

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lots 998, 999, 1018, and 1019, District 16, Parcel 0100, 2nd Section, Marietta, Cobb County, Georgia, and being known as **815 Allgood Road**.

WHEREAS, application has been filed by **THE WALKER SCHOOL, INC** 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 998, 999, 1018 and 1019 of the 16th District, 2nd Section, City of Marietta, County of Cobb, State of Georgia, containing 17.5605 acres (764,939 sq.ft.), more or less, and being more particularly described as follows:

BEGINNING at a point located on the Northwesterly right-of-way line of Allgood Road (135 foot right-of-way), said point being located 313.59 feet Southwesterly from a concrete right-of-way monument found at the intersection of said Northwesterly right-of-way line of Allgood Road and the Southwesterly right-of-way line of

Interstate 75 (right-of-way varies) and proceeding thence; running along said Northwesterly right-of-way line of Allgood Road, along an arc of a curve to the left of a radius of 1210.92 feet an arc distance of 177.53 feet (said arc being subtended by a chord with a bearing of S 51°38'04" W a chord distance of 177.37 feet) to a concrete right-of-way monument found, thence; continuing along said Northwesterly right-of-way line of Allgood Road,

S 46°58'05" W a distance of 317.10 feet to a concrete right-of-way monument found, thence; running and leaving said Northwesterly right-of-way line of Allgood Road and following the line common with the City of Marietta Fire Station property and the line common with The Walker School, N 39°53'10" W a distance of 190.61 feet to a 1/2" rebar found, thence; running along the line common with The Walker School, S 83°07'02" W a distance of 92.45 feet to a point, thence; continuing along said common line, S 82°27'28.W a distance of 87.44 feet to a point, thence; continuing along said common line, N 68°05'58" W a distance of 21.59 feet to a point, thence; continuing along said common line, N 63°40'51" W a distance of 59.41 feet

to a point, thence; continuing along said common line, N 63°40'51. W a distance of 10.61 feet to a point, thence; continuing along said common line,

N 61°16'21" W a distance of 63.87 feet to a point, thence; continuing along said common line, N 58°49'21" W a distance of 188.00 feet to a point, thence; continuing along said common line, N 33°11'19" E a distance of

143.29 feet to a 1/2" rebar found bent, thence; continuing along said common line, N 48°14'24" W a distance of

42.02 feet to a point, thence; continuing along said common line, N 34°55'36" E a distance of 183.23 feet to a 1/2" rebar found destroyed, thence; continuing along said common line, N 55°04'24" W a distance of 92.03 feet to a 1/2" rebar found located on the line dividing Land Lots 999 and 1018, aforesaid District and Section, thence; running along the line common with Cornerstone International, LLC, N 00°04'41" E a distance of 209.78 feet to a 1/2" rebar found, thence; continuing along said common line, N 89°23'53" E a distance of 210.06 feet to a 1/2" rebar found located on the line dividing Land Lots 999 and 998, aforesaid District and Section, thence; running along said Land Lot line and continuing along said common line, N 00°46'26" E a distance of 256.50 feet to a 1/2" rebar found, thence; leaving said Land Lot line and following the line common to Cornerstone International, LLC and Capitol Materials, Inc., S 86°52'20" E a distance of 501.26 feet to a point located on said Southwesterly right-of-way line of Interstate 75 (right-of-way varies), thence; running along said Southwesterly right-of-way line of Interstate 75, S 40°30'44" E a distance of 261.50 feet to a point, thence; running and leaving said Southwesterly right-of-way line of Interstate 75 and following the line common with Parade Properties, LLC,

S 02°56'4" W a distance of 316.63 feet to a point, thence; continuing along said common line, S 10°50'15" E a distance of 169.47 feet to a point, located on the Northwesterly right-of-way line of Allgood Road, thence; continuing along said Northwesterly right-of-way line of Allgood Road, S 03°54'15" W a distance of 74.98 feet to a point, said point being THE POINT OF BEGINNING.

Said tracts contain 764,939 square feet or ±17.56 acres.

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

Section 3: The following stipulation is incorporated as a condition of zoning:

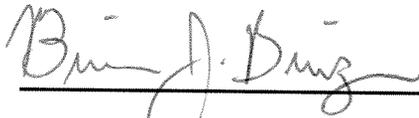
Letter requesting buffer variance from John H. Moore, Moore, Ingram, Johnson & Steele, to Russell J. Roth, AICP, Planning & Zoning Manager for the City of Marietta, dated October 2, 2015.

Section 4: 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 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

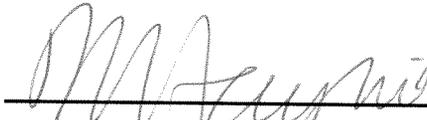
Section 6: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



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

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

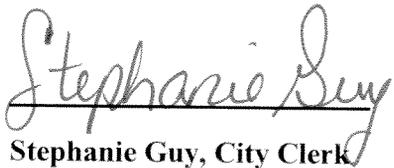
DATE: October 14, 2015

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk