

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia Land Lot 362, District 17, Parcel 0110 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as **590 Commerce Park Drive**.

**WHEREAS**, application has been filed by **ZMW LLLP** 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 the City of Marietta and in Land Lot 362 of the 17th District and 2nd Section of Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the easterly line of the right-of-way of Fairground Street (being a 70-foot right-of-way) and the northerly line of the right-of-way of Commerce Park Drive (said right-of-way being 88.75 feet northerly of the centerline of Commerce Park Drive at said point); running thence north 00° 15' 13" west along the easterly line of said right-of-way of Fairground Street a distance of 291.25 feet to an iron pin set; running thence north 89° 44' 47" east a distance of 422.0 feet to an iron pin set; running thence south 00° 15' 13" east a distance of 350.0 feet to an iron pin set on the northerly line of said right-of-way of Commerce Park Drive; running thence south 89° 44' 46" west along the northerly line of said right-of-way of Commerce Park Drive a distance of 265.5 feet to a point; running thence north 75° 40' 46" west along the northerly line of said right-of-way of Commerce Park Drive a distance of feet to a point; running thence south 89° 44' 47" west along the northerly line of said right-of-way of Commerce Park Drive a distance of 50.0 feet to a point; running thence north 51° 15' 13" west along the northerly line of said right-of-way of Commerce Park Drive a distance of 72.7 feet to the POINT OF BEGINNING;

Said tract or parcel of land contains 3.322 acres more or less.

**Section 2:** The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from LI (Light Industrial) to LI (Light Industrial) with an additional use for a bank and/or financial institution.

**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:

  
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Rusty Roth, Acting Director  
Department of Development Services

Approved as to form:

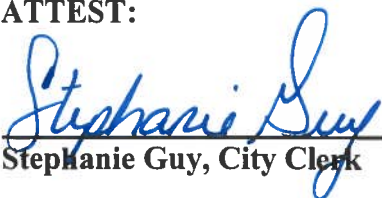
  
\_\_\_\_\_  
Douglas R. Haynie, City Attorney

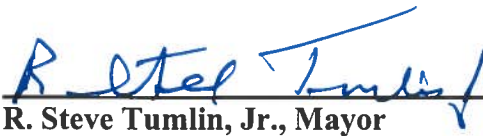
Approved by City Council:

DATE: August 12, 2020

APPROVED:

ATTEST:

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

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