

**AN ORDINANCE
BY COUNCILMEMBER ALEX WAN
AS AMENDED BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES HAVING FRONTAGE ON UNIVERSITY DRIVE AND SPRING VALLEY LANE 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 having frontage on University Drive and Spring Valley Lane, as delineated in Exhibit “A” attached hereto (the “Property”), have petitioned the City of Atlanta for annexation (“the Petitions”) from unincorporated DeKalb County pursuant to the 60% method of annexation; and

WHEREAS, as shown on Exhibit “B” attached hereto, 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 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, as shown on Exhibit “C” attached hereto, 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 DeKalb County, Georgia; and

WHEREAS, as shown on Exhibit “C” attached hereto, 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 DeKalb 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; and

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

Section 1. Certain property having frontage on University Drive and Spring Valley Lane, as more fully delineated and listed 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. Excepted from the annexation area are portions of parcels that are currently within City limits, specifically 1175, 1179 and 1180 University Drive, as depicted on Exhibit “A”.

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 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.

Section 3. This Ordinance shall become effective for school enrollment purposes on July 1, 2017. For all other purposes, the Ordinance shall become effective 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.