

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2020-04

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 18.5± ACRE TRACT OF LAND LOCATED IN LAND LOTS 26 AND 39 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO GRANT A SPECIAL USE PERMIT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #SUP 19-03

SIZE/LOCATION: 18.5± Acres at Oak Road, Clower Street, Wisteria Drive and North Road, Snellville

TAX PARCEL(s): R5026 256, 258, 275 and 277; R5039 009C, 013, 014, 036, 063, 190, 191 and 208

REQUESTED SPECIAL USE PERMIT: 429 Multi-family Residential Unit Building (Phase1) and Mixed-residential Housing Types (Phase 2)

DEVELOPMENT/PROJECT: Mixed-Use (Residential, Civic, and Commercial) Development known as *The Grove at Snellville*

PROPERTY OWNER(s): Downtown Development Authority of Snellville, Snellville, Georgia 30078
AND
United States Postal Service
Mandan, North Dakota 58554

APPLICANT/CONTACT: David Brunner
MidCast Snellville, LLC

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to 18.5± acres of land located at Oak Road, Clower Street, Wisteria Drive and North Road, Snellville, Georgia (Tax Parcels R5026 256, 258, 275 and 277; R5039 009C, 013, 014, 036, 063, 190, 191 and 208) and grant the requested special use permit for the construction and occupancy of a Towne Center Flat residential housing type (Phase 1) and for the future construction and occupancy of mixed-residential single-family and multi-family housing types (Phase 2) for *The Grove at Towne Center* development; and,

WHEREAS, the gross density shall not exceed 24.66 units per acre on the 10.3± acre tract of Phase 1 and shall not exceed 21.34 units per acre on the 8.2± acre tract of Phase 2 of *The Grove at Towne Center* development; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. A special use permit is hereby granted for the 10.3± acre tract of land identified as Phase 1 on the boundary survey dated 11-11-2019 and titled “The Grove @ Snellville” and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference for the construction and occupancy of a Towne Center

Flat residential housing type, and more specifically a 280,000 sq. ft., 4-story, 429-unit multi-family apartment building and related parking and amenities and for the 8.2± acre tract of land identified as Phase 2 on the boundary survey dated 11-11-2019 and titled “The Grove @ Snellville” and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference to allow for the future construction and occupancy of mixed-residential single-family and multi-family housing types.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 3. The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. Penalties in effect for violations of the Zoning Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted on January 27, 2020. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this 27th day of January, 2020.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT "A"



**LEGAL
DESCRIPTION
PACKAGE**

R 5029 227
R 5039 014

2250 Oak Rd.

Legal Description
Both Post Office Parcels

All that tract or parcel of land lying and being in Land Lot 26 and Land Lot 39 of the 5th District, Gwinnett County, Georgia, and within the City of Snellville, Georgia, containing approximately 3.4986 acres and being shown as Tract 1 on that certain survey entitled "Boundary & Topographic Survey for Clark Patterson Lee (Snellville Towne Center)", prepared by TerraMark Land Surveying, Inc., bearing the seal and certification of William C. Wohlford, Jr., Georgia Registered Land Surveyor No. 2577, dated _____, being more particularly described as follows:

BEGIN at a point located at the intersection of the southeasterly right-of-way line of North Road (having an apparent variable right-of-way) and the northeasterly right-of-way line of Oak Road (having an apparent variable right-of-way), said point being the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, run thence along the southeasterly right-of-way line of North Road North 34 degrees 27 minutes 08 seconds East a distance of 184.49 feet to a point; continue thence along said right-of-way line of North Road and following the arc of a curve to the left an arc distance of 182.72 feet to a point (said arc having a radius of 2,306.83 feet and being subtended by a chord bearing North 32 degrees 29 minutes 03 seconds East a distance of 182.67 feet to a point; continue thence along said right-of-way line of North Road South 29 degrees 38 minutes 47 seconds East a distance of 6.18 feet to a point; continue thence along said right-of-way line of North Road North 30 degrees 42 minutes 52 seconds East a distance of 153.96 feet to a point located at the intersection of the southeasterly right-of-way line of North Road and the southwesterly right-of-way line of Wisteria Drive (having an apparent variable right-of-way); run thence along said southwesterly right-of-way line of Wisteria Drive South 58 degrees 14 minutes 28 seconds East a distance of 230.81 feet to a point; continue thence along said right-of-way line of Wisteria Drive and following the arc of a curve to the left an arc distance of 147.41 feet to a point (said arc having a radius of 1,061.87 feet and being subtended by a chord bearing South 52 degrees 52 minutes 09 seconds East a distance of 147.30 feet); continue thence along said right-of-way line of Wisteria Drive South 59 degrees 09 minutes 16 seconds West a distance of 16.86 feet to a point; thence leaving said right-of-way line of Wisteria Drive, run thence South 60 degrees 30 minutes 01 second West a distance of 191.78 feet to a point marked by a three-quarter inch open top pipe found; run thence South 60 degrees 25 minutes 47 seconds West a distance of 119.04 feet to a point marked by a one-inch open top pipe found; run thence South 20 degrees 49 minutes 56 seconds West a distance of 164.82 feet to a point located on the northeasterly right-of-way line of Oak Road; run thence along said northeasterly right-of-way line of Oak Road and following the arc of a curve to the left an arc distance of 102.60 feet (said arc having a radius of 189.15 feet and being subtended by a chord bearing North 84 degrees 34 minutes 44 seconds West a distance of 101.35 feet); continue thence along said right-of-way line of Oak Road and following the arc of a curve to the right an arc distance of 152.50 feet to a point (said arc having a radius of 160.99 feet and being subtended by a chord bearing North 72 degrees 58 minutes 48 seconds West a distance of 146.86 feet to a point; continue thence along said right-of-way line of Oak Road North 46 degrees 00 minutes 07 seconds West a distance of 58.30 feet to a point located at the intersection of the southeasterly right-of-way line of North Road and northeasterly right-of-way line of Oak Road, said point being the TRUE POINT OF BEGINNING.

R 5026 256 2260 Oak Road

EXHIBIT "A"

Survey Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 26 of the 5th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a ½ inch rebar found on the northerly right-of-way of Oak Road (60' R/W), said ½ inch rebar found being 312.42 feet easterly from its intersection with the easterly right-of-way of North Road (a.k.a. Old Snellville-Lawrenceville Road, R/W varies); thence departing said right-of-way of Oak Road North 18 degrees 43 minutes 30 seconds East a distance of 165.19 feet to a 1 inch crimped top pipe found; thence North 58 degrees 20 minutes 40 seconds East a distance of 118.89 feet to a ½ inch rebar set on the easterly line of Land Lot 26; thence along said Land Lot Line South 32 degrees 19 minutes 00 seconds East a distance of 219.23 feet to a ½ inch rebar found; thence South 58 degrees 05 minutes 41 seconds West a distance of 205.18 feet to a ½ inch rebar found on said right-of-way of Oak Road; thence along said right-of-way along a curve to the left an arc distance of 125.00 feet (being subtended by a chord distance of 122.73 feet, a bearing of North 52 degrees 24 minutes 27 seconds West and a 188.94 foot radius) to said ½ inch rebar found and the POINT OF BEGINNING. Said tract containing 1.02 acres as shown on survey prepared by Pearson & Associates, Inc., William W. DeLoach, Georgia Registered Land Surveyor No. 1711, dated December 21, 2004, last revised January 28, 2005.

AS

Less and except:

All that tract or parcel of land lying and being in Land Lot 26 of the 5 Land District of Gwinnett County, Georgia, being more particularly described as follows:

Beginning at a point 45 feet left of and opposite Station 102+06.80 on the construction centerline of Oak Road on Georgia Highway Project No. STP-006-00(893); running thence S 20°58'18" W a distance of 5.00 feet to a point 40.00 feet left of and opposite station 102+06.89 on said construction centerline laid out for OAK RD.; thence S 21°03'03" W a distance of 2.60 feet to a point 37.40 feet left of and opposite station 102+06.94 on said construction centerline laid out for OAK RD.; thence southeasterly 125.148 feet along the arc of a curve (said curve having a radius of 187.597 feet and a chord distance of 122.840 feet on a bearing of S 50°07'37" E) to the point 40.64 feet left of and opposite station 103+07.67 on said construction centerline laid out for OAK RD.; thence N 60°20'17" E a distance of 4.36 feet to a point 45.00 feet left of and opposite station 103+07.83 on said construction centerline laid out for OAK RD.; thence N 31°47'15" W a distance of 7.26 feet to a point 45.00 feet left of and opposite station 103+00.57 on said construction centerline laid out for OAK RD.; thence northwesterly 121.911 feet along the arc of a curve (said curve having a radius of 195.000 feet and a chord distance of 119.935 feet on a bearing of N 49°44'00" W) back to the point of beginning. Containing 0.017 acres more or less.

R 5026 258 2270 Oak Road

Exhibit A

All that tract or parcel of land lying and being in Land Lot 26 of the 5th Land District of Gwinnett County, Georgia and being approximately 0.52 acres and known as 2270 Oak Road, Snellville, Georgia and being more particularly described as follows.

TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the centerline of Clower Street and the northwesterly right of way line of Oak Road (60 Foot Right of Way); running thence northwesterly along said right of way line of Oak Road a distance of 363.30 feet to the TRUE POINT OF BEGINNING, with the TRUE POINT OF BEGINNING thus established, running thence along a bearing North 31 degrees 54 minutes 00 seconds West a distance of 110.00 feet to a point; running thence along a bearing North 57 degrees 51 minutes 25 seconds East a distance of 205.19 feet to a point, running thence along a bearing South 32 degrees 42 minutes 14 seconds East a distance of 109.98 feet to a point, running thence along a bearing South 57 degrees 51 minutes 04 seconds West a distance of 206.73 feet to the TRUE POINT OF BEGINNING, containing 0.52 acres, as shown on Plat of survey dated June 1984 prepared for David J. Ellis by Quadra-Tech Inc. and certified by Kenneth C. Sims, GRLS # 1783, said plat being incorporated herein by reference for a more complete description.

LESS AND EXCEPT that portion of the property conveyed to the City of Snellville by Right of Way Deed from Steven Thien Quach in favor of City of Snellville dated 01/13/12 filed 01/18/12 recorded in Deed Book 51123, page 220 Gwinnett County Georgia records.

R 5026 275

2280 Oak Road

All that tract or parcel of land lying and being in Land Lot 26 of the 5th District of Gwinnett County, Georgia, being 0.669 acres as shown on a plat of survey prepared for Gerald Rawlins by Sunbelt Engineering & Surveying, Inc., Russell L. Shreeve, Jr., Georgia Registered Land Surveyor No. 2157, dated March 24, 1987, and being more particularly described as follows:

BEGIN at an iron pin located on the northeasterly right of way of Oak Road (60-foot right of way) a distance of 190.14 feet from the intersection of the right of way of Glower Street (50-foot right of way); run thence north $58^{\circ}04'08''$ east a distance of 177.89 feet to an iron pin; run thence north $31^{\circ}30'46''$ west a distance of 20.00 feet to an iron pin; run thence north $50^{\circ}36'41''$ east a distance of 30.06 feet to an iron pin; run thence north $32^{\circ}28'52''$ west a distance of 120.42 feet to an iron pin; run thence south $57^{\circ}46'32''$ west a distance of 206.63 feet to an iron pin located on the northeasterly right of way of Oak Road (60-foot right of way); run thence along the northeasterly right of way of Oak Road south $31^{\circ}54'20''$ east a distance of 143.26 feet to an iron pin located on the northeasterly right of way of Oak Road and the POINT OF BEGINNING.

Less and except:

Beginning at a point 45 feet left of and opposite Station 104+17.75 on the construction centerline of Oak Road on Georgia Highway Project No. STP-006-00(993), running thence S $60^{\circ}21'43''$ W a distance of 8.95 feet to a point 36.05 feet left of and opposite station 104+17.41 on said construction centerline laid out for OAK RD; thence S $29^{\circ}19'45''$ E a distance of 143.70 feet to a point 30.15 feet left of and opposite station 105+60.18 on said construction centerline laid out for OAK RD; thence N $60^{\circ}30'42''$ E a distance of 10.00 feet to a point 40.15 feet left of and opposite station 105+60.32 on said construction centerline laid out for OAK RD; thence N $29^{\circ}44'43''$ W a distance of 143.73 feet back to the point of beginning. Containing 0.031 acres more or less.

R 5039 190 2385 Clower St

EXHIBIT A

TO

DEED TO SECURE DEBT AND SECURITY AGREEMENT

All that tract or parcel of land lying and being in Land Lot 39, 5th District, Gwinnett County, Georgia, being 0.474 acres according to plat of survey by Quadra-Tech, Inc. dated January 25, 1985 and being more particularly described as follows:

To find the Point of Beginning, begin at the intersection of the centerline of Wisteria Drive and the northwestern right of way of Clower Street; run thence southwest along the northwestern right of Clower Street 222.30 feet to an iron pin which is the Point of Beginning; run thence south 45 degrees 35 minutes 19 seconds west 127.02 feet to an iron pin; run thence north 36 degrees 58 minutes 47 seconds west 182.17 feet to an iron pin; run thence north 50 degrees 46 minutes 23 seconds east 107.48 feet to an iron pin; run thence south 43 degrees 12 minutes 29 seconds east 170.97 feet to an iron pin which is the Point of Beginning.

R 5039 208

2395 Clower St

That tract or parcel of land lying and being in Land Lot 26 and 39, 5th District, Gwinnett County, Georgia, 0.498 acres according to plat of survey by Quadra-Inc. dated January 25, 1985 and being more particularly described as follows:

Beginning at a point on the Northwest right of way line of Clower Street located 349.32 feet as measured along said right of way line from the center line of Wisteria Drive; thence South 45 degrees 35 minutes 19 seconds West 97.02 feet to a point; run thence North 32 degrees 00 minutes 36 seconds West 5.10 feet to a point; run thence South 45 degrees 41 minutes 30 seconds West 30.0 feet to a point; run thence North 31 degrees 30 minutes 46 seconds West 190.14 feet to a point; run thence North 50 degrees 49 minutes 01 seconds East 29.93 feet to a point; run thence North 50 degrees 46 minutes 23 seconds East 77.55 feet to a point; run thence South 36 degrees 58 minutes 47 seconds East 77 feet to the point of beginning.

Less and except:

All that tract or parcel of land lying and being in Land Lot 39 of the 5th Land District of Gwinnett County, Georgia, being more particularly described as follows:

Beginning at a point 40 feet left of and opposite Station 53+45.49 on the construction centerline of Clower Street on Georgia Highway Project No. STP-006-00(993); running thence S 47°26'08" W a distance of 93.24 feet to a point 40.00 feet left of and opposite station 52+52.25 on said construction centerline laid out for CLOWER ST.; thence southwesterly 33.240 feet along the arc of a curve (said curve having a radius of 710.000 feet and a chord distance of 33.237 feet on a bearing of S 48°46'36" W) to the point 40.00 feet left of and opposite station 52+17.14 on said construction centerline laid out for CLOWER ST.; thence S 29°10'02" E a distance of 5.71 feet to a point 34.39 feet left of and opposite station 52+16.02 on said construction centerline laid out for CLOWER ST.; thence N 48°41'18" E a distance of 30.00 feet to a point 34.55 feet left of and opposite station 52+47.48 on said construction centerline laid out for CLOWER ST.; thence S 29°45'44" E a distance of 5.10 feet to a point 29.57 feet left of and opposite station 52+46.33 on said construction centerline laid out for CLOWER ST.; thence N 47°48'03" E a distance of 97.41 feet to a point 28.97 feet left of and opposite station 53+43.98 on said construction centerline laid out for CLOWER ST.; thence N 34°45'49" W a distance of 11.13 feet back to the point of beginning.
Containing 0.028 acres more or less.

R 5039 013

2245 Wisteria Dr

EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 39 of the 5th Land District, Gwinnett County, Georgia, and being Lot 14 of the subdivision of the S. C. Williams Estate as shown on plat recorded at Plat Book "E", Page 74, Gwinnett County Records, being particularly described as follows:

BEGINNING at a point on the southwesterly side of a public road known as Wisteria Drive, located 422 feet southeasterly, as measured along the southwesterly side of Wisteria Drive from the point at which the southwesterly side of Wisteria Drive, if extended, would intersect the center line of the Old Lawrenceville-Snellville Road, said beginning point also being a common corner between Lots 13 and 14 of said subdivision; run thence southwesterly along the southeasterly line of Lot 13 205 feet, more or less, to a point on the original line common to Land Lots 26 and 39 of the 5th District; run thence South 30 ½ East along said land lot line 259 feet; run thence northeasterly 340 feet, more or less, to a point on the southwesterly side of Wisteria Drive; run thence northwesterly along the southwesterly side of Wisteria Drive 286 feet to the place or point of beginning.

The above property is described particularly according to plat of E. Z. Huff, Surveyor, dated July 10, 1950, and is the same tract conveyed from O. P. Williams to Harold P. Williams by warranty deed dated December 18, 1957, recorded in Deed Book 139, Page 95, Gwinnett County Records.

LESS AND EXCEPT property described in the following:

- a) Right of Way Deed from Edward Eugene Ray and Carolyn Joy Ray to City of Snellville, dated December 29, 1986, filed January 6, 1987, recorded in Deed Book 4022, page 198, Gwinnett County, Georgia records.
- b) Right of Way Deed from Carolyn Joy Ray to City of Snellville, dated July 21, 2011, filed July 22, 2011, recorded in Deed Book 50783, page 415, Gwinnett County, Georgia records.

R5039 036

R5039 191

R5039 063

2285 Wisteria Dr

2285 Wisteria Dr

2265 Wisteria Dr

EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being located in Land Lot 39 of the 5th District, City of Snellville, Gwinnett County, Georgia containing Tract 1 (8.60 acres) and Tract 2 (2.13 acres), for a total of 10.73 acres according to a ALTA/ACSM Survey for Spohntown Corporation, Chicago Title Insurance Company, and Bank of North Georgia, prepared by Harkleroad and Associates, by Donald W. Harkleroad (Georgia Registered Land Surveyor No. 1578), dated March 17, 2004, as revised September 14, 2004, and being more particularly described according to said survey as follows.

BEGINNING at a point located at the intersection of the northwesterly right of way line of Clower Street (50'R/W) with the southwesterly right of way line of Wisteria Drive (60'R/W), run thence along the aforesaid right of way line of Clower Street South 46 degrees 19 minutes 35 seconds West a distance of 200.98 feet to a point; leaving the aforesaid right of way line, run thence North 42 degrees 16 minutes 18 seconds West a distance of 111.49 feet to a point; run thence North 42 degrees 48 minutes 55 seconds West a distance of 64.30 feet to a point; run thence South 49 degrees 58 minutes 29

seconds West a distance of 184.66 feet to a point located on the Land Lot line common to Land Lots 39 and 26; run thence along the aforesaid Land Lot line, North 32 degrees 08 minutes 11 seconds West a distance of 192.19 feet to a point; leaving the aforesaid Land Lot line, run thence North 58 degrees 10 minutes 35 seconds East a distance of 328.41 feet to a point located on the aforesaid right of way line of Wisteria Drive; run thence along the aforesaid right of way line, along the arc of a curve a distance of 149.92 feet to a point, said arc having a radius of 708.18 feet and being subtended by a chord bearing and distance of South 49 degrees 51 minutes 39 seconds East 145.66 feet; continuing along the aforesaid right of way line, run thence North 49 degrees 58 minutes 29 seconds East a distance of 9.61 feet to a point; continuing along the aforesaid right of way line, run thence South 41 degrees 40 minutes 24 seconds East a distance of 49.45 feet to a point; run thence South 42 degrees 45 minutes 00 seconds East a distance of 113.53 feet to a point located at the intersection of the southwesterly right of way line of Wisteria Drive with the northwesterly right of way line of Clower Street, said point being the point of BEGINNING.

R 5039 009 C

2306 Wisteria Dr

PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lot 39, 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning for the same at concrete right of way monument found on the Northeasterly Right-of-Way Line of Wisteria Drive (an apparent variable width right of way) said point being at State Plane Coordinate (Georgia West Zone) of North: 1,404,304.588; East: 2,342,506.089; thence, leaving the said Point of Beginning and the said line of Wisteria Drive and running with the property now or formerly owned by Timothy L. Stewart, as described in a deed recorded among the Land Records of Gwinnett County, Georgia in Deed Book 11173, Page 315

1. North 57° 08' 00" East, 566.80 feet to a ¾ inch rod found; thence, running with the lines of a subdivision entitled, "N.L. Williams Subdivision, Block A, Unit 1", as recorded among the aforesaid Land Records in Plat Book H, Page 105,
2. South 44° 37' 23" East, 65.20 feet to a ¾ inch open top pipe found; thence,
3. South 45° 32' 47" East, 150.03 feet; thence,
4. South 45° 31' 16" East, 300.00 feet; thence,
5. South 45° 32' 07" East, 149.16 feet to a ½ inch open top pipe found; thence, running with the property now or formerly owned by Wisteria Place Owner's Association, Inc., as described in a deed recorded among the aforesaid Land Records in Deed Book 47825, Page 890
6. South 58° 56' 14" West, 595.66 feet to a point on the aforesaid line of Wisteria Drive; thence, running with the said line of Wisteria Drive
7. North 39° 41' 34" West, 141.41 feet; thence,
8. North 39° 41' 34" West, 28.58 feet; thence,
9. 114.79 feet along the arc of a curve deflecting to the left, having a radius of 67.00 feet and a chord bearing and distance of North 38° 22' 53" West, 101.26 feet to a concrete right of way monument found; thence,
10. North 39° 00' 05" West, 117.66 feet to a concrete right of way monument found; thence,
11. North 41° 51' 57" West, 4.51 feet to a concrete right of way monument found; thence,
12. 158.60 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 46° 29' 30" West, 158.34 feet to a concrete right of way monument found; thence,
13. 82.46 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 55° 30' 06" West, 82.42 feet to a concrete right of way monument found (leaning); thence,
14. North 56° 41' 47" West, 9.52 feet to the Point of Beginning, containing 357,680 square feet or 8.2112 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

Composite

PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lots 26 & 39, 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning for the same at the point of intersection of the Northeasterly Right-of-Way Line of Oak Road (an apparent variable width right of way), and the Southeasterly Right-of-Way Line of North Road (an apparent variable width right of way), said point being at State Plane Coordinate (Georgia West Zone) of North: 1,404,139.932; East: 2,341,657.634; thence, leaving the said Point of Beginning and running with the said line of North Road

1. North 34° 27' 08" East, 184.49 feet; thence,
2. 182.72 feet along the arc of a curve deflecting to the left, having a radius of 2,306.83 feet and a chord bearing and distance of North 32° 29' 03" East, 182.67 feet; thence,
3. South 29° 38' 47" East, 6.18 feet; thence,
4. North 30° 42' 52" East, 153.96 feet to a point of intersection with the Southwesterly Right-of-Way Line of Wisteria Drive (an apparent variable width right of way); thence, running with the said line of Wisteria Drive
5. South 58° 14' 28" East, 401.94 feet; thence,
6. South 61° 09' 27" West, 15.52 feet to a ½ inch rebar found; thence,
7. South 59° 09' 16" East, 206.67 feet to a concrete right of way monument found; thence,
8. South 33° 08' 28" West, 10.51 feet; thence,
9. South 57° 26' 49" East, 31.11 feet to a concrete right of way monument found; thence,
10. 46.90 feet along the arc of a curve deflecting to the right, having a radius of 824.00 feet and a chord bearing and distance of South 55° 26' 36" East, 46.89 feet to a concrete right of way monument found; thence,
11. 165.77 feet along the arc of a curve deflecting to the right, having a radius of 824.00 feet and a chord bearing and distance of South 48° 02' 42" East, 165.49 feet; thence,
12. South 40° 56' 00" East, 117.77 feet to a concrete right of way monument found; thence,
13. 21.48 feet along the arc of a curve deflecting to the left, having a radius of 67.00 feet and a chord bearing and distance of South 06° 40' 59" West, 21.38 feet to a concrete right of way monument found on the Northwesterly Right-of-Way Line of Clower Street (an apparent variable width right of way); thence, running with the said line of Clower Street
14. South 47° 22' 54" West, 168.02 feet; thence,
15. South 47° 22' 54" West, 121.64 feet; thence,
16. South 47° 42' 46" West, 97.36 feet; thence,
17. 33.28 feet along the arc of a curve deflecting to the right, having a radius of 710.00 feet and a chord bearing and distance of South 48° 50' 47" West, 33.28 feet; thence, leaving the aforesaid line of Clower Street and running with the property now or formerly owned by Kikasha Properties 8, LLC, as described in a deed recorded among the Land Records of Gwinnett County, Georgia in Deed Book 51789, Page 75
18. North 29° 10' 12" West, 163.58 feet to a 1 inch open top pipe found; thence,
19. South 60° 19' 54" West, 168.30 feet to a point on the aforesaid line of Oak Road; thence, running with the said line of Oak Road
20. North 29° 36' 36" West, 144.74 feet; thence,
21. North 31° 49' 23" West, 110.08 feet; thence,
22. North 32° 22' 21" West, 7.18 feet; thence,
23. 121.43 feet along the arc of a curve deflecting to the left, having a radius of 195.00 feet and a chord bearing and distance of North 49° 39' 45" West, 119.48 feet; thence,
24. South 20° 49' 56" West, 7.52 feet; thence,

25. 102.60 feet along the arc of a curve deflecting to the left, having a radius of 189.15 feet and a chord bearing and distance of North 84° 34' 44" West, 101.35 feet; thence,
26. 152.50 feet along the arc of a curve deflecting to the right, having a radius of 160.99 feet and a chord bearing and distance of North 72° 58' 48" West, 146.86 feet; thence,
27. North 46° 00' 07" West, 58.30 feet to the point of beginning, containing 438,544 square feet or 10.0676 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

And

Being all that tract or parcel of land lying and being in Land Lot 39, 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning for the same at concrete right of way monument found on the Northeasterly Right-of-Way Line of Wisteria Drive (an apparent variable width right of way) said point being at State Plane Coordinate (Georgia West Zone) of North: 1,404,304.588; East: 2,342,506.089; thence, leaving the said Point of Beginning and the said line of Wisteria Drive and running with the property now or formerly owned by Timothy L. Stewart, as described in a deed recorded among the Land Records of Gwinnett County, Georgia in Deed Book 11173, Page 315

1. North 57° 08' 00" East, 566.80 feet to a ¾ inch rod found; thence, running with the lines of a subdivision entitled, "N.L. Williams Subdivision, Block A, Unit 1", as recorded among the aforesaid Land Records in Plat Book H, Page 105,
2. South 44° 37' 23" East, 65.20 feet to a ¾ inch open top pipe found; thence,
3. South 45° 32' 47" East, 150.03 feet; thence,
4. South 45° 31' 16" East, 300.00 feet; thence,
5. South 45° 32' 07" East, 149.16 feet to a ½ inch open top pipe found; thence, running with the property now or formerly owned by Wisteria Place Owner's Association, Inc., as described in a deed recorded among the aforesaid Land Records in Deed Book 47825, Page 890
6. South 58° 56' 14" West, 595.66 feet to a point on the aforesaid line of Wisteria Drive; thence, running with the said line of Wisteria Drive
7. North 39° 41' 34" West, 141.41 feet; thence,
8. North 39° 41' 34" West, 28.58 feet; thence,
9. 114.79 feet along the arc of a curve deflecting to the left, having a radius of 67.00 feet and a chord bearing and distance of North 38° 22' 53" West, 101.26 feet to a concrete right of way monument found; thence,
10. North 39° 00' 05" West, 117.66 feet to a concrete right of way monument found; thence,
11. North 41° 51' 57" West, 4.51 feet to a concrete right of way monument found; thence,
12. 158.60 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 46° 29' 30" West, 158.34 feet to a concrete right of way monument found; thence,
13. 82.46 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 55° 30' 06" West, 82.42 feet to a concrete right of way monument found (leaning); thence,
14. North 56° 41' 47" West, 9.52 feet to the Point of Beginning, containing 357,680 square feet or 8.2112 acres of land, more or less.