FILE REFERENCE NO: 20141222
ORDINANCE NO: 7782

AN ORDINANCE

ANNEXING the following property in the corporate limits of the City of Marietta, Georgia consisting of 0.89 acres and all associated right-of-way, 2nd Section, Cobb County, Georgia as follows: Land Lot 07320, District 17, Parcels 0060 (2187 Windy Hill Rd) and 0040 (2165 Windy Hill Rd).

WHEREAS, application has been filed by the **CITY OF MARIETTA** for annexing 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,

WHEREAS, all conditions of home rule annexation as set forth by the State Legislature have been met; and

WHEREAS, the Mayor and Council are authorized and empowered to describe Ward boundaries within the corporate limits.

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

Section 1: Best Interest Determination:

Prior to annexing the property described herein, the Marietta City Council finds, as a matter of fact, that the annexation of the property described herein into the municipal corporation of the area proposed in the Application for Annexation would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the municipal corporation.

Section 2: The following property to wit:

All that tract or parcel of Land being in Lot 07320, District 17, Parcels 0060 (2187 Windy Hill Rd) and 0040 (2165 Windy Hill Rd) and all required right-of-way, of the 2nd Section, Cobb County, Georgia consisting of 0.89 acres.

Section 3: The above-described property is hereby annexed into the corporate limits of the City of Marietta, Georgia, and shall have an effective date of January 1, 2015; except that for ad valorem tax purposes, the effective date of annexation shall be December 31, 2014. However, for school enrollment purposes only, the effective date of annexation shall be June 1, 2015, as stated in Georgia law [§ 36-36-2].

Section 4: The above described properties are hereby placed in Wards within the corporate limits of the City of Marietta, Georgia, as identified below:

PIN	Property Address	Proposed Ward
17073200060	2187 Windy Hill Road (City address-0 Windy Hill Road)	7
17073200040	2165 Windy Hill Road (City address-0 Windy Hill Road)	7

Section 5: 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 6: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7: 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: **December 10, 2014**

APPROVED:

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy, City Clerk