

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX THE 17.55± ACRE TRACT OF LAND LOCATED IN LAND LOT 71 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, AT THE REQUEST OF 100% OF THE OWNERS OF SAID PROPERTY INTO THE MUNICIPAL BOUNDARY OF THE CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY LIMITS, AND GRANTING TO SAID REAL PROPERTY AND TO ALL FUTURE INHABITANTS OF SAID REAL PROEPRTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTIONS AND ORDINANCES OF SAID CITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #ANX 18-01

PROPERTY OWNER: Century Communities of Georgia, LLC
Greenwood Village, Colorado 80111

LOCATION: 17.55± Acre Tract at the Intersection of
Pinehurst Rd. and Ridgedale Dr., Snellville

TAX PARCEL: R5071 033

DEVELOPMENT/PROJECT: 57-Lot Age Restricted (55+) Single-Family
Detached Subdivision (Saddlebrook Phase 1)

APPLICANT/CONTACT: Mitch Peevy
770-614-6511 or MitchPeevy@gmail.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 an application for annexation including the Petition for Annexation under the 100 percent (%) method of annexation by: Century Communities of Georgia, LLC, a Colorado limited liability company; 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, on the 10th day of September, 2018 and the 24th day of September, 2018, Public Hearings were held at 7:30 p.m. in the Council Chambers of the Snellville City Hall building. The purpose of the Public Hearings was to give all interested persons the right to appear and be heard on the proposed annexation of 17.55 acres of land, more or less, by the City of Snellville, Georgia, more fully described in Exhibit “A”, attached hereto and made part hereof; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. That the real property described in Exhibit “A” attached hereto is annexed into the City of Snellville, Gwinnett County, Georgia, and that the boundary limits of the City of Snellville are hereby extended to include the real property described in Exhibit “A” within the city limits and the same shall hereafter be included within the territorial limits of said City, and said land and future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the acts and ordinances 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 September 24, 2018 the effective date of this Ordinance and annexation shall be October 1, 2018.

ORDAINED this 24th day of September, 2018.

Barbara Bender, Mayor Pro Tem

ATTEST:

Dave Emanuel, Council Member

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Roger Marmol, Council Member

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law, P.C.

Gretchen Schulz, Council Member

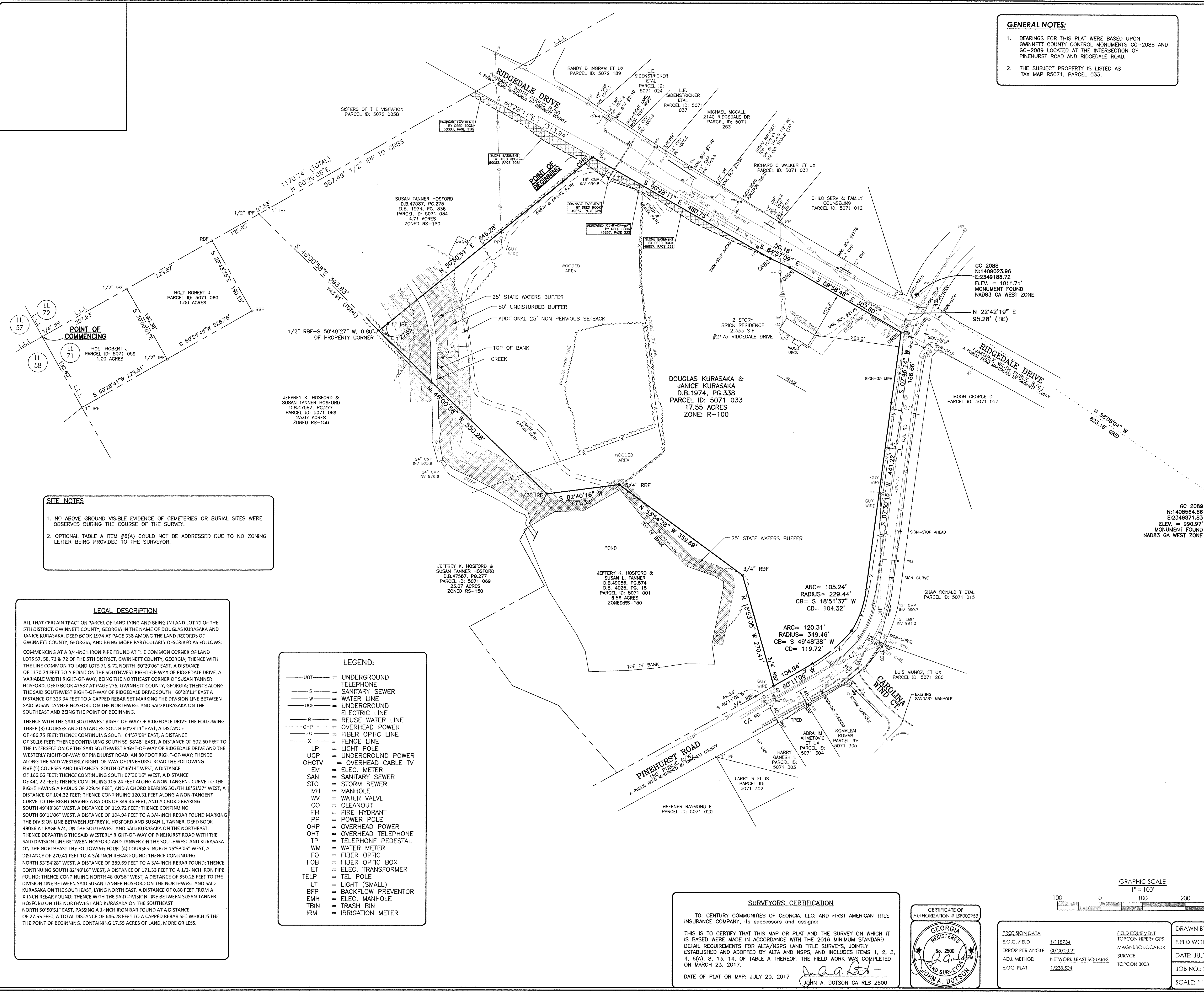
EXHIBIT "A"

LEGAL DESCRIPTION

All that certain tract or parcel of land lying and being in Land Lot 71 of the 5th District, Gwinnett County, Georgia in the name of Douglas Kurasaka and Janice Kurasaka, Deed Book 1974 at Page 338 among the land records of Gwinnett County, Georgia, and being more particularly described as follows:

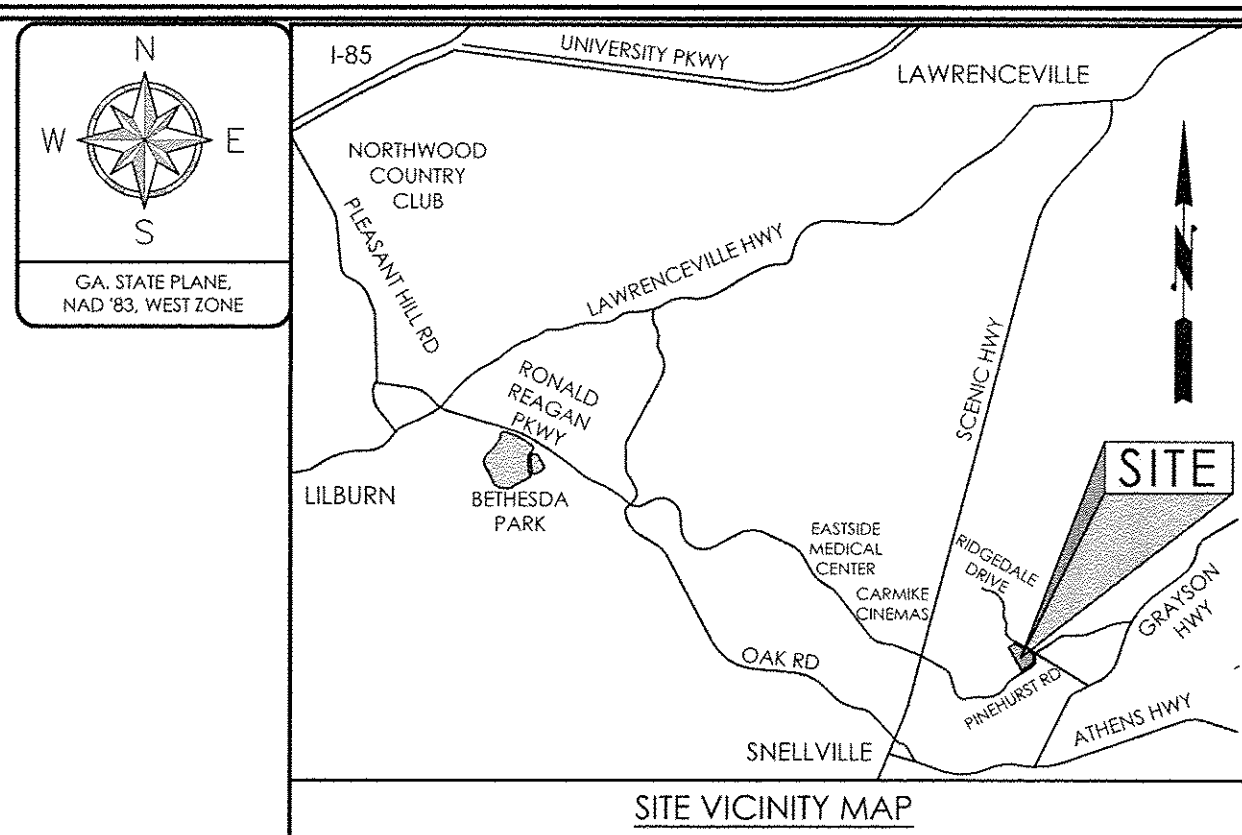
COMMENCING at a 3/4-inch iron pipe found at the common corner of Land lots 57, 58, 71 & 72 of the 5TH District, Gwinnett County, Georgia; THENCE with the line common to Land Lots 71 & 72 North 60°29'06" East, a distance of 1170.74 feet to a point on the southwest right-of-way of Ridgedale Drive, a variable width right-of-way, being the northeast corner of Susan Tanner Hosford, Deed Book 47587 at Page 275, Gwinnett County, Georgia; THENCE along the said southwest right-of-way of Ridgedale Drive South 60°28'11" East a distance of 313.94 feet to a capped rebar set marking the division line between said Susan Tanner Hosford on the northwest and said Kurasaka on the southeast and being the POINT OF BEGINNING.

THENCE with the said southwest right-of-way of Ridgedale Drive the following three (3) courses and distances: South 60°28'11" East, a distance of 480.75 feet; THENCE continuing South 64°57'09" East, a distance of 50.16 feet; THENCE continuing South 59°58'48" East, a distance of 302.60 feet to the intersection of the said southwest right-of-way of Ridgedale Drive and the westerly right-of-way of Pinehurst Road, an 80 foot right-of-way; THENCE along the said westerly right-of-way of Pinehurst Road the following five (5) courses and distances: South 07°46'14" West, a distance of 166.66 feet; THENCE continuing South 07°30'16" West, a distance of 441.22 feet; THENCE continuing 105.24 feet along a non-tangent curve to the right having a radius of 229.44 feet, and a chord bearing South 18°51'37" West, a distance of 104.32 feet; THENCE continuing 120.31 feet along a non-tangent curve to the right having a radius of 349.46 feet, and a chord bearing South 49°48'38" West, a distance of 119.72 feet; THENCE continuing South 60°11'06" West, a distance of 104.94 feet to a 3/4-inch rebar found marking the division line between Jeffrey K. Hosford and Susan L. Tanner, Deed Book 49056 at Page 574, on the southwest and said Kurasaka on the northeast; THENCE departing the said westerly right-of-way of Pinehurst Road with the said division line between Hosford and Tanner on the southwest and Kurasaka on the northeast the following four (4) courses: North 15°53'05" West, a distance of 270.41 feet to a 3/4-inch rebar found; THENCE continuing North 53°54'28" West, a distance of 359.69 feet to a 3/4-inch rebar found; THENCE continuing South 82°40'16" West, a distance of 171.33 feet to a 1/2-inch iron pipe found; THENCE continuing North 46°00'58" West, a distance of 550.28 feet to the division line between said Susan Tanner Hosford on the northwest and said Kurasaka on the southeast, lying north east, a distance of 0.80 feet from a x-inch rebar found; THENCE with the said division line between Susan Tanner Hosford on the northwest and Kurasaka on the southeast North 50°50'51" East, passing a 1-inch iron bar found at a distance of 27.55 feet, a total distance of 646.28 feet to the POINT OF BEGINNING. Containing 17.55 acres of land, more or less.



GENERAL NOTES:

1. BEARINGS FOR THIS PLAT WERE BASED UPON GWINNETT COUNTY CONTROL MONUMENTS GC-2088 AND GC-2089 LOCATED AT THE INTERSECTION OF PINEHURST ROAD AND RIDGEDALE ROAD.
2. THE SUBJECT PROPERTY IS LISTED AS TAX MAP R5071, PARCEL 033.



TITLE EXCEPTIONS:

THE FOLLOWING EXCEPTIONS ARE LISTED IN SCHEDULE B, SECTION 2 OF A COMMITMENT FOR TITLE INSURANCE, AS PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER CONST-170783, DATED JULY 3, 2017.

5. ANY RIGHTS, INTERESTS OR CLAIMS AFFECTING THE LAND WHICH A CORRECT SURVEY WOULD DISCLOSE AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
6. PERMANENT CONSTRUCTION EASEMENT FROM DOUGLAS KURASAKA AND JANICE KURASAKA TO GWINNETT COUNTY DATED DECEMBER 16, 2009 AND RECORDED IN DEED BOOK 49587, PAGE 289, GWINNETT COUNTY, GEORGIA RECORDS. DOES AFFECT SUBJECT PROPERTY. IS SHOWN HEREON.
7. PERMANENT DRAINAGE EASEMENT FROM DOUGLAS KURASAKA AND JANICE KURASAKA TO GWINNETT COUNTY DATED DECEMBER 16, 2009 AND RECORDED IN DEED BOOK 49587, PAGE 328, AFORESAID RECORDS. DOES AFFECT SUBJECT PROPERTY. IS SHOWN HEREON.
8. ALL MATTERS SHOWN ON THE FOLLOWING PLATS RECORDED IN THE GWINNETT COUNTY, GEORGIA RECORDS: SURVEY FOR J. D. ADDISON DATED OCTOBER 29, 1960 AND RECORDED IN PLAT BOOK H, PAGE 289, AFORESAID RECORDS; AS REVISED DECEMBER 13, 1965 AND RECORDED IN PLAT BOOK P, PAGE 245A, AFORESAID RECORDS.

SURVEYOR CERTIFICATIONS

The undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

John A. Dotson 9/12/2017
John A. Dotson - GA. RLS #2500 Date

FLOOD ZONE NOTE

THIS PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN). THE MAP NUMBER FOR THIS AREA IS 1313500129F, AND THE DATE OF SAID MAP IS SEPTEMBER 29, 2006.

SITE NOTES

1. NO ABOVE GROUND VISIBLE EVIDENCE OF CEMETERIES OR BURIAL SITES WERE OBSERVED DURING THE COURSE OF THE SURVEY.
2. OPTIONAL TABLE A ITEM #6(A) COULD NOT BE ADDRESSED DUE TO NO ZONING LETTER BEING PROVIDED TO THE SURVEYOR.

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 71 OF THE 5TH DISTRICT, GWINNETT COUNTY, GEORGIA IN THE NAME OF DOUGLAS KURASAKA AND JANICE KURASAKA, DEED BOOK 1974 AT PAGE 338 AMONG THE LAND RECORDS OF GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4-INCH IRON PIPE FOUND AT THE COMMON CORNER OF LAND LOTS 57, 58, 71 & 72 OF THE 5TH DISTRICT, GWINNETT COUNTY, GEORGIA; THENCE WITH THE LINE COMMON TO LAND LOTS 71 & 72 NORTH 60°29'06" EAST, A DISTANCE OF 1170.74 FEET TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY OF RIDGEDALE DRIVE, A VARIABLE WIDTH RIGHT-OF-WAY, BEING THE NORTHEAST CORNER OF SUSAN TANNER HOSFORD, DEED BOOK 47587 AT PAGE 275, GWINNETT COUNTY, GEORGIA; THENCE ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF RIDGEDALE DRIVE SOUTH 60°28'11" EAST A DISTANCE OF 313.94 FEET TO A CAPPED REBAR SET MARKING THE DIVISION LINE BETWEEN SAID SUSAN TANNER HOSFORD ON THE NORTHWEST AND SAID KURASAKA ON THE SOUTHEAST AND BEING THE POINT OF BEGINNING.

THENCE WITH THE SAID SOUTHWEST RIGHT-OF-WAY OF RIDGEDALE DRIVE THE FOLLOWING THREE (3) COURSES AND DISTANCES: SOUTH 60°28'11" EAST, A DISTANCE OF 480.75 FEET; THENCE CONTINUING SOUTH 64°57'09" EAST, A DISTANCE OF 50.16 FEET; THENCE CONTINUING SOUTH 59°58'48" EAST, A DISTANCE OF 302.60 FEET TO THE INTERSECTION OF THE SAID SOUTHWEST RIGHT-OF-WAY OF RIDGEDALE DRIVE AND THE WESTERLY RIGHT-OF-WAY OF PINEHURST ROAD, AN 80 FOOT RIGHT-OF-WAY, THENCE ALONG THE SAID WESTERLY RIGHT-OF-WAY OF PINEHURST ROAD THE FOLLOWING FIVE (5) COURSES AND DISTANCES: SOUTH 07°46'14" WEST, A DISTANCE OF 166.66 FEET; THENCE CONTINUING SOUTH 07°30'16" WEST, A DISTANCE OF 441.22 FEET; THENCE CONTINUING SOUTH 07°30'16" WEST, A DISTANCE OF 441.22 FEET TO THE RIGHT HAVING A RADIUS OF 229.44 FEET, AND A CHORD BEARING SOUTH 18°51'37" WEST, A DISTANCE OF 104.32 FEET; THENCE CONTINUING 120.31 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 349.46 FEET, AND A CHORD BEARING SOUTH 49°48'38" WEST, A DISTANCE OF 119.72 FEET; THENCE CONTINUING SOUTH 60°11'06" WEST, A DISTANCE OF 104.94 FEET TO A 3/4-INCH REBAR FOUND MARKING THE DIVISION LINE BETWEEN JEFFREY K. HOSFORD AND SUSAN L. TANNER, DEED BOOK 49056 AT PAGE 574, ON THE SOUTHWEST AND SAID KURASAKA ON THE NORTHEAST; THENCE DEPARTING THE SAID WESTERLY RIGHT-OF-WAY OF PINEHURST ROAD WITH THE SAID DIVISION LINE BETWEEN HOSFORD AND TANNER ON THE SOUTHWEST AND KURASAKA ON THE NORTHEAST THE FOLLOWING FOUR (4) COURSES: NORTH 15°53'05" WEST, A DISTANCE OF 270.41 FEET TO A 3/4-INCH REBAR FOUND; THENCE CONTINUING NORTH 53°54'28" WEST, A DISTANCE OF 359.89 FEET TO A 3/4-INCH REBAR FOUND; THENCE CONTINUING SOUTH 82°40'16" WEST, A DISTANCE OF 171.33 FEET TO A 1/2-INCH IRON PIPE FOUND; THENCE CONTINUING NORTH 46°00'58" WEST, A DISTANCE OF 550.28 FEET TO THE DIVISION LINE BETWEEN SAID SUSAN TANNER HOSFORD ON THE NORTHWEST AND SAID KURASAKA ON THE SOUTHEAST, LYING NORTH EAST, A DISTANCE OF 0.80 FEET FROM A X-INCH REBAR FOUND; THENCE WITH THE SAID DIVISION LINE BETWEEN SUSAN TANNER HOSFORD ON THE NORTHWEST AND KURASAKA ON THE SOUTHEAST CONTINUING SOUTH 82°40'16" WEST, A DISTANCE OF 171.33 FEET TO A 1/2-INCH IRON PIPE FOUND; THENCE CONTINUING NORTH 46°00'58" WEST, A DISTANCE OF 550.28 FEET TO THE POINT OF BEGINNING. CONTAINING 17.55 ACRES OF LAND, MORE OR LESS.

LEGEND:

UGT	= UNDERGROUND TELEPHONE
S	= SANITARY SEWER
W	= WATER LINE
UGE	= UNDERGROUND ELECTRIC LINE
R	= REUSE WATER LINE
OHP	= OVERHEAD POWER
FO	= FIBER OPTIC LINE
X	= FENCE LINE
LP	= LIGHT POLE
UGP	= UNDERGROUND POWER
OHCTV	= OVERHEAD CABLE TV
EM	= ELEC. METER
SAN	= SANITARY SEWER
STO	= STORM SEWER
MH	= MANHOLE
WV	= WATER VALVE
CO	= CLEANOUT
FH	= FIRE HYDRANT
PP	= POWER POLE
OHP	= OVERHEAD POWER
OHT	= OVERHEAD TELEPHONE
TP	= TELEPHONE PEDESTAL
WM	= WATER METER
FO	= FIBER OPTIC
FOB	= FIBER OPTIC BOX
ET	= ELEC. TRANSFORMER
TLP	= TEL. POLE
LT	= LIGHT (SMALL)
BFP	= BACKFLOW PREVENTOR
EMH	= ELEC. MANHOLE
TBN	= TRASH BIN
IRM	= IRRIGATION METER

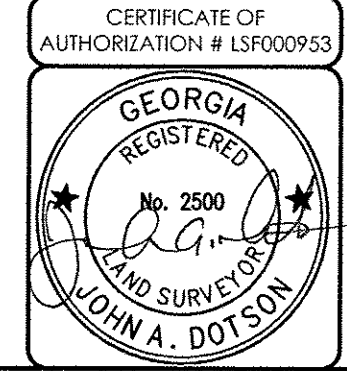
SURVEYORS CERTIFICATION

TO: CENTURY COMMUNITIES OF GEORGIA, LLC; AND FIRST AMERICAN TITLE INSURANCE COMPANY, its successors and assigns:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 8, 13, 14, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 23, 2017.

DATE OF PLAT OR MAP: JULY 20, 2017

John A. Dotson
JOHN A. DOTSON GA RLS 2500



PRECISION DATA	1/118734	FIELD EQUIPMENT	TOPCON HIPER+ GPS
E.O.C. FIELD	00°00'00.2"	MAGNETIC LOCATOR	
ERROR PER ANGLE	1/238.504	SURVCE	TOPCON 3003
ADJ. METHOD		NETWORK LEAST SQUARES	
E.O.C. PLAT			

DRAWN BY: JAD
FIELD WORK: 07-20-2017
DATE: JULY 20, 2017
JOB NO.: 2017-189
SCALE: 1" = 100'

DRAWING NUMBER
1
1 OF 1 SHEET

CORNER LEGEND:

- CRBS = CAPPED REBAR SET
- IBF = IRON BAR FOUND
- RBF = REBAR FOUND
- CMF = CONCRETE MONUMENT FOUND
- IPF = IRON PIPE FOUND
- RHWF = RIGHT-OF-WAY MONUMENT FOUND
- NF = NAIL FOUND
- LWS = LIGHTER WOOD STAKE

ENGINEERING & LAND SURVEYING
11605 Haynes Bridge Road
Suite 475
ALPHARETTA, GA 30009
(404) 693-1618 OFFICE
1221 Merchant Way
Suite 201
STATESBORO, GA 30458
(912) 489-7112 OFFICE
(912) 489-7126 FAX

MAXWELL-REDDICK AND ASSOCIATES

ALTA/NSPS LAND TITLE SURVEY
BASED UPON FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. CONST-170783 WITH AN EFFECTIVE DATE OF JULY 3, 2017 AT 8:00 AM.
SURVEY OF
17.55 ACRES LOCATED IN LAND LOT 71 5TH LAND DISTRICT, GWINNETT COUNTY, GA.
CENTURY COMMUNITIES OF GEORGIA, LLC.
a Colorado limited liability company
DATE: JULY 20, 2017 DATE OF LAST REVISION: SEPT. 12, 2017