

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX PROPERTY, AT THE REQUEST OF 100% OF THE OWNERS OF SAID PROPERTY INTO THE MUNICIPAL BOUNDARY OF THE CITY OF SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #ANX 17-01

PROPERTY OWNER(S): Bonni Jo Crutchfield, Snellville
Robert J. Holt, Snellville
Jeffrey Hosford, Snellville
Susan Tanner, Snellville

LOCATION: 6.71± Acres Near the Intersection of Pinehurst Road and Ridgedale Drive, Snellville, Georgia

PARCEL(S): 5071 034, 059 and 060

DEVELOPMENT/PROJECT: 130 Lot Single-Family Detached Residential Subdivision (age restricted)

APPLICANT/CONTACT: Bernie Smith
Smithton Homes LLC
Marietta, Georgia 30066
770-652-0044 or
bsmith@masterworksatlanta.com

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

WHEREAS, O.C.G.A. §36-36-21 authorizes the City of Snellville to annex to the existing corporate limits thereof all or any portion of unincorporated property where 100% of the land owners request annexation and said property is contiguous to the existing limits at the time of such annexation upon compliance with the procedures set forth in the statute; and

WHEREAS, the City of Snellville received applications for annexation including the Petition(s) for Annexation under the 100 percent (%) method of annexation by: Jeffrey Hosford, Susan L. Tanner, Robert J. Holt and Bonni Jo Crutchfield, owners of the tax parcels identified above; and

WHEREAS, the City of Snellville did not receive any objection from Gwinnett County after being served with proper notice of the proposed annexation; and

WHEREAS, the City of Snellville desires to annex said property located in unincorporated Gwinnett County, Georgia into the City pursuant to O.C.G.A. §36-36-21 and has complied with the statutory provisions thereof; and

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

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The areas contiguous to the City of Snellville municipal boundary and shown as the 4.71± acre Tract 1, the 1.00± acre Trace 3, and the 1.00± Tract 4 on the Boundary Survey dated 6-9-2017 for Adventur Living, as described and shown in Exhibit

“A,” a copy of which is attached hereto and incorporated as part of this Ordinance, are hereby annexed into the City of Snellville, Georgia and is made a part of said city.

Section 2. The City Clerk of the City of Snellville is instructed to file an identification of the annexed property with the Department of Community Affairs and the county governing authority within 30 days of the last day of the quarter in which the annexation becomes effective as set forth in Section 7.

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. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance is adopted on August 28, 2017 the effective date of this Ordinance shall be September 1, 2017.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

ORDAINED this _____ day of August, 2017.

Tom Witts, Mayor

Barbara Bender, Mayor Pro Tem

ATTEST:

Dave Emanuel, Council Member

Melisa Arnold, City Clerk

Bobby Howard, Council Member

APPROVED AS TO FORM:

Cristy Lenski, Council Member

Anthony O. L. Powell, City Attorney
Webb, Tanner & Powell, P.C.

Roger Marmol, Council Member

EXHIBIT "A"

EXHIBIT "A"

Gwinnett County Tax Parcel: R5071 034
Tract 1 Size: 4.71 Acres (+/-)
SITUS Address: 1966 Ridgedale Dr
Property Owner: Susan Tanner Hosford

All that tract or parcel of land lying and being in Land Lot 71 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the common corner of Land Lots 57, 58, 71 and 72, said point being the POINT OF COMMENCEMENT: Thence running along the northerly line of Land Lot 71 North 59 degrees 26 minutes 36 seconds East, a distance of 583.26 feet to a point BEING THE TRUE POINT OF BEGINNING; and running thence North 59 degrees 26 minutes 36 seconds East, a distance of 587.48 feet to a point located on the southwesterly right-of-way of Ridgedale Drive, variable right-of-way; thence running along said right-of-way South 61 degrees 30 minutes 41 seconds East, a distance of 114.62 feet to a point; thence South 61 degrees 30 minutes 48 seconds West, a distance of 199.31 feet to a point, thence leaving said right-of-way and running South 49 degrees 48 minutes 21 seconds West, a distance of 646.28 feet to a point; thence N 47 degrees 3 minutes 28 seconds East, a distance of 393.62 feet to a point; this point being the POINT OF BEGINNING.

AND

Gwinnett County Tax Parcel: R5071 059
Tract 3 Size: 1.00 Acres (+/-)
SITUS Address: 2141 Chaparral Dr
Property Owner(s): Robert J. Holt and Bonni Jo Crutchfield

All that tract or parcel of land lying and being in Land Lot 71 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the common corner of Land Lots 57, 58, 71 and 72, said point being the POINT OF COMMENCEMENT: Thence running along the northerly line of Land Lot 71 North 59 degrees 26 minutes 36 seconds East, a distance of 229.11 feet to a point BEING THE TRUE POINT OF BEGINNING; and running thence North 59 degrees 26 minutes 36 seconds East, a distance of 229.41 feet to a point; thence running South 30 degrees 47 minutes 15 seconds East, a distance of 190.21 feet to a point; thence South 59 degrees 28 minutes 43 seconds West, a distance of 229.41 feet to a point, thence running North 30 degrees 47 minutes 15 seconds West, a distance of 190.07 feet to a point; this point being the POINT OF BEGINNING.

AND

Gwinnett County Tax Parcel: R5071 060
Tract 4 Size: 1.00 Acres (+/-)
SITUS Address: 2141 Chaparral Dr
Property Owner(s): Robert J. Holt and Bonni Jo Crutchfield

All that tract or parcel of land lying and being in Land Lot 71 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

Begin at the common corner of Land Lots 57, 58, 71 and 72, said point being the POINT OF BEGINNING; Thence running along the northerly line of Land Lot 71 North 59 degrees 26 minutes 36 seconds East, a distance of 229.11 feet to a point; thence running South 30 degrees 47 minutes 15 seconds East, a distance of 190.21 feet to a point; thence South 59 degrees 28 minutes 43 seconds West, a distance of 229.95 feet to a point located on the westerly line of Land Lot 71, thence running along said westerly line of Land Lot 71 North 30 degrees 32 minutes 01 seconds West, a distance of 189.93 feet to a point; this point being the POINT OF BEGINNING.

SITE NOTES
CURRENT ZONING - RS-150

PROPERTY ADDRESS:
TRACT 1 - 4.71 ACRES (SUSAN T. HOSFORD, PIN 5071 034)
TRACT 2 - 29.54 ACRES (SUSAN T. HOSFORD, PIN 5071 069)
TRACT 3 - 1.00 ACRES (ROBERT J. HOLT, PIN 5071 060)
TRACT 4 - 1.00 ACRES (ROBERT J. HOLT, PIN 5071-059)
TOTAL AREA - 36.25 ACRES

PROPERTY ADDRESS:
1725 PINEHURST RD.
SNELLVILLE, GA. 30078

PROPERTY ADDRESS:
1966 RIDGEDALE DR.
SNELLVILLE, GA. 30078

TRACT 1 - 4.71 ACRES
LEGAL DESCRIPTION

All that certain tract or parcel of land lying and being in Land Lot 71 of the 5th District, Gwinnett Co., Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the common corner of Land Lots 57, 58, 71 and 72, said point being the POINT OF COMMENCEMENT; Thence running along the northerly line of Land Lot 71 N59°26'36"E, a distance of 583.26 feet to a point BEING THE TRUE POINT OF BEGINNING; and running thence N59°26'36"E, a distance of 587.48 feet to a point located on the southwesterly right-of-way of Ridgedale Drive (variable right-of-way); thence running along said right of way S61°30'41"E, a distance of 114.62 feet to a point; thence S61°30'48"W, a distance of 199.31 feet to a point, thence leaving said right of way and running S49°48'21"W, a distance of 646.28 feet to a point; thence N47°03'28"E, a distance of 393.62 feet to a point; this point being the POINT OF BEGINNING.

TRACT 2 - 29.54 ACRES
LEGAL DESCRIPTION

All that certain tract or parcel of land lying and being in Land Lot 71 of the 5th District, Gwinnett Co., Georgia and being more particularly described as follows:

Begin at the common corner of Land Lots 57, 58, 71 and 72, said point being the POINT OF BEGINNING; Thence running along the northerly line of Land Lot 71 N59°26'36"E, a distance of 583.26 feet to a point, thence leaving the Land Lot Line and running S47°03'28"E, a distance of 943.90 feet to a point; thence N81°37'46"E, a distance of 171.33 feet to a point; thence S54°56'58"E, a distance of 359.69 feet to a point; thence S16°55'35"E, a distance of 270.41 feet to a point located on the northerly right-of-way of Pinehurst Road (80' R/W); thence along the northerly right-of-way of Pinehurst Road S60°20'00"W, a distance of 553.03 feet to a point; thence along a curve to the left having a radius of 755.54 feet for an arc distance of 314.32 feet to a point (said curve being subtended by a chord and bearing of S48°26'35"E, a distance of 312.06 feet); thence leaving the right-of-way and running S59°07'42"W, a distance of 236.19 feet to a point located on the westerly line of Land Lot 71; thence running along the westerly line of Land Lot 71 N30°32'01"W, a distance of 1,612.36 feet to a point; said point being the POINT OF BEGINNING.

TRACT 3 - 1.00 ACRES
LEGAL DESCRIPTION

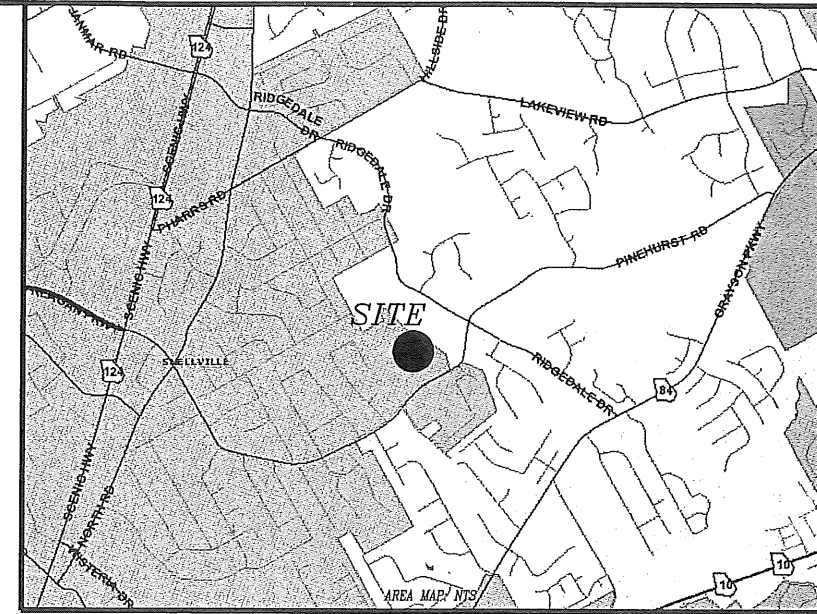
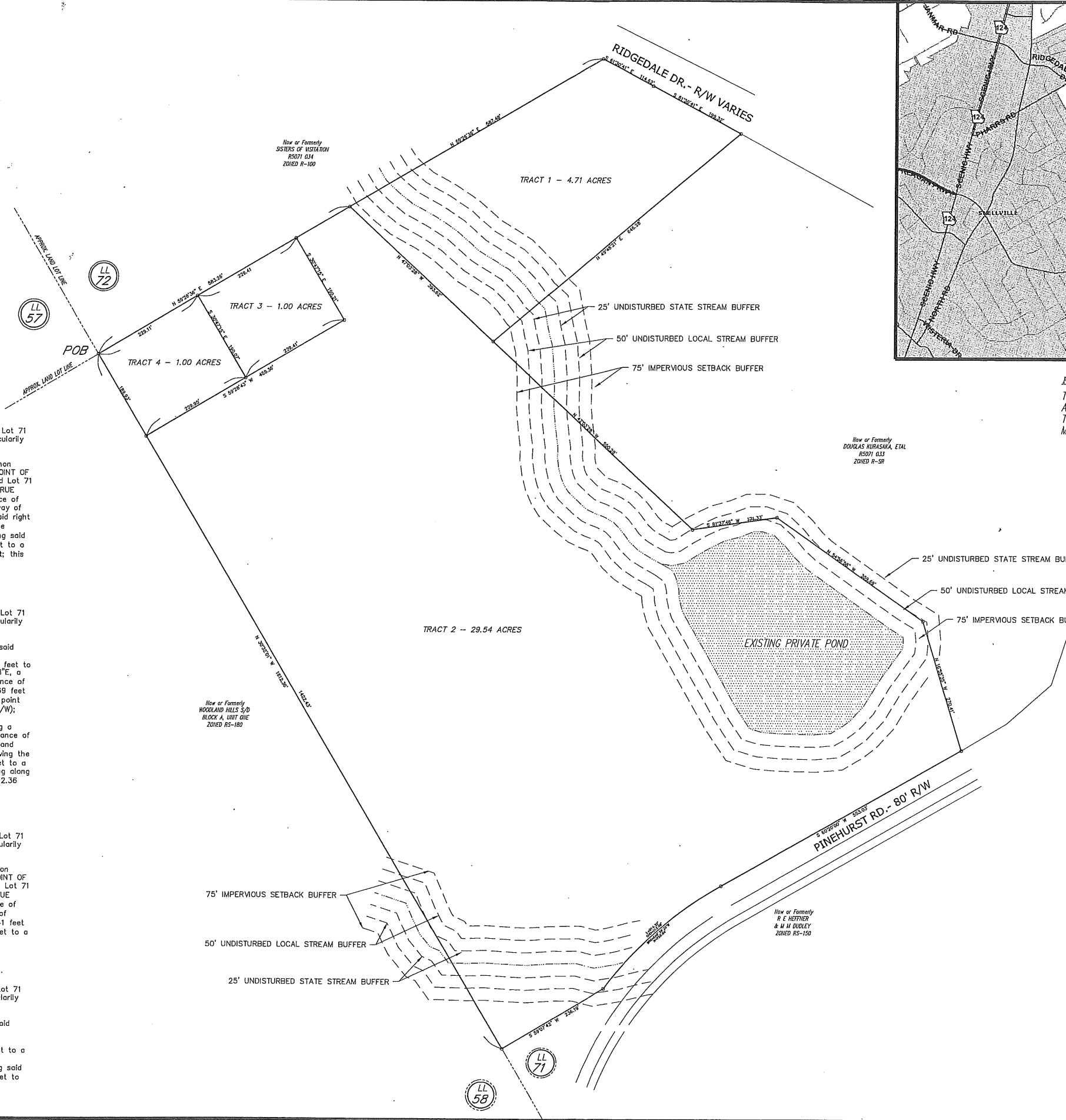
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TRACT 4 - 1.00 ACRES
LEGAL DESCRIPTION

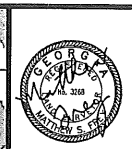
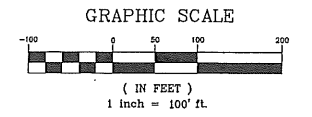
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FLOOD INFORMATION:
THIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO CITY OF SNELLVILLE F.I.R.M. PANEL 0129F MAP # 13135C01239F, DATED: SEPT. 29, 2006

RECEIVED
JUN 13 2017
CITY OF SNELLVILLE
PLANNING & DEVELOPMENT



centerline
Surveying and Land Planning, Inc.
190 SHILOH ROAD, SUITE 210, KENNESAW, GA. 30144
PHONE: (770) 424-0388 FAX: (770) 424-5339

ANNEXATION BOUNDARY RETACEMENT PLAN FOR
ADVENTUR LIVING
LAND LOT 71, 5TH DISTRICT
CITY OF SNELLVILLE AND GWINNETT COUNTY, GEORGIA

NO.	DATE	REVISION DESCRIPTION	BY

DRAWN BY: DP
CHECKED BY: DP
DATE: 6-9-17
SCALE: 1" = 100'
PROJECT No.: 417032AP

SHEET No. 1