

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia, Land Lots 868, 932 & 933, District 16, Parcel 0080 of the 2nd Section, Cobb County, Georgia, and being known as **1285 Field Parkway.**

WHEREAS, application has been filed by **F9 PROPERTIES LLC** 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 Lots 868, 932 and 933 of the 16th District, 2nd Section, Cobb County, Georgia being commonly referred to as 1285 Field Parkway, Marietta, Georgia, and being more particularly described as follows:

BEGIN at a point at the intersection of the northeasterly right of way of US Highway 41 (200 foot light of way) and the westerly right of way of Field Parkway (50 foot right of way); running thence North 61 degrees 42 minutes 31 seconds West along the northeasterly right of way of US Highway 41, 218.86 feet to a point; thence North 22 degrees 48 minutes 24 seconds East 309.45 feet to a point; thence North 61 degrees 43 minutes 32 seconds West 140.01 feet to a point; thence North 25 degrees 30 minutes 08 seconds East 277.29 feet to a point; thence South 38 degrees 02 minutes 39 seconds East 256.85 feet to a point on the westerly right of way of Field Parkway; thence South 14 degrees 55 minutes 27 seconds West along said right of way 56.00 feet (a chord distance of 55.88 feet) to a point; thence continuing along said right of way South 08 degrees 30 minutes 28 seconds West a distance of 454.30 feet to the POINT OF BEGINNING.

Said property being Tract 1 and Tract 2 as shown on that "as built/ exemption plat for portion of Tract "A" - Field Park recorded in Plat Book 152, Page 80 by Land Surveyors, Incorporated, dated June 24, 2004 which plat is incorporated herein by reference.

LESS AND EXCEPT the property conveyed by Grantor herein to The Georgia Ballet, Inc. in Deed Book 13988, Page 148, Cobb County Records, which property is more particularly described as follows:

BEGINNING at a point at the intersection of the 1101iheasterly right of way of US Highway 41 (200 foot right of way) and the westerly right of way of Field Parkway (50 foot right of way); running thence North 61 degrees 42 minutes 31 seconds West along the northeasterly right of way of US Highway 41, 198.77 feet to a point; thence North 22 degrees 48 minutes 24 seconds East 215 feet to a point; thence N01ih 80 degrees 02 minutes 39 seconds East 90 feet to a point; thence No1ih 7 degrees 47 minutes 37 seconds East 34 feet to a point; thence South 81 degrees 48 minutes 03 seconds East 49 feet to a point on the westerly right of way of Field Parkway; thence South 8 degrees 30 minutes 28 seconds West along the westerly right of way of Field Parkway 438.38 feet to the Point of Beginning.

Said tract or parcel contains 1.5 Acres, more or less.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from CRC (Community Retail Commercial) to LI (Light 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:



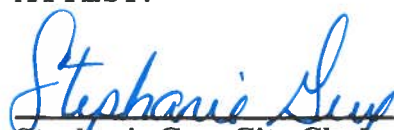
Douglas R. Haynie, City Attorney

Approved by City Council:


DATE: August 14, 2019

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor