



Environmental groups file lawsuit over DeKalb land swap

LOCAL NEWS | Feb 16, 2021

By Tyler Estep, The Atlanta Journal-Constitution

Two environmental groups have filed a lawsuit in an attempt to halt DeKalb County's land swap with a local film studio.

In the suit filed Friday in DeKalb Superior Court, the South River Watershed Alliance and South River Forest Coalition argue that the county lacked the authority to complete the swap, which involves giving 40 acres of existing parkland to Blackhall Studios in exchange for 53 acres that the county will convert into a new park.

The suit asks a judge to void the deal and issue an injunction to protect the property from private development



“The land exchange represents an unlawful conversion of public park land to private uses and a waste of taxpayer money,” attorney Kasey Sturm wrote.

Explore SW DeKalb residents support county's land swap with Blackhall Studios

DeKalb officials declined to comment on the pending litigation. Blackhall representatives did not immediately have comment.

The county and Blackhall Studios closed on the swap, which had been discussed for nearly three years, [earlier this month](#). The deal sends 40 acres of existing Intrenchment Creek Park to Blackhall, which plans to dramatically expand its existing southwest DeKalb campus.

In exchange, DeKalb gets the Blackhall-owned land further north along Bouldercrest Road. County officials say they plan to build a new park with more amenities and better connectivity to surrounding neighborhoods.

The film studio has pledged \$1.6 million — mostly in in-kind donations — to help create the new park. DeKalb has also tapped \$1.7 million in previously unspent urban redevelopment bonds for the project.





Residents in the neighborhoods closest to the properties in question are largely supportive of the swap, saying the existing trails at Intrenchment Creek Park are underutilized and unsafe. They're also hopeful that Blackhall's expansion could drive much-needed economic development in their area.

"If things go as planned and they build this new giant studio complex, that brings other businesses and other entities to this area that are not dollar stores," Alison Clark, chair of the Southwest DeKalb Neighborhood Alliance, recently told the AJC. "We actually see meaningful growth and that means the world to us."

The proposal, though, has seen plenty of pushback.

Now-former county Commissioner Kathie Gannon, who represented the western half of DeKalb for 15 years before her recent retirement, was vehemently opposed to the swap, saying it set a bad precedent. A neighborhood planning unit in East Atlanta formally registered its opposition in 2019.

The South River Watershed Alliance and leader Jacqueline Echols have also been opposed from the get-go, helping create a new group called "Stop the Swap" and long threatening to take legal action.

They've now made good on the threat.

The 44-page lawsuit filed last week argues that the swap violates the original agreement between DeKalb County, the Trust for Public Land and the Arthur M. Blank Foundation.



The latter organizations gave the land for Intrenchment Creek Park to the county in 2003.

TPL and the Blank Foundation signed off on the recent swap, removing deed restrictions on the 40 acres given to Blackhall (and imposing similar restrictions on the new land received by the county, a spokesman said).

The lawsuit, though, argues that the changes violate language in the original deed transfer documents, which say that the land “shall be used in perpetuity as park property.” The documents also give “any member of the general public who utilizes the property” the ability to “take any action necessary at law” to enforce the restrictions, according to the suit.

The South River groups allege that the county also failed to provide “a meaningful opportunity for public engagement and comment” and should’ve held a public referendum on the swap.

“Instead,” the lawsuit says, “the land exchange has been driven in large part, if not exclusively, by Blackhall Studios with propaganda and unsecured promises about anticipated benefits of the exchange.”

[SRWA lawsuit challenging DeKalb County land swap](#) by [Tyler Estep](#) on Scribd



FILED 21062021 4:26 PM CLERK OF SUPERIOR COURT DEKALB COUNTY, GEORGIA

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

SOUTH RIVER WATERSHED ALLIANCE, :
SOUTH RIVER FOREST COALITION, :
MARGARET S. BRADY, ALLEN P. DOYLE, :
JOEL FINEGOLD, JOSEPH S. PEERY, and :
JOHN AND JANE DOES, : CIVIL FILE ACT

Plaintiffs, :

v. :

DEKALB COUNTY, GEORGIA, by and :
through its Board of Commissioners, and :
BLACKHALL REAL ESTATE PHASE II, LLC :

Defendants :

VERIFIED COMPLAINT

COME NOW, Plaintiffs South River Watershed Alliance, South
Coalition, Margaret S. Brady, Allen P. Doyle, Joel Finegold, Joseph S. I
and Jane Does (collectively, "Plaintiffs") and hereby file this Complain

1 of 44



In Other News



LOCAL NEWS | 43m ago

Here's how Atlanta plans to spend \$170M in American Rescue Plan funds



LOCAL NEWS | 1h ago

Confederate group sues over removal of Decatur monument



LOCAL NEWS

Johns Creek, Duluth will salvage 10 tons of steel from historic Rogers Bridge



LOCAL NEWS

Atlanta almost withheld \$73M in police funding last year. What's

changed since then?



LOCAL NEWS



More than 32,000 Gwinnett students are back in classrooms



LOCAL NEWS

Gwinnett tax commissioner closes offices Monday for Juneteenth



LOCAL NEWS

Clayton County Sheriff's Office lawyer wants Victor Hill suspension overturned



LOCAL NEWS

Lines drawn over Atlanta's push to lift struggling schools

CONTENT BY

GW School of Business | Sponsored

Business Graduate Program

Dexcom | Sponsored

See Why People with Diabetes Are Using This New App

U.S. Surgeon: This Simple Trick Empties Almost Immediately Your Bowels Every Morning

Gundry MD | Sponsored

The Atlanta Journal-Constitution

ABOUT

- Help Center
- About the Atlanta Journal-Constitution
- Newsroom Ethics Code
- Careers

[Careers](#)
[Archive](#)
[Press On](#)



CONTACT US

[Contact Us](#)
[Send a News Tip](#)
[Advertise](#)
[AJC Newsroom](#)

OUR PRODUCTS

[ePaper](#)
[Newsletters](#)
[All AJC Podcasts](#)
[Download iOS App](#)
[Download Android App](#)

SUBSCRIPTION

[Print Subscription](#)
[Digital Subscription](#)
[Manage Subscription](#)
[Your Profile](#)
[NIE/Newspapers in Education](#)

© 2021 The Atlanta Journal-Constitution.
All Rights Reserved.

By using this website, you accept the terms of our
[Visitor Agreement](#) and [Privacy Policy](#), and understand your options regarding [Ad Choices](#).

[Learn about Careers at Cox Enterprises.](#)

[Back to Top](#)