

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX THE 7.1918± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 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 18-02
PROPERTY OWNER: Donald H. Britt
SIZE: 7.1918± Acres
LOCATION: 1485 Temple Johnson Road, Loganville, GA
TAX PARCEL(s): R5094 045 and R5094 087
DEVELOPMENT/PROJECT: Existing 2,336 sq. ft. Single-Family Detached Residential Dwelling and Property

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 resident and property owner Donald H. Britt; 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 23rd day of October, 2018 and the 12th day of November, 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 7.1918 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 November 12, 2018 the effective date of this Ordinance and annexation shall be December 1, 2018.

ORDAINED this 12th day of November, 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"

Gwinnett County Tax Parcels: R5094 045 and 087

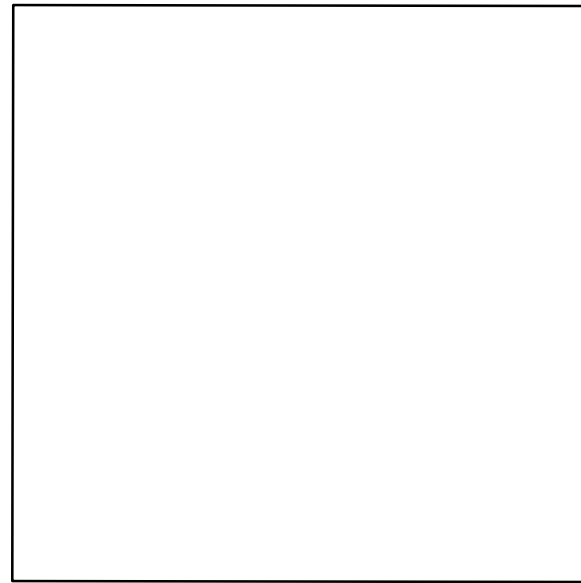
Size: 7.1918 Acres (+/-)

SITUS Address: 1485 Temple Johnson Road and 3291 Garmon Drive, Loganville

Property Owner: Donald H. Britt

All that tract or parcel of land lying in Land Lot 94 of the 5th District of Gwinnett County, Georgia containing 7.1918 acres, more or less, as shown on plat of survey for Donald H. Britt dated August 03, 2018 as prepared by McNally & Patrick, Inc., bearing the seal of Lloyd C. McNally, Jr., Georgia Registered Land Surveyor No. 2040, being more particularly described as follows:

Beginning at a point on the northwestern 80 foot right of way of Temple Johnson Road 625.74 feet northeasterly along said right of way from the intersection with the northeastern 60 foot right of way of Garmon Road, thence leaving said right of way North 28 deg 01 min 43 sec West for a distance of 473.17 feet along a northeastern line of property now or formerly owned by Steve E. Carter et al to a 1/2 inch r-bar found; thence North 30 deg 29 sec 06 min East for a distance of 328.85 feet along a southeastern line of property of aforementioned ad joiner to a 1/2 inch r-bar found; thence North 20 deg 28 min 29 sec East for a distance of 264.81 feet along a southeastern property line of aforementioned adjoiner to an iron pin set; thence North 29 deg 30 min 42 sec West for a distance of 231.32 feet along a northeastern line of property of the aforementioned adjoiner and property now or formerly owned by Christopher Barber and Melinda K. Barber to a 1/2 inch r-bar found; thence North 60 deg 47 min 42 sec East for a distance of 283.88 feet along a southeastern property line of property now or formerly owned by Christopher Barber and Melinda K. Barber to a 1/2 inch r-bar found; thence North 60 deg 47 min 42 sec East along a southeastern line of aforementioned adjoiner for a distance of 280.30 feet to a point; thence South 27 deg 41 min 15 sec East for a distance of 639.97 feet along a southwestern property line of property now or formerly owned by David E. Emanuel et al to a point lying in a lake; thence South 87 deg 47 min 34 sec West along a northerly line of property now or formerly owned by Rachel Sells Moore and William F. Moore for a distance of 687.89 feet to point in a lake; thence South 20 deg 28min 29 sec West along a northwesterly line of aforementioned adjoiner for a distance of 154.19 feet to an iron pin set; thence South 30 deg 29 min 06 sec West along a northwesterly line of aforementioned ad joiner for a distance of 314.67 feet to a point; thence South 28 deg 01 min 43sec East along the southwestern property line of aforementioned adjoiner for a distance of 464.16 feet to an iron pin set on the northwestern 80 foot right of way of Temple Johnson Road; thence southwesterly along said right of way following a curve to the left an arc distance of 31.00 feet (said arc having a radius of 766.197 feet and being subtended by a chord of South 76 deg 32 min 36 sec West for 31.00 feet) to the point on said right of way at the Point of Beginning.

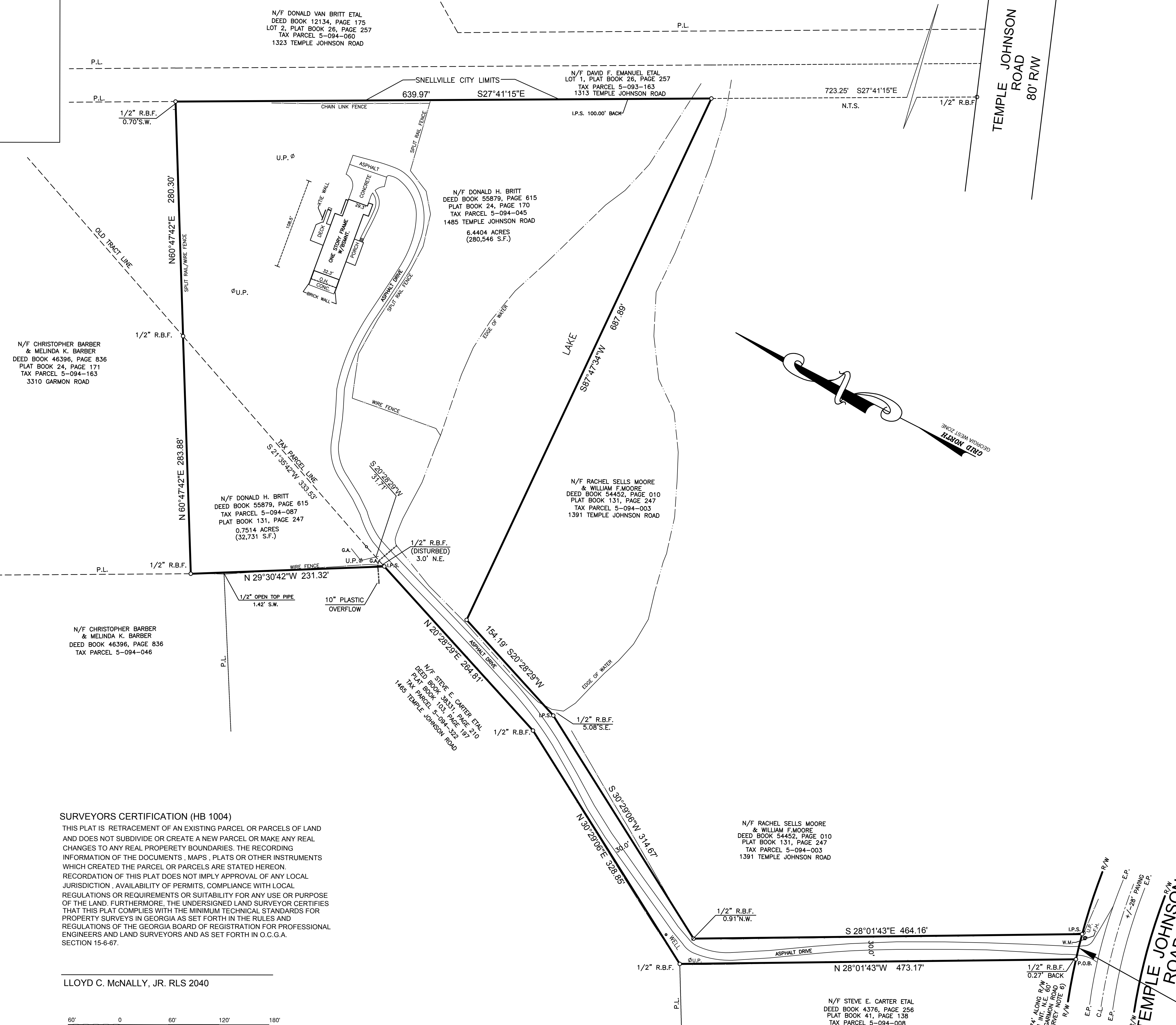


LEGEND

I.P.F. = IRON PIN FOUND	F.H. = FIRE HYDRANT
I.P.S. = IRON PIN SET	C.B. = CATCH BASIN
P.L. = PROPERTY LINE	H.W. = HEADWALL
C.L. = CENTER LINE	D.I. = DROP INLET
B.L. = BUILDING LINE	D.E. = DRAINAGE ESMT.
L.L.L. = LAND LOT LINE	S.E. = SEWER ESMT.
R/W = RIGHT OF WAY	C.E. = CONSTRUCTION ESMT.
CATV = CABLE TV	U.G.P. = UNDERGROUND POWER
C.O. = CLEAN OUT	U.G.T.P. = UNDERGROUND TELEPHONE
G.V. = GAS VALVE	G.A. = GUY WIRE ANCHOR
L.P. = LIGHT POLE	HCR = HANDICAP RAMP
E.P. = EDGE OF PAVING	PK N.S. = PK NAIL SET
U.P. = UTILITY POLE	R.P./ = RADIS POINT
W.L. = WHITE LINE	O.T. PIPE = OPEN TOP PIPE

GRAPHIC LEGEND

C.B.	C.B.	D.I.	PIPE	J.B.	H.W.
⊙	⊙	⊙	—	⊙	⊙
⊙ TELE. M.H.	F.H.	⊙	⊙	⊙ WATER METER	
⊙ MAN HOLE	⊙ UTIL. POLE			⊙ WATER VALVE	
				⊙ R/W MONUMENT	

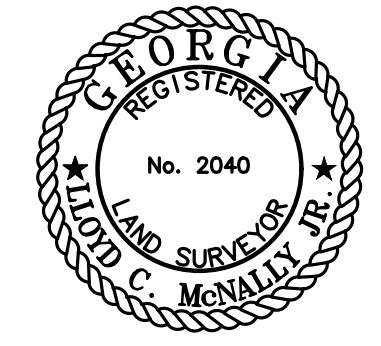
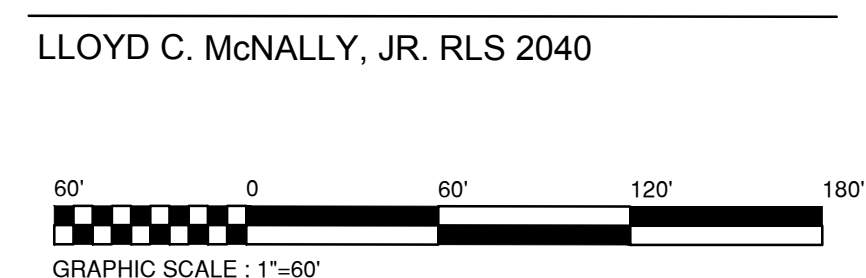


- SURVEY NOTES**
1. THE FIELD DATA FROM WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 79,082 FEET AND AN ANGULAR ERROR OF 60" PER PER ANGLE POINT. DATA WAS ADJUSTED USING THE LEAST SQUARES METHOD INITIAL FIELD WORK EXECUCUTED 7-19-2018.
 2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,519,484 FEET.
 3. EQUIPMENT USED TO OBTAIN FIELD DATA: TOPCON GTS-203 & A STEEL TAPE.
 4. THIS PROPERTY DOES NOT LIE WITHIN A F.I.R.M. FLOOD HAZARD AREA AS PER MAP NO. 13135C0139F OF THE MAPS PREPARED FOR GWINNETT COUNTY, GA. AND ITS INCORPORATED AND UNINCORPORATED AREAS, EFFECTIVE DATE SEPT. 29, 2006.
 5. BEARINGS SHOWN ARE GRID NORTH, GEORGIA WEST ZONE (NAD83).
 6. POINT OF BEGINNING AS SHOWN HEREON TAKEN FROM PLATS REFERENCED IN SURVEY REFERENCE NO. 2 A. BELOW.

- SURVEY REFERENCES**
1. EXEMPTION PLAT FOR WILLIAM F. MOORE & RACHEL MOORE BY ALCOVY SURVEYING AND ENGINEERING, INC., DATED 05-14-2014 BEARING THE SEAL OF RONALD CALVIN SMITH, GEORGIA REGISTERED LAND SURVEYOR NO. 2921 RECORDED IN PLAT BOOK 131, PAGE 247.
 2. SURVEYS BY EAST METRO SURVEYORS & ENGINEERS, INC. FOR A) DONALD BRITT DATED 8-02-93 REVISED 1-22-96 AND FOR B) MARK HUNTER DATED 1-19-96 REFLECTING MUTUAL PROPERTY EXCHANGE OF 0.750 ACRE PARCELS, DEED BOOK 13344, PAGE 211 & 215; DEED BOOK 14196, PAGE 261; DEED BOOK 16004, PAGES 199, 201 & 203. ABOVE REFERENCED SURVEYS ALSO RECORDED AT AN EARLIER DATE BY EAST METRO SURVEYORS AS SURVEY FOR DON JENKINS DATED 1-05-84 IN PLAT BOOK 24, PAGE 170 AND FOR J. BOBBY CROWE DATED 1-05-84 IN PLAT BOOK 24, PAGE 171. THE TWO PARCELS SHOWN ON THESE PLATS HAVE AN ERROR IN ORIENTATION.

SURVEYORS CERTIFICATION (HB 1004)

THIS PLAT IS RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY REAL CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, 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.



1505 HWY. 29 SOUTH - LAWRENCEVILLE, GA. 30044
PHONE: (770)963-8520 FAX: (770)963-3984

LAND SURVEYORS
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS

DATE	No.

DATE: AUGUST 03, 2018
SCALE: 1" = 60'

SURVEY FOR
DONALD H. BRITT
7.1918 ACRES (313,277 S.F.)
TAX PARCELS 5-094-045 & 087
LAND LOT 94 of the 5th DISTRICT
GWINNETT COUNTY, GEORGIA