

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.

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 \_\_\_\_\_ day of \_\_\_\_\_, 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

# ANNEXATION PLAT FOR: BROADWELL MANOR

PRESENT ZONING	R-20	= MIN. HOUSE SIZE 1200 Sq.Ft.
MIN. SIDE YARD	10 FEET	= MIN. FRONT YARD = 50' FEET
MIN. REAR YARD	35 FEET	
MIN. LOT SIZE	20,000 Sq.Ft.	= MIN. ROAD FRONTAGE 75 FEET

GRAPHIC SCALE



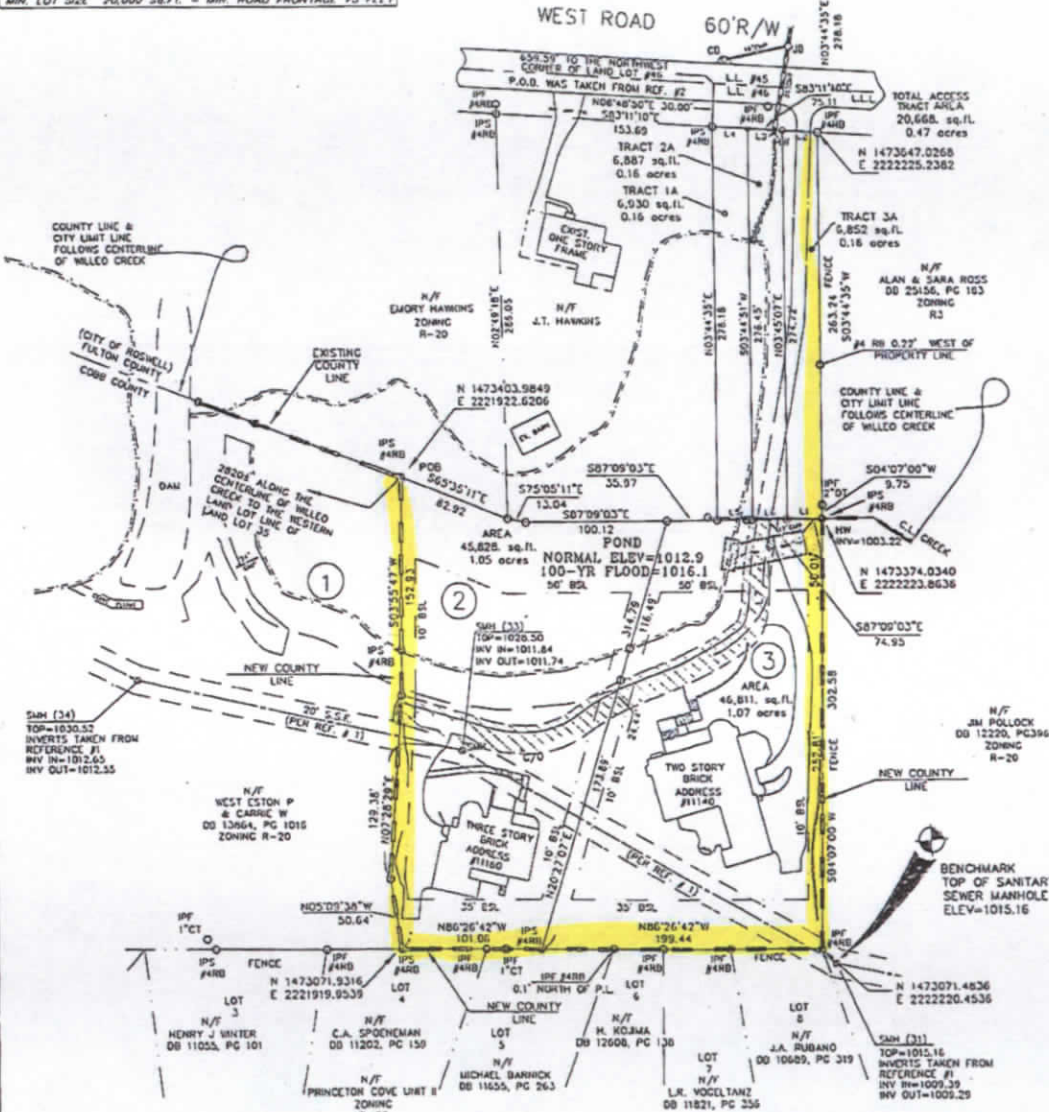
TOTAL AREA OF  
ANNEXATION TO FULTON COUNTY  
LOTS 1 & 2  
CITY OF ROSWELL, FULTON COUNTY  
2.13 ACRES  
92,639 SQUARE FEET

LINE	LENGTH	BEARING
L1	24.98	S87°09'53"E
L2	13.34	S87°11'02"E
L3	25.64	S87°11'02"E
L4	25.64	S87°11'02"E
L5	24.98	S87°09'53"E
L6	24.90	S87°09'53"E
L7	9.74	S25°52'06"W

GLOBAL POSITIONING SYSTEMS INCORPORATION NOTE:  
A PORTION OF THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED UTILIZING GLOBAL POSITIONING SYSTEMS (GPS). IT INCLUDES NAVO 1988 (ELEVATIONS AND HARN (HORN) GEORGIA STATE PLANCE, WEST ZONE COORDINATES. THE EQUIPMENT USED WAS A TRIMBLE 5800 GPS RECEIVER WITH TRIMBLE DATA COLLECTOR AND A CELL PHONE MODEM. A NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY WAS PERFORMED USING CONNECTED MEASUREMENTS. THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY GPS SOLUTIONS, INC. POSITIONAL ACCURACY OF THE FIELD DATA UTILIZED IN THIS SURVEY IS 0.04 FEET HORIZONTAL AND 0.07 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1/8" WIDE	IRON PIN SET BY 1/2" IRON	CONCRETE MONUMENT FOUND	
1/4" WIDE	IRON PIN (FIND)	CHURCH/UTILITY LINES	
1/2" WIDE	OPEN TOP PIN	SEWER MAIN HOLE	
3/4" WIDE	CHAMP TOP PIN	MAN HOLE TELEPHONE	
1" WIDE	NON-CHURCH BARK	CATCH BASIN	
2" WIDE	CENTERLINE	JOINT BOX	
3" WIDE	RIGHT-OF-WAY	DRIP INLET	
4" WIDE	LAND LOT	LAND LOT LINE	
5" WIDE	LAND	HEAD WALL	
6" WIDE	LAND	ENHANCED METAL PIPE	
7" WIDE	CONCRETE	REINFORCED CONCRETE PIPE	
8" WIDE	CONCRETE	CROSS BRAN	
9" WIDE	CONCRETE	SANITARY SEWER EXISTENT	
10" WIDE	CONCRETE	SEWER	
11" WIDE	CONCRETE	SEWER	
12" WIDE	CONCRETE	SEWER	
13" WIDE	CONCRETE	SEWER	
14" WIDE	CONCRETE	SEWER	
15" WIDE	CONCRETE	SEWER	
16" WIDE	CONCRETE	SEWER	
17" WIDE	CONCRETE	SEWER	
18" WIDE	CONCRETE	SEWER	
19" WIDE	CONCRETE	SEWER	
20" WIDE	CONCRETE	SEWER	

GENERAL NOTES:  
1. INFORMATION REGARDING THE PROPERTY, PRESENT, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INADEQUATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL KNOW FULLY AND UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CONSEQUENCES OR SUPERVISORY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.  
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PARCELS OF TRAVEL, UNLESS NOTED OTHERWISE.  
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.



MINUTES OF REGULAR MEETING COBB COUNTY BOARD OF COMMISSIONERS AGENDA 10/20/10  
PAGE 10  
1) CONSENT AGENDA ITEMS APPROVED (CONT.)  
COUNTY ATTORNEY  
75 APPROVAL OF REQUEST BY ERIC AND OLYA BROADWELL TO RELOCATE THE BOUNDARY LINE BETWEEN COBB COUNTY AND FULTON COUNTY SUCH THAT THEIR PROPERTY ON WEST ROAD IN ROSWELL, WILL BE CHANGED FROM COBB COUNTY TO FULTON COUNTY IN ACCORDANCE WITH THEIR PETITION TO THE PROBATE COURT OF COBB COUNTY - COUNTY ATTORNEY

REFERENCES:  
1.) ASBURY PLANS OF WILCOX CREEK PUMP STATION GENERAL PLAN FOR COBB COUNTY WATER SYSTEM, PREPARED BY RHOD-MOUFF ASSOCIATES, INC., SHEETS 7 & 8 OF 14.  
2.) SURVEY FOR ERIC B. BROADWELL & OLYA T. BROADWELL, PREPARED BY S.M. LITMAN SURVEYING, DATED 8-2-05.

3595 Canton Road  
A-9, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9905  
Fax (678) 355-0805  
www.frontlinesurveying.com



DATE 12/09/09 SCALE 1" = 60'

Cobb County, Georgia

1st DISTRICT 2nd SECTION

UNIT

LOT 1, 2 & 3

BLOCK

SUBDIVISION BROADWELL MANOR

SURVEYED BY

COMPUTED BY

APPROVED BY



JOB # 43916-REV