

1 STATE OF GEORGIA
2 CITY OF COLLEGE PARK
3

4 **ORDINANCE NO. 2015-20**

5 AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF
6 COLLEGE PARK AND TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF
7 COLLEGE PARK, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL
8 CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER
9 PURPOSES.

10 **WHEREAS**, the governing authority of the City of College Park, Georgia (the “City”), is
11 the Mayor and Council thereof;

12 **WHEREAS**, the governing authority of the City desires to annex certain property into
13 the City and to maintain the zoning designation of such property located within the City; and,
14 **WHEREAS**, the health, safety, and welfare of the citizens of the City, will be positively
15 impacted by the adoption of this Ordinance.

16 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE**
17 **CITY OF COLLEGE PARK, GEORGIA**, and by the authority thereof:

18 **Section 1.** The following property is hereby annexed into the City of College Park,
19 Georgia pursuant to the authority of O.C.G.A. § 36-36-21 et seq.: PARCEL ID # 09F-2503-
20 0127-0621, which is more particularly described in the property description, which is attached
21 hereto and incorporated herein by Reference as Exhibit A.

22 The area to be annexed is further identified on the map entitled “City of College Park
23 Proposed Annexation 10-19-15,” which is attached hereto and incorporated herein by reference
24 as Exhibit B. This area to be annexed will become part of Ward 4.

25 Section 2. The following property is hereby rezoned to the municipal zoning designation
26 of AG-1, (Agricultural), from the county zoning designation of AG-1 (Agricultural): PARCEL
27 ID # 09F-2503-0127-0621, which is more particularly described in Exhibit A.
28 Section 3. The rezoning indicated in Section 2 hereto is to be noted on the official City
29 of College Park Zoning Map approved by Mayor and Council as soon as reasonably possible
30 following adoption of this Ordinance, along with an editorial note on the official City of College
31 Park Zoning Map specifying the parcel(s) affected by this Ordinance and the date of adoption of
32 this Ordinance.
33 Until the rezonings are indicated on the official City of College Park Zoning Map
34 approved by Mayor and Council, this Ordinance and Exhibit A shall govern over the official City
35 of College Park Zoning Map to the extent of any discrepancy between this Ordinance and the
36 official City of College Park Official Zoning Map.

37 Section 4. The preamble of this Ordinance shall be considered to be and is hereby
38 incorporated by reference as if fully set out herein.
39 Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all
40 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
41 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

42 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
43 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
44 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
45 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
46 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this

47 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
48 of this Ordinance.

49 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
50 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
51 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the
52 express intent of the Mayor and Council that such invalidity, unconstitutionality or
53 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
54 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or
55 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
56 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,
57 enforceable, and of full force and effect.

58 Section 6. All ordinances and parts of ordinances in conflict herewith are hereby
59 expressly repealed.

60 Section 7. Penalties in effect for violations of the Zoning Ordinance of the City of
61 College Park at the time of the effective date of this Ordinance shall be and are hereby made
62 applicable to this Ordinance and shall remain in full force and effect.

63 Section 8. The effective date of this Ordinance shall be the date of adoption unless
64 otherwise specified herein.

65
66 ORDAINED this 19th day of October, 2015.

67
68 CITY OF COLLEGE PARK, GEORGIA

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JACK P. LONGINO, Mayor

72 ATTEST:

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MELISSA BROOKS, City Clerk

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77 APPROVED AS TO FORM:

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STEVE FINCHER, City Attorney

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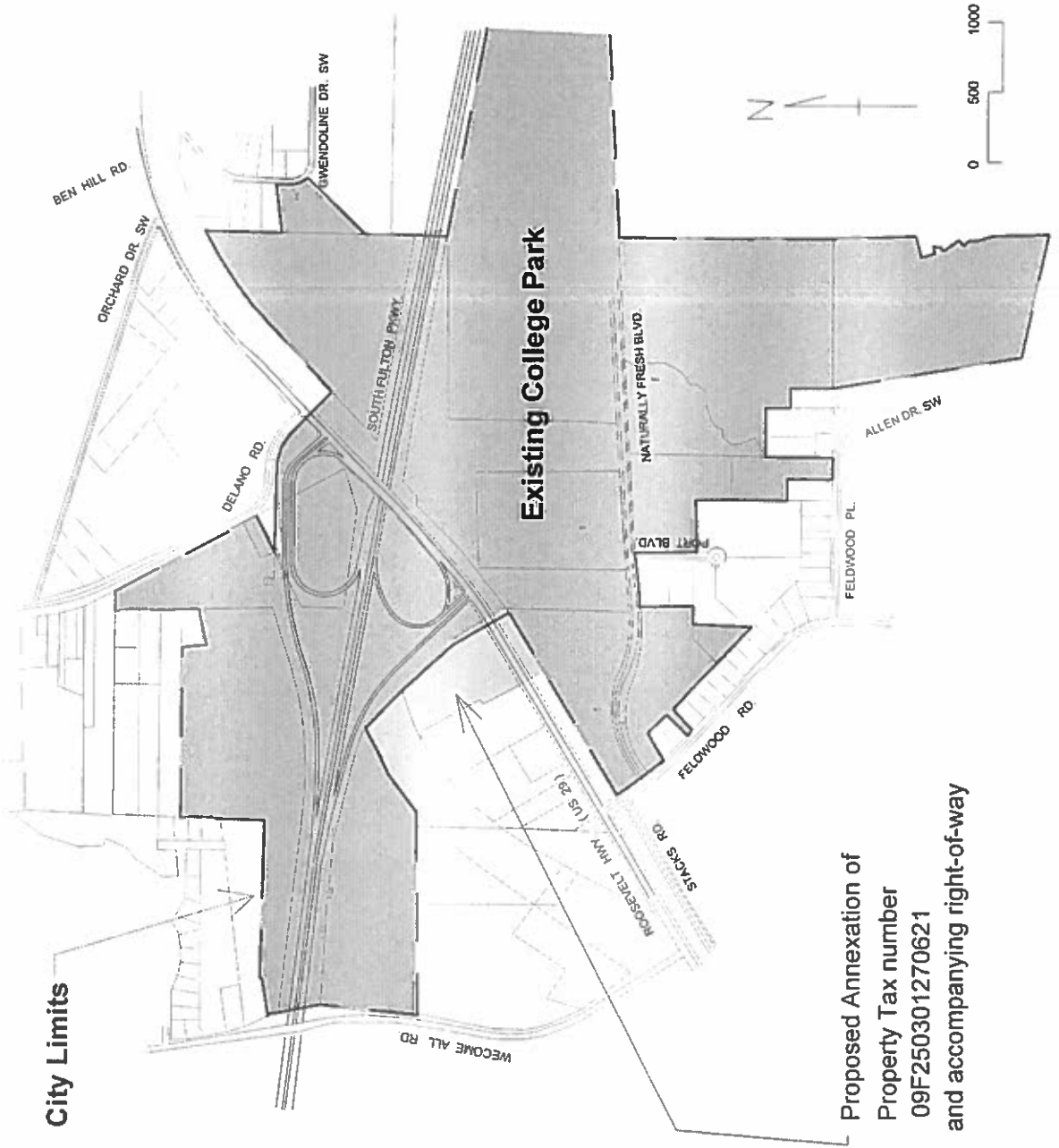
EXHIBIT "A"
PROPERTY DESCRIPTION
(ATTACHED)

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 127 and 130 of the 9th F District, Fulton County, Georgia, said property contains 6.827 acres, more or less, and is shown as tract No.3 on a survey prepared by Tate Engineering and Surveying, Inc., dated December 12, 2001, last revised December 1, 2005 and being more particularly described as follows:

BEGINNING at a concrete right of way marker found, located at the intersection of the southwesterly right of way line of South Fulton Parkway (right of way width varies) and the northwesterly right of way line of Roosevelt Highway (U.S. Highway 29) (right of way width varies); thence continue along the northwesterly right of way line of Roosevelt Highway south 57 degrees 23 minutes 08 seconds west for a distance of 507.01 feet to an iron pin found (1 ½ inch rebar); thence departing said right of way line, continue north 30 degrees 00 minutes 38 seconds west a distance of 284.99 feet to an iron pin found (1 ½ inch open top); thence north 60 degrees 56 minutes 52 seconds east a distance of 49.41 feet to an iron pin found (1 ¼ inch open top); thence north 29 degrees 58 minutes 10 seconds west a distance of 511.83 feet to an iron pin found (5/8 inch open top) located on the south boundary line of Land Lot 130; thence continue along said land lot line north 89 degrees 49 minutes 34 seconds west a distance of 29.08 feet to an iron pin found (5/8 inch open top) located at the intersection of said land lot line and the southeasterly right of way line of Old Roosevelt Highway (right of way width varies); thence continue along said right of way line along a curve to the right having a radius of 1,768.67 feet and an arc length of 296.54 feet, being subtended by a chord of north 67 degrees 14 minutes 10 seconds east a distance of 296.20 feet to a concrete right of way marker found located at the intersection of said right of way line of Old Roosevelt Highway (right of way width varies) and the southwesterly right of way line of South Fulton Parkway (right of way width varies); thence continue along said right of way line of South Fulton Parkway along a curve to the right having a radius of 1,070.92 feet and an arc length of 40.15 feet, being subtended by a chord of south 45 degrees 10 minutes 16 seconds east for a distance of 40.15 feet to a concrete right of way marker found on said right of way line of South Fulton Parkway (right of way width varies); thence continue along said right of way line of South Fulton Parkway south 44 degrees 05 minutes 49 seconds east a distance of 149.71 feet to a point; thence continue along said right of way line south 44 degrees 00 minutes 01 seconds east a distance of 583.56 feet to a concrete right of way marker found located at the intersection of said right of way line of South Fulton Parkway (right of way width varies) and the northwesterly right of way line of Roosevelt Highway (U.S. Highway 29) (right of way width varies), said monument being the point of beginning.

EXHIBIT "B"
PROPOSED ANNEXED AREA
(ATTACHED)



City Limits

Existing College Park

Proposed Annexation of
 Property Tax number
 09F250301270621
 and accompanying right-of-way

Exhibit "A"

City of College Park Proposed Annexation 10-19-15