Public Hearing: YES ⊠ **NO** □ **Department:** Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02 Super District 06

Application of NDM (EDENS), LLC c/o Dennis J. Webb, Jr. for a Special Land Use Permit (SLUP) to allow a drive-through for a grocery store pharmacy in the MU-4 (Mixed-Use High Density) zoning district, at 2050 Lawrenceville Highway.

PETITION NO: N2-2025-1222 SLUP-25-1247734

PROPOSED USE: Drive-through for a grocery store.

LOCATION: 2050 Lawrenceville Highway, Decatur, Georgia 30033

PARCEL NO.: 18 100 02 005

INFO. CONTACT: Andrea Folgherait, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of NDM (EDENS), LLC c/o Dennis J. Webb, Jr. for a Special Land Use Permit (SLUP) to allow a drive-through for a grocery store pharmacy in the MU-4 (Mixed-Use High Density) zoning district.

RECOMMENDATION:

COMMUNITY COUNCIL: (Oct. 2025) Approval.

PLANNING COMMISSION: (Nov. 6, 2025) Approval.

PLANNING STAFF: Approval.

STAFF ANALYSIS: The applicant is seeking a Special Land Use Permit (SLUP) to allow a drive-through pharmacy as part of a proposed grocery store (Publix). Condition Miscellaneous XIV (g) under of CZ-24-1247113 from a rezoning, reads: "A drive-thru pharmacy shall be allowed as indicated at Building A10 subject to a SLUP". EDENS has filed this application to meet the technical requirement of this condition. The subject site is a part of the larger mixed-use development, Lulah Hills, approved for a pedestrian-oriented live-work-play environment on 73.11 acres of land currently under construction. The overall development meets requirements of the MU-4 (Mixed Use High Density) zoning district. The intent of the TC (Town Center) is to promote the concentration of higher intensity residential and commercial uses to serve several communities surrounding the center to reduce automobile travel (2050 Unified Plan, pg. 33). While this proposal is an auto-oriented use, it is a part of a greater planned and cohesive development which promotes walkability and acts as a focal point for several neighborhoods in and around Lulah Hills. Prepared 11/10/2025 by: AKF Page 2 Z-24-1247734 Additionally, the application complies with the Supplemental Regulations in Section 4.2.23 Drive-through facilities (A-I). Therefore, upon review of Section 7.4.6 and Section 4.2.23 of the DeKalb County Zoning Ordinance, Staff recommends "Approval" of the proposed SLUP as part of the overall Lula Hills development and shown on "DETAILED SITE PLAN VIEW 4", conditions from CZ-24-1247113 and CZ-24-1247114, and North DeKalb Master Sign Program remain in effect.

PLANNING COMMISSION VOTE: (November 6, 2025) Approval 6-0-0. Commissioner Zou moved, Commissioner Patton seconded for approval, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (October 2025) Approval 9-0-0.



DeKalb County Government Services Center 178 Sams Street Decatur, GA 30030 404-371-2155

www.dekalbcountyga.gov/planning https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info

Planning Commission Hearing Date: November 6, 2025 Board of Commissioners Hearing Date: November 20, 2025

STAFF ANALYSIS

Case No.:	SLUP-25-1247734	File ID: 2025-1222					
Address:	2050 Lawrenceville Highway	Commission District: 02 Super District: 06					
Parcel ID(s):	18 100 02 005						
Request:	a Special Land Use Permit (SLUP) to allow a drive-through for a grocery store pharmacy in the MU-4 (Mixed-Use High Density) zoning district.						
Property Owner(s):	NDM (EDENS)						
Applicant/Agent:	NDM (EDENS), LLC c/o Dennis J. Webb						
Acreage:	74.63 Acres						
Existing Land Use:	Previously North DeKalb Mall – Mid-Construction of Lulah Hills						
Surrounding Properties:	North: MU-4, NS (Neighborhood Shopping), C-1 (Local Commercial), R-75 (Residential Medium Lot-75); East: C-1; South: NS, MU-4, C-2 (general commercial); West: MU-4						
Comprehensive Plan:	Town Center (TC) Cons	istent X Inconsistent					

Staff Recommendation: Approval.

The applicant, EDENS' c/o Dennis J. Webb, is seeking a Special Land Use Permit (SLUP) to allow a drive-through pharmacy as part of a proposed grocery store (Publix). Condition *Miscellaneous* XIV (g) under of *CZ-24-1247113* from a rezoning, reads: "A drive-thru pharmacy shall be allowed as indicated at Building A10 subject to a SLUP". EDENS has filed this application to meet the technical requirement of this condition.

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Therefore, upon review of Section 7.4.6 and Section 4.2.23 of the DeKalb County Zoning Ordinance, Staff recommends "Approval" of the proposed SLUP as part of the overall Lula Hills development and shown on "DETAILED SITE PLAN VIEW 4", conditions from CZ-24-1247113 and CZ-24-1247114, and North DeKalb Master Sign Program remain in effect.



DEPARTMENT OF PLANNING & SUSTAINABILITY

Government Services Center 178 Sams Street Decatur, GA www.dekalbcountyga.gov

<u>Chief of Executive Officer</u>
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

Zoning Comments November 2025

Z-25-1247710 (2025-1221) 447 Warren Avenue:

Warren Avenue is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

SLUP-25-1247734 (2025-1222) 2050 Lawrenceville Hwy:

N. Druid Hilla Road & Lawrenceville Highway are both classified as a Major Arterials, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

SLUP-25-1247732 (2025-1223) 4144 Memorial Dr; 3416 Covington Hwy:

Memorial Drive & Covington Highway are both classified as a Major Arterials, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights.

SLUP-25-1247733 (2025-1223) 4144 Memorial Dr; 3416 Covington Hwy:

Memorial Drive & Covington Highway are both classified as a Major Arterials, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights.

SLUP-25-1247735 (2025-1225) 4717 Memorial Drive:

Memorial Drive is classified as a Major Arterial, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Collingwood Drive is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

SLUP-25-1247739 (2025-1226) 4717 Memorial Drive:

Memorial Drive is classified as a Major Arterial, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Collingwood Drive is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.



Friday, September 12, 2025

To: Mr. John Reid, Senior Planner

From: Ryan Cira, Director, Division of Environmental Health

Cc: Alan Gaines, Deputy Director, Division of Environmental Health

Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

9/12/2025

N1-2025-1221	Z-25-1247710				
447 Warren Avenue, Scottdale, GA 30079					
- See general comments					
N2-2025-1222	SLUP-25-1247734				
2050 Lawrenceville Highway, Decatur, Ga 30	0033				
- See general comments					
N3-2025-1223	SLUP-25-1247732				
4144 Memorial Drive, Decatur GA; 3416 Covington Highway, Decatur, 30032					
- See general comments					



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

Γhe f	ollowing areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the
orop	osed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.
	LOPMENT ANALYSIS:
,	ransportation/Access/Row
•	Storm Water Management
	Flood Hazard Area/Wetlands
•	-lood Hazard Area/wetlands
	andscaping/Tree Preservation
	Lanuscaping/Tree Freservation
•	ributary Buffer

Fire Safety			



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REZONE COMMENTS FORM:

PUBLIC WORKS ROAD AND DRAINAGE

Case No.:		Parcel I.D. #:	
Address:			
Drainage Basin:			
Upstream Drainage Area:			
Percent of Property in 100-Year Floor	dplain:		
Impact on property (flood, erosion, se	edimentation) un	der existing zoning:	
Required detention facility(s):			
COMMENTS:			
	Signature:	Akin Akinsola	



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

	Adjacent Roadway (s):
	(classification) (classification)
verage of fifteen (15) vehicle trip end (VTE) per 1,	Latest Count (TPD) Hourly Capacity (VPH) Peak Hour. Volume (VPH) Existing number of traffic lanes Existing right of way width Proposed number of traffic lanes Proposed right of way width
actor. Based on the above referenced formula, the	generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour (Single Family Residential) District designation which allows a maximum of spect site is approximately acres in land area, daily vehicle trip end, and d with residential development of the parcet.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID <u>jreid@dekalbcountyga.gov</u> AND/OR LASONDRA HILL <u>lahill@dekalbcountyga.gov</u>

COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.:	Parcel I.D. #:	
Address:		
WATER:		
Size of existing water main:		(adequate/inadequate)
Distance from property to nearest main:	Size of lin	e required, if inadequate:
SEWER:		
Outfall Servicing Project:		
Is sewer adjacent to property: Yes	No If no, distance to nearest line:	:
Water Treatment Facility:	adequate inadequ	uate
Sewage Capacity:	(MGPD) Current Flow:	(MGPD)
COMMENTS:		

Signature:



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing deadline.

Applicant Name:			
Applicant Email Address:			
Applicant Mailing Address:			
Applicant Phone Number:			
Owner Name:(If mo	re than one owner, attach list o	of owners.)	
Owner Email Address:			
Owner Mailing Address:			
Owner Phone Number:			
Subject Property Address:			
Parcel ID Number(s):			
Acreage: Commiss	sion District(s):	Super District:	
Existing Zoning District(s):	Proposed 2	Zoning District(s):	
Existing Land Use Designation(s):	Proposed Land Us	se Designation(s):	(if applicable)
I hereby authorize the staff of the Planning a application.	and Sustainable Department	t to inspect the property tha	t is the subject of this
Owner: Agent:	Sign	nature of Applicant:	

PRE-SUBMITTAL COMMUNITY MEETING NOTICE AND SIGN-IN SHEET

Meeting ID	Topic	Host	Email	Avg Joi	n Me	Start Time	End Time	Duration (hh:mm:ss)	
925 9681 9037	Community Meeting for Proposed Special Land Use Permit at North DeKalb Mall by Edens	Jack Lloyd	jlloyd@sgrlaw.com		1.33	8/6/2025 18:40	7:30:51 PM	0:50:16	
Participant	User Email	Phone	Device	Join Me	eetin	Location	Network Type	Microphone	
								Microphone Array (Intel® Smart Sound	
Dennis (Den) Webb	dwebb@sgrlaw.com		win 11+ 22631	1	1.61	Atlanta (US)	Wifi	Technology for Digital Microphones)	
Jim McKenney (Guest)			Unknown		1.7	Chicago (US)	Wired		
14043165503 (Guest)		1404****503	Unknown	(0.09	(US)	Others		
Erin T. (Guest)			Unknown		1.67	Nashville (US)	Cellular		
Jessica Mack (Guest)			Unknown	- 1	1.78	Elizabeth City (US)	Wifi		
Dustin Quinteros	dquinteros@sgrlaw.com		win 11+ 22631		1.01	(US)	Wired	Microphone (Logitech USB Headset H540)	
Pixel 6 Pro (Guest)			Unknown		1.45	Atlanta (US)	Wifi		

Dear Neighbor:

We represent EDENS, which seeks to file for a Special Land Use Permit for the ± 74.63 -acre Lulah Hills mixed-use development (the former North DeKalb Mall property) at 2050 Lawrenceville Highway. Redevelopment is currently underway, and EDENS now seeks the following as part of the process and as contemplated in the original rezoning approval:

• Special Land Use Permit to allow for a grocery store drive-through pharmacy.

As indicated below, EDENS plans to host a virtual community meeting to provide more information. As property owners within the immediate area, you are invited to participate in the virtual Community Meeting on <u>August 6th</u>, 2025 at 7:00pm.

ZOOM: https://sgrlaw.zoom.us/join **Meeting ID**: 925 9681 9037; **Passcode**: 939148

We look forward to discussing the application with you and getting feedback on <u>August</u> <u>6th</u>, <u>2025</u>. If you are unable to attend or wish to reach out beforehand, please contact Dennis J. Webb, Jr. at djwebb@sgrlaw.com or 404.815.3620.

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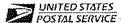
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LETTER OF INTENT

STATEMENT OF INTENT

and

Other Material Required by DeKalb County Zoning Ordinance for the Special Land Use Permit

of

NDM (EDENS), LLC

For

± 74.63 Acres of Land located in Land Lot 100, 18th District, Lulah Hills, DeKalb County

Submitted for Applicant by:

Dennis J. Webb, Jr.
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE, Ste. 1000
Atlanta, Georgia 30309
404-815-3500

I. <u>INTRODUCTION</u>

This Application seeks a Special Land Use Permit ("SLUP") to allow for a drive-thru associated with a grocery store pharmacy. The land at issue is in Land Lot 100, 18th District, DeKalb County (Parcel ID 18 100 02 005) (the "Subject Property"). The Applicant, NDM (EDENS), LLC ("EDENS" and/or "Applicant"), is the owner and developer of "Lulah Hills," a new mixed-used project that will transform the former North DeKalb Mall into a vibrant, pedestrian-oriented, live-work-play environment. EDENS' plan for the ± 74.63 acre site consists of, among other things, $\pm 320,000$ square feet of retail, commercial and restaurant space, $\pm 180,000$ square feet of office space, a ± 150 -room hotel and $\pm 1,800$ residential units, to consist of a mix of apartment and townhome units. To allow for the development, the Dekalb County Board of Commissioners ("BOC") rezoned the Subject Property from C-1 (Local Commercial) to MU-4 (Mixed Use High Density) (CCZ-22-1245595) in May of 2022 (the "2022 Rezoning"). The 2022 Rezoning was approved subject to multiple conditions, a Master Development Plan, a Sign Plan and a Subdivision Plan, among other things. EDENS later acquired two additional parcels in proximity that collectively totaled ± 1.52 acres, one located at 3861 North Druid Hills Road Decatur, GA 30033 (Parcel ID 18 100 02 052) and the other at 2052 Lawrenceville Highway Decatur, GA 30033 (Parcel ID 18 100 02 001). These two tracts were likewise rezoned and added to the Subject Property and its Master Plan (CZ-24-1247114; CZ-24-1247113).

From the beginning EDENS proposed adding a grocery store with a drive-thru pharmacy in Block A, specifically at Building A10. The drive-thru pharmacy was shown on early iterations of the Site Plan and is on the approved Master Plan. Equally important, it is authorized by a zoning conditionethaturehasmacy shall be allowed as indicated at Building A10 subject to a Special Land Use Permit.

EDENS files this application to meet the technical requirement of this condition and submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, a Written Justification for the Application as required by the DeKalb County Zoning Ordinance §27-7.3.5.

II. CRITERIA TO BE APPLIED TO SPECIAL LAND USE PERMITS

A. Adequacy of the size of the site for use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The Subject Property is entitled for a large mixed-use development, divided into blocks. The Subject Property is of adequate size and provides for all yards, open space, off-street parking and all other applicable requirements of the MU-4 Zoning district.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The grocery store which will have the pharmacy was approved as part of the Master Plan. By approving the Master Plan, the BOC confirmed that the proposed use is compatible with adjacent properties and land uses.

C. Adequacy of public services, public facilities, and utilities to serve the use contemplated.

There are adequate public services, public facilities, and utilities to serve the Proposed Development.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

The Lulah Hills development qualified as a Development of Regional Impact ("DRI") and both traffic impacts were considered and traffic mitigation required as part of that review.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

No. The character of the vehicles and volume of traffic generated by the proposed use will be identical to what is approved for the Subject Property today.

F. Adequacy of ingress and egress to the Subject Property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

DeKalb County Transportation Department has already reviewed and approved the proposed plans from both a pedestrian and automotive access and safety standpoint.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

No, the proposed use will not create such adverse impacts. Additionally, the drive-thru facilities will generally comply with the requirements of Section 27-4.2.3.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

No. Hours of use will remain the same and mirror those of the similar businesses in the area.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The manner of operation will be similar to the manner of operation of all other uses on the site. Accordingly, the proposed use will not constitute a more intense manner of operation that would adversely impact surrounding properties.

J. Whether the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

As stated in subsection A above, the proposed use will be fully compliant with the MU-4 district regulations.

K. Whether the proposed use is consistent with the policies of the Comprehensive Plan.

The Subject Property is designated as being in the "Town Center" (TC) character area which supports the mixed-use development and its components.

L. Whether the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

All district regulations are being adhered to.

M. Whether there is adequate provision of refuse and service areas.

The refuse and service areas will be adequate to accommodate all aspects of the development.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

Because the proposed use complies with the Master Plan for the Subject Property and is otherwise compatible, there is no reason to limit the duration of the requested SLUP.

O. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the Subject Property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings.

The proposed grocery building with a drive-thru was adopted as part of a Master Plan already approved by the County. That Master Plan showed a drive-thru pharmacy, and by approving it the BOC indicated that the size, scale and massing of buildings was appropriate.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The Applicant is not aware of any historic buildings, sites, districts, or archaeological resources on or around the Subject Property.

Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.

Yes. The renovated restaurant and drive-thru facilities meet the requirements of Zoning Code § 27-4.2.23. Specifically, the drive-thru facilities will:

- (a) not be located within 60 feet of a residentially zoned property;
- (b) not be located on a property less than 10,000 square feet in area and will meet the stacking requirements of Article VI;
- (c) provide drive-thru lanes and service windows on the side of the building;
- (d) provide drive-thru canopies and structures constructed of the same materials and of the same architectural quality as the primary buildings;
- (e) meet the requirements for speaker boxes;
- (f) have lighting which will be directed away from any residential properties;
- (g) provide stacking spaces with a minimum of 10' in width and 25' in length;
- (h) provide sufficient stacking spaces;
- (i)(1) have a drive-thru lane that will not impede on and off-site traffic, cross through offstreet parking areas, or create unsafe conditions for pedestrians;
- (i)(2) provide a marked drive-thru lane separated by striping from off-street parking areas;
- (i)(3) include a bypass lane with a minimum width of 10';
- (i)(4) be set back at least 5' from all lot lines and right-of-way lines;
- (i)(5) be cleaned of litter and debris daily, along with the remainder of the property;
- (i)(6) not be located within 500 feet of an elementary, middle or high school;
- (i)(7) be operated pursuant to the SLUP requested herein; and
- (i)(8) use the appropriate distance measurements.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed use will not create any negative shadow impacts on any adjoining properties.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The drive-thru pharmacy will serve both residents from the surrounding neighborhood as well as travelers passing through the area.

III. NOTICE OF CONSTITUTIONAL CHALLENGE TO UNDERLYING ZONING AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that the current zoning classification of and rules relative to the Subject Property owner's right to use the Property established in the DeKalb County Zoning Ordinance, to the extent they prohibit this use, are unconstitutional and 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 I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of private property without just compensation and without due process in violation of 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 I of the Constitution of the State of Georgia, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The Applicant respectfully submits that the Board of Commissioners' failure to approve the requested Special Land Use Permit would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property's owner and owners

of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution

of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the

Constitution of the United States.

A refusal to allow the use in question 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 use 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.

§ 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been

adopted.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Special Land Use

Permit at issue be approved. The Applicant also invites and welcomes any comments from Staff

or other officials of DeKalb County so that such recommendations or input might be incorporated

as conditions of approval of this Application.

This 18th day of August, 2025.

Respectfully submitted,

Dennis J. Webb, Jr.

J. Alexander Brock

Attorneys For Applicant

8

OWNER AUTHORIZATION



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: 3/15/25	
TO WHOM IT MAY CONCERN:	
I/WE: All Hers our F. Ames Jr.	for NDM (EDENS), LLC
Name of Owner(s)	

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

Dennis J. Webb, Jr. - Smith, Gambrell & Russell, LLP

Name of Agent or Representative

to file an application on my/our behalf.

otary Public

Owner

DISCLOSURE FORM



DISCLOSURE OF CAMPAIGN CONTRIBUTION

answered.	Conflict of Interes	t in Zoning	Act, OCGA Chap	oter 36-67A, the follo	wing questions must be
Have you, the applicate years immediately pre	nt, made \$250.00 or ceding the filling of	more in car f this applica	npaign contributi	on to a local governr	nent official within two
Yes:	No: X	_*			
If the answer is yes, ye	ou must file a disclo	sure report	with the governin	g authority of DeKal	b County showing:
 The name and made. 	official position of	the local gov	ernment official	to whom the campaig	gn contribution was
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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: X	No:	*
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If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

- 1. The name and official position of the local government official to whom the campaign contribution was made.
- 2. The dollar amount and description of each campaign contribution made during the two 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

Notary

Notary

Notary

Notary

Notary

Notary seal not needed if answer is "No".

7/30/2025

Signature of Applicant /Date
Dennis J. Webb, Jr. - Smith, Gambrell & Russell, LLP

Check one: Owner _____ Agent _____

Expiration Date/ Seal

Expires

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



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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?

Υ		
Yes:	No:	*

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

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- 2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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Notary

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



DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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		P. Ald Brook
Notary		Signature of Applicant /Date J. Alexander Brock - Smith, Gambrell & Russell, LLP
		Check one: Owner Agent

Expiration Date/ Seal

^{*}Notary seal not needed if answer is "No".



DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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PRE-APPLICATION FORM

www.dekalbcountyga.gov/planning



DEPARTMENT OF PLANNING & SUSTAINABILITY

<u>Chief of Executive Officer</u> Lorraine Cochran-Johnson <u>Director</u> Juliana A. Njoku

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.)

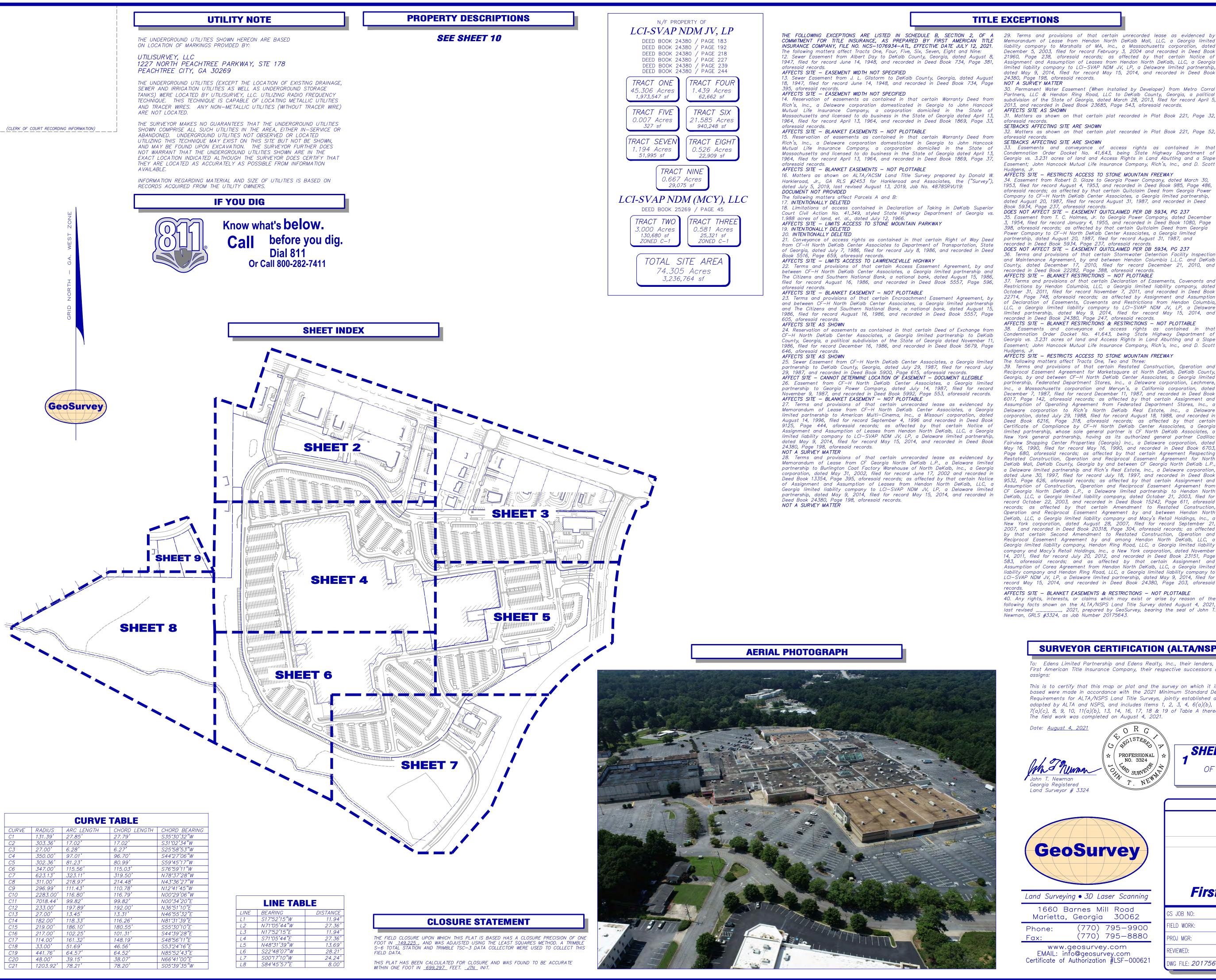
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Phone:	Email:		
Property Address:			
Tax Parcel ID:		Comm. District(s):	Acreage:
Existing Use:	Pro	posed Use:	
Supplemental Regs:		Overlay District:	
Rezoning: Yes No	Existing Zoning: _	Pro	pposed Zoning:
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Land Use Plan Amendment:	Yes No	Existing	g Land Use:
Proposed Land Use:		Consistent	Inconsistent
Special Land Use Permit: Yes	No	Article Number(s) 27	
Special Land Use Request(s):			
Major Modification: Yes	No Existing	g Zoning Conditions:	
Major Modification Request:			
Condition(s) to be modified:			

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Commu	nity Meeting:	Calendar Dates: C	CC: P	C:	BOC:
Letter of Intent:	_ Impact Analy	sis: Owner Au	uthorization(s):	Campaig	n Disclosure:
Public Notice, Signs:	Tree Su	urvey, Conservation (i	f applicable):	_	
Submittal Fo	rmat: ONE	(1) COMBINED,	PDF DOCUMI	ENT UPLO	AD PLEASE
		Review of Si	te Plan		
Density:	Density Bon	nuses: N	lix of Uses:	Open	Space:
Enhanced Open S	pace:	Setbacks: front	sides	side corner _	rear
Lot Size: Fr	rontage:	_ Street Widths:	Landscape S	Strips:	Buffers:
Parking Lot Landscapi	ing: P	arking - Auto:	_ Parking - Bicyc	le: S	creening:
Streetscapes:	Sidewalks:	Fencing/Walls:	Bldg Hei	ght: I	Bldg Separation:
Bldg. Orientation:		Bldg. Separation:			
Bldg Materials: Roof		Fenestration:	Fa	çade Design: _	
Garages:	Pedestri	an Plan:	Perimeter	Landscape Str	ip:
Possible Variances:					
Comments:					
					_
Planner:			Date:		

LAND SURVEY & LEGAL DESCRIPTION



Memorandum of Lease from Hendon North DeKalb Mall, LLC, a Georgia limited liability company to Marshalls of MA, Inc., a Massachusetts corporation, dated December 5, 2003, filed for record February 3, 2004 and recorded in Deed Book 21960, Page 238, aforesaid records; as affected by that certain Notice of Assignment and Assumption of Leases from Hendon North DeKalb, LLC, a Georgia limited liability company to LCI-SVAP NDM JV, LP, a Delaware limited partnership, dated May 9, 2014, filed for record May 15, 2014, and recorded in Deed Book 24380, Page 198, aforesaid records.

O. Permanent Water Easement (When Installed by Developer) from Metro Corral Partners, LLC & Hendon Ring Road, LLC to DeKalb County, Georgia, a political subdivision of the State of Georgia, dated March 28, 2013, filed for record April 5, 2013, and recorded in Deed Book 23685, Page 543, aforesaid records. AFFECTS SITE AS SHOWN

31. Matters as shown on that certain plat recorded in Plat Book 221, Page 32. SETBACKS AFFECTING SITE ARE SHOWN

2. Matters as shown on that certain plat recorded in Plat Book 221, Page 52. SETBACKS AFFECTING SITE ARE SHOWN

33. Easements and conveyance of access rights as contained in that Condemnation Order Docket No. 41,643, being State Highway Department of Georgia vs. 3.231 acres of land and Access Rights in Land Abutting and a Slope Easement; John Hancock Mutual Life Insurance Company, Rich's, Inc., and D. Scott AFFECTS SITE - RESTRICTS ACCESS TO STONE MOUNTAIN FREEWAY

34. Easement from Robert D. Glaze to Georgia Power Company, dated March 30, 1953, filed for record August 4, 1953, and recorded in Deed Book 985, Page 486 aforesaid records; as affected by that certain Quitclaim Deed from Georgia Power Company to CF-H North DeKalb Center Associates, a Georgia limited partnership, dated August 20, 1987, filed for record August 31, 1987, and recorded in Deed Book 5934, Page 237, aforesaid records.

DOES NOT AFFECT SITE - EASEMENT QUITCLAIMED PER DB 5934, PG 237 5. Easement from T. C. Holmes, Jr. to Georgia Power Company, dated December 3, 1954, filed for record January 4, 1955, and recorded in Deed Book 1080, Page 398, aforesaid records; as affected by that certain Quitclaim Deed from Georgia Power Company to CF-H North DeKalb Center Associates, a Georgia limited

recorded in Deed Book 5934. Page 237. aforesaid records DOES NOT AFFECT SITE - EASEMENT QUITCLAIMED PER DB 5934, PG 237 36. Terms and provisions of that certain Stormwater Detention Facility Inspection and Maintenance Agreement, by and between Hendon Columbia L.L.C. and DeKalb

County, dated December 17, 2010, filed for record December 21, 2010, and recorded in Deed Book 22282, Page 388, aforesaid records. AFFECTS SITE - BLANKET RESTRICTIONS - NOT PLOTTABLE 7. Terms and provisions of that certain Declaration of Easements, Covenants and

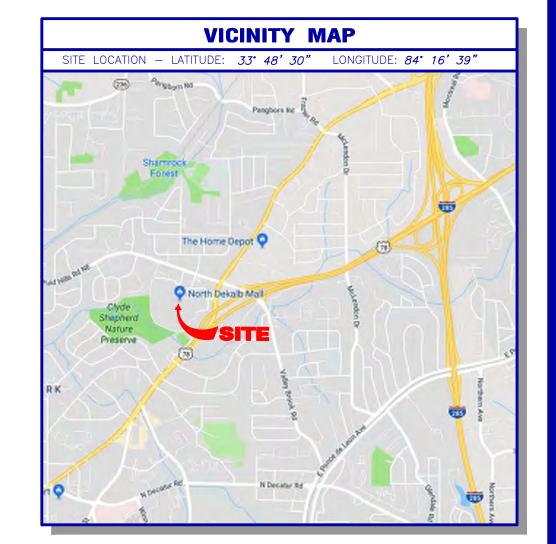
Restrictions by Hendon Columbia, LLC, a Georgia limited liability company, dated October 31, 2011, filed for record November 7, 2011, and recorded in Deed Book 22714, Page 748, aforesaid records; as affected by Assignment and Assumption f Declaration of Easements, Covenants and Restrictions from Hendon Columbia, LLC, a Georgia limited liability company to LCI—SVAP NDM JV, LP, a Delaware limited partnership, dated May 9, 2014, filed for record May 15, 2014, and recorded in Deed Book 24380. Page 247, aforesaid records.

AFFECTS SITE - BLANKET RESTRICTIONS & RESTRICTIONS - NOT PLOTTABLE 38. Easements and conveyance of access rights as contained in that Condemnation Order Docket No. 41,643, being State Highway Department of Georgia vs. 3.231 acres of land and Access Rights in Land Abutting and a Slope Easement; John Hancock Mutual Life Insurance Company, Rich's, Inc., and D. Scott

AFFÉCTS SITE — RESTRICTS ACCESS TO STONE MOUNTAIN FREEWAY The following matters affect Tracts One, Two and Three:

39. Terms and provisions of that certain Restated Construction, Operation and Reciprocal Easement Agreement for Marketsquare at North DeKalb, DeKalb County, Georgia, by and between CF-H North DeKalb Center Associates, a Georgia limited partnership, Federated Department Stores, Inc., a Delaware corporation, Lechmere, Inc., a Massachusetts corporation and Mervyn's, a California corporation, dated December 7, 1987, filed for record December 11, 1987, and recorded in Deed Book 6017. Page 142. aforesaid records: as affected by that certain Assignment and Assumption of Operating Agreement from Federated Department Stores, Inc., a Delaware corporation to Rich's North DeKalb Real Estate, Inc., a Delaware corporation, dated July 29, 1988, filed for record August 18, 1988, and recorded in Deed Book 6216, Page 318, aforesaid records; as affected by that certain Certificate of Compliance by CF-H North DeKalb Center Associates, a Georgia limited partnership, whose sole general partner is CF North DeKalb Associates, a New York general partnership, having as its authorized general partner Cadillac Fairview Shopping Center Properties (Georgia) Inc., a Delaware corporation, dated May 16, 1990, filed for record May 16, 1990, and recorded in Deed Book 6703, Page 680, aforesaid records; as affected by that certain Agreement Respecting Restated Construction, Operation and Reciprocal Easement Agreement for North DeKalb Mall, DeKalb County, Georgia by and between CF Georgia North DeKalb L.P., a Delaware limited partnership and Rich's Real Estate, Inc., a Delaware corporation, dated June 30, 1997, filed for record July 18, 1997, and recorded in Deed Book 9532. Page 626. aforesaid records: as affected by that certain Assignment and Assumption of Construction, Operation and Reciprocal Easement Agreement from CF Georgia North DeKalb L.P., a Delaware limited partnership to Hendon North DeKalb, LLC, a Georgia limited liability company, dated October 21, 2003, filed for record October 22, 2003, and recorded in Deed Book 15242, Page 611, aforesaid records; as affected by that certain Amendment to Restated Construction. Operation and Reciprocal Easement Agreement by and between Hendon North DeKalb, LLC, a Georgia limited liability company and Macy's Retail Holdings, Inc., New York corporation, dated August 28, 2007, filed for record September 2007, and recorded in Deed Book 20318, Page 304, aforesaid records; as affected by that certain Second Amendment to Restated Construction, Operation and Reciprocal Easement Agreement by and among Hendon North DeKalb, LLC, a Georgia limited liability company, Hendon Ring Road, LLC, a Georgia limited liability company and Macy's Retail Holdings, Inc., a New York corporation, dated November 14, 2011, filed for record July 20, 2012, and recorded in Deed Book 23151, Page 583, aforesaid records; and as affected by that certain Assignment and Assumption of Corea Agreement from Hendon North DeKalb, LLC, a Georgia limited liability company and Hendon Ring Road, LLC, a Georgia limited liability company to LCI-SVAP NDM JV, LP, a Delaware limited partnership, dated May 9, 2014, filed for record May 15, 2014, and recorded in Deed Book 24380, Page 203, aforesaid

AFFECTS SITE - BLANKET EASEMENTS & RESTRICTIONS - NOT PLOTTABLE 40. Any rights, interests, or claims which may exist or arise by reason of the following facts shown on the ALTA/NSPS Land Title Survey dated August 4, 2021, last revised _____, 2021, prepared by GeoSurvey, bearing the seal of John T. Newman, GRLS #3324, as Job Number 20175643.



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

SURVEY TRACTS ONE THROUGH FIVE ARE LOCATED IN FLOOD ZONE "X" AND SURVEY TRACTS SIX, EIGHT, & NINE ARE LOCATED IN FLOOD ZONE "AE" BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13089C0067K, AND THE DATE OF SAID MAP IS AUGUST 15, 2019. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

PLEASE NOTE: TREES 6-INCH DBH (DIAMETER AT BREAST HEIGHT) AND LARGER WITHIN THE BOUNDARIES OF SURVEY TRACTS ONE THROUGH FIVE WERE LOCATED IN DECEMBER 2017 AND ARE SHOWN BASED ON SURVEY REFERENCE 1

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL

BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES

REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THE INTERIOR BUILDING LINES DIVIDING THE INDIVIDUAL SUITES ARE APPROXIMATE, BASED UPON OBSERVATIONS AND DIMENSIONS MADE FROM THE EXTERIOR OF THE BUILDING AND ARE NOT TO BE USED FOR REMODELING. CONSTRUCTION OR CALCULATIONS OF LEASE AREAS.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THE SITE IS ZONED "C-1" (LOCAL COMMERCIAL DISTRICT) AS SHOWN ON THE ZONING MAP OF DEKALB COUNTY. THE MINIMUM YARD SETBACKS ARE:

FRONT (THOROUGHFARE & ARTERIAL) - 60 FEET; FRONT (OTHER) - 50 FEET SIDE (INTERIOR) - 20 FEET; SIDE (CORNER LOT) - 50 FEET; REAR - 30 FEET

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

SURVEY REFERENCES

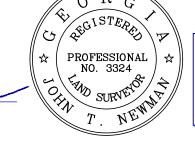
1> ALTA/NSPS LAND TITLE SURVEY OF NORTH DEKALB MALL, PREPARED BY GEOSURVEY, LTD., DATED DECEMBER 15, 2017 (JOB NO. 20175643-01).

SURVEYOR CERTIFICATION (ALTA/NSPS)

To: Edens Limited Partnership and Edens Realty, Inc., their lenders, and First American Title Insurance Company, their respective successors and

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a)(b), 7(a)(c), 8, 9, 10, 11(a)(b), 13, 14, 16, 17, 18 & 19 of Table A thereof. The field work was completed on August 4, 2021.

Date: August 4, 2021 NO. 3324



SHEET

SURVEYOR CERTIFICATION (GEORGIA) ^rhis plat is a retracement of an existing parcel or parcels of land and

does not subdivide or create a new parcel or make any changes t any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT MPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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 O.C.G.A. Section 15-6-67.



GeoSurvey

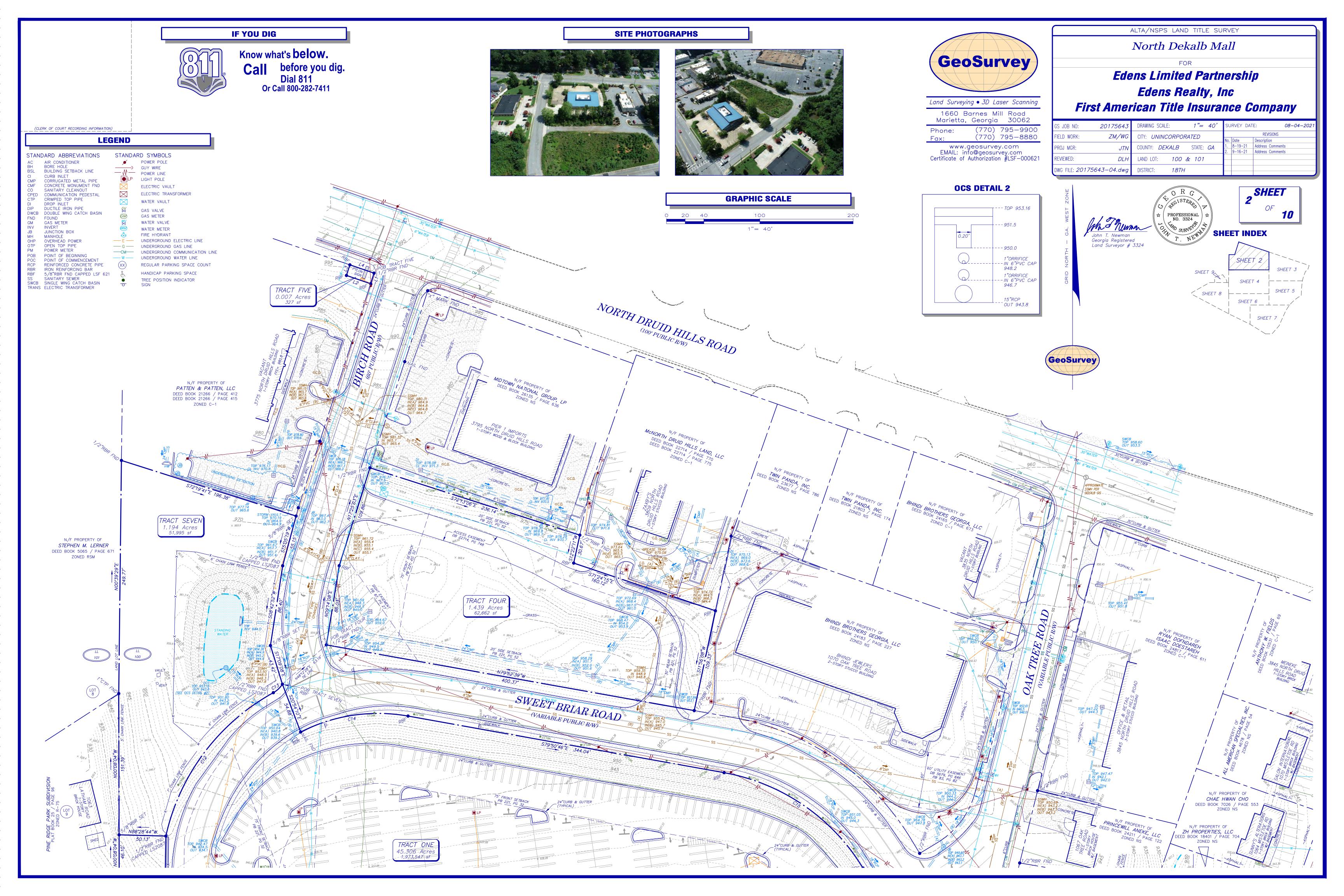
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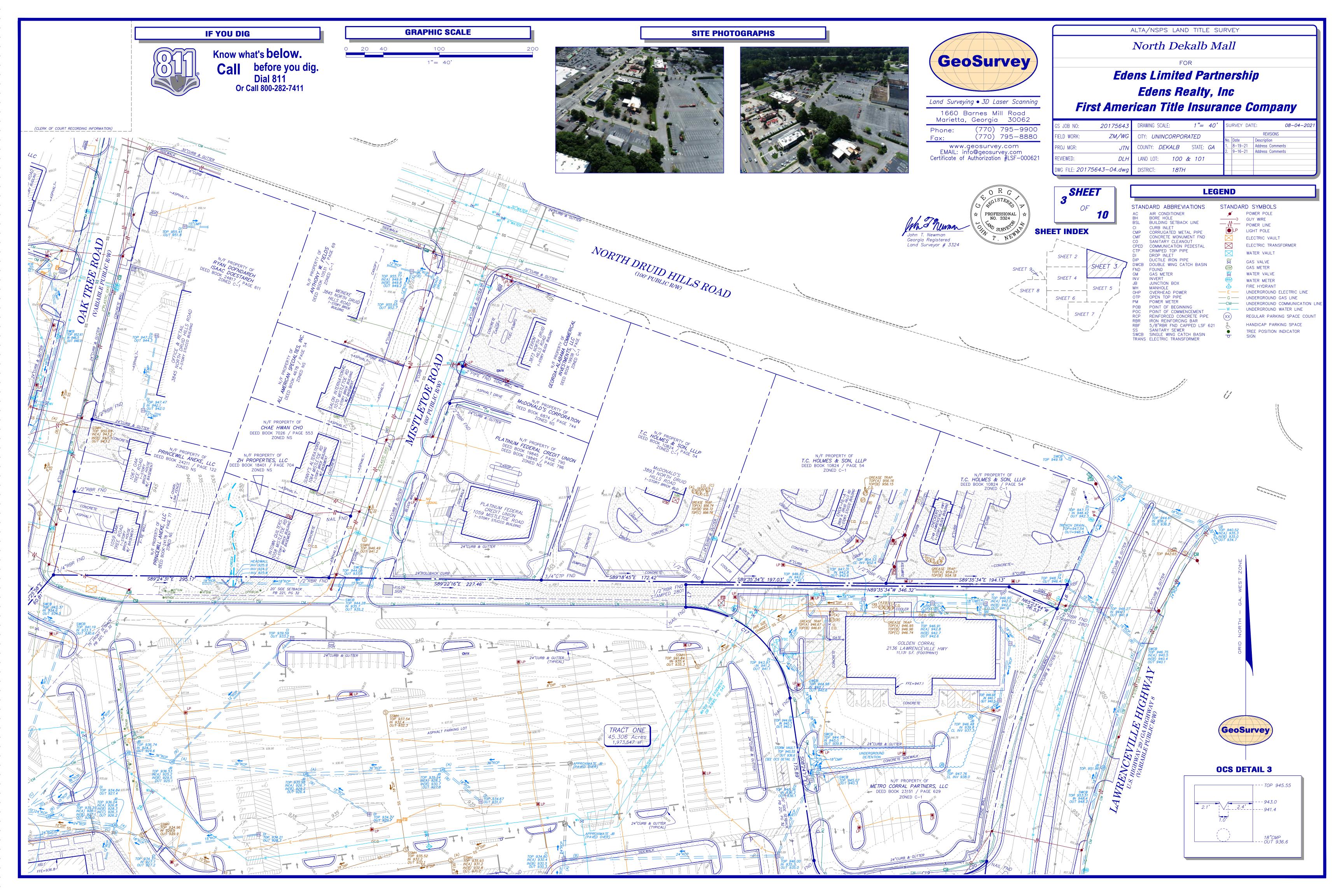
1660 Barnes Mill Road Marietta, Georgia 30062 (770) 795-9900 (770) 795-8880

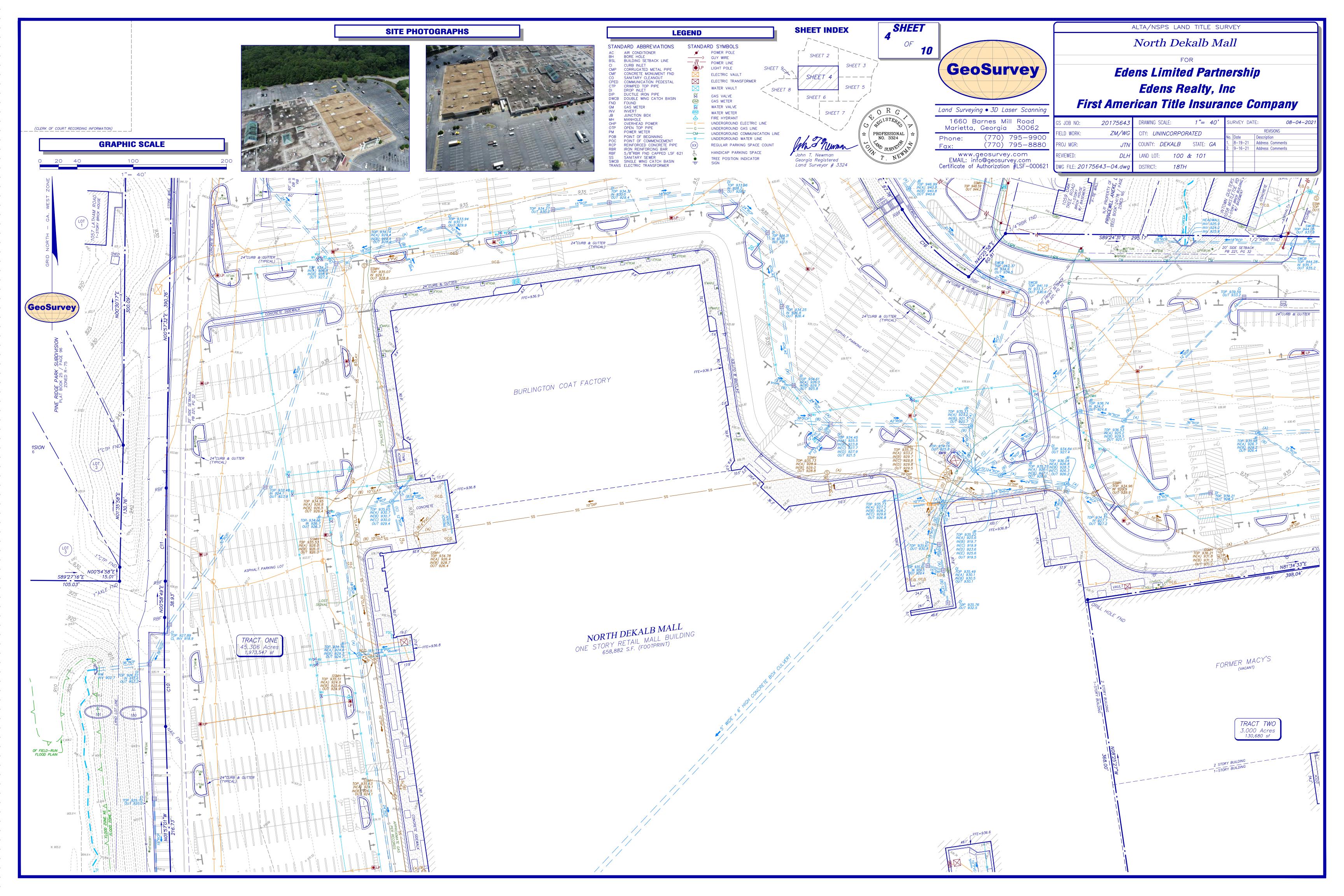
www.geosurvey.com EMAIL: info@geosurvey.com Certificate of Authorization #LSF-000621 ALTA/NSPS LAND TITLE SURVEY North Dekalb Mall

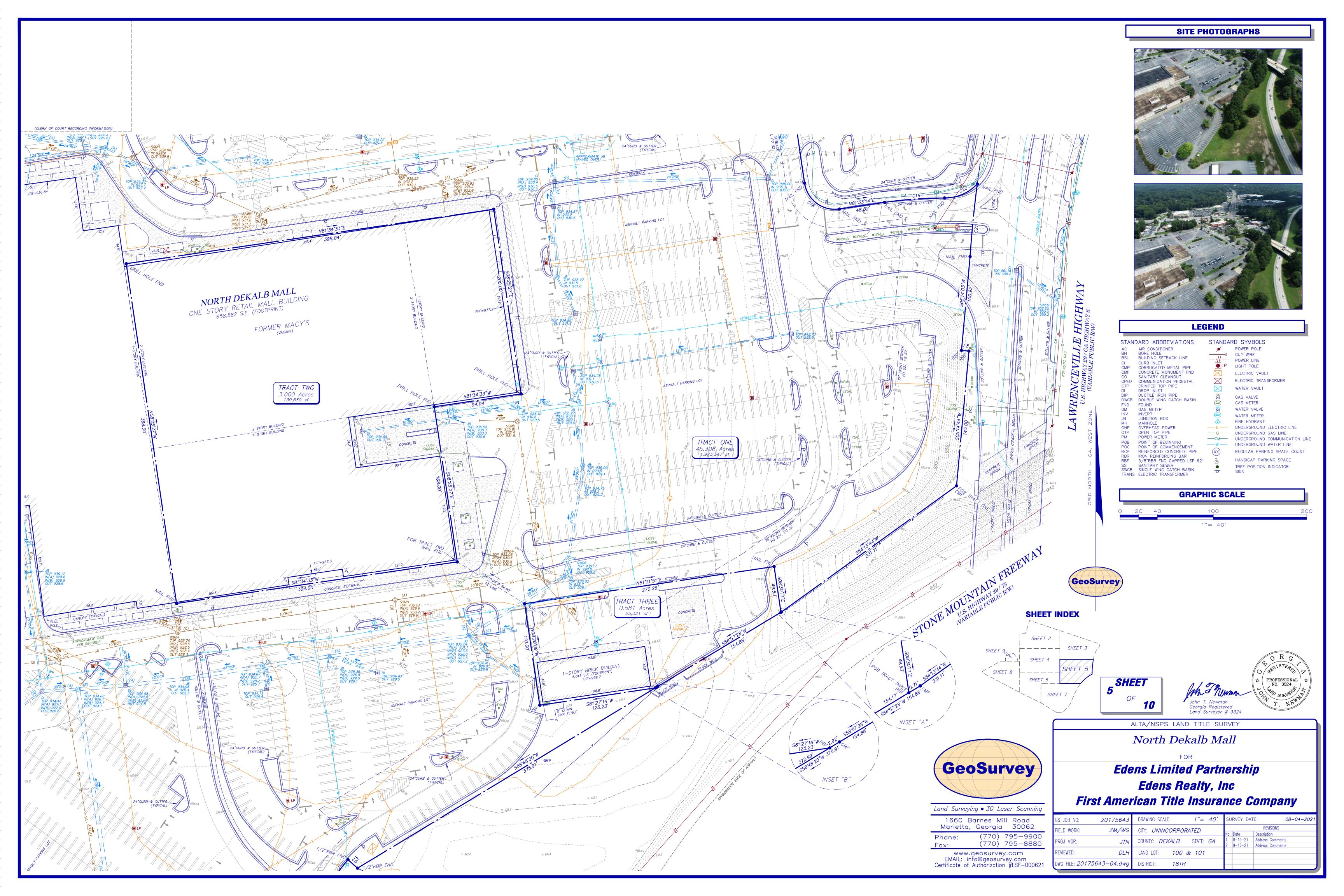
Edens Limited Partnership Edens Realty, Inc First American Title Insurance Company

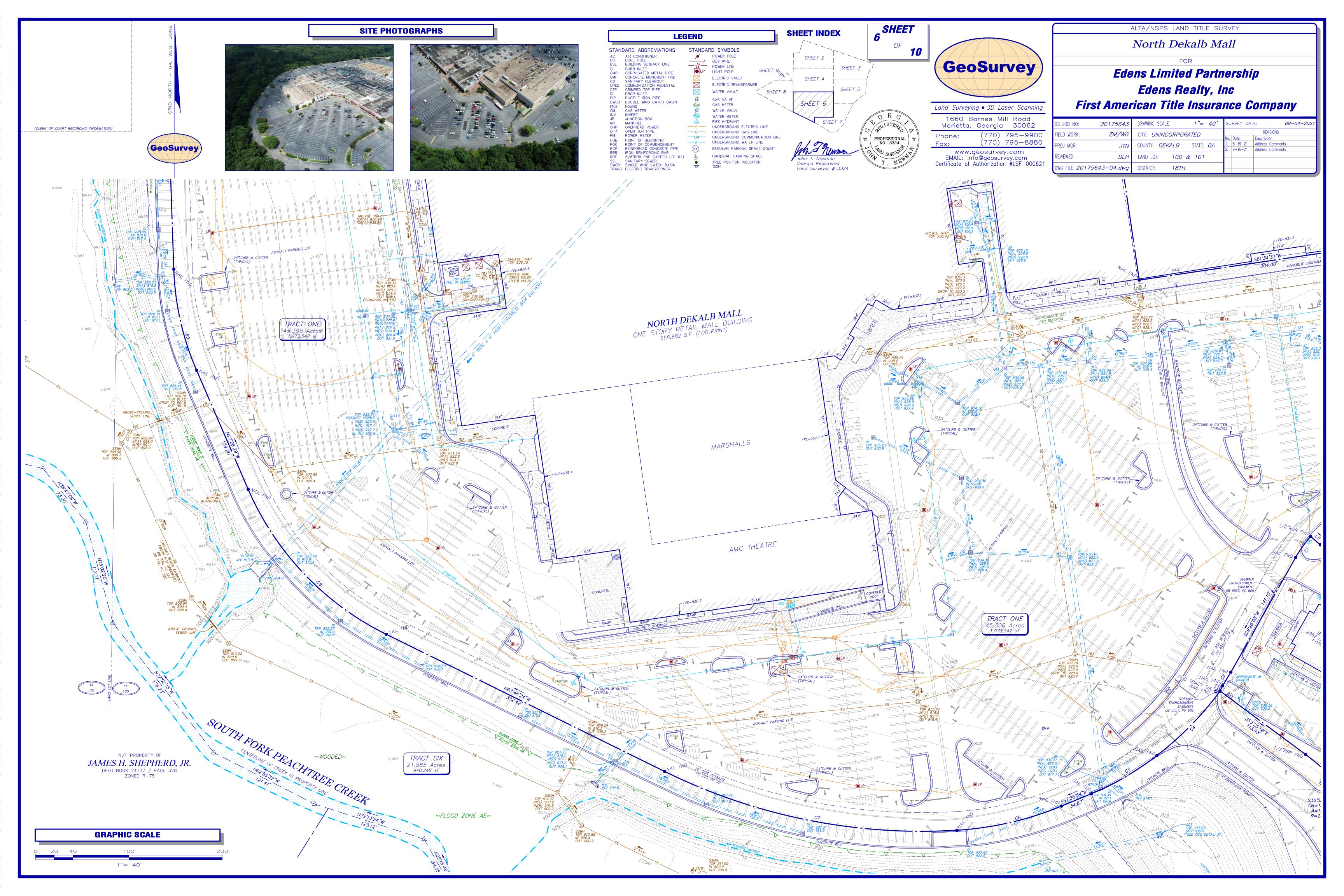
GS JOB NO:	20175643	DRAWING SCA	LE:	1 "=	40'	SU	IRVEY DAT	E:	08-04-2021
FIELD WORK:	ZM/WG	CITY: UNIN	CORPO	RATED		No	Date	REVISIONS Description	
PROJ MGR:	JTN	COUNTY: DE	KALB	STATE:	GA	1.	8-19-21	Address Comme	
REVIEWED:	DLH	LAND LOT:	100	& 101		Z. —	9-16-21	Address Comme	ents
DWG FILE: 2017	75643-04.dwg	DISTRICT:	18TH	1					

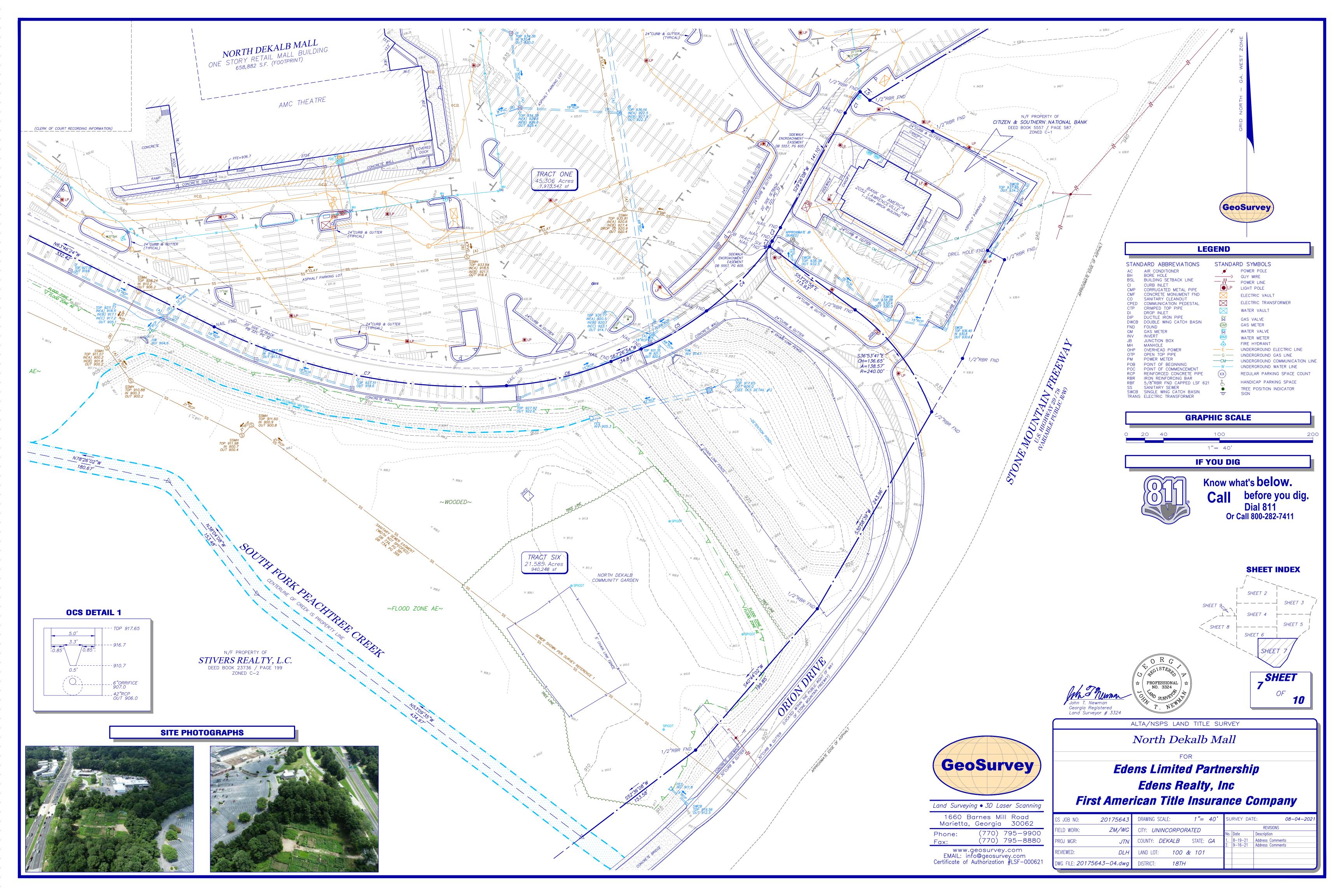


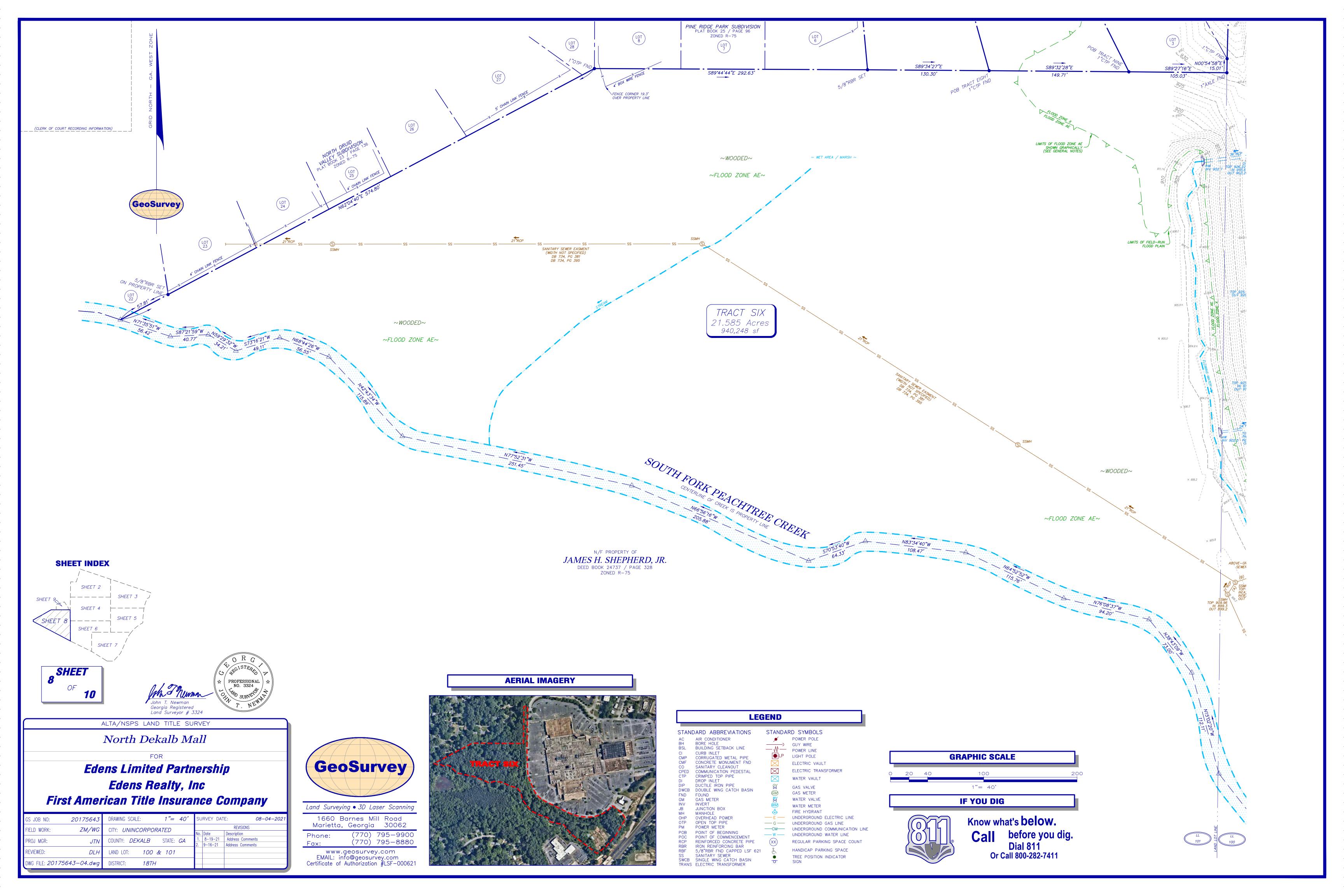






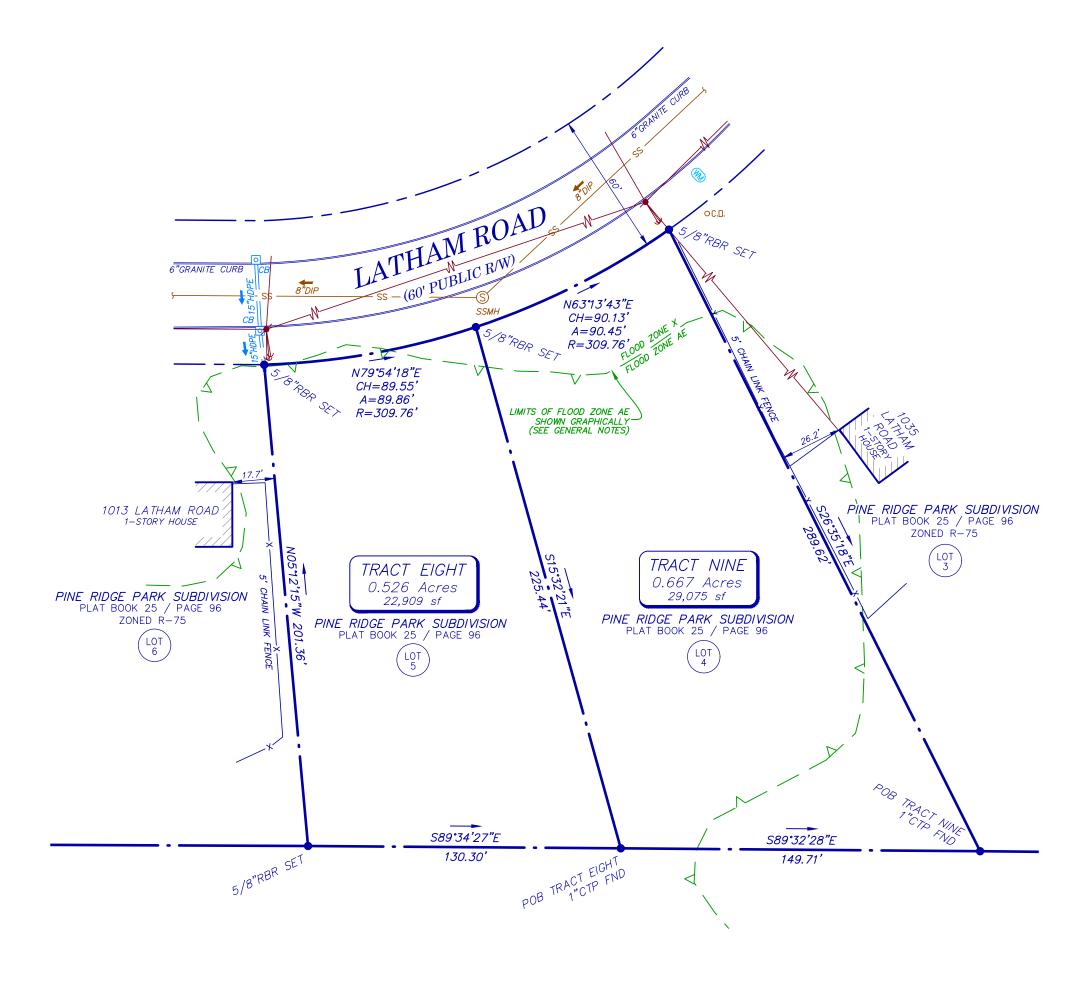






(CLERK OF COURT RECORDING INFORMATION)

GeoSurvey



AERIAL IMAGERY



LEGEND STANDARD ABBREVIATIONS STANDARD SYMBOLS POWER POLE
GUY WIRE
POWER LINE AIR CONDITIONER BORE HOLE
BUILDING SETBACK LINE CI CURB INLET
CMP CORRUGATED METAL PIPE
CMF CONCRETE MONUMENT FND
CO SANITARY CLEANOUT LP LIGHT POLE CO SANITARY CLEANOUT
CPED COMMUNICATION PEDESTAL
CTP CRIMPED TOP PIPE
DI DROP INLET
DIP DUCTILE IRON PIPE
DWCB DOUBLE WING CATCH BASIN
FND FOUND
GM GAS METER
INV INVERT
JB JUNCTION BOX
MH MANHOLE
OHP OVERHEAD POWER
OTP OPEN TOP PIPE
PM POWER METER
POB POINT OF BEGINNING ELECTRIC TRANSFORMER WATER VAULT GAS VALVE GAS METER WATER VALVE WATER METER FIRE HYDRANT UNDERGROUND ELECTRIC LINE ----CM---- UNDERGROUND COMMUNICATION LINE POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
RCP REINFORCED CONCRETE PIPE REGULAR PARKING SPACE COUNT RBR IRON REINFORCING BAR
RBF 5/8"RBR FND CAPPED LSF 621 HANDICAP PARKING SPACE

TREE POSITION INDICATOR

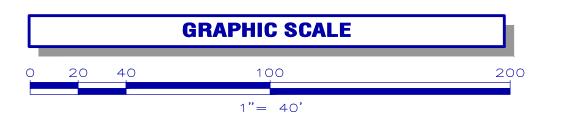
SS SANITARY SEWER
SWCB SINGLE WING CATCH BASIN
TRANS ELECTRIC TRANSFORMER

Know what's below.

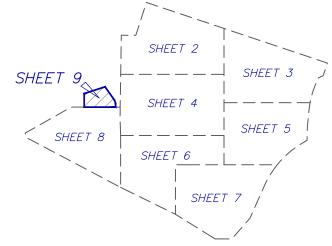
Call before you dig.

Dial 811

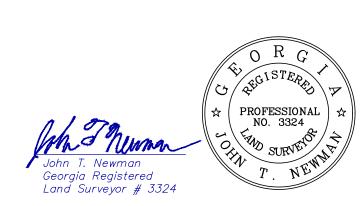
Or Call 800-282-7411



SHEET INDEX









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Certificate of Authorization #LSF-000621

ALTA/NSPS LAND TITLE SURVEY



Edens Limited Partnership Edens Realty, Inc First American Title Insurance Company

GS JOB NO:	20175643	DRAWING SCA	LE:	1 "=	40'	SU	IRVEY DAT	E: 08-04-2021
FIELD WORK:	ZM/WG	CITY: UNIN	ICORPOR,	ATED		No	Date	REVISIONS Description
PROJ MGR:	JTN	COUNTY: DE	EKALB	STATE:	GA	1.	8-19-21 9-16-21	Address Comments Address Comments
REVIEWED:	DLH	LAND LOT:	100 8	& 101				The state of the s
DWG FILE: 20175	643-04.dwg	DISTRICT:	18TH					



(CLERK OF COURT RECORDING INFORMATION)

All that tract or parcel of land lying and being in Land Lots 100 and 101 of the 18th District of DeKalb

Beginning at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right—of—Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway) from the intersection of said northwestern Right-of-Way line of Lawrenceville Highway with the southwestern Right-of-Way line of North Druid Hills Road (100 foot Right-of-Way); and a running thence in a generally southwesterly direction along the northwestern Right-of-Way line of awrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point: running thence South 86 degrees 06 minutes 00 seconds Fast glong an offset in the porthwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; running thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable Right—of—Way); running thence in a southwesterly direction along said northwestern Right-of-Way line of Stone Mountain Parkway the following courses and distances: South 52 degrees 5 minutes 59 seconds West 231.11 feet to a concrete monument; South 57 degrees 35 minutes 43 seconds West 154.88 feet to a concrete monument, and South 57 degrees 26 minutes 26 seconds West 375.90 feet to a point: thence leavina said northwestern Right-of-Way line of Stone Mountain Parkway and running North 49 degrees 45 minutes 51 seconds West 13.77 feet to a point; running thence in a southwesterly direction along the arc of a 131.39 foot radius curve an arc distance of 27.85 feet to point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 34 degrees 09 minutes 05 seconds West 27.80 feet); running thence South 28 degrees 04 minutes 41 seconds West 141.13 feet to a point; running thence in a southwesterly direction the following two courses and distances; along the slight arc of a 303.36 foot radius curve an arc distance of 17.02 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 29 degrees 41 minutes 07 seconds West 17.02 feet), and along the arc of a 27.00 foot radius curve an arc distance of 6.29 feet (said arc being subtended by a chord lying to the Southeast thereof and bearing South 24 degrees 37 minutes 26 seconds West 6.27 feet); running thence South 54 degrees 48 minutes 39 seconds East 113.92 feet to a point; running thence in a southeasterly direction along the arc of a 240.00 foot radius curve an arc distance of 138.55 feet to a point on the northwestern Right-of-Way line of Stone Mountain Parkway (said arc being subtended by a chord lying to the Southwest thereof and bearing South 38 degrees 16 minutes 24 seconds East 136.63 feet) running thence in a southwesterly direction along the northwestern Right—of—Way line of Stone Mountain Parkway the following three courses and distances: South 28 degrees 43 minutes 36 seconds West 243.86 feet to a point: South 39 degrees 20 minutes 39 seconds West 200.01 feet to a point, and South 5 degrees 12 minutes 45 seconds West 153.58 feet to a point in the center line of the South Fork of Peachtree Creek (said point hereinafter referred to a "Point A"); running thence in a northwesterly direction along the center line of the South Fork of Peachtree Creek and following the meandering thereof 658.12 feet, more or less, to a point (said point hereinafter referred to as Point "B"); said Point A and Point B being connected by traverse lines commencing at Point A and terminating at Point B as follows: North 51 degrees 26 minutes 36 seconds West 146.06 feet; North 54 degrees 43 minutes 18 seconds West 194.09 feet; North 46 degrees 25 minutes 57 seconds West 204.54 feet, and North 61 degrees 42 minutes 30 seconds West 113.43 feet; and continuing thence in a generally northwesterly direction along the center line of said Creek, and the following meandering thereof, 1965.00 feet more or less to an iron pin found; (said point hereinafter referred to as Point "C"); said Point B and Point of being connected by traverse line commencing at Point B and terminating at Point C as follows: North 66 degrees 01 minute 29 seconds West 1,827.06 feet; thence leaving the center line of said creek and running North 60 degrees 42 minutes 04 seconds East 574.8 feet to a point; running thence North 85 degrees 00 minutes 04 seconds East 678.00 feet to an axle on the Land Lot line common to said Land Lots 100 and 101; running thence North 01 degree 10 minutes 31 seconds West along said Land Lot line 382,26 feet to an iron pin found; running thence North 00 degrees 01 minute 12 seconds West along said Land Lot line 109.05 feet to a point; running thence North 89 degrees 58 minutes 00 seconds East 52.54 feet to a point; running thence in a northeasterly direction the following two courses and distances; along the arc of a 233.00 foot radius curve an arc distance of 197.94 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing North 35 degrees 27 minutes 47 seconds East 192.04 feet), and along the arc of a 27.00 foot radius curve an arc distance of 13.45 feet to a point (said arc being subtended by a chord lying to the Northwest thereof and bearing North 45 degrees 32 minutes 09 seconds East 13.31 feet); running thence South 22 degrees 17 minutes 33 seconds East 54.88 feet to a point; running thence in a northeasterly direction along the arc of an 182.00 foot radius curve an arc distance of 118.33 feet to a point (said arc being subtended by a chord lying to the South thereof and bearing North 80 degrees 06 minutes 37 seconds East 116.26 feet); running thence South 81 degrees 15 minutes 48 seconds East 344.04 feet to a point; running thence in a southeasterly direction along the arc of a 219.00 foot radius curve an arc distance of 186.09 feet to a point said arc being subtended by a chord lying to the Southeast thereof and bearing South 56 degrees 55 minutes 12 seconds East 180.55 feet); running thence South 32 degrees 1 minutes 37 seconds East 67.78 feet to a point; running thence in a southeasterly direction along the arc of a 217.00 foot radius curve an arc distance of 102.26 feet to a point (said arc being subtended by a chord lying to the Northeast thereof and bearing South 46 degrees 04 minutes 34 seconds Fast 101.31 feet); running thence North 39 degrees 02 minutes 55 seconds Fast 60.81 feet to an iron pin found: running thence North 89 degrees 12 minutes 26 seconds East 1.086.71 feet to the

Said tract contains 75.858 acres and is depicted on that certain ALTA/ACSM Land Title Survey for Hendon North DeKalb, LLC, First American Title Insurance Company, SouthTrust Bank, N.A., and CF Georgia North DeKalb, L.P., prepared by Harkleroad and Associates, certified by Donald W. Harkleroad, GRLS No. 1578, dated October 25, 1996, last revised October 14, 2003 (the "Survey").

iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway at the Point of Beginning.

Less and Except from the above described property:

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County, Georgia, and more particularly described as follows:

To find the true point of beginning, begin at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8, and U.S. Highway #29) (100 foot Right—of—Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway from the intersection of said northwestern Right-of-Way line of Lawrenceville Highway with the southwestern Right-of-Way line of North Druid Hills Road (100 foot Right-of-Way); run thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 0 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; run thence South 86 degrees 06 minutes 00 seconds East along an offset in the northwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; run thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right—of—Way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable Right-of-Way); run thence along said northwestern Right-of-Way line of Stone Mountain Parkway South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument continue thence South 57 degrees 35 minutes 43 seconds West along said right-of-way line 0.71 fee to a point; thence leave said Right-of-Way line and run North 09 degrees 49 minutes 00 seconds West 49.5 feet to a point; run thence South 80 degrees 11 minutes 00 seconds West 335.15 feet to a point, and run thence North 09 degrees 49 minutes 00 seconds West 55.00 feet to a point which marks the Point of Beginning; from the Point of Beginning as thus established, running thence South 80 degrees 1 minutes 00 seconds West 304.00 feet to a point; running thence North 09 degrees 49 minutes 00 seconds West 368.00 feet to a point: running thence North 80 degrees 11 minutes 00 seconds East 398.04 feet to a point; running thence South 09 degrees 49 minutes 00 seconds East 200.00 feet to a point; running thence South 80 degrees 11 minutes 00 seconds West 94.04 feet to a point; and running thence South 09 degrees 49 minutes 00 seconds East 168.00 feet to the Point of Beginning.

Said tract contains 3.000 acres, and is designated as "Rich's (Out)" on the Survey.

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County, Georgia and more particularly described as follows:

To find the true point of beginning, begin at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8, and U.S. Highway #29) (100 foot Right-of-Way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway from the intersection of said northwestern Right-of-Way line of North Druid Hills Road (100 foot a right-of-way); run thence in a generally southwesterly direction along the northwestern Right-of-Way line of Lawrenceville Highway the following courses and distances; South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 feet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; run thence South 86 degrees 06 minutes 00 seconds East along an offset in the northwestern Right-of-Way line of Lawrenceville Highway 8.00 feet to a point; run thence South 03 degrees 54 minutes 00 seconds West along said Right-of-Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable Right-of-Way); run thence along said northwestern Right-of-Way line of Stone Mountain Parkway South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument: continue thence South 57 degrees 35 minutes 43 seconds West along said Right-of-Way line 0.71 feet to a point which marks the Point of Beginning; from the Point of Beginning thus established, and continue thence South 57 degrees, 35 minutes 43 seconds West along said Right-of-Way line 154.17 feet to a concrete monument; continuing thence South 57 degrees 26 minutes 6 seconds West alona said riaht—of—way line 2.92 feet to a point; thence leavina said Riaht—of—Way line and running South 80 degrees 11 minutes 00 seconds West 125.17 feet to a point; running thence North 09 degrees 49 minutes 00 seconds West 110.0 feet to a point; running thence North 80 degrees 11 minutes 00 seconds East 270.15 feet to a point; running thence South 09 degrees 49 minutes 0 seconds East 49.50 feet to the northwestern Right-of-Way line of Stone Mountain Parkway and the

Said tract contains 0.582 acre and is designated as "Rich's Accessory Area (Out)" on the Survey.

ALSO LESS AND EXCEPT THAT PORTION OF THE ABOVE PROPERTY CONVEYED TO HENDON RING ROAD, LLC, by virtue of Limited Warranty Deed from Hendon North DeKalb, LLC, dated October 7, 2004, filed October 3, 2004, and recorded in Deed Book 16698, page 711, DeKalb County, Georgia Records; and as corrected by that certain Corrective Limited Warranty Deed, dated June 26, 2012, filed July 20, 2012, and recorded in Deed Book 23151, page 602, aforesaid records.

RECORD PROPERTY DESCRIPTIONS

All that tract or parcel of land lying and being in Land Lots 100 and 101 at the 18th District of DeKalb County, Georgia and more particularly described as follows:

To find the Point of Beginning commence at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right—of—Way at this point), which iron pin is located 112 feet southwesterly (as measured along said orthwestern Right—of—Way line of Lawrenceville Highway) from the intersection of said northwestern Right—of—Way line of Lawrenceville Highway with the southwestern Right—of—Way line of North Druid Hills Road (100 foot a Right—of—Way); and a running thence in a generally southwesterly direction along the northwestern Right—of—Way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.00 feet to a point; along the arc of a 1,203.92 fact radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 08 degrees 47 minutes 21 seconds West 267.01 eet); and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; running thence South 86 degrees 06 minutes 00 seconds East along an offset in a northwestern Right—of—Way line Lawrenceville Highway 8.00 feet to a point; running thence South 03 degrees 54 minutes 00 econds West along said Right—of—Way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said Right-of-Way line with the northwestern Right-of-Way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable Right—of—Way); running thence in a southwesterly direction along said northwestern Right—of—Way line f Stone Mountain Parkway the following courses and distances: South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument; South 57 degrees 35 minutes 43 seconds West 154.88 feet to a concrete monument, and South 57 degrees 26 minutes 26 seconds West 375.90 feet to a point; thence leaving said northwestern Right—of—Way line of Stone Mountain Parkway and unning North 49 degrees 45 minutes 51 seconds West 13.77 feet to a point; running thence in a southwesterly direction along the arc of a 131.39 foot radius curve an arc distance of 27.85 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and being South 34 degrees 09 minutes 05 seconds West 27.80 feet); running thence South 28 degrees 04 minutes 41 ine Southeast thereof and bearing South 24 degrees 37 minutes 26 seconds West 6.27 feet); running thence South 54 degrees 48 minutes 39 seconds East 113.92 feet to a point; running thence in a southeasterly direction along the arc of a 240.00 foot radius curve an arc distance of 138.55 feet to a point on line northwestern Right—of—Way line of Stone Mountain Parkway (said arc being subtended by a chord lying to the Southwest thereof and bearing South 38 degrees 16 minutes 24 seconds East 136.63 feet) running thence in a southwesterly direction along the northwestern Right-of-Way line of Stone Mountain Parkway the following three courses and distances: South 28 degrees 43 minutes 30 seconds West 243.86 feet to a point; South 39 degrees 20 minutes 39 seconds West 200.01 feet to a point, and South 51 degrees 12 minutes 45 seconds West 153.58 feet to a point in the center line of the South Fork of Peachtree Creek (said point hereinafter referred to as "Point A"); running thence n a northwesterly direction along the center line of the South Fork of Peachtree Creek and following the meandering thereof 658.12 feet, more or less to a point (said point hereinafter referred to as Point "B"); said Point A and Point B being connected by traverse lines commencing at Point A and erminating at Point B as follows: North 51 degrees 26 minutes 36 seconds West 146.08 feet; North 54 degrees 43 minutes 18 seconds West 194.09 feet; North 46 degrees 25 minutes 57 seconds West 204.54 feet and North 61 dearees 42 minutes 30 seconds West 113.43 feet; and continuina thence in a aenerally northwesterly direction alona the center line at said Creek, and the followina meanderina thereof, 1965.00 feet, more or less to an iron pin found. (Said point hereinafter referred to as Point "C"); said Point B and Point C being connected by traverse line commencing at Point B and terminating at Point C as follows: North 66 degrees 01 minute 29 seconds West 1,827.06 feet; South 13 Degrees 44 Minutes 04 Seconds West, 9.23 feet to a point and The Point of Beginning; thence leaving the center line of said creek and running North 60 degrees 42 minutes 04 seconds East 574.8 feet to a point; running thence North 89 degrees 00 minutes 04 seconds East 293.00 East 574.8 feet to a point; running thence North 89 degrees 00 minutes 04 seconds East 293.00 Seconds West, 55.21 feet to a point; thence continue along the westerly Right of Way line of Birch feet to a point; thence North 06 degrees 39 minutes 43 seconds West 201.36 feet to a point on the Road South 07 Degrees 21 Minutes 03 Seconds West, 86.12 feet to a point; thence continue along southerly Right of Way of Latham Road (60 foot right of way); thence along the southerly Right of the westerly Right of Way line of Birch Road South 18 Degrees 30 Minutes 57 Seconds East, 43.28 Way line of Latham Road the following 2 calls: North 78 degrees 26 minutes 50 seconds East 89.55 feet; North 61 degrees 46 minutes 15 seconds East 90.13 feet; thence leaving said Right of Way South 28 degrees 02 minutes 46 seconds East 289.62 feet to a point; running thence North 89 the right an arc distance of 13.45 feet, said curvature having a chord bearing and distance of South dearees 00 minutes 04 seconds East 105.00 feet to an axle on the Land Lot line common to said 45 Degrees 32 Minutes 09 Seconds West, 13.31 feet and having a radius of 27.00 feet; thence along Land Lots 100 and 101; running thence North 01 degree 10 minutes 31 seconds West along said Land the northwesterly Right of Way line of Birch Road following the curvature thereof to the left an arc Lot line 382.26 feet to an iron pin found; running thence North 00 degrees 01 minute 12 seconds distance of 197.94 feet, said curvature having a chord bearing and distance of South 35 Degrees 27 West along said Land Lot line 109.05 feet to a nail places in root of beech tree; running thence Minutes 47 Seconds West, 192.04 feet and having a radius of 233.00 feet; thence leaving the North 89 degrees 58 minutes 00 seconds East 52.54 feet to a point; running thence South 00 northwesterly Right of Way line of Sweet Briar Road South 89 Degrees 58 Minutes 00 Seconds West, degrees 25 minutes 26 seconds East 390.67 feet to a point; running thence in a southeasterly 52.54 feet to a point on the Land Lot Line separating land Lots 100 and 101; thence in a northerly direction along the arc of a 7018.44—foot radius curve an arc distance of 99.80 feet to a point direction along said Land Lot Line North 00 Degrees 37 Minutes 46 Seconds West, 401.24 feet to a (said arc being subtended by a chord lying to the East thereof and bearing South 00 degrees 48 point; thence leaving said Land Lot Line South 73 Degrees 36 Minutes 36 Seconds East, 196.22 feet ninutes 36 seconds East 99.80 feet); running thence South 00 degrees 24 minutes 09 seconds East 38.92 feet to a point; running thence in a southeasterly direction along the arc of a 2283.00-foot radius curve an arc distance of 116.77 feet to a point (said arc being subtended by a chord lying to LCI-SVAP NDM (MCY), LP the East thereof and bearing South 01 degree 52 minutes 04 seconds East 116.76 feet); running thence South 03 degrees 19 minutes 59 seconds East 216.68 feet to a point; running thence in a southeasterly direction along the arc of a 296.99—foot radius curve an arc distance of 111.40 feet to a point (said arc being subtended by a chord lying to the Northeast thereof and bearing South 14 degrees 04 minutes 43 seconds East 110.75 feet); running thence South 24 degrees 49 minutes 27 seconds East 139.17 feet to a point; running thence in a southeasterly direction along the arc of c 311.00—foot radius curve an arc distance of 218.92 feet to a point (said arc being subtended by c chord lying to the Northeast thereof and bearing South 44 degrees 59 minutes 25 seconds Éast 214.43 feet); running thence South 65 degrees 09 minutes 22 seconds East 332.34 feet to a point; nning thence in a southeasterly direction along the arc of a 623.13—foot radius curve an arc distance of 323.03 feet to a point (said arc being subtended by a chord lying to the North thereof and bearing South 80 degrees 00 minutes 26 seconds East 319.43 feet); running thence in a portheasterly direction along the arc of a 347.00—foot radius curve an arc distance of 115.53 feet to a point (said arc being subtended by a chord lying to the Northwest thereof and bearing North 75 degrees 36 minutes 13 seconds East 115.00 feet); running thence North 66 degrees 03 minutes 56 seconds East 34.86 feet to a point; running thence in a northeasterly direction along the arc of a

Together with the following described property:

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County, Beginning as thus established, running thence South 80 degrees 11 minutes 00 seconds West 304.00

302.36—foot radius curve an arc distance of 81.21 feet to a point (said arc being subtended by a

chord lying to the Northwest thereof and bearing North 58 degrees 22 minutes 19 seconds East

80.97 feet); running thence in a northeasterly direction along the arc of a 350.00-foot radius curve

an arc distance of 96.99 feet to a point at the Point of Beginning, (said arc being subtended by a

phord lying to the Northwest thereof and bearing North 43 degrees 04 minutes 08 seconds East

Beginning at an iron pin found on the northwestern Right—of—Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right—of—Way at this point), which iron 80 degrees 11 minutes 00 seconds West 94.04 feet to a point; and running thence South 09 degrees pin is located 112 feet southwesterly (as measured along said northwestern Right-of-Way line of Lawrenceville Highway) form the intersection of said northwestern Right—of—Way line of Lawrenceville Highway with the southwestern Right—of—Way of North Druid Hills Road (100 foot a Right—of—Way); and a running thence in a generally southwesterly direction along the northwestern Right—of—Way line of Lawrenceville Highway South 21 degrees 50 minutes 00 seconds West 120.00 feet to a point: thence continue along the northwestern Right-of-Way line of Lawrenceville Highway along the arc of a 1,203.92 foot radius curve an arc distance of 189.07 feet to a point, said arc being subtended by a chord lying to the Southeast thereof and bearing South 10 degrees 39 minutes 19 seconds West 188.88 feet; thence leaving the northwestern Right—of—Way line of Lawrenceville Highway along the arc of a 48.00 foot radius curve an arc distance of 39.19 feet to a point, said arc being subtended by Tract II a chord lying to the Northwest thereof and bearing South 65 degrees 11 minutes 05 seconds West 38.11 feet; thence along the arc of a 441.76 foot radius curve an arc distance of 64.64 feet to a point, said arc being subtended by a chord lying to the Southeast thereof and bearing South 84 dearees 22 minutes 48 seconds West 64.58 feet: thence South 80 dearees 11 minutes 20 seconds West 48.81 feet to a point; thence along the arc of a 33.00 foot radius curve an arc distance of 51.84 feet to a point, said arc being subtended by a chord lying to the Northeast thereof and bearing North 54 degrees 48 minutes 40 seconds West 46.67 feet; thence North 09 degrees 48 minutes 40 seconds West 46.67 feet minutes 40 seconds West 175.86 feet to a point; thence along the arc of a 114.00 foot radius curve in arc distance of 161.29 feet to a point, said arc being subtended by a chord lying to the Southwest thereof and bearing North 50 degrees 20 minutes 34 seconds West 148.17 feet: thence North 00 degrees 47 minutes 34 seconds West, 27.25 feet to a point; thence North 89 degrees 12 minutes 26 seconds East 409.11 feet to the iron pin found on the northwestern Right—of—Way line of Lawrenceville Highway at The Point of Beginning, containing 1.83 acres.

Beainning at the intersection of the southerly Right of Way line of North Druid Hills Road (100 foot Right of Way) and the westerly Right of Way line of Birch Road (60 foot Right of Way); thence along the westerly Right of Way line of Birch Road South 16 degrees 31 minutes 00 seconds West, 11.94 eet to a point; thence leaving the westerly Right of Way line of Birch Road North 27 degrees 26 minutes 59 seconds West, 27.36 feet to a point; thence North 16 degrees 31 minutes 00 seconds East, 11.94 feet to a point on the southerly Right of Way line of North Druid Hills Road; thence along the southerly Right of Way line of North Druid Hills Road South 27 degrees 26 minutes 59 seconds East, 27.36 feet to The Point of Beginning containing 0.01 Acres.

the right an arc distance of 39.19 feet to a point

All that tract or parcel of land lying and being in Land Lots 100 of the 18th District of DeKalb County, Georgia and more particularly described as follows:

To find The Point of Beginning commence at an iron pin found on the northwestern Right-of-Way line of Lawrenceville Highway (also known as State Route #8 and U.S. Highway #29) (100 foot Right—of—Way at this point), which iron pin is located 112 feet southwesterly (as measured along said orthwestern Right-of-Way line of Lawrenceville Highway) from the intersection of said northwestern Right—of—Way line of Lawrenceville Highway with the southwestern Right—of—Way line of North Druid fills Road (100 foot a Right—of—Way); thence along the northwestern Right—of—Way line of Lawrenceville Highway South 21 degrees 50 minutes 00 seconds West 26.81 feet to a point and The Point of Beginning, and a running thence in a generally southwesterly direction along the northwestern Right—of—Way line of Lawrenceville Highway the following courses and distances; South 21 degrees 50 minutes 00 seconds West 93.19 feet to a point; along the arc of a 1,203.92 foot radius curve an arc distance of 189.07 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 10 degrees 39 minutes 19 seconds West 188.88 feet); thence leaving the northwestern Right-of-Way line of Lawrenceville Highway along the arc of a 48.00 foot radius curve to

(said arc being subtended by a chord lying to the Southeast thereof and bearing South 65 degrees 11 minutes 05 seconds West 38.11 feet); thence glong the arc of a 441.76 foot radius curve to the left an arc distance of 64.64 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing South 84 degrees 22 minutes 48 seconds West 64.58 feet); thence South 80 degrees 11 minutes 20 seconds West 48.81 feet to a point; thence along the arc of a 33.00 foot radius curve to the right an arc distance of 51.84 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearing North 54 degrees 48 minutes 40 seconds West 46.67 feet): thence North 09 degrees 48 minutes 40 seconds East 175.86 feet to a point; thence along the arc of a 114.00 foot radius curve to the left an arc distance of 161.29 feet to a point (said arc beina subtended by a chord lyina to the Southeast thereof and bearina North 50 degrees 20 minutes 34 seconds West 148.17 feet); thence North 00 degrees 12 minutes 34 seconds West 24.25 feet to a point; thence North 89 degrees 12 minutes 26 seconds East 346.11 feet to a point; thence South 68 degrees 10 minutes 00 seconds East 56.53 feet to The Point of Beginning

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County Georgia being more particularly described as Parcel "B", a 1.437 acre tract as depicted on that certain plat recorded in Plat Book 221, Page 52, DeKalb County, Georgia records, and also described

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County,

To find the Point of beginning commence at the intersection of the southerly Right of Way line of North Druid Hills Road (100' Right of Way) and the easterly Right of Way line of Birch Road (60 Right of Way); thence along the easterly Right of Way line of Birch Road South 16 Degrees 56 Minutes 09 Seconds West. 79.78 feet to a point: thence continue along the easterly Right of Way line of Birch Road South 16 Degrees 32 Minutes 47 Seconds West, 119.73 feet to a point and The Point seconds West 141.13 feet to a point; running thence in a southwesterly direction along the arc of a of Beginning; thence leaving the easterly Right of Way line of Birch Road South 73 Degrees 36 303.36 foot radius curve an arc distance of 17.02 feet to a point (said arc being subtended by a Minutes 03 Seconds East, 236.20 feet to a point; thence South 10 Degrees 59 Minutes 14 Seconds chord lying to the Southeast thereof and bearing South 29 degrees 41 minutes 07 seconds West West, 30.67 feet to a point; thence South 72 Degrees 55 Minutes 55 Seconds East, 160.00 feet to a 17.02 feet), running thence in a southwesterly direction along the arc of a 27.00 foot radius curve an point; thence South 10 Degrees 34 Minutes 49 Seconds West, 109.33 feet to a point on the northerly arc distance of 6.29 feet to the Point of Beginning (said arc being subtended by a chord lying to Right of Way line of Sweet Briar Road (60' Right of Way); thence along the northerly Right of Way line of Sweet Briar Road North 81 Dearees 14 Minutes 23 Seconds West, 160.00 feet to a point thence continue along the northerly Right of Way line of Sweet Briar Road North 81 Degrees 2. Minutes 09 Seconds West, 240.29 feet to a point located at the intersection of the northerly Right o Way line of Sweet Briar Road and the easterly Right of Way line of Birch Road; thence along the easterly Right of Way line of Birch Road North 07 Degrees 50 Minutes 46 Seconds East, 86.02 feet to a point; thence continue along the easterly Right of Way line of Birch Road North 16 Degrees 01 Minutes 44 Seconds East, 109.85 feet to The Point of Beginning containing 1.44 Acres.

All that tract or parcel of land lying and being in Land Lots 100 of the 18th District of DeKalb

County, Georgia and more particularly described as follows:

To find The Point of Beginning commence at the intersection of the southerly Right of Way line of North Druid Hills Road (100 foot Right of Way) and the westerly Right of Way line of Birch Road (60 foot Right of Way); thence along the westerly Right of Way line of Birch Road South 16 Degrees 31 Minutes 00 Seconds West, 11.94 feet to a point; thence continue along the westerly Right of Way line of Birch Road South 16 Degrees 31 Minutes 00 Seconds West 177.58 feet to a point thence continue along the westerly Right of Way line of Birch Road South 16 Degrees 34 Minutes 33 Seconds West, 74.93 feet to a point; thence continue along the westerly Right of Way line of Birch Road thence continue along the westerly Right of Way line of Birch Road South 13 Degrees 44 Minutes 04 feet to a point on the northerly Right of Way line of Sweet Briar Road (60 foot Right of Way); thence along the northerly Right of Way line of Sweet Briar Road following the curvature thereof to

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County,

o find the true point of beginning, begin at an iron pin found on the northwestern right-of-way line of Lawrenceville Highway (also known as State Route #8, and U.S. Highway #29) (100 foot right—of—way at this point), which iron pin is located 112 feet southwesterly (as measured along said orthwestern right—of—way line of Lawrenceville Highway from the intersection of said northwestern right-of-way line of Lawrenceville Highway with the southwestern right-of-way line of North Druid Hills Road (100 foot right—of—way); run thence in a generally southwesterly direction along the northwestern right-of-way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92-foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the southeast thereof and bearina South 08 dearees 47 minutes 21 seconds West 267.01 feet): and South 3 degrees 54 minutes 00 seconds West 101.29 feet to a point; run thence South 86 degrees 06 ninutes 00 seconds East along an offset in the northwestern right—of—way line of Lawrenceville Highway 8.00 feet to a point; run thence South 03 degrees 54 minutes 00 seconds West along said right-of-way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said right-of-way line with the northwestern right-of-way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable right-of-way); run thence along said northwestern right—of—way line of Stone Mountain Parkway South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument: continue thence South 57 degrees 35 minutes 43 seconds West along said right-of-way line 0.71 feet to a point; thence leave said right-of-way line and run North 09 degrees 49 minutes 00 seconds West 49.5 feet to a point; run thence South 80 degrees 1 minutes 00 seconds West 335.15 feet to a point, and run thence North 09 degrees 49 minutes 00 seconds West 55.00 feet to a point which marks the True Point of Beginning; from the True Point of et to a point; running thence North 09 degrees 49 minutes 00 seconds West 368.00 feet to a point; running thence North 80 degrees 11 minutes 00 seconds East 398.04 feet to a point; running thence South 09 degrees 49 minutes 00 seconds East 200.00 feet to a point; running thence South 49 minutes 00 seconds East 168.00 feet to the Point of Beginning.

The above referenced property is shown as a 3.00-acre tract designated "Rich's" on, and is described according to, plat of survey dated July 28, 1986, last revised July 8, 1987, prepared by Virgil Gaddy & Assoc., Virail F. Gaddy, Georgia Registered land Surveyor No. 969, entitled "Marketsauare at North DeKalb, Property of CFH North DeKalb Center Associates"; said survey being incorporated herein by reference and made a part of this description.

All that tract or parcel of land lying and being in Land Lot 100 of the 18th District of DeKalb County,

To Find The True Point Of Beginning, begin at an iron pin found on the northwestern right-of-way right—of—way at this point), which iron pin is located 112 feet southwesterly (as measured along said northwestern right-of-way line of Lawrenceville Highway from the intersection of said northwestern right-of-way line of Lawrenceville Highway with southwestern right-of-way line of North Druid Hills Road (100-foot a right-of-way); run thence in a generally southwesterly direction along the northwestern right-of-way line of Lawrenceville Highway the following courses and distances: South 21 degrees 50 minutes 00 seconds West 120.0 feet to a point; along the arc of a 1,203.92-foot radius curve an arc distance of 267.56 feet to a point (said arc being subtended by a chord lying to the Southeast thereof and bearina South 08 dearees 47 minutes 21 seconds West 267.01 feet): and South 03 degrees 54 minutes 00 seconds West 101.29 feet to a point; run thence South 86 degrees 6 minutes 00 seconds East along an offset in the northwestern right—of—way line of Lawrenceville Highway 8.00 feet to a point; run thence South 0.3 degrees 54 minutes 0.0 seconds West along said right-of-way line of Lawrenceville Highway 145.53 feet to a concrete monument at the intersection of said right—of—way line with the northwestern right—of—way line of Stone Mountain Parkway (also known as State Route #410 and U.S. Highway #78) (variable right—of—way); run thence along said northwestern right-of-way line of Stone Mountain Parkway South 52 degrees 51 minutes 59 seconds West 231.11 feet to a concrete monument; continue thence South 57 degrees 35 minutes 43 seconds West along said right-of-way line 0.71 feet to a point which marks the True Point of Beginning; from the True Point of Beginning as thus established, continuing thence South 57 degrees 35 minutes 43 seconds West along said right—of—way line 154.17 feet to a concrete monument; continuing thence South 57 degrees 26 minutes 26 seconds West along said right-of-way line 2.92 feet to a point; thence leaving said right-of-way line and running South 80 degrees 11 minutes 00 seconds West 125.17 feet to a point; running thence North 09 degrees 49 minutes 00 seconds West 110.0 feet to a point; running thence North 80 degrees 11 minutes 00 seconds East 270.15 feet to a point; running thence South 09 degrees 49 minutes 00 seconds East 49.50 feet to the northwestern right-of-way line of Stone Mountain Parkway and the Point of Beginning.

The above-referenced property is shown as a 0.5815-acre tract designated "Rich's" on, and is described according to plat of survey dated July 28, 1986, last revised July 8, 1987, prepared by Virgil F. Gaddy & Assoc., Virgil F. Gaddy, Georgia Registered Land Surveyor No. 969, entitled Marketsquare at North DeKalb, Property of CFH North DeKalb Center Associates"; said survey being incorporated herein by reference and made a part of this description.

The above-described tract being the same tracts, respectively, as Tracts 3 and 4 on a Plat of Survey entitled, " Property Line Plat for North DeKalb Shopping Center," made by Gaddy-Cordes & Associates, Registered land Surveyors, dated March 5, 1964.

SURVEY TRACT ONE All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a concrete monument found at the intersection of the Westerly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right—of—way); thence along said right—of—way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar found; ; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found: thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to nail found; thence South 08 degrees 28 minutes 09 seconds East, a distance of 110.00 feet to a 5/8 inch rebar found; thence North 81 degrees 27 minutes 16 seconds East, a distance of 125.23 feet to a 5/8 inch rebar found on the Northerly right-of-way of Stone Mountain Freeway; thence along said right—of—way South 58 degrees 48 minutes 20 seconds West, a distance of 372.99 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 48 degrees 31 minutes 39 seconds West, a distance of 13.69 feet to a 1/2 inch rebar found; thence along a curve to the left, said curve having an arc lenath of 27.85 feet with a radius of 131.39 feet, being subtended by a chord bearing of South 35 degrees 30 minutes 32 seconds West, a distance of 27.79 feet to a nail found: thence South 29 dearees 26 minutes 08 seconds West, a distance of 141.10 feet to a nail found; thence along a curve to the left, said curve having an ard length of 17.02 feet with a radius of 303.36 feet, being subtended by a chord bearing of South 31 degrees 02 minutes 34 seconds West, a distance of 17.02 feet to a n found: thence alona a curve to the left, said curve havina an arc lenath of 6.28 fee with a radius of 27.00 feet, being subtended by a chord bearing of South 25 degrees 58 minutes 53 seconds West, a distance of 6.27 feet to a nail found; thence along a curve to the right, said curve having an arc length of 97.01 feet with a radius o 350.00 feet, being subtended by a chord bearing of South 44 degrees 27 minutes 0 seconds West, a distance of 96.70 feet to a nail found: thence alona a curve to the right, said curve having an arc length of 81.23 feet with a radius of 302.36 feet, being subtended by a chord bearing of South 59 degrees 45 minutes 17 seconds West, distance of 80.99 feet to a nail found; thence South 67 degrees 26 minutes 54 seconds West, a distance of 34.87 feet to a nail found: thence along a curve to the right, said curve having an arc length of 115.56 feet with a radius of 347.00 feet, being subtended by a chord bearing of South 76 degrees 59 minutes 11 seconds West, o distance of 115.03 feet to a nail found: thence along a curve to the right, said curve having an arc length of 323.11 feet with a radius of 623.13 feet, being subtended by a chord bearing of North 78 degrees 37 minutes 28 seconds West, a distance of 319.50 feet to a nail found: thence North 63 dearees 46 minutes 24 seconds West. a distance of 332.42 feet to a nail found; thence along a curve to the right, said curve having an arc length of 218.97 feet with a radius of 311.00 feet, being subtended by a chord bearing of North 43 degrees 36 minutes 27 seconds West, a distance of 214.48 feet to a nail found; thence North 23 degrees 26 minutes 29 seconds West, a distance of 139.20 feet to a nail found; thence along a curve to the right, said curve having an arc length of 111.43 feet with a radius of 296.99 feet, being subtended by a chord bearing of North 12 degrees 41 minutes 45 seconds West, a distance of 110.78 feet to a n found; thence North 01 degrees 57 minutes 01 seconds West, a distance of 216.73 feet to a nail found; thence along a curve to the right, said curve having an arc length of 116.80 feet with a radius of 2283.00 feet, being subtended by a chord bearing of North 00 degrees 29 minutes 06 seconds West, a distance of 116.79 feet to a 5/8 inch rebar pund; thence North 00 degrees 58 minutes 49 seconds East, a distance of 38.93 feet to a 5/8 inch rebar found; thence along a curve to the right, said curve having an arc length of 99.82 feet with a radius of 7018.44 feet, being subtended by a chord bearing of North 00 degrees 34 minutes 20 seconds East, a distance of 99.82 feet to a 5/8 inch rebar found; thence North 00 degrees 57 minutes 32 seconds East, a distance of 390.76 feet to a 1/2 inch rebar found; thence along a curve to the right, said curve having an arc length of 197.89 feet with a radius of 233.00 feet, being subtended by a chord bearing of North 36 degrees 51 minutes 10 seconds East, a distance of 192.00 feet to a 1/2 inch rebar found; thence along a curve to the left, said curve having an arc length of 13.45 feet with a radius of 27.00 feet, being subtended by a chord bearing of North 46 degrees 55 minutes 32 seconds East, a distance of 13.31 feet to a 5/8 inch rebar found on the Southerly right—of—way of Sweetbriar Road (variable right—of—way); thence along said right—of—way South 20 degrees 54 minutes 10 seconds ast, a distance of 54.88 feet to a nail found; thence along a curve to the right, said curve having an arc length of 118.33 feet with a radius of 182.00 feet, being subtended by a chord bearing of North 81 degrees 31 minutes 39 seconds East, a distance of 116.26 feet to a 5/8 inch rebar found; thence South 79 degrees 50 minutes 46 seconds East, a distance of 344.04 feet to a 5/8 inch rebar found; thence along curve to the right, said curve having an arc length of 186.10 feet with a radius of 219.00 feet, being subtended by a chord bearing of South 55 degrees 30 minutes 10 seconds East, a distance of 180.55 feet to a 5/8 inch rebar found; thence South 31 degrees 09 minutes 35 seconds East. a distance of 67.78 feet to a 5/8 inch rebar found: thence alona a curve to the left, said curve havina an arc lenath of 102.25 feet with a radius of 217.00 feet, being subtended by a chord bearing of South 44 degrees 39 minutes 28 seconds East, a distance of 101.31 feet to a 5/8 inch rebar found: thence North 40 degrees 25 minutes 58 seconds East, a distance of 60.81 feet to a 3/4 inch rebar found; thence leaving said right-of-way South 89 degrees 24 minutes 31 seconds East, a distance of 295.17 feet to a 1/2 inch rebar found; thence South 89 degrees 22 minutes 16 seconds East, a distance of 227.46 feet to a 3/4 inch crimp op pipe found; thence South 89 degrees 18 minutes 45 seconds East, a distance of 172.42 feet to a 1/2 inch rebar found; thence South 89 degrees 35 minutes 34 seconds East, a distance of 197.03 feet to a 1/2 inch rebar found; thence South 89 degrees 35 minutes 34 seconds East, a distance of 194.13 feet to a 5/8 inch rebar pund on the Westerly right—of—way of Lawrenceville Highway; thence along said right—of—way South 22 degrees 48 minutes 07 seconds West, a distance of 28.21 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 65 degrees 23 minutes 44 seconds West, a distance of 56.53 feet to a 5/8 inch rebar found: thence North 89 degrees 35 minutes 34 seconds West, a distance of 346.32 feet to a 1/2 inch rebar found; thence South 00 degrees 17 minutes 10 seconds West, a distance of 24.24 feet to a nail found; thence along a curve to the right, said curve having an arc length of 161.32 feet with a radius of 114.00 feet, being subtended by a chord bearing o South 48 degrees 56 minutes 11 seconds East, a distance of 148.19 feet to a nail found; thence South 08 degrees 24 minutes 17 seconds East, a distance of 175.89 feet to a nail found; thence along a curve to the left, said curve having an arc length o 51.69 feet with a radius of 33.00 feet, being subtended by a chord bearing of South 53 degrees 24 minutes 16 seconds East, a distance of 46.56 feet to a nail found; thence North 81 degrees 33 minutes 14 seconds East, a distance of 48.82 feet to a nail found; thence along a curve to the right, said curve having an arc length of 64.57 feet with a radius of 441.76 feet, being subtended by a chord bearing of North 85 degrees 52 minutes 43 seconds East, a distance of 64.52 feet to a nail found; thence along curve to the left, said curve having an arc length of 39.15 feet with a radius of 48.00 feet, being subtended by a chord bearing of North 66 degrees 41 minutes 00 seconds East, a distance of 38.07 feet to a nail found on the Westerly right—of—way of Lawrenceville Highway; thence along said right-of-way, along a curve to the left, said curve having an arc length of 78.21 feet with a radius of 1203.92 feet, being subtended by a chord bearing of South 05 degrees 39 minutes 35 seconds West, a distance of 78.20 feet to a nail found; thence South 05 degrees 14 minutes 03 seconds West, o distance of 100.92 feet to a 5/8 inch rebar found; thence South 84 degrees 45

LESS AND EXCEPT THE FOLLOWING TRACT OF LAND

monument found, said point being the True Point of Beginning.

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

minutes 57 seconds East, a distance of 8.00 feet to a 5/8 inch rebar found; thence

South 05 degrees 14 minutes 44 seconds West, a distance of 145.00 feet to a concrete

Commencing at a concrete monument found at the intersection of the Easterly right—of—way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right—of—way) with the Northerly right—of—way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar found; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence along a tie-line North 58 degrees 10 minutes 08 seconds West, a distance of 84.98 feet to a nail found, said point being the True Point of Beginning; thence South 81 degrees 34 minutes 33 seconds West, a distance of 304.00 feet to nail found; thence North 08 degrees 25 minutes 27 seconds West, a distance of 368.00 feet to a drill hole found; thence North 81 degrees 34 minutes 33 seconds East, a distance of 398.04 feet to a nail found; thence South 08 degrees 25 minutes 27 seconds East, a distance of 200.00 feet to a drill hole found; thence South 81 degrees 34 minutes 33 seconds West, a distance of 94.04 feet to a drill hole found; thence South 08 degrees 25 minutes 27 seconds East, a distance of 168.00 feet to a nail found, said point being the True Point of Beginning.

Said tract of land contains 45.306 Acres.

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows: Commencing at a concrete monument found at the intersection of the Westerly

right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right—of—way); thence along said right—of—way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar found; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence along a tie-line North 58 degrees 10 minutes 08 seconds West, a distance of 84.98 feet to a nail found, said point being the True Point of Beginning;

Thence South 81 degrees 34 minutes 33 seconds West, a distance of 304.00 feet to a nail found; thence North 08 degrees 25 minutes 27 seconds West, a distance of 368.00 feet to a drill hole found; thence North 81 degrees 34 minutes 33 seconds East, a distance of 398.04 feet to a nail found; thence South 08 degrees 25 minutes 27 seconds East, a distance of 200.00 feet to a drill hole found; thence South 81 degrees 34 minutes 33 seconds West, a distance of 94.04 feet to a drill hole found; thence South 08 degrees 25 minutes 27 seconds East, a distance of 168.00 feet to a nail found, said point being the True Point of Beginning. Said tract of land contains 3.000 Acres.

AS-SURVEYED PROPERTY DESCRIPTIONS

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the Westerly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar found, said point being the True

Thence leaving said right—of—way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet to a nail found; thence South 81 degrees 31 minutes 5 seconds West, a distance of 270.26 feet to a nail found: thence South 08 degrees 28 minutes 09 seconds East, a distance of 110.00 feet to a 5/8 inch rebar found; thence North 81 degrees 27 minutes 16 seconds East, a distance of 125.23 feet to a 5/8 inch rebar found on the Northerly right-of-way of Stone Mountain Freeway, thence along said right-of-way North 58 degrees 48 minutes 20 seconds East, of distance of 2.92 feet to a concrete monument found; thence North 58 degrees 57 minutes 28 seconds East, a distance of 154.17 feet to a 5/8 inch rebar found, said point being the True Point of Beginning.

Said tract of land contains 0.581 Acres

SURVEY TRACT FOUR All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the Northerly right-of-way of Sweet Briar Road (variable right-of-way) with the Easterly right-of-way of Birch Road (60 foot right-of-way); thence along said right-of-way of Birch Road North 09 degrees 14 minutes 08 seconds East, a distance of 86.03 feet to a 5/8 inch rebar found: thence North 17 dearees 25 minutes 03 seconds East. a distance of 109.86 feet to a 1/2 inch rebar found; thence leaving said right-of-way South 72 degrees 13 minutes 06 seconds East, a distance of 236.14 feet to a 1/2 inch rebar found; thence South 12 degrees 22 minutes 11 seconds West, a distance of 30.67 feet to a 5/8 inch rebar found; thence South 71 degrees 24 minutes 15 seconds East, a distance of 160.12 feet to a 5/8 inch rebar found; thence South 11 degrees 56 minutes 08 seconds West, a distance of 109.33 feet to a 1/2 inch rebar found on the Northerly right-of-way of Sweet Briar Road; thence along said right-of-way North 79 degrees 52 minutes 39 seconds West, a distance of 400.37 feet to a 1/2 inch rebar found, said point being the True Point of Beginning.

Said tract of land contains 1.439 Acres.

All that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb

County, Georgia, and being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the Southerly right-of-way of North Druid Hills Road (100 foot right-of-way) with the Westerly right-of-way of Birch Road 60 foot right-of-way); thence along said right-of-way of Birch Road South 17 degrees 52 minutes 15 seconds West, a distance of 11.94 feet to a 5/8 inch rebar found; thence leaving said right-of-way North 71 degrees 05 minutes 44 seconds West, a distance of 27.36 feet to a 5/8 inch rebar found; thence North 17 degrees 52 minutes 15 seconds East, a distance of 11.94 feet to a 5/8 inch rebar found on the Southerly right-of-way of North Druid Hills Road; thence along said right-of-way South 71 degrees 05 minutes 44 seconds East, a distance of 27.36 feet to a 1/2 inch rebar found, said point being the True Point of Beginning.

Said tract of land contains 0.007 Acres.

All that tract or parcel of land lying or being in Land Lot 100 and 101, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

mmencing at a concrete monument found at the intersection of the Westerly right-of-way of Lawrenceville Highway (U.S. Highway 29, Georgia Highway 8) (variable right-of-way) with the Northerly right-of-way of Stone Mountain Freeway (U.S. Highway 29/78) (variable right-of-way); thence along said right-of-way of Stone Mountain Freeway South 54 degrees 13 minutes 44 seconds West, a distance of 231.11 feet to a concrete monument found; thence South 58 degrees 57 minutes 28 seconds West, a distance of 0.71 feet to a 5/8 inch rebar found; ; thence leaving said right-of-way North 08 degrees 30 minutes 11 seconds West, a distance of 49.53 feet o a nail found; thence South 81 degrees 31 minutes 51 seconds West, a distance of 270.26 feet to a nail found; thence South 08 degrees 28 minutes 09 seconds East, a distance of 110.00 feet to a 5/8 inch rebar found; thence North 81 degrees 27 minutes 16 seconds East, a distance of 125.23 feet to a 5/8 inch rebar found on the Northerly right-of-way of Stone Mountain Freeway, thence along said right-of-way South 58 degrees 48 minutes 20 seconds West, a distance of 372.99 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 48 degrees 31 minutes 39 seconds West, a distance of 13.69 feet to a 1/2 inch rebar found; thence along a 131.39 feet, being subtended by a chord bearing of South 35 degrees 30 minutes 32 seconds West, a distance of 27.79 feet to a nail found: thence South 29 degrees 26 minutes 08 seconds West, a distance of 141.10 feet to a nail found, thence along a curve to the left, said curve having an arc length of 17.02 feet with a radius of 303.36 feet, being subtended by a chord bearing of South 31 degrees 02 minutes 34 seconds West, a distance of 17.02 feet to a nail found; thence along a curve to the left, said curve having an arc length of 6.28 feet with a radius of 27.00 feet, being subtended by a chord bearing of South 25 degrees 58 minutes 53 seconds West, a distance of 6.27 feet to a nail found, said point being the True Point of Beginning:

Thence South 53 degrees 25 minutes 58 seconds East, a distance of 113.93 feet to a 1/2 inch rebar found; thence along a curve to the right, said curve having an arc length of 138.57 feet with a radius of 240.00 feet, being subtended by a chord bearing of South 36 degrees 53 minutes 41 seconds East, a distance of 136.65 feet to a 1/2 inch rebar found on the Northwesterly right-of-way of Stone Mountain Highway, thence along said right-of-way South 30 degrees 08 minutes 39 seconds West, a distance of 243.96 feet to a 1/2 inch rebar found; thence South 40 degrees 44 minutes 02 seconds West, a distance of 199.85 feet to a 1/2 inch rebar found; thence South 52 degrees 36 minutes 08 seconds West, a distance of 153.58 feet to a point in the center of South Fork of Peachtree Creek; thence leaving said right—of—way, along the center of said creek, the following courses and distances:

North 53 degrees 09 minutes 35 seconds West, a distance of 434.97 feet to a point North 38 degrees 04 minutes 08 seconds West, a distance of 153.48 feet to a point; North 78 degrees 26 minutes 02 seconds West, a distance of 180.67 feet to a point, North 29 degrees 16 minutes 48 seconds West, a distance of 64.55 feet to a point, North 72 degrees 13 minutes 24 seconds West, a distance of 123.12 feet to a point, North 62 degrees 58 minutes 32 seconds West, a distance of 121.41 feet to a point, North 37 degrees 52 minutes 15 seconds West, a distance of 176.23 feet to a point; North 15 degrees 02 minutes 20 seconds West, a distance of 112.11 feet to a point, North 38 degrees 43 minutes 09 seconds West, a distance of 73.00 feet to a point, North 76 degrees 08 minutes 37 seconds West, a distance of 94.20 feet to a point, North 64 degrees 52 minutes 52 seconds West, a distance of 115.76 feet to a point, North 83 degrees 34 minutes 40 seconds West, a distance of 108.47 feet to a point, South 70 degrees 53 minutes 40 seconds West, a distance of 64.33 feet to a point, North 66 degrees 56 minutes 16 seconds West, a distance of 205.88 feet to a point; North 77 degrees 52 minutes 31 seconds West, a distance of 251.45 feet to a point; North 42 degrees 43 minutes 34 seconds West, a distance of 115.89 feet to a point, North 68 degrees 44 minutes 26 seconds West, a distance of 56.55 feet to a point, South 73 degrees 16 minutes 21 seconds West, a distance of 49.11 feet to a point; North 59 degrees 29 minutes 32 seconds West, a distance of 34.21 feet to a point; South 87 degrees 21 minutes 59 seconds West, a distance of 40.77 feet to a point; North 71 degrees 35 minutes 51 seconds West, a distance of 56.42 feet to a point;

Thence leaving the center of said creek North 62 degrees 04 minutes 40 seconds East, a distance of 574.80 feet to a 1 inch open top pipe found; thence South 89 degrees 44 minutes 44 seconds East, a distance of 292.63 feet to a 5/8 inch rebar set; thence South 89 degrees 34 minutes 27 seconds East, a distance of 130.30 feet to a 1 inch crimp top pipe found; thence South 89 degrees 32 minutes 28 seconds East, a distance of 149.71 feet to a 1 inch crimp top pipe found; thence South 89 degrees 27 minutes 16 seconds East, a distance of 105.03 feet to a 1 inch axle found; thence North 00 degrees 54 minutes 58 seconds East, a distance of 15.01 feet o a 1 inch crimp top pipe found; thence North 01 degrees 35 minutes 58 seconds ' East, a distance of 130.76 feet to a 1 inch crimp top pipe found; thence North 00 dearees 30 minutes 17 seconds East, a distance of 300.09 feet to a 1/2 inch rebar found; thence North 00 degrees 08 minutes 04 seconds West, a distance of 46.10 feet to a 5/8 inch rebar set; thence South 88 degrees 28 minutes 44 seconds East, a distance of 50.13 feet to a 1/2 inch rebar found; thence South 00 degrees 57 minutes 32 seconds West, a distance of 390.76 feet to a 5/8 inch rebar found; thence along a curve to the left, said curve having an arc length of 99.82 feet with a radius of 7018.44 feet, being subtended by a chord bearing of South 00 degrees 34 minutes 20 seconds West, a distance of 99.82 feet to a 5/8 inch rebar found; thence South 00 degrees 58 minutes 49 seconds West, a distance of 38.93 feet to a 5/8 inch rebar found; thence along a curve to the left, said curve having an arc length of 116.80 feet with a radius of 2283.00 feet, being subtended by a chord bearing of South 00 degrees 29 minutes 06 seconds East, a distance of 116.79 feet to a nail found; thence South 01 degrees 57 minutes 01 seconds East, a distance of 216.73 feet to a nail found; thence along a curve to the left, said curve having an arc length of 111.43 feet with a radius of 296.99 feet, being subtended by a chord bearing of South 12 degrees 41 minutes 45 seconds East, a distance of 110.78 feet

thence South 23 degrees 26 minutes 29 seconds East, a distance of 139.20 feet to a nail found; thence along a curve to the left, said curve having an arc length of 218.97 feet with a radius of 311.00 feet, being subtended by a chord bearing of South 43 degrees 36 minutes 27 seconds East, a distance of 214.48 feet to a nail found; hence South 63 degrees 46 minutes 24 seconds East, a distance of 332.42 feet to a nail found; thence along a curve to the left, said curve having an arc length of 323.11 feet with a radius of 623.13 feet, being subtended by a chord bearing of South 3 degrees 37 minutes 28 seconds East, a distance of 319.50 feet to a nail found; ence along a curve to the left, said curve having an arc length of 115.56 feet with a radius of 347.00 feet, being subtended by a chord bearing of North 76 degrees 59 minutes 11 seconds East, a distance of 115.03 feet to a nail found; thence North 67 degrees 26 minutes 54 seconds East, a distance of 34.87 feet to a nail found; hence along a curve to the left, said curve having an arc length of 81.23 feet with a radius of 302.36 feet, being subtended by a chord bearing of North 59 degrees 45 minutes 17 seconds East, "a distance of 80.99 feet to a nail found; thence along a curve to the left, said curve having an arc length of 97.01 feet with a radius of 350.00 feet, being subtended by a chord bearing of North 44 degrees 27 minutes 06 seconds East, a distance of 96.70 feet to a nail found, said point being the True

Said tract of land contains 21.585 Acres.

III that tract or parcel of land lying or being in Land Lot 100, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at a 1/2 inch rebar found at the intersection of the Northerly right-of-way of Sweet Briar Road (variable right-of-way) with the Easterly right—of—way of Birch Road (60 foot right—of—way); thence leaving said right—of—way, along a tie line, South 48 degrees 12 minutes 28 seconds West, a distance of 63.19 feet to a 5/8 inch rebar found on the Westerly right-of-way of Birch Road, said point being the True Point of Beainning

Thence leaving said right—of—way, along a curve to the right, said curve having an arc length of 13.45 feet with a radius of 27.00 feet, being subtended by a chord bearing of South 46 degrees 55 minutes 32 seconds West, a distance of 13.31 feet to a 1/2 inch rebar found; thence along a curve to the left, said curve having an arc length of 197.89 feet with a radius of 233.00 feet, being subtended by a chord bearing of South 36 degrees 51 minutes 10 seconds West, a distance of 192.00 feet to a 1/2 inch rebar found; thence North 88 degrees 28 minutes 44 seconds West, a distance of 50.13 feet to a 5/8 inch rebar set; thence North 00 degrees 08 minutes 04 seconds West, a distance of 151.39 feet to a 1 inch crimp top pipe found; thence North 00 degrees 39 minutes 29 seconds East, a distance of 249.77 feet to a 1/2 inch rebar found; thence South 72 degrees 19 minutes 41 seconds East, a distance of 196.38 feet to a 5/8 inch rebar set on the Westerly right—of—way of Birch Road; hence along said right—of—way South 15 degrees 05 minutes 19 seconds West, a distance of 55.15 feet to a 1/2 inch rebar found; thence South 08 degrees 42 minutes 52 seconds West, a distance of 86.40 feet to a 5/8 inch rebar set; thence South 17 degrees 09 minutes 08 seconds East, a distance of 43.42 feet to a 5/8 inch rebar found, said point being the True Point of Beginning.

Said tract of land contains 1.194 Acres.

All that tract or parcel of land lying or being in Land Lot 101, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

mmencina at an axle found on the Easterly line of Land Lot the Southeasterly corner of Lot 3, Pine Ridge Park Subdivision, recorded at Plat book 25, page 96, Dekalb County records; thence North 89 degrees 27 minutes 16 seconds West, a distance of 105.03 feet to a 1 inch crimp top pipe found; thence North 89 degrees 32 minutes 28 seconds West, a distance of 149.71 feet to a 1 inch crimp top pipe found, said point being the True Point of Beginning;

thence North 89 degrees 34 minutes 27 seconds West, a distance of 130.30 feet to a 5/8 inch rebar set; thence North 05 degrees 12 minutes 15 seconds West, a distance of 201.36 feet to a 5/8 inch rebar set on the Southerly right—of—way of Latham Road (60 foot right—of—way); thence along said right—of—way, along a curve to the left, said curve having an arc length of 89.86 feet with a radius of 309.76 feet, being subtended by a chord bearing of North 79 degrees 54 minutes 18 seconds East, a distance of 89.55 feet to a 5/8 inch rebar set; thence leaving said right-of-way South 15 degrees 32 minutes 21 seconds East, a distance of 225.44 feet to a 1 inch crimp top pipe found, said point being the True Point of Beginning.

Said tract of land contains 0.526 Acres.

SURVEY TRACT NINE All that tract or parcel of land lying or being in Land Lot 101, 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at an axle found on the Easterly line of Land Lot 101, said axle being the Southeasterly corner of Lot 3. Pine Ridge Park Subdivision, recorded at Plat book 25, page 96, Dekalb County records; thence North 89 degrees 27 minutes 16 seconds West, a distance of 105.03 feet to a 1 inch crimp top pipe found, said point being the True Point of Beginning;

Thence North 89 degrees 32 minutes 28 seconds West, a distance of 149.71 feet to a 1 inch crimp top pipe found; thence North 15 degrees 32 minutes 21 seconds West, a distance of 225.44 feet to a 5/8 inch rebar set on the Southerly right-of-way of Latham Road (60 foot right—of—way); thence along said right—of—way, along a curve to the left, said curve having an arc length of 90.45 feet with a radius of 309.76 feet, being subtended by a chord bearing of North 63 degrees 13 minutes 43 seconds East, a distance of 90.13 feet to a 5/8 inch rebar set; thence leaving said right-of-way South 26 degrees 35 minutes 18 seconds East, a distance of 289.62 feet to a 1 inch crimp top pipe found, said point being the True Point of Beginning.

Said tract of land contains 0.667 Acres.





PROFESSIONAL

NO. 3324

ALTA/NSPS LAND TITLE SURVEY

North Dekalb Mall

Edens Limited Partnership Edens Realty, Inc First American Title Insurance Company

GS JOB NO:	20175643	DRAWING SCA	LE:	1 "=	40'	SU	RVEY DAT	ΓE:	08-04-2021
FIELD WORK:	ZM/WG	CITY: <i>UNIN</i>	CORPORA	ATED		No	Date	REVISIONS Description	
PROJ MGR:	JTN	COUNTY: DE	KALB	STATE:	GA	1.	8-19-21 9-16-21	Address Comment	
REVIEWED:	DLH	LAND LOT:	100 &	k 101			0 10 21	7 durious comment	<u> </u>
DWG FILE: 2017:	5643-04.dwg	DISTRICT:	18TH						



Land Surveying • 3D Laser Scanning 1660 Barnes Mill Road

Marietta, Georgia 30062 (770) 795-9900Phone: (770) 795-8880

www.geosurvey.com EMAIL: info@geosurvey.com Certificate of Authorization #LSF-000621

SITE PHOTOGRAPHS







TITLE EXCEPTIONS

THE FOLLOWING EXCEPTIONS ARE LISTED IN SCHEDULE B, SECTION 2, OF A COMMITMENT FOR TITLE INSURANCE, AS PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-1171405-ATL, EFFECTIVE DATE

12. Easement from T.C. Holmes Jr. to Georgia Power Company, dated December 3, 1954, filed for record January 4, 1955, and recorded in Deed Book 1080, Page 398, DeKalb County, Georgia records; as affected by Quitclaim Deed from Georgia Power Company to CF-H North DeKalb Center Association, a Georgia limited partnership, dated August 20, 1987, filed for record August 31, 1987, and recorded in Deed Book 5934, Page 237, aforesaid records.

AFFECTS SITE - BLANKET IN NATURE 13. Terms and provisions of Agreement by and between Donald P. Jones and Gulf Oil Corporation, a Pennsylvania corporation, dated May 22, 1969, filed for record on May 27, 1969, and recorded in Deed Book 2427, Page 27, aforesaid

AFFECTS SITE - NOT PLOTTABLE 14. Matters shown on plat recorded in Plat Book 25, Page 79, aforesaid

DOES NOT AFFECT - SUPERCEDED BY PLAT BOOK 52, PAGE 24 15. Matters shown on plat recorded in Plat Book 52, Page 24, aforesaid

LEGEND

STANDARD ABBREVIATIONS AIR CONDITIONER BORF HOLF BUILDING SETBACK LINE CURB INLET CORRUGATED METAL PIPE CONCRETE MONUMENT FND SANITARY CLEANOUT COMMUNICATION PEDESTA DROP INLET DUCTILE IRON PIPE DWCB DOUBLE WING CATCH BASIN FOUND GAS METER INVERT

AFFECTS SITE AS SHOWN

(CLERK OF COURT RECORDING INFORMATION)

JUNCTION BOX MANHOLE OUTLET CONTROL STRUCTURE POWER METER

POINT OF COMMENCEMENT REINFORCED CONCRETE PIPE IRON REINFORCING BAR 5/8"RBR SET CAPPED LSF 621 SANITARY SEWER SWCB SINGLE WING CATCH BASIN TRANS ELECTRIC TRANSFORMER

UTILISURVEY, LLC

STANDARD SYMBOLS

≠ POWER POLE

GUY WIRE

LP LIGHT POLE ELECTRIC TRANSFORMER

GAS VALVE GAS METER WATER VALVE WATER METER FIRE HYDRANT UNDERGROUND ELECTRIC LINE 1 PHOTO POSITION INDICATOR REGULAR PARKING SPACE COUNT HANDICAP PARKING SPACE

—₩— power line

TREE POSITION INDICATOR **UTILITY NOTE**

THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON LOCATION OF MARKINGS PROVIDED BY:

1227 NORTH PEACHTREE PARKWAY, STE 178

PEACHTREE CITY, GA 30269 THE UNDERGROUND UTILITIES (EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UNDERGROUND STORAGE TANKS) WERE LOCATED BY UTILISURVEY, LLC. UTILIZING RADIO FREQUENCY TECHNIQUE.

THIS TECHNIQUE IS CAPABLE OF LOCATING METALLIC UTILITIES AND TRACER

WIRES. ANY NON-METALLIC UTILITIES (WITHOUT TRACER WIRE) ARE NOT THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED UTILIZING THIS TECHNIQUE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION

INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED

INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

IF YOU DIG



Know what's **below**. before you dig. **Dial 811** Or Call 800-282-7411

All that tract or parcel of land lying and being in Land Lot 100 of the 18TH district, Dekalb County, Georgia, and being more particularly described

BEGINNING at nail set at the point of intersection of the southwesterly right-of-way of North Druid Hills Road (100-foot right-of-way) and the along said northwesterly right-of-way of Mistletoe Road South 19 degrees 17 minutes 12 seconds West, a distance of 125.00 feet to a 5/8-inch rebar set; Thence departing said right—of—way North 70 degrees 41 minutes 48 seconds West, a distance of 144.00 feet to a 5/8-inch rebar set; Thence North 19 degrees 17 minutes 12 seconds East, a distance of of North Druid Hills Road; Thence along said right-of-way South 70 degrees 41 minutes 48 seconds East, a distance of 144.00 feet to the TRUE POINT OF BEGINNING

PROPERTY DESCRIPTION (TITLE)

ALL THAT TRACT OF LAND LOCATED IN LAND LOT 100 OF THE 18TH

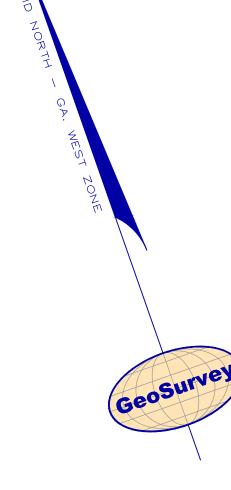
BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWEST SIDE OF AND RUNNING THENCE SOUTH 19 DEGREES O MINUTES WEST ALONG THE NORTH 19 DEGREES O MINUTES EAST 125 FEET TO AN IRON PIN ON THE 59 MINUTES EAST ALONG THE SOUTHWEST SIDE OF NORTH DRUID HILLS ROAD 144 FEET TO THE POINT OF BEGINNING, AND BEING THE SAME PROPERTY CONVEYED TO GULF BY DEED DATED FEBRUARY 19, 1969 AND RECORDED IN BOOK 2410, PAGE 419 IN THE OFFICE OF THE CLERK OF SUPERIOR COURT FOR DEKALB COUNTY, GEORGIA.

EASEMENTS AND OTHER INTERESTS IN REAL PROPERTY AS CONTAINED IN AGREEMENT BY AND BETWEEN DONALD P. JONES AND GULF OIL CORPORATION, A PENNSYLVANIA CORPORATION, DATED MAY 22, 1969, FILED FOR RECORD ON MAY 27, 1969, AND RECORDED IN DEED BOOK 2427, PAGE 27, DEKALB COUNTY, GEORGIA RECORDS.

SURVEYOR CERTIFICATION

subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or othe struments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND urthermore, 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 ngineers and Land Surveyors and as set forth in O.C.G.A. Section 15—6—67.

Jonathan E. Moeller Georgia Registered Land Surveyor # 3345



PROPERTY DESCRIPTION (AS SURVEYED

PARCEL 1

northwestly right-of-way of Mistletoe Road (60-foot right-of-way); Thence 125.00 feet to a 5/8-inch rebar found on the southwesterly right-of-way

Said tract of land contains Acres.

DISTRICT. DEKALB COUNTY, GEORGIA TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS SITUATED THEREON TO WIT:

NORTH DRUID HILLS ROAD AND THE NORTHWEST SIDE OF MISTLETOE ROAD NORTHWEST SIDE OF MISTLETOE ROAD 125 FEET TO AN IRON PIN; THENCE NORTH 70 DEGREES 59 MINUTES WEST 144 FEET TO AN IRON PIN; THENCE SOUTHWEST SIDE OF NORTH DRUID HILLS ROAD: THENCE SOUTH 70 DEGREES

THE ABOVE DESCRIBED TRACT OF LAND IS MORE PARTICULARLY SHOWN AND DELINEATED ON A PLAT OF SURVEY MADE FOR GULF OIL CORPORATION BY BEAN & WHITNEY, INC., DATED APRIL 8, 1968, RECORDED IN PLAT BOOK 52, PAGE 24, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA.

nis plat is a retracement of an existing parcel or parcels of land and does n

SURVEYOR CERTIFICATION

6"CAST IRON WATER

ACCESS APRON

EDGE OF CONCRETE

MEINEKE CAR CARE CENTER

1-STORY BRICK

BUILDING HEIGHT 17'±

1,790 S.F. (FOOTPRINT)

METAL SHED

NORTH DRUID HILLS ROAD

(100' PUBLIC R/W)

¹³ S70°41′48″E 144.00

O ISLAND C

~CONÇRETE~

N70°41'48"W

S70°38'39"E 124.60'

To: Joshua Tree Realty, LLC and First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 7(b-1), 8, 9, 11(a), & 13 of Table A thereof. The field work was completed on April 26, 2023.

Date: <u>April 26, 2023</u>

BENCHMARK-NAI

~ASPHALT PARKING

N/F PROPERTY OF

RYAN DOFNDAREH

ISAAC DOESTAREH

ZONED C-1

N: 1,386,283.13 E: 2,263,335.55

ELEV: 956.79

Jonathan E. Moeller Georgia Registered Land Surveyor # 3345

N/F PROPERTY OF ALL AMERICAN SPECIALTIES, INC. DEED BOOK 4678 / PAGE 54 ZONED NS **GRAPHIC SCALE**

CONCRETE WALL

ACCESS APRON

~CONCRETE~

~ASPHALT~

SALON/INTERNATIONA

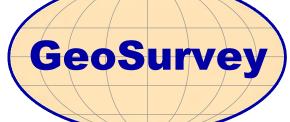
1—STORY BRICK BUILDING / W/ BASEMENT

E: 2.263.453.

CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 149,225, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE "S" SERIES TOTAL STATION AND TRIMBLE TSC SERIES DATA COLLECTOR WERE USED TO

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN <u>999,999</u> FEET. <u>JEM</u> INIT.



*NOTE: SURVEYOR UNABLE PULL INVERTS IN INTERSECTION

DUE TO HEAVY TRAFFIC

UNDERGROUND SEWER CONNECTIONS ARE ASSUMED.

> Land Surveying • 3D Laser Scanning 1660 Barnes Mill Road Marietta, Georgia 30062 (770) 795—9900 Phone: (770) 795-8880www.geosurvey.com

EMAIL: info@geosurvey.com

Certificate of Authorization #LSF-000621

VICINITY MAP SITE LOCATION - LATITUDE: 33° 48' 38.7" LONGITUDE: 84° 16' 33.5"

GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED

THE PROPERTY IS LOCATED IN FLOOD ZONE "X" AND IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13089C0067K, AND THE DATE OF SAID MAP IS AUGUST 15, 2019. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THE SITE IS ZONED "C-1" (LOCAL COMMERCIAL DISTRICT) AS SHOWN ON THE ZONING MAP OF DEKALB COUNTY.

ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND

ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES. RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATFI Y FOR INFORMÀTÍONAI PURPOSES ONI Y. SAID

RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES

PROPERTY CORNERS MARKED "SET" TO BE SET AT A FUTURE DATE.

SURVEY REFERENCES

1> ALTA/NSPS LAND TITLE SURVEY OF NORTH DEKALB MALL, PREPARED BY REVISED NOVEMBER 30, 2021.

N/F PROPERTY OF

Anthony W. Fields DEED BOOK 10531 / PAGE 69

SITE AREA 0.413 Acres 18,000 sf ZONED C-1

PARKING SUMMARY 4 REGULAR O HANDICAP 4 TOTAL

ALTA/NSPS LAND TITLE SURVEY

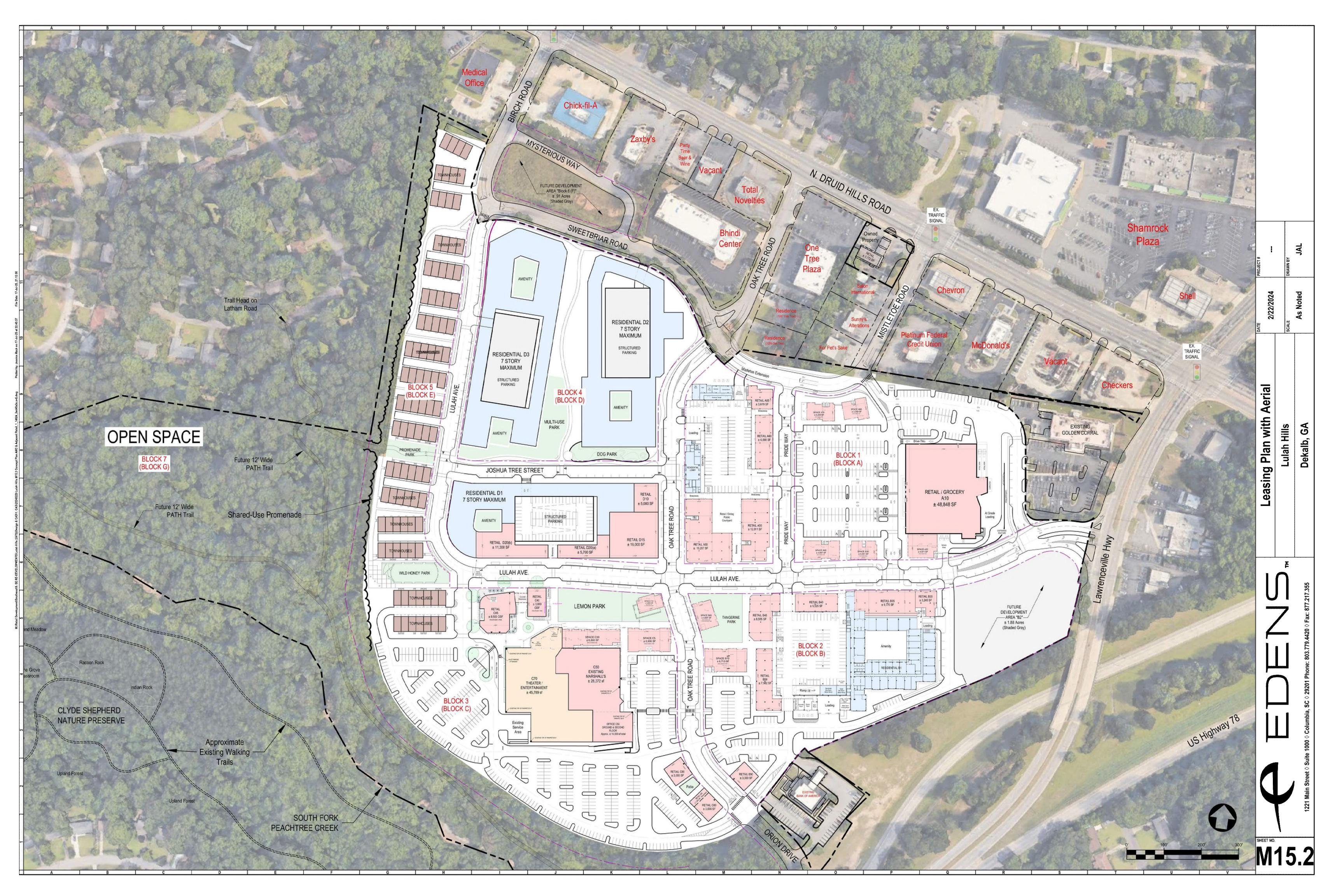
3861 North Druid Hills Road

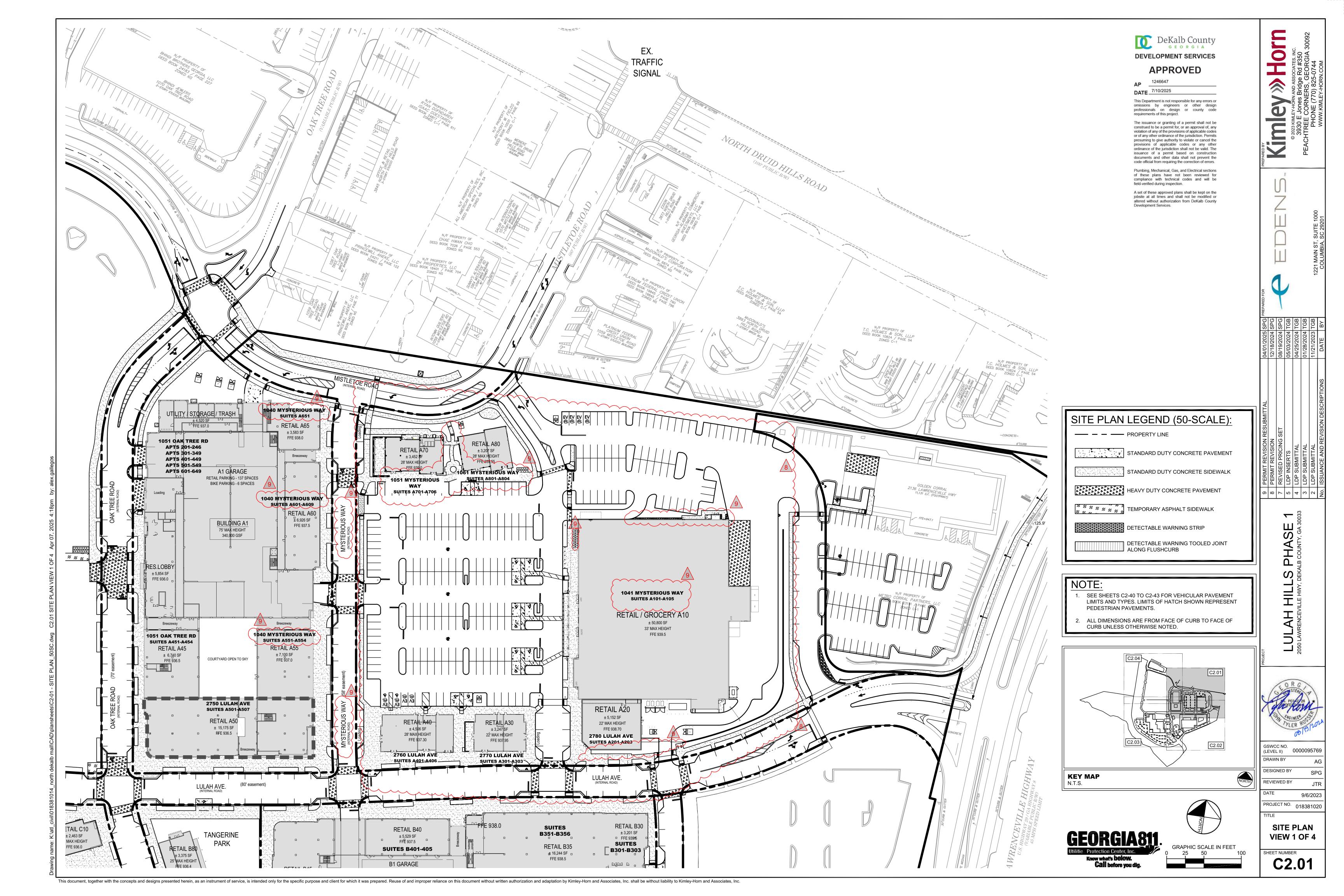
FOR

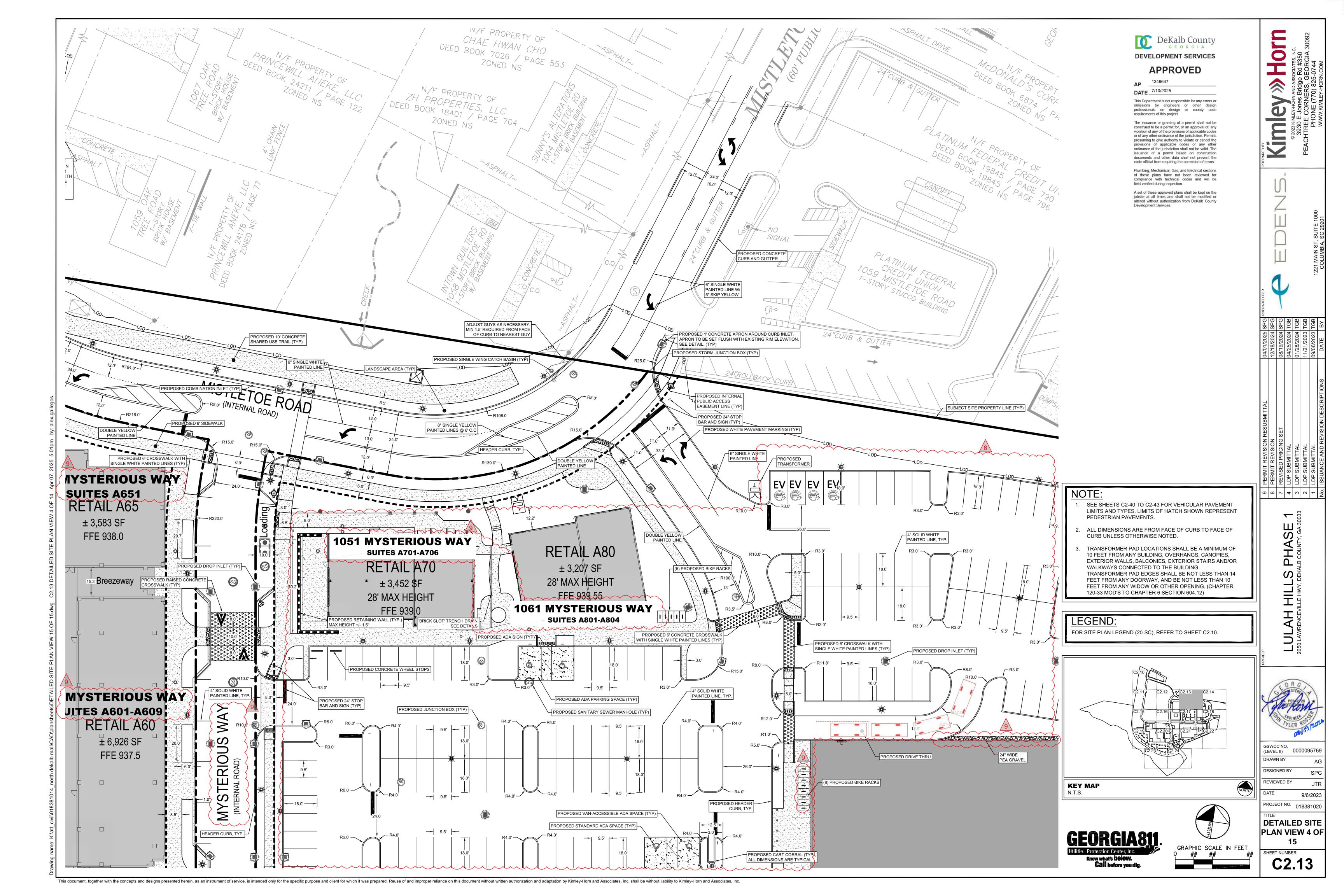
Joshua Tree Realty, LLC First American Title Insurance Company

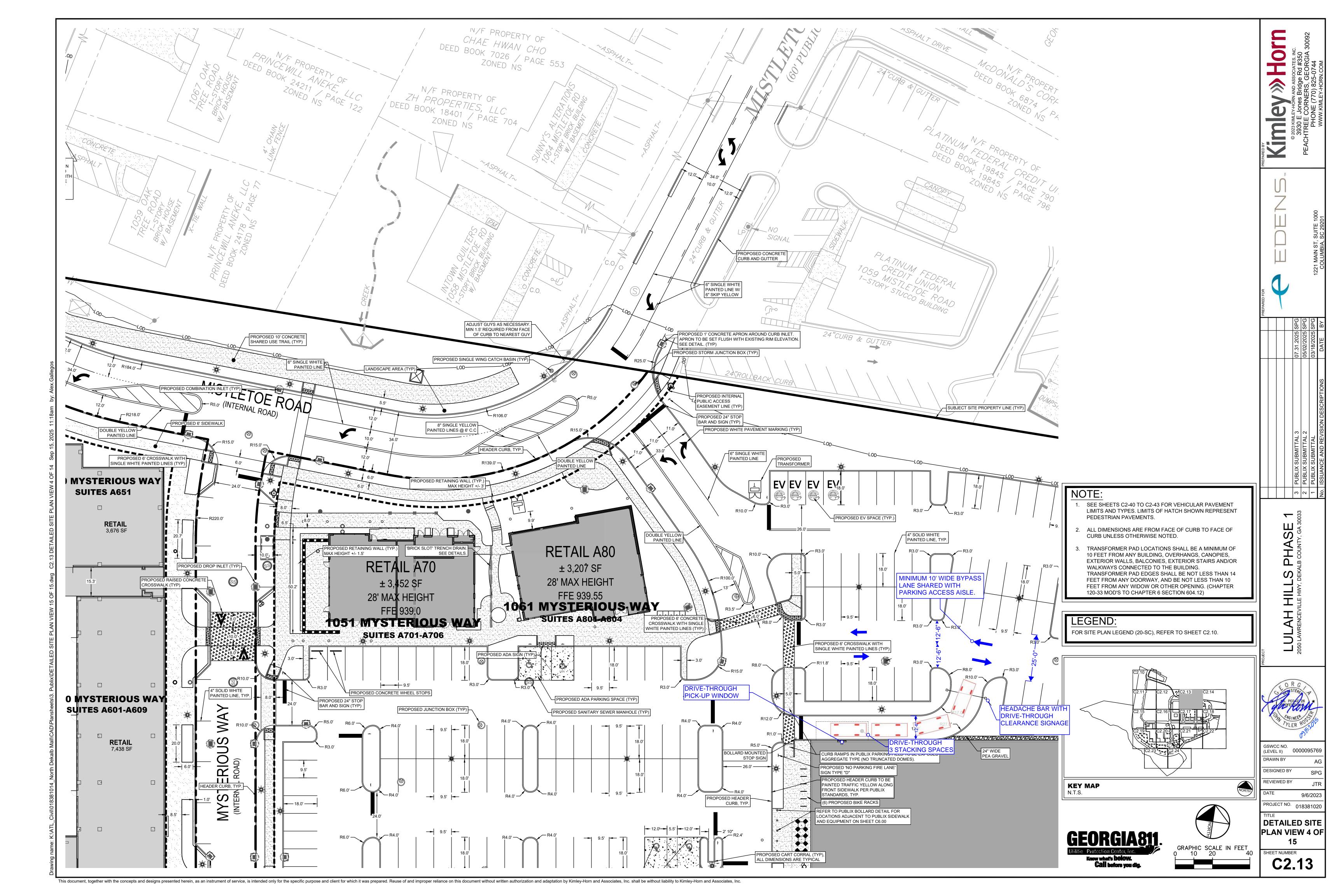
SS JOB NO: 20175	5643	DRAWING	SCALE:	1"= .	20'	SU	RVEY	DATE	:	•	4-26-20	123
TELD WORK:	JS	CITY:	UNINCORPO	ORATED		No.	Date	REVISI	ONS (S Description		4L NOTES)	\exists
PROJ MGR:	JEM	COUNTY:	DEKALB	STATE: (
REVIEWED:	DLH	LAND LOT	: 100									4
OWG FILE: 20175643-11	.dwg	DISTRICT:	18TH									

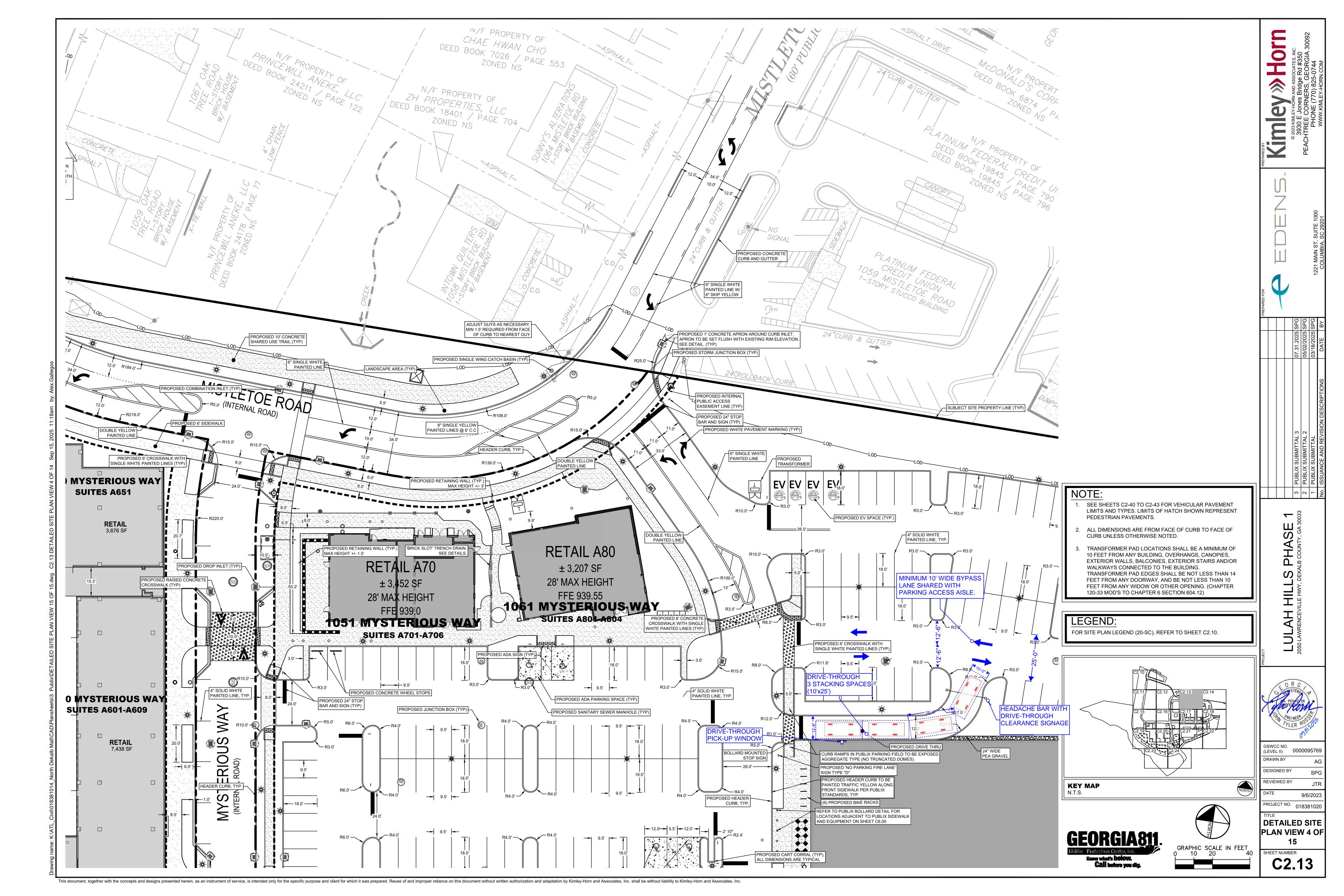
SITE PLAN











ELEVATIONS

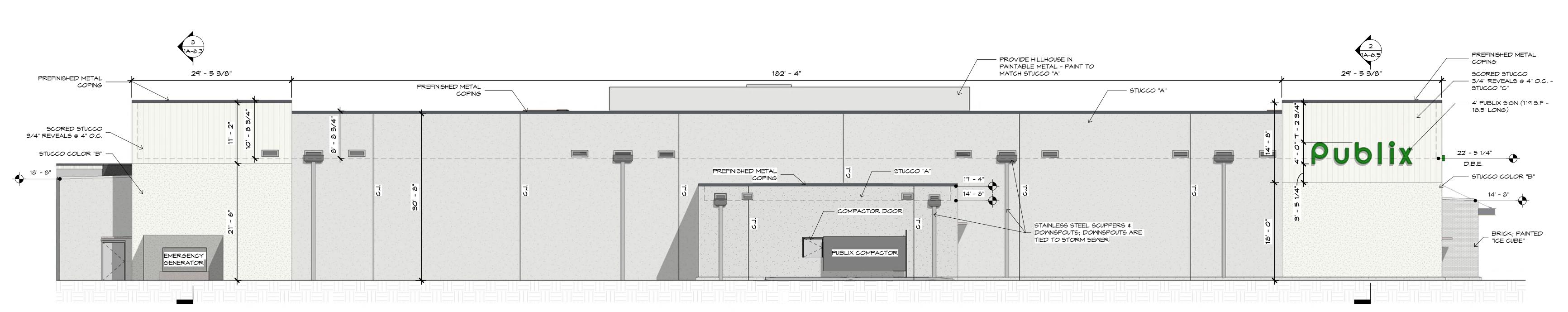
Exterior finish sch	EDULE		
MATERIAL DESCRIPTION	MANUFACTURER	COLOR	REMARKS:
BR-1 - BRICK 1	CHEROKEE BRICK	PAINTED SM6252 ICE CUBE	MODULAR, SMOOTH
BR-2 - BRICK 2	CHEROKEE BRICK	PAINTED SW7757 HIGH REFLECTIVE WHITE	MODULAR, SMOOTH
BRICK MORTAR	COO5A	MASON'S GRAY	TOOLED CONCAVE JOINTS
STUCCO "A"	DRYVIT	SM6252 ICE CUBE	SAND FINE
STUCCO "B"	DRYVIT	SM7757 HIGH REFLECTIVE WHITE	SAND FINE
STUCCO "C"	DRYVIT	SM7757 HIGH REFLECTIVE WHITE	SAND FINE WITH VERTICAL REVEALS @ 4" O.C.
STUCCO "D"	DRYVIT	SM6252 ICE CUBE	SAND FINE WITH VERTICAL REVEALS @ 4" O.C.
ALUMINUM STOREFRONT FRAME	BY PUBLIX	CLEAR ANODIZED FRAME	
MTL 1 - PREFINISHED METAL 1 - COPING, CANOPY, & SS METAL ROOFING	PAC-CLAD	SLATE GREY	
MTL 2 - PREFINISHED METAL 2 - SCUPPERS & DOWNSPOUTS	PAC-CLAD	BONE WHITE	UNLESS NOTED OTHERWISE
MTL 3 - PREFINISHED METAL 3 - ALUMINUM SHUTTERS		PAINTED RAL-9018 PAPYRUS WHITE	

FINISH MATERIAL NOTES:

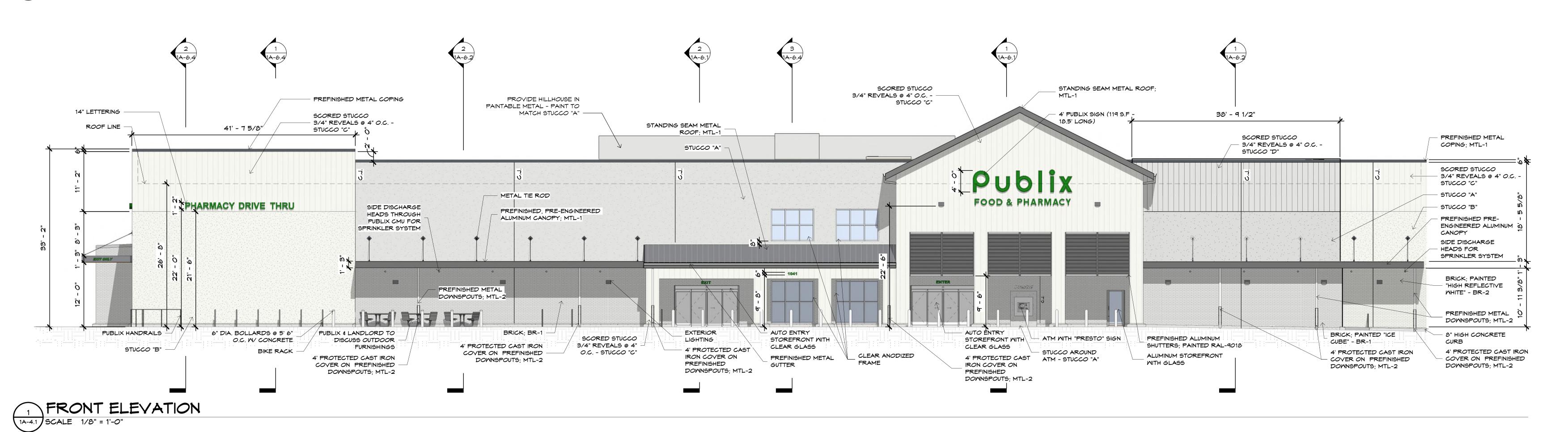
1. SUBMIT AND OBTAIN APPROVED SAMPLES BEFORE PROCEEDING WITH WORK.

2. ALL MASONRY VENEER SHALL BE OBTAINED FROM SAME MANUFACTURER'S RUN FOR COLOR CONSISTENCY. MASON TO BREAK APART AND MIX PALETTES ON JOB SITE FOR CONSISTENT COLOR MIXING. NO EXCEPTIONS.

3. A SAMPLE PANEL IS REQUIRED TO BE APPROVED BY ARCHITECT AND/OR OWNER'S REPRESENTATIVE BEFORE FINISH WORK MAY BEGIN.







3625 Brookside Parkway Suite 395 Alpharetta, Georgia 30022 770.753.8787

Web: www.hiscutt-aia.com

Phone:

THESE DOCUMENTS ARE INSTRUMENTS OF SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND ARE NO TO BE REPRODUCED OR USED FOR THE CONSTRUCTION
OF ANOTHER PROJECT WITHOUT SPECIFIC AUTHORIZATION DPYRIGHT 2025 HISCUTT & ASSOCIATES, IN

PROJECT NO: FILE: 23120 LULAH HILLS DRAWN BY:

PUBLIX CANOPY

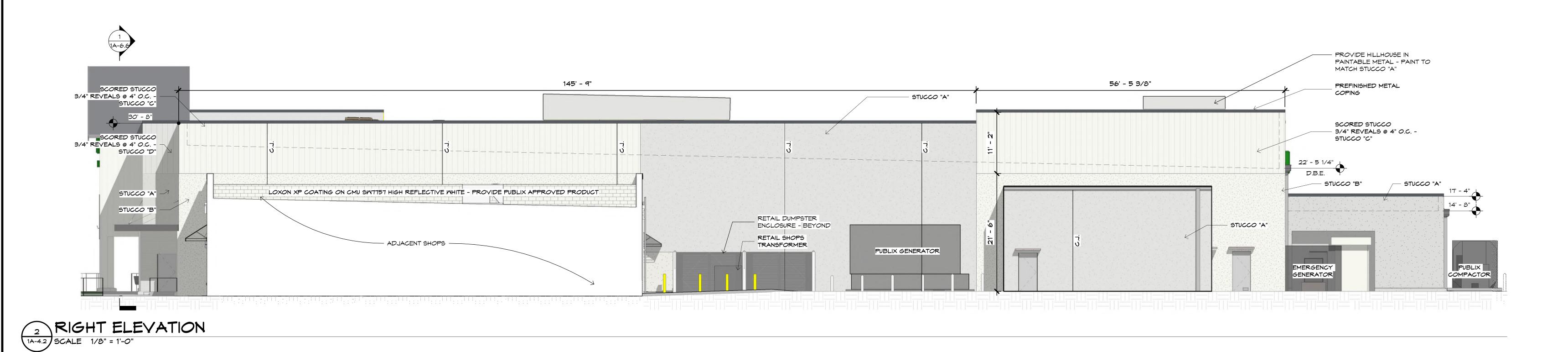
A10 Building

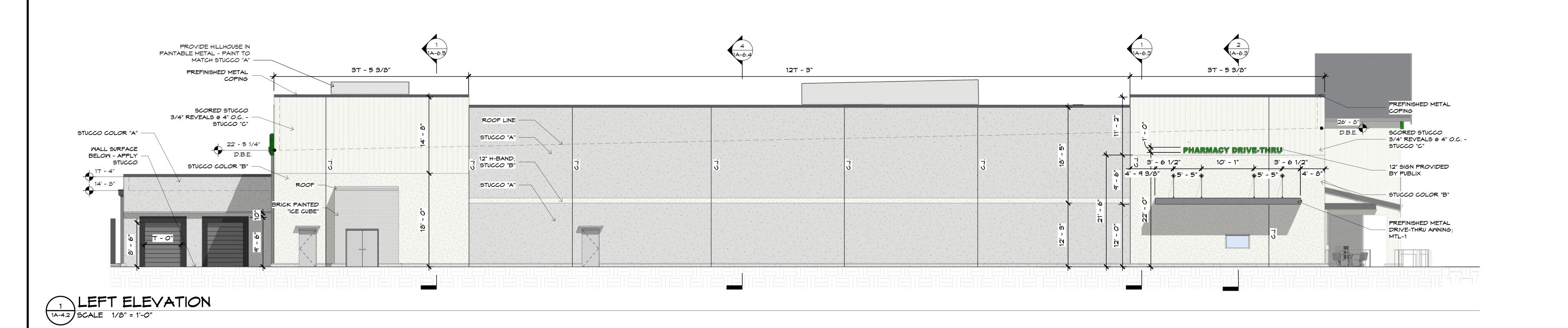
MATERIAL DESCRIPTION	MANUFACTURER	COLOR	REMARKS:
BR-1 - BRICK 1	CHEROKEE BRICK	PAINTED SM6252 ICE CUBE	MODULAR, SMOOTH
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BRICK MORTAR	COO5A	MASON'S GRAY	TOOLED CONCAVE JOINTS
STUCCO "A"	DRYVIT	SM6252 ICE CUBE	SAND FINE
STUCCO "B"	DRYVIT	SW7757 HIGH REFLECTIVE WHITE	SAND FINE
STUCCO "C"	DRYVIT	SM7757 HIGH REFLECTIVE WHITE	SAND FINE WITH VERTIC REVEALS @ 4" O.C.
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ALUMINUM STOREFRONT FRAME	BY PUBLIX	CLEAR ANODIZED FRAME	
MTL 1 - PREFINISHED METAL 1 - COPING, CANOPY, & SS METAL ROOFING	PAC-CLAD	SLATE GREY	
MTL 2 - PREFINISHED METAL 2 - SCUPPERS & DOWNSPOUTS	PAC-CLAD	BONE WHITE	UNLESS NOTED OTHERWISE
MTL 3 - PREFINISHED METAL 3 - ALUMINUM SHUTTERS		PAINTED RAL-9018 PAPYRUS WHITE	

FINISH MATERIAL NOTES: 1. SUBMIT AND OBTAIN APPROVED SAMPLES BEFORE PROCEEDING WITH WORK.

2. ALL MASONRY VENEER SHALL BE OBTAINED FROM SAME MANUFACTURER'S RUN FOR COLOR CONSISTENCY. MASON TO BREAK APART AND MIX PALETTES ON JOB SITE FOR CONSISTENT COLOR MIXING. NO EXCEPTIONS.

3. A SAMPLE PANEL IS REQUIRED TO BE APPROVED BY ARCHITECT AND/OR OWNER'S REPRESENTATIVE BEFORE FINISH WORK MAY BEGIN.





ARCHITECTURE 3625 Brookside Parkway Suite 395 Alpharetta, Georgia 30022 770.753.8787 Phone: Web: www.hiscutt-aia.com THESE DOCUMENTS ARE INSTRUMENTS OF SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND ARE NOT TO BE REPRODUCED OR USED FOR THE CONSTRUCTION OF ANOTHER PROJECT WITHOUT SPECIFIC AUTHORIZATION OPYRIGHT **2025** HISCUTT & ASSOCIATES, IN

05/25 29/25 PUBLIX COM 09/25 PUBLIX COM

PROJECT NO: 23120
FILE: 23120 LULAH HILLS

DRAWN BY: M

1A-4.2