FILE REFERENCE N	NO: <u>20130734</u>
ORDINANCE NO:	7675

AN ORDINANCE

REZONING the following property in the corporate limits of the City of Marietta, Georgia in Land Lot 02900, District 17, Parcel 1010, 2nd Section, Marietta, Cobb County, Georgia and being known as 598 W Atlanta Street.

WHEREAS, application has been filed by ROSE DRISKELL, TRUSTEE OF THE W. G. DRISKELL MARITAL TRUST for rezoning property in the corporate limits of the City of Marietta, Georgia; and,

WHEREAS, following proper notice, a public hearing was held before this body; and,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: The following property to wit:

All that tract or parcel of land lying and being in Land Lots 286, 287, 290, and 291, of the 17th District, 2nd Section, Cobb County, Georgia, being more particularly described as follows:

BEGINNING at a right-of-way monument found at the Western right-of-way line of West Atlanta Street and the Southern right-of-way line of Latimer Street (40 foot right-of-way); thence running along the Western right-of-way line of West Atlanta Street South 34 degrees, 21 minutes, 50 seconds East for 106.80 feet along the arc of 106.88 feet with a radius of 777.51 feet to a right-of-way monument; thence South 22 degrees, 5 minutes, 57 seconds West a distance of 69.35 feet to an iron pin, said pin being located on Northern right-of-way of Pearl Street; thence along the Northern right-a-way line of Pearl Street South 77 degrees, 45 minutes, 14 seconds West a distance of 50.70 feet; thence South 12 degrees, 14 minutes, 46 seconds East a distance of 4.09 feet; thence continuing along the Northern right-a-way line of Pearl Street South 80 degrees, 12 minutes, 41 seconds West a distance of 288.41 feet to an iron pin; thence leaving the right-ofway of Pearl Street North 7 degrees, 18 minutes, 01 seconds West a distance of 206.21 feet to an iron pin found at the Southern right-of-way line of Latimer Street; thence continuing along this Southern right-of-way line of Latimer Street North 83 degrees, 33 minutes, 50 seconds East a distance of 193.42 feet; thence South 06 degrees, 22 minutes, 47 seconds East a distance of 2.89 feet; thence North 83 degrees, 37 minutes, 14 seconds East a distance of 93.94 feet; thence South 65 degrees, 44 minutes, 57 seconds East a distance of 42.80 feet to a right-of-way monument being the point of beginning, containing 1.540 acres as shown on that certain topographical survey prepared by Robert B. Betterton of Betterton Surveying and Design, Inc. dated June 6. 2013.

<u>Section 2</u>: The above-described properties are hereby rezoned into the corporate limits in the City of Marietta, Georgia from NRC (Neighborhood Retail Commercial) to OS (Office Services).

<u>Section 3</u>: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 4: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

<u>Section 5</u>: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:	18-1-X-V
	Brian Binzer, Director
	Department of Development Services
Approved as to form:	III August
	Douglas R. Haynie, City Attorney
Approved by City Council:	
DATE: August 14, 2013	APPROVED:
ATTEST:	R. Steve Tumlin, Jr., Mayor
Stephanie Guy, City Clerk	