FILE REFERENCE NO: 20141324
ORDINANCE NO: 7786

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 12100, District 16, Parcel 0160, 2nd Section, Marietta, Cobb County, Georgia and being known as 130 & 140 Chert Road.

WHEREAS, application has been filed by **MAI T. CAO/CBS OUTDOOR, LLC** 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 1211, 16th District, 2nd Section, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the Easterly right-of-way of Chert Road with the Southerly right-of-way of Gresham Road; THENCE proceeding South, 63.53 feet along the right-of-way of Chert Road to a point, said point being the POINT OF BEGINNING.

THENCE proceeding NORTH 89 DEGREES 58 MINUTES 11 SECONDS EAST, 63.72 feet to a point; THENCE proceeding SOUTH 00 DEGREES 44 MINUTES 45 SECONDS WEST, 147.53 feet to a point; THENCE proceeding 62.39 feet along the arc of a curve to the right, said arc having a radius of 10022.00 feet and being subtended by a chord bearing SOUTH 04 DEGREES 32 MINUTES 02 SECONDS WEST, 62.39 feet to a point; THENCE proceeding SOUTH 89 DEGREES 58 MINUTES 26 SECONDS WEST, 63.08 feet to a point, said point being on the Easterly right-of-way of Chert Road; THENCE proceeding NORTH 00 DEGREES 10 MINUTES 43 SECONDS EAST, 100.11 feet to an open top pin found; THENCE proceeding NORTH 00 DEGREES 03 MINUTES 08 SECONDS WEST, 109.59 feet to a point, said point being the POINT OF BEGINNING.

Said tract contains 14,208.9 square feet or 0.3 acres.

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: **January 14, 2015**

APPROVED:

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy, City Clerk