

AN ORDINANCE

ANNEXING the following property in the corporate limits of the City of Marietta, Georgia consisting of 0.503 acres more or less, 2nd Section, Cobb County, Georgia as follows: Land Lot 9, District 167, a portion of Parcel 0040 of the 2nd Section, Cobb County, Georgia and being known as **1520 Cunningham Road**.

WHEREAS, application has been filed by **VENTURE COMMUNITIES, 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 Lots 8 and 9 of the 17th District, 2nd Section, City of Marietta, Cobb County, Georgia and being more particularly described as follows:

Commencing at a point on the westerly right of way of Cunningham Road (variable r/w), and the northerly right-of-way of Pastel Drive (40' r/w); thence along the westerly right of way of Cunningham Road north 13 degrees 54 minutes 59 seconds west, 997.61 feet to a point, said point being the true point of beginning; thence leaving said right-of-way south 82 degrees 23 minutes 36 seconds west, 210.00 feet to a point; thence north 14 degrees 02 minutes 20 seconds west, 105.00 feet to a point; thence north 82 degrees 23 minutes 36 seconds east, 210.00 feet to a point on the westerly right of way of Cunningham Road; thence along said right of way south 14 degrees 02 minutes 20 seconds east, 105.00 feet to a point, said point being the POINT OF BEGINNING.

Said tract of land contains 0.503 acres 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 September 1, 2020; except that for ad valorem tax purposes, the effective date of annexation shall be December 31, 2020.

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 0009 00040	Cunningham Road 1520	2B

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: August 12, 2020

APPROVED:



R. Steve Tumlin, Jr., Mayor

ATTEST:



Stephanie Guy, City Clerk