

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia Land Lot 1002, District 16, Parcel 0010 of the 2nd Section, Cobb County, Georgia, and being known as **1045 Cobb Parkway North**.

WHEREAS, application has been filed by **KENNESTONE HOSPITAL 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 1002 of the 16th District of the 2nd Section of Cobb County, Georgia, and more particularly described as follows;

BEGINNING at an iron pin placed at the point of intersection of the southwesterly side of U.S. Highway 41 and the northwest right-of-way line of L. & N. Railroad; thence running along and with the northwest right-of-way line of L. & N. Railroad in a southwesterly direction along the arc of a curve, an arc distance of 243.98 feet to a point (said curve having a radius of 2,149.32 feet and being subtended by a chord bearing South 47 degrees 46 minutes 12 seconds West a chord distance of 243.85 feet; thence continuing along said northwest right-of-way line of the L. & N. Railroad South 51 degrees 01 minutes 19 seconds West a distance of 236.18 feet to an iron pin found in a Georgia Power Company easement (said easement having a width of 125 feet at this point); leaving said northwest right-of-way line of the L. & N. Railroad and running thence North 41 degrees 05 minutes 09 seconds West a distance of 231.57 feet to a concrete marker; running thence North 08 degrees 35 minutes 14 seconds East a distance of 51.90 feet to a point; running thence North 10 degrees 35 minutes 04 seconds East a distance of 75.41 feet to a concrete marker; running thence North 26 degrees 56 minutes 14 seconds East a distance of 62.71 feet to a concrete marker; running thence North 30 degrees 24 minutes 50 seconds East a distance of 136.01 feet to a concrete marker lying 95.43 feet southwest of the center line of said U.S. Highway 41; running thence South 61 degrees 28 minutes 44 seconds East a distance of 254.38 feet to a railroad spike; running thence North 28 degrees 53 minutes 22 seconds East a distance of 48.29 feet to a concrete marker lying 46.39 feet southwest of the center line of the said U.S. Highway 41; running thence South 61 degrees 34 minutes 11 seconds East a distance of 171.31 feet to an iron pin placed and the point of beginning.

Said tract or parcel of land contains 2.965± acres (129,155 square feet).

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

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:



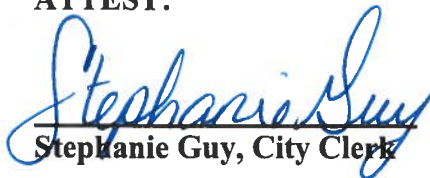
Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: March 13, 2019

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor