



1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, TO ANNEX**
2 **PROPERTY LOCATED IN LAND LOT 39 OF THE 16th DISTRICT, DEKALB**
3 **COUNTY, GEORGIA, INTO THE CORPORATE LIMITS OF THE CITY OF**
4 **STONECREST, GEORGIA PURSUANT TO THE 100 PERCENT METHOD AS**
5 **STATED IN CHAPTER 36 OF TITLE 36 OF THE OFFICIAL CODE OF GEORGIA**
6 **ANNOTATED; TO AUTHORIZE STAFF TO NOTIFY THE GEORGIA DEPARTMENT**
7 **OF COMMUNITY AFFAIRS; TO PROVIDE AND EFFECTIVE DATE; AND FOR**
8 **OTHER PURPOSES**

9
10 **WHEREAS,** the owners of the real property (the “Applicant”) have applied to the City of
11 Stonecrest (the “City”) for annexation (the “Application”) of real property located
12 in Land Lot 39 of the 16th District, DeKalb County, as more fully described and
13 delineated in Exhibit “A” and attached hereto (the “Property”); and

14 **WHEREAS,** the City has determined that the Property is Contiguous with the existing
15 corporate limits of the City in excess of one-eighth (1/8) of the aggregate external
16 boundary as required for such annexations under O.C.G.A § 36-36-1 *et seq.*; and
17

18 **WHEREAS,** the City has the authority pursuant to O.C.G.A. § 36-36-1 *et seq.* to annex certain
19 property into the corporate limits of the City of Stonecrest, and that the Mayor
20 and Council of the City of Stonecrest have carefully reviewed the Applicant’s
21 request, and finds that the annexation of the Property is in the best interests of the
22 property owners of said area to be annexed and of the citizens of the City of
23 Stonecrest; and
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25 **THEREFORE,** the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as
26 follows:

27 **Section 1:** The area contiguous to the City of Stonecrest, Georgia as described in Exhibit A,
28 which is attached to and incorporated as part of this ordinance, is hereby annexed into the City of
29 Stonecrest, Georgia and is made a part of said city.
30

31 **Section 2:** This Ordinance shall become effective on the 1st day of November, 2018.
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33 **Section 3:** The City Clerk of the City of Stonecrest, Georgia is instructed to send a report that
34 includes certified copies of this ordinance, the name of the county in which the property being
35 annexed is located and a letter from the city stating the intent to add the annexed area to Census
36 maps during the next survey and stating that the survey map will be completed and returned to
37 the Census Bureau, Department of Community Affairs, and to the governing authority of DeKalb
38 County, within thirty (30) days after the effective date of the annexation as set forth above in
39 Section 2.
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41 **Section 4:**

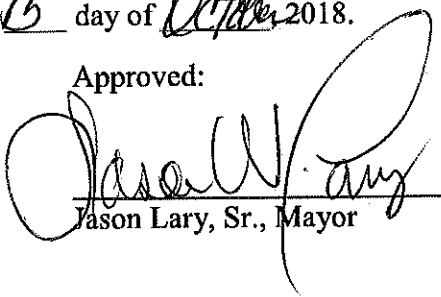
STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

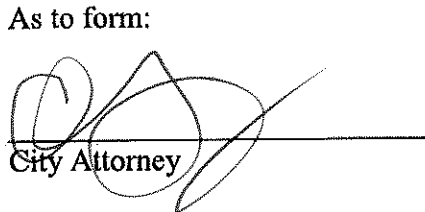
ORDINANCE 2018- 10-02

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1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and City 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 City 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.
3. 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 City 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.
4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

SO ORDAINED AND EFFECTIVE this the 15 day of October 2018.

Approved:

Jason Lary, Sr., Mayor

As to form:

City Attorney

Attest:

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-10-02

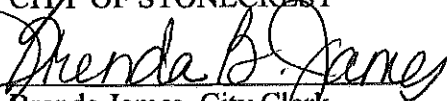
84 
85 Brenda James, City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 39, 16th District, DeKalb County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at the intersection of the Westerly Right of Way Line of Panola Road (variable width right of way) as per GDOT Right of Way Plans – Project No. MR 901 2(8) STP-9012(8) and the Northerly Right of Way Line of Covington Highway, a.k.a. US Highway 278 (variable width right of way) as per GDOT Right of Way Plans – Project No. RF-F-195-1(2); thence, leaving said point and running with the said line of Covington Highway, North 80° 56' 28" West, 271.50 feet; thence, South 09° 03' 32" West, 4.00 feet; thence, North 81° 15' 49" West, 89.46 feet; thence, 32.78 feet along the arc of a curve deflecting to the right, having a radius of 5,679.58 feet and a chord bearing and distance of North 81° 05' 55" West, 32.78 feet; thence, 155.92 feet along the arc of a curve deflecting to the right, having a radius of 5,679.58 feet and a chord bearing and distance of North 80° 08' 48" West, 155.92 feet; thence, South 00° 35' 22" West, 7.11 feet; thence, 90.26 feet along the arc of a curve deflecting to the right, having a radius of 5,686.58 feet and a chord bearing and distance of North 78° 55' 05" West, 90.26 feet; thence, North 01° 02' 28" East, 7.12 feet; thence, 249.80 feet along the arc of a curve deflecting to the right, having a radius of 5,679.58 feet and a chord bearing and distance of North 77° 11' 24" West, 249.78 feet; thence, North 75° 55' 48" West, 267.66 feet; thence, South 00° 47' 38" West, 7.19 feet; thence, North 75° 55' 48" West, 363.21 feet; thence, 34.37 feet along the arc of a curve deflecting to the left, having a radius of 2,907.79 feet and a chord bearing and distance of North 76° 16' 07" West, 34.37 feet; thence, leaving the aforesaid line of Covington Highway and running, North 00° 26' 11" East, 400.60 feet to the True Point of Beginning of the herein described tract or parcel of land; thence, leaving the said Point of Beginning and continuing in the previous direction

1. North 00° 26' 11" East, 810.36 feet to a ½ inch rebar found on the North Line of aforesaid Land Lot 39; thence, running with the said line of Land Lot 39
2. South 89° 25' 20" East, 139.51 feet to a ½ inch open top pipe found; thence,
3. South 89° 50' 23" East, 405.00 feet +/- to the line of the City of Stonecrest, Georgia; thence, running with the said line between the City of Stonecrest and DeKalb County
4. Southwest, 827.03 feet +/- to a point on the proposed line between the commercial and residential property; thence, running with the said line
5. South 89° 37' 03" West, 280.17 feet +/- to the Point of Beginning, containing 8.41 Acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 39, 16th District, DeKalb County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at the intersection of the Westerly Right of Way Line of Panola Road (variable width right of way) as per GDOT Right of Way Plans – Project No. MR 901 2(8) STP-9012(8) and the Northerly Right of Way Line of Covington Highway, a.k.a. US Highway 278 (variable width right of way) as per GDOT Right of Way Plans – Project No. RF-F-195-1(2); thence, leaving said point and running with the said line of Covington Highway, North 80° 58' 28" West, 271.50 feet; thence, South 09° 03' 32" West, 4.00 feet; thence, North 81° 15' 49" West, 89.46 feet; thence, 32.78 feet along the arc of a curve deflecting to the right, having a radius of 5,679.58 feet and a chord bearing and distance of North 81° 05' 55" West, 32.78 feet; thence, 155.92 feet along the arc of a curve deflecting to the right, having a radius of 5,679.58 feet and a chord bearing and distance of North 80° 08' 48" West, 155.92 feet; thence, South 00° 36' 22" West, 7.11 feet; thence, 90.26 feet along the arc of a curve deflecting to the right, having a radius of 5,686.58 feet and a chord bearing and distance of North 78° 55' 05" West, 90.26 feet; thence, North 01° 02' 26" East, 7.12 feet; thence, 249.80 feet along the arc of a curve deflecting to the right, having a radius of 5,679.58 feet and a chord bearing and distance of North 77° 11' 24" West, 249.78 feet; thence, North 75° 55' 48" West, 267.68 feet; thence, South 00° 47' 38" West, 7.19 feet; thence, North 75° 55' 48" West, 133.00 feet to the True Point of Beginning of the herein described tract or parcel of land; thence, leaving the said Point of Beginning and continuing in the previous direction

1. North 75° 55' 48" West, 363.21 feet; thence,
2. 34.37 feet along the arc of a curve deflecting to the left, having a radius of 2,907.79 feet and a chord bearing and distance of North 76° 16' 07" West, 34.37 feet; thence, leaving the aforesaid line of Covington Highway and running,
3. North 00° 26' 11" East, 400.50 feet to a point on the proposed line between the commercial and residential property; thence, running with the said line
4. North 89° 37' 03" East, 362.68 feet +/- to the line of the City of Stonecrest, Georgia; thence, running with the said line between the City of Stonecrest and DeKalb County
5. Southwest, 479.59 feet +/- to the Point of Beginning, containing 3.12 Acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.