



Battle Law

September 9, 2021

VIA EMAIL

Danielle Marticardi, Esq.
Fincher Denmark
100 Hartsfield Centre Parkway
Suite 400
Atlanta, GA 30354

Re: Right of Way Abandonment Request for Lyons Road in the City of Stonecrest, GA

Dear Danielle,

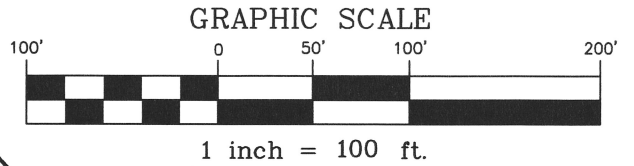
As outside counsel for D. R. Horton, Inc., I am hereby submitting on their behalf, this Right of Way Abandonment Request for Lyons Road, located in the City of Stonecrest as shown on the enclosed Right of Way Abandonment Plat. In connection with this request, I am hereby submitted the attached documents:

1. Right of Way Abandonment Plat;
2. Legal Description of Area to be Abandoned;
3. List of All Abutting Property Owners;
4. An Owner's Affidavit from Each Abutting Property Owner;
5. A check in the amount of \$2,500 made payable to the City of Stonecrest; and
6. A copy of the Vesting Deed for each abutting property owner.

Please contact me should you have any questions regarding this submission.

Michèle L. Battle, Esq.
President

INFORMATION SHOWN WAS TAKEN FROM AN ALTA/ACSM BOUNDARY SURVEY FOR D.R. HORTON, INC. DATED FEBRUARY 24, 2005 BY METRO ENGINEERING AND SURVEYING CO., INC.



POINT OF COMMENCEMENT
ABANDONMENT TRACT

FENCE & GATE

ASPHALT PAVEMENT

OVERHEAD TELE. AND POWER

GRAVEL DR.

18" CMP

ASPH. DR.

18" CMP

POINT OF BEGINNING
ABANDONMENT TRACT

N/F
GCTV SUB 2 CORPORATION
PARCEL 16 050 02 002
D.B. 8434, PG. 605

N/F
FLAT ROCK HILLS ASSOCIATION, INC.
D.B. 28271, PG. 199

N/F
D.R. HORTON, INC.
D.B. 18293, PG. 74

FUTURE FLAT ROCK HILLS SUBDIVISION
PHASE 4
D.R. HORTON, INC.
D.B. 18293, PG. 67 &
D.B. 18293, PG. 74

N89°48'55"E
40.00'

S00°11'05"E
393.68'

TO REMAIN OPEN

TO BE ABANDONED

MATCHLINE

SHEET 1

SHEET 2

SHEET 1 OF 2

Revision/Issue		
1	November 25, 2019	TH
2	July 14, 2021	TH

ROAD ABANDONMENT EXHIBIT
FOR A PORTION OF
LYONS ROAD
LAND LOTS 47 AND 50, 16TH DISTRICT
CITY OF STONECREST
DEKALB COUNTY, GEORGIA

ACR Engineering, inc.
ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING
500 PINNACLE COURT
SUITE 685
NORCROSS, GA 30071
TEL: (678) 291-0000
FAX: (678) 291-6887



MATCHLINE

SHEET 1

SHEET 2

N/F
D.R. HORTON, INC.
D.B. 18293, PG. 74

TO
D.R. HORTON, INC.

FORMER LYONS ROAD (40' R/W)
NOW BEING ABANDONED
1.010 ACRES
(43,997 SQ. FT.)

FUTURE FLAT ROCK HILLS SUBDIVISION
PHASE 4
D.R. HORTON, INC.
D.B. 18293, PG. 67 &
D.B. 18293, PG. 74

N/F
D.R. HORTON, INC.
D.B. 18293, PG. 74

N/F
FLAT ROCK HILLS
COMMUNITY ASSOCIATION, INC.
D.B. 28271, PG. 199

FUTURE ROAD

S88°15'44"E
5.00'

S88°15'44"E
72.54'

L=42.95
R=1629.59
CHB=S88°50'56"E
CHD=42.95

N00°31'42"W
142.95'

L=250.95
R=233.75
CHB=S41°41'18"W
CHD=239.07

LYONS ROAD (80' R/W)

(FORMERLY KNOWN AS EVANS MILL ROAD)

INFORMATION SHOWN WAS TAKEN FROM AN ALTA/ACSM
BOUNDARY SURVEY FOR D.R. HORTON, INC. DATED
FEBRUARY 24, 2005 BY METRO ENGINEERING AND
SURVEYING CO., INC.

SHEET 2 OF 2

Revision/Issue		
1	November 25, 2019	TH
2	July 14, 2021	TH

ROAD ABANDONMENT EXHIBIT
FOR A PORTION OF
LYONS ROAD

LAND LOTS 47 AND 50, 16TH DISTRICT
CITY OF STONECREST
DEKALB COUNTY, GEORGIA



Engineering, inc.
ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING
600 PINNACLE COURT
SUITE 885
NORCROSS, GA 30071
TEL: (678) 291-0000
FAX: (678) 291-6887

LYONS ROAD PARTIAL ABANDONMENT
TRACT DESCRIPTION

FROM: **DEKALB COUNTY, GEORGIA**
TO: **D.R. HORTON, INC.**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 47 AND 50 OF THE 16th LAND DISTRICT, CITY OF STONECREST, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD (HAVING A 40 FOOT WIDE RIGHT-OF-WAY) AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BROWNS MILL ROAD (ALSO KNOWN AS GEORGIA HIGHWAY NUMBER 212 AND HAVING A 100 FOOT WIDE RIGHT-OF-WAY) AND ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD SOUTH 00 DEGREES 11 MINUTES 05 SECONDS EAST A DISTANCE OF 393.68 FEET TO THE POINT OF BEGINNING; THENCE FROM THE **POINT OF BEGINNING** AS THUS ESTABLISHED AND DEPARTING THE SAID WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD NORTH 89 DEGREES 48 MINUTES 55 SECONDS EAST A DISTANCE OF 40.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID LYONS ROAD; THENCE ALONG THE EASTERLY AND BECOMING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LYONS ROAD THE FOLLOWING THREE COURSES AND DISTANCES: SOUTH 00 DEGREES 11 MINUTES 05 SECONDS EAST A DISTANCE OF 872.08 TO A POINT; THENCE SOUTH 88 DEGREES 15 MINUTES 44 SECONDS EAST A DISTANCE OF 72.54 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1629.59 FEET, AN ARC LENGTH OF 42.95 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 88 DEGREES 50 MINUTES 56 SECONDS EAST AND A CHORD DISTANCE OF 42.95 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE NEWER ALIGNMENT OF LYONS ROAD (FORMERLY KNOWN AS EVANS MILL ROAD AND HAVING A VARIABLE WIDTH RIGHT-OF-WAY AT THIS POINT); THENCE ALONG THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF THE NEWER ALIGNMENT OF LYONS ROAD AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 233.75 FEET, AN ARC LENGTH OF 250.95 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 41 DEGREES 41 MINUTES 18 SECONDS WEST AND A CHORD DISTANCE OF 239.07 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE LYONS ROAD ABANDONMENT TRACT; THENCE DEPARTING THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF THE NEWER ALIGNMENT OF LYONS ROAD AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE LYONS ROAD ABANDONMENT TRACT THE FOLLOWING THREE COURSES AND DISTANCES: NORTH 00 DEGREES 31 MINUTES 42 SECONDS WEST A DISTANCE OF 142.95 FEET TO A POINT; THENCE SOUTH 88 DEGREES 15 MINUTES 44 SECONDS EAST A DISTANCE OF 5.00 FEET TO A POINT; THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST A DISTANCE OF 910.76 FEET TO THE **POINT OF BEGINNING**;

SAID TRACT OR PARCEL OF LAND CONTAINS 1.010 ACRES (BEING 43,997 SQUARE FEET)

LIST OF ABUTTING PROPERTY OWNERS AND COPY OF VESTING DEEDS

Tax Parcel No: 16 050 02 003 4114 Lyons Road
Tax Parcel No: 16 047 03 001 4163 Lyons Road
Tax Parcel No: 16 047 03 014 5627 Browns Mill Road

Deed Book 18293, Page 74, DeKalb County, Georgia real property records

D.R. Horton, Inc.
8200 ROBERTS DR # 100
ATLANTA GA 30350-4150

Tax Parcel No: 16 050 02 001 5658 Browns Mill Road Deed Book 28271 Page 199, aforesaid records

Flat Rock Hills Community Association, Inc.
2120 HIGHWAY 81
LOGANVILLE GA 30052

CERTIFICATE OF INTENT

I, Shamyl Maher, as the Vice President of **D R. Horton, Inc.**, do hereby certify to the City of Stonecrest, GA, that D.R. Horton is the owner of 5627 Browns Mill Road, 4163 Lyons Road, and 4114 Lyons Road and the qualified Petitioner for the abandonment of the portion of Lyons Road identified in Exhibit "A" attached hereto and that D. R. Horton intends to acquire the entirety of the portion of the street to be abandoned at fair market value as a conditions of consideration of the abandonment. D. R. Horton hereby acknowledges that if they fail to acquire title and complete the transfer after the abandonment, the City of Stonecrest may place a lien upon the property in an amount equivalent to the fair market value of the acquired Right-of-Way.

D. R. Horton, Inc.

By: Shamyl Maher

Name: SHAMYL MAHER

Title: Vice President

This deed is made for the sole purpose of conveying the same property conveyed by Grantor to Grantee pursuant to that certain Limited Warranty Deed of even date herewith and to be recorded on or about the day hereof in the DeKalb County, Georgia records, and is given to convey any gaps or gores that may exist between the tract of land described in said Limited Warranty Deed and the metes and bounds description of the same property based on a current survey of the property and described on Exhibit "A" attached hereto.

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, Grantors have signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered
in the presence of:

SCT HOLDINGS, LLC, a Georgia
limited liability company

[Signature]
Witness

By: [Signature] (SEAL)
Its: [Signature]

[Signature]
Notary Public
My Commission Expires: 12/11/2007
[NOTARY SEAL]

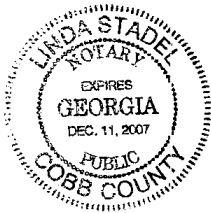


EXHIBIT "A"**Tract "1"**

All that tract or parcel of land lying and being in Land Lot 47 of the 16th District, Dekalb County, Georgia containing 79.603 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar set at the intersection of the Westerly right of way line of Browns Mill Road (100 foot right of way) and the Western right of way line of Lyons Road (40 foot right of way); thence along said Western right of way line of Lyons Road South 00°11'05" East a distance of 1300.07 feet to a 1/2" rebar set; thence North 88°15'44" West a distance of 5.00 feet to a 1/2" rebar set; thence South 00°10'54" East a distance of 799.81 feet to a 1 1/2" open top pipe found; leaving said right of way line, thence North 88°57'28" West a distance of 1476.97 feet to a 1/2" rebar found; thence North 00°08'07" East a distance of 2374.95 feet to a 1/2" rebar found; thence South 89°14'01" East, a distance of 1189.83 feet to a 1/2" rebar found on the westerly right of way of Browns Mill Road; thence along the Westerly right of way line of Browns Mill Road along a curve to the right having an arc distance of 400.61 feet to a 1/2" rebar set and THE TRUE POINT OF BEGINNING., said curve having a radius of 2,389.56 feet and being subtended by a chord bearing of South 44°20'36" East and a distance of 400.14 feet.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Tract "2"

All that tract or parcel of land lying and being in Land Lots 47 and 50 of the 16th District, Dekalb County, Georgia containing 47.266 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar set at the intersection of the Easterly right of way line of Browns Mill Road (100 foot right of way) and the Northern right of way line of Evans Mill Road (80 foot right of way); thence along the Easterly right of way line of Browns Mill Road along a curve to the right having an arc distance of 351.45 feet to a point, said curve having a radius of 2,137.58 feet and being subtended by a chord bearing of North 27°29'24" West and a distance of 351.06 feet; thence along a curve to the left having an arc distance of 409.25 feet to a point, said curve having a radius of 1,551.39 feet and being subtended by a chord bearing of North 33°23'32" West and a distance of 408.06 feet; thence North 41°39'00" West a distance of 751.42 feet to a point; thence along a curve to the left having an arc distance of 225.09 feet to a 1/2" rebar found, said curve having

a radius of 3254.06 feet and being subtended by a chord bearing of North 44°21'28" West and a distance of 225.04 feet; leaving said right of way line, thence South 89°13'08" East at a distance of 159.06 feet to a 1/2" rebar found on the West Land Lot Line of Land Lot 50; thence along said Land Lot Line, North 00°06'53" West a distance of 566.09 feet to a Buggy Axle on the Land Lot Corner common to Land Lots 46,47,50 and 51; thence along the North Land Lot Line of Land Lot 50 South 89°19'17" East at a distance of 1374.21 feet to a 1/2" rebar set on the intersection of said Land Lot Line and the West right of way line of Crossvale Road (80 foot right of way); thence along said right of way line of Crossvale Road along a curve to the right having an arc distance of 230.17 feet to a point, said curve having a radius of 991.58 feet and being subtended by a chord bearing of South 06°12'19" East and a distance of 229.65 feet; thence South 00°50'41" West at a distance of 1549.27 feet to a 1/2" rebar set; thence South 40°24'23" West at a distance of 40.68 feet to a 1/2" rebar set on the mitered intersection of the Westerly right of way of Crossvale Road and the Northerly right of way of Evans Mill Road; thence along North right of way line of Evans Mill Road South 76°13'57" West at a distance of 478.03 feet to a 1/2" rebar set and THE TRUE POINT OF BEGINNING.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Tract "3"

All that tract or parcel of land lying and being in Land Lot 50 of the 16th District, DeKalb County, Georgia containing 11.595 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar set at the intersection of the Westerly right of way line of Browns Mill Road (100 foot right of way) and the North right of way line of Evans Mill Road (80 foot right of way); thence along the North right of way line of Evans Mill Road along a curve to the left having an arc distance of 188.26 feet to a point, said curve having a radius of 1,051.70 feet and being subtended by a chord bearing of South 66°52'07" West and a distance of 188.00 feet; thence South 65°34'13" West at a distance of 74.20 feet to a point; thence along a curve to the right having an arc distance of 184.18 feet to a point, said curve having a radius of 525.88 feet and being subtended by a chord bearing of South 79°14'43" West and a distance of 183.24 feet; thence South 86°58'51" West at a distance of 114.77 feet to a point; thence along a curve to the right having an arc distance of 162.57 feet to a point, said curve having a radius of 1629.59 feet and being subtended by a chord bearing of South 89°02'54" West and a distance of 162.50 feet; thence South 88°15'44" West at a distance of 72.54 feet to a 1/2" rebar set; leaving said right of way line, thence along the East right of way line of Lyons Road (40 foot right of way) North 00°12'03" West a distance of 865.78 feet to a 1/2" rebar found; leaving said right of way line, thence North 78°58'47" East a

Deed Book 18293 Pg 77

distance of 153.09 feet to a 1/2" rebar found; thence North 59°52'29" East at a distance of 105.79 feet to a 1/2" rebar found on the West right of way line of Browns Mill Road (100 foot right of way); thence along said right of way line of Browns Mill Road South 41°39'04" East at a distance of 255.12 feet to a point; thence along a curve to the right having an arc distance of 382.87 feet to a point, said curve having a radius of 1,451.39 feet and being subtended by a chord bearing of South 33°23'32" East and a distance of 381.76 feet; thence along a curve to the left having an arc distance of 330.83 feet to a 1/2" rebar set and THE TRUE POINT OF BEGINNING, said curve having a radius of 1,797.62 feet and being subtended by a chord bearing of South 27°19'42" East and a distance of 330.36 feet.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Tract "4"

All that tract or parcel of land lying and being in Land Lot 50 of the 16th District, Dekalb County, Georgia containing 16.289 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar set at the intersection of the Westerly right of way line of Browns Mill Road (100 foot right of way) and the South right of way line of Evans Mill Road (80 foot right of way); thence along the Westerly right of way line of Browns Mill Road South 33°54'45" East at a distance of 161.05 feet to a point; thence along a curve to the left having an arc distance of 312.50 feet to a point, said curve having a radius of 2,428.69 feet and being subtended by a chord bearing of South 36°21'26" East and a distance of 312.29 feet; thence South 38°19'37" East at a distance of 172.79 feet to a 1/2" rebar set; leaving said right of way line, thence North 88°19'51" West at a distance of 450.46 feet to a 1" open top pipe found; thence South 00°36'43" West at a distance of 417.39 feet to a 1" flat iron; thence North 89°00'51" West at a distance of 730.80 feet to a 1/2" rebar found on the East right of way line of Lyons Road (50' right of way), thence along said right of way line North 00°10'54" West at a distance of 757.87 feet to a 1/2" rebar set at the intersection of the East right of way line of Lyons Road and the South right of way line of Evans Mill Road; thence along the South right of way line of Evans Mill Road South 88°15'45" East at a distance of 64.56 feet to a point; thence along a curve to the left having an arc distance of 170.55 feet to a point , said curve having a radius of 1,709.59 feet and being subtended by a chord bearing of North 89°02'54" East and a distance of 170.48 feet; thence North 86°57'07" East at a distance of 110.49 feet to a point; thence along a curve to the left having an arc distance of 212.14 feet to a point, said curve having a radius of 606.88 feet and being subtended by a chord bearing of North 79°14'43" East and a distance of 211.06 feet; thence North 65°33'35" East at a distance of 84.65 feet to a point; thence along a curve to the right having an arc distance of

Deed Book 18293 Pg 78

190.93 feet to a 1/2" rebar set and THE TRUE POINT OF BEGINNING, said curve having a radius of 971.70 feet and being subtended by a chord bearing of North 67°22'11" East and a distance of 190.62 feet.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Tract "5"

All that tract or parcel of land lying and being in Land Lot 50 of the 16th District, Dekalb County, Georgia containing 3.620 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar set at the intersection of the Easterly right of way line of Browns Mill Road (100 foot right of way) and the South right of way line of Evans Mill Road (80 foot right of way); thence along the South right of way line of Evans Mill Road North 76°13'57" East at a distance of 432.92 feet to a 1/2" rebar set at the mitered right of way intersection of the South right of way of Evans Mill Road and the West right of way of Crossvale Road (80 foot right of way) ; thence South 53°39'40" East at a distance of 32.09 feet to a 1/2" rebar set; leaving said right of way line, thence along the West right of way line of Crossvale Road South 00°50'41" West at a distance of 633.80 feet to a 1/2" rebar set at the mitered right of way intersection of the West right of way of Crossvale Road and the East right of way of Browns Mill Road ; thence South 79°31'15" West at a distance of 25.46 feet to a 1/2" rebar set; leaving said right of way line, thence along the East right of way line of Browns Mill Road North 37°50'05" West at a distance of 264.50 feet to a point; thence along a curve to the right having an arc distance of 299.64 feet to a point, said curve having a radius of 2,328.69 feet and being subtended by a chord bearing of North 36°21'26" West and a distance of 299.43 feet; thence North 34°41'24" West at a distance of 126.86 feet to a 1/2" rebar set and THE TRUE POINT OF BEGINNING.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Tract "6"

All that tract or parcel of land lying and being in Land Lot 50 of the 16th District, Dekalb County, Georgia containing 29.676 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar set at the intersection of the East right of way line of Crossvale Road (80 foot right of way) and the Northeasterly right of way line of

Deed Book 18293 Pg 79

Browns Mill Road (100 foot right of way); thence along the East right of way line of Crossvale Road, a curve to the left having an arc distance of 89.62 feet to a point, said curve having a radius of 130.95 feet and being subtended by a chord bearing of North 20°27'07" East and a distance of 87.89 feet; thence North 00°50'41" East at a distance of 671.35 feet to a 1/2" rebar set on the mitered right of way intersection of the East right of way line of Crossvale Road and the South right of way line of Evans Mill Road (80 foot right of way); thence North 33°09'34" East at a distance of 37.11 feet to a 1/2" rebar set; leaving said right of way line, thence along the South right of way line of Evans Mill Road, a curve to the left having an arc distance of 260.02 feet to a point, said curve having a radius of 1,469.21 feet and being subtended by a chord bearing of North 65°00'50" East and a distance of 259.68 feet; thence North 57°21'43" East at a distance of 164.90 feet to a point; thence along a curve to the right having an arc distance of 444.72 feet to a point, said curve having a radius of 21,428.03 feet and being subtended by a chord bearing of North 55°43'12" East and a distance of 444.71 feet; thence North 56°52'20" East at a distance of 220.69 feet to a 1/2" rebar set; thence South 09°21'28" East at a distance of 10.70 feet to a 1/2" rebar set; thence South 21°24'02" East at a distance of 223.04 feet to a 1/2" rebar set; thence South 83°05'02" West at a distance of 207.45 feet to a 2" open top pipe found; thence South 03°08'22" West at a distance of 211.39 feet to an angle iron found; thence North 82°02'42" East at a distance of 205.33 feet to a buggy axle found; thence South 11°10'51" West at a distance of 98.38 feet to a 1/2" rebar found; thence South 02°01'08" East at a distance of 277.90 feet to a 3/8" rebar found; thence South 01°59'58" East at a distance of 276.72 feet to a property corner rock found; thence South 00°10'20" West at a distance of 354.17 feet to a property corner rock found; thence South 41°17'04" East at a distance of 329.88 feet to a 1/2" rebar found; thence North 89°13'55" West at a distance of 631.56 feet to a 5/8" rebar found; thence North 37°54'03" West at a distance of 199.79 feet to a 5/8" rebar found; thence North 89°14'51" West at a distance of 400.36 feet to a 5/8" rebar found on the Northeasterly right of way of Browns Mill Road, thence along said right of way line North 37°50'05" West at a distance of 193.62 feet to a 1/2" rebar set and THE TRUE POINT OF BEGINNING.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Tract "7"

All that tract or parcel of land lying and being in Land Lots 50 and 79 of the 16th District, DeKalb County, Georgia containing 16.199 acres, and being more particularly described as follows:

Beginning at a 1/2" rebar found at the Land Lot corner common to Land Lot Lines 50,51,78 and 79, thence South 36°00'49" East at a distance of 474.46 feet to a 36" Popular tree; thence South 18°13'56" West at a distance of 21.25 feet to

Deed Book 18293 p. 80

a 1/2" rebar found; thence South 25°31'28" West at a distance of 658.29 feet to a 1/2" rebar found on the North right of way line of Evans Mill Road (80 foot right of way); thence along said right of way line, South 78°00'19" West at a distance of 91.73 feet to a point; thence along a curve to the left having an arc distance of 233.67 feet to a point, said curve having a radius of 595.51 feet and being subtended by a chord bearing of South 68°02'46" West and a distance of 232.17 feet; thence South 56°52'03" West at a distance of 168.05 feet to a point; thence South 56°21'12" West at a distance of 92.06 feet to a 1/2" rebar set; leaving said right of way line, thence North 02°06'45" West at a distance of 443.61 feet to a 1/2" rebar set; thence South 89°25'24" East at a distance of 91.47 feet to a 1" flat iron found; thence North 07°45'45" West at a distance of 198.99 feet to a point; thence North 06°15'31" West at a distance of 621.43 feet to a 1/2" rebar found on the South Land Lot Line of Land Lot 51; thence along said Land Lot Line, South 88°54'30" East at a distance of 553.38 feet to a 1/2" rebar found and THE TRUE POINT OF BEGINNING.

As shown on that survey prepared by Chester M. Smith, Georgia Registered Land Surveyor, dated February 24, 2005, last revised July 20, 2005.

Deed Book 18293 Pg 81
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

OWNER'S STATEMENT

After consulting with D R Horton regarding their improvement plans for the City of Stonecrest's Public Right-of-Way property, I, Cynthia Mussell as the HOA President of **Flat Rock Hills Community Association, Inc.** ("Owner"), the owner of record of 5658 Browns Mill Road, Lithonia, GA 30038, hereby certify to the City of Stonecrest, GA that Owner is in favor of the Request for Abandonment of Public Right-of-Way and hereby requests the City of Stonecrest to grant D. R. Horton's request. Owner has no interest in acquiring any portion of the Right of Way to be abandoned.

Flat Rock Hills Community Association, Inc.

By: Cynthia Mussell

Name: Cynthia Mussell

Its: HOA PRESIDENT

Parcel No.: p/o 16 050 02 001

Upon recording return to:
Rachel E. Conrad
Dorough & Dorough, LLC
Attorneys At Law
160 Clairemont Avenue, Suite 650
Decatur, Georgia 30030
(404) 687-9977

QUITCLAIM DEED

THIS INDENTURE, made this 23rd day of April, 2020, by and between **D.R. HORTON, INC.**, a Delaware corporation (hereinafter referred to as "Grantor") and **FLAT ROCK HILLS COMMUNITY ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as "Grantee"). (The words "Grantor" and "Grantee" to include their respective successors and assigns, where the context requires or permits.)

W I T N E S S E T H:

WHEREAS, Grantor is the owner of certain real property in Flat Rock Hills, a planned unit development located in DeKalb County, Georgia; and

WHEREAS, Grantor desires to convey the herein described property subject to all of the covenants, conditions, restrictions and easements contained in that certain Declaration of Covenants, Conditions, and Restrictions for Flat Rock Hills, recorded on October 20, 2015 in Deed Book 25219, page 645, *et seq.*, of the DeKalb County, Georgia land records, as amended, restated and/or supplemented from time to time to be and constitute "Common Area" as provided therein;

NOW THEREFORE, Grantor, for and in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS** 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, has granted, bargained, sold, aliened, conveyed and quitclaimed, and by these presents does grant, bargain, sell, alien, convey and QUITCLAIM unto the said Grantee all that tract or parcel of land lying and being in Land Lot 50 of the 16th District, DeKalb County, Georgia, and being

more particularly described on Exhibit "A" attached hereto and depicted on Exhibit "A-1" attached hereto and by this reference incorporated herein.

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 caused this Quitclaim Deed to be executed under seal as of the day, month and year first above written.

GRANTOR: **D.R. HORTON, INC.**, a Delaware corporation


By: *Shamyl Maher*
Print Name: SHAMYL MAHER
Title: VICE PRESIDENT

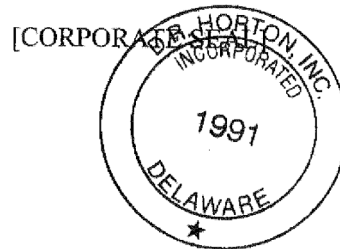
Signed, sealed, and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public

[Notary Seal]

 D. CUNNINGHAM
NOTARY PUBLIC
Rockdale County
State of Georgia
My Commission Expires August 15, 2022



P:\Clients\4941\Flat Rock Hills\QCD.Common Area.Flat Rock Hills.Amenity Area.docx

**FLAT ROCK HILLS AMENITY AREA
TRACT DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 50 OF THE 16TH DISTRICT, CITY OF STONECREST, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF BROWNS MILL ROAD (HAVING A VARIABLE WIDTH RIGHT OF WAY) AND THE NORTHERLY RIGHT OF WAY LINE OF LYONS ROAD (NEW ALIGNMENT) (HAVING A VARIABLE WIDTH RIGHT OF WAY); THENCE FROM THE **POINT OF BEGINNING** AS THUS ESTABLISHED AND ALONG THE SAID SOUTHWESTERLY RIGHT OF WAY LINE OF BROWNS MILL ROAD THE FOLLOWING THREE COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,797.13, AN ARC LENGTH OF 330.74 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 27 DEGREES 19 MINUTES 01 SECONDS WEST AND A CHORD DISTANCE OF 330.27 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,450.99 FEET, AN ARC LENGTH OF 382.76 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 33 DEGREES 22 MINUTES 51 SECONDS WEST AND A CHORD DISTANCE OF 381.65 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 24 SECONDS WEST A DISTANCE OF 255.05 FEET TO A POINT; THENCE DEPARTING THE SAID SOUTHWESTERLY RIGHT OF WAY LINE OF BROWNS MILL ROAD SOUTH 59 DEGREES 53 MINUTES 09 SECONDS WEST A DISTANCE OF 105.77 FEET TO A POINT; THENCE SOUTH 78 DEGREES 59 MINUTES 28 SECONDS WEST A DISTANCE OF 152.79 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF LYONS ROAD (OLD ALIGNMENT) (HAVING A 50 FOOT WIDE RIGHT OF WAY); THENCE ALONG THE SAID EASTERLY RIGHT OF WAY LINE OF LYONS ROAD (OLD ALIGNMENT) SOUTH 00 DEGREES 10 MINUTES 24 SECONDS EAST A DISTANCE OF 54.77 FEET TO A POINT; THENCE DEPARTING THE SAID EASTERLY RIGHT OF WAY LINE OF LYONS ROAD (OLD ALIGNMENT) NORTH 89 DEGREES 49 MINUTES 15 SECONDS EAST A DISTANCE OF 82.95 FEET TO A POINT; THENCE NORTH 79 DEGREES 41 MINUTES 00 SECONDS EAST A DISTANCE OF 66.03 FEET TO A POINT; THENCE SOUTH 86 DEGREES 31 MINUTES 19 SECONDS EAST A DISTANCE OF 108.21 FEET TO A POINT; THENCE SOUTH 42 DEGREES 38 MINUTES 47 SECONDS EAST A DISTANCE OF 151.87 FEET TO A POINT; THENCE SOUTH 75 DEGREES 40 MINUTES 56 SECONDS WEST A DISTANCE OF 135.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET, AN ARC LENGTH OF 65.63 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 23 DEGREES 17 MINUTES 08 SECONDS WEST A DISTANCE OF 61.02 FEET TO A POINT; THENCE SOUTH 29 DEGREES 06 MINUTES 40 SECONDS EAST A DISTANCE OF 134.39 FEET TO A POINT; THENCE SOUTH 89 DEGREES 49 MINUTES 15 SECONDS WEST A DISTANCE OF 120.34 FEET TO A POINT; THENCE SOUTH 17 DEGREES 08 MINUTES 22 SECONDS WEST A DISTANCE OF 58.79 FEET TO A POINT; THENCE SOUTH 00

DEGREES 10 MINUTES 45 SECONDS EAST A DISTANCE OF 233.00 FEET TO A POINT; THENCE SOUTH 37 DEGREES 30 MINUTES 40 SECONDS WEST A DISTANCE OF 96.29 FEET TO A POINT; THENCE SOUTH 40 DEGREES 45 MINUTES 06 SECONDS WEST A DISTANCE OF 90.21 FEET TO A POINT; THENCE NORTH 42 DEGREES 29 MINUTES 40 SECONDS WEST A DISTANCE OF 18.64 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF LYONS ROAD (OLD ALIGNMENT) (HAVING A 50 FOOT RIGHT OF WAY); THENCE ALONG THE SAID EASTERLY RIGHT OF WAY LINE OF LYONS ROAD SOUTH 00 DEGREES 10 MINUTES 24 SECONDS EAST A DISTANCE OF 77.26 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE NEW ALIGNMENT OF LYONS ROAD (HAVING A VARIABLE WIDTH RIGHT OF WAY); THENCE DEPARTING THE SAID EASTERLY RIGHT OF WAY LINE OF LYONS ROAD (OLD ALIGNMENT) AND ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF THE NEW ALIGNMENT OF LYONS ROAD THE FOLLOWING SIX COURSES AND DISTANCES: SOUTH 88 DEGREES 15 MINUTES 03 SECONDS EAST A DISTANCE OF 72.51 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,629.14 FEET, AN ARC LENGTH OF 162.52 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 89 DEGREES 03 MINUTES 35 SECONDS EAST AND A CHORD DISTANCE OF 162.45 FEET TO A POINT; THENCE NORTH 86 DEGREES 59 MINUTES 31 SECONDS EAST A DISTANCE OF 114.74 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 526.73 FEET, AN ARC LENGTH OF 184.13 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 79 DEGREES 15 MINUTES 23 SECONDS EAST AND A CHORD DISTANCE OF 183.19 FEET TO A POINT; THENCE NORTH 65 DEGREES 34 MINUTES 53 SECONDS EAST A DISTANCE OF 74.18 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,051.41 FEET, AN ARC LENGTH OF 188.20 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 66 DEGREES 52 MINUTES 48 SECONDS EAST AND A CHORD DISTANCE OF 187.95 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 8.53 ACRES (BEING 371,665 SQUARE FEET), BEING DESCRIBED IN THE "EXHIBIT OF AMENITY AREA FOR FLAT ROCK HILLS" DATED APRIL 14, 2020, A COPY OF WHICH IS ATTACHED HERETO AT "EXHIBIT A-1" AND MADE A PART HEREOF BY REFERENCE.

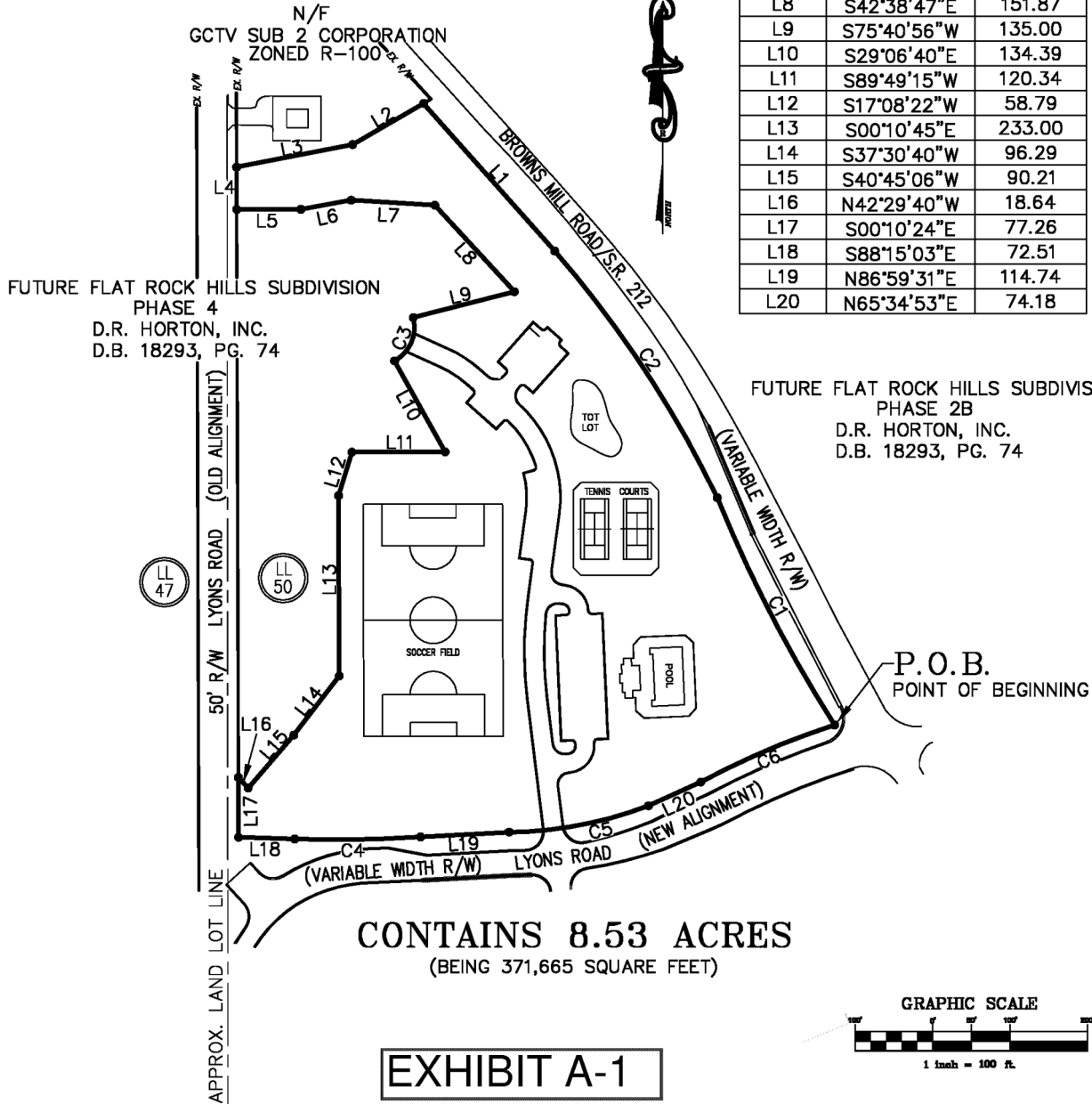
EXHIBIT A-1

Debra DeBerry
Clerk of Superior Court

DeKalb County, Georgia

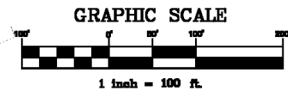
CURVE TABLE				
CURVE	RADIUS	LENGTH	CHD.BRG.	CHD. DIST.
C1	1797.13	330.74	N27°19'01"W	330.27
C2	1450.99	382.76	N33°22'51"W	381.65
C3	50.00	65.63	S23°17'08"W	61.02
C4	1629.14	162.52	N89°03'35"E	162.45
C5	526.73	184.13	N79°15'23"E	183.19
C6	1051.41	188.20	N66°52'48"E	187.95

LINE	BEARING	DISTANCE
L1	N41°38'24"W	255.05
L2	S59°53'09"W	105.77
L3	S78°59'28"W	152.79
L4	S00°10'24"E	54.77
L5	N89°49'15"E	82.95
L6	N79°41'00"E	66.03
L7	S86°31'19"E	108.21
L8	S42°38'47"E	151.87
L9	S75°40'56"W	135.00
L10	S29°06'40"E	134.39
L11	S89°49'15"W	120.34
L12	S17°08'22"W	58.79
L13	S00°10'45"E	233.00
L14	S37°30'40"W	96.29
L15	S40°45'06"W	90.21
L16	N42°29'40"W	18.64
L17	S00°10'24"E	77.26
L18	S88°15'03"E	72.51
L19	N86°59'31"E	114.74
L20	N65°34'53"E	74.18



CONTAINS 8.53 ACRES
(BEING 371,665 SQUARE FEET)

EXHIBIT A-1



DATE:	APRIL 14, 2020
LAND LOT:	50
DISTRICT:	16TH
CITY:	STONECREST
COUNTY:	DEKALB
STATE:	GEORGIA
DRAWN:	TH
ACR JOB:	14021

NO.	REVISION/ISSUE	BY

EXHIBIT OF
**AMENITY AREA
FOR
FLAT ROCK HILLS**

LAND LOT 50 - 16TH DISTRICT
DEKALB COUNTY, GEORGIA

ACR ENGINEERING, INC.
ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING
600 PINNACLE COURT
SUITE 685
NORCROSS, GA 30071
TEL: (678) 291-0000
FAX: (678) 291-8887