

ORDINANCE NO. 18-15

To Rezone Property Of Octavio Perez From A M-2 Classification To A R-6 Classification; To Provide for an Effective Date; To Provide For the Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

WHEREAS, Octavio Perez has petitioned for rezoning of his property from a M-2 classification to a R-6 classification; and

WHEREAS, all other procedures as required by Georgia law have been followed.

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

Section 1.

The real property as described in Exhibit “A” (the “Property”), which is attached to and incorporated herein as a part of this Ordinance, is hereby rezoned from a M-2 classification to a R-6 classification.

Section 2.

This Ordinance shall be effective as of the date of approval of this Ordinance.

Section 3.

The City Clerk is instructed to send a copy of this Ordinance to the Dalton-Whitfield Zoning Administrator with a request to record this rezoning on the Official Zoning Map of Whitfield County, Georgia.

Section 4.

All ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Section 5.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared

unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this _____ day of _____, 2018.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Alderman _____, seconded by Alderman _____, and upon the question the vote is _____ ayes, _____ nays, and the Ordinance is adopted.

ATTEST:

CITY CLERK

MAYOR

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

CITY CLERK, CITY OF DALTON

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot No. 239 in the 12th District and 3rd Section of Whitfield County, Georgia, and being Part of Lot Nos. 204 through 227, inclusive, of Martin Heights Subdivision, as shown by plat of record in Plat Book 1, page 206 (Plat Cabinet A, Slide 51), in the office of the Clerk of the Superior Court of Whitfield County, Georgia, and being more particularly described according to plat dated August 6, 1998, prepared by Joseph R. Evans, Georgia Registered Land Surveyor No. 2168, for Octavio Perez, as follows:.

Beginning at an iron pin located on the easterly right-of-way line of Harris Street (50-foot right-of-way), 314.05 feet north of the point of intersection of said right-of-way with the westerly right-of-way of Third Avenue (50-foot right-of-way); thence northerly, along and with the easterly right-of-way of Harris Street the following courses and distances: north 04 degrees 52 minutes 54 seconds west 126 feet; north 01 degree 50 minutes 08 seconds east 73.82 feet; north 06 degrees 01 minute 57 seconds west 67.68 feet; north 14 degrees 20 minutes 30 seconds west 70.60 feet; north 23 degrees 33 minutes 56 seconds west 73.24 feet; north 23 degrees 37 minutes 31 seconds west 79.43 feet; north 10 degrees 12 minutes 24 seconds west 50.60 feet; north 02 degrees 17 minutes 05 seconds east 64.21 feet; and north 06 degrees 19 minutes 45 seconds east 43.78 feet to an iron pin; thence leaving said right-of-way and running south 88 degrees 29 minutes 55 seconds east 138.71 feet to an iron pin found; thence south 02 degrees 33 minutes 03 seconds east 195.78 feet to an iron pin; thence south 13 degrees 36 minutes 56 seconds east 148.93 feet to an iron pin; thence south 00 degrees 51 minutes 30 seconds east 290.41 feet to an iron pin; thence north 88 degrees 29 minutes 55 seconds west 73.73 feet to an iron pin and the point of beginning.