

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, April 19, 2021

6:30 PM

Teleconference

<https://zoom.us/j/98645921697>

Special Called Meeting

Mayor Craig Newton

Mayor Pro Tem Josh Bare

Councilmember Andrew Hixson

Councilmember Matt Myers

Councilmember Bruce Gaynor

Councilmember Arlene Beckles

- A. Call to Order by Craig Newton**
PLEASE TURN OFF ALL CELL PHONES AND ELECTRONIC DEVICES
- B. Roll Call (recorded)**
- C. Comments by Citizens**
- PH. Public Hearings**
- E. Items for Discussion**
 - 1. [21-6115](#) **West Peachtree Street Invitation for Sealed Bids**
Recommendation to rescind the 4/5/2021 vote to approve the high bid in response to the Invitation for Bids for the West Peachtree properties and to reject all bids.

[MC Agenda Report West Peachtree Street](#)
[Notice of Invitation to Bid for Sale of West Peachtree Street Property](#)
[West Peachtree Street Bid Mission Homes Rick Cheek & Mike Reinsel](#)
[West Peachtree Street Bid Malik Kolsawala](#)
- F. Adjourn to Executive Session Legal Personnel, and Real Estate**
- G. Signed by _____ Mayor Craig Newton**
- H. Attest _____ Monique Lang, City Clerk**



City of Norcross

Legislation Details (With Details)

65 Lawrenceville Street
Norcross, GA 30071

770-448-2122

770-242-0824

File#:	21-6115	Version:	
Type:	Agenda Item	Status:	Agenda Ready
File Created:	4/13/2021	In Control:	Policy Work Session
On Agenda:	4/19/2021 6:30 PM	Status:	Reviewed
Title:	West Peachtree Street Invitation for Sealed Bids		

Sponsors:

Code Sections:

Attachments:

1. [MC Agenda Report West Peachtree Street](#)
2. [Notice of Invitation to Bid for Sale of West Peachtree Street Property](#)
3. [West Peachtree Street Bid Mission Homes Rick Cheek & Mike Reinsel](#)
4. [West Peachtree Street Bid Malik Kolsawala](#)

Title

West Peachtree Street Invitation for Sealed Bids

Drafter

William Corbin

Motion

A motion to rescind the 4/5/2021 vote to approve the high bid in response to the Invitation for Bids for the West Peachtree properties and to reject all bids.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: William Corbin, Economic Development Director
Agenda: April 19, 2021 – Mayor & Council Meeting
Agenda #: 21-6115
Item: West Peachtree Street Invitation for Sealed Bids
CC: Eric Johnson, City Manager

Recommendation

Rescind the 4/5/2021 vote to approve the high bid in response to the Invitation for Bids for the West Peachtree properties and to reject all bids.

Background

Per the Notice of Invitation to Bid, after opening and identifying the highest responsive, responsible bid, official acceptance must still be made in writing after approval by the City of Norcross Mayor & Council.

Prior to this official acceptance, staff discovered that both bids are not in conformity with the stated bid instructions – specifically, the letter of credit requirement as well as the requirement that preliminary concept plans align with the PRD zoning classification outlined in Norcross Code Sections 201-13 A and 201-13 E(1)(a).

The Mission Homes bid did not contain an irrevocable letter of credit. Additionally, the concept plan attached to its bid showed 19 lots to be developed. The PRD zoning classification, however, does not permit more than 13 lots to be developed on the property (the property is a part of the Hopewell Woods Character Area in the City's Comprehensive Plan. Required consistency with this Character Area is a maximum of 8 dwelling units per acre).

Although Mission Homes was the highest bid at \$726,000, it was not responsive to the special terms, instructions and conditions set forth in the invitation for sealed bids.

The next highest bid by KOLSAWALA was substantially less than the appraised value for the West Peachtree property.

Financial Impact

None

Consistent with Comprehensive Plan?

Not Applicable

Next Steps

TBD by Mayor & Council.

Attachments

Notice for Bid document; Bids Received.

Update

None

PUBLIC NOTICE
CITY OF NORCROSS, GEORGIA
INVITATION FOR SEALED BIDS
FOR SALE OF CITY OWNED PROPERTY

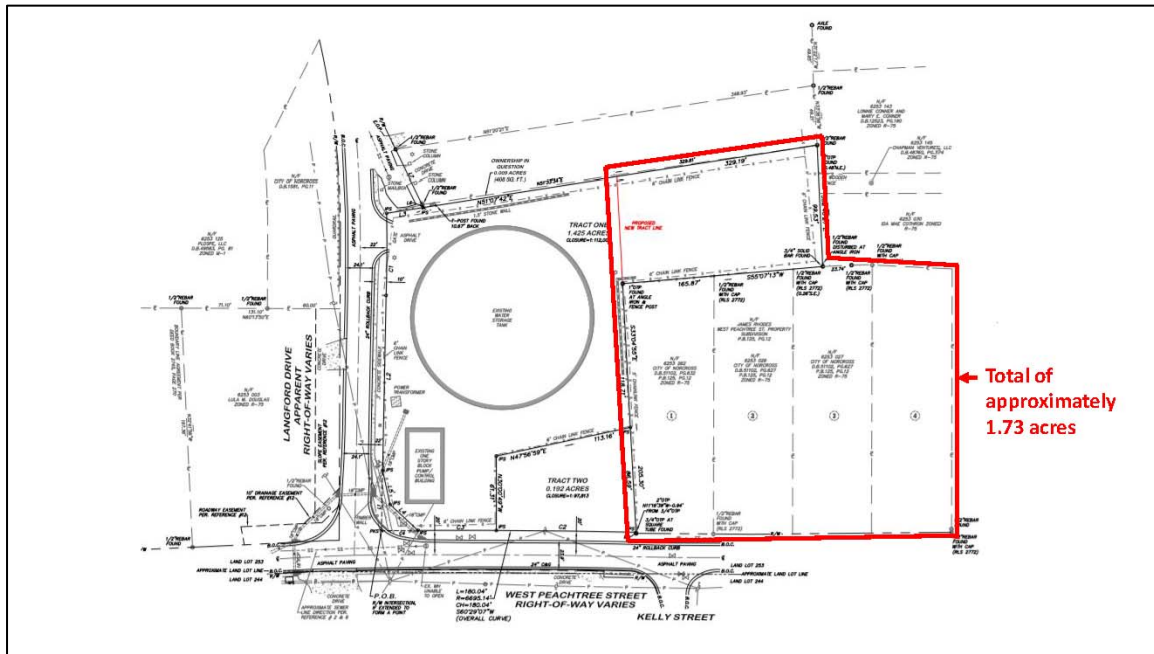
The City of Norcross, Georgia hereby issues this notice for sealed bids for the sale of the following property described (hereinafter the "Subject Property"):

SUBJECT PROPERTY DESCRIPTION

ID	STREET ADDRESS	TAX PARCEL NO.	APPROXIMATE ACREAGE
TRACT 1	658 WEST PEACHTREE STREET	R6253 262	0.33
TRACT 2	656 WEST PEACHTREE STREET	R6253 026	0.32
TRACT 3	646 WEST PEACHTREE STREET	R6253 027	0.34
TRACT 4	636 WEST PEACHTREE STREET	R6253 028	0.38
TRACT ONE-B	ADJACENT TO WATER TANK PROPERTY	A Portion of Tax Parcel No. R6253 003A	0.36
TOTAL APPROXIMATE ACREAGE			1.73

BIDS ARE DUE BY MARCH 30, 2021 AT 10:00 a.m., Eastern Standard Time

SUBJECT PROPERTY CONFIGURATION



Special Terms and Instructions:

- All five (5) lots are sold together to the highest responsive, responsible bidder.
- The approximate metes and bounds legal descriptions of the five (5) lots are attached hereto for the information and convenience of the bidders. The City does not make any representation or warranty as to the accuracy of the attached legal descriptions.
- There are no warranties of title or of suitability for any particular purpose.
- The City will convey title to all five (5) lots by quit claim deed.
- The successful bidder shall be responsible for obtaining their own survey and title search and the preparation of a quit claim deed and legal description.
- Bids should be submitted as a non-negotiable cash offer. The City will not negotiate after bids are opened, and the City will not accept contingencies.
- All Bids shall include an irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A. § 7-1-4 for the full amount of the bid.
- One (1) copy of the bid form must be fully signed and the required Affidavit must be submitted in a sealed envelope marked “5 West Peachtree Lots” and “Attention Norcross Economic Development Director.”
- The Bid Package must be delivered on or before 10 a.m., EST, March 30, 2021 to City Hall either by mail or hand delivery addressed to Norcross Economic Development Director, City Hall, 2nd floor, 65 Lawrenceville Street, Norcross, GA 30071. Late bids will not be accepted.
- The Bid Proposal Form must be completely filled out. Do not leave any space blank.

- Bids shall be opened and publicly read on March 30, 2021 at 11:00 a.m.
- Acceptance of the highest responsive, responsible bid shall be made in writing after approval by the Mayor and Council of the City of Norcross.
- The City reserves the right to reject any and all bids or to cancel the sale.
- A tabulation of the bids shall be made available for public inspection following the opening of all bids.
- All such bids shall be retained and will be made available for public inspection following the opening of all bids for a period of not less than 60 days following the date that bids are opened.
- All bids shall be irrevocable.
- No bids shall be contingent on obtaining financing.

Conditions

- The City will not entertain bids that are contingent on rezoning. The property is currently zoned PRD (Planned Residence District). Sale is subject to all easements, public utilities, conditions and deed restrictions and it is the sole responsibility of each bidder to inspect the property prior to submitting a bid.
- The City will only consider bids proposing the construction of single family detached dwelling units on the Subject Property pursuant to the PRD zoning classification. See Norcross Code Section 201-13(e) (II) b.
- All prospective bidders shall submit preliminary concept plans as part of their bid.
- In the event that the purchaser has not obtained all land disturbance, building and other development permits necessary to construct single family detached dwelling units as set forth above within 15 months of the filing of the quit claim deed to purchaser, the City may, in its own sole discretion, repurchase the Subject Property from the purchaser for the amount bid and accepted by the City.
- The foregoing conditions will be incorporated into the terms of the quit claim deed issued to the purchaser.

Environmental

- The City is unaware of any wetlands, state water buffers on this site.

Inspection and Testing

- All prospective bidders shall be granted access to physically inspect, test, survey or conduct environmental testing on the Subject Property at least five (5) days prior to submitting bids after obtaining advance written approval from the Norcross Economic Development Director, City Hall, 2nd floor, 65 Lawrenceville Street, Norcross, GA 30071. All such testing shall be at the prospective bidder's sole cost and expense.
- The City shall have the right to observe any testing, to take split samples.

- Each prospective Bidder shall indemnify, defend and hold the City harmless from any and all damage to the land or any loss, claims, penalties, liabilities and costs resulting from any act or omission of any prospective bidder or their agents and subcontractors associated with inspection and testing on the Subject Property.
- If a prospective Bidder conducts any such physical inspection and/or testing, Bidder shall require its contractors and agents to maintain insurance coverage, including but not limited to workers' compensation coverage; employers liability insurance of not less than \$250,000 each occurrence; and General Liability and Automobile Insurance coverage of not less than \$1,000,000.
- Closing will be within forty-five (45) days of acceptance of a bid by the City. Buyer will pay the full amount of the bid in cash at closing.
- The City will deliver the Subject Property to the selected Bidder free and clear of all liens by limited warranty deed.
- The City will pay all costs associated with Closing, including attorneys' fees; provided however, that the selected bidder shall be solely responsible for purchasing and obtaining title insurance.
- The selected Bidder must pay by cashier's check or wire transfer at closing.

The SALE shall be awarded to the highest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.

THE CITY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS, INCLUDING THE HIGHEST BID, TO WAIVE INFORMALITIES IN BIDDING, AND TO READVERTISE THE BID FOR THE SUBJECT PROPERTY.

Contact

- Please address any questions concerning this sale, including requests to review relevant documents, to Norcross Economic Development Director, City Hall, 2nd floor, 65 Lawrenceville Street, Norcross, GA 30071.

BID PROPOSAL FORM CITY OF NORCROSS

SALE OF CERTAIN REAL PROPERTY

Description: 1.73 acres, more or less, or land situated at 636, 646, 656 and 658 West Peachtree Street, Norcross, GA, known as tracts 1-4, tax parcel ID nos. R6253 262, R6253 026, R6253 027, and R6253 028, and tract One-B which is contiguous to tracts 1-3 and adjacent to the water tower. See Invitation For Sealed Bids for further details.

Condition: Property is subject to all easements, public utilities, conditions and deed restrictions.

**SUBMIT PROPOSAL IN DUPLICATE,
ENCLOSED IN A SEALED ENVELOPE
MARKED WITH THE PARCEL
NUMBERS.**

**YOUR BID MUST INCLUDE AN
IRREVOCABLE LETTER OF CREDIT ISSUED**

**BY A BANK OR SAVINGS AND LOAN
ASSOCIATION, AS DEFINED IN O.C.G.A. § 7-
1-4 FOR THE FULL AMOUNT OF THE BID.
MAIL OR DELIVER TO:**

**City of Norcross, Norcross Economic
Development Director, City Hall, 2nd floor,
65 Lawrenceville Street, Norcross, GA 30071.**

**THE CITY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS,
INCLUDING THE HIGHEST BID, TO WAIVE INFORMALITIES IN BIDDING,
AND TO READVERTISE THE BID FOR THE SUBJECT PROPERTY. ANY
INCOMPLETE BID FORM MAY BE REJECTED, ANY BID FORM THAT IS
UNSIGNED OR IS NOT ACCOMPANIED BY THE REQUIRED AFFIDAVIT
WILL BE REJECTED. NO BIDS WILL BE ACCEPTED AFTER THE
DEADLINE.**

APPROXIMATE LEGAL DESCRIPTION

Tract One

658 West Peachtree Street:

All that tract or parcel of land containing 0.335 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (being a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 164.81 feet to a point; thence, and continuing along said right of way, South 60 degrees 03 minutes 00 seconds West, for a distance of 31.04 to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way, South 60 degrees 03 minutes 00 seconds West, for a distance of 63.87 feet to a 3/4" open top pipe found on said right-of-way; thence, and leaving said right-of-way, North 33 degrees 30 minutes 14 seconds West, for a distance of 206.13 feet (along the property line now or formerly of the City of Norcross) to a 1" open top pipe found; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 75.80 feet (along the property line now or formerly of the City of Norcross) to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 212.64 feet to the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 1, as depicted on that certain final plat for James Rhodes, West Peachtree St. Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Two

656 West Peachtree Street:

All that tract or parcel of land containing 0.323 Acres, lying and being in the City of Norcross, and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (being a variable right-of-way);

thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 130.56 feet to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 34.25 feet to a point on said right-of-way; thence, and continuing along said right-of-way, South 60 degrees 03 minutes 00 seconds West, for a distance of 31.04 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance of 212.64 feet to a point; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 65.52 feet (along the property line now or formerly of the City of Norcross) to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 217.99 feet to the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 2, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Three

646 West Peachtree Street:

All that tract or parcel of land containing 0.330 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (having a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance 217.99 feet to a point; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 24.38 feet (along the property line now or formerly of the City of Norcross) to a 3/4" solid bar found; thence North 55 degrees 54 minutes 32 seconds East, for a distance of 23.76 feet (along the property line now or formerly of Ida Mae Cothron) to a 1/2" rebar found; thence, and continuing along said property line, North 58 degrees 08 minutes 04 seconds East, for a distance of 13.22 feet to a 1/2" rebar found; thence, and

continuing along said property line, North 62 degrees 25 minutes 26 seconds East, for a distance of 4.07 feet to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 221.01 feet to the True Point of Beginning, being located on the apparent Northern right-of way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 3, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Four

636 West Peachtree Street:

All that tract or parcel of land containing 0.328 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (having a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set and being the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance of 221.01 feet to a point; thence North 62 degrees 25 minutes 26 seconds East, for a distance of 65.35 feet (along the property line now or formerly of Ida Mae Cothron) to a 1/2" rebar set; thence South 30 degrees 15 minutes 46 seconds East, for a distance of 217.10 feet (along the property line now or formerly of Hopewell Missionary Baptist Church) to 1/2" rebar set and the True Point of Beginning.

Said tract or parcel of land is shown as Lot 4, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract One - B

All that tract or parcel of land lying and being in The City of Norcross, Land Lot 253 of the 6th Land District, Gwinnett County, Georgia and being more particularly described as follows:

To find The Point of Beginning, commence at the intersection of the Northerly Right-of-Way of West Peachtree Street (Right-of-Way Varies) and the Easterly Right-of-Way of Langford Drive (apparent Right-of-Way Varies), if extended to form a Point, said point marked by a P.K. Nail Found; THENCE leaving said Point North 28 degrees 51 minutes 30 seconds West for a distance of 49.71 feet to an ½" Rebar Found along the Easterly Right-of-Way of Langford Drive; THENCE continuing along said Right-of-Way of Langford Drive for the following three(3) courses and distances, North 28 degrees 51 minutes 30 seconds West for a distance of 144.38 feet to a Point; THENCE along a curve to the left having a radius of 1,237.54 feet and an arc length of 67.70 feet and being subtended by a chord of North 29 degrees 39 minutes 37 seconds West for a distance of 67.69 feet to an ½" Rebar Found; THENCE North 51 degrees 07 minutes 42 seconds East for a distance of 30.62 feet to an ½" Rebar Found; THENCE leaving said Right-of-Way, North 51 degrees 07 minutes 42 seconds East for a distance of 161.84 feet to an Iron Pin Set, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, North 51 degrees 07 minutes 42 seconds East for a distance of 167.35 feet to a ½" Rebar Found; THENCE South 32 degrees 40 minutes 27 seconds East for a distance of 99.53 feet to a ¾" Solid Bar Found; THENCE South 55 degrees 07 minutes 13 seconds West for a distance of 165.87 feet to a 1" Open Top Pipe found at an Angle Iron and Fence Post; THENCE North 33 degrees 04 minutes 55 seconds West for a distance of 87.85 feet to an Iron Pin Set, said point being the TRUE POINT OF BEGINNING.

Said property contains 0.357 acres.

BID PROPOSAL AND AFFIDAVIT

Combined Tracts 1-4 consisting of 636, 646, 656 and 658 West Peachtree Street, Norcross, GA, tax parcel ID nos. R6253 262, R6253 026, R6253 027 and R6253 028.

Bidder Name(s) _____

Address: _____

Contact Person: _____

Contact Phone Number: _____

Contact Email Address: _____

Bidder's Proposed Cash Offer for the Above Described Property:

_____ and ____/100 United States Dollars (\$_____).

AN IRREVOCABLE LETTER OF CREDIT FOR THE FULL BID AMOUNT IS ATTACHED HERETO.

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID TO PURCHASE CITY PROPERTY ARE TRUE AND CORRECT.

Signature of Affiant(s):

(Signature)

(Printed Name of Bidder/Agent)

Title

On this ____ day of _____, 2021, before me personally appeared _____ to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public _____

My commission expires _____

(Signature)

(Printed Name of Bidder/Agent)

Title

On this ____ day of _____, 2021, before me personally appeared _____ to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public _____

My commission expires _____

BID PROPOSAL AND AFFIDAVIT

Combined Tracts 1-4 consisting of 636, 646, 656 and 658 West Peachtree Street, Norcross, GA, tax parcel ID nos. R6253 262, R6253 026, R6253 027 and R6253 028.

Bidder Name(s) Mission Homes Rick Cheek/Mike Reinsel
Address: 6981 Merlin Lane, Alpharetta, GA 30005
Contact Person: Mike Reinsel
Contact Phone Number: 770-231-5202
Contact Email Address: mikereinsel@me.com

Bidder's Proposed Cash Offer for the Above

Described Property:

seven Hundred and twenty-six thousand dollars and 00/100 United States Dollars (\$ 726,000.00).

**AN IRREVOCABLE LETTER OF CREDIT
FOR THE FULL BID AMOUNT IS
ATTACHED HERETO.**

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID TO PURCHASE CITY PROPERTY ARE TRUE AND CORRECT.

Signature of Affiant(s):



(Signature)

Michael J. Reinsel

(Printed Name of Bidder/Agent)

President, Mission Homes

Title

On this 29th day of March, 2021, before me personally appeared Rick Cheek / Michael Reinsel to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public

Vinod K Sagar

My commission expires

11/11/2023





(Signature)

GAD# 022367434
EXP 11/08/2027

(Printed Name of Bidder/Agent)

Partner

Title

On this 30 day of March, 2021, before me personally appeared Rick Cheek to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public

Jessica L Mueller

My commission expires

March 6, 2024





March 29, 2021

Mr. Michael Reinsel
Mission Homes
6981 Merlin Lane
Alpharetta, Georgia 30005

RE: Letter of Credit for Bid on Approximately 1.73 acres, 5 West Peachtree Lots, Norcross, Georgia

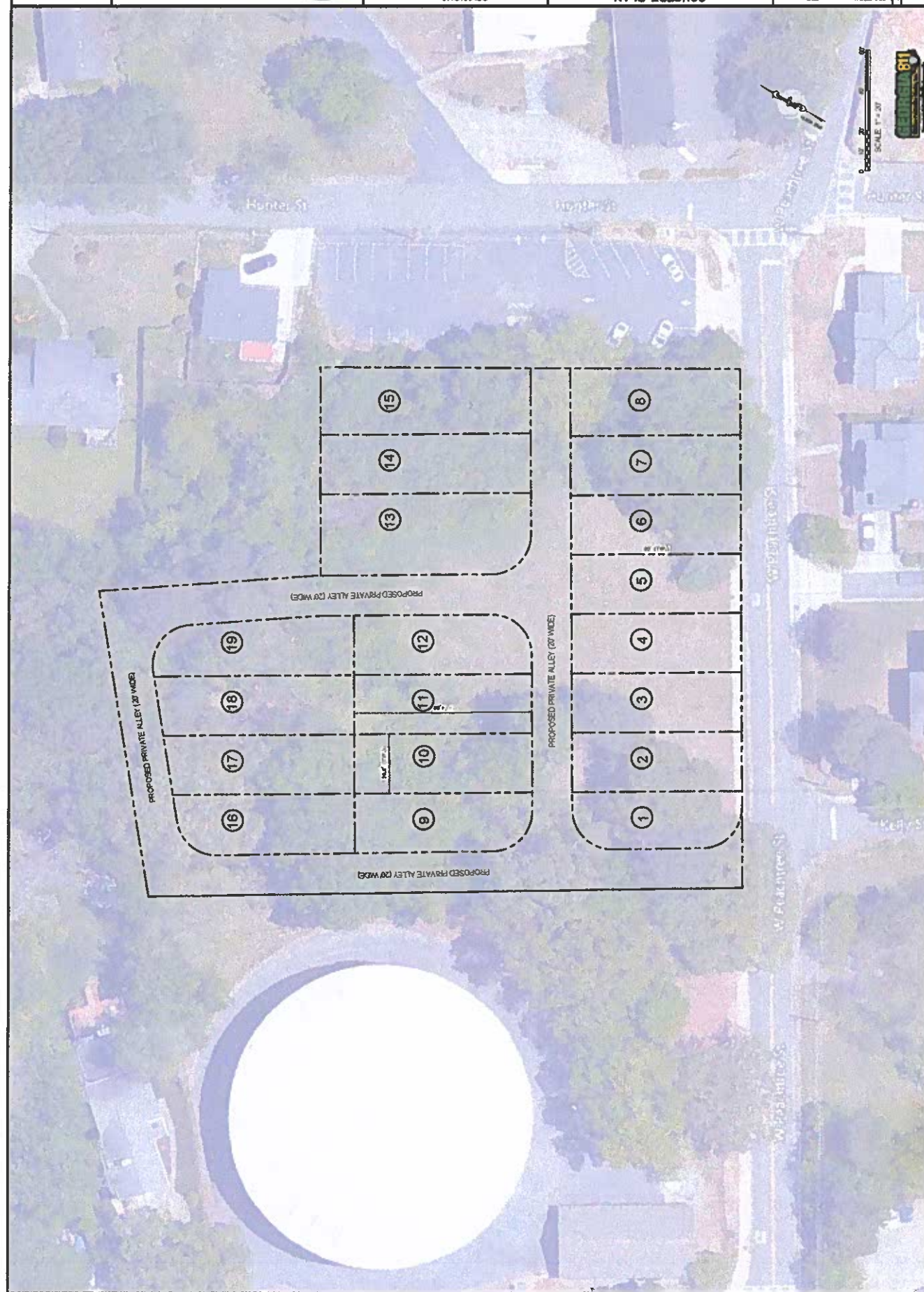
To Whom It May Concern/City of Norcross:

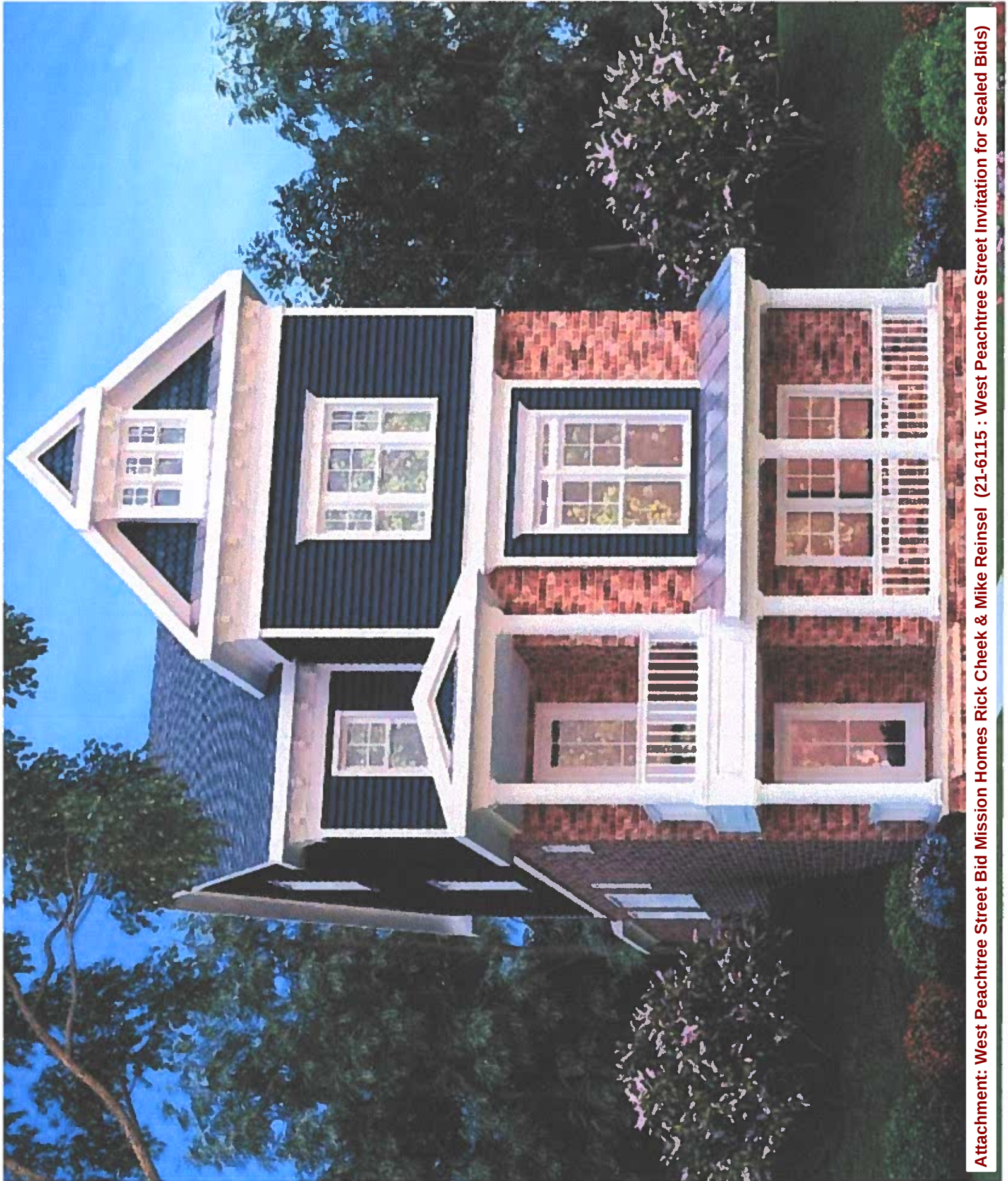
Michael Reinsel, of Mission Homes, in partnership with Rick Cheek, has an excellent deposit and lending relationship with The Piedmont Bank, with all past and present accounts handled as agreed. Mr. Reinsel has requested The Piedmont Bank issue an Irrevocable Letter of Credit in conjunction with his submitted bid for the purchase of this property. The Piedmont Bank is working diligently to provide such instrument. Mr. Reinsel has the liquidity and credit resources available to facilitate the financing for the purchase of the subject property. This purchase is comparable to previous transactions financed by The Piedmont Bank and we look forward to continuing to grow our relationship.

Please call me directly at 678-638-4006 should you need further information regarding our relationship with Mr. Reinsel.

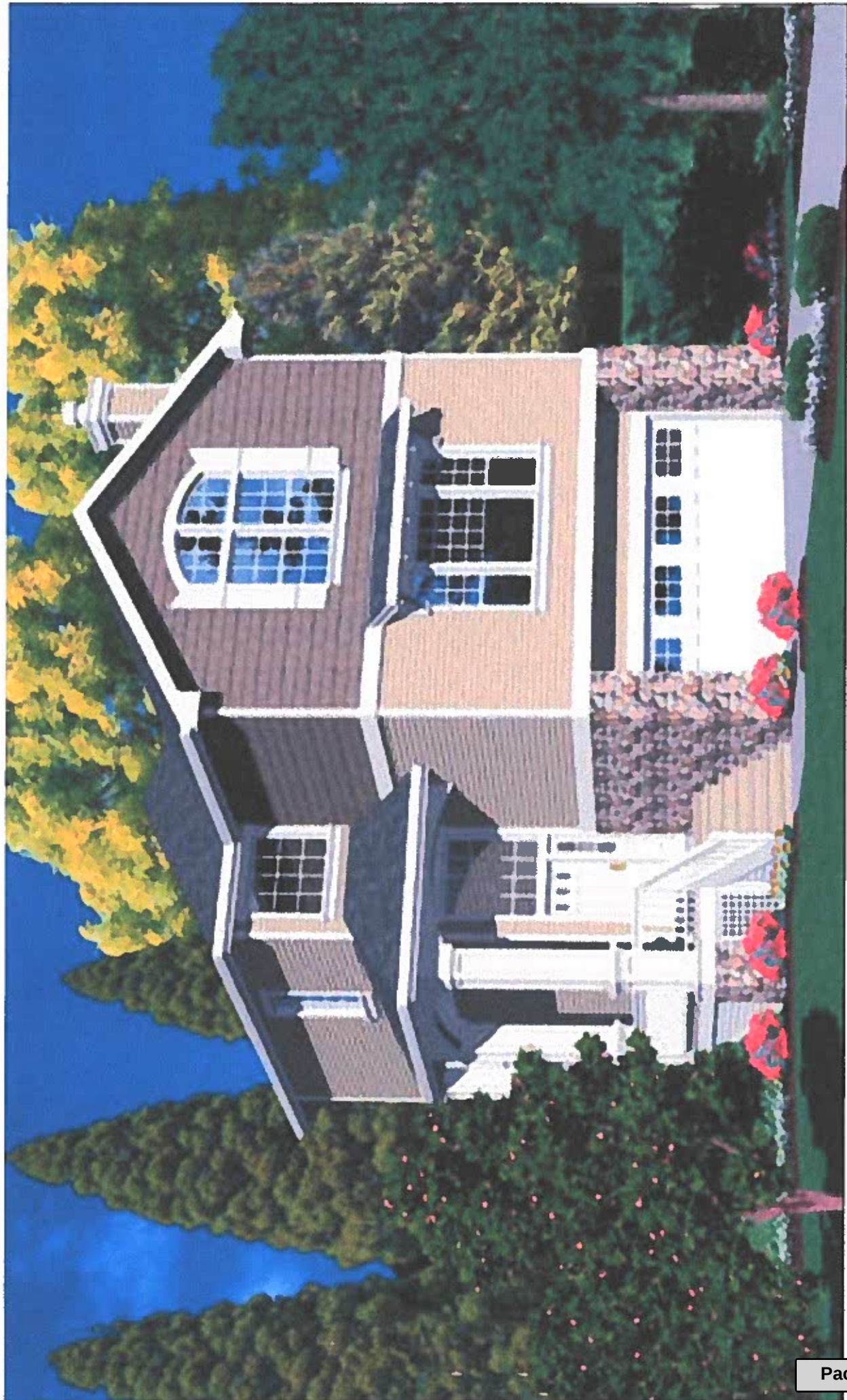
Sincerely,

Tammy B. Kraus
Senior Vice President
Construction Lending





Attachment: West Peachtree Street Bid Mission Homes Rick Cheek & Mike Reinsel (21-6115 : West Peachtree Street Invitation for Sealed Bids)





BID PROPOSAL AND AFFIDAVIT

Combined Tracts 1-4 consisting of 636, 646, 656 and 658 West Peachtree Street, Norcross, GA, tax parcel ID nos. R6253 262, R6253 026, R6253 027 and R6253 028.

Bidder Name(s) Malik Kolsawala

Address: 10540 Montclair Way Johns Creek Georgia 30097

Contact Person: Dee Kolsawala

Contact Phone Number: 770-231-1438

Contact Email Address: deekolsawala@bellsouth.net

Bidder's Proposed Cash Offer for the Above Described Property:

Two hundred sixty two thousand five hundred eighty nine dollars and 78/100 United States Dollars (\$ 262,589.78).

AN IRREVOCABLE LETTER OF CREDIT FOR THE FULL BID AMOUNT IS ATTACHED HERETO.

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID TO PURCHASE CITY PROPERTY ARE TRUE AND CORRECT.

Signature of Affiant(s):



(Signature)

Malik Kolsawala

(Printed Name of Bidder/Agent)

Self/Individual

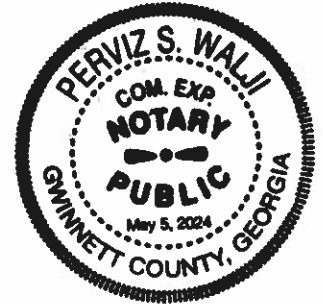
Title

On this 30th day of March, 2021, before me personally appeared _____ to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public

My commission expires

May 5, 2024



(Signature)

(Printed Name of Bidder/Agent)

Title

On this ____ day of _____, 2021, before me personally appeared _____ to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public

My commission expires

APPROXIMATE LEGAL DESCRIPTION

Tract One

658 West Peachtree Street:

All that tract or parcel of land containing 0.335 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (being a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 164.81 feet to a point; thence, and continuing along said right of way, South 60 degrees 03 minutes 00 seconds West, for a distance of 31.04 to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way, South 60 degrees 03 minutes 00 seconds West, for a distance of 63.87 feet to a 3/4" open top pipe found on said right-of-way; thence, and leaving said right-of-way, North 33 degrees 30 minutes 14 seconds West, for a distance of 206.13 feet (along the property line now or formerly of the City of Norcross) to a 1" open top pipe found; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 75.80 feet (along the property line now or formerly of the City of Norcross) to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 212.64 feet to the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 1, as depicted on that certain final plat for James Rhodes, West Peachtree St. Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Two

656 West Peachtree Street:

All that tract or parcel of land containing 0.323 Acres, lying and being in the City of Norcross, and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (being a variable right-of-way);

thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 130.56 feet to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 34.25 feet to a point on said right-of-way; thence, and continuing along said right-of-way, South 60 degrees 03 minutes 00 seconds West, for a distance of 31.04 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance of 212.64 feet to a point; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 65.52 feet (along the property line now or formerly of the City of Norcross) to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 217.99 feet to the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 2, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Three

646 West Peachtree Street:

All that tract or parcel of land containing 0.330 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (having a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance 217.99 feet to a point; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 24.38 feet (along the property line now or formerly of the City of Norcross) to a 3/4" solid bar found; thence North 55 degrees 54 minutes 32 seconds East, for a distance of 23.76 feet (along the property line now or formerly of Ida Mae Cothron) to a 1/2" rebar found; thence, and continuing along said property line, North 58 degrees 08 minutes 04 seconds East, for a distance of 13.22 feet to a 1/2" rebar found; thence, and

continuing along said property line, North 62 degrees 25 minutes 26 seconds East, for a distance of 4.07 feet to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 221.01 feet to the True Point of Beginning, being located on the apparent Northern right-of way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 3, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Four

636 West Peachtree Street:

All that tract or parcel of land containing 0.328 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (having a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set and being the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance of 221.01 feet to a point; thence North 62 degrees 25 minutes 26 seconds East, for a distance of 65.35 feet (along the property line now or formerly of Ida Mae Cothron) to a 1/2" rebar set; thence South 30 degrees 15 minutes 46 seconds East, for a distance of 217.10 feet (along the property line now or formerly of Hopewell Missionary Baptist Church) to 1/2" rebar set and the True Point of Beginning.

Said tract or parcel of land is shown as Lot 4, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract One - B

All that tract or parcel of land lying and being in The City of Norcross, Land Lot 253 of the 6th Land District, Gwinnett County, Georgia and being more particularly described as follows:

To find The Point of Beginning, commence at the intersection of the Northerly Right-of-Way of West Peachtree Street (Right-of-Way Varies) and the Easterly Right-of-Way of Langford Drive (apparent Right-of-Way Varies), if extended to form a Point, said point marked by a P.K. Nail Found; THENCE leaving said Point North 28 degrees 51 minutes 30 seconds West for a distance of 49.71 feet to an ½" Rebar Found along the Easterly Right-of-Way of Langford Drive; THENCE continuing along said Right-of-Way of Langford Drive for the following three(3) courses and distances, North 28 degrees 51 minutes 30 seconds West for a distance of 144.38 feet to a Point; THENCE along a curve to the left having a radius of 1,237.54 feet and an arc length of 67.70 feet and being subtended by a chord of North 29 degrees 39 minutes 37 seconds West for a distance of 67.69 feet to an ½" Rebar Found; THENCE North 51 degrees 07 minutes 42 seconds East for a distance of 30.62 feet to an ½" Rebar Found; THENCE leaving said Right-of-Way, North 51 degrees 07 minutes 42 seconds East for a distance of 161.84 feet to an Iron Pin Set, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, North 51 degrees 07 minutes 42 seconds East for a distance of 167.35 feet to a ½" Rebar Found; THENCE South 32 degrees 40 minutes 27 seconds East for a distance of 99.53 feet to a ¾" Solid Bar Found; THENCE South 55 degrees 07 minutes 13 seconds West for a distance of 165.87 feet to a 1" Open Top Pipe found at an Angle Iron and Fence Post; THENCE North 33 degrees 04 minutes 55 seconds West for a distance of 87.85 feet to an Iron Pin Set, said point being the TRUE POINT OF BEGINNING.

Said property contains 0.357 acres.



IRREVOCABLE STANDBY LETTER OF CREDIT
 LETTER OF CREDIT # 20021
 Dated: 03/30/2021
 Expires 03/29/2022.

BENEFICIARY:
 City of Norcross, Georgia.
 Norcross Economic Development Director,
 City Hall, 2nd floor,
 65 Lawrenceville Street, Norcross,
 GA-30071

We hereby establish our Irrevocable Standby Letter of Credit in your Favor for the account of MALIK KOLSAWALA – 10540 MONTCLAIR WAY JOHNSCREEK, GA 30097, TAX PARCEL ID NOS: R6253 262, R6253 026, R6253 027, and R6253 028 up to the amount of \$262,589.78/- TWO HUNDRED SIXTY TWO THOUSAND FIVE HUNDRED EIGHTY NINE DOLLARS AND SEVENTY EIGHT CENTS available by your drafts, when accompanied by required documents, on us at sight of (100%) percent of any unpaid past due balance owed to you by MALIK KOLSAWALA – 10540 MONTCLAIR WAY JOHNSCREEK, GA 30097 from the date here in stated. Said past due balance includes accrued late payment and or service charges.

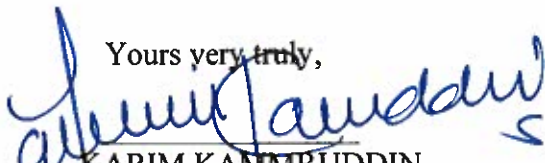
Drafts drawn under this Irrevocable Standby Letter of Credit must be marked DRAWN UNDER IRREVOCABLE LETTER OF CREDIT # 20021 of PLATINUM FEDERAL CREDIT UNION, dated 03/30/2020 and must be accompanied by:

A written statement purportedly signed by the Beneficiary with the following wording:

“The City of Norcross, Georgia- hereby certifies that, MALIK KOLSAWALA – 10540 MONTCLAIR WAY JOHNSCREEK GA 30097, TAX PARCEL ID NOS: R6253 262, R6253 026, R6253 027 and R6253028 is obligated to the City of Norcross, Georgia in the amount of the draft which accompanies this statement.”

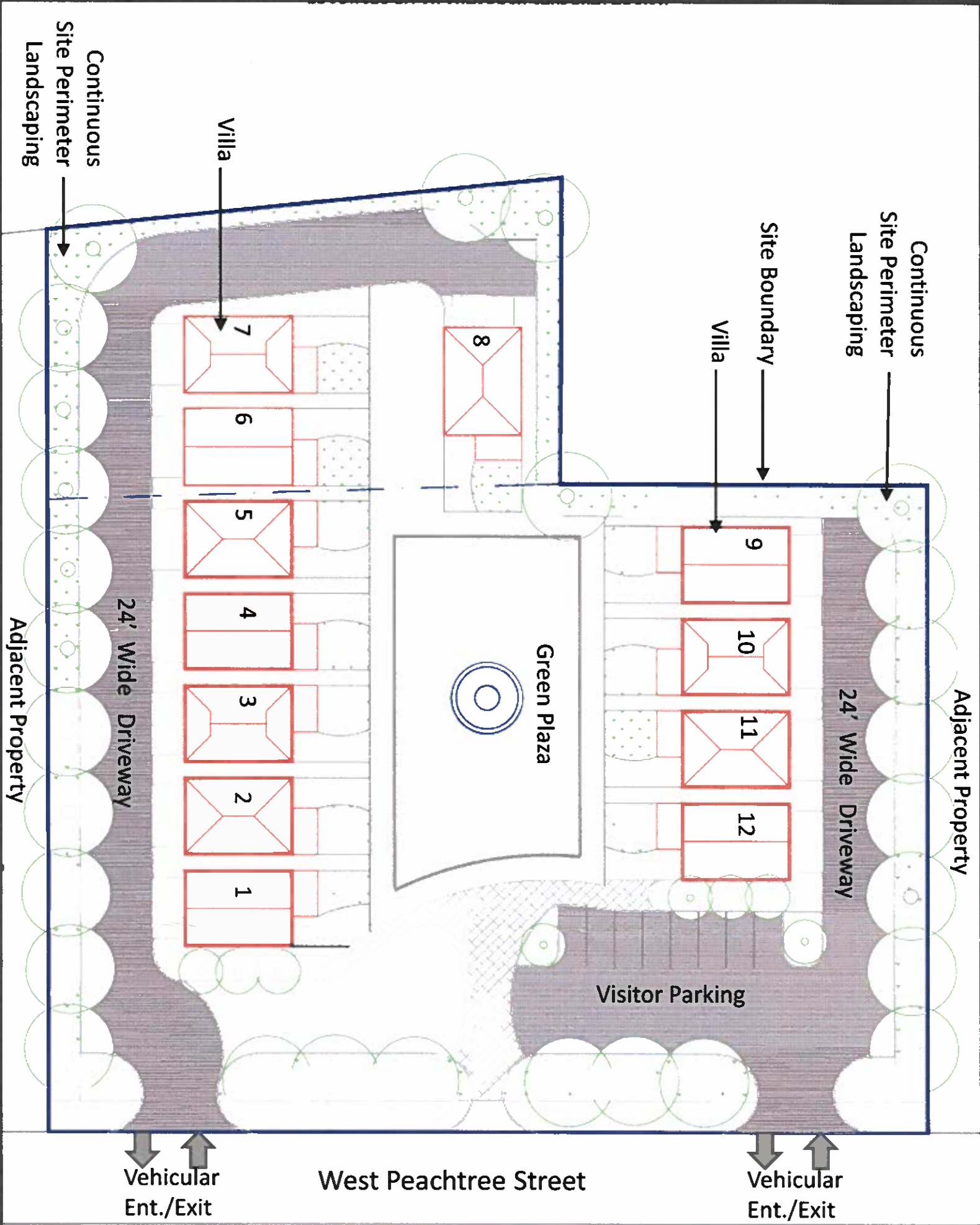
This Irrevocable Standby Letter of Credit expires on 03/29/2022 but shall remain in effect after that date with respect to orders in process and outstanding invoices issued on or before 03/29/2022. However, all drafts must be drawn and negotiated not later than, 04/08/2022.

Yours very truly,


 KARIM KAMRUDDIN
 BRANCH MANAGER

2035 Sugarloaf Circle • Duluth, GA 30097 • Tel: 404.297.9797

E-mail: info@platinumfcu.org • www.platinumfcu.org

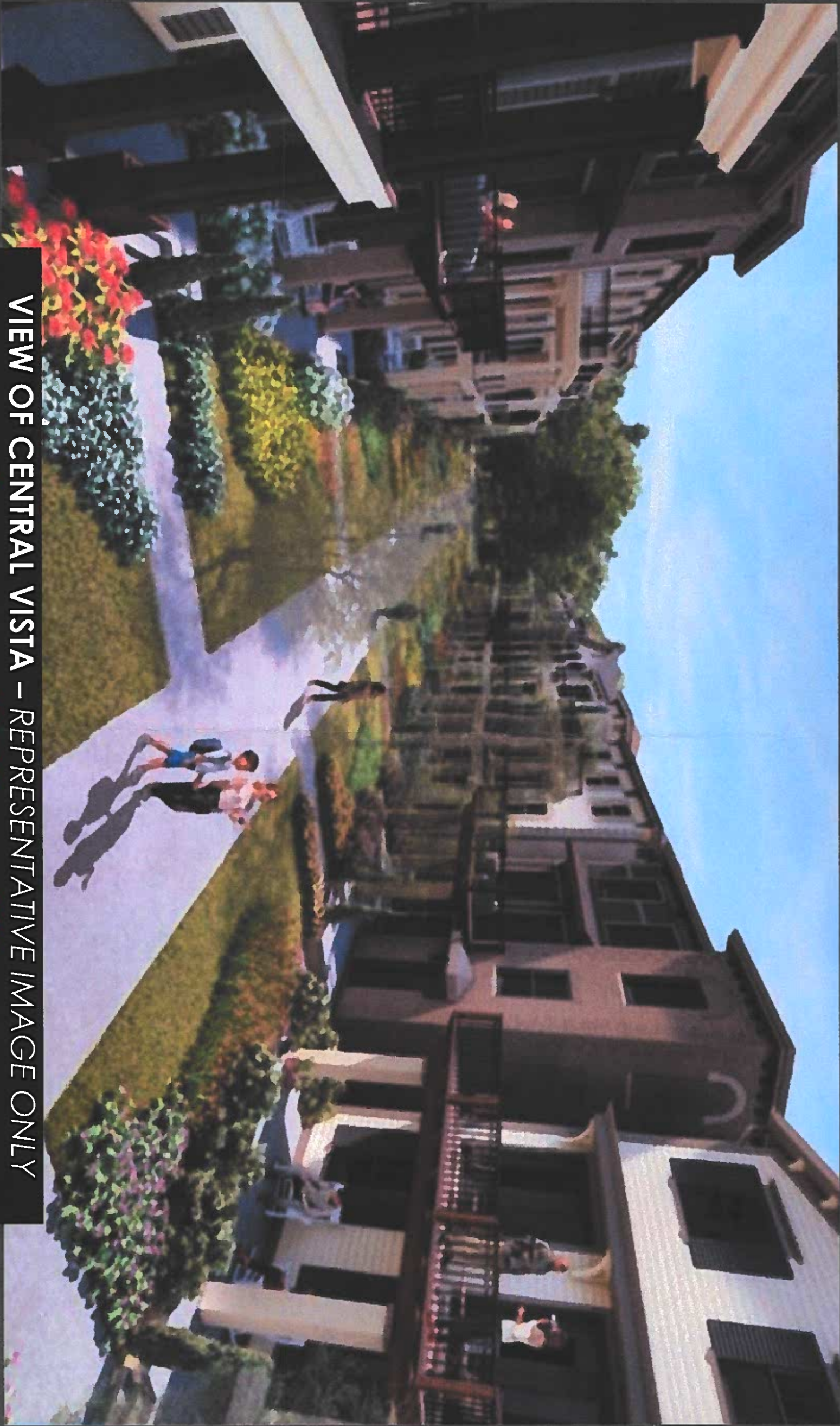


- 12 Uniquely crafted Villas in a green landscaped setting is envisaged for the property.
- Each Villa would be approximately 2500 sq. ft.
- Living, Dining, Kitchen, 4 Bedrooms and a 2 Car garage

CONCEPTUAL SITE PLAN

"Elegance"

Villas at Norcross



VIEW OF CENTRAL VISTA - REPRESENTATIVE IMAGE ONLY

"Elegance" - Villas at Norcross



INDIVIDUAL VILLA DESIGN – REPRESENTATIVE IMAGE ONLY

“Elegance” - Villas at Norcross