

Subject Matter: Annexation –Parcel 0713 021, 157 Tyrone Road
Date First Presented at Council Public Meeting: 11-16-17
Date of Public Hearing Before City Council: 11-16-17
Date of Adoption: 11-16-17
Date of Public Notice Published in Fayette News: 11-1-17

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-19-17
(as enacted)
CITY OF FAYETTEVILLE GEORGIA

PREAMBLE

The City of Fayetteville (the “City”), has received application for annexation pursuant to O.C.G.A. § 36-36-21 by **Jan Trammell** for 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 as defined by O.C.G.A. § 36-36-20. 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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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, subject to the following conditions:

1. No variances to buffers between Business Park zoning and residential zoning.
2. That a 100 foot setback/landscape area be established along Tyrone Road to be measured from the new right of way. The setback/landscape area will be limited to landscape plantings, multi-use paths, fencing (three rail equestrian type) and signage.
3. That the design and construction of any entrances on Tyrone Road be approved and inspected by Fayette County Engineering/Public Works.
4. That the owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Tyrone Road within 180 days of the effective date of the annexation.

Conditions include those contained 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 16th day of November 2017, by the following voting for adoption:

[SIGNATURES APPEAR ON NEXT PAGE]

ATTEST:

Edward J. Johnson, Jr. Mayor

Anne Barksdale, City Clerk

Scott Stacy, Mayor Pro Tem

Kathaleen Brewer, Council Member

Paul C. Oddo, Jr., Council Member

Harlan Shirley, Council Member

James B. Williams, Council Member

EXHIBIT "A"

LEGAL DESCRIPTION