

ORDINANCE NO. 18-18

To Annex Property Of City Of Dalton Georgia Board Of Education Into The City of Dalton, Georgia, Pursuant To Chapter 36, Title 36 Of The Official Code Of Georgia Annotated; To Provide for an Effective Date; To Provide For the Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

WHEREAS, City of Dalton Georgia Board of Education, the owner of certain unincorporated real property in the County of Whitfield, has petitioned for annexation of the property into the city limits of the City of Dalton, Georgia;

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 area contiguous to the City of Dalton as described in Exhibit "A" (the "Property"), which is attached to and incorporated herein as a part of this Ordinance, is hereby annexed into the City of Dalton, Georgia and is made a part of said city. The zoning shall remain C-2.

Section 2.

This Ordinance shall be effective on the 1st day of January, 2019.

Section 3.

The City Clerk is instructed to send a report that includes certified copies of this Ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to census maps during the next survey and stating that the survey map will be completed and returned to the Census Bureau, Department of Community Affairs, and to the governing authority of Whitfield County, Georgia, within thirty (30) days after the effective date of the annexation as set forth above in Section 2.

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All ordinances and parts of ordinances in conflict with this Ordinance are repealed.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 December, 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 Councilmember _____, seconded by Councilmember _____, 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"

A certain tract or parcel of land lying and being in Land Lots 139 and 166 of the 12th District and 3rd Section of Whitfield County, Georgia, being Tract A and Tract B, Plat 7, containing 62.63 acres, and being more particularly described according to a plat of survey prepared for City of Dalton Georgia Board of Education by Kenneth M. Reynolds, Georgia Registered Land Surveyor No. 2627 dated November 15, 2017, and recorded in Plat Book E Page 1012, Whitfield County, Georgia Land Records, reference to which plat is hereby made and incorporated herein by reference.