



REZONING APPLICATION

APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELLVILLE GEORGIA

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor

Snellville, GA 30078
Phone 770.985.3515 Website: www.snellville.org

DATE RECEIVED: _____

CASE # **RZ** _____

Version 4-1-2025

Applicant is: (check one)
☒ Owner's Agent
☐ Contract Purchaser
☐ Property Owner

TOMCO2 Systems Company

Name (please print)
3340 Rosebud Road

Address
Loganville, GA 30052

City, State, Zip Code
[REDACTED]

Phone Number(s) _____ Fax _____

Owner (if not the applicant): ☐ check here if there are additional property owners and attach additional sheets.

TOMCO2 Equipment Company

Name (please print)
3340 Rosebud Road

Address
Loganville, GA 30052

City, State, Zip Code
[REDACTED]

Phone Number(s) _____ Fax _____

Contact Person: Underwood Scoggins, LLC - Alice WS Price Phone: 470-995-1776 Fax: 470-998-2684

Cell Phone: _____ E-mail: aprice@underwoodscoggins.com / nmorris@underwoodscoggins.com

Present Zoning District Classification: LM & RS30 Requested/Proposed Zoning District Classification: LM

Present Future Land Use Map (FLUM) Designation: Industrial Mixed Use Does the FLUM Require Amending? ☒ No ☐ Yes*

Proposed Use (Describe): Current use of light manufacturing is proposed.

Property Address/Location: 3340 Rosebud Road, Loganville, GA 30052 District 5 Land Lot 99 Parcel(s) 027; 005

*If the requested zoning district is not consistent with the Future Land Use category on the current Future Land Use Map (FLUM) and identified in Table 2 – Future Land Use Categories and Corresponding Zoning Districts (pg. 59) of the Snellville 2045 Comprehensive Plan, applicant shall also submit a Land Use Plan Amendment application for concurrent consideration with the Rezoning application.

APPLICATION FEES: Please see the Planning Department Fee Schedule for application and public notification fees.

REZONING: A rezoning, also known as a zoning map amendment is the process to legally change the official zoning map of the City of Snellville, Georgia which involves altering the boundaries of zoning districts or rezoning specific properties.

NOTE: IF REQUESTING A CHANGE IN ZONING CONDITIONS FROM A PRIOR APPROVED REZONING CASE, PLEASE SUBMIT USING THE CHANGE IN CONDITIONS APPLICATION.

UDO Sec. 103-9.4(C). Zoning Map Amendments

Zoning map amendment applications must include the following:

1. Payment of the appropriate application and public notification fees as determined by the fee schedule.
2. A current legal description of the site to be rezoned. If the site proposed for amendment includes multiple lots, provide a separate legal description for each individual lot, together with a composite legal description for all lots.
3. Ten (10) printed boundary surveys of the site to be rezoned, at least one of which should be an 11 x 17-inch (or smaller) reduction. In addition, a digital copy in .pdf format must be submitted using email, flash drive, or other means approved by the Director. The survey must have been prepared by a registered land survey no more than 12 months before the date of submittal.
4. Letter of intent explaining what is proposed.
5. Applicant's and/or owner's certification.

6. Conflict of interest certification and disclosure of campaign contributions.
7. The names and addresses of the owners of the land and their agents, if any.
8. The present and proposed zoning district for the site.
9. Ten (10) copies of the proposed site plan, and one 11 x 17-inch (or smaller) reduction of the plan, drawn to scale, showing: a north arrow; land lot, district, and parcel number; the dimensions with bearing and distance; acreage; location of the tract(s); the present zoning district of all adjacent lots; the proposed location of structures, driveways, parking, and loading areas; and the location and extent of required buffer areas. The site plan must be prepared by an architect, engineer, landscape architect or land surveyor whose State registration is current and valid. The site plan must be stamped and sealed by one of the four above-mentioned professionals no more than 6 months before the date of submittal. In addition, a digital copy in .pdf and .dwg formats must be submitted using email, flash drive, or other means approved by the Director.
10. Ten (10) stapled or bound copies of the zoning map amendment application and all supporting documents, in addition to one unbound application bearing original signatures. In addition, a digital copy of all materials in .pdf format must be submitted using email, flash drive, or other means approved by the Director.
11. Each zoning map amendment application, whether submitted by the City or by another party, must include with it a written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters (Attachment A):
 - a. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
 - b. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.
 - c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
 - d. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing, streets, transportation facilities, utilities, or schools.
 - e. Whether the zoning proposal is in conformity with the policy and intent of the Future Land Use Map.
 - f. Whether there is other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.
12. Architectural building renderings indicating building elevation, colors, construction materials, etc. of which the facades and roofs will consist.
13. Verification by Gwinnett County and the City of Snellville that all property taxes owed have been paid (for all lots subject to this application).
14. Recorded Warranty Deed, Quit Claim Deed or other recorded legal instrument showing ownership in the real property which is subject to the application.
15. A map indicating the site and the adjacent properties, identified by tax parcel number.
16. A traffic impact analysis when required by the Planning Director in accordance with UDO Sec. 103-5.2.
17. An initiating party must also file any other information or supporting materials that are required by the City Council, Planning Commission, and/or the Planning Department.

**SUBMITTAL CHECKLIST
PROVIDED ON PAGE 7
BELOW**

Pursuant to Section 103-9.4(C)(11). of the Snellville Unified Development Ordinance, **a written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters shall be included.** Please respond to the following standards in the space provided or attach additional sheets if necessary. **Simple yes/no answers or re-statement of the standard is not acceptable and shall be considered non-responsive.**

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

Response: See Attached

B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby properties.

Response: See Attached

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Response: See Attached

D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Response: See Attached

E. Whether the zoning proposal is in conformity with the policy and intent of the Future Land Use Plan.

Response: See Attached

F. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

Response: See Attached



LETTER OF INTENT & IMPACT ANALYSIS REGARDING LAND USE APPLICATION

Applicant:	TOMCO2 Systems Company
Subject Property:	Approximately 15.195 Acres Designated as Gwinnett County Tax Parcel(s): R5099 027; R5099 005
Current Zoning:	LM – Light Manufacturing District & RS-30 – Single-Family Residential District
Proposed Zoning:	LM – Light Manufacturing District
Current and Proposed Use:	Light Manufacturing
Application:	Rezoning and Concurrent Variance
ROW Access:	Rosebud Road
Governing Jurisdiction:	City of Snellville, Georgia

This statement is intended to comply with the application procedures established by the City of Snellville Unified Development Ordinance (the “UDO”), the City of Snellville Rezoning Petition, and other City of Snellville Ordinances and Standards. The Applicant incorporates all statements made in the Rezoning Petition for Public Hearing submitted by the Applicant (the “Application”) in support of the analysis requirements required by the City of Snellville.

ZONING AND SITE HISTORY

Historical zoning materials provided by City Planning staff indicate that the current split-zoning condition resulted from prior annexation and zoning map actions, rather than any proposed change in use by the Applicant. Based on the documents provided by the City of Snellville Planning Department, Parcel No. R5099 005 was rezoned from R-1 to M-1 in 1976. Tax Parcel No. R5099 027 is identified as RS-180 on the 1972 Gwinnett County Tax Map. Portions of Tax Parcel No. R5099 027 were later rezoned from RS-180 to LM in 1986. The remaining portion of Tax Parcel No. R5099 027 was not included in the 1986 rezoning and remained residentially zoned, now reflected as RS-30, resulting in the current split zoning of the property.

The submitted 2026 site plan reflects the existing developed TOMCO2 site, including existing buildings, parking and storage areas, paved and gravel surfaces, tanks, silos, and existing access. The rezoning request does not propose to alter those existing conditions. Instead, the Application is intended to reconcile the historic zoning limits and bring the existing TOMCO2 property into a consistent LM zoning classification.

Ordinance No. 2022-13 (#CIC 22-02) previously approved conditions and variances applicable to the 15.195+/- acre TOMCO2 tract, including the recognition of certain existing nonconforming site elements. The Applicant requests that those existing approvals remain attached to the Subject Property and be expressly reaffirmed and carried forward as part of this rezoning approval.

ZONING MAP AMENDMENT ANALYSIS**A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.**

The Proposed Zoning will permit a suitable use in view of the use and development of adjacent and nearby properties. TOMCO2 currently operates on the Subject Property, and the existing site has already been developed and used for non-residential purposes. The Proposed Zoning does not introduce a new use or intensify the existing use. Instead, it brings the existing property into a consistent LM zoning classification that better reflects the existing TOMCO2 facility and the site improvements shown on the submitted survey/site plan.

The surrounding area includes a mixture of institutional, commercial, industrial, office, and residential uses and zoning classifications. Because no physical changes are proposed, the Application will not change the existing relationship between the TOMCO2 property and adjacent or nearby properties. The proposed LM zoning is suitable because it conforms the zoning classification to the property as it exists today, rather than authorizing a new or expanded development program.

B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby properties.

The Proposed Zoning and Proposed Use will not adversely affect the existing use or usability of adjacent or nearby properties. The Application does not include any new buildings, additional access points, expanded operations, site redevelopment, or change in use. Existing traffic patterns, access, utilities, stormwater facilities, lighting, parking, and storage areas are expected to remain as they currently exist.

Because the proposal is a corrective rezoning intended to address a historic split-zoning condition, approval will not create new external impacts on adjacent or nearby properties. The requested zoning classification will allow the existing TOMCO2 site to be regulated under a single LM district while preserving the existing operational and physical conditions of the property.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The Subject Property has been improved and used as the TOMCO2 facility. However, the current split-zoning condition creates an unnecessary inconsistency between the existing developed condition of the property and the zoning map. Portions of the property remain designated RS-30 even though the property functions as a single TOMCO2 site and contains existing non-residential improvements.

The requested LM zoning is the most reasonable zoning classification for the Subject Property because it aligns the zoning map with the existing use, existing improvements, and prior City approvals applicable to the property. Maintaining the residential zoning designation on a portion of the existing TOMCO2 site

serves no practical planning purpose and creates unnecessary uncertainty for zoning administration, permitting, and continued compliance.

D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

1) Public Road System

Permanent access to the Subject Property will be from the ROW Access. All of the development's interior streets and driveways will continue to be privately-owned and maintained.

2) County School System

The Applicant does not project the Proposed Use will result in any increase in the student population.

3) City Water and Waste Water Systems

The community's water and sanitary sewer needs will be served by the City of Snellville.

4) Utilities

With regard to public utilities, sanitary sewer, water, natural gas, electricity, and cable are available and will continue to be available to the Subject Property. The impact on public utilities is anticipated to be in keeping with projected plans and capacity is available to serve the existing development.

5) Environmental Impact

The Application is not expected to create any adverse environmental impact. No land disturbance, building expansion, new impervious surface, or redevelopment is proposed. Existing stormwater facilities, parking and storage areas, lighting, and other site conditions are proposed to remain as currently approved and existing, including any conditions and variances previously approved by Ordinance No. 2022-13.

E. Whether the proposal is in conformity with the policy and intent of the Future Land Use Plan.

The proposal is consistent with the policy and intent of the Future Land Use Plan because the Subject Property is located within the Industrial Mixed Use Future Land Use Category. The LM zoning district is an appropriate implementing zoning classification for properties within the Industrial Mixed Use category, while the RS-30 single-family residential zoning district is not. See Snellville Future Land Use Plan, pp. 57-59.

F. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

The existing and historic conditions affecting the Subject Property give strong support for approval of the zoning proposal. The current zoning pattern appears to be the result of multiple historic zoning and annexation actions, including prior RS-180 residential zoning, the 1976 rezoning of a portion of the site from R-1 to M-1, the 1986 rezoning of a portion of the site from RS-180 to LM, and the retention of RS-30 zoning on other portions of the property. These historic actions created a split-zoning condition that does not accurately reflect the existing developed TOMCO2 facility.

Approval of the Application will not authorize a new development project. It will instead bring the entire existing TOMCO2 property into a single zoning classification, improve consistency between the zoning map and existing site conditions, and preserve the prior conditions and variances applicable to the property. This supports clear zoning administration and avoids treating the existing TOMCO2 site as if it were partially residential property when the survey/site plan shows a unified existing non-residential facility.

For these reasons, the requested rezoning to LM is appropriate and will not adversely affect adjacent or nearby properties, public facilities, utilities, schools, or the environment.

REQUESTED CARRY-FORWARD OF PRIOR CONDITIONS AND VARIANCES

The Applicant requests that any approving ordinance expressly reaffirm and carry forward the existing conditions and variances approved under Ordinance No. 2022-13 (#CIC 22-02), as applicable to the Subject Property, and include language substantially similar to the following:

Approval of this Application shall not repeal, supersede, or modify Ordinance No. 2022-13 (#CIC 22-02). All variances and conditions approved by Ordinance No. 2022-13, as applicable to Tax Parcels R5099 005 and R5099 027 and not previously satisfied, shall remain in full force and effect and are expressly reaffirmed and carried forward, except to the extent expressly modified by this approval.

CERTIFICATIONS

APPLICANT'S CERTIFICATION

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for Rezoning and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief. The undersigned is aware that if the rezoning application is denied by the City Council, no rezoning application affecting any portion of the same property may be submitted less than twelve (12) months from the date of denial.

 6/24/2026
Signature of Applicant Date

Luke Bradshaw, President

Type or Print Name and Title

 6/24/2026
Signature of Notary Public Date



PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, swear and affirm that I am (we are) the owner of property that is subject to this application, as shown in the records of Gwinnett County, Georgia which is the subject matter of the attached application. I further authorize Tomco2 Systems Company & Underwood Scoggins, LLC to file this application. The undersigned is aware that that if the rezoning application is denied by the City Council, no rezoning application affecting any portion of the same property may be submitted less than twelve (12) months from the date of denial.

☐ Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

 6/24/2026
Signature of Owner Date

Luke Bradshaw, President

Type or Print Name and Title

 6/24/2026
Signature of Notary Public Date



AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Department of Planning and Development of the City of Snellville, Georgia to inspect the premises, which are the subject of this rezoning application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

[Redacted Signature]

Signature of Owner or Agent

6/24/2026

Date

Luke Bradshaw, President

Type or Print Name and Title

[Redacted Signature]

Signature of Notary Public

6/24/2026

Date



CONFLICT OF INTEREST CERTIFICATIONS FOR REZONING APPLICATION

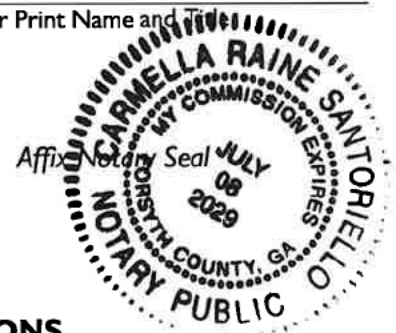
The undersigned below, making application for Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

☐ Check here if there are additional applicants and attach additional "Conflict of Interest Certification" sheets.

 6/24/2026 Luke Bradshaw, President
Signature of Applicant Date Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

 6/24/2026
Signature of Notary Public Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the last two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to any member of the Mayor and City Council or any member of the Snellville Planning Commission?

☐ YES ☒ NO YOUR NAME: Luke Bradshaw

If the answer above is YES, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (list all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within the last two years)
N/A		

☐ Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.



Property Tax View Pay Your Ta...

View/Pay Your Taxes

View Bill

[Back to Account](#)

Tax Account

Parcel ID :
R5099 005

Property Type :
Real Property

Site Address :
3340 ROSEBUD RD
LOGANVILLE 30052

Mailing Address :
TOMCO EQUIPMENT CO
3340 ROSEBUD RD
LOGANVILLE GA 30052-7328

Change Mailing Address

Legal :
ROSEBUD RD

District :
SNELLVILLE

Last Update :
03/08/2026 08:05 PM

Tax Values

To view additional information on the valuation of your property, [click here](#). You will be redirected to the Assessors' Property Information page.

Assessments

	Net Tax	Savings
+ School Taxes	\$44,026.94	\$0.00
+ County Incorporated No Police	\$25,017.79	\$0.00
Total	\$69,044.73	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Fee	Penalty	Interest	Total Due
INST 1	27081395	11/15/2025	2025	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Date Paid
2025	27081395	B25.127802	\$69,044.73	11/14/2025

02:41

Understanding Your Property Tax Bill.

04:28

How to Pay Your Property Taxes Online

Select Language▼

Powered by Google Translate



Property Tax View Pay Your Ta...

View/Pay Your Taxes

View Bill

[Back to Account](#)

Tax Account

Parcel ID :
R5099 027

Property Type :
Real Property

Site Address :
3330 ROSEBUD RD
LOGANVILLE 30052-7328

Mailing Address :
TOMCO 2 EQUIPMENT CO
3340 ROSEBUD RD
LOGANVILLE GA 30052-7328

Change Mailing Address

Legal :
ROSEBUD RD

District :
SNELLVILLE

Last Update :
03/08/2026 08:05 PM

Tax Values

To view additional information on the valuation of your property, [click here](#). You will be redirected to the Assessors' Property Information page.

Assessments

	Net Tax	Savings
+ School Taxes	\$15,194.72	\$0.00
+ County Incorporated No Police	\$8,634.22	\$0.00
Total	\$23,828.94	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Fee	Penalty	Interest	Total Due
INST 1	27081227	11/15/2025	2025	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Date Paid
2025	27081227	B25.125995	\$23,828.94	11/14/2025

02:41

Understanding Your Property Tax Bill.

04:28

How to Pay Your Property Taxes Online

Select Language▼

Powered by Google Translate



Snellville, GA
2342 Oak Rd
Snellville, GA 30078
(770) 985-3508

2025 Property Tax Bill

Parcel ID	Tax District	Bill #
R5099 005	10 - City of Snellville	007969
Property Owner/Location/Description		Taxable Value
TOMCO EQUIPMENT CO 3340 ROSEBUD RD		2,184,960
		Fair Market Value 5,462,400
		Net Tax \$8,739.84
		2025 STORMWATER \$7,830.00

Exemptions:

Tax bills are sent to the owner on record as of January 1st of each year. THEY ARE NOT SENT TO MORTGAGE COMPANIES. If taxes are paid through escrow or by someone other than the name appearing on this statement (mortgage company, new owner) please forward a copy of this statement to the responsible party.

All taxes and fees that are delinquent and paid after January 15, 2026 are subject to interest and penalties as allowed by law. FIFA costs are applied to delinquent property taxes after March 15, 2026.

IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO DETERMINE PAYOFF AMOUNT.

ACCOUNT INFORMATION IS AVAILABLE ONLINE AT WWW.SNELLVILLE.ORG

Current Year Tax	\$16,569.84
Interest	\$0.00
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$16,569.84
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	01/15/2026

Snellville, GA
2342 Oak Rd
Snellville, GA 30078

**Make check or money order payable to: City of Snellville*
**Write the Tax Parcel ID Number on your check*
**Full payment must be made by the due date*
**Mailed payments will be posted using the official postmark date*
**Taxes may be paid online by visiting www.snellville.org*
**Convenience fees may apply to all credit/debit card payments*

Parcel ID: R5099 005
Amount Due: \$0.00
Bill#: 007969
Due Date: 01/15/2026

AMOUNT PAID

TOMCO EQUIPMENT CO
3340 ROSEBUD RD
LOGANVILLE, GA 30052-7328

Snellville, GA
2342 Oak Rd
Snellville, GA 30078



Snellville, GA
2342 Oak Rd
Snellville, GA 30078
(770) 985-3508

2025 Property Tax Bill

Parcel ID	Tax District	Bill #
R5099 027	10 - City of Snellville	007963
Property Owner/Location/Description		Taxable Value
TOMCO 2 EQUIPMENT CO 3330 ROSEBUD RD		754,080
		Fair Market Value 1,885,200
Levies	Taxable Value	- Exemptions = Net Assessment X Tax Rate = Net Tax
City of Snellville	754,080	0 754,080 4.0000000000 \$3,016.32
2025 STORMWATER		\$3,333.75

Exemptions:

Tax bills are sent to the owner on record as of January 1st of each year. THEY ARE NOT SENT TO MORTGAGE COMPANIES. If taxes are paid through escrow or by someone other than the name appearing on this statement (mortgage company, new owner) please forward a copy of this statement to the responsible party.

All taxes and fees that are delinquent and paid after January 15, 2026 are subject to interest and penalties as allowed by law. FIFA costs are applied to delinquent property taxes after March 15, 2026.

IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO DETERMINE PAYOFF AMOUNT.

ACCOUNT INFORMATION IS AVAILABLE ONLINE AT WWW.SNELLVILLE.ORG

Current Year Tax	\$6,350.07
Interest	\$0.00
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$6,350.07
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	01/15/2026

Snellville, GA
2342 Oak Rd
Snellville, GA 30078

**Make check or money order payable to: City of Snellville*
**Write the Tax Parcel ID Number on your check*
**Full payment must be made by the due date*
**Mailed payments will be posted using the official postmark date*
**Taxes may be paid online by visiting www.snellville.org*
**Convenience fees may apply to all credit/debit card payments*

Parcel ID: R5099 027
Amount Due: \$0.00
Bill#: 007963
Due Date: 01/15/2026

AMOUNT PAID

TOMCO 2 EQUIPMENT CO
3340 ROSEBUD RD
LOGANVILLE, GA 30052-7328

Snellville, GA
2342 Oak Rd
Snellville, GA 30078

Parcel ID	R5099 027	Account Number	447722	Owner Address	TOMCO 2 EQUIPMENT CO	Last 2 Sales				
Property Address	3330 ROSEBUD RD	Class	401 - Manufacturing/Processing		3340 ROSEBUD RD	Date	Price	Grantor	Grantee	Qual
	LOGANVILLE	Acreage	8.32		LOGANVILLE, GA 30052-7328	n/a	0	n/a	n/a	n/a
	3340 ROSEBUD RD					n/a	0	n/a	n/a	n/a
District	10									
Brief Tax Description	ROSEBUD RD									
	(Note: Not to be used on legal documents)									

Legal Description

All that tract or parcel of land lying and being in Land Lot 99 of the 5th Land District, Gwinnett County, Georgia, containing approximately 15.195 acres, more or less, according to a plat of survey dated May 20, 2026, prepared for TOMCO2 Systems Company by McWhorter & Anderson Land Surveying & Civil Engineering, certified by Neil A. McWhorter, Georgia Registered Land Surveyor No. 2644 and, according to such plat of survey, being more particularly described as follows:

to find the True Point of Beginning, commence from the west corner of the mitered intersection of the east right of way of Rosebud Road (80' R/W) with the southwesterly right of way of Brushy Fork Road (60' R/W), run South 02 degrees 48 minutes 13 seconds West a distance of 17.00 feet, run thence with a curve to the right having a radius of 803.94 feet, an arc length of 232.78 feet, and a chord bearing of South 10 degrees 25 minutes 34 seconds West a distance of 231.97 feet to a 1 inch square bar, which is the True Point of Beginning/Commencement;

THENCE South 68 degrees 20 minutes 54 seconds East a distance of 603.70 feet;

THENCE South 32 degrees 18 minutes 32 seconds East a distance of 66.64;

THENCE South 57 degrees 26 minutes 02 seconds West a distance of 61.69 feet;

THENCE South 32 degrees 27 minutes 12 seconds East a distance of 29.95 feet;

THENCE South 57 degrees 34 minutes 09 seconds West a distance of 274.58 feet;

THENCE South 03 degrees 36 minutes 08 seconds East a distance of 452.18 feet;

THENCE South 46 degrees 11 minutes 53 seconds East a distance of 374.64 feet;

THENCE South 76 degrees 55 minutes 31 seconds West a distance of 171.24 feet;

THENCE North 35 degrees 10 minutes 10 second West a distance of 317.21 feet;

THENCE South 63 degrees 34 minutes 48 seconds West a distance of 198.47 feet;

THENCE North 89 degrees 33 minutes 28 seconds West a distance of 334.72 feet;

THENCE North 18 degrees 19 minutes 52 seconds West a distance of 465.36 feet;

THENCE North 34 degrees 49 minutes 25 seconds East a distance of 346.04 feet;

THENCE with a curve to the left having a radius of 2285.35 feet, an arc length of 248.18 feet, and a chord bearing of North 31 degrees 34 minutes 12 seconds East a distance of 248.06;

THENCE with a curve to the left having a radius of 796.04 feet, an arc length of 134.27 feet, and a chord bearing of North 23 degrees 37 minutes 36 seconds East a distance of 134.11 feet to a one inch square bar, which is the True Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

This legal description is prepared solely for the purpose of facilitating a land use application and should not be relied upon for any other purpose.

\$49.00 real est. trans. tax

WARRANTY DEED

Form 101

501

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, Made the 9th day of April, in the year one thousand nine hundred seventy, between JOE B. DEKLE,

of the County of _____, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and
TOMCO EQUIPMENT COMPANY

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

WITNESSETH that: Grantor, for and in consideration of the sum of ----- TEN DOLLARS and other valuable considerations-----(\$10.00--) DOLLARS 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 confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land 99 of the 5th Land District of Gwinnett County, Georgia, containing seven (7) acres according to survey prepared for Joe B. Dekle by S. R. Fields, Surveyor, August 24, 1970, recorded in Plat Book 11, Page 158. Plat Records of Gwinnett County and described particularly according to said plat and survey as follows:

To find the place or point of beginning, begin at the point where the center line of Rosebud Road is intersected by the original land lot line common to Land Lots 99 and 100 and run thence in a southwesterly direction along the center line of Rosebud Road 469 feet to a point; thence in a southeasterly direction 40 feet to an iron pin on the southeasterly right-of-way line of Rosebud Road, being THE PLACE OR POINT OF BEGINNING; from said place or point of beginning run thence along property of P. A. Brooks South 69 degrees 15 minutes East 649.0 feet to a point in the center of Brushy Fork Road; thence along the center line of said road South 32 degrees 02 minutes East 60 feet to a point; thence South 56 degrees 39 minutes West 720.4 feet to a corner; thence North 46 degrees 42 minutes West 372.0 feet to an iron pin on the southeasterly right-of-way line of Rosebud Road; thence along the southeasterly right-of-way line of said road in a northeasterly direction 483.6 feet to an iron pin, being the place or point of beginning.

Gas Real Property Tax

49.00

Paid 4-13-21

Clerk Gwinnett Sup. Ct.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed sealed and delivered in presence of:

Joe B. Dekle

____ (Seal)

Notary Public, Gwinnett County,
Georgia

____ (Seal)

(Seal)

FILED FOR RECORD *Am. 13* 1971 *10:15 AM* RECORDED *Am. 14* 1971

O. Millard Peery, C.S.C.

0.00
C O R R E C T I V E
WARRANTY DEED

Form 101

BOOK **441** PAGE **10**

STATE OF GEORGIA COUNTY OF GWINNETT

THIS INDENTURE, Made the 4th day of January, in the year
one thousand nine hundred seventy-two, between JOE B. DEKLE

of the County of _____, and State of Georgia, as party or parties of the
first part, hereinafter called Grantor, and TOMCO₂ EQUIPMENT COMPANY

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

WITNESSETH that: Grantor, for and in consideration of the sum of -----TEN DOLLARS
and other valuable considerations-----(\$10.00-----) DOLLARS
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 confirmed, and by these presents
does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 99 of
the 5th Land District of Gwinnett County, Georgia, containing seven
(7) acres according to survey prepared for Joe B. Dekle by S. R.
Fields, Surveyor, August 24, 1970, recorded in Plat Book _____, Page
_____, Plat Records of Gwinnett County and described particularly
according to said plat and survey as follows:

To find the place or point of beginning, begin at the point where
the center line of Rosebud Road is intersected by the original
land lot line common to Land Lots 99 and 100 and run thence in a
southwesterly direction along the center line of Rosebud Road 469
feet to a point; thence in a southeasterly direction 40 feet to an
iron pin on the southeasterly right-of-way line of Rosebud Road,
being THE PLACE OR POINT OF BEGINNING; from said place or point of
beginning run thence along property of P. A. Brooks South 69 degrees
15 minutes East 649.0 feet to a point in the center of Brushy Fork
Road; thence along the center line of said road South 32 degrees 02
minutes East 60 feet to a point; thence South 56 degrees 39 minutes
West 720.4 feet to a corner; thence North 46 degrees 42 minutes
West 372.0 feet to an iron pin on the southeasterly right-of-way
line of Rosebud Road; thence along the southeasterly right-of-way
line of said road in a northeasterly direction 483.6 feet to
iron pin, being the place or point of beginning.

This deed is given to correct a prior warranty deed dated
April 9, 1971, recorded in Deed Book 379, Page 501, Gwinnett
County Records from Joe B. Dekle to Tomco Equipment Company.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights,
members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the
only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above
described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in presence of:

Notary Public,
County, Georgia

Notary Public, Georgia, State at Large
My Commission Expires June 1, 1973

Joe B. Dekle

(Seal)

(Seal)

(Seal)

Filed in Office Jan. 7, 1972 10:00 AM, Clerk of Superior Court Gwinnett Co. Ga. Rec. in Book 441 Page No. 10 Date Rec'd 10. Millard Peery, Clerk

eFiled & eRecorded
DATE: 2/28/2018
TIME: 3:09 PM
DEED BOOK: 55711
PAGE: 00982 - 00984
RECORDING FEE: 18.00
PARTICIPANT ID: 6405611605
CLERK: Richard T Alexander Jr
Gwinnett County, GA
Cross-References: 2
NOTE: 18E006004

After recording return to:
Calloway Title & Escrow, LLC
David W. Dudley 2-35989
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, Georgia 30319

Please return to: Clay Sparrow, Esq. Seyfarth Shaw LLP 1075 Peachtree Street, N.E., Suite 2500 Atlanta, Georgia 30309	Please cross-reference to: Warranty Deed recorded at Deed Book 379, Page 501, Gwinnett County, Georgia records, as corrected by Corrective Warranty Deed recorded in Deed Book 441, Page 10, aforesaid Records.
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TITLE AFFIDAVIT WITH RESPECT TO CERTAIN REAL PROPERTY

The undersigned ("**Affiant**") appearing before me, a notary public in and for the State of Georgia, authorized to take and administer oaths, having been duly sworn, deposes and says that:

1. Affiant is the Chief Financial Officer and Treasurer, Transfer Agent and Assistant Secretary for Tomco₂ Systems Company, a Georgia corporation ("**Tomco₂**").
2. Tomco₂ is the successor-by-name-change to Tomco₂ Equipment Company, a Georgia corporation. Tomco₂ Equipment Company is the current owner of certain real property described on Exhibit "A" ("**Property**") attached hereto and incorporated herein by reference, which Property is the subject of this Affidavit.
3. This Affidavit is made pursuant to the provisions of O.C.G.A. Section 44-2-20 with the knowledge that the same will be filed for record under the provisions of said Section and with the knowledge that it may be relied upon by attorneys examining the title to the Property, by a purchaser or purchasers in purchasing the Property, by a lender or lenders making a loan or loans secured by the Property, and/ or by a title insurance company in issuing its policy or policies of title insurance with respect to the Property.
4. On April 9, 1970, Tomco₂ Equipment Company acquired certain real property by virtue of that certain Warranty Deed from Joe B. Dekle, recorded in the Deed Records of Gwinnett County, Georgia at Deed Book 379, Page 501 (the "**Original Warranty Deed**"). The legal description set forth in the Original Warranty Deed described seven (7) acres shown on a survey by S.R. Fields, Surveyor, dated August 24, 1970 (the "**Fields Survey**") and recorded in Plat Book U, Page 158 of the aforesaid Records. The Original Warranty Deed also contained a metes and bounds description for the property conveyed thereby.
5. The Original Warranty Deed incorrectly recited the name of Tomco₂ Equipment Company as "Tomco Equipment Company". Tomco₂ Equipment Company has never been incorporated as "Tomco Equipment Company", and the use of the name "Tomco Equipment Company" as grantee in the Original Warranty Deed was an error.

6. On January 4, 1972, Joe B. Dekle executed and delivered a Corrective Warranty Deed correcting the name of the grantee from "Tomco Equipment Company" to "Tomco₂ Equipment Company". The Corrective Warranty Deed was recorded in Deed Book 441, Page 10 of the aforesaid Records (the "Corrective Warranty Deed").

7. The Corrective Warranty Deed contains the same legal description as the legal description set forth in the Original Warranty Deed, including the same metes and bounds; however, the plat book recording information for the Field Survey was not completed in the legal description for the Corrective Warranty Deed. It should have referenced Plat Book U, Page 158, as set forth in the Original Warranty Deed.

FURTHER, AFFIANT SAYETH NOT.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and seal, this 23 day of February, 2018.

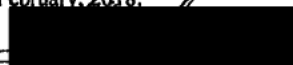
SWORN TO and subscribed before me, this <u>23</u> day of February, 2018.  [Redacted Signature] Notary Public My Commission Expires: <u>7/27/20</u> [NOTARIAL SEAL]	AFFIANT:  (SEAL) Name: Lynn G. Brown 
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EXHIBIT "A"

All that 15.212 acres lying and being in Land Lot 99 of the 5th Land District of Gwinnett County, Georgia and being more particularly described as follows;

Commencing at the intersection of the southerly 60' right of way of Brushy Fork Road and the easterly 80' right of way of Rosebud Road and running thence along said 80' right of way of Rosebud Road a distance of 293.21' to a 1" square rod, said 1" square rod being the Point of Beginning, thence leaving said right of way S 63°44'23"E 617.25' to a 5/8" rebar on the aforesaid 60' right of way of Brushy fork Road, thence along said 60' right of way of Brushy Fork Road S 27°45'06"E a distance of 55.63' to a point, thence leaving said right of way S 62°08'08"W a distance of 70.00' to a point, thence S 27°45'06"E a distance of 30.00' to a point, thence S 62°08'08"W a distance of 275.23' to a 5/8" rebar, thence S 01°07'08"W a distance of 452.30' to a 1/2" rebar, thence S 41°26'50"E a distance of 374.60' to a 1/2" rebar, thence S 81°42'02"W a distance of 171.12' to a 1/2" rebar, thence N 30°26'55"W a distance of 317.23' to a 1/2" rebar in concrete, thence S 68°18'03"W a distance of 198.46' to a 1/2" rebar, thence N 84°50'43"W a distance of 334.58' to a 1/2" rebar in concrete, thence N 13°37'13"W a distance of 465.36' to a 1/2" rebar on the aforesaid right of way of Rosebud Road, thence continuing along said right of way N 39°23'06"E a distance of 345.89' to a point, thence 248.18' along the arc of a 2285.35' radius curve to the left, said curve being subtended by a chord of N 36°16'27"E a distance of 248.06' to a point, thence 134.42' along the arc of a 796.04' radius curve to the left, said curve being subtended by a chord of N 28°19'32"E a distance of 134.26' to a 1" square rod and the Point of Beginning.

WEBB, TANNER & POWELL
P.O. Box 27
Lawrenceville, Georgia 30046

BK 15227 PG0261

QUIT-CLAIM DEED

GEORGIA, GWINNETT COUNTY

THIS INDENTURE, made this 12th day of November, 1997, between CHESTNUT GROVE BAPTIST CHURCH, INC., of the first part, and TOMCO2 EQUIPMENT COMPANY of the second part.

WITNESSETH: That the said party of the first part for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, remise, release, and forever quit-claim to the said party of the second part, any and all right, title and interest in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lots 94 and 99 of the 5th Land District, Gwinnett County, Georgia, containing 15.688 acres and shown as Tracts 1, 3 and 4 on survey for Tomco Equipment Company prepared by Gordon Story, Surveyor, dated June 26, 1997, and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

This deed is given for the purpose of establishing the common boundary lines between the Grantor and Grantee as shown in the above description and contained on the aforementioned plat of survey.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the said party of the second part, its successors and assigns, so that neither the said party of the first part nor its successors, nor any other person claiming under them shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be signed and sealed, the day and year above written.

CHESTNUT GROVE BAPTIST CHURCH, INC.

By: _____ (SEAL)
Title: Pastor

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public
My commission expires: 2/28/99

ea\doc\daada\comob.qcd



GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX

\$ None
TOM LAWLER CLERK OF
SUPERIOR COURT

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.
1997 DEC 26 AM 8:28
TOM LAWLER, CLERK

621999 - 622004

EXHIBIT "A"

Tract 1

All that tract or parcel of land lying and being in Land Lot 99 of the 5th Land District, Gwinnett County, Georgia, containing 15.19 acres and shown as Tract 1 on survey for Tomco Equipment Company prepared by Gordon Story, Surveyor, dated June 26, 1997, and more particularly described as follows:

BEGINNING at a point on the southeasterly right of way of Rosebud Road (an 80-foot right of way) located 988.38 feet southwesterly as measured along said right of way line and following the curvature thereof from the north line of Land Lot 99 and run thence along the southeasterly right of way of Rosebud Road in a northeasterly direction and following the arc of a curve having a radius of 2285.35 feet and subtended by a chord having a bearing and distance of North 30 degrees 11 minutes 28 seconds East 253.97 feet, an arc distance of 254.10 feet to a point; continue thence northeasterly along said right of way and following the arc of a curve having a radius of 816.32 feet and subtended by a chord having a bearing and distance of North 22 degrees 00 minutes 59 seconds East 141.99 feet, an arc distance of 142.17 feet to an iron pin; thence leaving said right of way run South 69 degrees 57 minutes 02 seconds East 617.26 feet to a point; run thence South 33 degrees 34 minutes 58 seconds East 55.63 feet to a point; run thence southwesterly 70 feet to a point; run thence southeasterly 30 feet to a point; run thence South 55 degrees 56 minutes 04 seconds West 345.23 feet to a point; run thence South 05 degrees 12 minutes 35 seconds East 451.92 feet to an iron pin; run thence South 47 degrees 40 minutes 17 seconds East 374.58 feet to a point; run thence South 75 degrees 27 minutes 57 seconds West 171.03 feet to a point; run thence North 36 degrees 41 minutes 13 seconds West 317.26 feet to an iron pin; run thence South 62 degrees 01 minutes 49 seconds West 198.45 feet to an iron pin; run thence North 88 degrees 54 minutes 37 seconds West 334.83 feet to an iron pin; run thence North 19 degrees 49 minutes 52 seconds West 464.28 feet to an iron pin on the southeasterly right of way line of Rosebud Road; run thence along the southeasterly right of way of Rosebud Road North 34 degrees 15 minutes 32 seconds East 50.09 feet to a point; continue thence along said right of way line North 32 degrees 46 minutes 32 seconds East 195.12 feet to a point; continue thence along said right of way line North 33 degrees 37 minutes 52 seconds East 87.92 feet to the place or point of beginning.

Tract 3

All that tract or parcel of land lying and being in Land Lot 94 of the 5th Land District, Gwinnett County, Georgia, containing 0.45 acre and shown as Tract 3 on survey for Tomco Equipment Company prepared by Gordon Story, Surveyor, dated June 26, 1997, and more particularly described as follows:

TO FIND THE PLACE OR POINT OF BEGINNING, begin at a point on the southeasterly right of way of Rosebud Road (an 80-foot right of

way) located 988.38 feet southwesterly as measured along said right of way line and following the curvature thereof from the north line of Land Lot 99 and run thence along the southeasterly right of way of Rosebud Road South 33 degrees 37 minutes 52 seconds West 87.92 feet to a point; continue thence along said right of way line South 32 degrees 46 minutes 32 seconds West 195.12 feet to a point; continue thence along said right of way line South 34 degrees 15 minutes 32 seconds West 463.90 feet to a point; continue thence along said right of way line in a southwesterly direction and following the arc of a curve having a radius of 480.70 feet and subtended by a chord having a bearing and distance of South 17 degrees 41 minutes 21 seconds West 274.17 feet, an arc distance of 278.03 feet to a point; continue thence along said right of way line South 01 degrees 07 minutes 11 seconds West 359.45 feet to a point, WHICH IS THE PLACE OR POINT OF BEGINNING; from said beginning point run thence South 81 degrees 36 minutes 17 seconds East 152.19 feet to a point; run thence South 04 degrees 03 minutes 05 seconds West 125.31 feet to a point; run thence North 86 degrees 15 minutes 46 seconds West 150.10 feet to a point on the easterly right of way line of Rosebud Road; run thence along said right of way line North 03 degrees 46 minutes 28 seconds East 116.23 feet to a point; continue thence along said right of way line North 01 degrees 07 minutes 11 seconds East 21.46 feet to the place or point of beginning.

Tract 4

All that tract or parcel of land lying and being in Land Lot 99 of the 5th Land District, Gwinnett County, Georgia, containing 0.048 acres and shown as Tract 4 on survey for Tomco Equipment Company prepared by Gordon Story, Surveyor, dated June 26, 1997, and more particularly described as follows:

TO FIND THE PLACE OR POINT OF BEGINNING, begin at a point on the southeasterly right of way of Rosebud Road (an 80-foot right of way) located 988.38 feet southwesterly as measured along said right of way line and following the curvature thereof from the north line of Land Lot 99 and run thence along the southeasterly right of way of Rosebud Road in a northeasterly direction and following the arc of a curve having a radius of 2285.35 feet and subtended by a chord having a bearing and distance of North 30 degrees 11 minutes 28 seconds East 253.97 feet, an arc distance of 254.10 feet to a point; continue thence northeasterly along said right of way and following the arc of a curve having a radius of 816.32 feet and subtended by a chord having a bearing and distance of North 22 degrees 00 minutes 59 seconds East 141.99 feet, an arc distance of 142.17 feet to an iron pin; thence leaving said right of way run South 69 degrees 57 minutes 02 seconds East 617.26 feet to a point; run thence South 33 degrees 34 minutes 58 seconds East 55.63 feet to a point, WHICH IS THE PLACE OR POINT OF BEGINNING; from said beginning point run thence southeasterly 30 feet to a point; run thence southwesterly 70 feet to a point; run thence northwesterly 30 feet to a point; run thence northeasterly 70 feet to the place or point of beginning.