

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 12310, District 16, Parcel 0480, 2nd Section, Marietta, Cobb County, Georgia and being known as 249 Crescent Circle.

WHEREAS, application has been filed by **DOUGLAS CLARKE BENTLEY AND FREDERICK ANDREW BENTLEY** 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 Lot #1231 of the 16th District, 2nd Section, Cobb County, Georgia; and being more particularly described as follows:

Beginning at intersection of the north right of way of Trammell Street (30' R/W) and the east right of way of Crescent Circle (50' R/W), then traveling along the easterly right of way of Crescent Circle the following courses and distances:

THENCE North 00°21'06" West for a distance of 146.35 feet to a point; THENCE along a curve to the west, having a radius of 312.90 feet, for a distance of 156.75 feet, being subtended by a chord of North 14°42'15" West for a distance of 155.11 feet, to a point; then leaving said right of way; THENCE North 86°52'52" East for a distance of 129.06 feet to a point on the westerly right of way of Powder Springs Connector (A.K.A. S.R.#5) (having a 100 ft. R/W); Then traveling along the westerly right of way of Powder Springs Connector the following courses and distances:

THENCE South 25°26'11" East for a distance of 127.60 feet to a point; THENCE along a curve to the west, having a radius of 1095.92 feet, for a distance of 184.58 feet, being subtended by a chord of South 21°15'14" East for a distance of 184.36 feet, to a point at the mitered intersection of the westerly right of way of Powder Springs Connector and the northerly right of way of Trammell Street; then traveling along said mitered intersection; THENCE South 36°30'38" West for a distance of 18.21 feet to a point on the northerly right of way of Trammell Street; Then traveling along the northerly right of way of Trammell Street; THENCE South 89°30'26" West for a distance of 199.41 feet to a point; said point being the Point of Beginning. Together with, and subject to, all easements, covenants, and restrictions of record. Said property contains 1.133 acres, more or less.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from OI (Office Institutional) to CRC (Community Retail Commercial).

Section 3: 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.

Section 5: 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:



**Brian Binzer, Director
Department of Development Services**

Approved as to form:



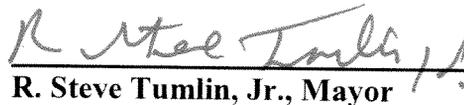
Douglas R. Haynie, City Attorney

Approved by City Council:

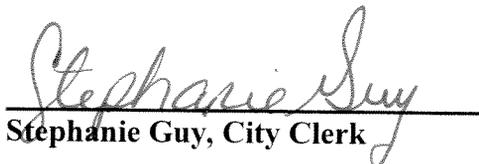
DATE: August 13, 2014

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk