

AN ORDINANCE

**REZONING** property in the corporate limits of the City of Marietta, Georgia in in Land Lots 580, District 17, Parcel 0090, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as **880 Wylie Rd.**

**WHEREAS**, application has been filed by **THE A.G. RHODES HOME – COBB 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 Lot 580, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a ¼-inch rebar on the land lot line common to Land Lots 580 and 581 of the above said District, Section, and County where said line intersects with the western right-of-way line of Wylie Road (having a 40-foot right-of-way width); run thence along the land lot line common to Land Lots 580 and 581 and the northern boundary line of property now or formerly owned by A.G. Rhodes Home, Inc. north 89° 36' 32" west a distance of 328.50 feet to a ¼-inch rebar located on the eastern boundary line of property now or formerly owned by Bon Air Motel; thence leaving said land lot line common to Land Lots 580 and 581 run along said eastern boundary line of property now or formerly owned by Bon Air Motel the following courses and distances: north 03°32'14" west a distance of 193.71 feet to a 1-inch top pipe; and north 03°32'14" west a distance of 130.29 feet to a ¾-inch crimp top pin found located on the southern boundary line of property now or formerly owned by Fleming Carpet Dist.; thence leaving the eastern boundary line of property now or formerly owned by Bon Air Motel run along said southern boundary line of property now or formerly owned by Fleming Carpet Dist. north 89°20'27" east a distance of 334.47 feet to an ¼-inch rebar located on the western right-of-way line of Wylie Road; thence along said western right-of-way line of Wylie Road run south 02°02'30" east a distance of 329.72 feet to an ¼-inch rebar located on the land lot line common to Land Lots 580 and 581, said rebar being the POINT OF BEGINNING.

Said tracts or parcels contains 2.49 acres, more or less (108,464 square feet).

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

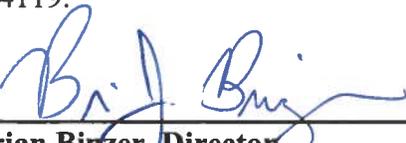
**Section 3:** It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or

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**

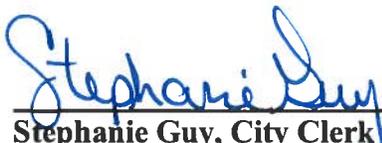
**Approved by City Council:**

**DATE:** September 14, 2016

**APPROVED:**

**ATTEST:**

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

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