

**AN ORDINANCE**

**ANNEXING** the following property in the corporate limits of the City of Marietta, Georgia consisting of 1.1 acres and all associated right-of-way, 2<sup>nd</sup> Section, Cobb County, Georgia as follows: Land Lots 283 & 288, District 20, Parcels 0380, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as **1409 Walcutts Way**.

**WHEREAS**, application has been filed by **JOHN & KRISTEN WILLS** 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 lying and being in land lot 283 and 288 of the 20th district, 2nd section of Cobb County, Georgia being lot 3 of Watkins Glen Subdivision, as per plat recorded in plat book 176, page 29, records of Cobb County, Georgia which recorded plat is incorporated herein by reference and made a part of this description.

Said tract or parcel contains 1.1 acres, more or less (47,916 square feet).

**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 June 1, 2016; except that for ad valorem tax purposes, the effective date of annexation shall be December 31, 2016. However, for school enrollment purposes only, the effective date of annexation shall be June 1, 2016, 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
20 02830 0380	1409 Walcutts Way	4C

**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:**

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

**Approved as to form:**

  
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**Douglas R. Haynie, City Attorney**

**Approved by City Council:**

**DATE:** May 11, 2016

**APPROVED:**

  
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**R. Steve Tumlin, Jr., Mayor**

**ATTEST:**

  
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**Stephanie Guy, City Clerk**