



TO: MAYOR & CITY COUNCIL

FROM: HELEN BALCH, PLANNING & DEVELOPMENT DIRECTOR

MEETING DATE: MONDAY, SEPTEMBER 14, 2026

CASE: LOT 3 RIGHT-OF-WAY DEDICATION TO THE CITY-5021 NELSON BROGDON BLVD

APPLICANT REQUEST: CITY ACCEPTANCE OF RIGHT-OF-WAY

PLANNING & DEVELOPMENT RECOMMENDATION: APPROVAL OF THE DEED OF DEDICATION AND GRANT OF EASEMENT AS PRESENTED

Summary

Stanley Street Retail Venture, LLC proposes to dedicate and convey property to the City of Sugar Hill for public street and right-of-way purposes associated with the planned widening of Oak Street. The City would accept the property in fee simple and assume responsibility for its ownership and maintenance once all improvements are complete. In conjunction with the dedication, the City would grant the property owner a perpetual, non-exclusive easement over the property and Oak Street to facilitate roadway improvements, access, utilities, drainage, and development of the adjacent retail parcel. Acceptance of the dedication and easement is subject to authorization by the Mayor and City Council.

Attachments/Exhibits

- **Draft Deed of Dedication and Grant of Easement**

Prepared by and upon
recording return to:
Sarah R. Borders, Esq.
NGI Investments, LLC
2827 Peachtree Road, NE, Suite 500
Atlanta, Georgia 30309

Tax Parcel No. 7 292 078 (portion of)
Cross-Reference: Deed Book 60169, Page 800, Gwinnett County, Georgia Records

STATE OF GEORGIA
COUNTY OF GWINNETT

DEED OF DEDICATION AND GRANT OF EASEMENT

THIS DEED OF DEDICATION AND GRANT OF EASEMENT (the "**Deed**") is made this ____ day of _____, 2026, by and between **STANLEY STREET RETAIL VENTURE, LLC**, a Georgia limited liability company, together with its successors and assigns, ("**Owner**"), and the **CITY OF SUGAR HILL, GEORGIA**, a body corporate and politic of the State of Georgia (the "**City**").

WITNESSETH:

WHEREAS, Owner is the owner of that certain real property located in Gwinnett County, Georgia and more particularly described on Exhibit A attached hereto (the "**Property**"), and is also the owner of the adjacent property, upon which Owner intends to construct a retail shopping center on the real property more particularly described on Exhibit B attached hereto (the "**Retail Parcel**"); and

WHEREAS, Owner acquired the Property by deed recorded in Deed Book 60169, Page 800, in the records of the Clerk of the Superior Court of Gwinnett County, Georgia (the "**Records**"); and

WHEREAS, as a condition to the issuance of permits to Owner for the Retail Parcel, the City has requested that Owner convey the Property to the City for the purpose of widening Oak Street; and

WHEREAS, Owner anticipates that it or its contractors will perform certain work to effect a widening of Oak Street to include the Property (the “**Oak Street Road Improvement Work**”); and

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

WHEREAS, the City has agreed to grant to Owner the easements described in Section 4 below in order to permit Owner to perform the Oak Street Road Improvement Work and to access and serve the Retail Parcel.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **RECITALS**

The foregoing recitals are true and correct and are incorporated herein by this reference.

2. **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, in fee simple, for public street and right-of-way purposes, including the widening of Oak Street.

3. **ACCEPTANCE BY THE CITY**

The City hereby accepts the dedication of the Property, such acceptance having been authorized by resolution of the Mayor and City Council of the City of Sugar Hill, Georgia adopted on _____, 2026. From and after the date of this Deed, the City shall be solely responsible, at its sole cost and expense, for the ownership, operation, maintenance, repair, and replacement of the Property and all improvements now or hereafter located thereon (other than the construction of the Oak Street Road Improvement Work), and Owner shall have no obligation or liability with respect thereto.

4. **GRANT OF EASEMENT**

Effective immediately upon and following the dedication of the Property set forth in Section 2 above, and in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid,

receipt of which is hereby acknowledged, the City does hereby grant and convey to Owner, its successors and assigns, and its and their respective agents, employees, contractors, subcontractors, licensees, and invitees, a perpetual, non-exclusive easement over, upon, under, across, and beneath Oak Street and the Property for the purposes of ingress, egress, grading, roadway paving and striping, curb and gutter construction, sidewalk construction, drainage installation, utility installation, staging, storage of materials and equipment, and other activities reasonably necessary or convenient in connection with the Oak Street Road Improvement Work and the development, use, and operation of the Retail Parcel (the “**Easement**”). The Easement is appurtenant to and shall run with title to the Retail Parcel and shall be binding upon the City and its successors and assigns.

The City shall not construct or install, or permit the construction or installation of, any improvement, and shall not grant any right or interest to any third party, that would materially interfere with the exercise of the Easement by Owner.

5. MISCELLANEOUS

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

5.2 Authority. 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, as shown by the signatures affixed to this Deed, and is with the free consent and in accordance with the desire of Owner and the City.

5.3 Counterparts. This Deed may be executed in counterparts, and separately executed and notarized signature pages may be attached to a single copy of this Deed for recording purposes.

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

5.5 Governing Law. This Deed shall be governed by and construed in accordance with the laws of the State of Georgia.

5.6 Successors and Assigns; Covenants Running with the Land. The dedication, grant, covenants, and agreements set forth in this Deed shall run with the land, shall burden the Property, shall benefit the Retail Parcel, and shall bind and inure to the benefit of Owner and the City and their respective successors and assigns.

5.7 Recording. This Deed shall be recorded in the Records.

5.8 Amendment. This Deed may be amended or terminated only by a written instrument

executed by the City and by Owner or the then-owner of the Retail Parcel, and recorded in the Records.

5.9 Further Assurances. Each party shall execute and deliver such additional instruments and documents as may be reasonably necessary to carry out the intent of this Deed.

5.10 No Third-Party Beneficiaries. Nothing in this Deed is intended to confer any right or remedy upon any person other than Owner, the City, and their respective successors and assigns.

5.11 Severability. If any provision of this Deed is held to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

[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:

Unofficial Witness

[NOTARY SEAL]

Notary Public
My Commission expires:

SUGAR HILL PARCEL OWNER, LLC,
a Georgia limited liability company

By: _____ (SEAL)
Name: James R. Borders
Title: Manager

[Signatures continued on following page]

Signed, sealed and delivered in the
presence of:

Unofficial Witness

[NOTARY SEAL]

Notary Public

My Commission expires:

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

By:_____

Name:_____

Title:_____

Attest:

By:_____

Name:_____

Title:_____

[CITY SEAL]

EXHIBIT A

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:

BEGINNING at a point at the intersection of the Northwestern right-of-way line of Stanley Street (variable right-of-way) and the Southwesterly right-of-way line of Oak Street (30-foot right-of-way), said point having Georgia State Plane Coordinate values of North 1,494,693.35 feet, and East 2,337,209.54 feet, said point being the POINT OF BEGINNING; Thence along the Northwestern right-of-way line of Stanley Street following a curve turning to the left with an arc length of 8.65 feet, with a radius of 530.00 feet, with a chord bearing of South 25 degrees 46 minutes 55 seconds West, with a chord length of 8.65 feet, to a point; Thence departing said right-of-way line North 51 degrees 51 minutes 21 seconds West a distance of 351.67 feet to a point; Thence North 59 degrees 05 minutes 27 seconds East a distance of 12.85 feet to a point on the existing right-of-way line of Oak Street; Thence along said right-of-way line South 51 degrees 51 minutes 22 seconds East a distance of 132.84 feet to a point; Thence South 51 degrees 51 minutes 22 seconds East a distance of 39.80 feet to a point; Thence South 50 degrees 40 minutes 45 seconds East a distance of 60.40 feet to a point; Thence South 50 degrees 40 minutes 45 seconds East a distance of 112.23 feet to the POINT OF BEGINNING.

Said tract of land contains 0.089 Acre or 3,871 square feet.

Bearings and coordinates shown herein are based upon the Georgia West Zone State Plane Coordinate System, NAD83, U.S. Survey Feet.

The foregoing description was prepared from a survey by _____, Georgia Registered Land Surveyor No. _____, dated _____, Job No. _____.

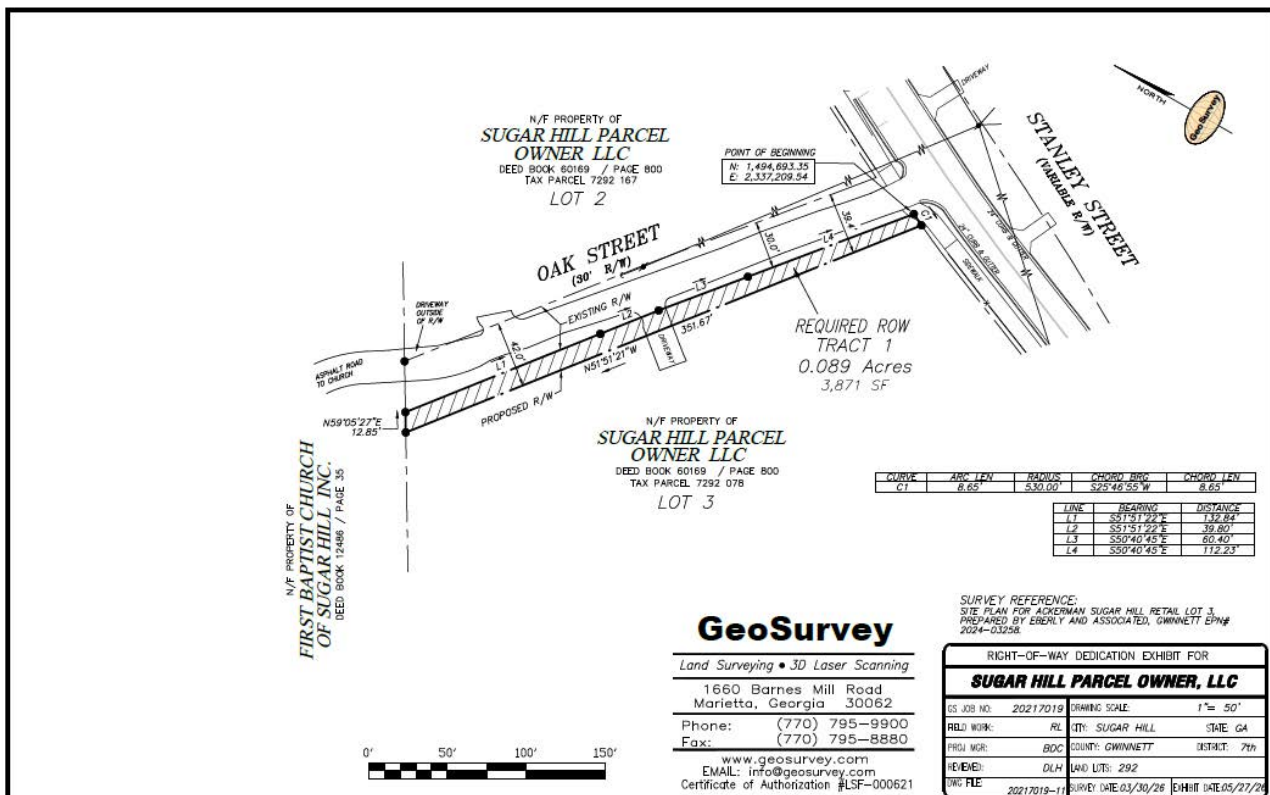


EXHIBIT B

[Insert Legal Description of the Retail Parcel]