

AN ORDINANCE BY COUNCILMEMBER ALEX WAN TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 1164 AND 1184 SPRING VALLEY LANE TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 100% METHOD; TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	06/05/2014 5:29 PM
Finance/Executive Committee	Pending	
Mayor's Office	Pending	

HISTORY:

06/02/14 Atlanta City Council

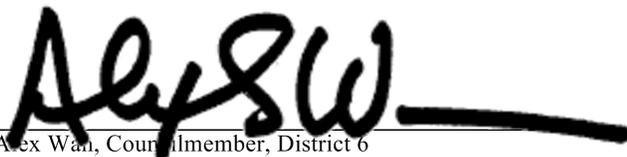
Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1297

SPONSOR SIGNATURES


Alex Wan, Councilmember, District 6

AN ORDINANCE BY COUNCILMEMBER ALEX WAN TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 1164 AND 1184 SPRING VALLEY LANE TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 100% METHOD; TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR OTHER PURPOSES.

WHEREAS, the owners of real property (the “Applicants”) have applied to the City of Atlanta for annexation (“the Applications”), attached hereto as Exhibit “C”, of land located at 1164 and 1184 Spring Valley Lane, NE, Atlanta, GA 30306, as more fully described and delineated in Exhibits “A” and “B” and attached hereto (the “Properties”); and

WHEREAS, the City of Atlanta has determined that the Properties are 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 Applicants are the title holders of record of 100% of the privately owned land within the Properties, as evidenced by the Clerk of the Superior Court of DeKalb County, Georgia; 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 properties which are the subject of the proposed annexation shall become effective on the later date of the date that 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 lawfully provided notice to DeKalb County, Georgia of all required information including notice of the City of Atlanta’s receipt of the Applications for annexation of the Properties; 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 that the Mayor and Council of the City of Atlanta have determined that the annexation of the Properties 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 Applications meets the requirements of law pursuant to O.C.G.A. §36-36-1 *et seq.*

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

1. The Properties known as 1164 and 1184 Spring Valley Lane, NE, Atlanta, Georgia 30306, as more fully described on Exhibits “A” and “B” which is incorporated herein by reference, less and except the portions already in city limits, is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia.
2. 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 DeKalb 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.
3. The Ordinance shall become effective immediately for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law.
4. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

WHEREAS, the owners of real property (the “Applicants”) have applied to the City of Atlanta for annexation (“the Applications”), attached hereto as Exhibit “C”, of land located at 1164 and 1184 Spring Valley Lane, NE, Atlanta, GA 30306, as more fully described and delineated in Exhibits “A” and “B” and attached hereto (the “Properties”); and

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WHEREAS, the zoning classification approved by the City of Atlanta for the properties which are the subject of the proposed annexation shall become effective on the later date of the date that 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

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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 that the Mayor and Council of the City of Atlanta have determined that the annexation of the Properties 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 Applications meets the requirements of law pursuant to O.C.G.A. §36-36-1 *et seq.*

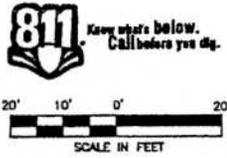
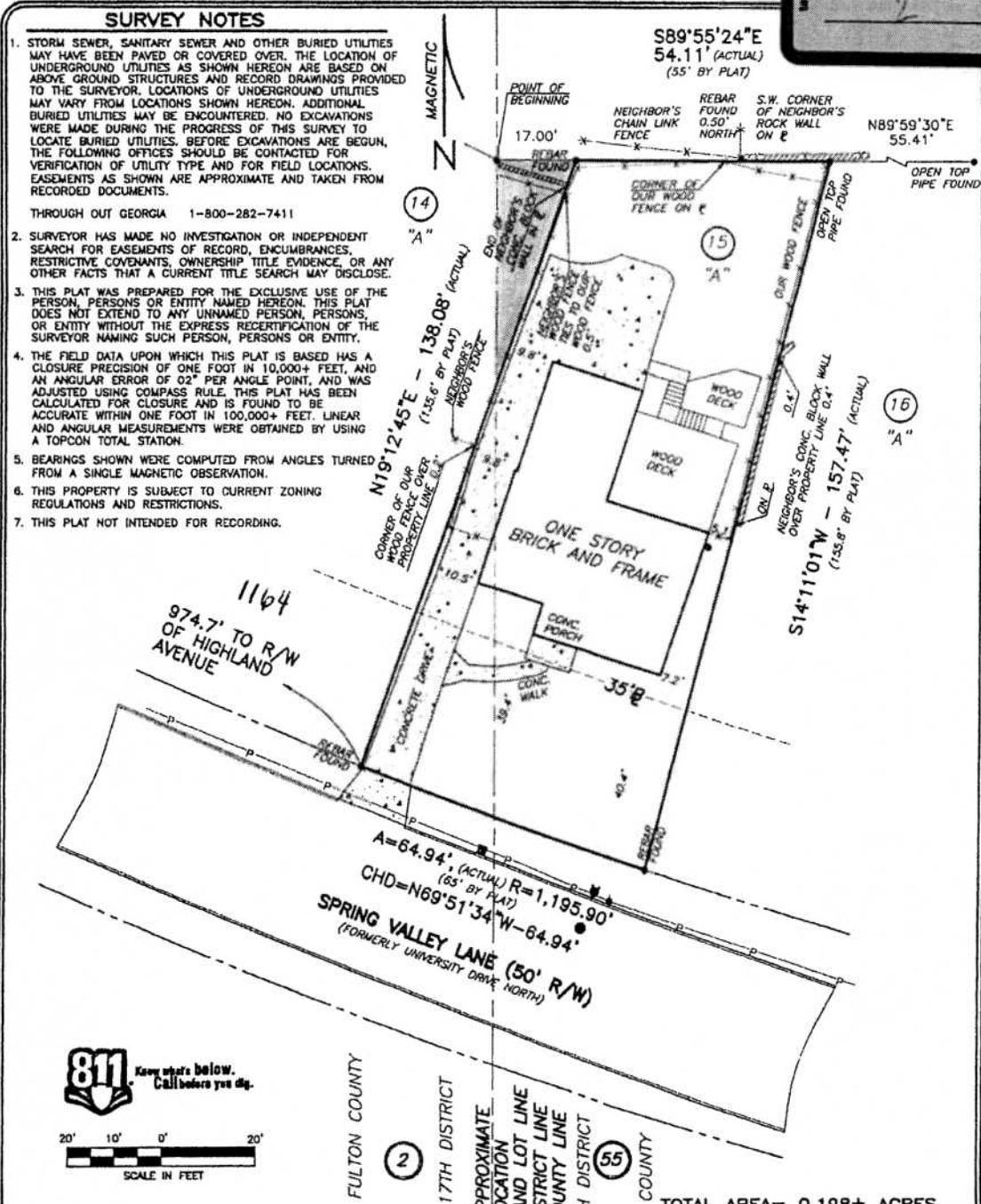
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4. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

EXHIBIT
2

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE FOLLOWING OFFICES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE AND TAKEN FROM RECORDED DOCUMENTS.
THROUGH OUT GEORGIA 1-800-282-7411
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. THIS PLAT NOT INTENDED FOR RECORDING.



REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF AMY B. HAYES AND MICHAEL D. HAYES DEED BOOK 17603 PAGE 552-554 DEKALB COUNTY, GEORGIA RECORDS

McLUNG SURVEYING SERVICES, INC.
 4833 South Cobb Drive Suite 200
 Smyrna, Georgia 30080 (770) 434-3383

This original of this document was sealed and signed by Michael R. Noles L.S. #2246 on 4-28-12. THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT.

Michael R. Noles
 Georgia RLS #2648
 Member SAMSOG
 JOB#231614

In my opinion this plat is a correct representation of the land platted.

Fences should not be placed using side dimensions from house.

LEGEND

RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
○	POWER POLE
○	LIGHT POLE
○	POWER METER
○	POWER BOX
○	AIR CONDITION
○	TELEPHONE BOX
○	GAS METER
○	GAS VALVE
○	WATER METER
○	WATER VALVE
○	JUNCTION BOX
○	DROP INLET
○	SANITARY SEWER MANHOLE

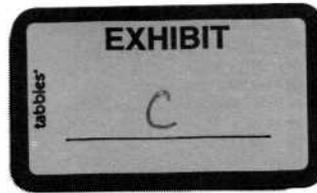
PROPERTY OF
JOEL VECE
LAURIE VECE

LOT 15, BLOCK "A"
ROCK SPRINGS ESTATES, INC.

LAND LOT 55, 18TH DISTRICT, DEKALB COUNTY
 LAND LOT 2, 17TH DISTRICT, FULTON COUNTY
 GEORGIA

PLAT PREPARED: 4-28-12
 FIELD: 4-25-12 SCALE: 1"=20'

Attachment: annexation for 1164 and 1184 Spring Valley Lane 2 (14-O-1297 : 1164 & 1184 Spring Valley Lane Annexation)



March 31, 2014

VIA EMAIL

Ms. Rhonda Johnson, City of Atlanta Municipal Clerk
 Atlanta City Hall
 55 Trinity Avenue, Suite 2700
 Atlanta, Georgia 30303

Re: Annexation Petition by Hudson Development Group LLC

Dear Ms. Johnson,

I, William Hudson, as 100% Owner of Hudson Development Group LLC, a business which owns 1164 Spring Valley Lane, Atlanta GA 30306, wish to file this annexation petition with the City of Atlanta, GA pursuant to O.C.G.A § 36-36-21 (Annexation Pursuant to Application by 100 Percent of Landowners). The property to be annexed is the remaining portion of the property located in the portion of Rock Springs Estates Subdivision which is located in unincorporated DeKalb County, Georgia. The other portion of 1164 Spring Valley Lane is currently located within the City of Atlanta. The property to be annexed is contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of the City of Atlanta and the description of the property is as follows:

.179 acres of land located along Spring Valley Lane in Land Lot 55 of the 18th District of DeKalb County Georgia, Lot 14, Block A. A legal description of the property to be annexed into the City of Atlanta is attached hereto as Exhibit "A."

The property to be annexed is zoned R-75 in unincorporated DeKalb County. I am requesting that the property be annexed into the City of Atlanta under the comparable City of Atlanta R-4 zoning classification, which also applies to the remaining portion of 1164 Spring Valley Lane already within the City of Atlanta limits. Accordingly, I am not seeking a more intense land use as part of this annexation. A copy of the survey for the property to be annexed is attached hereto as Exhibit "B."

In accordance with the requirements of O.C.G.A § 36-36-21, I, as owner of all real property of the territory described herein, respectfully request that the City Council annex this territory into the City of Atlanta, Georgia and extend the City boundaries to include the same.

By:

William James Hudson

William James Hudson, Owner of 1164 Spring Valley Lane

Address:
 1164 Spring Valley Lane
 Atlanta, GA 30306

cc: Atlanta City Council

Attachment: annexation for 1164 and 1184 Spring Valley Lane 3 (14-O-1297 : 1164 & 1184 Spring Valley Lane Annexation)

RECEIVED
OFFICE OF
MUNICIPAL CLERK

2014 FEB 25 AM 3: 15

Joel and Laurie Vece
1184 Spring Valley Ln NE
Atlanta, GA 30306
llwbeach@aol.com
(404) 368-9529

February 25, 2014

Rhonda Johnson
Municipal Clerk, City of Atlanta
55 Trinity Avenue
Atlanta, GA 30303

Dear Ms. Johnson,

The purpose of this letter is to request for our property to be annexed into the City of Atlanta in Fulton County. It is our understanding that the only requirement for annexation is that the property be adjacent to the existing City of Atlanta boundary and apply to the City of Atlanta for annexation.

Our property, 1184 Spring Valley Lane NE, Atlanta, GA 30306, is bordered by the City of Atlanta and Fulton County on 3 sides. In addition, the property line between Fulton and DeKalb counties cuts right through our property and we pay property taxes to both counties. In the City of Atlanta, we are located in District 6 and Alex Wan is our City Council Member. We are also active members of the Morningside Lenox Park Association (MLPA).

Enclosed with this letter is the following information:

- Our property survey which was completed in April 2012 when we purchased our home
- A diagram of the county lines of our street

Thank you very much for your time and attention.

Laurie Vece



Attachment: annexation for 1164 and 1184 Spring Valley Lane 4 (14-O-1297 : 1164 & 1184 Spring Valley Lane Annexation)

EXHIBIT A

1164 SPRING VALLEY LANE - LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 2 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA AND LAND LOT 55 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING LOT 14, BLOCK A, PART OF PROPERTY OF ROCK SPRINGS ESTATE, INC. SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 14, PAGE 150, DEKALB COUNTY, GEORGIA, RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY THIS REFERENCE AND MADE A PART HEREOF; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE NORTHEASTERLY SIDE OF SPRING VALLEY LANE (FORMERLY NORTH UNIVERSITY DRIVE) EIGHT HUNDRED EIGHTY NINE AND SEVEN TENTHS (889.7) FEET SOUTHEASTERLY, AS MEASURED ALONG THE NORTHEASTERLY SIDE OF SPRING VALLEY LANE, FROM THE CORNER FORMED BY THE INTERSECTION OF THE NORTHEASTERLY SIDE OF SPRING VALLEY LANE AND THE SOUTHEASTERLY SIDE OF HIGHLAND AVENUE IF SAID CORNER WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE; SAID POINT OF BEGINNING ALSO BEING AT THE LINE WHICH DIVIDES LOTS 13 AND 14, SAID BLOCK, SUBDIVISION AND PLAT; THENCE RUNNING SOUTHEASTERLY ALONG THE NORTHEASTERLY SIDE OF SPRING VALLEY LANE, SIXTY-FIVE (65) FEET TO AN IRON PIN AT THE LINE WHICH DIVIDES LOTS 14 AND 15; THENCE NORTHEASTERLY Y ALONG A LINE WHICH DIVIDES LOTS 14 AND 15, ONE HUNDRED THIRTY-EIGHT AND TWO TENTHS (138.2) FEET TO AN IRON PIN; THENCE WESTERLY AND NORTHWESTERLY, FIFTY AND SEVEN TENTHS (50.7) FEET TO AN IRON PIN AT THE LINE WHICH DIVIDES THE ABOVE MENTIONED LOTS 13 AND 14; THENCE SOUTHWESTERLY ALONG A LINE WHICH DIVIDES SAID LOTS 13 AND 14, ONE HUNDRED THIRTY-TWO AND THREE TENTHS (132.3) FEET TO AN IRON PIN ON THE NORTHEASTERLY SIDE OF SPRING VALLEY LANE AND THE POINT OF BEGINNING.

EXHIBIT B

1184 SPRING VALLEY LANE - LEGAL DESCRIPTION

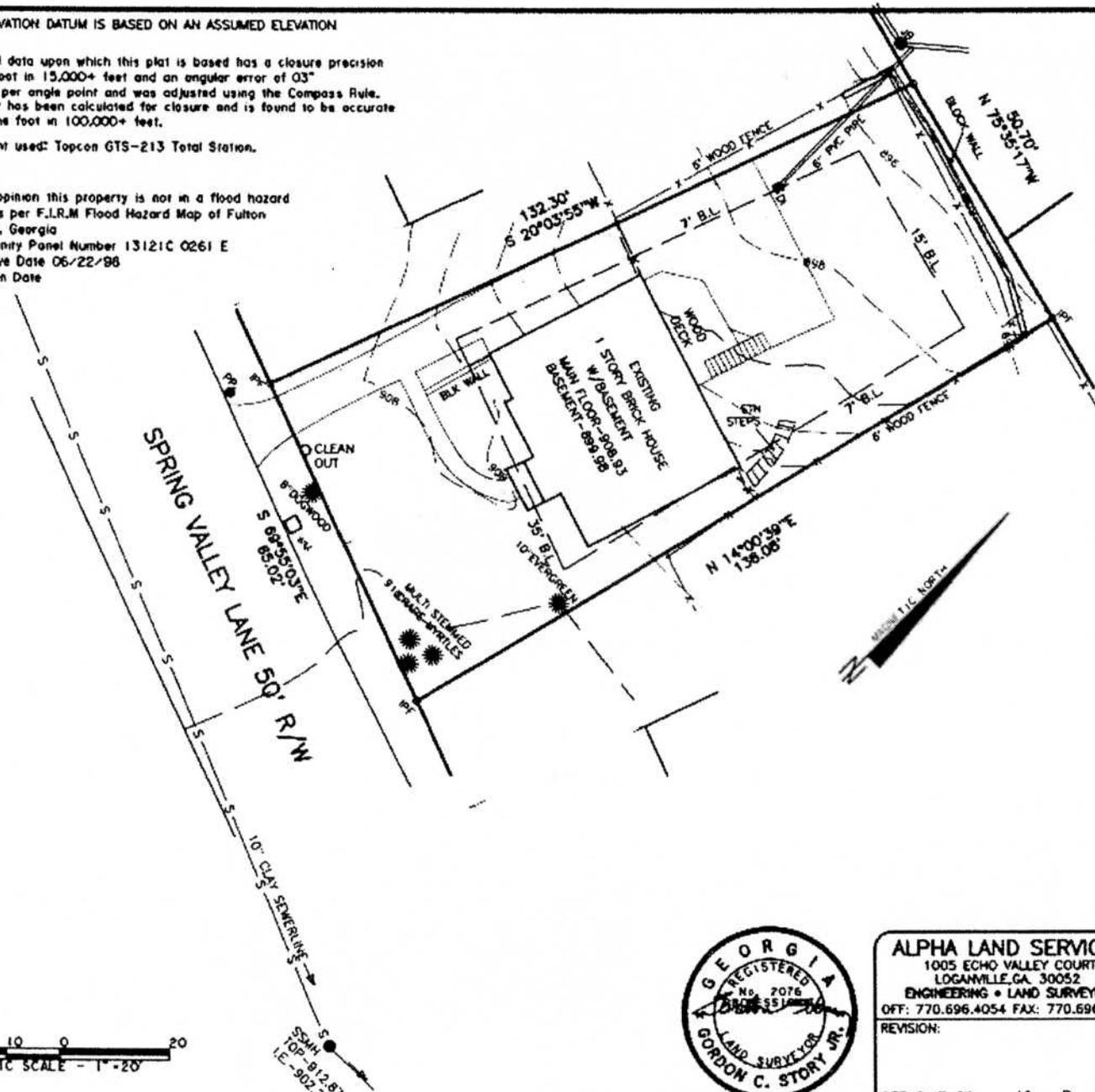
ALL THAT TRACT OR PARCEL OF LAND LING AND BEING IN LAND LOT 2 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA AND IN LAND LOT 55 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING LOT 15, BLOCK A, SUBDIVISION OF PART OF THE PROPERTY ROCK SPRINGS ESTATES, INC., AS PER PLAT RECORDED IN PLAT BOOK 14, PAGE 150, DEKALB COUNTY, GEORGIA RECORDS; SAID PLAT BEING INCORPORATED HEREIN AND MADE A REFERENCE HERETO.

NOTE: ELEVATION DATUM IS BASED ON AN ASSUMED ELEVATION

The field data upon which this plat is based has a closure precision of one foot in 15,000+ feet and an angular error of 03" seconds per angle point and was adjusted using the Compass Rule. This plat has been calculated for closure and is found to be accurate within one foot in 100,000+ feet.

Equipment used: Topcon GTS-213 Total Station.

In my opinion this property is not in a flood hazard area as per F.I.R.M Flood Hazard Map of Fulton County, Georgia
Community Panel Number 13121C 0261 E
Effective Date 06/22/98
Revision Date



LEGEND

- IPF = 1/2" REBAR FOUND
- IPS = 1/2" REBAR PIN SET
- L.L. = LAND LOT
- L.L.L. = LAND LOT LINE
- P.L. = PROPERTY LINE
- CL. = CENTERLINE
- B.L. = BUILDING LINE
- R/W = RIGHT-OF-WAY
- S.S.E. = SANITARY SEWER EASEM
- D.E. = DRAINAGE EASEMENT
- MH = MANHOLE
- C.B. = CATCH BASIN
- J.B. = JUNCTION BOX
- H.W. = HEADWALL
- D.I. = DROP INLET
- PP = POWER/UTILITY POLE
- F.H. = FIRE HYDRANT
- I.E. = INVERT ELEVATION
- F.F.E. = FINISHED FLOOR ELEVATI
- F.F.B. = FINISHED FLOOR BASEME
- F.F.G. = FINISHED FLOOR GARAGE
- BOC = BACK OF CURB
- EP = EDGE OF PAVEMENT
- N/F = NOW OR FORMERLY
- P.O.B. = POINT OF BEGINNING
- X-X-X- = FENCE LINE
- O- = FLOOD HAZARD ZONE
- - - = STORM SEWER LINE/P
- W- = WATER LINE
- G- = GAS LINE
- CM = CONCRETE MONUMENT
- C.E. = CONSTRUCTION EASEMENT
- C&G = CURB AND GUTTER
- LS = LIGHT STANDARD
- OTP = OPEN TOP PIPE FOUND
- CTP = CRIMP TOP PIPE FOUND



ALPHA LAND SERVICES
 1005 ECHO VALLEY COURT
 LOGANVILLE, GA. 30052
 ENGINEERING • LAND SURVEYING
 OFF: 770.696.4054 FAX: 770.696.4054

REVISION:

REF. PLAT: PB. 14 P. 150

SURVEY FOR:
1164 SPRING VALLEY
 TAX PARCEL #17000200054

LAND LOT: 2	LOT: 14 BL
DISTRICT: 17TH	SUB: ROCK 51
FULTON/DEKALB COUNTY	ESTATE:
GEORGIA	AREA = 0.17
FIELD DATE: 09/18/13	PLAT DATE: 09/21/13
	JOB No. 13-

Attachment: annexation for 1164 and 1184 Spring Valley Lane (14-O-1297 : 1164 & 1184 Spring Valley