



A Golden Past.  
A Shining Future.

**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Planning and Zoning Division**  
**1725 Reynolds Street, Suite 200, Brunswick, GA 31520**  
**Phone: 912-554-7428/Fax: 1-888-252-3726**

**MAINLAND PLANNING COMMISSION STAFF REPORT**

MEETING DATE: June 4, 2024

<b>Application Type</b>	<b>Rezoning</b>
<b>Case Number</b>	ZM-24-12
<b>Applicant</b>	Jake Lemmings, Roberts Civil Engineering, agent for ECA Holdings, LLC, Wiliam and Wade Whatley, applicant, Charles Wells, owner.
<b>Name of Project</b>	ZM-24-12 – 4270 Highway 17 Rezone
<b>Property Address</b>	4270 Highway 17
<b>Parcel ID</b>	03-00573
<b>Area of Property</b>	24.04 acres
<b>Existing Zoning</b>	HC Highway Commercial
<b>Existing Land Use</b>	Vacant
<b>Proposed Zoning</b>	PD Planned Development
<b>Proposed Land Use</b>	Vacant building and wooded
<b>Comp Plan – Character Area</b>	Existing Traditional Residential

GENERAL INFORMATION:

BACKGROUND:

- Consideration of a rezone of 4270 Highway 17 from HC Highway Commercial to PD Planned Development District for a possible mixed-use development.
- The intent is to provide a mixed-use development with commercial along Highway 17, pond, and single-family residential use in line with the proposed PD Text.
- Noticing Requirements: This application was noticed, in The Brunswick News on May 17, 2024, letters to adjacent property owners and sign on the property on May 17, 2024.

FINDINGS:

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following factors are to be considered in making a decision on a request for rezoning: (Staff’s comment is shown in bold).

1. Whether the zoning decision will permit a use that is suitable in view of the use and development of adjacent and nearby property. **The surrounding area is commercial in nature.**

2. Whether the zoning decision will adversely affect the existing use or usability of adjacent or nearby property. **The property is currently zoned Highway Commercial and the proposal is for mixed use residential and commercial. Residential use will be compatible with the existence of adjacent residential use.**
3. Whether the property to be affected by the zoning decision has a reasonable economic use as currently zoned. **Yes, commercial development would be the allowed usage.**
4. Whether the zoning decision will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. **No, the proposed rezone is consistent with development along a major highway, mixed use redevelopment is appropriate in this character area.**
5. Whether the zoning decision is in conformity with the policy and intent of the Comprehensive Land Use Plan. **The character area designation in the 2023 Comprehensive Land Use Plan is Existing Traditional Residential. See Below**

## 6. Land Use

### 6.3.7 Existing Traditional Residential

This area includes the traditional neighborhoods on either side of the SR-25 corridor directly north of Brunswick. This area is home to older, predominately single-family and low-density multi-family residential units constructed with access to the marshland in mind. There is opportunity for residential and commercial redevelopment within this area. Development within this area should focus on providing a mix of residential densities, and improving access from the neighborhood to retail, services, and schools in the area.



#### Issues

Investment is needed within this area, and the County must also address issues with crime. There is little non-motorized infrastructure in this area, leaving many residents without safe access to basic retail services and recreational activities.

#### Development Strategies

- Focus on strategic public investments to improve conditions, incentivize appropriate infill development on scattered vacant sites, and encourage maintenance of existing properties.
- Public grants and private investment should be focused where needed to foster redevelopment and stabilization of the community.
- Work with regional partners to make public transportation services available to this area.
- Encourage apartment complex owners to maintain and upgrade rental properties.
- Pedestrian and bicycle connections are needed

to enable residents to safely walk and cycle to work, shopping, or other destinations in the area.

- Vacant or blighted properties in the neighborhood offer an opportunity for infill development of new, architecturally compatible housing.



#### Zoning Analysis

The following zoning categories are compatible for future development within the Country Club area. The suitability of these zoning categories, based on desired land use patterns, is described following this list.

- CP – Conservation Preservation
- FA – Forest Agricultural
- R6 – One-Family Residential
- R9 – One-Family Residential
- R12 – One-Family Residential
- R20 – One-Family Residential
- GR – General Residential
- MR – Medium Residential
- LC – Local Commercial
- HC – Highway Commercial
- GC – General Commercial
- PD – Planned Development

This area contains a mix of densities and housing types, so none of the zoning districts listed above are inconsistent with the desired future development patterns. However, due to the proximity of this area to downtown Brunswick and the SR-25 commercial corridor, there is an opportunity to encourage redevelopment with moderate to high residential density, which includes mixed use developments.

6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or disapproval of the zoning decision. **The current use is consistent with the proposed zoning.**
7. For a zoning decision involving the grant of a special use or conditional use permit, the Planning Commission shall include comments on those matters identified in Section 904.3 of the Zoning Ordinance. **Not applicable.**
8. Such other matters as the Planning Commission deems relevant. **The Planning Commission can determine if other matters should be considered in relation to the application.**

## COMPLETION OF THE APPLICATION FOR REZONING

Staff determined this application is complete and contains all the information required by the Glynn County Zoning Ordinance.

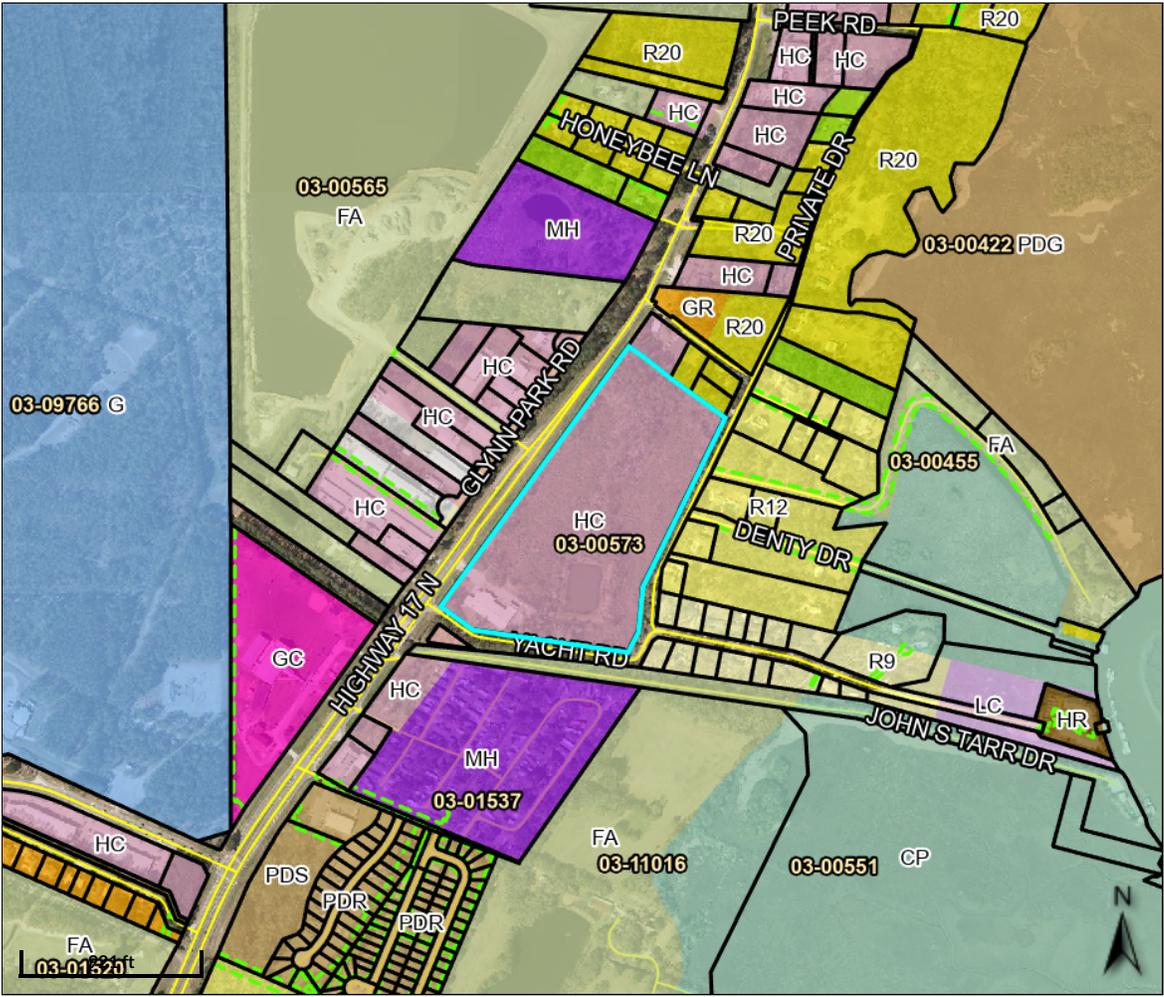
#### PLANNING COMMISSION ACTION

Pursuant to Section 1106.1(l) of the Glynn County Zoning Ordinance, the Planning Commission shall take one of the following formal actions:

- (i) Recommend approval of the proposed zoning decision as presented;
- (ii) Recommend approval of the proposed zoning decision with modifications or conditions;
- (iii) Defer action of the proposed zoning decision upon motion of the Planning Commission or at the request of the applicant. The applicant may revise the proposal based on the comments at the meeting and resubmit it for formal action at a future meeting. Provided, however, that if formal action is deferred at the request of the applicant, he or she shall be responsible for additional costs as provided by 1105.3; or
- (iv) Recommend denial of an ordinance amendment or proposed zoning decision.

#### ATTACHMENTS

1. Staff Report
2. Aerial / Zoning Map
3. Tax Parcel Record
4. HC Zoning
5. Property Deed



- Legend**
- Parcels
  - Parcel Numbers
  - Address Number
  - Easements
  - Zoning**
  - R6 - One-Family Residential
  - R9 - One-Family Residential
  - R12 - One-Family Residential
  - R20 - One-Family Residential
  - M6 - One-Family Residential
  - M9 - One-Family Residential
  - M12 - One-Family Residential
  - M20 - One-Family Residential
  - RE - One-Family Residential Estates
  - GR - General Residential
  - MR - Medium Residential
  - HR - High Residential
  - MH - Mobile Home Park
  - MH6 - One-Family Residential
  - MH9 - One-Family Residential
  - MH12 - One-Family Residential
  - MH20 - One-Family Residential
  - RR - Resort Residential

- VR - Village Residential
- PD - Planned Development
- FC - Freeway Commercial
- GC - General Commercial
- HC - Highway Commercial
- LC - Local Commercial
- NC - Restricted Neighborhood Commercial
- OC - Office Commercial
- PC - Planned Commercial
- VMU - Village Mixed Use
- G - Government
- P - Public
- MED - Medical
- CP - Conservation Preservation
- FA - Forest Agricultural
- BI - Basic Industrial
- GI - General Industrial
- LI - Limited Industrial
- Roads

**Parcel ID** 03-00573  
**Class Code** Industrial Small Tracts  
**Taxing District** 03-CENTRAL GLYNN BRUNSWICK  
**Acres** 24.04

**Owner** WELLS CHARLES W & ETAL  
 125 THORNHILL DR  
 BRUNSWICK, GA 31525  
**Physical Address** 4270 HIGHWAY 17 N  
**Market Value** \$385500

Last 2 Sales			
Date	Price	Reason	Qual
10/25/2018	0	INTEREST	U
5/31/2018	0	INTEREST	U

Date created: 5/30/2024  
 Last Data Uploaded: 5/30/2024 6:50:02 AM

Developed by 

PLANNED DEVELOPMENT DISTRICT

ZONING AMENDMENT

For

**ACE HWY 17  
PLANNED DEVELOPMENT**

Glynn County, Georgia

May 7, 2024

**Applicant:**

ECA Holdings LLC

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## **Attachments**

Exhibit A: Glynn County Zoning Ordinance Section 713 – HC Highway Commercial District

Exhibit B: Rezoning Exhibit

## **I. GENERAL DESCRIPTION**

- A. This application proposes to entitle the commercial development and limited single family development within the project area at 4270 Highway 17 North in Glynn County, Georgia. The project site is bounded to the West by US Highway 17 N, the East by Old Belle Point Road, the South by Yacht Rd and North by residential land owners.
- B. Charles Wells owns parcel 03-00573 which is 24.18 acres.
- C. The project area is shown on Exhibit B.
- D. The intent of the development is to provide a commercial development with commercial along Highway 17, pond and single-family residential use in line with this PD Text.

## **II. PROPOSED DEVELOPMENT PLAN**

### **A. Plan Concept and Proposed Land Uses**

The proposed project will be commercial development along highway 17 N, single family residential along the remaining portions of the property. To efficiently arrange the proposed land use on this property and to meet building codes for development; construction will require clearing and grubbing, installation of utilities, construction of roads and all associated infrastructure. Site improvements will complement the existing properties surrounding the proposed development and maintain the character of the surrounding communities.

### **B. Existing and Proposed Zoning**

Located on the Northeast corner of Highway 17 N and Yacht Road at address 4270 Highway 17 N, the project is currently subject to Highway Commercial (HC) zoning.

This application proposes a Planned Development with similar existing uses within the project area, as defined in Exhibit A and Exhibit B.

### **C. Compatibility with Nearby Uses**

Nearby existing land uses include single family residential lots, Highway Commercial (HC), General Commercial (GC) and small portions of Limited

Industrial (LI). The proposed development potentially consists of highway commercial, a pond and single-family limited to no more than four (4) lots is compatible with all nearby uses.

**D. Buffers:**

Buffers for the development shall meet the established requirements of section 613 Glynn County Zoning Ordinance.

**III. PROPOSED USES AND OTHER REQUIREMENTS**

**A. Permitted uses:** The following uses are permitted in the PD District:

- 1) The uses allowed in Section 713 Highway Commercial of the Zoning Ordinance of Glynn County at the time of this approval, shown in Exhibit B.
- 2) Single-family residential, limited to no more than 4 lots.
- 3) The excavation or dredging of natural materials.

**B. Other Requirements:** Unless otherwise specified elsewhere in this Zoning Text, permitted uses shall be required to conform to the following standards:

1) Development standards:

Commercial Uses:

Development standards will abide by Section 713 Highway Commercial of the Zoning Ordinance of Glynn County at the time of this approval, shown in Exhibit A.

Residential Uses:

- A. Maximum Density: No more than 4 residential lots in Planned Development area.
- B. Minimum Lot Area: 20,000 square feet
- C. Maximum Height: 35 feet
- D. Minimum Lot Width: 100 feet

- E. Minimum Front Yard: 20 feet
- F. Minimum Side Yard: 7 feet on each side
- G. Minimum Rear Yard: 7 feet

2) Off-Street Parking:

Uses permitted shall meet all standards set forth in Article VI of the Glynn County Zoning Ordinance pertaining to off-street parking, loading and other requirements.

3) Signs:

Signs permitted are set forth in Article VIII.

**C. Water/Sewer:**

For developments within 500 LF of existing BGJWSC Lines, the proposed water and sewer system will connect to the Brunswick Glynn County Joint Water and Sewer System (BGJWSC). All infrastructure improvements will be coordinated with BGJWSC as needed. It is acknowledged that approval of the zoning amendment by the BGJWSC does not guarantee sewer capacity. Capacity is only guaranteed through the payment and acceptance of capital tap fees and issuance of a sewer tap.

For any development or future parcel farther than 500 LF from existing BCJWSC Service, a private water well and septic tank will be applied for with Georgia EPD.

Any subdivision of parcels where public water and/or wastewater connection is available within 500 LF of the nearest parcel boundary will include sufficient access provision for public water and/or wastewater service via utility easement where public right-of-way is not available.

**IV. DEVELOPMENT SCHEDULE**

Construction shall begin within six (6) months of the receipt of a Building Permit. A two-year construction period is estimated.

# EXHIBIT A

GLYNN ZONING ORDINANCE

PART 1 – ZONING ORDINANCE

ARTICLE VII – DISTRICTS

SECTION 713: HC HIGHWAY COMMERCIAL

Section 713. - HC Highway Commercial District.

713.1 *Intent of District.* It is the intent of this Section that the HC Zoning District be developed and reserved for commercial uses which primarily render a service or cater to tourists, vacationers, truckers, and the traveling public in general. The regulations which apply within this district are designed to: 1) encourage the formation and continuance of a compatible environment for highway oriented uses; 2) ensure adequate and properly designed means of ingress and egress; and 3) discourage any encroachment by industrial, residential or other uses capable of adversely affecting the specialized character of the district.

713.2 *Permitted Uses.* The following uses shall be permitted in any HC Zoning District:

- 1) Amusement centers and outdoor commercial recreation facilities such as drive-in theaters, but not including miniature auto racing tracks.
- 2) Truck and/or transportation terminal provided that:
  - a) Paved acceleration and deceleration lanes at least ten feet in width and 100 feet in length are furnished and maintained where trucks enter or leave terminal sites;
  - b) No safety hazard or impediment to traffic movement is produced as a result of such operation; and
  - c) Sites for such facilities have direct access to major streets or controlled access highways.
- 3) Retail or wholesale business involving the open yard sale of merchandise on the premises, such as automobiles, mobile homes and travel trailers, except those uses which involve open yard storage of junk, salvage, used auto parts or building materials.
- 4) Business involving the rendering of a personal service.
- 5) Private or semi-private club, lodge, union hall or social center.
- 6) Church, synagogue, temple or other place of worship.
- 7) Off-street commercial parking lot or parking garage.
- 8) Hotel, tourist home or motel.
- 9) Commercial trade, vocational or private school.
- 10) Restaurants.
- 11) Radio or television station and/or transmission tower.
- 12) Public utility installation or other essential service.
- 13) Office building or office for governmental, business, professional or general purposes.
- 14) Repair garage except those which involve the open yard storage of junk, salvage, used automotive equipment parts or materials.
- 15) Accessory use in compliance with the provisions of Section 609.
- 16) Newspaper publishing plant provided that the requirement for parking, loading and

unloading conform to those for industrial buildings, as set forth in Section 611 and 612.

- 17) Any educational facilities directly related to an authorized hospital or the Glynn County Board of Health, and under the supervision of said authorized hospital or the Glynn County Board of Health, provided such uses are in compliance with the provisions of Section 724.3.
- 18) Retail or wholesale business.
- 19) Telecommunications Facilities - provided the requirements of Article XIV Telecommunications Facilities Ordinance are met.

713.3 *Conditional Uses.* The following uses may be permitted on a conditional basis in any HC Zoning District, subject to the conditions set forth in Section 904:

- 1) Car wash provided that:
  - a) An off-street paved parking area capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises (such space to contain at least 200 square feet per waiting vehicle);
  - b) No safety hazard or impediment to traffic movement is created by the operation of such an establishment.
- 2) Temporary use in compliance with the provision of Section 905.
- 3) Automobile service station provided that:
  - a) All pumps are setback at least 15 feet from the right-of-way line of any street; and
  - b) Paved parking and/or service areas are separate from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finished grade.
- 4) Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is perceptible beyond the premises.
- 5) Community hospitals or clinics, including any function such as cafeteria and laundries which are related directly to the operation of the hospital or clinic and are contained within the confines of said hospital or clinic, and provided such uses are in compliance with the provisions of Section 724.3.
- 6) Single or multi-story dormitories or living quarters for the staff and/or student body of an authorized hospital or its related activities, including eating and laundry facilities, provided such dormitories and sleeping quarters are under the supervision and control of an authorized hospital, and provided such users are in compliance with the provisions of Section 724.3.
- 7) Public or private care homes, provided such facilities conform with the requirements of the Georgia State Board of Health, provided plans for such facilities receive the written approval

of the Glynn County Board of Health and the County Fire Chief to the issuance of any permits for construction and operation, copies of such approval to be attached to the building permit and to be retained in the files of the Building Official and provided that such use conforms with the provisions of Section 724.3 pertaining to care homes.

- 8) Mini-warehouses, meeting the following requirements:
  - a) Lot size of three acres or less;
  - b) Consisting of ten units or more;
  - c) Adequate buffers;
  - d) Direct access to a major street or controlled access highway;
  - e) Mini-warehouse developments may include an on-site manager's residence, which shall mean a one-family dwelling unit, no larger than 2,000 square feet of heated living. Accessory uses to one-family dwelling units shall not be permitted.
- 9) Recreational Vehicle Park on a minimum size of three (acres, provided there is direct paved access to an arterial road, maximum density will be 15 units per acre. Site plan approval shall be granted by the Zoning and Development Review staff.
- 10) Mixed Retail and Wholesale Printing Operations, provided that:
  - a) The business employs no more than 15 persons at the site location; and
  - b) That parking be provided based on the retail gross floor area, plus one space for each employee.

*Special Uses.*

- 1) Drinking establishments, provided a site plan is approved which includes parking, lighting and noise control. The plan shall also show any residential property within 500 feet of the proposed location.
- 2) Flea Market/Farmers Market, meeting the following requirements:
  - a) Lot size of three acres or more;
  - b) All sales area to be under roof or in permanently designated sales area;
  - c) Customer parking shall be provided at a rate of one space for each 200 square feet of sales area;
  - d) All customer access drives shall require paving with actual parking spaces surfaced with shell, gravel or other suitable dust-free material meeting the approval of the Building Official;
  - e) Protective screening will be required at all property lines to visibly separate this use from any adjoining property. This buffer to consist of either a six-foot fence or a six-foot planting screen, meeting the approval of the Building Official. Said buffer to be installed

prior to a final inspection or occupancy certificate being issued;

- f) Other conditions determined by the County Commission to satisfy the requirements of Section 904.3.

713.4 *Other Requirements.* Unless otherwise specified elsewhere in this ordinance, uses permitted in HC Highway Commercial Zoning Districts shall be required to conform to the following standards:

- 1) *Minimum Lot Area:*

6,000 square feet.

- 2) *Minimum Lot Width:*

60 feet.

- 3) *Minimum Front Yard:*

25 feet.

- 4) *Minimum Side Yard:*

Seven feet.

For side yard requirements pertaining to corner lots, See Article VI, Section 604.

- 5) *Minimum Rear Yard:*

Seven feet.

- 6) *Maximum Building Height:*

35 feet.

For exceptions to height regulations, see Article VI, Section 617.

- 7) *Off-Street Parking:*

Uses permitted in HC Zoning Districts, shall meet all standards set forth in Article VI, pertaining to off-street parking, loading and other requirements.

- 8) *Signs:*

Signs permitted in HC Zoning Districts including the conditions under which they may be located, are set forth in Article VIII.

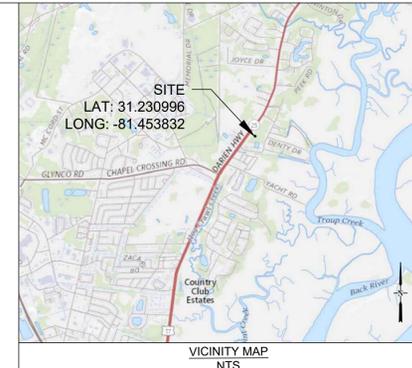
- 9) All conditional and special uses shall require site plan approval.

(O-2002-05, 2/7/02; O-2008-08, 7/17/08)

# EXHIBIT B

REZONING EXHIBIT

FOR ZONING PURPOSES ONLY



REVISIONS

SKETCH PLAN CHECKLIST

- GENERAL LAYOUT PLAN SCALE:  
1" = 100'
- DIMENSIONS OF PROPERTY:  
SHOWN AROUND PERIMETER OF PROPERTY BOUNDARY  
PARCEL : 24.18 ACRES
- EXISTING STRUCTURES:  
VACANT COMMERCIAL BUILDING APPROXIMATELY 23,000 SQUARE FEET
- ACCESS DRIVES:  
ACCESS WILL BE PROVIDED OFF U.S. HIGHWAY 17 N FOR ALL COMMERCIAL TRAFFIC AND OLD BELLE POINT ROAD FOR SINGLE-FAMILY (NO MORE THAN 4 LOTS)
- SETBACKS:  
SEE PLANNED DEVELOPMENT TEXT
- EASEMENTS:  
N/A
- RIGHTS OF WAY:  
SHOWN ON AND LABELED ON EXHIBIT
- MARSHLAND BOUNDARIES:  
N/A
- PROPOSED WATER, SEWER AND DRAINAGE FACILITIES:  
**WATER AND SEWER :** FOR DEVELOPMENTS WITHIN 500 LF OF EXISTING BGJWSC LINES, THE PROPOSED WATER AND SEWER WILL TIE INTO THE BGJWSC SYSTEM LOCATED NEAR THE PROPERTY ALONG YACHT ROAD.  
IT IS ACKNOWLEDGED THAT APPROVAL OF THE ZONING AMENDMENT BY THE BGJWSC DOES NOT GUARANTEE SEWER CAPACITY. CAPACITY IS ONLY GUARANTEED THROUGH THE PAYMENT AND ACCEPTANCE OF CAPITAL TAP FEES AND ISSUANCE OF A SEWER TAP.  
FOR ANY DEVELOPMENT OR FUTURE PARCEL FARTHER THAN 500 LF FROM EXISTING BGJWSC SERVICE, A PRIVATE WATER WELL AND PRIVATE SEPTIC TANK WILL BE APPLIED FOR WITH GEORGIA EPD.  
**DRAINAGE :** A STORM PIPE SYSTEM WILL BE PROVIDED ON SITE AND ROUTED TO AN SITE RETENTION/ DETENTION SYSTEM.
- BUFFERS:  
BUFFERS WILL BE IN LINE WITH GLYNN COUNTY ZONING ORDINANCES ARTICLE VI SECTION 613
- OFF-STREET PARKING:  
USES PERMITTED SHALL MEET ALL STANDARDS SET FORTH IN GLYNN COUNTY ZONING ORDINANCE ARTICLE VI, PERTAINING TO OFF-STREET PARKING, LOADING AND OTHER REQUIREMENTS.
- RECREATIONAL AREAS :  
N/A
- SIGNAGE AND OUTDOOR LIGHTING:  
SIGNS PERMITTED ARE SET FORTH IN GLYNN COUNTY ZONING ORDINANCE ARTICLE VIII.  
OUTDOOR LIGHTING WILL COMPLY WITH GLYNN COUNTY ZONING ORDINANCE ARTICLE VI SECTION 622.
- PROPOSED USES :  
HIGHWAY COMMERCIAL AND SINGLE-FAMILY
- SITE COVERAGE : N/A

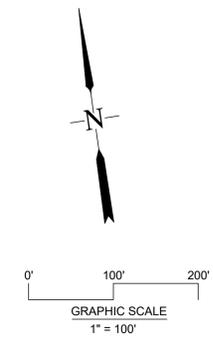
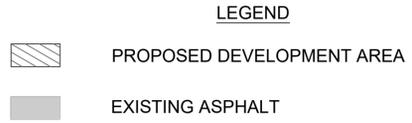
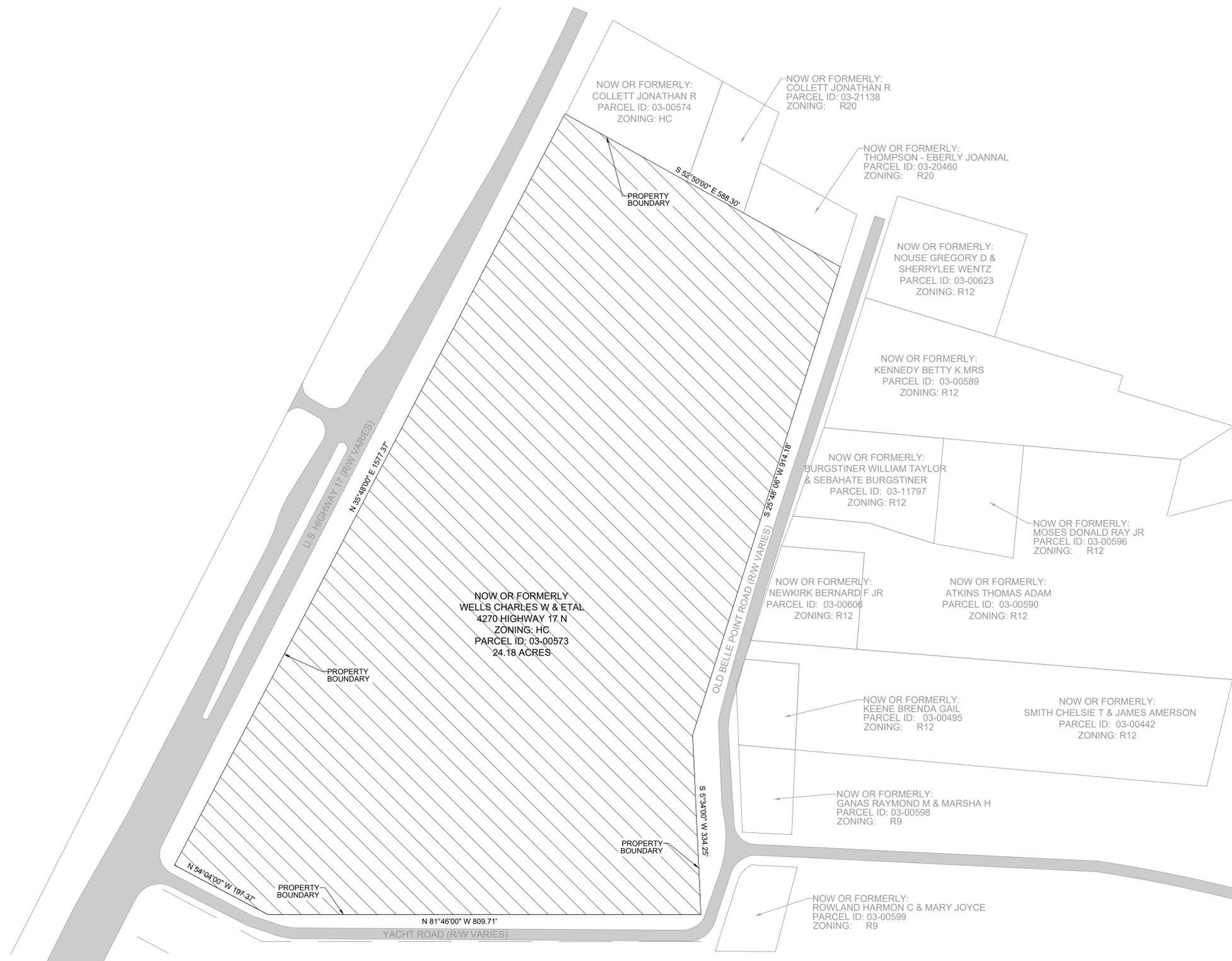


REZONING EXHIBIT  
4270 HIGHWAY 17  
GLYNN COUNTY, GA  
PREPARED FOR:  
ECA HOLDINGS LLC

DATE: 2024-04-23  
PROJECT NUMBER: 24064  
DRAWN BY: IDV  
CHECKED BY: WJH  
SCALE: 1"=100' (FOR 24"x36" PLOT)

1

SHEET:



PREPARED BY OR AT THE DIRECTION OF:  
M.F. MARTIN, III, ESQUIRE  
GILBERT, HARRELL, SUMERFORD & MARTIN, P.C.  
P.O. BOX 190  
BRUNSWICK, GEORGIA 31521

TAX PARCEL ID NUMBER: 03-00573

GLYNN COUNTY, GEORGIA

A CONVEYANCE, made this May 31, 2018, from CHARLES R. WELLS, of Glynn County, Georgia, AS PERSONAL REPRESENTATIVE UNDER THE LAST WILL AND TESTAMENT OF GENE WESLEY WELLS, deceased, as the First Party, to CHARLES R. WELLS, of Glynn County, Georgia, AS TRUSTEE OF THE WELLS GRANDCHILDREN'S TRUST, as the Second Party,

WITNESSETH:

WHEREAS, the First Party is the duly qualified and acting Personal Representative of the last will and testament of Gene Wesley Wells, who died a resident of Nassau County, Florida, on September 3, 2015, seized and possessed of an undivided 50/120ths interest in the real property hereinafter described;

WHEREAS, said will was admitted to probate in the Circuit Court, Fourth Judicial Circuit, in and for Nassau County, Florida, Probate Division, and an exemplified copy of the Petition for Administration, Last Will and Testament, Letters of Administration, and Amended Letters of Administration in the case of 15-CP-342 (Estate of Gene Wesley Wells), of record in said Circuit

Court, is being recorded in the Office of the Clerk of Superior Court of Glynn County, Georgia, simultaneously with the recording of this deed.

WHEREAS, Under Article Five of said will, Gene Wesley Wells gave, bequeathed and devised 50% of his residuary estate to the trustee of the trust created under paragraph C of Article Five, the Second Party herein. The real property hereinafter described is a portion of said residuary estate;

WHEREAS, the First Party has paid all of the debts of the estate of Gene Wesley Wells or has made provision therefor.

NOW, THEREFORE, in order to evidence the assent of the First Party to the devise to the Second Party of the real property hereinafter described and to vest in the Second Party, his successors and assigns, an undivided 50% interest in and to the interest in said real property vested in said Gene Wesley Wells at the time of his death (his interest being an undivided 50/120ths interest), the First Party hereby grants and conveys unto the Second Party, his successors and assigns, an undivided 25/120ths interest in and to the following described real property, to-wit:

All of that certain lot, tract or parcel of land situate, lying and being north of the City of Brunswick in the 26<sup>th</sup> District, G.M., of Glynn County, Georgia, containing 24.17 acres, more or less, known locally at one time as a portion of Union Bag-Camp Paper Corporation's Brunswick Peninsula Tract "D", and being more particularly described and bounded as follows:

Beginning at an iron rod located at the northwesterly corner of said parcel on the eastern boundary line of U.S. Highway No. 17, which iron rod is located by reference to grid coordinates established by the United States Coast and Geodetic Survey, and known as "The Georgia Coordinate System, East Zone", at Y (Lat.) 449,131.38 feet and X (Depth) 722,953.23 feet, and from said point of beginning running South 52 degrees 50 minutes East a distance of 588.30 feet to an iron rod; thence South 25 degrees 56 minutes West a distance of 913.80 feet to an iron rod; thence South 5 degrees 34 minutes West a distance of 334.5 feet to an iron rod located on the northern line of that certain parcel or strip of land 50 feet, more or less, in width conveyed by Union Bag-Camp Paper Corporation to Wilbur H. Utley by deed dated December 14, 1961, for the sole purpose of providing an access road to adjoining lands of said Wilbur H. Utley, in accordance with the

provisions, limitations and reservations recited in said deed; thence North 81 degrees 46 minutes West along the northern line of said access road a distance of 809.71 feet to an iron rod; thence North 54 degrees 04 minutes West a distance of 197.37 feet to an iron rod on the eastern boundary line of U.S. Highway No. 17, and thence North 35 degrees 48 minutes East along the eastern boundary line of U.S. Highway No. 17 for a distance of 1,577.37 feet to the iron rod marking the point of beginning.

Said parcel of land is a portion of the land conveyed to Union Bag and Paper Corporation by deed from George Hewitt Myers, et al., dated December 27, 1951, recorded in the Office of the Clerk of Superior Court of Glynn County, Georgia, in Deed Book 6-Z, Page 128, and conveyed by Cecil H. Mason, et al., to Charles W. Wells, et al., by deed dated May 3, 1966, recorded in said Clerk's Office in Deed Book 13-J, Page 244.

Reference is hereby made to said deeds and to the record of each for further purposes of description and identification and for all other purposes.

Also conveyed hereby is an undivided interest in the perpetual easement granted to John Gilbert, Charles W. Wells, Charles Ray Wells, Gene Wesley Wells, John P. Lambert and Wiley G. Wells by Troupe Creek Landing, Inc., by an agreement between them dated April 1, 1973, and recorded in said Clerk's Office in Deed Book 17-N, Page 467, across the tract of land therein described for ingress to and egress from the tract of land described above, and the perpetual easement granted to them in said agreement across the tract of land therein described for drainage from the tract of land described above. Reference is hereby made to said agreement and to the record thereof for all purposes.

EXCEPTED, HOWEVER, from the operation and effect hereof, is any portion of the real property described above that may have been conveyed to Glynn County, Georgia, or to the Department of Transportation of the State of Georgia at any time prior to the date of this conveyance for road or highway rights-of-way, to include but not be limited to any and all right-of-way which has been conveyed to the Georgia Department of Transportation for U.S. Highway 17.

TO HAVE AND TO HOLD the interest in the real property described above, together with the improvements thereon, if any, and all and singular the rights, members and appurtenances thereunto belonging or in any manner appertaining unto the Second Party, his successors and assigns, forever in fee simple.

[Signature page follows.]

IN WITNESS WHEREOF, the First Party has hereunto set his hand, affixed his seal, and delivered these presents, on this the day and year first above written.

*Charles R. Wells*

Charles R. Wells, as Personal Representative under the Last Will and Testament of Gene Wesley Wells

Signed, sealed and delivered in the presence of:

*[Signature]*  
Unofficial Witness

*[Signature]*  
Notary Public.

My Commission Expires: *2022*  
(NOTARIAL SEAL)



NOTE: THE SCRIVENER HEREOF HAS NOT CONDUCTED A TITLE EXAMINATION OF THE REAL PROPERTY HEREIN CONVEYED AND DOES NOT CERTIFY SAME TO THE PARTIES HERETO OR TO ANY OTHER THIRD PARTY.