

ANNEXATION ORDINANCE

ORDINANCE NO. A-2026-02

APPLICANT – GEORGIA CAPITAL, LLC

**TITLEHOLDER(S) – ESTATE OF MARY SUE TIBBITTS; 230
SUMMERHILL ROAD, LLC; MIKE J. POPE**

APPLICATION NO. A-2025-04

AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA, PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF DALLAS; PROVIDING FOR INITIAL ZONING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Dallas, Georgia is a municipal corporation of the State of Georgia and is authorized to adopt ordinances and to exercise its powers for the public health, safety, and welfare;

WHEREAS, the Mayor and Council are authorized under O.C.G.A. § 36-36-21 to annex contiguous unincorporated areas into the municipal limits upon the written and signed application of all owners of all land proposed to be annexed, except the owners of any public street, road, highway, or right-of-way;

WHEREAS, Georgia Capital, LLC submitted Application No. A-2025-04 requesting annexation of certain real property consisting of approximately 35.633 acres, more or less, located in Land Lots 458, 459, and 479 of the 2nd District, 3rd Section, Paulding County, Georgia, and owned of record by the Estate of Mary Sue Tibbitts, 230 Summerhill Road, LLC, and Mike J. Pope, or their duly authorized representatives;

WHEREAS, all owners of the property proposed for annexation, or their duly authorized representatives, have submitted written and signed applications or consents for annexation in accordance with O.C.G.A. § 36-36-21;

WHEREAS, the Mayor and Council find that the property described herein is presently located in unincorporated Paulding County, Georgia, and is contiguous to the existing corporate limits of the City of Dallas, Georgia;

WHEREAS, the City has provided all notices required to Paulding County under O.C.G.A. Chapter 36 of Title 36, including notice of the proposed annexation and proposed zoning classification, and no unresolved county objection or statutory bar prevents final action on this annexation ordinance;

WHEREAS, the City has complied with the applicable requirements of the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., including O.C.G.A. § 36-66-4(d), for the initial zoning of the property upon annexation;

WHEREAS, the Mayor and Council have determined that annexation of the property into the corporate limits of the City of Dallas is in the best interests of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dallas, Georgia, as follows:

SECTION I. ANNEXATION OF PROPERTY.

The real property consisting of approximately 35.633 acres, more or less, located in Land Lots 458, 459, and 479 of the 2nd District, 3rd Section, Paulding County, Georgia, and more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby annexed into the corporate limits of the City of Dallas, Georgia. Upon the effective date of this annexation, the property shall be subject to the zoning classifications approved by companion Zoning Map Amendment Ordinance No. Z-2026-03, including any conditions and stipulations approved therein.

SECTION II. INITIAL ZONING BY COMPANION ORDINANCE.

The Mayor and Council have approved companion Zoning Map Amendment Ordinance No. Z-2026-03, Application No. Z-2025-07, establishing the initial municipal zoning classifications for the property as

TH Townhome Residential District and C-2 Medium-Density Commercial District. The zoning classifications, conditions, and stipulations applicable to the annexed property shall be as set forth in Ordinance No. Z-2026-03, which shall become effective only as provided by O.C.G.A. § 36-66-4(d).

SECTION III. PUBLIC ROAD RIGHT-OF-WAY.

This annexation includes only the real property described in Exhibit A and does not annex any portion of Summerhill Road or any other public road right-of-way except to the extent expressly shown on the annexation survey or map attached as Exhibit B and incorporated herein by reference.

SECTION IV. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict only.

SECTION V. SEVERABILITY.

If any section, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION VI. EFFECTIVE DATE.

This annexation shall become effective for all purposes other than ad valorem taxation on September 1, 2026, provided that all statutory requirements for annexation are completed in August 2026. For ad valorem tax purposes, this annexation shall become effective on December 31, 2026, as provided by O.C.G.A. § 36-36-2.

SECTION VII. FILING AND REPORTING.

The City Clerk, City Attorney, or other appropriate City official is authorized and directed to file all reports and materials required by O.C.G.A. § 36-36-3 and any other applicable annexation reporting requirements.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 458, 459, and 479 of the 2nd District, 3rd Section, Paulding County, Georgia, comprising four (4) parcels, and being more particularly described as follows:

Parcel 1 – Tibbitts Tract (Estate of Mary Sue Tibbitts), Tract A (24.046 Acres):

All that tract or parcel of land lying and being in Land Lots 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows: To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek and being the TRUE POINT OF BEGINNING, thence from point thus established and leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 178.69 feet to a point; thence South 88° 05' 17" West a distance of 229.58 feet to a point; thence South 01° 04' 53" East a distance of 30.28 feet to a point on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line the following courses: South 89° 45' 30" West a distance of 309.00 feet to a point; thence South 89° 45' 30" West a distance of 330.75 feet to an iron pin found; thence South 89° 44' 42" West a distance of 571.61 feet to an iron pin set; thence South 89° 44' 42" West a distance of 28.75 feet to a 1/2" rebar found; thence leaving said Land Lot Line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24.046 Acres (1,047,409 Square Feet).

Parcel 2 – Tibbitts Tract (Estate of Mary Sue Tibbitts), Tract B (10.409 Acres):

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows: BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the

northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

Parcel 3 – Mike J. Pope Tract (0.683 Acres):

All that tract or parcel of land lying and being in Land Lot 479 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows: To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek; thence leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 178.69 feet to a point; thence South 88° 05' 17" West a distance of 229.58 feet to a point; thence South 01° 04' 53" East a distance of 30.28 feet to a point on the Land Lot Line common to Land Lots 458 and 479 and being the TRUE POINT OF BEGINNING, thence from point thus established thence South 01° 04' 53" East a distance of 51.08 feet to a point; thence North 89° 25' 24" West a distance of 310.44 feet to a point; thence North 89° 25' 24" West a distance of 330.79 feet to a point; thence North 00° 40' 27" East a distance of 41.92 feet to a point on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line North 89° 45' 30" East a distance of 330.75 feet to a point; thence North 89° 45' 30" East a distance of 309.00 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.683 Acres (29,773 Square Feet).

Parcel 4 – 230 Summerhill Road, LLC Tract (0.495 Acres):

All that tract or parcel of land lying and being in Land Lot 458 & 479 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows: To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 457 & 458 South 01° 10' 42" West a distance of 867.64 feet to a 1/2" rebar found; thence leaving said common Land Lot Line South 64° 38' 11" East a distance of 207.36 feet to a 1/2" rebar found at the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 31° 35' 26" East a distance of 61.75 feet to a point on the southeasterly Right of Way of Summerhill Road; thence running along the southeasterly Right of Way of Summerhill Road along a curve to the right an arc length of 206.34 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of South 47° 21' 13" West, and a chord length of 206.27 feet) to a 3" open top pipe found; thence leaving said Right of Way South 01° 50' 53" West a distance of 163.39 feet to a 1/2" rebar found; thence South 00° 34' 52" West a distance of 7.42

feet to a 1/2" rebar found on the Land Lot Line common to Land Lots 458 and 479; thence running along said Land Lot Line North 89° 44' 42" East a distance of 28.75 feet to an iron pin set; thence continuing along said Land Lot Line North 89° 44' 42" East a distance of 571.61 feet to an iron pin found; thence leaving said Land Lot Line South 00° 40' 27" West a distance of 41.92 feet to a point; thence North 89° 25' 24" West a distance of 571.37 feet to a point; thence North 00° 24' 27" East a distance of 33.62 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.495 Acres (21,583 Square Feet).

Said combined parcels contain a total of approximately 35.633 acres, more or less.

EXHIBIT B

ANNEXATION SURVEY / MAP

[Attach annexation survey or map identifying the property annexed, the existing City boundary, contiguity, land lots, parcel boundaries, and any public right-of-way included in or excluded from the annexation.]

