

**AN ORDINANCE
BY COUNCILMEMBER KEISHA LANCE BOTTOMS
AS SUBSTITUTED BY THE FINANCE EXECUTIVE COMMITTEE**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS COTTAGES AT CASCADE TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 60% METHOD; TO EXTEND THE BOUNDARIES OF THE ATLANTA INDEPENDENT SCHOOL SYSTEM; TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR OTHER PURPOSES.

WHEREAS, certain resident electors and the owners (the “Petitioners”) of real property in the Cottages at Cascade neighborhood, as delineated in Exhibit “A” attached hereto (the “Property”), have petitioned the City of Atlanta for annexation (“the Petition”) pursuant to the 60% method of annexation; and

WHEREAS, the City of Atlanta has lawfully provided notice to Fulton County, Georgia of all required information including notice of the City of Atlanta’s receipt of the Petitions for annexation of 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 Petitioners are the title holders of record of 60% of the privately owned land within the Property, as evidenced by the records of the Clerk of the Superior Court of Fulton County, Georgia; and

WHEREAS, the City of Atlanta has determined that the Petitioners represent at least 60% of the registered voters within the Property, as evidenced by the voter file provided by the Fulton County Board of Registrations and Elections; 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, 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 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, whichever is later; 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

WHEREAS, the Mayor and Council of the City of Atlanta have determined that the annexation of the Property and expansion of the boundaries of the Atlanta Independent School System to include the Property would be in the best interest of the residents and property owners of the Property to be annexed and of the citizens of the City of Atlanta.

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

Section 1. Certain property identified as the Cottages at Cascade neighborhood, as more fully delineated on Exhibit “A” and which is incorporated herein by reference, is hereby annexed into the existing corporate limits of the City of Atlanta, Georgia, and the boundaries of the Atlanta Independent School System are hereby extended so as to include the entire annexed area.

Section 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 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 3. The Ordinance shall become effective July 1, 2016 for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law.

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