

#0-20-19

**Subject Matter: Annexation – Parcel # 05391 2002
Annexation of approximately 1.5 acres located on the north
side of North 85 Parkway**

Date First Presented at Council Public Meeting: 7-18-19

Date of Public Hearing Before City Council: 8-01-19

Date of Adoption: 8-01-19

Date of Public Notice Published in Fayette News: 6-05-19

**CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA**

ORDINANCE NUMBER 0-20-19

(as enacted)

CITY OF FAYETTEVILLE GEORGIA

PREAMBLE

In accordance with O.C.G.A. § 36-36-92, the **City of Fayetteville** (the “City”) is proposing to annex property described in **EXHIBIT "A"** (hereinafter referred to as “the subject property”). The subject property is contiguous with the city limits of the City of Fayetteville and is classified as an unincorporated island as defined by O.C.G.A. § 36-36-90. The City has given notice to the County Commissioners of Fayette County of this proposed annexation as required by O.C.G.A. § 36-36-6; and has been advertised in the *FAYETTE COUNTY NEWS* as shown above.

ORDINANCE

IT IS HEREBY ADOPTED AND ORDAINED BY THE CITY OF FAYETTEVILLE AS FOLLOWS:

ARTICLE I

Pursuant to the authority granted to the City of Fayetteville by the Georgia Legislature by O.C.G.A. § 36-36-21, the City of Fayetteville does hereby annex the following parcel of real estate into the city limits of the City of Fayetteville, and said lands and property shall, pursuant to the terms of this ordinance, become a part of and be within the jurisdictional limits of the City of Fayetteville as if originally a part of the City's Charter:

Legal description of subject property is attached hereto as **EXHIBIT "A"** and incorporated herein by reference.

ARTICLE II

All annexations shall become effective for ad valorem tax purposes on December 31 of the year during which such annexation occurred and for all other purposes shall become effective on the first day of the month following the month during which the requirements of Articles 1 and 2 of Chapter 36, of Title 36 of the Official Code of Georgia Annotated have been met.

ARTICLE III

After the adoption of this annexation ordinance, the City Clerk shall file with the Department of Community Affairs and with the Fayette County governing authority an identification of the property hereby annexed, pursuant to the requirements of O.C.G.A. § 36-36-3.

ARTICLE IV

Any ordinance or part of any ordinance in conflict herewith is hereby repealed.

ARTICLE V

If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

ARTICLE VI

This ordinance shall become immediately effective upon its adoption.

Conditions may be included in the minutes of the City Council, which are part of this ordinance, and any representations submitted by the applicant to the City Council, and accepted by the City Council, and reflected in the minutes of the City Council, which representations shall be an amendment to the rezoning application and a part of this ordinance

APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF FAYETTEVILLE at a regular meeting of the Mayor and Council on the _____ day of _____, 2019, by the following voting for adoption:

ATTEST:

Edward J. Johnson, Jr. Mayor

Richard J. Hoffman., Mayor Pro Tem

Anne Barksdale, City Clerk

Kathaleen Brewer, Council Member

Paul C. Oddo Jr., Council Member

Harlan Shirley, Council Member

Scott Stacy, Council Member

EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 185 of the 5th Land District of Fayette County, Georgia and being that 1.50 acre tract of land shown as Tract "P" of North 85 Business Park; as shown on a revised plat of Tract "P", dated 2-13-88 and recorded in Plat Book 18, Page 179, Fayette County Records, which plat is by reference incorporated herein and made a part of this description.