

AN ORDINANCE

ANNEXING the following property in the corporate limits of the City of Marietta, Georgia consisting of 5.91 acres more or less, 2nd Section, Cobb County, Georgia as follows: Land Lot 208, District 17, Parcels 0280, 0290, 0400 & a portion of 0510 of the 2nd Section, Cobb County, Georgia and being known as **1555, 1565, & 1575 Roberta Drive and a portion of a parcel on Saine Drive, plus any associated right of way.**

WHEREAS, application has been filed by **BLUE RIVER DEVELOPMENT, LLC** 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 208, 17th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at pk nail set at the intersection of the Southerly Right of Way Line of Saine Drive (40' R/W) and the Easterly Right of Way Line of Roberta Drive (Variable R/W) having Georgia State Plain Coordinates (NAD83, Georgia West Zone) of N.1424850.36, E.2178019.41, said point being the POINT OF BEGINNING.

Thence leaving said intersection and following along said Southerly Right of Way Line of Saine Drive the following courses and distances: along a curve to the right an arc length of 150.75 feet, said curve having a radius of 1790.24 feet, and being subtended by a chord of 150.70 feet, at South 89 degrees 16 minutes 27 seconds East to a point; thence with a compound curve to the right an arc length of 178.96 feet, said curve having a radius of 740.30 feet, and being subtended by a chord of 178.53 feet, at South 79 degrees 56

minutes 11 seconds East to a #4 rebar found; Thence leaving said Southerly Right of Way Line of Saine Drive and along the property of Stonecreek Condominiums the following courses and distances: South 24 degrees 31 minutes 39 seconds West 137.62 feet to a #4 rebar found; Thence South 58 degrees 43 minutes 50 seconds East 193.00 feet to a pk nail set; Thence South 03 degrees 17 minutes 49 seconds West 81.21 feet to a #4 rebar found; Thence South 84 degrees 08 minutes 56 seconds West 74.97 feet to a #4 rebar found; Thence South 05 degrees 24 minutes 57 seconds East 99.67 feet to a #4 rebar found; Thence North 84 degrees 32 minutes 59 seconds East 78.17 feet to a #4 rebar set; Thence South 37 degrees 43 minutes 16 seconds East 151.48 feet to a #4 rebar found; Thence leaving said property of Stonecreek Condominiums South 13 degrees 17 minutes 58 seconds West 85.47 feet to a 1/2" open top pipe found; Thence following along the property of The Sheltering Arms the following courses and distances: South 82 degrees 34 minutes 26 seconds West 226.60 feet to a 2" open top pipe found; Thence South 83 degrees 33 minutes 02 seconds West 208.94 feet to a 1" open top pipe found on the Easterly Right of Way Line of Roberta Drive (Variable R/W); Thence following along said Easterly Right of Way Line of Roberta Drive the following courses and distances: along a curve to the right an arc length of 98.78 feet, said curve having a radius of 908.57 feet, and being subtended by a chord of 98.73 feet, at North 18 degrees 14 minutes 24 seconds West to a #4 rebar set; Thence along a curve to the right an arc length of 98.78 feet, said curve having a radius of 908.57 feet, and being subtended by a chord of 98.73 feet, at North 12 degrees 00 minutes 38 seconds West to a #4 rebar found; Thence North 08 degrees 28 minutes 35 seconds West 121.02 feet to a point; Thence along a curve to the right an arc length of 82.96 feet, said curve having a radius of 775.68 feet, and being subtended by a chord of 82.92 feet, at North 05 degrees 24 minutes 45 seconds West to a #4 rebar found; Thence South 87 degrees 43 minutes 58 seconds West 10.21 feet to a #4 rebar set; Thence along a curve to the right an arc length of 47.09 feet, said curve having a radius of 785.88 feet, and being subtended by a chord of 47.09 feet, at North 00 degrees 37 minutes 50 seconds West to a point; Thence North 01 degrees 05 minutes 10 seconds East 255.53 feet to a pk nail set at the intersection of the Southerly Right of Way Line of Saine Drive and the Easterly Right of Way Line of Roberta Drive, said point being the POINT OF BEGINNING.

Said tract being 5.91 acres (257,440 square feet), more or less.

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 November 1, 2021; except that for ad valorem tax purposes, the effective date of annexation shall be December 31, 2021.

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

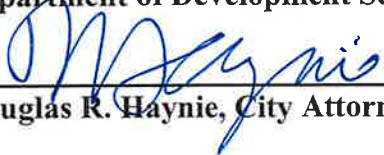
PIN	Property Address	Proposed Ward
17 0208 00280	1555 Roberta Drive	3A
17 0208 00290	1565 Roberta Drive	3A
17 0208 00400	1575 Roberta Drive	3A
17 0208 00510	Saine Drive (a portion of)	3A

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: 
Rusty Roth, Director
Department of Development Services

Approved as to form: 
Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: October 13, 2021

APPROVED:

ATTEST: 
Stephanie Guy, City Clerk


R. Steve Tumlin, Jr., Mayor