

**Action Requested/Required:**

- ☒ Vote/Action Requested
☐ Discussion or Presentation Only
☐ Public Hearing
Report Date: _____
Hearing Date: _____
Voting Date: _____

Department: City Management **Presenter(s) & Title:** Nathan Ingram, Assistant City Manager

Agenda Item Title:

Discussion and Possible Action to Approve Resolution to Abandon Lee Street and Authorize the Mayor to sign the Quitclaim Deed to Cherokee County

Summary:

Cherokee County has approached the City to make Lee Street a one-way street. The County is proposing extensive surface parking area improvements to that area North of the businesses there along North Street. In doing this, Lee Street may serve the public more efficiently, as a one-way entrance to that parking area; relying on Church Street to be a two way access to the parking. The City will need to abandon that portion of Lee Street that lies within the parking area proposed by the County. The County plans to make Lee Street one-way, create a six foot wide sidewalk along the East side of the remaining portion of Lee Street, and place utilities under ground in that area to the extent possible. Costs of this change to be paid by the County as part of their surface parking project.

Budget Implications:

Budgeted? ☐ Yes ☐ No ☒ N/A

Total Cost of Project: \$ 0.00 Check if Estimated ☐

Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other: _____

Staff Recommendations:

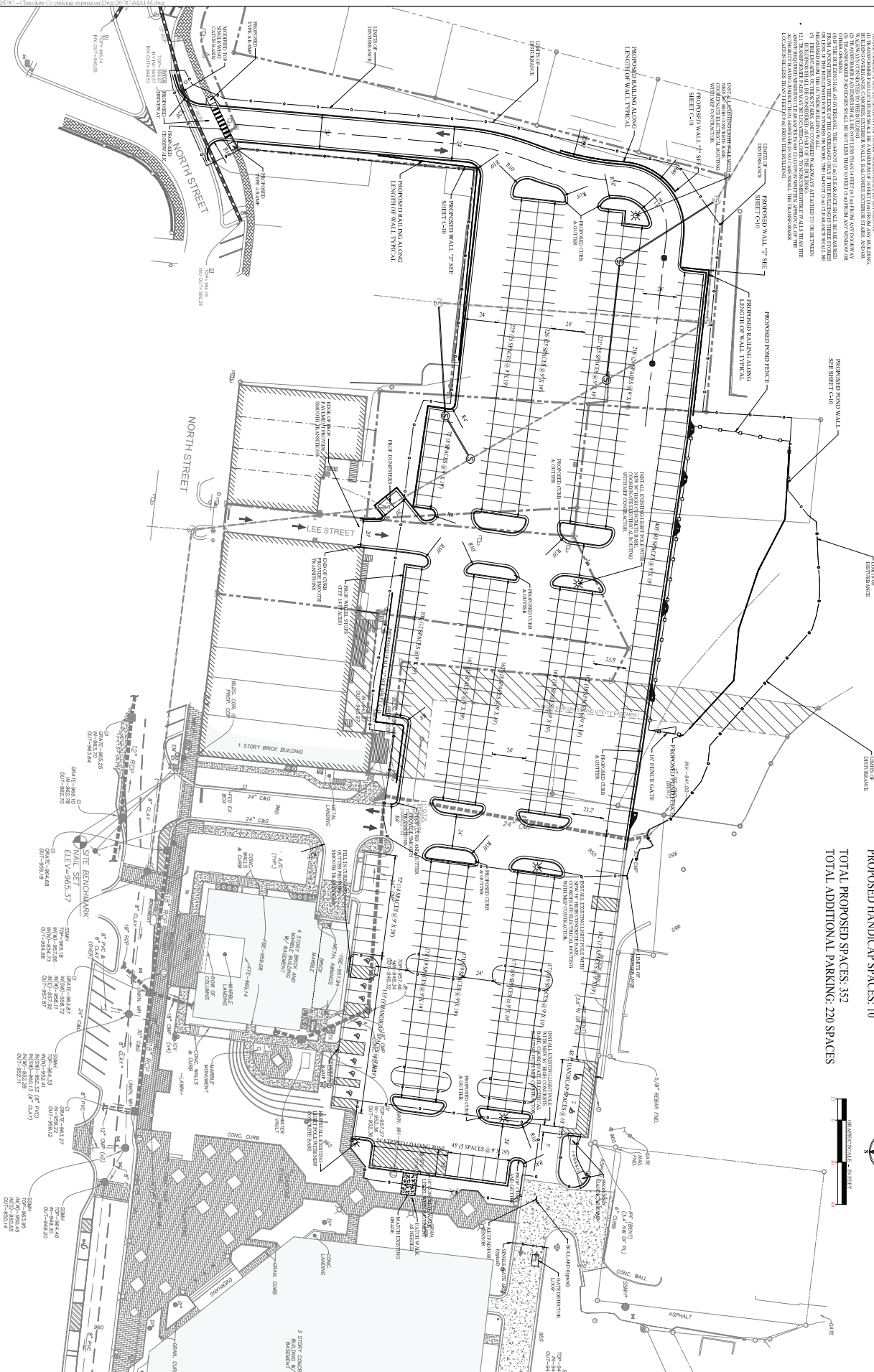
Staff Recommends Council Consider: Motion to approve a resolution to abandon Lee Street and to authorize Mayor to sign quitclaim deed to Cherokee County.

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? ☒ Yes ☐ No

Attachments:

Site Plan
Resolution & Quitclaim Deed
Deed when County Purchased Property
2020 Agreement between Property Owner & Businesses

[illegible]

PARKING:
EXISTING SPACES: 132
PROPOSED SPACES: 342
PROPOSED HANDICAP SPACES: 10

TOTAL PROPOSED SPACES: 352
TOTAL ADDITIONAL PARKING: 220 SPACES



CONSTRUCTION DOCUMENTS
PARKING EXPANSION CHEROKEE
COUNTY JUSTICE CENTER CAMPUS

90 North Street, Canton Georgia 30114 / Land Lot 167; 14th District,
2nd Section, City of Canton, Cherokee county, Georgia

Cherokee
County
GA 30501
678-291-1000
www.cherokee.org

CHEROKEE COUNTY
1130 BLUFFS PARKWAY
CANTON, GEORGIA 30114

Revisions:

COPYRIGHT OWNERSHIP: This drawing is the property of LBCM Associates, Inc. and may not be used, copied or revised without expressed written permission. © 2024

**A RESOLUTION OF THE CITY OF CANTON, GEORGIA
TO ABANDON LEE STREET**

WHEREAS, there is a public right of way known as Lee Street as described on Exhibit “A” attached hereto; and

WHEREAS, Cherokee County has purchased the property adjoining Lee Street for purposes of constructing a public parking lot which would include the area of Lee Street, and there is no public purpose served by City of Canton to maintain Lee Street; and

WHEREAS, the City of Canton is authorized by O.C.G.A. §32-7-2(c) to abandon public right of way when it is determined that the public right of way has ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the municipal street system is otherwise in the best public interest; and

WHEREAS, the City Council has determined that no substantial public purpose is served by the City of Canton continuing to maintain Lee Street, as described on Exhibit “A” and that the removal of Lee Street is in the best public interest;and

WHEREAS, state law requires that property owners located on the right of way to be abandoned must be notified, and Cherokee County is the only adjoining property owner and has requested that Lee Street be abandoned to it, so no notice is required.

NOW THEREFORE, it is hereby resolved by the City Council of the City of Canton, Georgia that Lee Street, described in Exhibit “A” attached hereto is hereby abandoned as public right of way in the City of Canton municipal street system.

Adopted this ____ day of _____, 2026.

Bill Grant, Mayor

Billy Peppers, Interim City Clerk

Approved as to form:

Robert M. Dyer, City Attorney

Exhibit "A" to
Resolution of City of Canton, Georgia to Abandon Lee Street

Written Description: Lee Street Tract

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being identified as "Lee Street Tract" on a Boundary Survey for Cherokee County prepared by Gunnin Survey dated January 27, 2026, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the northerly end of the curved intersection of the easterly right of way of Riverdale Street (28' width public right of way) and the northerly right of way of North Street (variable width public right of way);
thence N77°33'11"E for a distance of 376.30 feet to a 1/2" rebar set, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence N03°45'45"E for a distance of 150.00 feet to a 1" open top pipe found;
thence N82°21'01"E for a distance of 18.30 feet to a point;
thence S03°02'54"W for a distance of 252.49 feet to a point on the northerly right of way of North Street (variable width public right of way);
thence along said right of way of North Street S89°14'34"W for a distance of 5.12 feet to a point;
thence leaving said right of way of North Street N05°59'13"E for a distance of 98.38 feet to a point;
thence N83°30'48"W for a distance of 19.82 feet to a 1/2" rebar set, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 0.072 acres.

Dyer Rusbridge Argo, P.C.
687 Marietta Hwy.
Canton, Georgia 30114

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF CHEROKEE

THIS INDENTURE, made as of this _____ day of _____, 2026 between **CITY OF CANTON, GEORGIA** as party or party of the first part, hereinafter called Grantor, and **CHEROKEE COUNTY, GEORGIA**, as party 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, and to include the neuter, masculine, and feminine genders, the singular and plural).

WITNESSETH that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee:

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being identified as "Lee Street Tract" on a Boundary Survey for Cherokee County prepared by Gunnin Survey dated January 27, 2026, and being more particularly described on Exhibit "A" attached hereto:

This deed is given after the City of Canton abandoned the alley at a meeting on _____.

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 to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered
in the presence of:

CITY OF CANTON, GEORGIA

Witness

By: Bill Grant, Mayor

Notary Public

Exhibit "A" to
Resolution of City of Canton, Georgia to Abandon Lee Street

Written Description: Lee Street Tract

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being identified as "Lee Street Tract" on a Boundary Survey for Cherokee County prepared by Gunnin Survey dated January 27, 2026, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the northerly end of the curved intersection of the easterly right of way of Riverdale Street (28' width public right of way) and the northerly right of way of North Street (variable width public right of way); thence N77°33'11"E for a distance of 376.30 feet to a 1/2" rebar set, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence N03°45'45"E for a distance of 150.00 feet to a 1" open top pipe found;

thence N82°21'01"E for a distance of 18.30 feet to a point;

thence S03°02'54"W for a distance of 252.49 feet to a point on the northerly right of way of North Street (variable width public right of way);

thence along said right of way of North Street S89°14'34"W for a distance of 5.12 feet to a point;

thence leaving said right of way of North Street N05°59'13"E for a distance of 98.38 feet to a point;

thence N83°30'48"W for a distance of 19.82 feet to a 1/2" rebar set, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 0.072 acres.

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

After Recording, Please Return To:

Jeffrey M. Strickland, Esq.

Jarrard & Davis, LLP

222 Webb Street

Cumming, GA 30040

Re. Tax Parcel Nos.:

91N15-042

91N15-043

91N15-044

91N15-045 (portion)

91N15-046

91N15-046B

91N15-040A

Cross-References:

Deed Book 11573, Page 384

Deed Book 14282, Page 806

Deed Book 14892, Page 2340

Deed Book 11573, Page 401

Deed Book 15105, Page 471

**STATE OF GEORGIA
COUNTY OF CHEROKEE**

LIMITED WARRANTY DEED

THIS INDENTURE is made this 24th day of April, 2026, between **SILEX DOWNTOWN, LLC**, a Georgia limited liability company ("**Grantor**"), and **CHEROKEE COUNTY**, a political subdivision of the State of Georgia ("**Grantee**").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration to Grantor in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and does by these presents grant, bargain, sell and convey to Grantee, and Grantee's respective heirs, successors and assigns, all of the following described land and interests in land, estates, easements, rights, improvements, property, fixtures, equipment, furniture, furnishings, appliances and appurtenances (hereinafter collectively referred to as the "Premises"):

- (a) All that tract or parcel of land lying and being in Land Lot 167 of the 14th Land District, 2nd Section of Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and made a part by reference hereof.
- (b) All buildings, structures and other improvements now located on the Premises; and
- (c) All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, water, water courses, water rights and powers, minerals, flowers, shrubs, crops, trees, timber and other emblements now located on the Premises or under or above the same

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

or any part or parcel thereof, and all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances, reversion and reversions, remainder and remainders, whatsoever, in any way belonging, relating, or appertaining to the Premises or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, now owned by Grantor.

TO HAVE AND TO HOLD the Premises and all parts, rights, members and appurtenances thereof, to the use, benefit and behoof of Grantee and the successors and assigns of Grantee, IN FEE SIMPLE, forever; and Grantor covenants that Grantor is lawfully seized and possessed of the Premises, as aforesaid, and has good right to convey the same, that the same is unencumbered, except for those matters properly recorded in the Cherokee County Superior Court Clerk's records, and that Grantor does warrant and will forever defend the title thereto against the claims of all persons claiming by or through Grantor, except as to those matters properly recorded in the Cherokee County Superior Court Clerk's records.

(THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK)

(SIGNATURE PAGE FOLLOWS)

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

IN TESTIMONY WHEREOF, Grantor has hereunto set Grantor's hand and affixed Grantor's seal the day and year first above written.

GRANTOR:

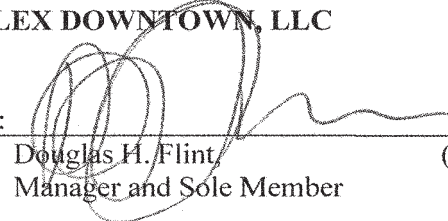
Signed, sealed and delivered in the presence of:

SILEX DOWNTOWN, LLC



Unofficial Witness

By:


Douglas H. Flint
Manager and Sole Member

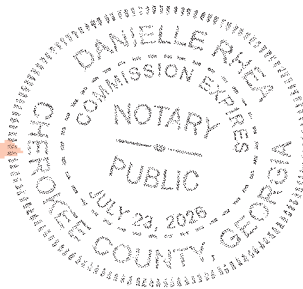
(seal)



Notary Public

My Commission Expires: 7-23-26

(NOTARY SEAL)



Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

EXHIBIT A

PREMISES DESCRIPTIONS OF RECORD

PARCEL 1:

Tax Parcel No. 91N15-042

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Canton, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING on the west side of a street running north from North Street, west of the Tippens Building, and at the northeast corner of the lot sold to H.S. Pitts, Jr. at a point 100 feet north of the intersection of said street (which is unnamed) with said North Street; thence North 150 feet to a marked corner at the northeast corner of the property being conveyed, which is the southeast corner of Scroggs lot now owned by Jones Mercantile Company; thence West 74 feet to the marked northwest corner of the log conveyed; thence South a distance of 150 feet to the southwest corner of the lot conveyed, which is the northwest corner of the lot sold to H.S. Pitts, Jr.; thence East along the line between this property and that of H.S. Pitts Jr. a distance of 74 feet to the POINT OF BEGINNING. Two houses and a garage are located on this property.

This being the same property and description contained in that certain warranty deed from Lester J. Hendrix to Lawton Carnes and Ozella Carnes dated April 2, 1973, recorded in Deed Book 139, page 387, Cherokee County, Georgia Records.

PARCEL 2:

Tax Parcel No. 91N15-043

All that tract or parcel of land lying and being in the City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

Beginning at a point 250 feet North from North Street on side street or alley, which leads North to North Street, this point being marked by a Marble Stone; thence running North a distance along said street or alley 166 feet; thence running West to the property of Canton Cotton Mills near Riverdale Church a distance of 74 feet to a Marble Stone; thence running South along the line between the property of the Canton Cotton Mills, and the property formerly owned by A.C. Conn, deceased, and this property a distance of 74 feet back to starting point on street or alley, same having a Three Room House on it, and being a Lot 74 by 166 feet, being the North end of the property deeded to P. W. Jones by T. R. Coggins, and being the same property deeded by P. W. Jones to A. S. Croggs, as is shown by Deed recorded in Deed Books, Page 18 of the Cherokee County Deeds.

The above property being described in a Warranty Deed from W.R. Payne to W. D. Froneberger recorded in Deed Book 12, Page 273, of the Cherokee County Deed Records.

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

Also: All that tract or parcel of land lying and being in the City of Canton, Cherokee County, Georgia, and being a small tract of land on the lower South side of Riverview Cemetery, and being more particularly described as follows:

Beginning at an iron stake on the Southeast corner near a big gulley, running a Northwesterly course along the Lower Bank of a road a distance of 200 feet; thence Southwesterly course a distance of 50 feet to said big gulley; thence back Southeast along said big gulley to starting point. The above property being described in a Warranty Deed from W.L. Blackwell to W. D. Froneberger recorded in Deed Book 29, Page 246 of the Cherokee County Deed Records.

Also: All that tract or parcel of land lying and being in the 14th District, 2nd Section of Cherokee County, Georgia, and a part of Original Land Lot No. 167, said tract being more particularly described as follows:

Beginning at an iron stob corner, which stob is 25 feet North of the Southeast corner of W. D. Froneberger lot where he lives, running in an Easterly direction 100 feet, more or less, to an iron stake on the bank of a gulley, which iron stake is at the Northwest corner of the Hardie Moore property; thence running down the gulley at the foot of cemetery a distance of 125 feet, more or less, to an iron stake which stake is near a spring; thence running South a distance of 125 feet, more or less, to starting point. This tract being triangular in shape.

The above property being described in a Warranty Deed from E.L. Tippens to W.D. Fronebarger recorded in Dead Sook 32, Page 282 of the Cherokee County Deed Records.

PARCEL 3:

Tax Parcel No. 91N15-044

All that tract or parcel of land lying and being in the Town of Canton, Georgia, and being a part of Original Land Lot No. 167 in the 14 District, 2nd Section, Beginning at the southwest corner at property owned by Cherokee County; thence extending a northeasterly course to the lower shoulder of Dakota Drive; thence following said Dakota Drive a distance of 189.8 feet to cemetery lot of Mrs. Martha Snow; thence a westerly course 30 feet to the present woods line; thence following said woods line 10 feet below the present cemetery lots to the lower northeastern corner of the H.A. Heard lot; thence extending on an easterly course 10 feet below the vacant cemetery lots to an iron pin on the southeast corner in a hollow; thence a northwesterly course to the right of way of the L and N Railroad; thence a southwesterly course along the said right of way a distance of 565 feet to the spring branch; thence South along a gully to a corner designated as Rudasill property, then South along the eastern border of said lot to the point of beginning. Containing in all net acers 2.497 according to the plat of survey made by Lucius Grant, C.E. #889, June 18, 1965. Being all of the undeveloped property and present lots in Riverview Cemetery to the right of way of L and N Railroad, as shown by said plat above referred to. Recorded in Plat Book 3, Page 240.

Said property being the same as depicted on a lot survey for Worley Investments, LLP (correctly known as Worley Investments, LLLP), dated May 7, 2015, containing 2.43 acres, by Wikle Land Surveying, P.C. Said lot survey is attached hereto as Exhibit "B" and incorporated herein for a more accurate legal description.

Tax Parcel No. 91N15 044

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

PARCEL 4:

Tax Parcel No. 91N15-045

Parcel# 914N15 045

Address: Tippens Office Building, Canton, GA

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 167 of the 14th District and 2nd Section of Cherokee County, City of Canton, Georgia, as shown in a plat of survey prepared by Cecil S. Mize, dated June 11, 1973, revised June 20, 1973, and recorded in Plat Book 8, Page 58 of the Cherokee County Plat Records and being more particularly described in said plat of survey as follows:

BEGINNING at a point on the North side of the sidewalk located on the North side of North Street at the Southeast corner of the building located on the said property, said point being located 400.0 feet Northwest of the intersection of the extension of the North side of said sidewalk with the centerline of Church Street, as measured along the North side of said sidewalk; thence from said point of beginning North 07 degrees 00 minutes East 100 feet to a point; thence North 07 degrees 45 minutes East 190.6 feet to an iron pin found; thence South 68 degrees 15 minutes West 89.2 feet to an iron pin set; thence South 04 minutes 00 minutes West 248.0 feet to a point; thence South 83 degrees 00 minutes East 62.7 feet to the **POINT OF BEGINNING**.

LESS AND EXCEPT:

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the northerly end of the curved intersection of the easterly right of way of Riverdale Street (28' width public right of way) and the northerly right of way of North Street (variable width public right of way); thence S87°02'36"E for a distance of 394.72 feet to a point at the intersection of the northerly right of way of North Street (variable width public right of way) and the southwestern most building corner, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said right of way and along the building line N06°35'09"E for a distance of 100.24 feet to the building corner; thence leaving said building line N06°48'53"E for a distance of 14.40 feet to a point; thence S83°50'04"E for a distance of 49.20 feet to a point; thence S06°48'18"W for a distance of 14.79 feet to a point at the northeastern building corner; thence along the building line S05°55'02"W for a distance of 100.39 feet to the intersection of the building line and the northerly right of way of North Street (variable width public right of way); thence along said right of way and said building line N83°13'34"W for a distance of 50.37 feet to the intersection of the southwestern most building corner and the right of way of North Street, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 0.131 acre, more or less.

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

PARCEL 5:

Tax Parcel No. 91N15-046

TRACT 2: All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at an iron stab on north side of North Street placed at the southeast corner of the old Rock Barn Building, which is at a point 259.55 feet from the southwest corner of the Cherokee County Courthouse Property; thence running a northerly direction along the east side of the Rock Barn Building its entire length and for a total distance of 122 feet to an iron stob; thence a westerly direction a distance of 28.5 feet to an iron stob; thence a southerly direction and along the west wall of said Rock Barn Building a total distance of 122 feet to the southwest corner of said building at the sidewalk; thence east along the front of said building a distance of 28.5 feet to the POINT OF BEGINNING.

This being the same property conveyed by Marion T. Pope, Jr. to Clyde Worley by warranty deed dated March 27, 1971, recorded in Deed Book 113, page 101, Cherokee County, Georgia Records and by warranty deed from W. R. Payne to John Pope dated October 18, 1947, recorded in Deed Book 21, page 80; and by warranty deed from E. L. Tippens to John P. Pope dated April 20, 1966, recorded in Deed Book 84, page 354; and by warranty deed from Gene Moore and Lois C. Moore to Mrs. John F. Pope recorded in Deed Book 111, page 462, aforesaid records.

PARCEL 6:

Tax Parcel No. 91N15-046B

TRACT 1: All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northeast corner of the John Pope Building (Old Rock Barn Building), which point is located 122 feet north of North Street; thence running in a westerly direction along the north back building wall of said John Pope Building 28 feet to the northwest corner of said building; thence running South 6 feet along the west wall of said building to an iron stob; thence running in a westerly direction 26 1/2 feet to an iron stob; thence running in a northerly direction to an iron stab at gully; thence following said gully in an easterly direction to property of L. L. Jones and the property herein conveyed; thence running in a southerly direction along the west line of property now belonging to Cherokee County 132 feet to the POINT OF BEGINNING.

The property herein conveyed is a portion of the property acquired by James A. Cannon and Sue T. Cannon in a warranty deed from Gene J. Moore, Lois C. Moore, and Jackie L. Moore dated August 27, 1982, recorded in Deed Book 328, page 56, Cherokee County, Georgia Records. It is agreed between the parties herein that the northwest corner of the property herein conveyed is located at the halfway point on the northern boundary of the property acquired by the aforementioned deed. Furthermore, this conveyance is made subject to the reservation for ingress and egress as contained in deed from E. L. Tippens to Hardie Moore recorded in Deed Book 29, page 200, Cherokee County Deed Records.

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

PARCEL 7:

Tax Parcel No. 91N15-040A

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 167 OF THE 14th DISTRICT, 2nd SECTION, CHEROKEE COUNTY, GEORGIA, THE BEARINGS OF WHICH ARE BASED ON GEODETIC GRID SYSTEM (GEORGIA WEST ZONE) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND LOCATED AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY (VARIABLE R/W) OF

NORTH STREET EXTENSION AND THE EASTERLY RIGHT OF WAY (VARIABLE R/W) OF RIVERDALE CIRCLE; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING SOUTH 75 DEGREES 44 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 54.95 FEET TO AN IRON PIN SET (# 4 REBAR); THENCE RUNNING NORTH 12 DEGREES 40 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 146.95 FEET TO AN IRON PIN FOUND (1/2 INCH OPEN TOP PIPE); THENCE RUNNING NORTH 14 DEGREES 56 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 214.59 FEET TO AN IRON PIN FOUND (3/4 INCH OPEN TOP PIPE); THENCE RUNNING SOUTH 85 DEGREES 08 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 168.85 FEET TO AN IRON PIN FOUND (5/8 INCH OPEN TOP PIPE); THENCE RUNNING SOUTH 03 DEGREES 41 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 183.32 FEET TO A POINT; THENCE RUNNING NORTH 83 DEGREES 42 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 161.62 FEET TO AN IRON PIN SET (# 4 REBAR); THENCE RUNNING SOUTH 05 DEGREES 24 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 169.12 FEET TO AN IRON PIN SET (# 4 REBAR) LOCATED ON THE NORTHERLY RIGHT OF WAY (VARIABLE R/W) OF NORTH STREET EXTENSION; THENCE RUNNING ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES:

SOUTH 60 DEGREES 24 MINUTES 20 SECONDS WEST FOR 13.91 FEET TO A POINT;

NORTH 29 DEGREES 35 MINUTES 40 SECONDS WEST FOR 6.35 FEET TO A CONCRETE MONUMENT FOUND;

SOUTH 66 DEGREES 47 MINUTES 10 SECONDS WEST FOR 55.07 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 75.10 FEET TO A CONCRETE MONUMENT FOUND (THE PRECEDING ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 58 DEGREES 20 MINUTES 31 SECONDS WEST WITH A CHORD DISTANCE OF 64.41 FEET AND HAVING A RADIUS OF 39.74 FEET) AND THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1.038 ACRES, MORE OR LESS, ACCORDING TO A RETRACEMENT SURVEY FOR CHEROKEE COUNTY GOVERNMENT, PREPARED BY

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

MICHAEL C. MARTIN, GEORGIA R.L.S. NO. 2149, OF MARTIN LAND SURVEYING, P.C., DATED OCTOBER 27, 2022, JOB NO. 22-5839-240, A COPY OF SAID SURVEY BEING LABELED EXHIBIT "A-I" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

ALL PARCELS REFERENCED ABOVE ARE CONVEYED SUBJECT TO:

1. That certain Boundary Survey For: Cherokee County, dated January 27, 2026, revised on April 21, 2026, prepared by Gunnin Survey under seal of Jesse R. Gunnin, RLS No. 3079, and referred to thereon as "Tract A" (Area = 4.637 acres +/-) and the "Lee Street Tract" (Area = 0.072 acres +/-) (the "Gunnin Survey").
2. Public right-of-way, encroachments and easements as noted on the Gunnin Survey and/or as recorded in the real property records of the Cherokee County Superior Court Clerk.

ADDITIONALLY, PARCELS 4, 5, and 6 REFERENCED ABOVE ARE CONVEYED SUBJECT TO:

3. Land Use Agreement between and among Silex Downtown, LLC; Historic Holdings, LLC; PD2, LLC; and DLC3, LLC, dated December 24, 2020, filed December 28, 2020, and recorded in Deed Book 14578, Page 1411, aforesaid records.
4. Existing ramp and stairway encroachments as depicted on the Gunnin Survey behind abutting buildings marked thereon as "A1" (regarding the ramp) and "A4" (regarding the stairway) and which buildings front onto North Street, for the purposes of access, ingress, egress and maintenance.
5. Seller's reservation of a non-exclusive easement for pedestrian and vehicular access, ingress and egress to Seller's abutting parcels described below. The easement will provide Seller with a right of access, either on foot or by vehicle, to access the rear of its abutting parcels described below and which front North Street. The access rights will be attached to these two parcels and will run with the land. The easement rights will be subject to and will not impose upon Cherokee County's use and operation of the burdened property as a public parking lot.
 - a. Benefitted Parcel #1: abutting building marked as "A1" on the Gunnin Survey with assigned TPN 91N15-049 and situs address of 150 North Street, Canton, Georgia, and which is more particularly described as "Tract 2" in that certain Quit Claim Deed dated October 31, 2011, and filed on November 1, 2011, and recorded at Deed Book 11566, Page 174, aforesaid records.

Rec: \$25.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

e-Filed

- b. Benefitted Parcel #2: Remainder of TPN 91N15-045 with assigned situs address of 186 North Street, Canton, Georgia, and which is more particularly described as follows:

“All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the northerly end of the curved intersection of the easterly right of way of Riverdale Street (28' width public right of way) and the northerly right of way of North Street (variable width public right of way); thence S87°02'36"E for a distance of 394.72 feet to a point at the intersection of the northerly right of way of North Street (variable width public right of way) and the southwestern most building corner, said point being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence leaving said right of way and along the building line N06°35'09"E for a distance of 100.24 feet to the building corner; thence leaving said building line N06°48'53"E for a distance of 14.40 feet to a point; thence S83°50'04"E for a distance of 49.20 feet to a point;
thence S06°48'18"W for a distance of 14.79 feet to a point at the northeastern building corner;
thence along the building line S05°55'02"W for a distance of 100.39 feet to the intersection of the building line and the northerly right of way of North Street (variable width public right of way);
thence along said right of way and said building line N83°13'34"W for a distance of 50.37 feet to the intersection of the southwestern most building corner and the right of way of North Street, said point being the TRUE POINT OF BEGINNING.

Said tract or parcel of land contains 0.131 acre, more or less.”

PT-61 (Rev. 2/18)

To be filed in **CHEROKEE COUNTY****PT-61 028-2026-003612**

SECTION A – SELLER'S INFORMATION (Do not use agent's information)				SECTION C – TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME Silex Downtown, LLC				Exempt Code If no exempt code enter NONE	Govt/NonProfit Public Corp
MAILING ADDRESS (STREET & NUMBER) 131 East Main Strett				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$10.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		DATE OF SALE 4/24/2026		1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)				2. Fair market value of Personal Property only	\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Cherokee County, Georgia				3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 1130 Bluffs Parkway				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30114 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION North Street			SUITE NUMBER
COUNTY CHEROKEE	CITY (IF APPLICABLE) Canton		MAP & PARCEL NUMBER 91N15 042, 043, 044, 045 po ...*		ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE	

ADDITIONAL BUYERS

None

...* This symbol signifies that the data was too big for the field. The original values are shown below.

MAP & PARCEL NUMBER: 91N15 042, 043, 044, 045 portion, 046, 046B & 040A

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

Cross reference to:

Deed Book 11573, Page 384 (SD)

Deed Book 11573, Page 401 (SD)

Deed Book 11341, Page 226 (HH)

Deed Book 10048, Page 150 (PD2)

Deed Book 10048, Page 153 (PD2)

Deed Book 14179, Page 1705 (DLC3)

STATE OF GEORGIA

COUNTY OF CHEROKEE

LAND USE AGREEMENT

2020 THIS AGREEMENT, is made and entered, effective the 24th day of December, 2019, between and among, SILEX DOWNTOWN, LLC ("SD"), a Georgia Limited Liability Company, HISTORIC HOLDINGS, LLC ("HH"), a Georgia Limited Liability Company, PD2, LLC ("PD2"), a Georgia Limited Liability Company, and DLC3, LLC ("DLC3"), a Georgia Limited Liability Company. The above-referenced parties may also be referred to collectively herein as "the Parties."

WITNESSETH:

WHEREAS, SD is the fee simple owner of the following tracts or parcels of land lying and being in Land Lot 167, of the 14th District, 2nd Section of Cherokee County, Georgia, and more particularly described as follows:

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

Tract One:

Parcel# 91N15 042

Address: 181 Lee Street, Canton, GA

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Canton, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING on the west side of a street running north from North Street, west of the Tippens Building, and at the northeast corner of the lot sold to H.S. Pitts, Jr. at a point 100 feet north of the intersection of said street (which is unnamed) with said North Street; thence North 150 feet to a marked corner at the northeast corner of the property being conveyed, which is the southeast corner of Scroggs lot now owned by Jones Mercantile Company; thence West 74 feet to the marked northwest corner of the lot conveyed; thence South a distance of 150 feet to the southwest corner of the lot conveyed, which is the northwest corner of the lot sold to H.S. Pitts, Jr.; thence East along the line between this property and that of H.S. Pitts Jr. a distance of 74 feet to the **POINT OF BEGINNING**. Two houses and a garage are located on this property.

This being the same property and description contained in that certain warranty deed from Lester J. Hendrix to Lawton Carnes and Ozella Carnes dated April 2, 1973, recorded in Deed Book 139, page 387, Cherokee County, Georgia Records.

Tract Two:

Parcel# 914N15 045

Address: Tippens Office Building, Canton, GA

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 167 of the 14th District and 2nd Section of Cherokee County, City of Canton, Georgia, as shown in a plat of survey prepared by Cecil S. Mize, dated June 11, 1973, revised June 20, 1973, and recorded in Plat Book 8, Page 58 of the Cherokee County Plat Records and being more particularly described in said plat of survey as follows:

BEGINNING at a point on the North side of the sidewalk located on the North side of North Street at the Southeast corner of the building located on the said property, said point being located 400.0 feet Northwest of the intersection of the extension of the North side of said sidewalk with the centerline of Church Street, as measured along the North side of said sidewalk; thence from said point of beginning North 07 degrees 00 minutes East 100 feet to a point; thence North 07 degrees 45 minutes East 190.6 feet to an iron pin found; thence South 68 degrees 15 minutes West 89.2 feet to an iron pin set; thence South 04 minutes 00 minutes West 248.0 feet to a point; thence South 83 degrees 00 minutes East 62.7 feet to the **POINT OF BEGINNING**.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

TRACT 1: All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northeast corner of the John Pope Building (Old Rock Barn Building) , which point is located 122 feet north of North Street; thence running in a westerly direction along the north back building wall of said John Pope Building 28 feet to the northwest corner of said building; thence running South 6 feet along the west wall of said building to an iron stab; thence running in a westerly direction 26 1/2 feet to an iron stab; thence running in a northerly direction to an iron stab at gully; thence following said gully in an easterly direction to property of L. L. Jones and the property herein conveyed; thence running in a southerly direction along the west line of property now belonging to Cherokee County 132 feet to the POINT OF BEGINNING.

The property herein conveyed is a portion of the property acquired by James A. Cannon and Sue T. Cannon in a warranty deed from Gene J. Moore, Lois C. Moore, and Jackie L. Moore dated August 27, 1982, recorded in Deed Book 328, page 56, Cherokee County, Georgia Records. It is agreed between the parties herein that the northwest corner of the property herein conveyed is located at the halfway point on the northern boundary of the property acquired by the aforementioned deed. Furthermore, this conveyance is made subject to the reservation for ingress and egress as contained in deed from E. L. Tippens to Hardie Moore recorded in Deed Book 29, page 200, Cherokee County Deed Records.

TRACT 2: All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at an iron stab on north side of North Street placed at the southeast corner of the old Rock Barn Building, which is at a point 259.55 feet from the southwest corner of the Cherokee County Courthouse Property; thence running a northerly direction along the east side of the Rock Barn Building its entire length and for a total distance of 122 feet to an iron stab; thence a westerly direction a distance of 28.5 feet to an iron stab; thence a southerly direction and along the west wall of said Rock Barn Building a total distance of 122 feet to the southwest corner of said building at the sidewalk; thence east along the front of said building a distance of 28.5 feet to the POINT OF BEGINNING.

This being the same property conveyed by Marion T. Pope, Jr. to Clyde Worley by warranty deed dated March 27, 1971, recorded in Deed Book 113, page 101, Cherokee County, Georgia Records and by warranty deed from W. R. Payne to John Pope dated October 18, 1947, recorded in Deed Book 21, page 80; and by warranty deed from E. L. Tippens to John P. Pope dated April 20, 1966, recorded in Deed Book 84, page 354; and by warranty deed from Gene Moore and Lois C. Moore to Mrs. John F. Pope recorded in Deed Book 111, page 462, aforesaid records.

as evidenced by Deed Book 11573, Page 384 and Deed Book 11573, Page 401 Cherokee County Clerk of Court Land Records, both of which are attached hereto as Exhibits A and B, and,

WHEREAS, HH is the fee simple owner of the following tract or parcel of land lying and being in Land Lot 167, of the 14th District, 2nd Section of Cherokee County, Georgia, and more particularly described as follows:

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

ALL THAT TRACT or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, Cherokee County, Georgia, being 0.09 acre, more or less, as shown on plat of survey for Roy H. Taylor and Sue Ann Taylor prepared by Foster Surveying, Inc., bearing the seal of G. Thomas Foster, Georgia RLS #2695, dated September 14, 1990, a copy of said plat being labeled Exhibit "A-1" attached hereto and incorporated herein by reference thereto, and being more particularly described as follows:

TO ASCERTAIN THE TRUE POINT OF BEGINNING, begin at the point of intersection of the Northerly right of way of North Street with the centerline of Church Street; thence Northwesterly along the Northerly right of way of North Street (North Street having a variable right of way) a distance of 400.00 feet to a point, said point being the TRUE POINT OF BEGINNING; thence leaving said right of way North 07° 00' 37" East a distance of 100.12 feet to a point; thence South 82° 16' 24" East a distance of 37.56 feet to a point; thence South 06° 55' 46" West a distance of 100.05 feet to a point located on the Northerly right of way of North Street; thence North 82° 23' 16" West along the Northerly right of way of North Street a distance of 37.70 feet to a point, said point being the TRUE POINT OF BEGINNING.

as evidenced by Deed Book 11341, Page 226 Cherokee County Clerk of Court Land Records, which is attached hereto as Exhibit C, and,

WHEREAS, the property owned by HH adjoins certain parcels owned by SD described above; and,

WHEREAS, PD2 is the fee simple owner of the following tract or parcel of land lying and being in Land Lot 167, of the 14th District, 2nd Section of Cherokee County, Georgia, and more particularly described as follows:

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

All that tract or parcel of land lying and being in the 14th District, 2nd Section, Cherokee County, Georgia and being a part of original lot of Land No. 167 in said District and Section and being in the City of Canton and being more particularly described as follows:

BEGINNING at the corner of what is known as the old rock barn, now occupied by Sparks Furniture Store, on the North side of North Street in said city; thence North along the West wall of said old rock barn a distance of 100 feet; thence West a distance of 23.25 feet to the center of the East wall dividing the property herein conveyed and the property now occupied by A. E. Little Feed and Seed Store; thence South with the center of said East wall a distance of 100 feet to the sidewalk at the South end of said building, and being on the North side of North Street; thence East along the front of building herein conveyed and parallel to the North side of North Street, 23.25 feet to the point of beginning.

The North 16 feet to the land above described is subject to an easement for alley or private way for the purpose of ingress and egress as set out in deed from A. E. Little to W. D. Little dated September 30, 1958, as recorded in Deed Book 46, Page 482, Cherokee County, Georgia Deed Records. Also the grantee herein is hereby granted the use of the 16 feet strip lying immediately west of the north side of the property herein conveyed, and which 16 feet strip lies at the north end of the property conveyed by W. D. Little to A. E. Little on September 30, 1958, in their deeds of partition for the purpose of ingress and egress to the property herein conveyed across the north side of the property of the said A. E. Little. The grantor also conveys the right of use of the wall on the west side of the building herein conveyed which was conveyed to W. R. Payne by Hardy Moore by deed record in Deed Book 13, Page 136, Cherokee County Deed Records. The property herein conveyed consists of the East portion of the property conveyed by J. W. Garrison, et al., to W. D. Little on September 13, 1954, by deed recorded in Book 31, Page 206, Cherokee County Deed Records. The said A. E. Little has subsequently on September 30, 1958, conveyed his interest thereto to W. D. Little when said property was voluntarily partitioned between the parties.

and also described as:

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section of Cherokee County, Georgia, and being in the City of Canton, and being 0.053 acres, as shown on a plat for PD2, LLC, dated January 9, 2008, as surveyed by Martin Land Surveying, PC, Registered Land Surveyors, which plat describes said property more particularly as follows:

To arrive at the point of beginning, commence at the intersection of the Northerly right-of-way of North Street with the centerline of Lee Street; thence South 80 degrees 32 minutes 16 seconds East along the Northerly right-of-way of North Street 118.61 feet to a point found thereon, which is the TRUE POINT OF BEGINNING, thence from said POINT OF BEGINNING, North 08 degrees 59 minutes 48 seconds East 99.99 feet to a point found on the Southerly right-of-way of a 16 foot wide ingress/egress easement; thence South 81 degrees 05 minutes 58 seconds East along said easement 23.25 feet to a point found thereon; thence South 08 degrees 59 minutes 49 seconds West 100.21 feet to a point found on the Northerly right-of-way of North Street; thence North 80 degrees 32 minutes 16 seconds West along said right-of-way 23.25 feet to the POINT OF BEGINNING, said property is more fully described according to the above referenced plat which is incorporated herein by reference for a more complete description thereof.

Grantor also conveys herewith any and all easement rights in and to the 16 foot wide easement tract lying adjacent to the Northern boundary of the within described property.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

as evidenced by Deed Book 10048, Page 150 and Deed Book 10048, Page 153 Cherokee County Clerk of Court Land Records, both of which are attached hereto as Exhibits D and E, and,

WHEREAS, the property owned by PD2 adjoins certain parcels owned by SD described above; and

WHEREAS, DLC3 is the fee simple owner of the following tract or parcel of land lying and being in Land Lot 167, of the 14th District, 2nd Section of Cherokee County, Georgia, and more particularly described as follows:

All that tract or parcel of land lying and being in the 14th District, 2nd Section of Cherokee County, Georgia, and being a part of original Land Lot 167 in said District and Section, lying and being in the City of Canton in said County, more particularly described as follows:

BEGINNING at the Southeast corner of the building belonging to John Reeves, occupied by Reeves Canton Flower Shop on the North side of North Street and being more commonly known as 170 North Street, Canton, Georgia using the current street numbering of said city; thence East along the front of the building herein conveyed a distance of 21.25 feet to the center of the east wall of said building; thence North along said wall a distance of 100 feet; thence West a distance of 21.25 feet to an iron pipe corner; thence South a distance of 100 feet along the West wall of said building belonging to John Reeves to the sidewalk at the POINT OF BEGINNING, Grantor also conveys the right to the use of the wall on the West side of the building herein conveyed to W. R. Payne by Hardie Moore by deed recorded in Deed Book 13, Page 136 of the Cherokee County Deed Records, and all the rights and privileges conveyed in said deed. The Grantee herein is granted the right to the use of the 16 foot strip of land at the North end of the property herein conveyed, together with the right of the use of the 16 foot strip of land at the North end of the property more commonly known as 154 North Street, Canton, Georgia; said 16 foot strip lying immediately North of the property known as 154 North Street, Canton, Georgia, said 16 foot strip being for the purpose of ingress and egress to said properties.

It is further agreed that Grantor conveys all his rights and interest in the common wall between 160 North Street and 154 North Street, Canton, Georgia.

The above-described property being all that property conveyed in Warranty Deed from W. D. Little to A. E. Little dated the 30th day of September, 1958 and recorded in Deed Book 46, Page 463 of the Cherokee County Deed Records.

as evidenced by Deed Book 14179, Page 1705 Cherokee County Clerk of Court Land Records, which is attached hereto as Exhibit F, and,

WHEREAS, DLC3 is the fee simple owner of property adjoining certain parcels owned by SD described above; and,

WHEREAS, the Parties have a disagreement concerning the rights and obligations of each with regard to access, ingress, egress, parking and related issues; and,

WHEREAS, the Parties, by this instrument, intend to resolve their differences, formalize and more fully set forth the rights, obligations and privileges of each with regard to access, ingress, egress, parking and related issues.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

NOW, THEREFORE, for and in consideration of the mutual benefits accruing to them, it is mutually agreed by, between, and among the Parties hereto as follows:

1. SD shall permit pedestrian and passenger vehicle access across its property to HH, PD2, and DLC3 for the purpose of access, ingress, and egress to the rear (northern) doors, windows, and exterior walls of the property owned by HH, PD2, and DLC3. The access rights conferred herein are not transferable by HH, PD2, or DLC3 to another person or entity, except that HH, PD2, or DLC3 may transfer such rights to any successor-in-interest or transferee of title.

2. SD shall have the right at all times to designate the route of such access and shall have the right to relocate any such route.

3. SD shall permit PD2 to park one passenger vehicle on its property so long as the person parking a vehicle in such space is doing so in conjunction with the use or occupancy of the property of PD2. Such designated parking space shall be within a reasonable walking distance of the property being accessed. The parking right conferred herein is not transferable by PD2 to another person or entity, except that PD2 may transfer such right to any successor-in-interest or transferee of title to PD2.

4. SD shall have the right at all times to designate the location of the PD2 parking space and shall have the right to relocate any such parking space.

5. SD shall permit DLC3 to park one passenger vehicle on its property so long as the person parking a vehicle in such space is doing so in conjunction with the use or occupancy of the property of DLC3. The parking right conferred herein is not transferable by DLC3 to another person or entity, except that DLC3 may transfer such right to any successor-in-interest or transferee of title to DLC3.

6. SD shall have the right at all times to designate the location of the DLC3 parking space and shall have the right to relocate any such parking space.

7. Apart from the rights and interests conveyed and agreed to herein, for each of them, HH, PD2, and DLC3 hereby disclaim and waive any other right, title, or interest in or to any of the above-referenced property of SD.

8. HH, PD2, and DLC3 each agree to indemnify and hold SD, its members, officers, principals, owners, as well as SD's successors or assigns, harmless from and against any and all claims, demands and causes of action, including legal expenses and attorney fees, brought by any person whomsoever for loss of or damage to property or injury to or death of persons which may in any way relate to or result from the use by HH, PD2, or DLC3 of the access, ingress, egress, and parking rights conferred herein.

9. SD agrees to indemnify and hold HH, PD2, and/or DLC3, its members, officers, principals, owners, as well as their successors or assigns, harmless from and against any and all claims, demands and causes of action, including legal expenses and attorney fees, brought by any person whomsoever for loss of or damage to property or injury to or death of persons which may in any way relate to or result from the use by SD of the access, ingress, egress, and parking rights conferred herein.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

10. SD agrees to bear all expenses of maintaining the access route and parking spaces referred to herein, and furthermore agrees to maintain said elements in a manner to preserve the reasonable utility of such elements by HH, PD2, and DLC3.

11. No modification of this agreement or any waiver of any provision hereof shall be effective unless the same is in writing.

12. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, and successors.

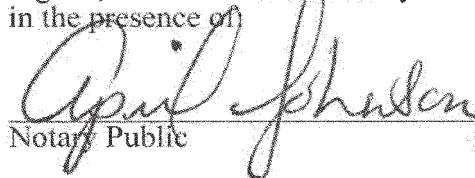
13. The rights and duties conveyed herein are permanent, non-revocable, and run with the land, binding SD and all successors in interest. This Land Use Agreement shall be recorded in the land records maintained by the Clerk of Superior Court of Cherokee County and shall cross-reference each of the vesting deeds referred to above. Likewise, each of the Parties agrees to specifically refer to this instrument in any future conveyance of the parcels which are the subject of this Land Use Agreement.

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals on the day and year first above written.

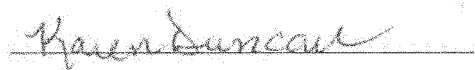
SILEX DOWNTOWN, LLC

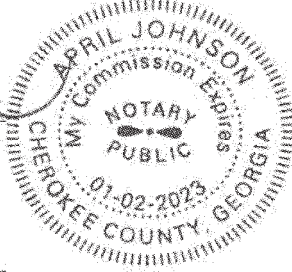

By: Douglas H. Flint
Its: Manager

Signed, sealed and delivered by
in the presence of


Notary Public

Unofficial Witness:





Rec: \$25.00

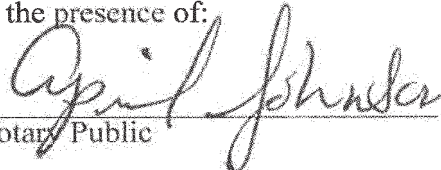
Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

HISTORIC HOLDINGS, LLC

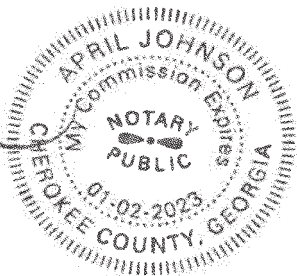

By: Douglas H. Flint
Its: Manager

Signed, sealed and delivered by
in the presence of:


Notary Public

Unofficial Witness:





Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

PD2, LLC

Steve Page

By: Steve Page

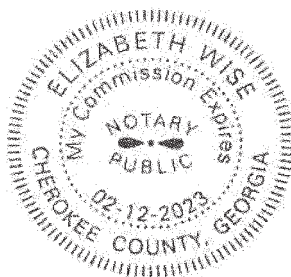
Its: Member / Manager

Signed, sealed and delivered by
in the presence of:

Elizabeth Wise
Notary Public

Unofficial Witness:

AC Wd



Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

DLC3, LLC

DLC3 LLC

By: [Signature]

Its: Deanna L Cannon

[Signature]

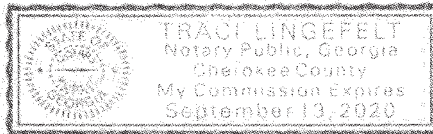
Deanna L Cannon

Signed, sealed and delivered by
in the presence of:

[Signature]
Notary Public

Unofficial Witness:

[Signature]



Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT A

Deed Book **11573** Pg **384**
 Filed and Recorded 11/4/2011 11:57:07 AM
28-2011-029208
 Transfer Tax \$0.00
 Patty Baker
 Clerk of Superior Court Cherokee Cty, GA

Return Recorded Document to:
 Hartman-Imbriale, LLP
 145 Towne Lake Parkway, Suite 200
 Woodstock, GA 30188

WARRANTY DEED

STATE OF GEORGIA
 COUNTY OF CHEROKEE

File #: 11-07473

This Indenture made this **31st day of October, 2011**, between **Cherokee Landmarks, LLC**, of the County of **Cherokee**, State of **Georgia**, as party or parties of the first part, hereinunder called Grantor, and **Silex Downtown, LLC**, 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 AND 00/100'S (\$10.00) Dollars and other good and valuable consideration 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,

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This Deed is given subject to all easements and restrictions of record, if any.

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, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Cherokee Landmarks, LLC


 Witness

 (Seal)
 By: Douglas H. Flint, Manager/Member


 Notary Public

_____(Seal)
 By:

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT A, p. 2

EXHIBIT "A"

Tract One:

Parcel# 91N15 042

Address: 181 Lee Street, Canton, GA

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Canton, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING on the west side of a street running north from North Street, west of the Tippens Building, and at the northeast corner of the lot sold to H.S. Pitts, Jr. at a point 100 feet north of the intersection of said street (which is unnamed) with said North Street; thence North 150 feet to a marked corner at the northeast corner of the property being conveyed, which is the southeast corner of Scroggs lot now owned by Jones Mercantile Company; thence West 74 feet to the marked northwest corner of the log conveyed; thence South a distance of 150 feet to the southwest corner of the lot conveyed, which is the northwest corner of the lot sold to H.S. Pitts, Jr.; thence East along the line between this property and that of H.S. Pitts Jr. a distance of 74 feet to the **POINT OF BEGINNING**. Two houses and a garage are located on this property.

This being the same property and description contained in that certain warranty deed from Lester J. Hendrix to Lawton Carnes and Ozella Carnes dated April 2, 1973, recorded in Deed Book 139, page 387, Cherokee County, Georgia Records.

Tract Two:

Parcel# 914N15 045

Address: Tippens Office Building, Canton, GA

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 167 of the 14th District and 2nd Section of Cherokee County, City of Canton, Georgia, as shown in a plat of survey prepared by Cecil S. Mize, dated June 11, 1973, revised June 20, 1973, and recorded in Plat Book 8, Page 58 of the Cherokee County Plat Records and being more particularly described in said plat of survey as follows:

BEGINNING at a point on the North side of the sidewalk located on the North side of North Street at the Southeast corner of the building located on the said property, said point being located 400.0 feet Northwest of the intersection of the extension of the North side of said sidewalk with the centerline of Church Street, as measured along the North side of said sidewalk; thence from said point of beginning North 07 degrees 00 minutes East 100 feet to a point; thence North 07 degrees 45 minutes East 190.6 feet to an iron pin found; thence South 68 degrees 15 minutes West 89.2 feet to an iron pin set; thence South 04 minutes 00 minutes West 248.0 feet to a point; thence South 83 degrees 00 minutes East 62.7 feet to the **POINT OF BEGINNING**.

DKH

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT B

Deed Book **11573** Pg **401**
Filed and Recorded 11/4/2011 12:00:24 PM
28-2011-029210
Transfer Tax \$0.00
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

Return Recorded Document to:
Hartman-Imbriale, LLP
145 Towne Lake Parkway, Suite 200
Woodstock, GA 30188

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF CHEROKEE

File #: 11-07474

This Indenture made this **31st day of October, 2011**, between **Cherokee Landmarks, LLC**, of the County of **Cherokee**, State of **Georgia**, as party or parties of the first part, hereinunder called Grantor, and **Silex Downtown, LLC**, 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 AND 00/100'S (\$10.00) Dollars and other good and valuable consideration 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,

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This Deed is given subject to all easements and restrictions of record, if any.

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, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:



Witness



Notary Public

Cherokee Landmarks, LLC



By: **Douglas H. Flint**,
Manager/Member

By: (Seal)

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT B, p. 2

EXHIBIT "A"

TRACT 1: All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northeast corner of the John Pope Building (Old Rock Barn Building) , which point is located 122 feet north of North Street; thence running in a westerly direction along the north back building wall of said John Pope Building 28 feet to the northwest corner of said building; thence running South 6 feet along the west wall of said building to an iron stob; thence running in a westerly direction 26 1/2 feet to an iron stob; thence running in a northerly direction to an iron stab at gully; thence following said gully in an easterly direction to property of L. L. Jones and the property herein conveyed; thence running in a southerly direction along the west line of property now belonging to Cherokee County 132 feet to the POINT OF BEGINNING.

The property herein conveyed is a portion of the property acquired by James A. Cannon and Sue T. Cannon in a warranty deed from Gene J. Moore, Lois C. Moore, and Jackie L. Moore dated August 27, 1982, recorded in Deed Book 328, page 56, Cherokee County, Georgia Records. It is agreed between the parties herein that the northwest corner of the property herein conveyed is located at the halfway point on the northern boundary of the property acquired by the aforementioned deed. Furthermore, this conveyance is made subject to the reservation for ingress and egress as contained in deed from E. L. Tippens to Hardie Moore recorded in Deed Book 29, page 200, Cherokee County Deed Records.

TRACT 2: All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at an iron stab on north side of North Street placed at the southeast corner of the old Rock Barn Building, which is at a point 259.55 feet from the southwest corner of the Cherokee County Courthouse Property; thence running a northerly direction along the east side of the Rock Barn Building its entire length and for a total distance of 122 feet to an iron stob; thence a westerly direction a distance of 28.5 feet to an iron stob; thence a southerly direction and along the west wall of said Rock Barn Building a total distance of 122 feet to the southwest corner of said building at the sidewalk; thence east along the front of said building a distance of 28.5 feet to the POINT OF BEGINNING.

This being the same property conveyed by Marion T. Pope, Jr. to Clyde Worley by warranty deed dated March 27, 1971, recorded in Deed Book 113, page 101, Cherokee County, Georgia Records and by warranty deed from W. R. Payne to John Pope dated October 18, 1947, recorded in Deed Book 21, page 80; and by warranty deed from E. L. Tippens to John P. Pope dated April 20, 1966, recorded in Deed Book 84, page 354; and by warranty deed from Gene Moore and Lois C. Moore to Mrs. John F. Pope recorded in Deed Book 111, page 462, aforesaid records.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT C

After recording return to:
Flint, Connolly & Walker, LLP
131 East Main Street
Canton, Georgia 30114

Deed Book **11341** Pg **226**
Filed and Recorded 3/21/2011 4:21:16 PM

Transfer Tax \$0.00
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

STATE OF GEORGIA

COUNTY OF CHEROKEE

QUIT-CLAIM DEED

THIS INDENTURE, made this 29th day of September, in the Year of our Lord Two-Thousand Ten, between CHEROKEE LANDMARKS, LLC, a Georgia corporation, of the first part, and HISTORIC HOLDINGS, LLC, a Georgia limited liability company, of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever QUIT-CLAIM to the said party of the second part, its heirs and assigns, all of its interest in all that tract or parcel of land, located in Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor its heirs, nor any other person or persons claiming under it shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:


Carol Hitt
NOTARY PUBLIC

Christy A. Hulsey
UNOFFICIAL WITNESS

CHEROKEE LANDMARKS, LLC

Douglas H. Flint (SEAL)
By: Douglas H. Flint, Manager

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT C, p. 2

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section, Cherokee County, Georgia, being 0.09 acre, more or less, as shown on plat of survey for Roy H. Taylor and Sue Ann Taylor prepared by Foster Surveying, Inc., bearing the seal of G. Thomas Foster, Georgia RLS #2695, dated September 14, 1990, a copy of said plat being labeled Exhibit "A-1" attached hereto and incorporated herein by reference thereto, and being more particularly described as follows:

TO ASCERTAIN THE TRUE POINT OF BEGINNING, begin at the point of intersection of the Northerly right of way of North Street with the centerline of Church Street; thence Northwesterly along the Northerly right of way of North Street (North Street having a variable right of way) a distance of 400.00 feet to a point, said point being the TRUE POINT OF BEGINNING; thence leaving said right of way North 07° 00' 37" East a distance of 100.12 feet to a point; thence South 82° 16' 24" East a distance of 37.56 feet to a point; thence South 06° 55' 46" West a distance of 100.05 feet to a point located on the Northerly right of way of North Street; thence North 82° 23' 16" West along the Northerly right of way of North Street a distance of 37.70 feet to a point, said point being the TRUE POINT OF BEGINNING.

G. THOMAS FOSTER, JR.
R.L.S. #2885

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT D

Deed Book **10048** Pg **150**
Filed and Recorded 01/28/2008 04:01 PM
28-2008-003370

Transfer Tax \$270.00
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

3
After Recording, Return To:
Zack A. Rice
Boling Rice
P.O. Box 244
Cumming, Georgia 30028
#59,546

STATE OF GEORGIA

COUNTY OF FORSYTH

TRUSTEE'S DEED

THIS INDENTURE is made as of JANUARY 22, 2008, between LINDA C. STURNIOLO, as Trustee and LAWRENCE R. STURNIOLO, as Trustee of The Linda C. Sturniolo Revocable Living Trust under Trust Agreement dated April 4, 2000 (hereinafter referred to as "Grantor") and PD2, LLC, a Georgia limited liability company (hereinafter referred to as "Grantee"), ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10. 00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following:

PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD, the Land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT D, p. 2

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand and seal, the day and year above written.

EXECUTED under seal as of the date above.

Signed, sealed and delivered

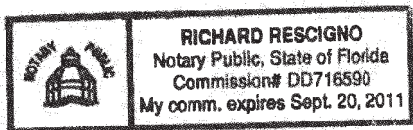
in the presence of:

PETRA RUTKOWSKI
Petra Rutkowski
Witness

[Signature]
Notary Public
(SEAL)

Hillsborough FL

Linda C. Sturniolo, as Trustee (SEAL)
Linda C. Sturniolo, as Trustee
Lawrence R. Sturniolo, as Trustee (SEAL)
Lawrence R. Sturniolo, as Trustee



Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT D, p. 3

EXHIBIT "A"

All that tract or parcel of land lying and being in the 14th District, 2nd Section, Cherokee County, Georgia and being a part of original lot of Land No. 167 in said District and Section and being in the City of Canton and being more particularly described as follows:

BEGINNING at the corner of what is known as the old rock barn, now occupied by Sparks Furniture Store, on the North side of North Street in said city; thence North along the West wall of said old rock barn a distance of 100 feet; thence West a distance of 23.25 feet to the center of the East wall dividing the property herein conveyed and the property now occupied by A. E. Little Feed and Seed Store; thence South with the center of said East wall a distance of 100 feet to the sidewalk at the South end of said building, and being on the North side of North Street; thence East along the front of building herein conveyed and parallel to the North side of North Street, 23.25 feet to the point of beginning.

The North 16 feet to the land above described is subject to an easement for alley or private way for the purpose of ingress and egress as set out in deed from A. E. Little to W. D. Little dated September 30, 1958, as recorded in Deed Book 46, Page 462, Cherokee County, Georgia Deed Records. Also the grantee herein is hereby granted the use of the 16 feet strip lying immediately west of the north side of the property herein conveyed, and which 16 feet strip lies at the north end of the property conveyed by W. D. Little to A. E. Little on September 30, 1958, in their deeds of partition for the purpose of ingress and egress to the property herein conveyed across the north side of the property of the said A. E. Little. The grantor also conveys the right of use of the wall on the west side of the building herein conveyed which was conveyed to W. R. Payne by Hardy Moore by deed record in Deed Book 13, Page 136, Cherokee County Deed Records. The property herein conveyed consists of the East portion of the property conveyed by J. W. Garrison, et al., to W. D. Little on September 13, 1954, by deed recorded in Book 31, Page 206, Cherokee County Deed Records. The said A. E. Little has subsequently on September 30, 1958, conveyed his interest thereto to W. D. Little when said property was voluntarily partitioned between the parties.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT E

Deed Book **10048** Pg **153**
Filed and Recorded 01/28/2008 04:02 PM
28-2008-003371

After Recording, Return To:
Zack A. Rice
Boling Rice LLC
Post Office Box 244
Cumming, Georgia 30028
770/887-3162

ZAR/59,546

Patty Baker
Clerk of Superior Court Cherokee Cty, GA

QUIT-CLAIM DEED

State of Georgia; County of Forsyth

THIS INDENTURE, made as of JANUARY 22, 2008, between LINDA C. STURNIOLO, as Trustee and LAWRENCE R. STURNIOLO, as Trustee of The Linda C. Sturniolo Revocable Living Trust under Trust Agreement dated April 4, 2000, of the first part, and PD2, LLC, a Georgia limited liability company, of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever quit-claim to the said party of the second part, its heirs and assigns, the below described property to-wit:

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section of Cherokee County, Georgia, and being in the City of Canton, and being 0.053 acres, as shown on a plat for PD2, LLC, dated January 9, 2008, as surveyed by Martin Land Surveying, PC, Registered Land Surveyors, as more particularly described on Exhibit "A" attached hereto and made a part hereof.

The purpose of this deed is to conform the legal description of the Property to a boundary utilizing a current survey in order to avoid discrepancies with the previous legal description.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor their heirs, nor any other person or persons claiming under them shall at any time, by any means or ways, have, claim, or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

Rec: \$25.00

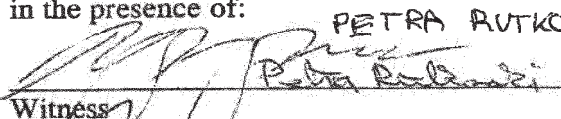
Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT E, p. 2

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand and seal, the day and year above written.

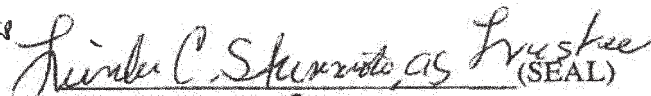
Signed, sealed and delivered
in the presence of:


PETRA RUTKOWSKI
Petra Rutkowski
Witness

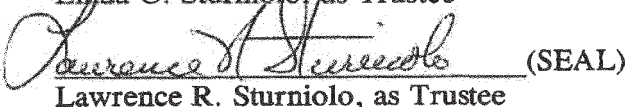
Notary Public

(SEAL)

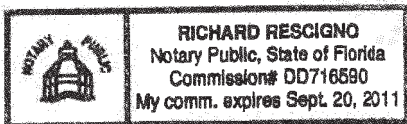



Linda C. Sturniolo, as Trustee (SEAL)

Linda C. Sturniolo, as Trustee


Lawrence R. Sturniolo, as Trustee (SEAL)

Lawrence R. Sturniolo, as Trustee



Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

EXHIBIT E, p. 3

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section of Cherokee County, Georgia, and being in the City of Canton, and being 0.053 acres, as shown on a plat for PD2, LLC, dated January 9, 2008, as surveyed by Martin Land Surveying, PC, Registered Land Surveyors, which plat describes said property more particularly as follows:

To arrive at the point of beginning, commence at the intersection of the Northerly right-of-way of North Street with the centerline of Lee Street; thence South 80 degrees 32 minutes 16 seconds East along the Northerly right-of-way of North Street 118.61 feet to a point found thereon, which is the TRUE POINT OF BEGINNING, thence from said POINT OF BEGINNING, North 08 degrees 59 minutes 48 seconds East 99.99 feet to a point found on the Southerly right-of-way of a 16 foot wide ingress/egress easement; thence South 81 degrees 05 minutes 58 seconds East along said easement 23.25 feet to a point found thereon; thence South 08 degrees 59 minutes 49 seconds West 100.21 feet to a point found on the Northerly right-of-way of North Street; thence North 80 degrees 32 minutes 16 seconds West along said right-of-way 23.25 feet to the POINT OF BEGINNING, said property is more fully described according to the above referenced plat which is incorporated herein by reference for a more complete description thereof.

Grantor also conveys herewith any and all easement rights in and to the 16 foot wide easement tract lying adjacent to the Northern boundary of the within described property.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

Rec: \$12.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT F

William E. Whitaker P.C.
P. O. Box 371
Canton, GA 30114

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF CHEROKEE

THIS INDENTURE, made this 17th day of May, 2017 between **David L. Cannon, Jr. and Deanna Cannon** of the State of Georgia of the first part, and **DLC3, LLC** of the State of Georgia of the second part,

WITNESSETH: That the said parties of the first part, in consideration of Ten Dollars, and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is acknowledged, have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, its successors and assigns:

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District, 2nd Section of Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for a more complete description of the property.

TO HAVE AND TO HOLD the said bargained premises, together 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 **DLC3, LLC** its successors and assigns forever in FEE SIMPLE and the said parties of the first part, for their heirs and assigns, will warrant and forever defend the right and title to the above described property unto the said party of the second part, its successors and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year above written.

Signed, sealed and delivered in the presence of



Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2715643381

Rec: \$12.00 TRANSFER TAX \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT F, p. 2

EXHIBIT "A"

All that tract or parcel of land lying and being in the 14th District, 2nd Section of Cherokee County, Georgia, and being a part of original Land Lot 167 in said District and Section, lying and being in the City of Canton in said County, more particularly described as follows:

BEGINNING at the Southeast corner of the building belonging to John Reeves, occupied by Reeves Canton Flower Shop on the North side of North Street and being more commonly known as 170 North Street, Canton, Georgia using the current street numbering of said city; thence East along the front of the building herein conveyed a distance of 21.25 feet to the center of the east wall of said building; thence North along said wall a distance of 100 feet; thence West a distance of 21.25 feet to an iron pipe corner; thence South a distance of 100 feet along the West wall of said building belonging to John Reeves to the sidewalk at the POINT OF BEGINNING. Grantor also conveys the right to the use of the wall on the West side of the building herein conveyed to W. R. Payne by Hardie Moore by deed recorded in Deed Book 13, Page 136 of the Cherokee County Deed Records, and all the rights and privileges conveyed in said deed. The Grantee herein is granted the right to the use of the 16 foot strip of land at the North end of the property herein conveyed, together with the right of the use of the 16 foot strip of land at the North end of the property more commonly known as 154 North Street, Canton, Georgia; said 16 foot strip lying immediately North of the property known as 154 North Street, Canton, Georgia, said 16 foot strip being for the purpose of ingress and egress to said properties.

It is further agreed that Grantor conveys all his rights and interest in the common wall between 160 North Street and 154 North Street, Canton, Georgia.

The above-described property being all that property conveyed in Warranty Deed from W. D. Little to A. E. Little dated the 30th day of September, 1958 and recorded in Deed Book 46, Page 463 of the Cherokee County Deed Records.

Filer Note To Clerk

No Grantor/Grantee. The Land Use Agreement is between the parties.

COPY

IMPORTANT! This document was generated by the GSCCCA eFiling portal and is intended to provide the clerk with additional information from the filer.

*****PLEASE DO NOT RECORD THIS DOCUMENT*****

Generated on 12/28/2020 at 9:41 AM