAL DESCRIPTIONS Tract 1

All that tract or parcel of land lying and being in Land Lot 183 of the 16th District, Dekalb County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the intersection of the southerly Right of Way of Old Covington Highway also known as State Highway 12 and U.S. Highway 278, (80' Right of Way) and the eastern Land Lot Line of Land Lot 183 and being the Land Lot Line between Land Lots 183 and 202; thence running along said southerly Right of Way of Old Covington Highway the following courses North 84° 42' 05" West a distance of 199.97 feet to an angle iron found disturbed; thence North 84° 42' 05" West a distance of 188.65 feet to a point: thence North 83° 46' 13" West a distance of 820.69 feet to a an iron pin set: thence North 83' 46' 13" West a distance of 243.43 feet to an iron pin set and the TRUE POINT OF BEGINNING; thence from the point thus established and leaving said Right of Way of Old Covington Highway thence South 16° 29' 10" East a distance of 206.95 feet to a point; thence South 26° 03' 26" East a distance of 60.90 feet to a point; thence South 21° 17' 32" West a distance of 18.82 feet to a point; thence South 26' 24' 41" East a distance of 48.14 feet to a point; thence South 26° 57' 17" West a distance of 22.25 feet to a point; thence South 16" 28' 25" East a distance of 14.48 feet to a point; thence South 13° 00' 18" West a distance of 21.32 feet to a point; thence South 04° 34' 05" East a distance of 80.20 feet to a point; thence South 55' 12' 12" West a distance of 48.97 feet to a point; thence South 48° 06' 43" East a distance of 41.88 feet to a point; thence South 06° 03' 55" East a distance of 93.72 feet to a point; thence South 13° 13' 34" East a distance of 90.69 feet to a point: thence South 40° 30' 10" East a distance of 45.61 feet to a point; thence South 09° 44' 02" East a distance of 36.42 feet to a point: thence South 47° 10' 55" East a distance of 82.01 feet to a point: thence North 87° 26' 34" East a distance of 12.84 feet to a point: thence South 30° 22' 15" East a distance of 54.77 feet to a point; thence South 04" 31' 32" East a distance of 16.07 feet to a point; thence South 24° 04' 06" East a distance of 84.51 feet to a point: thence South 01° 47' 41" West a distance of 25.58 feet to a point; thence South 19° 11 52" East a distance of 49.57 feet to a point: thence South 42° 41' 33" East a distance of 35.81 feet to a point: thence South 54' 21' 14" East a distance of 63.63 feet to a point; thence South 24° 29' 26" East a distance of 30.91 feet to a point; thence South 56° 59' 41" East a distance of 44.17 feet to a point; thence South 02° 08' 56" West a distance of 16.46 feet to a point; thence South 19° 22' 50" East a distance of 75.73 feet to a point: thence South 25° 07' 32" East a distance of 37.02 feet to a point: thence South 32° 27' 40" East a distance of 30.08 feet to a point: thence South 16° 28' 38" East a distance of 70.17 feet to a point; thence South 24" 12' 20" East a distance of 65.36 feet to an iron pin set on the northeasterly Right of Way of Interstate #20 (a variable Right of Way); thence running along the northeasterly Right of Way of said Interstate #20 the following courses; North 54° 51' 39" West a distance of 291.33 feet to an iron pin set; thence South 35° 08' 21" West a distance of 15.00 feet to an iron pin set: thence North 54° 53' 35" West a distance of 599.66 feet to a Right of Way monument; thence North 48° 58' 43" West a distance of 100.87 feet to a Right of Way

monument thence leaving said Right of Way of Interstate #20; thence North 00° 30' 21" West a distance of 668.69 feet to a 1" crimp top pipe; thence North 02° 07' 28" East a distance of 210.14 feet to a 1 1/2" open top pipe on the southerly Right of Way of Old Covington Highway, also known as State Highway #12 and U.S. Highway #278 (80' Right of Way); thence running along the said Right of Way of Old Covington Highway South 83° 29' 39" East a distance of 279.57 feet to an iron pin set and the TRUE POINT OF BEGINNING. Said tract contains 11.017 Acres (479,905 Square Feet).

Tract 2

All that tract or parcel of land lying and being in Land Lot 183 of the 16th District, Dekalb County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the intersection of the southerly Right of Way of Old Covington Highway also known as State Highway 12 and U.S. Highway 278, (80' Right of Way) and the eastern Land Lot Line of Land Lot 183 and being the Land Lot Line between Land Lots 183 and 202; thence running along said southerly Right of Way of Old Covington Highway the following courses North 84" 42' 05" West a distance of 199.97 feet to an angle iron found disturbed; thence North 84° 42' 05" West a distance of 188.65 feet to a point; thence North 83° 46' 13" West a distance of 820.69 feet to a an iron pin set and the TRUE POINT OF BEGINNING; thence from the point thus established and leaving said Right of Way of Old Covington Highway South 06" 08' 22" West a distance of 168.87 feet to an iron pin set; thence South 83' 37' 46" East a distance of 235.14 feet to an iron pin set; thence South 05° 55' 35" West a distance of 299.45 feet to an iron pin set; thence South 83° 31' 56" East a distance of 791.28 feet to an iron pin set on the westerly Right of Way Line of Georgia Transmission Corporation, being a 150 foot Right of Way; thence running along said Georgia Transmission Corporation Right of Way South 00° 39' 57" West a distance of 664.73 feet to an iron pin set; thence continuing along said Georgia Transmission Right of Way South 03° 19' 14" West a distance of 603.90 feet to an iron pin set at the intersection of the westerly Right of Way of the Georgia Transmission Corporation Right of Way and the northeasterly Right of Way of Interstate #20, a variable Right of Way of the limited access highway; thence running along said Right of Way of Interstate 20 the following courses: North 57° 43' 24" West a distance of 77.43 feet to an iron pin set; thence North 54' 51' 39" West a distance of 543.00 feet to an iron pin set; thence North 07° 04' 00" East a distance of 17.00 feet to an iron pin set; thence North 54° 51' 39" West a distance of 157.67 feet to an iron pin set; thence leaving said northeasterly Right of Way of Interstate #20 North 24' 12' 20" West a distance of 65.36 feet to a point; thence North 16° 28' 38" West a distance of 70.17 feet to a point; thence North 32° 27' 40" West a distance of 30.08 feet to a point; thence North 25 07' 32" West a distance of 37.02 feet to a point; thence North 19° 22' 50" West a distance of 75.73 feet to a point: thence North 02° 08' 56" East a distance of 16.46 feet to a point: thence North 56° 59' 41" West a distance of 44.17 feet to a point: thence North 24° 29' 26" West a distance of 30.91 feet to a point; thence North 54° 21' 14" West a distance of 63.63 feet to a point; thence North 42° 41' 33" West a distance of 35.81 feet to a point; thence North 19° 11' 52" West a distance of 49.57 feet to a point: thence North 01° 47' 41" East a distance of 25.58 feet to a point: thence North 24" 04' 06" West a distance of 84.51 feet to a point; thence North 04" 31' 32" West a distance of 16.07 feet to a point, thence North 30° 22' 15" West a distance of 54.77 feet to a point, thence South 87° 26' 34" West a distance of 12.84 feet to a point; thence North 47° 10' 55" West a distance of 82.01 feet to a point; thence North 09° 44' 02" West a distance of 36.42 feet to a point; thence North 40° 30' 10" West a distance of 45.61 feet to a point; thence North 13° 13' 34" West a distance of 90.69 feet to a point; thence North 06° 03' 55" West a distance of 93.72 feet to a point; thence North 48° 06' 43" West a distance of 41.88 feet to a point: thence North 55° 12' 12" East a distance of 48.97 feet to a point: thence North 04° 34' 05" West a distance of 80,20 feet to a point: thence North 13° 00' 18" East a distance of 21.32 feet to a point; thence North 16° 28' 25" West a distance of 14.48 feet to a point; thence North 26° 57' 17" East a distance of 22.25 feet to a point; thence North 26° 24' 41" West a distance of 48.14 feet to a point; thence North 21° 17' 32" East a distance of 18.82 feet to a point: thence North 26° 03' 26" West a distance of 60.90 feet to a point: thence North 16° 29' 10" West a distance of 206.95 feet to an iron pin set on the aforementioned southerly Right of Way of Old Covington Highway; thence running along said southerly Right of Way of Old Covington Highway South 83° 46' 13" East a distance of 243.43 feet to an iron pin set and the TRUE POINT OF BEGINNING. Said tract contains 24.949 Acres (1,086,757 Square Feet).

Tract 3

All that tract or parcel of land lying and being in Land Lot 183 of the 16th District, Dekalb County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the intersection of the southerly Right of Way of Old Covington Highway also known as State Highway 12 and U.S. Highway 278, (80' Right of Way) and the eastern Land Lot Line of Land Lot 183 and being the Land Lot Line between Land Lots 183 and 202; thence running along said Land Lot Line South 2° 38' 35' distance of 399.25 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING; from the point thus established and continuing along said Land Lot Line South 5° 09' 44" West 372.31 feet to a rock found; thence continuing along said Land Lot Line South 03" 15' 54" West a distance of 1071.26 feet to an iron pin set at the intersection of said Land Lot Line and the northeasterly Right of Way of Interstate #20 (variable Right of Way); thence running along said northeasterly Right of Way of Interstate #20 North 49° 09' 01" West a distance of 76.38 feet to an iron pin set: thence continuing along said northeasterly Right of Way of Interstate #20 North 57* 43' 24" West a distance of 122.82 feet to an iron pin set at the intersection of the northeasterly Right of Way of Interstate #20 and the western Right of Wav of the 150 foot wide Georgia Transmission Corporation Union City- Norcross Transmission Line; thence leaving said Right of Way of Interstate #20 and running along said Georgia Transmission Corporation Right of Way North 03° 19' 14" East a distance of 603.90 feet to an iron pin set; thence continuing along said Georgia Transmission Corporation Right of Way North 00° 39' 57" East a distance of 664.73 feet to an iron pin set; thence leaving said Georgia Transmission Corporation Right of Way North 83" 31' 56" West a distance of 791.28 feet to an iron pin set; thence North 05° 55' 35" East a distance of 299.45 feet to an iron pin set: thence North 83° 37' 46" West a distance of 235.14 feet to an iron pin set; thence North 06" 08' 22" East a distance of 168.87 feet to an iron pin set on the aforementioned southerly Right of Way of Old Covinaton Highway: thence continuing along said Right of Way of Old Covington Highway South 83° 46' 13" East a distance of 820.69 feet to a point; thence continuing along said Right of Way of Old Covington Highway South 84° 42' 05" East a distance of 188.65 feet to an angle iron found disturbed; thence leaving said Right of Way of Old Covington Highway South 02° 39' 19" West a distance of 398.93 feet to a 1/2" rebar found: thence South 84° 36' 37" East a distance of 200.07 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING. Said tract contains 15.097 Acres (657,613 Square Feet)

All that tract or parcel of land lying and being in Land Lot 202 of the 16th District, Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the intersection of the western Land Lot Line of Land Lot 202 and the southerly Right of Way of Old Covington Highway, also known as State Highway #12 and U.S. Highway #278 (80' R/W); thence running along the southerly Right of Way of Old Covington Highway the following courses: South 82° 37' 38" East a distance of 196.35 feet to a point; thence running along a curve to the right an arc length of 414.48 feet, (said curve having a radius of 907.60 feet, with a chord bearing of South 66° 49' 28" East, and a chord length of 410.88 feet) to a point; thence South 51° 52' 19" East a distance of 519.93 feet to a 1/2'' rebar found; thence leaving said Right of Way of Old Covington Highway; thence South 31° 01' 05" West a distance of 683.74 feet to a 3/4" crimp top pipe found; thence North 64° 32' 22" West a distance of 754.28 feet to a rock found on the western Land Lot line of Land Lot 202; thence running along said Land Lot Line North 05° 09' 44" East a distance of 372.31 feet to a 1/2" rebar found; thence North 02" 38' 35" East a distance of 399.25 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING Said tract contains 16.423 Acres (715,367 Square Feet).

Overall Tract

All that tract or parcel of land lying and being in Land Lots 183 and 202 of the 16th District, Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2"rebar found at the intersection of the western Land Lot Line of Land Lot 202 and the southerly Right of Way of Old Covington Highway. also known as State Highway #12 and U.S. Highway #278 (80' R/W); thence running along the southerly Right of Way of Old Covington Highway the following courses: South 82° 37' 38" East a distance of 196.35 feet to a point; thence running along a curve to the right an arc length of 414.48 feet. (said curve having a radius of 907.60 feet, with a chord bearing of South 66° 49' 28" East, and a chord length of 410.88 feet) to a point; thence South 51° 52' 19" East a distance of 519.93 feet to a 1/2" rebar found; thence leaving said Right of Way of Old Covington Highway; thence South 31° 01' 05" West a distance of 683.74 feet to a 3/4" crimp top pipe found: thence North 64° 32' 22" West a distance of 754.28 feet to a rock found on the western Land Lot line of Land Lot 202: thence running along said Land Lot Line South 03° 15' 54" West a distance of 1071.26 feet to an iron pin set at the intersection of said Land Lot Line and the northeasterly Right of Way of Interstate #20 (variable Right of Way): thence running along said northeasterly Right of Way of Interstate #20 North 49° 09' 01" West a distance of 76.38 feet to an iron pin set; thence continuing along said northeasterly Right of Way of Interstate #20 North 57° 43' 24" West a distance of 122.82 feet to an iron pin set at the intersection of the northeasterly Right of Way of Interstate #20 and the western Right of Way of the 150 foot wide Georgia Transmission Corporation Union City-Norcross Transmission Line; thence continuing along said Right of Way of Interstate 20 the following courses: North 57° 43' 24" West a distance of 77.43 feet to an iron pin set; thence North 54° 51' 39" West a distance of 543.00 feet to an iron pin set; thence North 07° 04' 00" East a distance of 17.00 feet to an iron pin set; thence North 54° 51' 39" West a distance of 157.67 feet to an iron pin set, thence North 54° 51' 39" West a distance of 291.33 feet to an iron pin set; thence South 35° 08' 21" West a distance of 15.00 feet to an iron pin set: thence North 54° 53' 35" West a distance of 599.66 feet to a Riaht of Way monument: thence North 48° 58' 43" West a distance of 100.87 feet to a Right of Way monument thence leaving said Right of Way of Interstate #20; thence North 00° 30' 21" West a distance of 668.69 feet to a 1" crimp top pipe; thence North 02° 07' 28" East a distance of 210.14 feet to a 1 1/2" open top pipe on the southerly Right of Way of Old Covinaton Highway, also known as State Highway #12 and U.S. Highway #278 (80' Right of Way); thence running along the said Right of Way of Old Covington Highway the following courses: South 83° 29' 39" East a distance of 279.57 feet to an iron pin set: thence North 83° 46' 13" West a distance of 243.43 feet to an iron pin set; thence South 83° 46' 13" East a distance of 820.69 feet to a point; thence continuing along said Right of Way of Old Covington Highway South 84° 42' 05" East a distance of 188.65 feet to an anale iron found disturbed; thence leaving said Right of Way of Old Covington Highway South 02* 39' 19" West a distance of 398.93 feet to a 1/2" rebar found; thence South 84° 36' 37" East a distance of 200.07 feet to a 1/2" rebar found: thence North 02° 38' 35" East a distance of 399.25 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING. Said tract contains 67.485 Acres (2,939,642 Sauare Feet).





JOB #: 2020-726

CRD: YORK DWG: 2020-726 YORK ISV

2022044587 PLAT BOOK 300 Pg 76 Filed and Recorded: 3/11/2022 5:19:00 PM Recording Fee: \$30.00 Prepared By: 8091\$08343

THIS SPACE IS RESERVED FOR CLERK OF COURT RECORDING INFO

LEGEND	
IPF	
IPS	IRON PIN FOUND
RB	IRON PIN SET
	REBAR
OTP	OPEN TOP PIPE
R/W	RIGHT OF WAY
MH	MANHOLE
CB	CATCH BASIN
DI	DROP INLET
JB	JUNCTION BOX
RTDI	RAISED TOP DROP INLET
HW	HEADWALL
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE
FH	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
TBM	TEMPORARY BENCH MARK
24" C&G	24" CURB & GUTTER
GUY	GUY WIRE
б PP	POWER POLE
∯ LP	LIGHT POLE
-5-	SEWER LINE
-X-	FENCE
-7-	TELEPHONE LINE
P	POWER LINE
-W-	WATER LINE
â	11 REGULAR PARKING SPACES
¥.	1 HANDICAP PARKING SPACE
	TRANSFORMER
L L →	CONCRETE PAVING
لسنسا	oononere minno

LOT COMBINATION FOR EUPHORIC VENTURES LLC LAND LOT 183 16th DISTRICT DEKALB COUNTY, GEORGIA

OWNER / DEVELOPER EUPHORIC VENTURES LLC 5555 GLENRIDGE CONNECTOR SUITE 1100 ATLANTA, GA 30342 ATTN: AUSTIN BRANNEN 404 812-4050

NOTE: THERE IS NO DEMOLITION INVOLVED ON THIS PROJECT

FLOOD NOTE

THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA PER FIRM MAP NUMBER 13089C0179K, DATED DECEMBER 08, 2016. THE SUBJECT PROPERTY LIES WITHIN A ZONE X, WHICH IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOODPLAIN.

WETLAND NOTE:

WETLAND SHOWN PER REPORT BY CONTOUR ENVIRONMENTAL, LLC. DATED NOVEMBER 02, 2020.

ZONING NOTE: THE SUBJECT PROPERTY IS ZONED M (LIGHT INDUSTRIAL DISTRICT)

VERTICAL BENCHMARK DEKALB COUNTY BM # 427 BRASS CAP AT SOUTHWEST CORNER OF BRIDGE, INTERSTATE # 20 AT TURNER HILL ROAD. ELEVATION 916.71

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE ERROR OF _____PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.

A _____LEICA TS12 ____TOTAL STATION AND AN CARLSON DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN _____429,244_____FEET.

THE SCOPE OF WORK PERFORMED IS TO CREATE A SINGLE PARCEL BY COMBINING THREE PARCELS

AP# 1245299

PARCEL ID'S TRACT 1 PARCEL ID: 16 183 02 015 ADDRESS: 8337 COVINGTON HIGHWAY LITHONIA, GA 30058

TRACT 2 PARCEL ID: 16 183 02 003 ADDRESS: 8361 COVINGTON HIGHWAY LITHONIA, GA 30058

TRACT 3 PARCEL ID: 16 183 02 014 ADDRESS: 8461 COVINGTON HIGHWAY LITHONIA, GA 30058

RESULTANT PARCEL ADDRESS PARCEL ID: 16 183 02 003 ADDRESS: 8361 COVINGTON HIGHWAY LITHONIA, GA 30058

> OWNER'S CERTIFICATION: State of Georgia: County of Dekalb:

The owner of the land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, alley, parks, other public improvements, easements, and public places thereon shown for the purposes and considerations therein expressed.

Owner:

Title: Member/President



ISS	第二部 臺灣和國家都和「臺灣」
TECHNICAL SURVEY SERVICES Land Surveyors 1641 Autumn Blvd, SW Conyers, Georgia 30012 (770) 922-6391 Office www.tss-atl.com	
Date 12/9/21	
Revision Addressed Red Line comments	
2 -	
Orig Bndy: 11/13/2020 Field Date: 9/13/2021)
Plat Date: 9/16/2021 Scale: 1" = 100'	
A NO. 3138 A	
1 SHEET 1 OF 3	
JOB #: 2020-726	
CRD: YORK DWG: 2020-726 YORK	

NOTE:

- 1. RECEIVING WATERS IS HONEY CREEK/ PLUNKETT CREEK.
- 2. THERE ARE NO BURY PITS ON THIS SITE. 3. ELECTRIC SERVICE TO BE BELOW GROUND.
- 4. WATER SERVICE WILL BE PROVIDED BY DEKALB COUNTY SEWER SERVICE WILL BE PROVIDED BY DEKLAB COUNTY
- 5. A 75 FT TRIBUTARY WILL BE MAINTAINED ON ALL STATE WATERS THAT ARE NOT APPROVED FOR A BUFFER ENCROACHMENT VARIANCE BY DEKALB COUNTY OR GEORGIA E.P.D.
- 6. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR COMPLIANCE WITH THE CORPS OF ENGINEERS REGARDING WETLANDS.
- 7. STREAM BUFFERS ARE MEASURED FROM THE EDGE OF WRESTED VEGETATION

SURVEYOR'S CERTIFICATION As required by subsection (d) of O.C.G.A. Section 15–6–67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in Section 15–6–67.

aul ali

Aubrey J. Akin, R.L.S. #3138

September 16, 2021 Date



2022044587 PLAT BOOK 300 Pg 78

CENTERLINE

15' TREE TRIM CLEARING EASEMENT DB 27668, PG 183

* /*

* \ * *

* \ *

1-----+ 4 * **|** *

CENTERLINE OF CREEK-

N JEFFERENCE

(LIMITED ACCESS FIGHWAY) R. W

ibrot in

DETAIL

NOT TO SCALE

1.05'- 0.85'

IPF 1/2" RB

1 -----

WETLANDS

<u>|S 85'46'13"E</u> 243.43'

NV. 859.49

18 g

S 83 29 39 E

NOW OR FORMERLY FB PROPERTIES, LLC DEED BOOK 26846, PAGE 77

ZONED M (INDUSTRIAL DISTRICT) STONECREST OVERLAY DISTRICT PARCEL ID 16 183 02 005

NOW OR FORMERLY FB PROPERTIES, LLC

DEED BOOK 26846, PAGE 83 ZONED M (INDUSTRIAL DISTRICT) STONECREST OVERLAY DISTRICT

PARCEL ID 16 183 02 012

N 48°58'43"W 100.87

279.57 15° TREE TRIM CLEARING EASEMENT DB 27668, PG 186

____¥ ¥ ¥

ЯS

Debra DeBerry Clerk of Sup DeKab County, Georgia

> LEGAL DESCRIPTIONS Overall Tract

the 16th District, Dekalb County, Georgia and being more particularly described as follows: To Reach THE TRUE POINT OF BEGINNING commence at a 1/2"rebar found at the intersection of the western Land Lot Line of Land Lot 202 and the southerly Right of Way of Old Covington Highway, also known as State Highway #12 and U.S. Highway #278 (80' R/W); thence leaving said Right of Way of Old Covington Highway South 02" 38' 35" West a distance of 399.25 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING, from the point thus established and running along the Land Lot Line common to Land Lots 183 and 202 South 05° 09' 44" West a distance of 372.31 feet to a rock found; thence running along said Land Lot Line South 03° 15' 54" West a distance of 1071.26 feet to an iron pin set at the intersection of said Land Lot Line and the northeasterly Right of Way of Interstate #20 (variable Right of Way); thence running along said northeasterly Right of Way of Interstate #20 North 49° 09' 01" West a distance of 76.38 feet to an iron pin set; thence continuing along said northeasterly Right of Way of Interstate #20 North 57° 43' 24" West a distance of 122.82 feet to an iron pin set at the intersection of the northeasterly Right of Way of Interstate #20 and the western Right of Way of the 150 foot wide Georgia Transmission Corporation Union City- Norcross Transmission Line; thence continuing along said Right of Way of Interstate 20 the following courses: North 57° 43' 24" West a distance of 77.43 feet to an iron pin set; thence North 54° 51' 39" West a distance of 543.00 feet to an iron pin set; thence North 07° 04' 00" East a distance of 17.00 feet to an iron pin set; thence North 54° 51' 39" West a distance of 157.67 feet to an iron pin set; thence North 54° 51' 39" West a distance of 291.33 feet to an iron pin set; thence South 35° 08' 21" West a distance of 15.00 feet to an iron pin set; thence North 54° 53' 35" West a distance of 599.66 feet to a Right of Way monument; thence North 48° 58' 43" West a distance of 100.87 feet to a Right of Way monument; thence leaving said Right of Way of Interstate #20; thence North 00° 30' 21" West a distance of 668.69 feet to a 1" crimp top pipe; thence North 02* 07' 28" East a distance of 210.14 feet to a 1 1/2" open top pipe on the southerly Right of Way of Old Covington Highway, also known as State Highway #12 and U.S. Highway #278 (80' Right of Way); thence running along the said Right of Way of Old Covington Highway the following courses: South 83° 29' 39" East a distance of 279.57 feet to an iron pin set; thence South 83° 46' 13" East a distance of 243.43 feet to an iron pin set; thence South 83° 46' 13" East a distance of 820.69 feet to a point; thence continuing along said Right of Way of Old Covington Highway South 84° 42' 05" East a distance of 188.65 feet to an angle iron found disturbed; thence leaving said Right of Way of Old Covington Highway South 02* 39' 19" West a distance of 398.93 feet to a 1/2" rebar found; thence South 84° 36' 37" East a distance of 200.07 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING. Said tract contains 51.062 Acres (2,224,275 Square Feet).

All that tract or parcel of land lying and being in Land Lots 183 and 202 of



P P P P P P P P P P P P P P	<text><text><text><text><text><text><text><text><text><text><text><text></text></text></text></text></text></text></text></text></text></text></text></text>	TISSS TECHNICAL SURVEY SERVICES Land Surveyors Convers, Georgia 30012 (70) 922-6391 Office www.tss-atl.com
CON CORPORATION DSS TRANSMISSION LINE PAGE 772 FORMERY HILL PARTNERS LLC INGTON HWY; GA 30050 USTRAL DISTRICT 0 202 02 005		LOT COMBINATION FOR EUPHORIC VENTURES LLC LANDLOT 183 16th DISTRICT DEKALB COUNTY, GEORGIA
TRLY ND HAWKINS, LLP PAGE 721 HOME PARK) DISTRICT 02 002	 INOTE: 1. THERE ARE NO BURY PITS ON THIS SITE 2. A 75 FT TRIBUTARY WILL BE MAINTAINED ON ALL STATE WATERS THAT ARE NOT APPROVED FOR A BUFFER ENCROACHMENT VARIANCE BY DEKALB COUNTY OR GEORGIA E.P.D. 3. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR COMPLIANCE WITH THE CORPS OF ENGINEERS REGARDING WETLANDS. 	THEET 3 OF 3 JOB #: 2020-726 CRD: YORK

DWG: 2020-726 YORK

SV



APPROVED COMPANY ENCROACHMENT AGREEMENT partment is not responsible for any omissions by engineers or other professionals on design or county design The issuance or granting of a permit shan ot be construed to be a permit for, or an approva of, any violation of any of the provisions of applicable codes olate or cancel the shall not be valid. The issuance of a permit based on construction documents and other data shall not prejent the code official from requiring the correction of errors Plumbing, Mechanical, Gas and Electrical of these plans have not been reviewed for compliance with technical codes and will be field-verified during inspection be ker be modified or ounty

	SITE PLAN L	INE LEGEND	
INTERIOR J	PROPOSED BUILDING		EXISTING CURB & GUTTER
	PROPOSED CURB & GUTTER	XX	EXISTING FENCE
-xx	PROPOSED FENCE	. <u>0 0 0</u> 0 0	EXISTING GUARDRAIL
0 0 0 0 0	PROPOSED GUARDRAIL		EXISTING RIGHT-OF-WAY
	PROPOSED RETAINING WALL		EXISTING ROAD CENTERLINE
	STORM EASEMENT		EXISTING RETAINING WALL
	ACCESS EASEMENT		LAND LOT LINE
	· LANDSCAPE STRIP		SITE BOUNDARY LINE
	BUILDING SETBACK/ TRANSITIONAL BUFFER		ADJACENT PROPERTY LINE
	TRANSITIONAL BUFFER		EXISTING SS EASEMENT
PAINTED TRAFFIC	ARROW		EXISTING POWER EASEMENT
STREET SIGN			EXISTING TREELINE
TRANSFORMER			STREAM TOP OF BANK
BOLLARD			STREAM CENTERLINE
		WETLAND	

LEGEND
DUTY CONCRETE
RETE SIDEWALK
Ó DUTY ASPHALT
DUTY ASPHALT
US ASPHALT
a wasan man waan aasaa aasaa aasaa

SITE AREA:	±51.06 ACRES
BUILDING #1:	±300,502 S.F.
BUILDING HEIGHT	50 FT
MIN. REQUIRED AUTO SPACES	120 SPACES
MAX. REQUIRED AUTO SPACES	600 SPACES
PROVIDED AUTO SPACES	190 SPACES
TRAILER SPACES	48 SPACES
BUILDING #2:	
BUILDING HEIGHT	45 FT
MIN. REQUIRED AUTO SPACES	74 SPACES
MAX. REQUIRED AUTO SPACES	368 SPACES
PROVIDED AUTO SPACES	130 SPACES
TRAILER SPACES	35 SPACES
TOTAL BUILDING AREA:	±483,906 S.F.

E 2 Z SON MITCHEL AUL

PROJECT:

COVINGTON HIGHWAY INDUSTRIAL

LAND LOTS 183 & 202 16TH DISTRICT UNINCORPORATED DEKALB COUNTY, GEORGIA 8361 COVINGTON HIGHWAY LITHONIA, GA 30058

<u>FOR</u>:

EUPHORIC VENTURES LLC

5555 GLENRIDGE CONNECTOR SUITE 1100 ATLANTA, GA 30342



COA-PEF001716 • EXP. - 6/30/2024

REVISIONS

Λ	06.06.22
2	07.20.22
$\overline{3}$	09.06.22

COUNTY COMMENTS COUNTY COMMENTS COUNTY COMMENTS

C-100



OVERALL SITE PLAN

SHEET

Parcel ID: 1620202005 (16 Acres)





Legal Description

Overall Tract

All that tract or parcel of land lying and being in Land Lots 183 and 202 of the 16th District, Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2"rebar found at the intersection of the western Land Lot Line of Land Lot 202 and the southerly Right of Way of Old Covington Highway, also known as State Highway #12 and U.S. Highway #278 (80' R/W); thence running along the southerly Right of Way of Old Covington Highway the following courses: South 82° 37' 38" East a distance of 196.35 feet to a point; thence running along a curve to the right an arc length of 414.48 feet, (said curve having a radius of 907.60 feet, with a chord bearing of South 66° 49' 28" East, and a chord length of 410.88 feet) to a point; thence South 51° 52' 19" East a distance of 519.93 feet to a 1/2'' rebar found; thence leaving said Right of Way of Old Covington Highway; thence South 31° 01' 05" West a distance of 683.74 feet to a 3/4" crimp top pipe found; thence North 64° 32' 22" West a distance of 754.28 feet to a rock found on the western Land Lot line of Land Lot 202; thence running along said Land Lot Line South 03° 15' 54" West a distance of 1071.26 feet to an iron pin set at the intersection of said Land Lot Line and the northeasterly Right of Way of Interstate #20 (variable Right of Way); thence running along said northeasterly Right of Way of Interstate #20 North 49° 09' 01" West a distance of 76.38 feet to an iron pin set; thence continuing along said northeasterly Right of Way of Interstate #20 North 57° 43' 24" West a distance of 122.82 feet to an iron pin set at the intersection of the northeasterly Right of Way of Interstate #20 and the western Right of Way of the 150 foot wide Georgia Transmission Corporation Union City- Norcross Transmission Line; thence continuing along said Right of Way of Interstate 20 the following courses: North 57° 43' 24" West a distance of 77.43 feet to an iron pin set; thence North 54° 51' 39" West a distance of 543.00 feet to an iron pin set; thence North 07° 04' 00" East a distance of 17.00 feet to an iron pin set; thence North 54° 51' 39" West a distance of 157.67 feet to an iron pin set; thence North 54° 51' 39" West a distance of 291.33 feet to an iron pin set; thence South 35° 08' 21" West a distance of 15.00 feet to an iron pin set; thence North 54° 53' 35" West a distance of 599.66 feet to a Right of Way monument; thence North 48° 58' 43" West a distance of 100.87 feet to a Right of Way monument thence leaving said Right of Way of Interstate #20; thence North 00° 30' 21" West a distance of 668.69 feet to a 1" crimp top pipe; thence North 02° 07' 28" East a distance of 210.14 feet to a 1 1/2" open top pipe on the southerly Right of Way of Old Covington Highway, also known as State Highway #12 and U.S. Highway #278 (80' Right of Way); thence running along the said Right of Way of Old Covington Highway the following courses: South 83° 29' 39" East a distance of 279.57 feet to an iron pin set; thence North 83° 46' 13" West a distance of 243.43 feet to an iron pin set; thence South 83° 46' 13" East a distance of 820.69 feet to a point; thence continuing along said Right of Way of Old Covington Highway South 84° 42' 05" East a distance of 188.65 feet to an angle iron found disturbed; thence leaving said Right of Way of Old Covington Highway South 02° 39' 19" West a distance of 398.93 feet to a 1/2" rebar found; thence South 84° 36' 37" East a distance of 200.07 feet to a 1/2" rebar found; thence North 02° 38' 35" East a distance of 399.25 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING. Said tract contains 67.485 Acres (2,939,642 Square Feet).







404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

Chief Executive Officer Michael Thurmond **DEPARTMENT OF PLANNING & SUSTAINABILITY**

Director Andrew A. Baker, AICP

PRE-APPLICATION FORM

REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE (Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name:	HUNTER HIMES	Phone: 770 815 1104 En	nail: <u>hunter@eupho</u> i	ricdevelopment.com
Property Address:	8637 Covington	Hwy_and others		
Tax Parcel ID:	<u>16 202 02 005</u> Comm.	District(s):5 & 7 Act	reage:16.4+	_
Existing Use:	Vacant Proposed	UseTBD		
Supplemental Regs:	0	verlay District: _Stonecrest O	vd Tier 1 DRI:	_NA
Rezoning : YesX_	No			
Existing Zoning:	Proposed Z	oning: Square I	Footage/Number of U	Inits:
Rezoning Request: _	Propose to rezone	out of the overlay for propose	d uses	
WHA	AT TO KNOW BE	FORE YOU FILE YO	OUR APPLICA	ΓΙΟΝ
Pre-submittal Comm	unity Meeting:	Review Calendar Dates:	PC:	_BOC:
Letter of Intent:	_Impact Analysis:	Owner Authorization(s)	: Campaign l	Disclosure:
Zoning Conditions: _	Community	Council Meeting:	Public Notice, Si	gns:
Tree Survey, Conserv	vation: Land	Disturbance Permit (LDP)	: Sketch	Plat:
Bldg. Permits:	Fire Inspection:	Business License:	State Lice	ense:
Lighting Plan:	_ Tent Permit:	Submittal Format: NO ST	CAPLES, NO BINI	DERS PLEASE
		Review of Site Plan		
Danaitan				

Density:	Density Bonuses:		Mix of Use	s:(Open Space:	
Enhanced Open S	Space: Setbacks: fr	ront	sides	side corner	rear	
Lot Size:	Frontage:	Street V	Vidths:	Lands	cape Strips:	
Buffers:	Parking Lot Landsca	ping:	Parking	g - Auto:	Parking - Bicycle:	
Scree	ning: S	treetscapes:	Si	dewalks:	Fencing/Walls:	
Bldg. Height:	Bldg. Orientation	: Bld	g. Separation	n: Bld	g. Materials:	
Roofs: Fer	nestration: F	açade Desig	gn: O	barages:	Pedestrian Plan:	_

Perimeter Landscape Strip:

https://dekalb-my.sharepoint.com/personal/rlbragg_dekalbcountyga_gov/documents/zoning/pre-apps/8637 covington highway/8637 covington highway pre app form.docx 11/01/2018 MMA



DEPARTMENT OF PLANNING & SUSTAINABILITY

Possible Vari	ances:			
Comments:				
Planner:	Rachel BraggDate()2.09.2023		
	Filing F	ees		
REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, N	MR-1	\$500.00	
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, M		\$750.00	
	OI, OD, OIT, NS, C1, C2, M, M2		\$750.00	
LAND USE M	AP AMENDMENT		\$500.00	
SPECIAL LAN	ID USE PERMIT		\$400.00	