

STATE OF GEORGIA

CITY OF STOCKBRIDGE

**ORDINANCE NO. OR16-406**

AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF STOCKBRIDGE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

**WHEREAS**, the governing authority of the City of Stockbridge, Georgia desires to annex certain property into the City and to modify the zoning designation of certain property located within the City;

**WHEREAS**, pursuant to Section 8.36.015 of the Stockbridge Municipal Code, so long as the City and Henry County zoning ordinances share a common zoning classification for such use, and as provided under Official Code of Georgia Annotated Section 36-66-4(e), a zoning action taken pursuant to Section 8.36.015 shall exempt the City from the notice and public hearing requirements of the Zoning Procedure Law, Official Code of Georgia Annotated Section 36-66-1 et seq., and the zoning amendment procedures under the Stockbridge Municipal Code; and

**WHEREAS**, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY  
ORDAINS:

**Section 1.** The property described in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference, is hereby annexed into the City of Stockbridge, Georgia pursuant to the authority of O.C.G.A. Sections 36-36-1 *et seq.* and 36-36-90 *et seq.*

**Section 2.** Pursuant to Section 8.36.015 of the Stockbridge Municipal Code and as provided under Official Code of Georgia Annotated Section 36-66-4(e), the property described in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, is automatically zoned by the City through the operation of said Section 8.36.015 of the Stockbridge Municipal Code for the same use for which the property was zoned immediately prior to annexation (C-2, General Commercial District), such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance.

**Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and 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 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.

(c) 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 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.

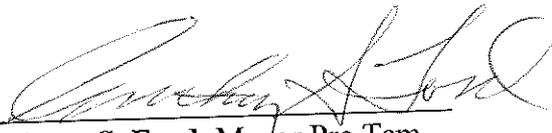
**Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 6.** Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

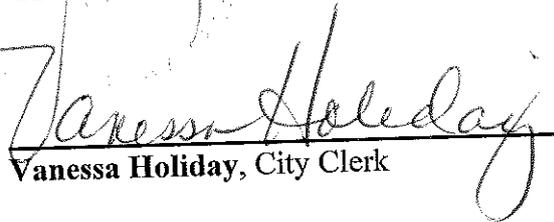
**Section 7.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this 13<sup>th</sup> day of June 2016.

**CITY OF STOCKBRIDGE, GEORGIA**

  
\_\_\_\_\_  
**Anthony S. Ford, Mayor Pro Tem**

**ATTEST:**

  
\_\_\_\_\_  
**Vanessa Holiday, City Clerk**

APPROVED AS TO FORM:

  
\_\_\_\_\_  
**Michael Williams, City Attorney**

Date Presented to Mayor: 6/14/16

Date Received from Mayor: 6/14/16

**EXHIBIT "A"**

2239 Jodeco Road, also known as Tax Parcel Number 051-01015001 according to the system of number tax parcels in Henry County, Georgia.

**RECEIVED**

**MAY 12 2016**

City Clerk's Office  
City of Stockbridge

BOOK PAGE  
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**EXHIBIT "A"**

All that tract or parcel of land lying and being in Land Lot 78 of the 6th District of Henry County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located at the corner formed by the intersection of the southerly right-of-way line of Jodeco Road (65 from the centerline) with the southwesterly right-of-way line of Mount Olive Road (a variable width right-of-way); thence southeasterly, along the southwesterly right-of-way line of Mount Olive Road along an arc of a curve to the left, which arc is subtended by a chord bearing and distance of South 39 degrees 59 minutes 16 seconds east, 68.92 feet, an arc distance of 70.73 feet to an iron pin; thence South 62 degrees 32 minutes 07 seconds west, 24.59 feet to an iron pin; thence South 02 degrees 15 minutes 42 seconds east, 90.00 feet to an iron pin; thence South 87 degrees 44 minutes 13 seconds west, 170.00 feet to an iron pin; thence North 02 degrees 10 minutes 02 seconds west, 149.95 feet to an iron pin located on the southerly right-of-way line of Jodeco Road; thence easterly, along the southerly right-of-way line of Jodeco Road along an arc of a curve to the left, which arc is subtended by a chord bearing and distance of North 85 degrees 48 minutes 50 seconds east, 149.92 feet, an arc distance of 149.96 feet to an iron pin and THE POINT OF BEGINNING; said tract containing 0.589 acres of land as shown and delineated on that certain plat of survey prepared for Guruom, Inc., Moti Enterprises, Inc., Horizon Bank and First American Title Insurance Company dated November 25, 1996, last revised March 27, 2003.

c:\hdp\Horizon\Henry Jodeco Rd Mukhi.legal