

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR 16-392

AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF STOCKBRIDGE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to annex certain property into the City and to modify the zoning designation of certain property located within the City;

WHEREAS, pursuant to Section 8.36.015 of the Stockbridge Municipal Code, so long as the City and Henry County zoning ordinances share a common zoning classification for such use, and as provided under Official Code of Georgia Annotated Section 36-66-4(e), a zoning action taken pursuant to [Section 8.36.015] shall exempt the City from the notice and public hearing requirements of the Zoning Procedure Law, Official Code of Georgia Annotated Section 36-66-1 et seq., and the zoning amendment procedures under [the Stockbridge Municipal Code]; and

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. The property described in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, is hereby annexed into the City of Stockbridge, Georgia pursuant to the authority of O.C.G.A. Sections 36-36-1 *et seq.* and 36-36-90 *et seq.*

Section 2. Pursuant to Section 8.36.015 of the Stockbridge Municipal Code and as provided under Official Code of Georgia Annotated Section 36-66-4(e), the property described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, is automatically zoned by the City through the operation of said Section 8.36.015 of the Stockbridge Municipal Code for the same use for which the property was zoned immediately prior to annexation (C-2, General Commercial), such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this

Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

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

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

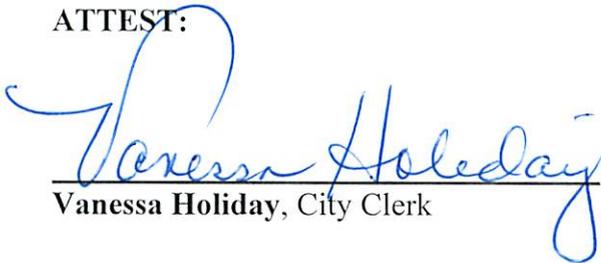
Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this 14th day of April, 2016.

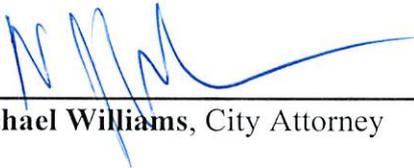
CITY OF STOCKBRIDGE, GEORGIA


Anthony S. Ford, Mayor Pro Tem

ATTEST:


Vanessa Holiday, City Clerk

APPROVED AS TO FORM:


Michael Williams, City Attorney

Date Presented to Mayor: 4-12-2016

Date Received from Mayor: 4-13-2016



EXHIBIT "A"

That certain parcel of land known as Tax Parcel Number 053-01015000 according to the system of numbering tax parcels in Henry County, Georgia, more particularly described as follows:

[Attach legal description for 0.053 acres]

05000
002041 Amie
1281 KINGSTON RD
MOLKOW GA 30260
770-968-0386

BOOK 5000 PAGE 204

QUIT CLAIM DEED

STATE OF GEORGIA
COUNTY OF HENRY

THIS DEED, made this 15 day of May, in the year Two Thousand and Two, between Nalini Patel as Grantor and Kiril Amin and Vanila Amin as Grantees, (the terms Grantor and Grantees to include their respective heirs, successors, and assigns where the context requires or permits)

WITNESSETH THAT Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, has bargained, sold, and conveyed, and by these presents does hereby bargain, sell, remise, release, and forever quit-claim unto Grantees all the right, title, interest, claim, or demand which the said Grantor has, or may have had, in and to the following described real property, to wit:

"All that tract and parcel of land lying and being in land lot 78 of the 6th Land District of Henry County, Georgia more particularly described as follows:

Commencing at the existing intersection of the Southerly right of way of State Route 351 (Jodeca Rd. R/W varies), and the Westerly right of way of Mt. Olive Rd. R/W varies, Thence Southeasterly along the existing right of way of Mt. Olive Rd. a distance of 70.73 feet to a point, this point being THE POINT OF BEGINNING.

From the Point of Beginning,

Thence along an arc of 55.82 feet to the left having a radius of 90.0 feet, and a chord bearing of S 80°16'15"E for 54.93 feet to a point; Thence N 81°38'49"E for 102.10 feet to a point; Thence along an arc of 73.04 feet to the right having a radius of 60.0 feet, and a chord bearing of S 61°59'40"E for 68.61 feet to a point; Thence S 37°59'42"E for 72.50 feet to a point; Thence 87° 44'18"W for 268.24 feet to a point; Thence N 02°15'42"W for 90.00 feet to a point; Thence N 62° 32'07"W for 24.59 feet to The Point of Beginning.

Containing 23,069.13 sq.ft. (0.529 acre) as per Plat prepared by Precision Surveying & Mapping (Angel M Marrero, GA. R.L.S. #2642 dated 9-08-94)."

This conveyance is made subject to all zoning ordinances, easements, and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said described premises unto said Grantees, so that neither the said Grantor, nor any other person claiming under Grantor shall at any time, claim or demand any right, title, or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed the day and year first above written.

REAL ESTATE TRANSFER TAX
HENRY COUNTY
SUPERIOR COURT

Nalini Patel

MAY 16 2002

PAID \$ 0
CLERK OF SUPERIOR COURT

Nalini Patel

Signed, sealed, and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public

My Commission Expires



BOOK 023445
FILED IN OFFICE
05/16/2002
11:32:42AM
BK: 05000 PG: 0204
JUDITH A. LEWIS
CLERK OF
SUPERIOR COURT
HENRY COUNTY, GA.

EXHIBIT A
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