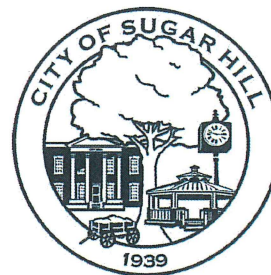


DATE: February 25, 2025  
TO: Mayor and City Council  
FROM: Assistant City Manager  
SUBJECT: Greenspace & ROW Dedication



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## RECOMMENDED ACTION

Accept the donation of 4.459 acres of improved greenspace and 0.477 acres of improved road right-of-way for Stanley Street from Sugar Hill Apartment Residences, LLC and authorize execution of the associated documents.

## BUDGET IMPACT

Stanley Street is already considered a publicly-maintained city street and the greenspace will be absorbed into the ongoing parks, recreation, and greenspace maintenance program. No upfront costs result from the action and negligible operational expenses are expected and anticipated by our parks staff.

## DISCUSSION

The development team for Novare has constructed a significant portion of the greenway trail north from Highway 20 to their northern property line and will be donating this new segment (1,500 LF), along with the property between it and Peachtree Industrial Boulevard to the city. The donated property does NOT include the private stormwater pond for the development, private drainage infrastructure or other utilities maintained by others under easement rights.

There are no plans to develop the greenspace and staff recommends reserving the 4.459 acres as permanent greenspace. The parks, recreation and greenspace plan inventory shows the city as being just 30 acres short of the 20% goal and this acceptance will help close the gap<sup>1</sup>.

### *Attachments*

*Greenspace Plat*  
*Land Dedication & Easement Reservation*  
*Stanley St. ROW Plat*  
*Road Dedication Deed*

<sup>1</sup> Georgia Community Greenspace Program Standard, p. 49 Parks, Recreation & Greenspace Plan (2024)



Prepared by and upon recording return to:

King & Spalding LLP  
1180 Peachtree Street, NE  
Suite 1600  
Atlanta, Georgia 30309  
Attention: Meryl D. See, Esq.

Tax Parcel No. 7305-009

### **DEED OF DEDICATION AND RESERVATION OF EASEMENT**

THIS DEED OF DEDICATION AND RESERVATION OF EASEMENT (the "**Deed**") is made this \_\_\_ day of November, 2024, by and **SUGAR HILL APARTMENT RESIDENCES LLC**, a Georgia limited liability company, and its successors and assigns ("**Owner**"); and the **CITY OF SUGAR HILL, GEORGIA**, a body corporate and politic of the State of Georgia (hereinafter referred to as "**City**").

#### WITNESSETH:

WHEREAS, Owner is the owner of that certain real property being approximately 4.387 acres, located in Gwinnett County, Georgia and shown as Tract 1 on that certain plat dated November \_\_\_, 2024, entitled "Greenspace Dedication Plat for Sugar Hill Apartment Residences LLC" and prepared by GeoSurvey Land Surveying and recorded in Plat Book \_\_\_\_, Page \_\_\_\_ in the Real Estate Records of the Clerk of the Superior Court of Gwinnett County, Georgia (the "**Plat**") which Plat is incorporated herein by reference (the "**Property**"), as further described as Exhibit A attached hereto and incorporated herein; and

WHEREAS, Owner acquired the Property by deed recorded in Deed Book 60157, Page 476, aforesaid records; and

WHEREAS, it is the desire and intent of Owner to dedicate, grant, and convey for public use the Property in accordance with this Deed and the Plat; and

#### **DEDICATION**

THIS DEED FURTHER WITNESSETH, that in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, Owner does hereby dedicate,

grant, and convey the Property to the City for public greenspace and multi-use trail purposes, as so designated on the Plat. This dedication is made in accordance with the statutes made and provided therefor.

### **RESERVATION OF OWNER'S EASEMENTS**

THIS DEED FURTHER WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, receipt of which is hereby acknowledged, Owner does hereby reserve unto itself, its successors and assigns, an exclusive storm drain and stormwater management easement for the purpose of constructing, operating, maintaining, inspecting, adding to, altering or replacing present or future stormwater management facilities, storm drainage lines, storm sewer lines, or other drainage structures, including building connection lines, plus all necessary inlet structures, manholes, and appurtenances for the collection of storm waters and its transmission through and across the Property.

The foregoing easements are subject to the following conditions where applicable:

Owner shall be responsible for maintenance of the facilities located within such storm drain and stormwater management easement, unless such responsibility shall have been given to its successors or to an owner's association under the provisions of any declaration of covenants, conditions, and restrictions heretofore or hereafter recorded; it being intended that the responsibility of maintenance shall not be a personal obligation but shall run with the land, such maintenance to include items such as mowing and weeding, removal of litter and other debris, and care and maintenance of trees and other vegetation; provided, however, that Owner shall not alter, disturb nor make any changes to the elevation or contours of any open channel, ditch, swale, berm or other drainage facility within the easement after the completion of the construction of the facilities in accordance with the approved plans recorded in the Real Estate Records of the Clerk of the Superior Court of Gwinnett City, Georgia.

### **MISCELLANEOUS**

Headings used in this Deed are for convenience purposes only and are not intended to affect the express terms herein set forth.

This Deed is made in accordance with the statutes made and provided in such cases; with the approval of the proper authorities of the City of Sugar Hill, Georgia, as shown by the signatures

affixed to the Deed and Plat, and is with the free consent and in accordance with the desire of Owner, the owner of the Property, as aforesaid.

The undersigned warrant that this Deed is made and executed pursuant to authority properly granted to Owner and the City.

*[Signatures commence on following page]*

IN WITNESS WHEREOF, the parties hereto have caused this Deed to be executed, under seal.

Signed, sealed and delivered in the presence of:

SUGAR HILL APARTMENT RESIDENCES LLC, a Georgia limited liability company

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_ (SEAL)  
James R. Borders, President

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

[NOTARY SEAL]

*[Signatures continued on following page]*

Signed, sealed and delivered in the presence of:

CITY OF SUGAR HILL, GEORGIA, a body corporate and politic of the State of Georgia

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

Attest:

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[NOTARY SEAL]

[CORPORATE SEAL]

EXHIBIT A  
Legal Description

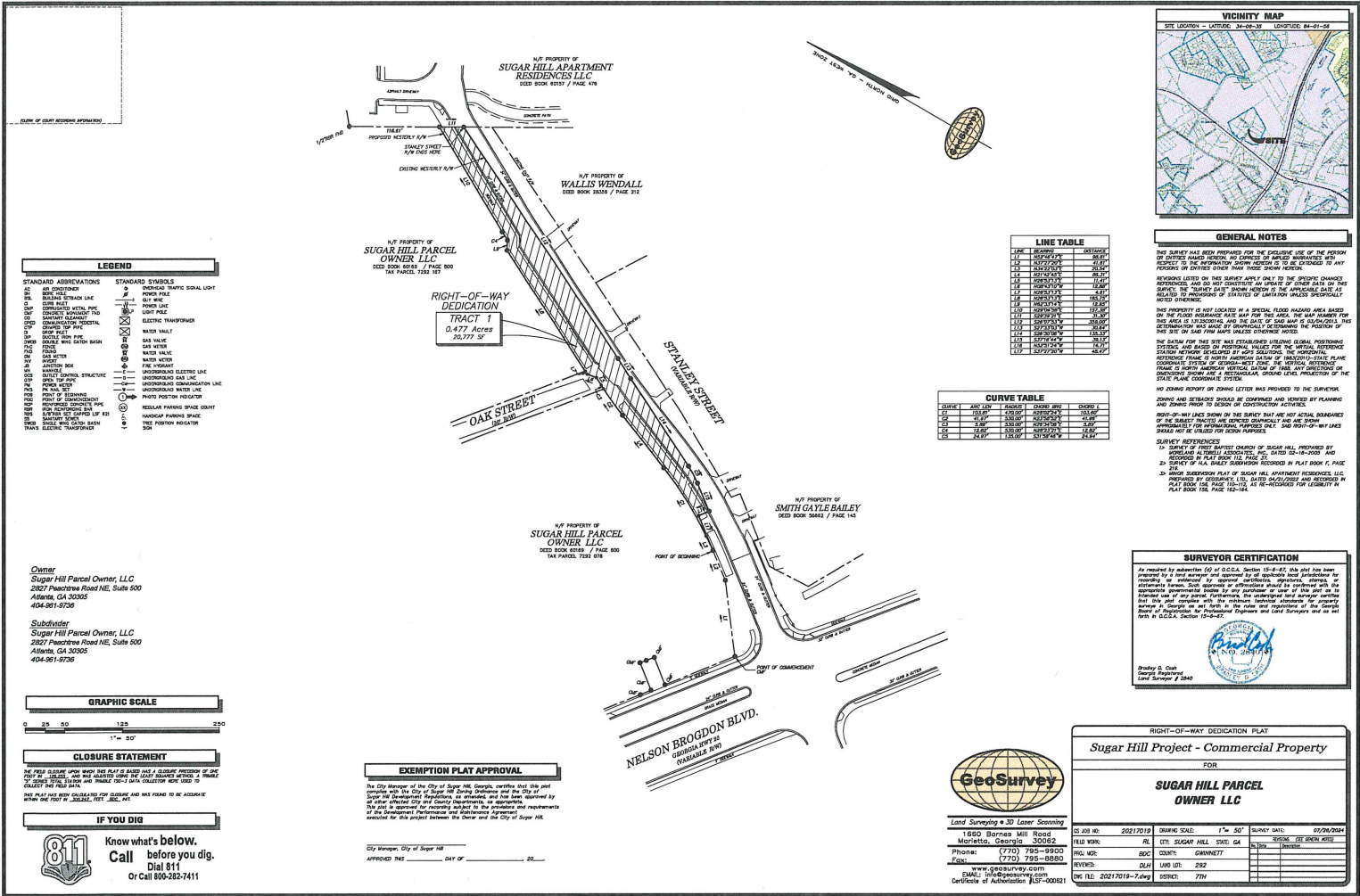
All that tract or parcel of land lying and being in Land Lot 292 of the 7th District, Gwinnett County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found located at the intersection of the Northwesterly right-of-way line of Stanley Street (variable right-of-way) with the Northeasterly right-of-way line of Nelson Brogdon Boulevard (variable right-of-way); Thence along said right-of-way line of Stanley Street North 52 degrees 46 minutes 47 seconds East, a distance of 98.81 feet to a point; Thence North 37 degrees 27 minutes 20 seconds East, a distance of 90.08 feet to a concrete monument found; Thence South 52 degrees 51 minutes 24 seconds East, a distance of 14.71 feet to a concrete monument found; Thence North 37 degrees 16 minutes 44 seconds East, a distance of 39.13 feet to a point; Thence along a curve to the left having an arc length of 24.97 feet, with a radius of 135.00 feet, being subtended by a chord bearing of North 31 degrees 58 minutes 46 seconds East, for a distance of 24.94 feet to a point; Thence North 26 degrees 30 minutes 06 seconds East, a distance of 135.33 feet to a point; Thence North 27 degrees 33 minutes 03 seconds East, a distance of 30.64 feet to a point; Thence North 26 degrees 07 minutes 53 seconds East, a distance of 359.00 feet to a point, said point being the TRUE POINT OF BEGINNING; Thence North 29 degrees 39 minutes 21 seconds West a distance of 31.30 feet to a point; Thence North 29 degrees 04 minutes 56 seconds East a distance of 38.50 feet to a point; Thence South 46 degrees 08 minutes 41 seconds East a distance of 54.40 feet to a point; Thence along a curve to the right having an arc length of 34.05 feet, with a radius of 44.63 feet, being subtended by a chord bearing of South 15 degrees 32 minutes 35 seconds East, for a distance of 33.23 feet to a point; Thence South 07 degrees 18 minutes 18 seconds West, a distance of 6.00 feet to a point; Thence along a curve to the left having an arc length of 52.60 feet, with a radius of 103.65 feet, being subtended by a chord bearing of South 17 degrees 24 minutes 40 seconds East, for a distance of 52.04 feet to a point; Thence South 32 degrees 00 minutes 54 seconds East, a distance of 54.51 feet to a point; Thence along a curve to the left having an arc length of 80.58 feet, with a radius of 292.44 feet, being subtended by a chord bearing of South 42 degrees 28 minutes 47 seconds East, for a distance of 80.33 feet to a point; Thence South 54 degrees 26 minutes 20 seconds East, a distance of 46.57 feet to a point; Thence along a curve to the right having an arc length of 40.34 feet, with a radius of 66.79 feet, being subtended by a chord bearing of South 35 degrees 00 minutes 41 seconds East, for a distance of 39.73 feet to a point; Thence along a curve to the right having an arc length of 31.82 feet, with a radius of 328.19 feet, being subtended by a chord bearing of South 14 degrees 55 minutes 49 seconds East, for a distance of 31.80 feet to a point; Thence South 10 degrees 17 minutes 54 seconds East, a distance of 59.75 feet to a point; Thence South 14 degrees 17 minutes 22 seconds East, a distance of 37.72 feet to a point; Thence along a curve to the left having an arc length of 46.69 feet, with a radius of 40.33 feet, being subtended by a chord bearing of South 43 degrees 53 minutes 07 seconds East, for a distance of 44.13 feet to a point; Thence along a curve to the left having an arc length of 24.49 feet, with a radius of 24.49 feet, being subtended by a chord bearing of North 67 degrees 21 minutes 06 seconds East, for a distance of 23.48 feet to a point; Thence North 40 degrees 35 minutes 18 seconds East, a distance of 14.96 feet to a point; Thence North 42 degrees 25 minutes 09 seconds East, a distance of 17.22 feet to a point; Thence along a curve to the right having an arc length of 43.64 feet, with a radius of 173.21 feet, being



subtended by a chord bearing of North 49 degrees 38 minutes 12 seconds East, for a distance of 43.52 feet to a point; Thence North 55 degrees 15 minutes 25 seconds East, a distance of 11.63 feet to a point; Thence along a curve to the left having an arc length of 30.67 feet, with a radius of 164.32 feet, being subtended by a chord bearing of North 49 degrees 59 minutes 50 seconds East, for a distance of 30.62 feet to a point; Thence along a curve to the left having an arc length of 37.24 feet, with a radius of 65.84 feet, being subtended by a chord bearing of North 28 degrees 26 minutes 53 seconds East, for a distance of 36.74 feet to a point; Thence along a curve to the left having an arc length of 25.83 feet, with a radius of 485.34 feet, being subtended by a chord bearing of North 10 degrees 43 minutes 16 seconds East, for a distance of 25.82 feet to a point; Thence along a curve to the right having an arc length of 46.56 feet, with a radius of 88.19 feet, being subtended by a chord bearing of North 19 degrees 42 minutes 01 seconds East, for a distance of 46.02 feet to a point; Thence North 34 degrees 59 minutes 53 seconds East, a distance of 26.60 feet to a point; Thence North 28 degrees 47 minutes 16 seconds East, a distance of 14.64 feet to a point; Thence along a curve to the right having an arc length of 38.57 feet, with a radius of 83.26 feet, being subtended by a chord bearing of North 35 degrees 54 minutes 06 seconds East, for a distance of 38.22 feet to a point; Thence North 48 degrees 54 minutes 09 seconds East, a distance of 47.50 feet to a point; Thence along a curve to the left having an arc length of 53.53 feet, with a radius of 73.05 feet, being subtended by a chord bearing of North 26 degrees 48 minutes 18 seconds East, for a distance of 52.34 feet to a point; Thence along a curve to the right having an arc length of 16.30 feet, with a radius of 238.55 feet, being subtended by a chord bearing of North 07 degrees 46 minutes 14 seconds East, for a distance of 16.30 feet to a point; Thence along a curve to the right having an arc length of 20.33 feet, with a radius of 108.02 feet, being subtended by a chord bearing of North 15 degrees 07 minutes 17 seconds East, for a distance of 20.30 feet to a point; Thence South 31 degrees 31 minutes 33 seconds East, a distance of 193.74 feet to a point; Thence North 77 degrees 10 minutes 54 seconds West, a distance of 63.41 feet to a point; Thence South 13 degrees 08 minutes 55 seconds East, a distance of 77.64 feet to a point; Thence South 44 degrees 18 minutes 41 seconds East, a distance of 103.75 feet to a point located on the Westerly right-of-way line of Peachtree Industrial Boulevard (variable right-of-way); Thence along said right-of-way line South 12 degrees 49 minutes 27 seconds West, a distance of 506.60 feet to a concrete monument found; Thence along a curve to the right having an arc length of 106.74 feet, with a radius of 2619.47 feet, being subtended by a chord bearing of South 13 degrees 33 minutes 16 seconds West, for a distance of 106.73 feet to a 1/2-inch rebar found; Thence departing said right-of-way line North 12 degrees 44 minutes 05 seconds West, a distance of 60.70 feet to a 3/8-inch rebar found; Thence North 28 degrees 37 minutes 55 seconds West, a distance of 82.11 feet to a point; Thence North 31 degrees 22 minutes 38 seconds West, a distance of 126.82 feet to a 1-inch rod found; Thence North 31 degrees 19 minutes 07 seconds West, a distance of 124.37 feet to a 1/2-inch open top pipe found; Thence North 35 degrees 19 minutes 40 seconds West, a distance of 216.08 feet to a 2-inch open top pipe found; Thence North 25 degrees 11 minutes 07 seconds West, a distance of 159.54 feet to a 1/2-inch open top pipe found; Thence North 29 degrees 39 minutes 21 seconds West, a distance of 289.66 feet to a point;,, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 4.459 Acres.



Prepared by and upon recording return to:

King & Spalding LLP  
1180 Peachtree Street, NE  
Suite 1600  
Atlanta, Georgia 30309  
Attention: Meryl D. See, Esq.

Tax Parcel No. 7292-167 and 7292 078

### **DEED OF DEDICATION**

THIS DEED OF DEDICATION (the "**Deed**") is made this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and **SUGAR HILL PARCEL OWNER LLC**, a Georgia limited liability company, and its successors and assigns ("**Owner**"); and the **CITY OF SUGAR HILL, GEORGIA**, a body corporate and politic of the State of Georgia (hereinafter referred to as "**City**").

#### W I T N E S S E T H :

WHEREAS, Owner is the owner of that certain real property being approximately 0.477 acres, located in Gwinnett County, Georgia and shown as Tract 1 on that certain plat dated November \_\_\_, 2024, entitled "Right-Of-Way Dedication Plat for Sugar Hill Parcel Owner LLC" and prepared by GeoSurvey Land Surveying and recorded in Plat Book \_\_\_, Page \_\_\_ in the Real Estate Records of the Clerk of the Superior Court of Gwinnett County, Georgia (the "**Plat**") which Plat is incorporated herein by reference (the "**Property**"); and

WHEREAS, Owner acquired the Property by deed recorded in Deed Book 60169, Page 800, aforesaid records; and

WHEREAS, it is the desire and intent of Owner to dedicate, grant, and convey for public use, the Property in accordance with this Deed and the Plat; and

### **DEDICATION**

THIS DEED FURTHER WITNESSETH, that in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, Owner does hereby dedicate, grant, and convey the Property to the City for the widening of Stanley Street, as so designated on the Plat. This dedication is made in accordance with the statutes made and provided therefor.

**MISCELLANEOUS**

Headings used in this Deed are for convenience purposes only and are not intended to affect the express terms herein set forth.

This Deed is made in accordance with the statutes made and provided in such cases; with the approval of the proper authorities of the City of Sugar Hill, Georgia, as shown by the signatures affixed to the Deed and Plat, and is with the free consent and in accordance with the desire of Owner, the owner of the Property, as aforesaid.

The undersigned warrant that this Deed is made and executed pursuant to authority properly granted to Owner and the City.

*[Signatures commence on following page]*

IN WITNESS WHEREOF, the parties hereto have caused this Deed to be executed, under seal.

Signed, sealed and delivered in the presence of:

SUGAR HILL PARCEL OWNER LLC, a Georgia limited liability company

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_ (SEAL)  
James R. Borders, President

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

[NOTARY SEAL]

*[Signatures continued on following page]*

Signed, sealed and delivered in the presence of:

CITY OF SUGAR HILL, GEORGIA, a body corporate and politic of the State of Georgia

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

Attest:

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[NOTARY SEAL]

[CORPORATE SEAL]

EXHIBIT A  
Legal Description

All that tract or parcel of land lying and being in Land Lot 292 of the 7th District, Gwinnett County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found located at the intersection of the Northwesternly right-of-way line of Stanley Street (variable right-of-way) with the Northeastly right-of-way line of Nelson Brogdon Boulevard (variable right-of-way); Thence along said right-of-way line of Stanley Street North 52 degrees 46 minutes 47 seconds East, a distance of 98.81 feet to a point; Thence North 37 degrees 27 minutes 20 seconds East, a distance of 41.61 feet to a point, said point being the TRUE POINT of BEGINNING;

Thence departing the existing right-of-way line and follow along a Proposed right-of-way line North 34 degrees 22 minutes 03 seconds East, a distance of 20.54 feet to a point; Thence along a curve to the left having an arc length of 103.81 feet, with a radius of 470.00 feet, being subtended by a chord bearing of North 28 degrees 02 minutes 24 seconds East, for a distance of 103.60 feet to a point; Thence North 21 degrees 42 minutes 45 seconds East, a distance of 86.31 feet to a point; Thence along a curve to the right having an arc length of 41.97 feet, with a radius of 530.00 feet, being subtended by a chord bearing of North 23 degrees 58 minutes 52 seconds East, for a distance of 41.96 feet to a point; Thence along a curve to the right having an arc length of 5.89 feet, with a radius of 530.00 feet, being subtended by a chord bearing of North 26 degrees 34 minutes 06 seconds East, for a distance of 5.89 feet to a point; Thence North 26 degrees 53 minutes 13 seconds East, a distance of 11.41 feet to a point; Thence North 08 degrees 43 minutes 10 seconds West, a distance of 12.88 feet to a point; Thence North 26 degrees 53 minutes 13 seconds East, a distance of 4.61 feet to a point; Thence North 26 degrees 53 minutes 13 seconds East, a distance of 185.75 feet to a point; Thence North 62 degrees 33 minutes 14 seconds East, a distance of 12.95 feet to a point; Thence along a curve to the right having an arc length of 12.82 feet, with a radius of 530.00 feet, being subtended by a chord bearing of North 28 degrees 23 minutes 21 seconds East, for a distance of 12.82 feet to a point; Thence North 29 degrees 04 minutes 56 seconds East, a distance of 157.38 feet to a point; Thence departing said Proposed right-of-way line South 29 degrees 39 minutes 21 seconds East, a distance of 31.30 feet to a point located on the existing Northwesternly right-of-way line of Stanley Street; Thence along said right-of-way line South 26 degrees 07 minutes 53 seconds West, a distance of 359.00 feet to a point; Thence South 27 degrees 33 minutes 03 seconds West, a distance of 30.64 feet to a point; Thence South 26 degrees 30 minutes 06 seconds West, a distance of 135.33 feet to a point; Thence along a curve to the right having an arc length of 24.97 feet, with a radius of 135.00 feet, being subtended by a chord bearing of South 31 degrees 58 minutes 46 seconds West, for a distance of 24.94 feet to a point; Thence South 37 degrees 16 minutes 44 seconds West, a distance of 39.13 feet to a point; Thence North 52 degrees 51 minutes 24 seconds West, a distance of 14.71 feet to a point; Thence South 37 degrees 27 minutes 20 seconds West, a distance of 48.47 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.477 Acres.