

DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICATION

Existing Conditional Zoning No.: CZ-86024

APPLICANT NAME: Eberly & Associates c/o The Galloway Law Group, LLC

Daytime Phone#: (404) 965-3680 Fax #: (404) 965-3670 E-mail: laurel@glawgp.com

Mailing Address: 3500 Lenox Road NE, Ste 750, Atlanta, GA 30326

OWNER NAME: J.M. Williams, Jr., HERITAGE STH REAL EST PART LP (If more than  
one owner, attach contact information for each owner)

Daytime Phone#: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing Address: P.O. Box 3429, Suwanee, GA 30024-0992

SUBJECT PROPERTY ADDRESS OR LOCATION: 6754 Bermuda Road

\_\_\_\_\_, DeKalb County, GA, 30087

District(s): 18 Land Lot(s): 084 Block(s): 01 Parcel(s): 002

Acreage or Square Feet: \_\_\_\_\_ Commission District(s): 4, 7 Existing Zoning: M

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Have you, the applicant, made a campaign contribution of \$250.00 or more to a DeKalb County government official within the two year period that precedes the date on which you are filing this application?  
\_\_\_\_\_ Yes \_\_\_\_\_ No If "yes", see page 4. (Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A)

Owner: \_\_\_\_\_ Agent: ☒ \_\_\_\_\_  
(Check One)

Signature of Applicant: 

Printed Name of Applicant: Scott L. Gardner Major Modification Application

**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: \_\_\_\_\_

TO WHOM IT MAY CONCERN:

(I), (WE), J.M. Williams, Jr., HERITAGE STH REAL EST PART LP  
Name of Owner(s)

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

Eberly & Associates c/o The Galloway Law Group, LLC

Name of Applicant or Representative

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

Karlan Joy Rielly J.M. Williams Jr.  
Notary Public \_\_\_\_\_  
  
Notary Public \_\_\_\_\_ Owner

\_\_\_\_\_  
Notary Public \_\_\_\_\_ Owner

\_\_\_\_\_  
Notary Public \_\_\_\_\_ Owner

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: June 28, 2018

TO WHOM IT MAY CONCERN:

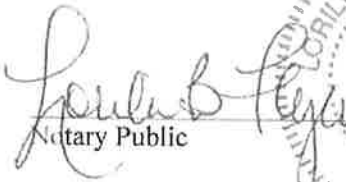
(I), (WE), J.M. Williams, Jr., HERITAGE STH REAL EST PART LP  
Name of Owner(s)

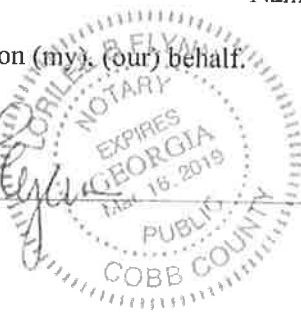
being (owner) (owners) of the subject property described below or attached hereby delegate authority to

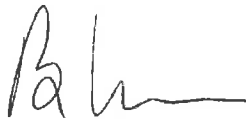
Eberly & Associates c/o The Galloway Law Group, LLC

Name of Applicant or Representative

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

  
Notary Public



  
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

### Disclosure of Campaign Contributions

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

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filling of this application?

\_\_\_\_\_ Yes    ☒ No

If the answer is yes, please list each such contribution below by providing: the name and official position of the local government official to whom the campaign contribution was made; the dollar amount; a description of each campaign contribution; and the date of the contribution.

Name & Position of Official	Description	Amount	Contribution Date

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



SIGNATURE AND DATE

Check One:

Owner \_\_\_\_\_ Applicant \_\_\_\_\_ Agent ☒



NOTARY

11/12/2020

EXPIRATION DATE/SEAL



### Disclosure of Campaign Contributions

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

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filling of this application?

\_\_\_\_ Yes    X No

If the answer is yes, please list each such contribution below by providing: the name and official position of the local government official to whom the campaign contribution was made; the dollar amount; a description of each campaign contribution; and the date of the contribution.

Name & Position of Official	Description	Amount	Contribution Date

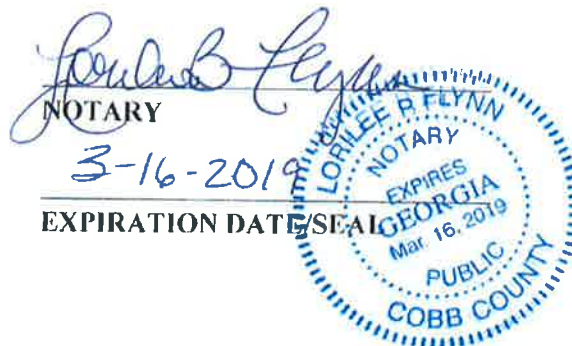
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.



SIGNATURE AND DATE

Check One:

Owner X Applicant \_\_\_\_ Agent \_\_\_\_



### Disclosure of Campaign Contributions

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

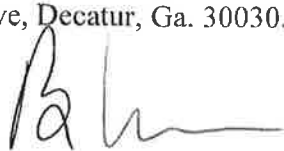
Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filling of this application?

\_\_\_\_\_ Yes      X   No

If the answer is yes, please list each such contribution below by providing: the name and official position of the local government official to whom the campaign contribution was made; the dollar amount; a description of each campaign contribution; and the date of the contribution.

Name & Position of Official	Description	Amount	Contribution Date

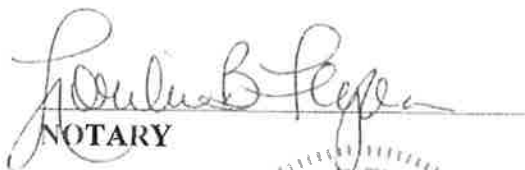
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.



SIGNATURE AND DATE

Check One:

Owner   X   Applicant \_\_\_\_\_ Agent \_\_\_\_\_

  
NOTARY

3-16-2019  
EXPIRATION DATE/SEAL



June 11, 2018

**RE: Notification of Community Meeting for Zoning Modification Request**

Next month, Eberly & Associates plans to submit an application to the DeKalb County Planning and Sustainability Department requesting a modification of zoning conditions attached to vacant property located at 6754 Bermuda Road. This property is adjacent to a site located in Gwinnett County that has been proposed for development, and the zoning modification would allow access to the site from Bermuda Road.

You are receiving this letter because the person or entity to whom it is addressed owns property located within 500 feet the property that is the subject of this Application. To provide more information about the proposal before the application is filed, the Applicant will host an informational meeting that you are welcome to attend. The meeting will take place at the Comfort Inn & Suites in Stone Mountain, located at 5355 Stone Mountain Highway, Stone Mountain, GA 30087, on June 27, 2018 at 6:30 P.M.

If you are unable to attend the meeting and would like information about the application, please feel free to contact the Galloway Law Group at (404) 965-3680.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



# COMMUNITY MEETING SIGN-IN SHEET

<b>Project:</b>	6754 Bermuda Road – private drive, berm	<b>Date:</b>	June 26, 2018, 6:30 PM
<b>Applicant:</b>	Eberly & Associates	<b>Place:</b>	Comfort Inn & Suites 5355 Stone Mountain Hwy Stone Mountain, GA 30087

Name	Address	E-Mail / Phone
Laurel Dand	Galloway Law Group	
Danielle Jones	1331 English Manor Cir	Msdjones65@yahoo.com
Frank Davis	STONE MT. Park	F. Davis @ stonemountainpark.ORG
Larry Norwood	1452 English Manor Circle Stone Mtn. Ga 30087	Larry1norwood@gmail.com
Tasha Norwood	Same	
Sonia Stewart	1273 ENGLISH MANOR CIR	Kyssey30@yahoo.com
Ronda Taylor	1512 English Manor Cir	ronitaylor@att.net 678 777 0549
Angela Perry	1489 English Manor Cir	angela.allen@att.net
Teresa Williams	1545 English Manor Cir	tmwi@bellsouth.net
Bob Cowley	Stone Mt Park	- 770-498-5714
Li Rucker	1534 English Manor Cir Stone Mountain, GA, 30087	lchtrbx@aol.com 770-981-2700
Wayne Sheets	1303 English Manor Circle	678-656-2465 615-636-8844
Bryonne Dixon	1432 English Manor Circle	Bdixon@hotmail.com
Bill Hasbune	1282 English - Manor Cir	hasbunes06@gmail.com
Demetrius Collette	1412 English Manor Circle	meatrius74@gmail.com
Katherine Holmes	English Manor Estates HOA 1390 English Manor Circle	englishmanorestates@gmail.com kgrayward512@gmail.com
Adrian Philip Cox	1499 English Manor Circle	adwc3rd@gmail.com
Rinaldo Woods	1262 English Manor Circle Stone Mtn, GA 30087	CAwoods11@gmail.com
KEVIN ISAKSON	500 SPRINGHOUSE CIR. SM. MTN. 30087	LISAKSON@ISAKSON LIVING.COM (404) 932-6552



## COMMUNITY MEETING SIGN-IN SHEET

<b>Project:</b>	6754 Bermuda Road – private drive, berm	<b>Date:</b>	June 26, 2018, 6:30 PM
<b>Applicant:</b>	Eberly & Associates	<b>Place:</b>	Comfort Inn & Suites 5355 Stone Mountain Hwy Stone Mountain, GA 30087

[illegible]

## **LEGAL DESCRIPTION, TRACT 2 (BASED ON THIS SURVEY)**

All that tract or parcel of land lying and being in Land Lot 84 of the 18th Land District, Dekalb County, Georgia, said tract or parcel of land being more fully shown and designated as Tract 2 on a plat of survey prepared by Valentino & Associates, Inc. (Job #18-009; Drawing/File #18-009), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a computed point located at the intersection of the northerly right-of-way line of Bermuda Road (apparent 30' public r/w and varies) and the line which divides Dekalb and Gwinnett Counties (said computed point being witnessed by a bent 1/2" rebar found 2.48 feet northwest thereof);

THENCE proceeding along said northerly right-of-way line of Bermuda Road the following courses and distances:

North 85 degrees 28 minutes 38 seconds West for a distance of 21.59 feet to a computed point;

THENCE North 88 degrees 55 minutes 46 seconds West for a distance of 30.97 feet to a computed point;

THENCE South 87 degrees 04 minutes 38 seconds West for a distance of 31.05 feet to a computed point;

THENCE South 83 degrees 05 minutes 02 seconds West for a distance of 30.99 feet to a computed point;

THENCE South 79 degrees 31 minutes 32 seconds West for a distance of 100.21 feet to a computed point;

THENCE South 81 degrees 29 minutes 37 seconds West for a distance of 49.34 feet to a computed point;

THENCE South 84 degrees 33 minutes 21 seconds West for a distance of 49.92 feet to a computed point;

THENCE South 82 degrees 04 minutes 17 seconds West for a distance of 55.50 feet to a computed point;

THENCE South 78 degrees 24 minutes 03 seconds West for a distance of 33.15 feet to a computed point;

THENCE South 75 degrees 25 minutes 46 seconds West for a distance of 103.13 feet to a computed point;

THENCE South 76 degrees 20 minutes 59 seconds West for a distance of 97.55 feet to a computed point;

THENCE South 76 degrees 43 minutes 47 seconds West for a distance of 168.48 feet to a 1/2" rebar found;

THENCE departing said northerly right-of-way line of Bermuda Road North 08 degrees 35 minutes 56 seconds West for a distance of 25.92 feet to a 1/2" rebar found;

THENCE North 08 degrees 34 minutes 26 seconds West for a distance of 1373.60 feet to a 1" solid rod found on the line which divides Gwinnett and Dekalb Counties;

THENCE proceeding along said line which divides Gwinnett and Dekalb Counties the following courses and distances:

THENCE South 44 degrees 39 minutes 45 seconds East for a distance of 60.10 feet to a 1" open-top pipe found;

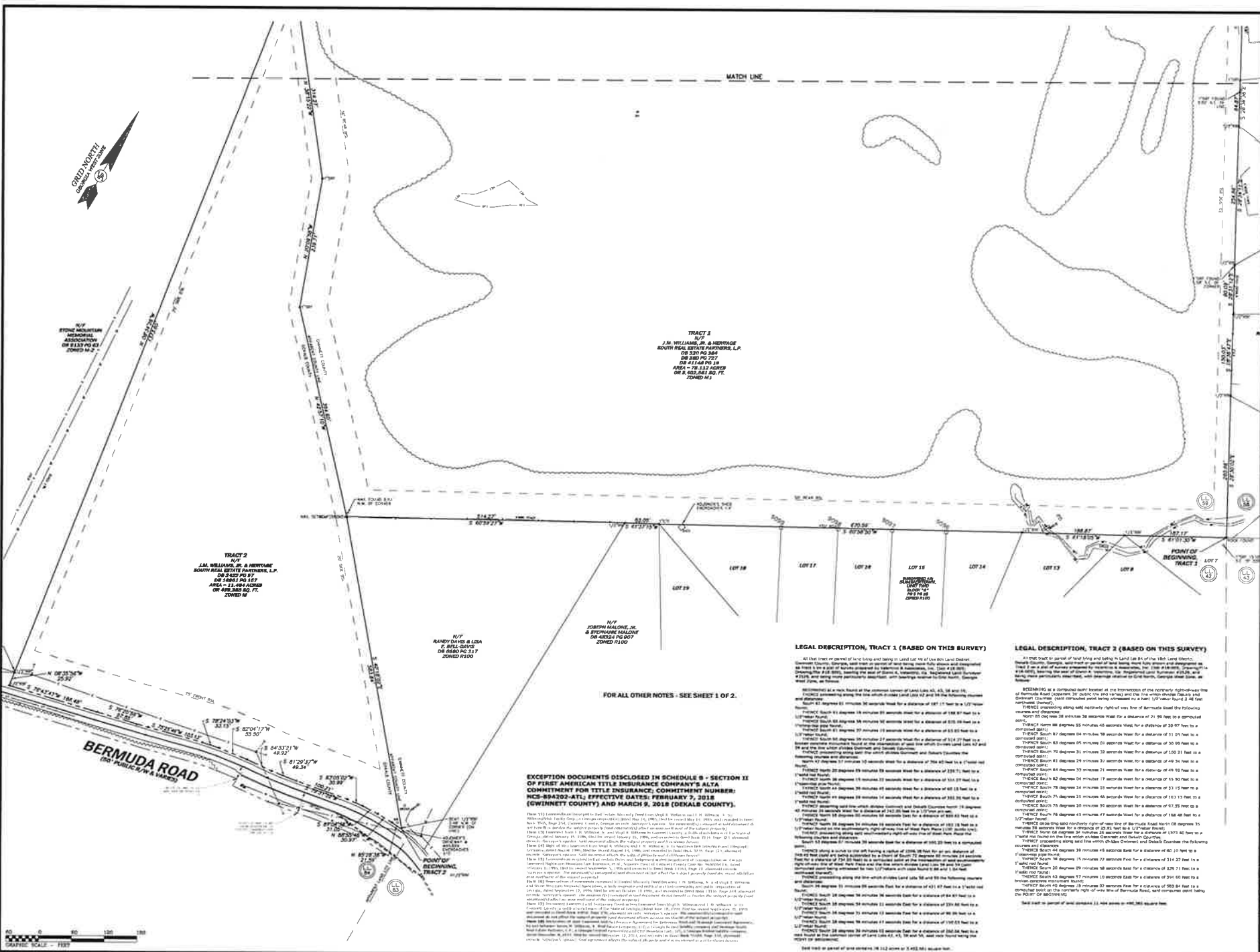
THENCE South 38 degrees 15 minutes 22 seconds East for a distance of 314.27 feet to a 1" solid rod found;

THENCE South 20 degrees 09 minutes 58 seconds East for a distance of 239.71 feet to a 1" solid rod found;

THENCE South 42 degrees 57 minutes 10 seconds East for a distance of 394.60 feet to a broken concrete monument found;

THENCE South 40 degrees 18 minutes 02 seconds East for a distance of 583.84 feet to a computed point on the northerly right-of-way line of Bermuda Road, said computed point being the POINT OF BEGINNING.

Said tract or parcel of land contains 11.464 acres or 499,385 square feet.



**SEEKED DEVELOPMENT MANAGEMENT, INC., A GEORGIA CORPORATION, J.M. WILLIAMS, JR. & HERITAGE ESTATE PARTNERS, L.P., AND FIRST AMERICAN TITLE INSURANCE COMPANY**

**VA**  
VALENTINO & ASSOCIATES, INC.  
LAND SURVEYORS  
1000 W. BENTLEY AVENUE  
SUITE 201  
ATLANTA, GEORGIA 30309  
PHONE: (770) 474-4000  
FAX: (770) 474-4001  
WWW.VA-SURVEYING.COM  
PRACTICE OF GEORGIA LICENSED SURVEYORS FROM 1985 TO PRESENT

**REVISIONS**

NO.	DATE	DESCRIPTION
1	4/17/2019	ISSUED FOR RECORD

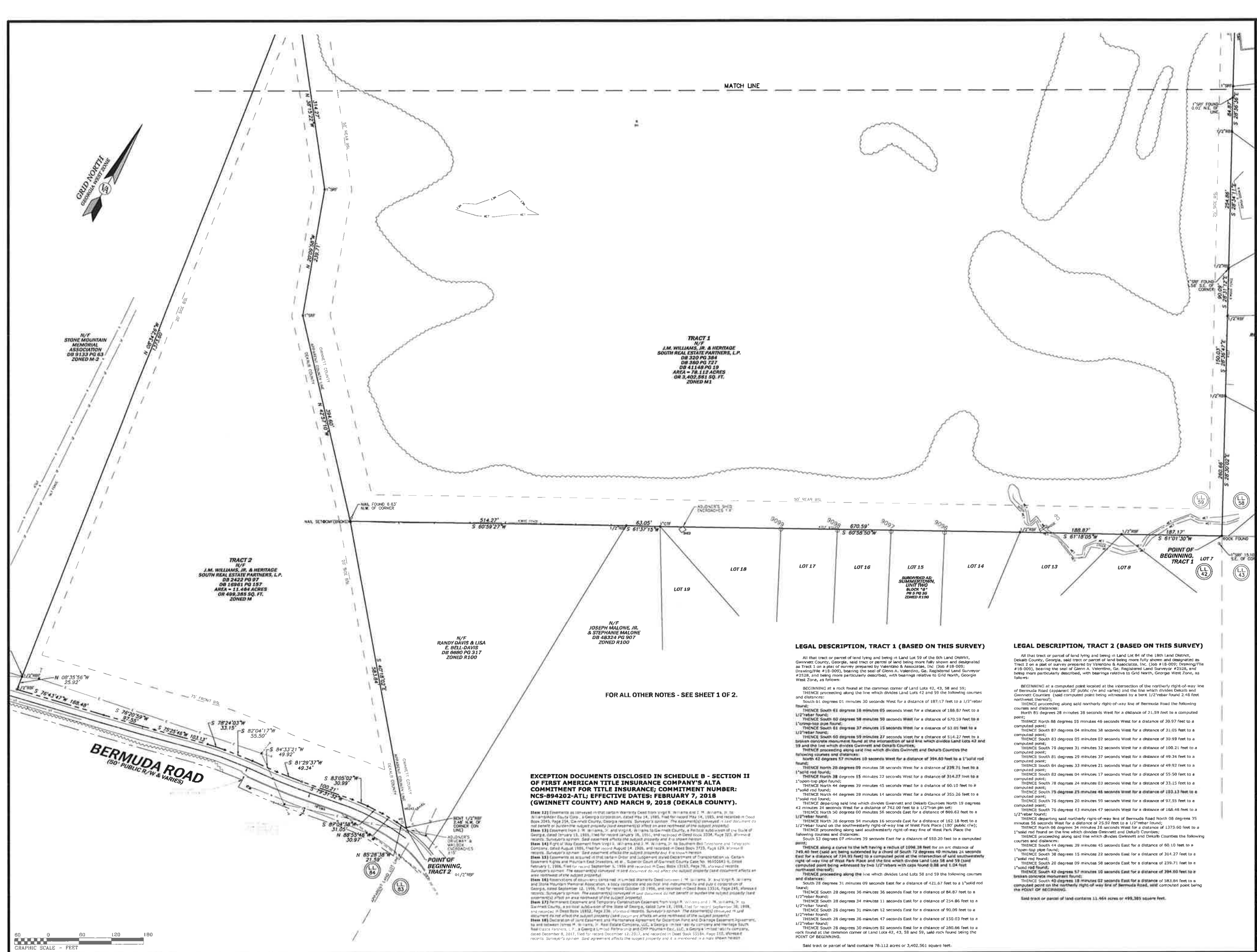
**ALTA'S LAND TITLE SURVEY**

**SCALE** 1" = 50'  
**DATE** 4/17/2019  
**JOB NUMBER** 18-000  
**FILE NUMBER** 18-000  
**PRINTED** 4/17/2019

**ALTA'S LAND TITLE SURVEY**

**SHEET 1** OF 2





ALTA/NRPS LAND TITLE SURVEY FOR:  
**SEEFRIED DEVELOPMENT MANAGEMENT, INC., A GEORGIA  
 CORPORATION, J.M. WILLIAMS, JR. & HERITAGE SOUTH REAL  
 ESTATE PARTNERS, L.P., AND FIRST AMERICAN TITLE  
 INSURANCE COMPANY**  
 LAND LOT 59, 8TH DISTRICT, DUNNETT COUNTY, AND LAND LOT 84, 18TH DISTRICT, DEKALB COUNTY,

**VA**  
VALENTINO &  
ASSOCIATES, INC.  
LAND SURVEYORS  
1250 WINCHESTER PARKWAY  
SUITE 243  
SMYRNA, GEORGIA 30080  
PHONE: (770) 438-0015  
FAX: (770) 435-6050  
WEB: VALENTINOSURVEY.COM  
STATE OF GEORGIA LAND  
SURVEYING FIRM LICENSE  
NO. LS0000794

REVISIONS
5/3/18: ADDED NAME
5/23/18: REVISED FENCES ALONG WEST PROPERTY

**LEGAL DESCRIPTION, TRACT 2 (BASED ON THIS SURVEY)**

All that tract or parcel of land lying and being in Land Lot 84 of the 18th Land District, DeKalb County, Georgia, said tract or parcel of land being more fully shown and designated as Tract 2 on a plat of survey prepared by Valentino & Associates, Inc. (Job # 18-009; Drawing/File #18-009), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a computed point located at the intersection of the northernly right-of-way line of Bernards Road (appears 30' public/10' private) and the line which divides Details and the northernly right-of-way line of Bernards Road (appears 30' public/10' private) (hereinafter "northwestern")

THENCE North 88 degrees 18 minutes 35 seconds West along the northernly right-of-way line of Bernards Road the following courses and distances:

THENCE North 88 degrees 18 minutes 35 seconds West for a distance of 21.59 feet to a computed point;

THENCE North 88 degrees 18 minutes 46 seconds West for a distance of 30.97 feet to a computed point;

THENCE South 87 degrees 04 minutes 58 seconds West for a distance of 31.05 feet to a computed point;

THENCE South 83 degrees 05 minutes 02 seconds West for a distance of 30.99 feet to a computed point;

THENCE South 79 degrees 31 minutes 32 seconds West for a distance of 100.21 feet to a computed point;

THENCE South 81 degrees 29 minutes 37 seconds West for a distance of 49.34 feet to a computed point;

THENCE South 84 degrees 33 minutes 21 seconds West for a distance of 49.92 feet to a computed point;

THENCE South 82 degrees 04 minutes 17 seconds West for a distance of 55.50 feet to a computed point;

THENCE South 78 degrees 24 minutes 03 seconds West for a distance of 33.15 feet to a computed point;

THENCE South 79 degrees 25 minutes 46 seconds West for a distance of 101.13 feet to a computed point;

THENCE South 75 degrees 20 minutes 50 seconds West for a distance of 97.55 feet to a computed point;

THENCE South 75 degrees 13 minutes 47 seconds West for a distance of 168.48 feet to a 1/2" x 6" barrier found;

THENCE proceeding said northernly right-of-way line of Bernards Road North 03 degrees 35 minutes 58 seconds West for a distance of 25.97 feet to a 1/2" x 6" barrier;

THENCE North 08 degrees 34 minutes 28 seconds West for a distance of 1373.60 feet to a 1" x 6" barrier found;

THENCE proceeding along said line which divides Glenwilde and Details Courses the following courses and distances:

THENCE North 44 degrees 39 minutes 45 seconds East for a distance of 60.10 feet to a 1" x 6" barrier found;

THENCE South 38 degrees 15 minutes 22 seconds East for a distance of 314.27 feet to a 1" x 6" barrier found;

THENCE South 42 degrees 09 minutes 58 seconds East for a distance of 239.71 feet to a 1" x 6" barrier found;

THENCE South 43 degrees 57 minutes 10 seconds East for a distance of 394.60 feet to a 1" x 6" barrier found;

THENCE North 48 degrees 18 minutes 02 seconds East for a distance of 583.94 feet to a computed point on the northernly right-of-way line of Bernards Road, said computed point being

Sold tract or parcel of land contains 11.464 acres or 499,365 square feet.

SCALE	1" = 6'
DATE:	4/17/20
JOB NUMBER	18-00
FILE NUMBER:	18-00
PLOTTED	5/23/20

ALTA/NSPS  
LAND TITLE  
SURVEY

SHEET

2 OF 2





VICINITY MAP  
NOT TO SCALE

LEGEND

- BROKEN LINE NOT TO SCALE
- FENCE LINE
- QUADRANT
- UNDERGROUND GAS LINE
- OVERHEAD ELECTRIC LINE
- OVERHEAD TELEPHONE LINE
- SANITARY SEWER LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND TELEPHONE LINE
- UNKNOWN UNDERGROUND UTILITY LINE
- WATER LINE
- ATLAS AREA
- CATCH BASIN DOUBLE RING
- COMPUTED POINT
- EROSION HOLE
- CLEANOUT
- COMMUNICATION BOX
- ELECTRIC BOX
- ELECTRIC LINE MARKER
- ELECTRIC MANHOLE
- ELECTRIC METER
- ELECTRIC OUTLET
- ELECTRIC METER
- FIBER OPTIC BOX
- FIBER OPTIC LINE MARKER
- FIRE HYDRANT
- FLARED END SECTION
- GAS LINE MARKER
- GAS METER
- GAS VALVE
- GROUND LIGHT
- GUY ROPE
- GUY WIRE
- HEADBALL
- HEATING/COOLING UNIT
- IRRIGATION CONTROL VALVE
- LIGHT POLE
- POST INDICATOR VALVE
- POWER POLE
- SANITARY SEWER MANHOLE
- SIGN POST
- STORM WATER DROP INLET
- STORM WATER JUNCTION BOX
- STORM WATER YARD ALLET
- TELEPHONE POLE
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL POLE
- WATER MANHOLE
- WATER METER
- WATER VALVE
- WATER VALVE/LINE MARKER
- BOLLARD
- CONCRETE MONUMENT FOUND
- CRANDED TOP PIPE FOUND
- ELECTRIC PANEL
- FINISHED FLOOR ELEVATION
- IRRIGATION BOX
- IRON PIN FOUND
- 1/2" IRON PIN SET
- VAL BOX
- OPEN TOP PIPE FOUND
- OPEN VAL FOUND
- PNEUMATIC SET
- REBAR FOUND
- RIGHT-OF-WAY MONUMENT FOUND
- SOLID ROD FOUND
- STUD OUT
- BUILDING SETBACK LINE
- CURB & GUTTER
- CONCRETE PAD
- CHAIN LINK FENCE
- CORRUGATED METAL PIPE
- DIRT ROAD & PAVE
- GUTTER IRON PINS
- HEADER CURB
- HIGH DENSITY POLYETHYLENE PIPE
- INVERT ELEVATION
- OUTLET CONTROL STRUCTURE
- PLASTIC PIPE
- REINFORCED CONCRETE PIPE
- TEMPORARY BENCHMARK
- SPOT ELEVATION

1  
A  
REFERENCE TO TITLE EXCEPTION ITEM  
REFERENCE TO ENCROACHMENT ITEM

**UTILITY WARNING**  
INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED BY THE OWNER, THEIR EMPLOYEES, THEIR CONSULTANTS, THEIR CONTRACTORS, AND/OR THEIR AGENTS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON.

**UNDERGROUND UTILITY LOCATION PROVIDED BY**  
UTILITIES/OWNER, LLC  
514 DUNNELL LANE  
PEACHTREE CITY, GA 30289  
PHONE (404) 212-6912  
FAX (770) 485-7784  
ALL UTILITY LOCATIONS ARE SUBJECT TO VERIFICATION BY THE UTILITIES PROTECTION CENTER AT 1-800-382-7411 PRIOR TO ANY CONSTRUCTION. THESE UTILITY LOCATIONS ARE GAINED BY INFORMATION FROM ON-SITE PERSONNEL AND SURVEILLANCE FACILITIES. ALL POSSIBLE BUILDINGS AND MECHANICAL AREAS ARE UTILIZED IN ORDER TO PROVIDE THE MOST ACCURATE AND THOROUGH REPRESENTATION OF THE EXISTING UTILITY LAYOUT. UTILITY LOCATIONS ARE FOR SURVEYING AND PLANNING PURPOSES ONLY.

**UNDERGROUND UTILITY CONTACTS**  
GAS  
SOUTHERN COMPANY GAS  
10 PEACHTREE STREET NE  
ATLANTA, GA 30309  
(404) 584-4338  
HAYDEN INTON  
G230CAS@NOCOSOUTHERNCO.COM  
POWER  
GEORGIA POWER COMPANY  
833 JEFFERSON STREET  
ATLANTA, GA 30318  
(404) 506-4559  
KE COLLINS  
WALTON EMC  
(770) 268-2515  
TRACE GUNN  
WATER  
GWINNETT COUNTY WATER  
RESOURCES  
(678) 336-7000  
HTTP://WWW.GWINNETTCOUNTY.COM/  
PORTAL/GWINNETT/DEPARTMENTS/  
INFORMATION/TECHNOLOGYSERVICES/  
G230GWINNETTINFORMATIONSYSTEMS/  
G230GWINNETTINFORMATIONSYSTEMS/  
G230GWINNETTINFORMATIONSYSTEMS/  
COMMUNICATION  
ATA  
208 S. AKARD ST  
DALLAS, TX 75202  
(214) 821-4400  
ANGULO HINES  
(770) 784-3872  
COMCAST  
(770) 559-1878  
SANDRA ANDREAS

**ALTA NOTES**  
1) THERE IS NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN THE SUBJECT PROPERTY.  
2) THIS SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS NEAR THE SUBJECT PROPERTY.  
3) THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.  
4) THERE ARE DESIGNATED WETLAND AREAS WITHIN THE SUBJECT PROPERTY PER RECENT STUDY.  
5) THIS SURVEYOR OBSERVED NO EVIDENCE OF ANY CEMETERIES OR BURIAL REMAINS WITHIN THE SITE.  
6) THE SURVEYED PROPERTY IS CONTIGUOUS WITH THE PUBLIC STREET(S) AND THERE ARE NO GAPS OR CORES BETWEEN THE SUBJECT PROPERTY AND THE PUBLIC STREET(S).

**PLAT REFERENCES**  
1) SUBDIVISION PLAT "UNIT TWO SUMMITTOWN" PREPARED BY HAYES JAMES & ASSOCIATES, DATED 8/23/1978, RECORDED IN PLAT BOOK 3, PAGE 35, GWINNETT COUNTY, GEORGIA RECORDS.  
2) SUBDIVISION PLAT "UNIT FIVE ROCKBROOK ACRES" PREPARED BY HANNON, WEEKS & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED 2/20/1974, RECORDED IN PLAT BOOK 3, PAGE 5, GWINNETT COUNTY, GEORGIA RECORDS.

**GENERAL NOTES**  
1) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NUMBER 13150143Z, DATED 8/29/2008 FOR GWINNETT COUNTY, GEORGIA, AND COMMUNITY PANEL NUMBER 13085201Z, DATED 12/2/2008 FOR DEKALB COUNTY, GEORGIA, THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE (THE SITE IS LOCATED IN ZONE "X") AS DEFINED BY F.E.M.A.  
2) CURRENT ZONING ACCORDING TO GWINNETT COUNTY IS LISTED AS M1, LIGHT INDUSTRIAL DISTRICT. THE GWINNETT COUNTY ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.  
3) CURRENT ZONING ACCORDING TO DEKALB COUNTY IS LISTED AS M, INDUSTRIAL DISTRICT. THE DEKALB COUNTY ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.  
4) ALL DISTANCES SHOWN HEREON ARE "GROUND" DISTANCES, UNLESS OTHERWISE STATED AS "GRID" DISTANCES.  
5) HORIZONTAL AND VERTICAL REFERENCE SHOWN HEREON WAS TAKEN FROM REAL-TIME ADJUSTED GPS OBSERVATIONS. (NAD 83 / NAVD 88)  
6) CONTOUR INTERVALS IF SHOWN ARE TWO FEET. AERIAL TOPOGRAPHY PROVIDED BY JACK BERRY, AERIAL SURVEYING, INC.

**SPECIAL NOTES**  
1) CERTIFICATION AND DECLARATION IS MADE TO THE ENTITIES AS LISTED IN THE TITLE BLOCK AND/OR CERTIFICATIONS AND DECLARATIONS ON THIS PLAT ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.  
2) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.  
3) PURSUANT TO RULE 180-6-59 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SOUND STATEMENT BASED UPON FACTS AND KNOWLEDGE GAINED TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

FOR TITLE EXCEPTIONS AND LEGAL DESCRIPTIONS - SEE SHEET 2 OF 2.

**ALTA/NSPS CERTIFICATION**  
I, SEEFRIED DEVELOPMENT MANAGEMENT, INC., A GEORGIA CORPORATION, J.M. WILLIAMS, JR. & HERITAGE SOUTH REAL ESTATE PARTNERS, L.P., 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 2018 MINIMUM STANDARD FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6A, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19 OF TABLE A. THEREBY THE FIELD WORK WAS COMPLETED ON 4/15/2018.  
DATE OF PLAT OR MAP: 5/3/2018  
J.M. WILLIAMS, JR., GWINNETT COUNTY, GEORGIA REGISTERED SURVEYOR #2528  
Seefried Development Management, Inc.

**STATE OF GEORGIA PLAT ACT CERTIFICATION**  
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. I CERTIFY THAT THIS SURVEY WAS DONE UNDER MY SUPERVISION USING A TOTAL STATION 213W TOTAL STATION WITH AN ANGULAR ERROR OF 0 SECONDS PER STATION. THE TRANSFER UPON WHICH THIS PLAT IS BASED HAS BEEN CALCULATED FOR CLOSURE BY THE LEAST SQUARE RULE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 42,571 FEET. THE ADJUSTED ACCURACY OF THIS PLAT IS ONE FOOT IN 50,000+ FEET.

FINAL FIELD DATE: 4/15/18

**TRACT 1**  
N/F  
J.M. WILLIAMS, JR. & HERITAGE  
SOUTH REAL ESTATE PARTNERS, L.P.  
DB 320 PG 384  
DB 300 PG 727  
DB 414 PG PG 19  
AREA = 78.112 ACRES  
OR 3,402,661 SQ. FT.  
ZONED M1

**WEST PARK PLACE**  
100' PUBLIC R/W

SEEFRIED DEVELOPMENT MANAGEMENT, INC., A GEORGIA CORPORATION, J.M. WILLIAMS, JR. & HERITAGE SOUTH REAL ESTATE PARTNERS, L.P., AND FIRST AMERICAN TITLE INSURANCE COMPANY  
LAND LOT 59, 6TH DISTRICT, GWINNETT COUNTY, AND LAND LOT 84, 18TH DISTRICT, DEKALB COUNTY.

**VA**  
VALENTINO & ASSOCIATES, INC.  
LAND SURVEYORS  
1280 WINCHESTER PARKWAY  
SUITE 240  
SMYRNA, GEORGIA 30080  
PHONE: (770) 438-0015  
FAX: (770) 435-6030  
WEB: VALENTINOSURVEY.COM  
STATE OF GEORGIA LAND SURVEYORS REG. LICENSE NO. 148000794

**REVISIONS**  
5/3/18 ADDED NAME  
5/23/18 REVERSED FENCES ALONG WEST PROPERTY LINE

**GEORGIA**  
JENN A. VALENTINO  
SCALE: 1" = 60'  
DATE: 6/17/2018  
JOB NUMBER: 18-00  
FILE NUMBER: 18-00  
PLOTTED: 5/23/2018  
ALTA/NSPS LAND TITLE SURVEY  
SHEET 1  
1 OF 2



LAND PLANNING  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE

## PROJECT ROCKET

LAND LOT 59 & B4  
8TH & 18TH DISTRICT  
WEST PARK PLACE BLVD  
STONE MOUNTAIN, GEORGIA

**REVISIONS:**

[illegible]

## LAYOUT & STAKING PLAN

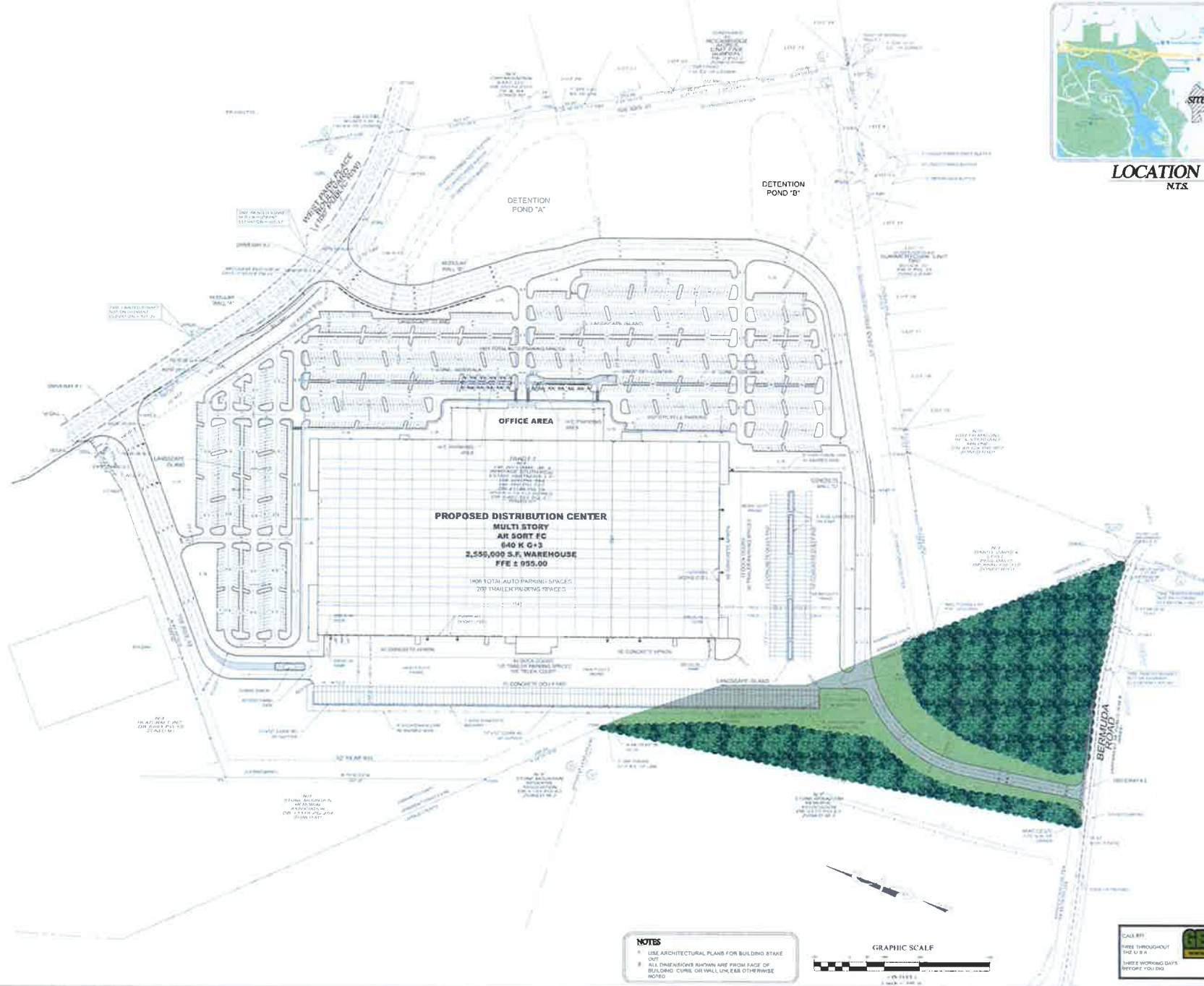
SEAL	37" 1000
DATE	04-10-2019
FOR SALE BY	Q.141
PRODUCT NAME	A SAMPLE
QUANTITY	M. WRIGHT

## PROJECT NO. \_\_\_\_\_

**18-025**

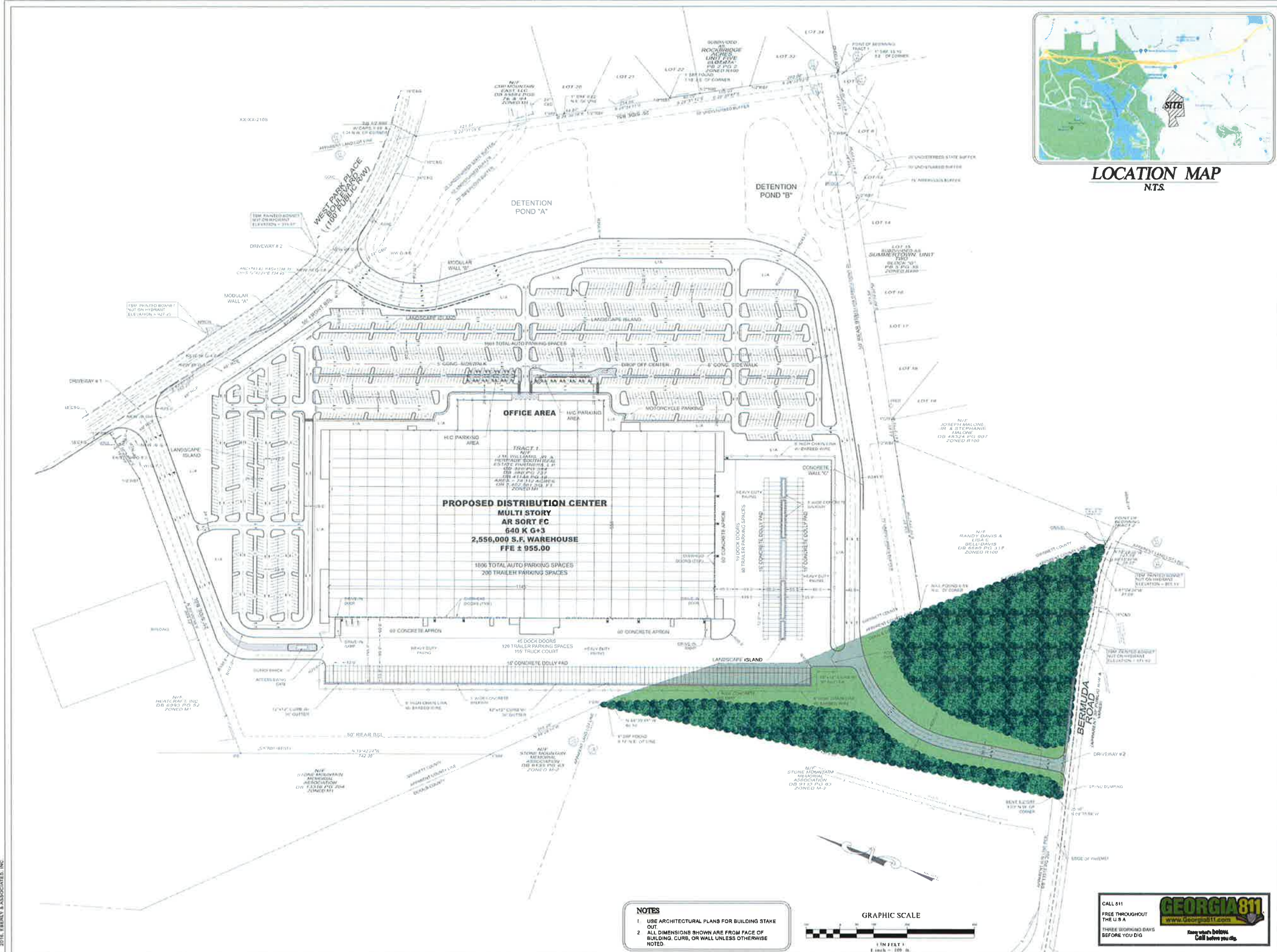
SHEET NO

### C3.0



THE FRANKLIN ASSOCIATES, INC.





LOCATION MAP  
N.T.S.

TEL: 770.452.7449 FAX: 770.452.0086  
2851 FLOWERS RD S, SUITE 119  
ATLANTA, GEORGIA 30341  
WWW.EBERLY.NET

LAND PLANNING  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE

PROJECT: **PROJECT ROCKET**

LAND LOT 59 & 84  
6TH & 18TH DISTRICT  
WEST PARK PLACE BLVD  
STONE MOUNTAIN, GEORGIA

REVISIONS:


LAYOUT & STAKING PLAN	SCALE:	1" = 100'
	DATE:	03/30/2018
	DRAWN BY:	D. LEE
	PROJECT MANAGER:	A. SAMPLE
QA/QC CHECK:	M. WRIGHT	

PROJECT NO.  
**18-025**

SHEET NO.  
**C3.0**

- NOTES
- USE ARCHITECTURAL PLANS FOR BUILDING STAKE OUT.
  - ALL DIMENSIONS SHOWN ARE FROM FACE OF BUILDING, CURB, OR WALL UNLESS OTHERWISE NOTED.



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REV. 12/84

DEKALB COUNTY  
BOARD OF COMMISSIONERS

FILE COPY

ITEM NO. D. 37.

## ZONING AGENDA/MINUTES

PREL.	___
ACTION	___
PUB.HRG.	<u>y</u>

MEETING DATE March 25, 1986

RESOLUTION	___
ORDINANCE	<u>y</u>
PROCLAMATION	___

SUBJECT: Deferred Rezoning Application - Williams-Adair Equity Corporation

DEPARTMENT: PlanningPUBLIC HEARING: y Yes \_\_\_ NoATTACHMENT: x Yes \_\_\_ No 10 PP

INFORMATION CONTACT: Mac Baggett or  
Charles Coleman  
PHONE NUMBER: 371-2155 *cc*

PURPOSE: CZ-86024 - To consider the application of Williams-Adair Equity Corporation to rezone property located on the north side of Bermuda Road, approximately 375' east of Stewart Mill Road, from R-100 to M (conditional). The application is conditioned on development of an office-warehouse facility in conjunction with adjacent development in Gwinnett County in accordance with a site plan and list of conditions.  
(This application was tabled by the Board of Commissioners on 2/11/86 and readvertised for March.)

DISTRICT: \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. x 4. \_\_\_ 5. \_\_\_ N/A

SUBJECT PROPERTY: 18-84-1-2 (0000 Bermuda Road). The property has frontage of approximately 800' and contains 11.47 acres.

RECOMMENDATION(s): PLANNING DEPARTMENT: Approval with conditions. This parcel of land is part of a large industrial park which is being developed in Gwinnett County. The land is inappropriate for R-100 development because it adjoins the Stone Mountain Airport. Staff supports the request subject to the following:

1. No access to Bermuda Road.
2. Building height limit of one story.
3. 50' buffer to be maintained along Bermuda Road and adjoining residential property in Gwinnett County.

PLANNING COMMISSION: Approval as conditioned by applicant.

COMMUNITY COUNCIL: Approval subject to applicant's conditions (1/86).

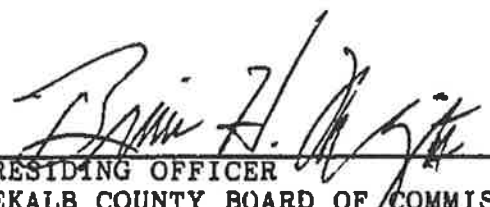
## FOR USE BY COMMISSION OFFICE/CLERK ONLY

**ACTION:** MOTION was made by Commissioner Manning, seconded by Commissioner Evans, and passed 6-0-0 to approve the application as conditioned.

Commissioner Lanier out of the room and not voting.

ADOPTED: MAR 25 '86  
(DATE)

CERTIFIED: MAR 25 '86  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF COMMISSIONERS

  
CLERK,  
DEKALB COUNTY BOARD OF COMMISSIONERS

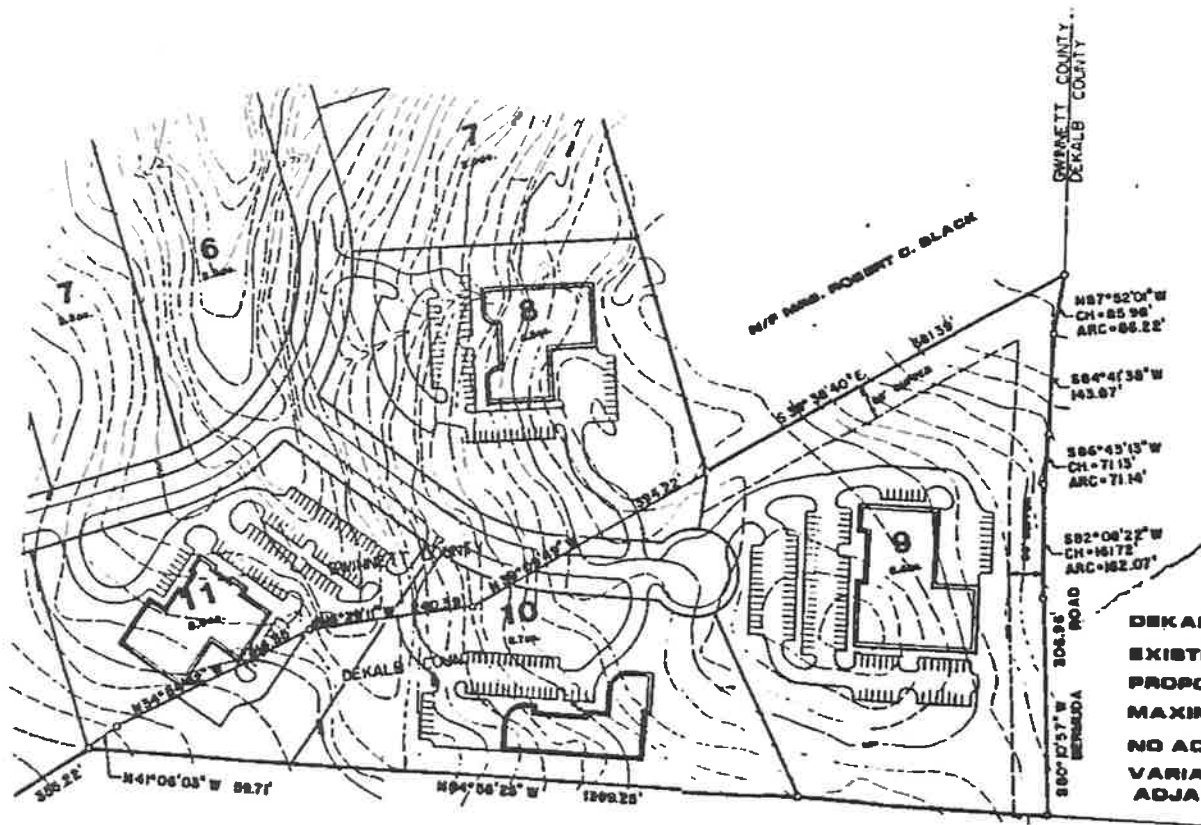
Ms. Kathy Beard, Attorney, 3414 Peachtree Road, Suite 800, Atlanta, represented the applicant. She stated that this item was approved by the Planning Commission at the last meeting, but because of improper posting of the public hearing sign, it was tabled by the Board and readvertised for the March hearing. During this time, they have reached an agreement with residents on Bermuda Road and have filed an amendment to their application.

Mr. David A. English, 2448 Bermuda Road, Stone Mountain, represented the homeowners on Bermuda Road. He stated that they support the application for rezoning as amended.

Opposition: None.

	FOR	AGAINST	ABSTENTION	ABSENT
DISTRICT 1 - Jean Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DISTRICT 2 - Sherry Schulman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DISTRICT 3 - John Evans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DISTRICT 4 - Robert J. (Bob) Morris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DISTRICT 5 - John S. Fletcher, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AT-LARGE - Brince H. Manning, III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AT-LARGE - Robert Lanier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>





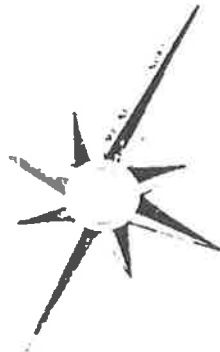
### SITE DATA

DEKALB COUNTY TRACT \_\_\_\_\_ 11.47 ACRES  
 EXISTING ZONING \_\_\_\_\_ R-100  
 PROPOSED ZONING \_\_\_\_\_ M-1  
 MAXIMUM BUILDING HEIGHT 35 FEET  
 NO ACCESS TO BERMUDA ROAD  
 VARIANCE TO BE REQUESTED FOR BUFFER  
 ADJACENT TO STONE MOUNTAIN AIRPORT

STONE MOUNTAIN AIRPORT

NOTE  
 NO ACCESS TO BERMUDA ROAD.





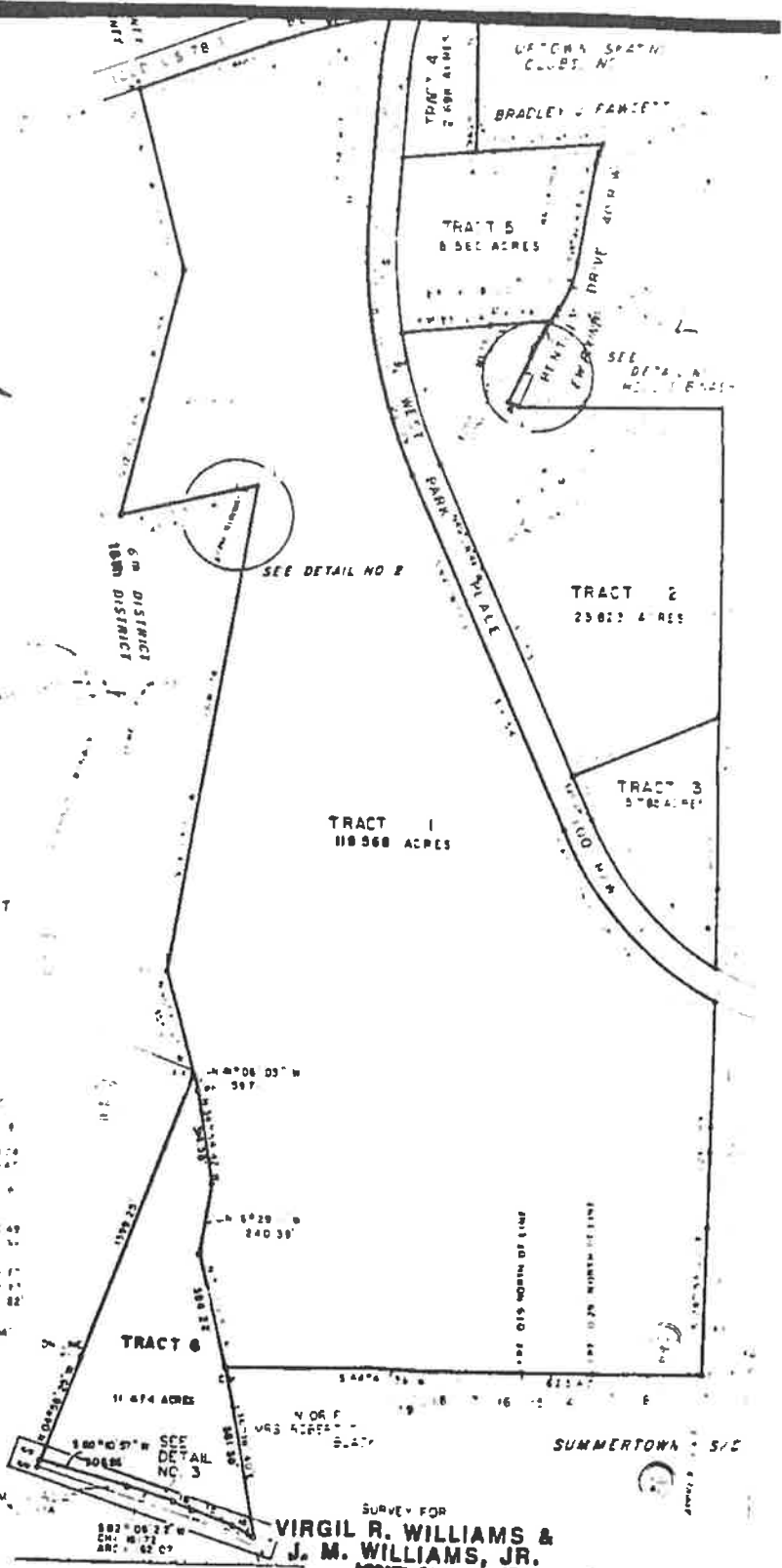
DETAILED NO 2

STATE NO 124 AIRPORT

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100



"I certify this plan is a correct representation of the land planned and has





AMENDMENT

IN RE:

APPLICATION NO. CZ-86024

WILLIAMS-ADAIR EQUITY  
CORPORATION,

Applicant

Property located on the  
DeKalb/Gwinnett County line  
adjacent to Stone Mountain  
Airport with frontage on  
Bermuda Road

COMES NOW the Applicant, WILLIAMS-ADAIR EQUITY CORPORATION, and requests that the above-captioned Rezoning Application be amended to incorporate the conditions of rezoning listed below:

(1) There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if the same is required by DeKalb County at the time permits are obtained for the development of this property;

(2) All buildings located on the property shall be a maximum of one story;

(3) A fifty foot undisturbed buffer shall be maintained along Bermuda Road and adjoining residential property in Gwinnett County, except that the buffer may be disturbed as described in paragraph number 4 herein below;

(4) The Applicant will provide a six foot earthen berm along the line of the aforementioned fifty foot buffer. The slope of the berm will be approximately two to one and the berm may extend into the fifty foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant;

(5) Lighting on the property will be directed away from adjoining residential properties.

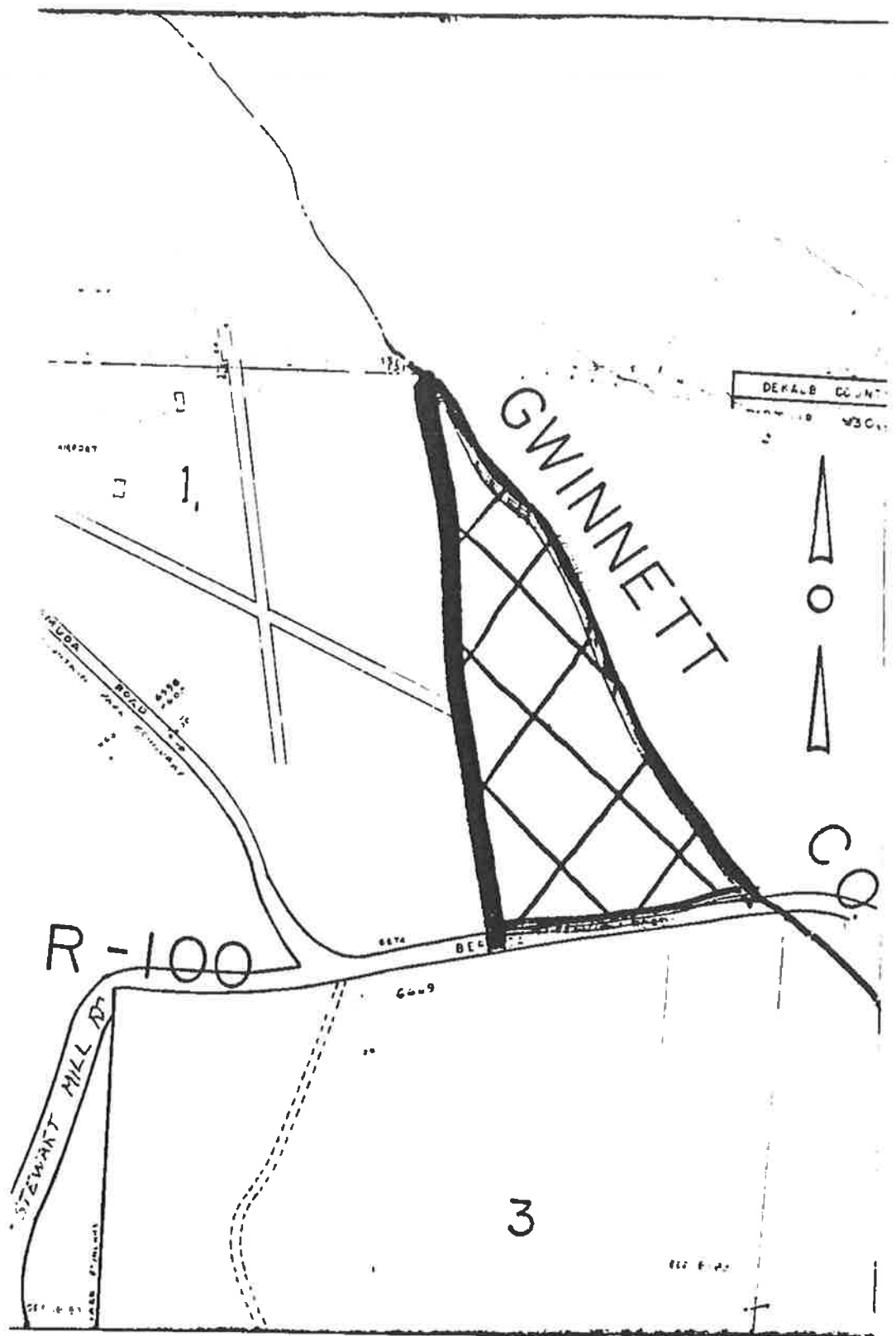
Accordingly, WILLIAMS-ADAIR EQUITY CORPORATION respectfully requests that the Application be amended to incorporate the above conditions of rezoning.

DILLARD, GREER, WESTMORELAND  
& WILSON, P.C.

By: Kathleen Lewis Beard  
Kathleen Lewis Beard  
Attorney for applicant

800 Monarch Plaza  
3414 Peachtree Road, N.E.  
Atlanta, Georgia 30126  
(404) 231-0000

SUBMITTED: 3/13/86



CZ-86024

R-100 TO M

CONDITIONAL

D-37

CZ-86024

18-84-1-2



000002141

Williams-Adair Equity Corp.

R-100 to M

P.D. Approval with conditions

P.C. Approval per staff (1/14/86)

B.C. Tabled (2/11/86) - to be readvertised & processed March

P.D. Approval w/cond.

P.C. Approval 3/4/86

B.C. Approved AS. COND. 3/25/86

A303-E-5<sup>18</sup> Bx# 3140

**LETTER OF APPLICATION**  
**APPLICATION FOR MAJOR MODIFICATION**  
**DEKALB COUNTY, GEORGIA**

Eberly & Associates (the “Applicant”) requests the modification of zoning conditions that were approved in 1986 for property located at 6754 Bermuda Road, DeKalb County, Georgia (Parcel Number 18 084 01 002) (the “Property”). The Property is zoned to the light industrial (M) district and is currently vacant and largely wooded. The Applicant plans to develop adjacent land zoned light industrial in neighboring Gwinnett County for warehouse and distribution uses that are consistent with the industrial zoning of nearby and neighboring parcels. The Applicant has submitted a request for a Special Use Permit in Gwinnett County to allow an increase in height for the proposed use, and a Development of Regional Impact (DRI) review is currently underway for the project.

When the DeKalb County Board of Commissioners rezoned the Property to the M district in 1986, it did so subject to five conditions. See CZ-86024. The original zoning scheme proposed two office-warehouse buildings on the Property with attendant surface parking lots. Thirty-two years later, the Applicant’s plan for developing the Property is entirely different than that which was proposed during the 1986 rezoning. Instead of buildings or parking lots, the Applicant proposes to construct only a private drive through the Property, connecting Bermuda Road to the warehouse distribution facility on the Gwinnett County property, and a limited number of parking spaces in the northern corner of the Property. The Applicant accordingly requests the modification of two of the CZ-86024 zoning conditions.

First, the Applicant proposes the removal of Condition #1 stating “There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if the same is required by DeKalb County at the time permits are obtained for the development of this property”. The Applicant plans to develop a light industrial building on the neighboring Gwinnett County parcel to the northeast. To facilitate ingress and egress to the development, the Applicant proposes a connection to Bermuda Road, in addition to two points of ingress and egress on West Park Place Boulevard. The connection to Bermuda Road will be approximately 1,385 feet from the English Manor subdivision entrance and approximately 630 feet from the intersection of Stewart Mill and Bermuda Roads.



Consequently, the Applicant seeks the requested modification that would allow access on Bermuda Road.

Second, the Applicant proposes the removal of Condition #4 that "The Applicant will provide a six foot earthen berm along the line of the aforementioned fifty foot buffer. The slope of the berm will be approximately two to one and the berm may extend into the fifty foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant". An earthen berm is not now necessary, however, because the current Applicant proposes to develop only a private drive on the western extreme of the Property and a limited number of parking spaces in the northern corner (both nearer a neighboring parcel zoned to the Heavy Industrial (M-2) zoning district) as shown on the Site Plan, and not any buildings or parking lots near residential property. Further, the area along a short portion of the eastern property line where the condition requires the berm to be installed is already heavily wooded. Developing the berm would therefore necessitate cutting down dozens of mature trees and result in a greater impact to the environment and disruption to nearby property owners than leaving the existing forest in place.

As demonstrated in the Impact Analysis enclosed with this Modification Application, these two requests are consistent with the Standards and Factors governing review of proposed amendments to the Official Zoning Map. Accordingly, the Applicant respectfully asks that the Board of Commissioners of DeKalb County approve the modifications as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel David  
Attorney for the Applicant

3500 Lenox Road NE, Suite 760  
Atlanta, Georgia 30326  
(404) 965-3680

**IMPACT ANALYSIS**  
**APPLICATION FOR MAJOR MODIFICATION**  
**DEKALB COUNTY, GEORGIA**

As stated in the enclosed Letter of Application, Eberly & Associates (the “Applicant”) requests the modification of two of the zoning conditions that were approved in 1986 for property located at 6754 Bermuda Road, DeKalb County, Georgia (Parcel Number 18 084 01 002) (the “Property”). When the DeKalb County Board of Commissioners rezoned the Property to the Light Industrial (M) district in 1986, it did so subject to five conditions based on a development plan proposing two office-warehouse facilities and surface parking. See CZ-86024. The Property was never developed, however, and thirty-two years later it remains vacant and wooded. The Applicant plans to develop adjacent land to the north zoned light industrial in neighboring Gwinnett County for warehouse and distribution uses. Instead of buildings or parking lots near residential property, the Applicant proposes to develop a private drive on the western side of the Property to provide access from Bermuda Road to the neighboring parcel to the north, in Gwinnett County, as well as a limited number of parking spaces. The Bermuda Road access point will be approximately 1,385 feet from the English Manor subdivision entrance and approximately 630 feet from the intersection of Bermuda and Stewart Mill Roads. The Applicant accordingly requests the modification of two of the CZ-86024 zoning conditions.

First, the Applicant proposes the removal of Condition #1 that “There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if the same is required by DeKalb County at the time permits are obtained for the development of this property”. The Property is adjacent to a parcel in Gwinnett County that the Applicant plans to develop for warehouse and distribution uses. This modification to allow access to Bermuda Road will facilitate safe and efficient access to the south, in addition to the two points of access planned to West Park Place Boulevard to the north. Second, the Applicant proposes the removal of Condition #4 that “The Applicant will provide a six foot earthen berm along the line of the aforementioned fifty foot buffer. The slope of the berm will be approximately two to one and the berm may extend into the fifty foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant”. As shown on the Site Plan, a wide expanse of forested

land will remain on the Property, separating the adjacent residential use from the proposed private drive on the western end of the Property. The parking spaces will be located on the other side of the drive and in the northern corner of the Property, near land zoned to the Heavy Industrial (M-2) district. Installing the required buffer on the eastern side of the Property would necessitate the cutting down of dozens of trees that the Applicant proposes to preserve and would result in a greater impact to the environment and nearby property owners.

Because both of these modifications are consistent with the Standards and Factors governing review of proposed amendments to the Official Zoning Map established at Section 7.3.5. of the DeKalb County Zoning Ordinance, as demonstrated below, the Applicant respectfully asks that the Board of Commissioners approve the modifications as requested.

**I. MODIFICATION TO REMOVE THE RESTRICTION ON INGRESS AND EGRESS ACCESS TO BERMUDA ROAD**

**a. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The Applicant's request for a modification that will allow ingress and egress access on Bermuda Road is in keeping with the policy and intent of DeKalb County's 2035 Comprehensive Plan. West Park Place Boulevard, located north of the Property, provides convenient access to Highway 78 from numerous light industrial uses in the area. West Park Place Boulevard will provide similar access for vehicles entering and exiting the Applicant's light industrial development on the Gwinnett County parcel to the north of the Property. Providing a point of access to Bermuda Road, as shown on the Site Plan, will enhance the efficiency of the roadway network in keeping with the transportation policies established in the Comprehensive Plan. See Comprehensive Plan at 49.

**b. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

The Property is adjacent to parcels in both DeKalb County and Gwinnett County that are zoned to industrial districts and used for industrial purposes. The proposed modification will allow a private drive connecting warehouse distribution, a permitted use in this zoning district, to the public roadway. The Property is also adjacent to or near parcels zoned for residential uses. As the Property is zoned industrially, use of the Property for a private drive in the manner shown on the Site Plan is far less impactful than other uses allowed by right in the M district. The

private drive is also less impactful than the two large warehouse buildings and surface parking lots originally approved for the Property. Accordingly, use of the Property for a private drive accessing Bermuda Road is suitable in view of the use and development of adjacent and nearby properties.

**c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The Property is appropriately zoned to the M district and would have a reasonable economic use under that designation. However, the Property's only frontage is Bermuda Road, and the zoning condition restricting access to this road prevents entry to the Property. Consequently, the zoning condition virtually destroys the economic use of the Property.

**d. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

As described above, the proposed private drive is both consistent with the nearby industrial uses and far less impactful to nearby residential uses than other uses allowed at the Property. The majority of the Property will remain undeveloped, as the private drive and limited parking spaces are the only improvements planned for the Property. Therefore, the proposed modification will not adversely affect the existing uses or usability of adjacent or nearby properties.

**e. Whether there are other existing or changing conditions affecting the use and development of the Property which give supporting grounds for either approval or disapproval of the zoning proposal.**

Condition #1 prohibiting access to Bermuda Road was approved more than thirty-two years ago at a time when the development of DeKalb County was far different than today. Since 1986 both DeKalb County and Gwinnett County have developed significantly, and the Atlanta metropolitan region has become a national hub for light industrial warehousing and distribution uses. While the area is appropriate for the use proposed on the adjacent Gwinnett County parcel, access to Bermuda Road is critical to the safe, efficient operation of both the planned facility and the surrounding roadway network. At the same time, developing only a private drive and remote parking spaces instead of the two office-warehouse buildings and large parking lots that the Board of Commissioners has already approved for the Property will be comparatively beneficial to residential uses in the vicinity. The changed conditions of the area therefore support approval of the modification.

**f. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

Development of the Property will not affect Stone Mountain Park. The Property is separated from Stone Mountain Park by the Stone Mountain Golf Club; a residential subdivision; and property zoned to the M-2 district now or formerly used as an aircraft runway. The Property is not within a historic district, and the Applicant is not aware of any historic buildings, sites, districts or archaeological resources on the site or located in the immediate vicinity.

**g. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The development of the Gwinnett County parcel for a light industrial use will generate numerous vehicle trips. To disperse these trips and minimize the overall effect on the surrounding roadway network, a private drive connecting to Bermuda Road to the south is necessary. If approved, the modification allowing Bermuda Road access will not result in a use that will cause excessive or burdensome use of existing streets. The modification will also not affect existing transportation facilities, utilities, or schools.

**h. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

Development of a private drive will not adversely impact the environment or surrounding natural resources. On the contrary, the M district to which the Property is zoned permits relatively intense uses by right, such that the proposed private drive is comparatively supportive of existing natural resources. Similarly, the proposed development will be far less impactful than development of the two office-warehouse buildings and large parking lots that the Board of Commissioners has already approved for the Property. As shown on the Site Plan, the Applicant plans to minimize the area that is disturbed and will preserve as many existing trees and other natural resources as possible.

## **II. MODIFICATION TO REMOVE THE REQUIREMENT OF AN EARTHEN BERM ALONG THE 50-FOOT UNDISTURBED BUFFER**

### **a. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The 2035 Comprehensive Plan and the Zoning Map alike promote the use of buffers to “reduce noise and air pollution in residential neighborhoods.” Comprehensive Plan at 59. Condition #4 of the 1986 rezoning requires the maintenance of a 50-foot undisturbed buffer adjacent to residential property in Gwinnett County, and a separate condition requires the installation of a six-foot earthen berm along the line of that buffer. However, the Board of Commissioners required the berm in the context of the development proposed at the time, which included clearcutting of the Property and constructing two office-warehouse buildings and large attendant parking lots.

Under the present proposal, however, the Applicant will develop only a private drive and a limited number of parking spaces on the Property’s northwestern edge, near the adjacent M-2 zoning district. This plan locates the improvements as far as possible from the residential use to the east and leaves the majority of the heavily wooded Property undisturbed. In sharp contrast, strict enforcement of the zoning condition would require the Applicant to cut down a wide swath of mature trees a mere 35 to 50 feet from the residential parcel and operate heavy earthmoving machinery to build the berm, and then plant the berm with 3-foot tall saplings. Because no building will be built at the Property, this berm would be a nonsensical solution to a problem that won’t exist, and it will create an unnecessary disturbance both to natural resources and to the neighboring property owner. Accordingly, the Applicant seeks removal of Condition #4 in keeping with the intent and policy of the Comprehensive Plan.

### **b. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

The modification to remove the berm requirement will not affect the use of the Property. While the Property is zoned to the M district and is adjacent or near to several light industrial uses, the Applicant only proposes to use the Property for a private drive and a limited number of parking spaces. This use is suitable in view of the use and development of adjacent and nearby properties.



**c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The Property is appropriately zoned to the M district and would have a reasonable economic use under that designation if access is granted from Bermuda Road. Installation of the berm does not impact this economic use, but the Applicant has proposed the modification in the interest of the neighboring residential property owner. As shown on the Site Plan, a wide distance will separate the private drive from the Property's eastern property line, and the intervening space is densely vegetated with mature trees. In order to comply with this condition, the Applicant will be forced to cut down all of the trees along the 50-foot undisturbed buffer (as near as 35 feet from the residential neighbor) and employ heavy earthmoving equipment at considerable cost with no public benefit.

**d. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

Foregoing installation of the berm will not affect the existing use or usability of adjacent or nearby property or properties. As shown on the Site Plan, a wide expanse of forested land will be located between the proposed private drive and the Property's eastern property line, sufficient to buffer the residential use to the east.

**e. Whether there are other existing or changing conditions affecting the use and development of the Property which give supporting grounds for either approval or disapproval of the zoning proposal.**

In 1986 the Board of Commissioners rezoned the Property with the understanding that it would be cleared and developed for two office-warehouse buildings and large parking lots near the residential property to the east. Condition #4 requiring the berm was intended to offset any impact of that development felt by the residential property owner to the east. However, the office-warehouse facilities have not yet been built and thirty-two years later the Property remains thickly forested. The Applicant is proposing only a private drive and a limited number of parking spaces on the opposite side of the Property, and installation of an unnecessary berm will do more harm than good. This change in circumstances supports approval of the modification.

**f. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

Development of the Property will not affect Stone Mountain Park. The Property is separated from Stone Mountain Park by the Stone Mountain Golf Club; a residential subdivision;

and property zoned to the M-2 district now or formerly used as an aircraft runway. The Property is not within a historic district, and the Applicant is not aware of any historic buildings, sites, districts or archaeological resources on the site or located in the immediate vicinity.

**g. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The modification to forego installation of the berm will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

**h. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

Installing the berm, as required by Condition #4, would require the cutting down of numerous healthy, mature trees, and the use of heavy earthmoving equipment. This process would adversely impact the environment and surrounding natural resources. On the other hand, the modification requested by the Applicant would be far more beneficial for the environment, because it would leave the existing forestland in place to act as a natural buffer between the private drive and the neighboring property owner.

As demonstrated above, these two modifications are consistent with the Standards and Factors governing review of proposed amendments to the Official Zoning Map. Accordingly, the Applicant respectfully asks that the Board of Commissioners of DeKalb County approve the modifications as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel David  
Attorney for the Applicant

3500 Lenox Road NE, Suite 760  
Atlanta, Georgia 30326  
(404) 965-3680

**CONSTITUTIONAL OBJECTIONS**  
**APPLICATION FOR MAJOR MODIFICATION**  
**DEKALB COUNTY, GEORGIA**

Georgia Law and the procedures of DeKalb County require us to raise Federal and State Constitutional objections during the Major Modification application process. While the Owner/Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Owner/Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Zoning Ordinance of DeKalb County, Georgia, as applied to the Property, that would result in a denial of the Major Modification as requested, are, or would be, unconstitutional in that they would destroy property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of DeKalb County or the DeKalb County Zoning Ordinance to the Property which restricts its use to any use in a manner other than that requested is unconstitutional, illegal and null and void because such an application constitutes a taking of property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner/Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would also constitute an arbitrary and capricious act by Board of County Commissioners of DeKalb County without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal to grant the Major Modification as requested would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner/Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Major Modification subject to conditions that are different from the conditions requested, to the extent such different conditions would have the effect of further restricting the utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

In addition, this constitutes formal written notice to DeKalb County, pursuant to O.C.G.A. § 36-11-1, that the Owner/Applicant plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Property by DeKalb County. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner/Applicant respectfully requests that the Board of County Commissioners of DeKalb County grant the Major Modification as requested.

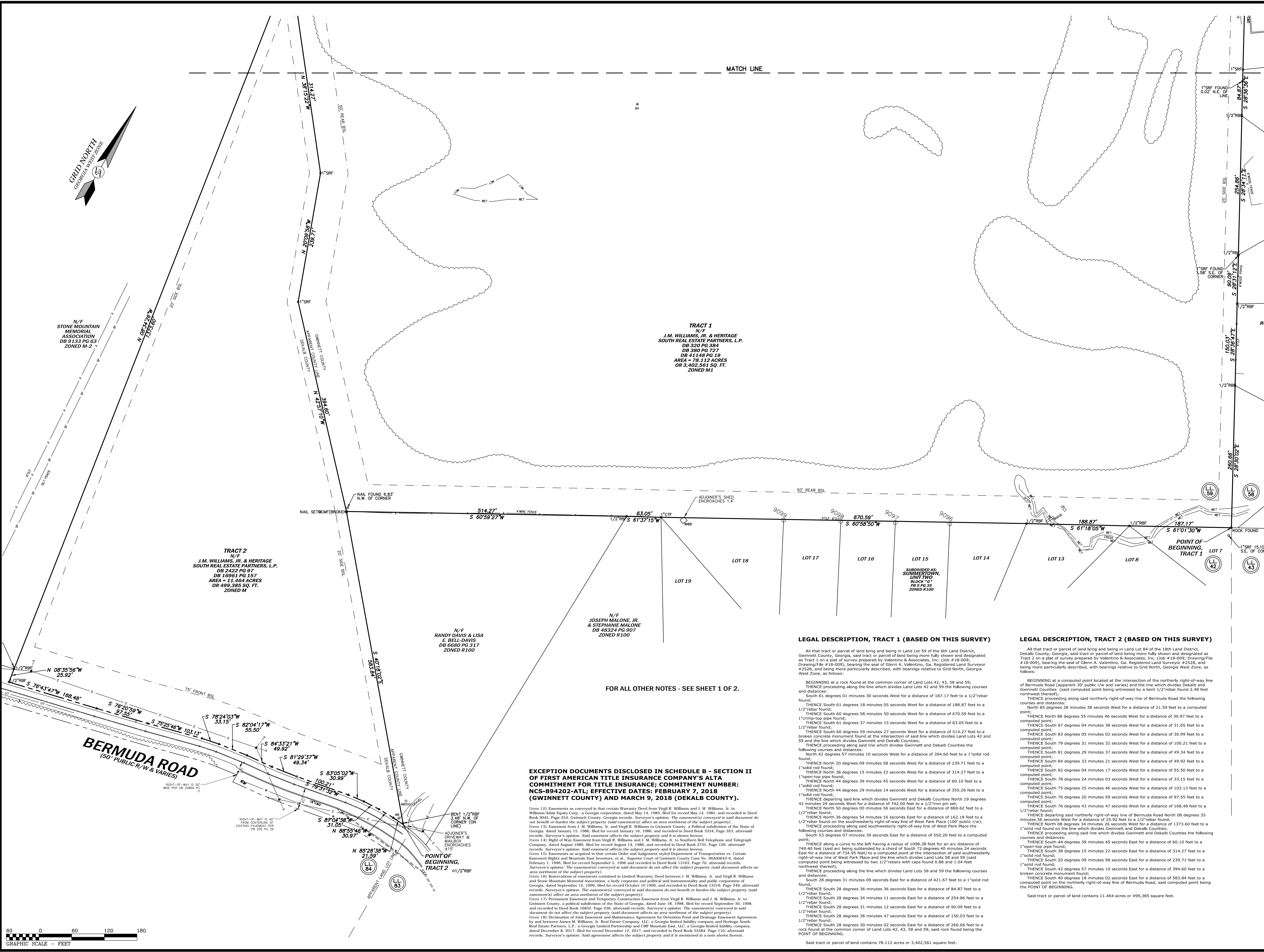
THE GALLOWAY LAW GROUP, LLC

By: 

Laurel David  
Attorney for Applicant

3500 Lenox Road, NE  
Suite 760  
Atlanta, Georgia 30326  
(404) 965-3680  
(404) 965-3670 Facsimile





**TRACT 1**  
N/F  
J.M. WILLIAMS, JR. & HERITAGE  
SOUTH REAL ESTATE PARTNERS, L.P.  
DB 320 PG 384  
DB 380 PG 727  
DB 41148 PG 19  
AREA = 78.112 ACRES  
OR 3,402,561 SQ. FT.  
ZONED M1

**TRACT 2**  
N/F  
J.M. WILLIAMS, JR. & HERITAGE  
SOUTH REAL ESTATE PARTNERS, L.P.  
DB 2422 PG 97  
DB 16961 PG 157  
AREA = 11.464 ACRES  
OR 499,385 SQ. FT.  
ZONED M

N/F  
RANDY DAVIS & LISA  
E. BELL-DAVIS  
DB 6680 PG 317  
ZONED R100

N/F  
JOSEPH MALONE, JR.  
& STEPHANIE MALONE  
DB 48324 PG 907  
ZONED R100

FOR ALL OTHER NOTES - SEE SHEET 1 OF 2.

**EXCEPTION DOCUMENTS DISCLOSED IN SCHEDULE B - SECTION II OF FIRST AMERICAN TITLE INSURANCE COMPANY'S ALTA COMMITMENT FOR TITLE INSURANCE; COMMITMENT NUMBER: NCS-894202-ATL; EFFECTIVE DATES: FEBRUARY 7, 2018 (GWINNETT COUNTY) AND MARCH 9, 2018 (DEKALB COUNTY).**

Item 12) Easements as conveyed in that certain Warranty Deed from Virgil R. Williams and J. M. Williams, Jr. to Williams/Adair Equity Corp., a Georgia corporation, dated May 14, 1985, filed for record May 14, 1985, and recorded in Deed Book 3045, Page 254, Gwinnett County, Georgia records. *Surveyor's opinion: The easement(s) conveyed in said document do not benefit or burden the subject property (said easement(s) affect an area northwest of the subject property).*

Item 13) Easement from J. M. Williams, Jr. and Virgil R. Williams to Gwinnett County, a Political subdivision of the State of Georgia, dated January 15, 1986, filed for record January 16, 1986, and recorded in Deed Book 3334, Page 323, aforesaid records. *Surveyor's opinion: Said easement affects the subject property and it is shown herein.*

Item 14) Right of Way Easement from Virgil R. Williams and J. M. Williams, Jr. to Southern Bell Telephone and Telegraph Company, dated August 1986, filed for record August 14, 1986, and recorded in Deed Book 3735, Page 129, aforesaid records. *Surveyor's opinion: Said easement affects the subject property and it is shown herein.*

Item 15) Easements as acquired in that certain Order and Judgment of the Department of Transportation vs. Certain Easement Rights and Mountain East Investors, et al., Superior Court of Gwinnett County Case No. 96AD0843-B, dated February 1, 1996, filed for record September 5, 1996 and recorded in Deed Book 33163, Page 70, aforesaid records. *Surveyor's opinion: The easement(s) conveyed in said document do not affect the subject property (said document affects an area northwest of the subject property).*

Item 16) Reservations of easements contained in Limited Warranty Deed between J. M. Williams, Jr. and Virgil R. Williams and Stone Mountain Memorial Association, a body corporate and political and instrumentally and public corporation of Georgia, dated September 12, 1996, filed for record October 10, 1996, and recorded in Deed Book 13316, Page 249, aforesaid records. *Surveyor's opinion: The easement(s) conveyed in said document do not benefit or burden the subject property (said easement(s) affect an area northwest of the subject property).*

Item 17) Permanent Easement and Temporary Construction Easement from Virgil R. Williams and J. M. Williams, Jr. to Gwinnett County, a political subdivision of the State of Georgia, dated June 18, 1998, filed for record September 30, 1998, and recorded in Deed Book 16832, Page 236, aforesaid records. *Surveyor's opinion: The easement(s) conveyed in said document do not affect the subject property (said document affects an area northwest of the subject property).*

Item 18) Declaration of Joint Easement and Maintenance Agreement for Detention Pond and Drainage Easement Agreement, by and between James M. Williams, Jr. Real Estate Company, LLC, a Georgia limited liability company and Heritage South Real Estate Partners, L.P., a Georgia Limited Partnership and CMP Mountain East, LLC, a Georgia limited liability company, dated December 8, 2017, filed for record December 12, 2017, and recorded in Deed Book 35584, Page 110, aforesaid records. *Surveyor's opinion: Said agreement affects the subject property and it is mentioned in a note shown herein.*

**LEGAL DESCRIPTION, TRACT 1 (BASED ON THIS SURVEY)**

All that tract or parcel of land lying and being in Land Lot 59 of the 6th Land District, Gwinnett County, Georgia, said tract or parcel of land being more fully shown and designated as Tract 1 on a plat of survey prepared by Valentino & Associates, Inc. (Job #18-009), Drawing/File #18-009, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a rock found at the common corner of Land Lots 42, 43, 58 and 59;

THENCE proceeding along the line which divides Land Lots 42 and 59 the following courses and distances:

South 61 degrees 01 minutes 30 seconds West for a distance of 187.17 feet to a 1/2" rebar found;

THENCE South 61 degrees 18 minutes 05 seconds West for a distance of 188.87 feet to a 1/2" rebar found;

THENCE South 60 degrees 58 minutes 50 seconds West for a distance of 670.59 feet to a 1" crimp-top pipe found;

THENCE South 61 degrees 37 minutes 15 seconds West for a distance of 63.05 feet to a 1/2" rebar found;

THENCE South 60 degrees 59 minutes 27 seconds West for a distance of 514.27 feet to a broken concrete monument found at the intersection of said line which divides Land Lots 42 and 59 and the line which divides Gwinnett and DeKalb Counties;

THENCE proceeding along said line which divides Gwinnett and DeKalb Counties the following courses and distances:

North 42 degrees 57 minutes 10 seconds West for a distance of 394.60 feet to a 1" solid rod found;

THENCE North 20 degrees 09 minutes 58 seconds West for a distance of 239.71 feet to a 1" solid rod found;

THENCE North 38 degrees 15 minutes 22 seconds West for a distance of 314.27 feet to a 1" open-top pipe found;

THENCE North 44 degrees 39 minutes 45 seconds West for a distance of 60.10 feet to a 1" solid rod found;

THENCE North 44 degrees 29 minutes 14 seconds West for a distance of 355.26 feet to a 1" solid rod found;

THENCE departing said line which divides Gwinnett and DeKalb Counties North 19 degrees 42 minutes 24 seconds West for a distance of 742.00 feet to a 1/2" iron pin set;

THENCE North 50 degrees 00 minutes 56 seconds East for a distance of 869.62 feet to a 1/2" rebar found;

THENCE North 36 degrees 54 minutes 16 seconds East for a distance of 162.18 feet to a 1/2" rebar found on the southwesterly right-of-way line of West Park Place (100' public r/w);

THENCE proceeding along said southwesterly right-of-way line of West Park Place the following courses and distances:

South 53 degrees 07 minutes 39 seconds East for a distance of 550.20 feet to a computed point;

THENCE along a curve to the left having a radius of 1098.38 feet for an arc distance of 749.40 feet (said arc being subtended by a chord of South 72 degrees 40 minutes 24 seconds East for a distance of 734.95 feet) to a computed point at the intersection of said southwesterly right-of-way line of West Park Place and the line which divides Land Lots 58 and 59 (said computed point being witnessed by two 1/2" rebars with caps found 0.68 and 1.04 feet northwest thereof);

THENCE proceeding along the line which divides Land Lots 58 and 59 the following courses and distances:

South 28 degrees 31 minutes 09 seconds East for a distance of 421.67 feet to a 1" solid rod found;

THENCE South 28 degrees 36 minutes 36 seconds East for a distance of 84.87 feet to a 1/2" rebar found;

THENCE South 28 degrees 34 minutes 11 seconds East for a distance of 254.86 feet to a 1/2" rebar found;

THENCE South 28 degrees 31 minutes 12 seconds East for a distance of 90.09 feet to a 1/2" rebar found;

THENCE South 28 degrees 36 minutes 47 seconds East for a distance of 150.03 feet to a rock found at the common corner of Land Lots 42, 43, 58 and 59, said rock found being the POINT OF BEGINNING.

Said tract or parcel of land contains 78.112 acres or 3,402,561 square feet.

**LEGAL DESCRIPTION, TRACT 2 (BASED ON THIS SURVEY)**

All that tract or parcel of land lying and being in Land Lot 84 of the 18th Land District, DeKalb County, Georgia, said tract or parcel of land being more fully shown and designated as Tract 2 on a plat of survey prepared by Valentino & Associates, Inc. (Job #18-009), Drawing/File #18-009, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a computed point located at the intersection of the northerly right-of-way line of Bermuda Road (apparent 30' public r/w and varies) and the line which divides DeKalb and Gwinnett Counties (said computed point being witnessed by a bent 1/2" rebar found 2.48 feet northwest thereof);

THENCE proceeding along said northerly right-of-way line of Bermuda Road the following courses and distances:

North 85 degrees 28 minutes 38 seconds West for a distance of 21.59 feet to a computed point;

THENCE North 88 degrees 55 minutes 46 seconds West for a distance of 30.97 feet to a computed point;

THENCE South 87 degrees 04 minutes 38 seconds West for a distance of 31.05 feet to a computed point;

THENCE South 83 degrees 05 minutes 02 seconds West for a distance of 30.99 feet to a computed point;

THENCE South 79 degrees 31 minutes 32 seconds West for a distance of 100.21 feet to a computed point;

THENCE South 81 degrees 29 minutes 37 seconds West for a distance of 49.34 feet to a computed point;

THENCE South 84 degrees 33 minutes 21 seconds West for a distance of 49.92 feet to a computed point;

THENCE South 82 degrees 04 minutes 17 seconds West for a distance of 55.50 feet to a computed point;

THENCE South 78 degrees 24 minutes 03 seconds West for a distance of 33.15 feet to a computed point;

THENCE South 75 degrees 25 minutes 46 seconds West for a distance of 103.13 feet to a computed point;

THENCE South 76 degrees 20 minutes 59 seconds West for a distance of 97.55 feet to a computed point;

THENCE South 76 degrees 43 minutes 47 seconds West for a distance of 168.48 feet to a 1/2" rebar found;

THENCE departing said northerly right-of-way line of Bermuda Road North 08 degrees 35 minutes 56 seconds West for a distance of 25.92 feet to a 1/2" rebar found;

THENCE North 08 degrees 34 minutes 26 seconds West for a distance of 1373.60 feet to a 1" solid rod found on the line which divides Gwinnett and DeKalb Counties;

THENCE proceeding along said line which divides Gwinnett and DeKalb Counties the following courses and distances:

THENCE South 44 degrees 39 minutes 45 seconds East for a distance of 60.10 feet to a 1" open-top pipe found;

THENCE South 38 degrees 15 minutes 22 seconds East for a distance of 314.27 feet to a 1" solid rod found;

THENCE South 20 degrees 09 minutes 58 seconds East for a distance of 239.71 feet to a 1" solid rod found;

THENCE South 42 degrees 57 minutes 10 seconds East for a distance of 394.60 feet to a broken concrete monument found;

THENCE South 40 degrees 18 minutes 02 seconds East for a distance of 583.84 feet to a computed point on the northerly right-of-way line of Bermuda Road, said computed point being the POINT OF BEGINNING.

Said tract or parcel of land contains 11.464 acres or 499,385 square feet.

ALTA/NSPS LAND TITLE SURVEY FOR:  
**SEEFRIED DEVELOPMENT MANAGEMENT, INC., A GEORGIA CORPORATION, J.M. WILLIAMS, JR. & HERITAGE SOUTH REAL ESTATE PARTNERS, L.P., AND FIRST AMERICAN TITLE INSURANCE COMPANY**

**VA**  
VALENTINO & ASSOCIATES, INC.  
LAND SURVEYORS  
1280 WINCHESTER PARKWAY  
SUITE 243  
SMYRNA, GEORGIA 30080  
PHONE: (770) 438-0015  
FAX: (770) 435-6050  
WEB: VALENTINOSURVEY.COM  
STATE OF GEORGIA LAND SURVEYING FIRM LICENSE NO. LSP000794

**REVISIONS**  
5/3/18: ADDED NAME.  
5/23/18: REVISED FENCES ALONG WEST PROPERTY LINE.

**GEORGIA**  
REGISTERED LAND SURVEYOR  
GLENN A. VALENTINO  
#2528

SCALE: 1" = 60'  
DATE: 4/17/2018  
JOB NUMBER: 18-00  
FILE NUMBER: 18-00  
PLOTTED: 5/23/2018

ALTA/NSPS LAND TITLE SURVEY  
SHEET  
2 OF 2



