

**AN ORDINANCE**

**ANNEXING** the following property in the corporate limits of the City of Marietta, Georgia consisting of 5.674 acres and all associated right-of-way, 2<sup>nd</sup> Section, Cobb County, Georgia as follows: Land Lots 728, District 17, Parcel 0050, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as **2253 Northwest Parkway**.

**WHEREAS**, application has been filed by **F & L INVESTMENTS, L.P.** 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 of land in Land Lot 728, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, described as follows:

TO FIND THE POINT OF BEGINNING commence at the intersection of the southeast side of Franklin Road (65-foot right-of-way) and the south side of Northwest Parkway (70-foot right-of-way); and run thence South 45 degrees 45 minutes East along the south side of Northwest Parkway 33.3 feet; thence South 88 degrees 32 minutes 52 seconds East along the south line of Northwest Parkway 915.98 feet; thence east along the south side of Northwest Parkway with the arc of a curve to the right (Chord: South 86 degrees 42 minutes 13 seconds East 131.98 feet) 132.01 feet to an iron pin at the POINT OF BEGINNING and, from said POINT OF BEGINNING as thus established, running thence east along the south side of Northwest Parkway with the arc a curve to the right (Chord: South 83 degrees 07 minutes 30 seconds East 123.81 feet) 123.83 feet to an iron pin; thence South 81 degrees 23 minutes 36 seconds East along the south side of Northwest Parkway 220.63 feet to an iron pin; thence South 10 degrees 58 minutes 05 seconds East 510.67 feet to an iron pin; thence North 88 degrees 39 minutes 22 seconds West 556.93

feet to an iron pin; thence North 06 degrees 07 minutes 04 seconds West 348.74 feet to an iron pin; thence South 88 degrees 32 minutes 57 seconds East 176.54 feet to an iron pin; thence North 06 degrees 07 minutes 04 seconds west 194.95 feet to the POINT OF BEGINNING.

Said tract or parcel contains 5.674 acres, more or less (247,159 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 September 1, 2016; except that for ad valorem tax purposes, the effective date of annexation shall be December 31, 2016.

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

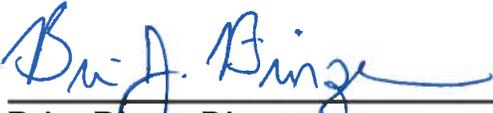
PIN	Property Address	Proposed Ward
17 07280 0050	2253 Northwest Parkway	7A

**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.

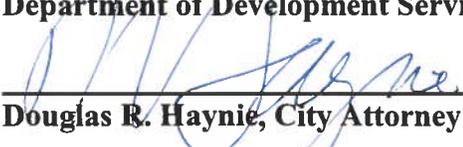
**Section 6:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**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

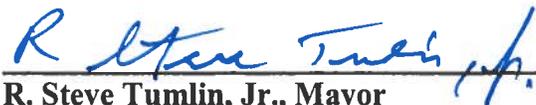
Approved as to form:

  
\_\_\_\_\_  
Douglas R. Haynie, City Attorney

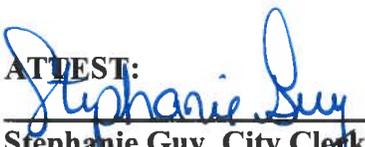
Approved by City Council:

DATE: August 10, 2016

APPROVED:

  
\_\_\_\_\_  
R. Steve Tumlin, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Stephanie Guy, City Clerk