

AN ORDINANCE

AMENDING the City of Marietta Comprehensive Plan 2006 – 2030 and Future Land Use Map.

WHEREAS, a request has been received for an amendment to the Comprehensive Plan and Future Land Use Map for property located in Land Lot 289, District 20, Parcel 0100, a portion of 0700, a portion of 0710, a portion of 0750, 1010, and a portion of 0770 of the 2nd Section, Cobb County, Georgia and being known as 578 Anderson Road and portions of 1860 Kendrick Court, 1870 Kendrick Court, 1860 Leonidas Trail, 1870 Leonidas Trail, 1880 Leonidas Trail, and any associated right of way

WHEREAS, following proper notice, a public hearing was held before this body; and,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: The following property to wit:

Tract A – 578 Anderson Road

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24 1990, as revised March 15, 1991 and April 22, 1997, and prepared by William M. Herndon, Jr, Herndon Surveying & Design, Inc., G.R.L.S. No. 1883, being approximately 4.766 acres and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common corner of Land Lots 281, 282, 289 and 290, run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289 for a distance of 402.50 feet to an iron pin and the TRUE POINT OF BEGINNING; running thence South 87 degrees 57 minutes 32 seconds East along the northern land lot line of Land Lot 289 for a distance of 231.32 feet to a corner and a #4 rebar; running thence South 00 degrees 39 minutes 08 seconds West a distance of 401.59 feet to a corner and #4 rebar; running thence North 89 degrees 26 minutes 37 seconds West a distance of 329.35 feet to a #4 rebar and corner; running thence South 00 degrees 39 minutes 08 seconds West a distance of 60.00 feet to a 2" angle iron and corner; running thence North 89 degrees 26 minutes 37 seconds West a distance of 339.00 feet to a #4 rebar and corner, which corner is along the eastern right of way of Anderson Road (being a 30 foot right of way); running thence along said right of way North 02 degrees 42 minutes 36 seconds East a distance of 97.72 feet to an iron pin and point; continuing thence along said right of way along a curve to the right an arc distance of 82.10 feet (said arc having a chord bearing of North 25 degrees 23 minutes 26 seconds East and a chord distance of 79.98 feet) to an iron pin; continuing thence along said right of way North 48 degrees 04 minutes 16 seconds East a distance of 88.69 feet to an iron pin; running thence North 50

degrees 34 minutes 34 seconds East a distance of 369.55 feet to an iron pin and the POINT OF BEGINNING.

Tract B – a portion of 1880 Leonidas Trail

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.255 acres designated as Tract "B" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia. and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a #4 rebar; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner; continue thence North 89 degrees 26 minutes 37 seconds West for a distance of 69.34 feet to a #4 rebar and the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence North 89 degrees 26 minutes 37 seconds West for a distance of 185.01 feet to a #4 rebar and corner; thence running South 00 degrees 39 minutes 08 seconds West for a distance of 60.00 feet to a 2" angle iron and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 183.01 feet to an iron pin and corner; running thence North 00 degrees 39 minutes 08 seconds East a distance of 60.00 feet to a #4 rebar and the TRUE POINT OF BEGINNING.

Tract C – a portion of 1870 Leonidas Trail

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.199 acres designated as Tract "C" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds east for a distance of 231.32 feet to #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a #4 rebar; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner at the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence North 89 degrees 26 minutes 37 seconds West for a distance of 69.34 feet to a #4 rebar; running thence South 00 degrees 39 minutes 08 seconds West for a distance of 60.00 feet to an iron pin and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 144.34 feet to an iron pin and corner; running thence North 00 degrees 39 minutes 08 seconds East for a distance of 60.00 feet to a point and corner; running thence North 89 degrees 26 minutes 37 seconds West for a distance of 52.04 feet to the TRUE POINT OF BEGINNING.

Tract D – a portion of 1860 Leonidas Trail

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.032 acres designated as Tract "D" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a #4 rebar; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 52.04 feet to the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence South 89 degrees 26 minutes 37 seconds East for a distance of 22.96 feet to an iron pin and corner; running thence South 00 degrees 39 minutes 08 seconds West for a distance of 60.00 feet to an iron pin and corner; running thence North 89 degrees 26 minutes 37 seconds West for a distance of 22.96 feet to an iron pin and corner; running thence North 00 degrees 39 minutes 08 seconds East for a distance of 60.00 feet to the TRUE POINT OF BEGINNING.

Tract E – a portion of 1870 Kendrick Court

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.473 acres designated as Tract "E" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 13, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr. G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lot 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 75.00 feet to an iron pin and corner; running then North 00 degrees 39 minutes 08 seconds East for a distances of 275.00 feet to an iron pin and corner; running thence North 89 degrees 26 minutes 37 seconds West for a distance of 75.00 feet to the TRUE POINT OF BEGINNING.

Tract F & G – a portion of 1860 Kendrick Court

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.202 acres designated as Tract "F" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees

57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar at the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING running thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a point and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 75.00 feet to an iron pin and corner; running thence North 44 degrees 34 minutes 22 seconds West for a distance of 7.10 feet to a point and corner; running thence North 00 degrees 39 minutes 08 seconds East for a distance of 119.77 feet to a point and corner; running thence North 87 degrees 57 minutes 32 seconds West for a distance of 70.02 feet to the TRUE POINT OF BEGINNING.

Together with a section of land, five feet in width, along the western boundary line of Lot 81, Hardage Farm, Unit 1, as shown in Plat Book 119, page 18, Cobb County, Georgia Records.

Section 2: The Future Land Use for the above-described property is hereby LDR (Low Density Residential).

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:



Rusty Roth, Director
Department of Development Services

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

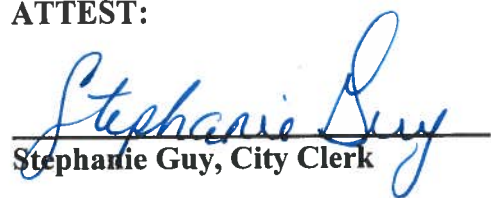
DATE: January 9, 2019

APPROVED:



R. Steve Tumlin, Jr., Mayor

ATTEST:


Stephanie Guy, City Clerk