

10-0-0393

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK
How Sh
 AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 1199 ROXBORO DRIVE TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 100% METHOD; TO AUTHORIZE THE LAW DEPARTMENT TO SEEK PRE-CLEARANCE FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR OTHER PURPOSES

ADOPTED BY
 MAY 03 2010
 COUNCIL

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1st ADOPT 2nd READ & REFER
 - PERSONAL PAPER REFER
- Date Referred: *2/15/10*
 Referred To: *Finance Exe*
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee *Finance*
 Date *2/15/10*
 Chair *Shook*

Action *Hold*
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee *Finance*
 Date *4-28-10*
 Chair *Shook*

Action *Hold*
 Fav, Adv, Hold (see rev. side)
 Other _____

Members *Shook*

Members *Shook*
 Date *11/2/10*
 Chair *Shook*

Refer To _____

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED
 MAY 03 2010
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 MAY 03 2010
 Rinda Dugan Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 MAY 11 2010
[Signature]
 MAYOR

Howard Shook

**AN ORDINANCE
BY COUNCILMEMBER HOWARD SHOOK**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 1199 ROXBORO DRIVE TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 100% METHOD; TO AUTHORIZE THE LAW DEPARTMENT TO SEEK PRECLEARANCE FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR OTHER PURPOSES

WHEREAS, the owner of real property (the "Applicant") has applied to the City of Atlanta for annexation ("the Application") of certain property located at 1199 Roxboro Drive, Atlanta, Ga. 30324, as more fully described and delineated in Exhibit "A" and attached hereto (the "Property"); and

WHEREAS, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. § 36-36-1 *et seq.*; and

WHEREAS, the City of Atlanta has determined that the Applicant is the title holder of record of 100% of the privately owned land within the Property, as evidenced by the Land Records of Fulton County, Georgia; and

WHEREAS, the City of Atlanta has lawfully provided notice to DeKalb County, Georgia of all required information including notice of the City of Atlanta's receipt of the Application for annexation of the Property; and

WHEREAS, the requirements in O.C.G.A. § 36-66-4(d) governing procedures for the zoning of land to be annexed into a municipality have been satisfied; and

WHEREAS, the zoning classification approved by the City of Atlanta for the property which is the subject of the proposed annexation shall become effective on the later date of the date of the zoning is approved by the City of Atlanta or the date that the annexation becomes effective as required by O.C.G.A. § 36-36-2; and

WHEREAS, the City of Atlanta has authority pursuant to O.C.G.A. § 36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, and Council of the City of Atlanta has determined that the annexation of the Property would be in the best interest of the residents and property owners of the areas to be annexed and of the citizens of the City of Atlanta; and

WHEREAS, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. § 36-36-1 *et seq.*; and



WHEREAS, upon annexation, the City must seek pre-clearance from the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965 as well as pursuant to state law, submit a report to the Georgia Department of Community Affairs; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

Section 1. The Property known as 1199 Roxboro Drive, Atlanta, Georgia 30324, as more fully described on Exhibit "A" which is incorporated herein by reference, is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.

Section 2. The City of Atlanta Law Department is hereby authorized and directed to submit to the United States Department of Justice all necessary documentation required for the Department's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.

Section 3. The City of Atlanta Law Department is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.

Section 4. The Ordinance shall become effective immediately for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law, contingent upon approval of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.

Section 5. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor kasim Reed

MAY 03, 2010
MAY 11, 2010



EXHIBIT A

1199 ROXBORO DRIVE, ATLANTA, GA 30324:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 199 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND IN LAND LOT 8, OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING KNOWN AND DESIGNATED AS LOT 78 OF NORTH SIDE ESTATES SUB-DIVISION, AS PER PLAT RECORDED IN PLAT BOOK 11, PAGE 13, DEKALB COUNTY RECORDS, AND PLAT BOOK 18, PAGE 54, FULTON COUNTY RECORDS, REFERENCE TO SAID PLATS OF SURVEY AND THE RECORD THEREOF BEING HEREBY MADE FOR A MORE COMPLETE LEGAL DESCRIPTION.

RCS# 209
5/03/10
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

NV Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

05-03-10		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0393	36. 10-R-0642	76. 10-R-0682
2. 10-O-0492	37. 10-R-0651	77. 10-R-0683
3. 10-O-0598	38. 10-R-0783	78. 10-R-0684
4. 10-O-0595	39. 10-R-0789	79. 10-R-0685
5. 10-O-0782	40. 10-R-0724	80. 10-R-0686
6. 10-O-0790	41. 10-R-0725	81. 10-R-0687
7. 10-R-0652	42. 10-R-0726	82. 10-R-0688
8. 10-R-0749	43. 10-R-0771	83. 10-R-0689
9. 10-R-0750	44. 10-R-0736	84. 10-R-0690
10. 10-R-0753	45. 10-R-0737	85. 10-R-0691
11. 10-R-0754	46. 10-R-0738	86. 10-R-0692
12. 10-R-0755	47. 10-R-0653	87. 10-R-0693
13. 10-R-0756	48. 10-R-0654	88. 10-R-0694
14. 10-R-0757	49. 10-R-0655	89. 10-R-0695
15. 10-R-0758	50. 10-R-0656	90. 10-R-0696
16. 10-R-0759	51. 10-R-0657	91. 10-R-0697
17. 10-R-0770	52. 10-R-0658	92. 10-R-0698
19. 10-R-0775	53. 10-R-0659	93. 10-R-0699
20. 10-R-0781	54. 10-R-0660	94. 10-R-0700
21. 10-R-0786	55. 10-R-0661	95. 10-R-0701
22. 10-R-0787	56. 10-R-0662	96. 10-R-0702
23. 10-R-0797	57. 10-R-0663	97. 10-R-0703
24. 10-R-0799	58. 10-R-0664	98. 10-R-0704
25. 10-R-0800	59. 10-R-0665	99. 10-R-0705
26. 10-R-0620	60. 10-R-0666	100. 10-R-0706
27. 10-R-0621	61. 10-R-0667	101. 10-R-0707
28. 10-R-0622	62. 10-R-0668	102. 10-R-0708
29. 10-R-0625	63. 10-R-0669	103. 10-R-0709
30. 10-R-0626	64. 10-R-0670	104. 10-R-0710
31. 10-R-0637	65. 10-R-0671	105. 10-R-0711
32. 10-R-0752	66. 10-R-0672	106. 10-R-0712
33. 10-R-0496	67. 10-R-0673	107. 10-R-0713
34. 10-R-0640	68. 10-R-0674	108. 10-R-0714
35. 10-R-0641	69. 10-R-0675	109. 10-R-0715
	70. 10-R-0676	110. 10-R-0716
	71. 10-R-0677	111. 10-R-0717
	Items Adversed	112. 10-R-0718
	72. 10-R-0678	113. 10-R-0719
	73. 10-R-0679	114. 10-R-0720
	74. 10-R-0680	115. 10-R-0721
	75. 10-R-0681	116. 10-R-0722
		117. 10-R-0723