

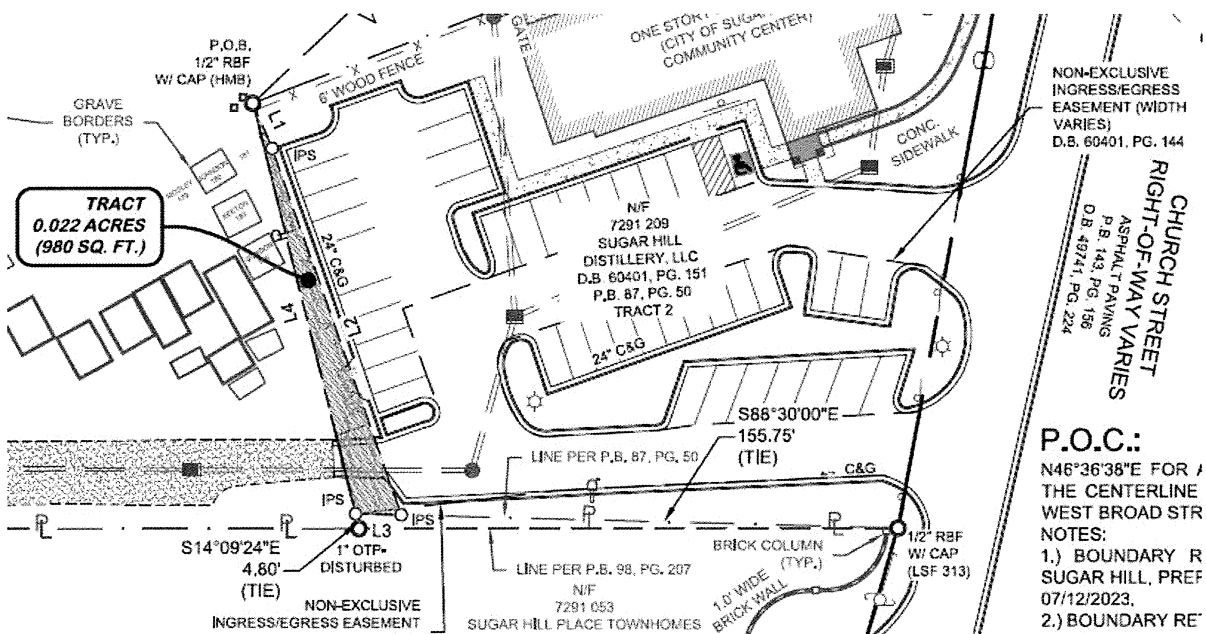
DATE: **December 4, 2023**
 TO: Mayor and City Council
 VIA: City Manager, Assistant City Manager
 FROM: Tim Schick, Facilities Director
 SUBJECT: Recommendation to adjust the property line between the Sugar Hill Distillery and the Sugar Hill Historic Cemetery.



RECOMMENDED ACTION

Approve a minor property line adjustment between the Sugar Hill Historic Cemetery and the rear of the Sugar Hill Distillery. Authorize the Mayor to sign the required quit claim deeds as approved by the city attorney.

Early in 2023, the Community Center property, adjacent to the Sugar Hill Historic cemetery, was sold to the Sugar Hill Distillery restaurant. While conducting a final survey for the new grave lot layout for the cemetery expansion, it was noted that a small portion of several unused grave lots encroached over the existing property line. To correct this issue, staff met with the Sugar Hill Distillery property owners who have agreed to a small property lot line adjustment of less than 1,000 sf. at no cost. The deed is attached for consideration.



RETURN TO:
Pereira, Kirby, Kinsinger & Nguyen, LLP
P.O. Drawer 1250
Lawrenceville, GA 30046

STATE OF GEORGIA
COUNTY OF GWINNETT

QUITCLAIM DEED

THIS INDENTURE, made the ____ day of November, in the year two thousand twenty-three, between

**SUGAR HILL DISTILLERY, LLC,
a Georgia Limited Liability Company**

of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

**CITY OF SUGAR HILL, GEORGIA,
a Georgia Municipal Corporation**

as party or parties of the second part, hereinafter called Grantee (the words "Grantors" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee.

All that tract or parcel of land lying and being in Land Lot 291 of the 7th Land District, City of Sugar Hill, Gwinnett County, Georgia, and being more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference.

This Deed is given for the purpose of correcting and settling a boundary line issue existing between the parties to this deed. This deed corrects and settles the boundary line dispute.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, the day and year above written.

Signed, sealed and delivered
in the presence of:

SUGAR HILL DISTILLERY, LLC

Unofficial Witness

Jay D. Liebrock, Managing Member (Seal)

Notary Public

[Notary Seal]

EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 291 of the 7th Land District, City of Sugar Hill, Gwinnett County, Georgia and being more particularly described as follows:

To find the **POINT OF COMMENCEMENT**, begin at a Point at the Centerline Intersection of Church Street (R/W Varies) and West Broad Street (A.K.A. Sycamore Road, R/W Varies); THENCE leaving said Intersection, South 46 degrees 36 minutes 38 seconds West for a distance of 479.44 feet to a 1/2" Rebar Found (with cap, HMB), said Point being the **POINT OF BEGINNING**.

THENCE from said Point as thus established, South 23 degrees 06 minutes 50 seconds East for a distance of 15.36 feet to an Iron Pin Set; THENCE South 19 degrees 37 minutes 44 seconds East for a distance of 121.46 feet to an Iron Pin Set; THENCE North 88 degrees 30 minutes 00 seconds West for a distance of 14.51 feet to an Iron Pin Set; THENCE North 14 degrees 09 minutes 24 seconds West for a distance of 132.16 feet to a 1/2" Rebar Found (with cap, HMB), said Point being **THE POINT OF BEGINNING**.

Said property contains 0.022 Acres (980 Square Feet) as shown on the Property Exhibit for the City of Sugar Hill, prepared by Precision Planning, Inc. (Job# A20159), and dated 11/01/2023.

RETURN TO:
Pereira, Kirby, Kinsinger & Nguyen, LLP
P.O. Drawer 1250
Lawrenceville, GA 30046

STATE OF GEORGIA
COUNTY OF GWINNETT

QUITCLAIM DEED

THIS INDENTURE, made the ____ day of November, in the year two thousand twenty-three, between

THE FIRST BANK

of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

**CITY OF SUGAR HILL, GEORGIA,
a Georgia Municipal Corporation**

as party or parties of the second part, hereinafter called Grantee (the words "Grantors" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee.

All that tract or parcel of land lying and being in Land Lot 291 of the 7th Land District, City of Sugar Hill, Gwinnett County, Georgia, and being more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference.

This Deed is to release any interest in the property obtained by Grantor pursuant to the Deed to Secure Debt and Security Agreement recorded in Deed Book 60401, Page 156, Gwinnett County, Georgia Records; to release any interest obtained pursuant to the Assignment of Leases and Rent recorded in Deed Book 60401, Page 184, Gwinnett County Georgia Records; and to

release any interest obtained pursuant to the UCC Financing Statement recorded in Deed Book 60401, Page 197.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, the day and year above written.

Signed, sealed and delivered
in the presence of:

THE FIRST BANK

Unofficial Witness

Name: (Seal)
Title:

Notary Public

[Notary Seal]

EXHIBIT A

LEGAL DESCRIPTION

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