

STATE OF GEORGIA

COUNTY OF FULTON

First Reading: October 24, 2011

Second Reading: November 14, 2011

ORDINANCE TO ANNEX BROADWELL PROPERTY

This Ordinance is to annex certain real property into the City of Roswell, Georgia, pursuant to Article 2, Chapter 36 of Title 36 of the Official Code of Georgia Annotated; to provide an effective date; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of Roswell, Georgia, that:

WHEREAS, under the provisions of Article 2, Chapter 36 of Title 36 of the O.C.G.A. § 36-36-20, et seq., the City of Roswell may, upon petition of not less than one hundred per cent (100%) of the property owners take action to annex such property; and

WHEREAS, it has been determined that owners of 100% of the property contiguous to the City of Roswell and depicted in Exhibit "A", attached hereto and incorporated herein by reference, desire that such area be annexed to the City; and

WHEREAS, the City has received and verified a petition for annexation from the owners of 100% of the property located in Land Lot 46 of the 1st District, 2nd Section of Fulton County, Georgia, more particularly described as follows;

WHEREAS, it is in the best interest of the petitioners and of the citizens of the City of Roswell that the City annex the territory in the application presented to it by said property owners:

NOW, THEREFORE, the Mayor and Council do hereby adopt the following Ordinance.

1.

The City of Roswell does hereby annex the property described in Exhibit "A" attached hereto and incorporated herein and more particularly described below into the corporate limits of the City of Roswell:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 46 of the 1st District, 2nd Section, of Cobb County, Georgia and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at point located at the intersection of the west line of Land Lot 35 with the centerline of Willeo Creek; thence southerly, southeasterly, easterly, southwesterly, and westerly along the Cobb County line and the along the meanderings of the centerline of Willeo Creek, which is also the east county line of Cobb County, twenty eight hundred twenty (2,820) feet, more or less, to a point, said point having a State Plane Coordinate, Georgia West Zone, NAD 1983 of Northing 1473403.9849 and Easting 2221922.6206, said point is the TRUE POINT OF BEGINNING.

Thence leaving said current common county proceed South three degrees fifty-five minutes and forty seven seconds West (S03°55'47"W) a distance of one hundred fifty-two and ninety-three one hundreds (152.93) feet to a point, Thence proceed South seven degrees twenty-eight minutes twenty-nine seconds East (S07°28'29"E) a distance of one hundred twenty-nine and thirty-eight one hundreds (129.38) feet to a point; Thence proceed South five degrees nine minutes thirty-eight seconds East (S05°09'38"E) a distance of fifty and sixty-four one hundreds (50.64) feet to a point (1/2 inch rebar found), said point having a State Plane Coordinate, Georgia West Zone, NAD 1983 of Northing 1473071.9316 and Easting 2221919.9539; Thence proceed South eighty-six degrees twenty-six minutes forty-two seconds East (S86°26'42"E) a distance of three hundred and 50 one hundreds (300.50) feet to a point (1/2 inch rebar found), said point having a State Plane Coordinate, Georgia West Zone, NAD 1983 of Northing 1473071.4836 and Easting 2222220.4536; Thence proceed North four degrees seven minutes zero seconds West (N04°07'00"W) a distance of three hundred two and fifty-eight one hundreds (302.58) feet to a point (1/2 inch rebar set), said point located on the northerly line of Cobb County and the southerly line of Fulton county, said point having a State Plane Coordinate, Georgia West Zone, NAD 1983 of Northing 1473374.0340 and Easting of 2222223.8636; Thence following said common county line proceed North eighty-seven degrees nine minutes three seconds West (N87°09'03"W) a distance of seventy-four and ninety-four one hundreds (74.94) feet to a point; Thence proceed North eighty-seven degrees nine minutes three seconds (N87°09'03"W) a distance of one hundred thirty-six and nine one hundreds (136.09) feet to a point; Thence proceed North seventy-five degrees five minutes eleven seconds (N75°05'11"W) a distance of thirteen and four one hundreds (13.04) feet to a point; Thence proceed North sixty-five degrees thirty-five minutes eleven seconds (N65°35'11"W) a distance of eighty-two and ninety-two one hundreds (82.92) feet to a point, said point being the TRUE POINT OF BEGINNING.

Tract described herein containing 2.13 acres (92,639 square feet) of land, more or less, described on a survey by Frontline Surveying & Mapping, Inc., job number 43916, dated 12/09/2009, last revised 12/2/2009.

2.

This Ordinance shall become effective as provided by law.

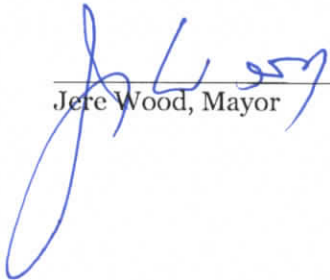
3.

The City Administrator is instructed to send certified copies of this ordinance, together with a map and complete survey by a competent surveyor of the area annexed to the Department of Community Affairs, to the Director of the Elections Division of the Secretary of State of Georgia, and to the governing authority of Fulton County within thirty (30) days after the effective date of the annexation as set forth in Article 1 of Chapter 36 of Title 36 of O.C.G.A § 36-36-3.

4.

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

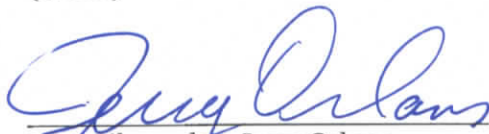
The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the 14th day of November, 2011.

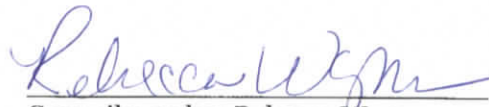

Jere Wood, Mayor

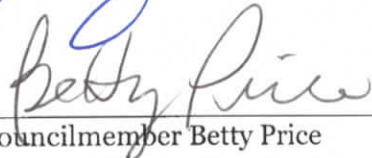
Attest:

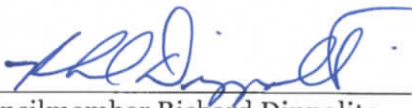

Marlee Press, City Clerk

(SEAL)

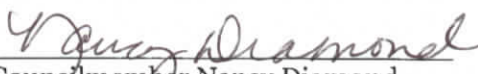

Councilmember Jerry Orlans


Councilmember Rebecca Wynn


Councilmember Betty Price


Councilmember Richard Dippolito


Councilmember Kent Igleheart


Councilmember Nancy Diamond



