

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lots 797 and 798, District 17, Parcels 2060 and 0300, 2nd Section, Marietta, Cobb County, Georgia, and being known **1130 and 1140 Northchase Parkway**.

WHEREAS, application has been filed by **CG NORTHCHASE** 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 797 & 798 of 17th district, 2nd section, city of Marietta, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a ¾" open top pipe found at the common corner of land lots 797, 798, 858 & 859, said point being the point of beginning. Thence leaving said corner and along the eastern line of land lot 798 south 00 degrees 36 minutes 23 seconds east, 105.00 feet to a point; Thence leaving said land lot line south 89 degrees 23 minutes 37 seconds west, 326.22 feet to a point; Thence along said property line which becomes the northeasterly right of way of Northchase Parkway (60' r/w) north 12 degrees 33 minutes 42 seconds west, 185.93 feet to a point; Thence leaving said right of way north 77 degrees 26 minutes 11 seconds east, 50.00 to a point; Thence north 01 degrees 11 minutes 21 seconds east, 238.44 feet to a point; Thence north 22 degrees 53 minutes 15 seconds west, 556.76 feet to a #4 rebar found; Thence north 66 degrees 58 minutes. 44 seconds east, 285.48 feet to a #4 rebar found; Thence north 53 degrees 07 minutes 22 seconds east, 287.64 feet to a ¾" open top pipe found on the eastern line of land lot 797; Thence south 01 degrees 48 minutes 53 seconds east, 1120.04 feet to a ¾" open top pipe found at the common corner of land lots 797, 798, 858 & 859, said point being the point of beginning. Said overall contains 9.34 acres.

Together with and an access easement:

All that tract or parcel of land lying and being in land lot 797 of the 17th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

To ascertain the point of beginning. Commence at the southeast corner of land lot 797, thence north 01 degrees 48 minutes 53 seconds west, 252.97 feet to a point; thence south 88 degrees, 11 minutes 07 seconds west, 305.56 feet to a point: thence north 01 degrees 11 Minutes 21 seconds east, 79.14 feet to a point; thence north 22 degrees 53 minutes 15 seconds west, 200.34 feet to a point, said point being the point of beginning; Thence south 66 degrees 49 minutes 16 seconds west, 51.81 feet to a point; Thence along a curve to the left. An arc distance of 132.91 feet. Said curve having a radius of 139.26 feet and being subtended by a chord of 127.93 feet. At south 39

degrees 28 minutes 43 seconds west, to a point; Thence south 12 degrees 08 minutes 10 seconds west, 121.13 feet to a point: Thence along a curve to the left, an arc distance of 50.11 feet, said curve having a radius of 267.45 feet and being subtended by a chord of 50.00 feet, at north 77 degrees 51 minutes 50 seconds west, to a point: Thence north 12 degrees 08 minutes 10 seconds east, 121.13 feet to a point: Thence along a curve to the right, an arc distance of 180.63 feet, said curve having a radius of 189.26 feet and being subtended by a chord of 173.86 feet, at north 39 degrees 28 minutes 43 seconds east, to a point: Thence north 66 degrees 49 minutes 16 seconds east, 51.81 feet to a point:

Thence south 22 degrees 53 minutes 15 seconds east, 50.00 feet to a point, said point being the point of beginning.

Said tract or parcel contains 9.34 acres, more or less (406,850 square feet).

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) with an additional use for a private college.

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.

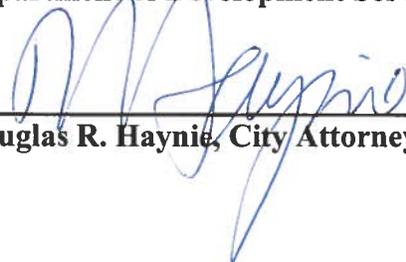
Section 5: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



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

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

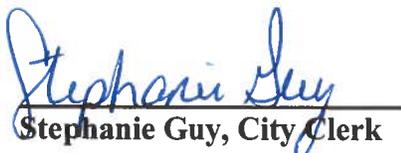
DATE: July 13, 2016

APPROVED:



R. Steve Tumlin, Jr., Mayor

ATTEST:



Stephanie Guy, City Clerk