

ANNEXATION APPLICATION

I HEREBY REQUEST THE MAYOR AND COUNCIL OF THE CITY OF DALTON ANNEX THE PROPERTY DESCRIBED BELOW IN THIS APPLICATION.

PLEASE LIST THE APPLICANT NAME REQUESTING ANNEXATION
APPLICANT NAME: Eric Mark Azua
APPLICANT ADDRESS: 1230 Frazier Dr
CITY, STATE & ZIP: Dalton GA 30721
TELEPHONE NUMBER: 706-280-9971
PROPOSED PROPERTY TO BE ANNEXED
(1) STREET ADDRESS OF PROPERTY TO BE ANNEXED: 1230 Frazier Dr.
(2) SUBDIVISION OF THE PROPERTY TO BE ANNEXED: NEW MLK
(3) LOT(S) NUMBER OF THE PROPERTY TO BE ANNEXED: Lot 22 on Survey
(4) FUTURE INTENDED USE OF THE PROPERTY TO BE ANNEXED: Residential R-3
· PROPOSED ZONING CLASSIFICATION Residential
• PROPOSED AMOUNT OF ACREAGE TO BE ANNEXED • 172
* TAX MAP NUMBER/PARCEL NUMBER 12-179-02-058
HOUSING UNITS
(1) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF REGISTERED VOTERS
(2) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF ADULTS OF VOTING AGE, IF DIFFERENT NUMBER THAN SHOWN IN NUMBER (1)
(3) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF ADULTS IN THE HOUSEHOLD.
(4) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF CHILDREN IN THE HOUSEHOLD.
(5) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF HOUSING UNITS.
(6) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, CAUCASIAN LATINO PLACE NUMBER OF RESIDENTS IN APPLICABLE BOX.
(7) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF PERSONS WHOSE PRIMARY LANGUAGE IS OTHER THAN ENGLISH.
mano
SIGNATURE OF APPLICANT(S) Evic & Morgavita Awa
DATE
With the Based

OWNERSHIP VERIFICATION

The undersigned is the / an owner of an interest in the lands described in the

my attorney in fact with full authority, my name, place, and stead, to apply for the

zoning amendment as set forth in the attached annexation contract.

(Owner's Name)

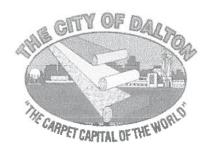
En'c

Morganita

Sworn to and subscribed Before me, this 3\$ day of November ,20 24

Notary Public

Page | 2



NOTICE TO ALL LANDOWNERS REGARDING ANNEXATION

If your request to annex your property into the City of Dalton is approved by Whitfield County, you will be charged a city property tax for the City of Dalton as well as a Public School tax. This will appear on your property tax bill that you receive from Whitfield County. The millage rate is 2.537 mils per at 100% of assessed property value.

Example: If your property is valued at \$100,000 - your assed value is 100% or $$100,000 \times 2.537$ mils, your Dalton City tax would be \$253.7 per year.

Should you have any questions, please contact the Whitfield County Tax Commissioners office at (706) 275-7510.

I have read the above statement and understand that if my property is annexed, I will be charged Dalton City tax.

SIGNED

Ania

Margarta Azva

Deed Doc: WD

Recorded 04/30/2019 02:06PM
Georgia Transfer Tax Paid: \$0.00

MELICA KENDRICK
Clerk Superior Court, WHITFIELD County, Ga.

Ek 06705 Pg 0315-0316

PRESON 11/2

AFTER RECORDING, RETURN TO: SUSAN W. BISSON SPONCLER & THARPE, LLC P. O. BOX 398 DALTON, GA 30722-0398 File No. 2019030278

STATE OF GEORGIA, WHITFIELD COUNTY.

WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

THIS INDENTURE, made the <u>30</u> day of April, 2019, between ERIC AZUA (hereinafter, whether singly or more than one, the "Grantor"), and ERIC AZUA and MARGARITA AZUA (hereinafter "Grantees").

WITNESSETH: That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof being hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantees as joint tenants with the right of survivorship, and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot No. 179 in the 12th District and 3rd Section of Whitfield County, Georgia, and being Lot No. 22 of Spence Subdivision, Phase 2, more particularly described according to a plat of survey of said subdivision prepared for Brian Spence by Mitchell Lowery, Georgia Registered Land Surveyor No. 3109, dated March 26, 2018 and recorded in Plat Cabinet E, Slide 1095, in the office of the Clerk of the Superior Court of Whitfield County, Georgia, which plat is incorporated herein by reference for a complete description, and subject to a drainage easement fifteen feet in width, the centerline of which is the north line of said Lot 22.

TOGETHER WITH all and singular the hereinabove described premises together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants with the right of

survivorship, and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID GRANTOR, and the legal representatives, successors and assigns of the Grantor will WARRANT and DEFEND all right, title and interest in and to the said premises and the quiet and peaceable possession thereof, unto the said Grantees, as hereinabove provided, against all acts and deeds of the said Grantor, against all acts and deeds of the Grantor, and of every person lawfully claiming thereunder.

SUBJECT, HOWEVER, to all easements, rights-of-way, covenants and restrictions which may lawfully affect the above-described property.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this Deed on the day and year first above written.

Eric Azua

(SEAL)

Signed, sealed and delivered

in the presence of:

Notary Public

SUSAN W BISSON
Notary Public - State of Georgia
Whitfield County
My Comm. Expires Dec. 5, 2020

Deed

Doc: WD

Recorded 04/23/2019 02:37PM Georgia Transfer Tax Paid: \$131.00

MELICA KENDRICK

Clerk Superior Court, WHITHELD County, Ga.

Bk 06704

Pg 0293-0294

Pre1001036

This space above this line is for recording purposes.

After recording, please return to: Susan W. Bisson Sponcler & Tharpe, LLC P. O. Box 398 Dalton, Georgia 30722-0398 File No. 2019030278

STATE OF GEORGIA,

WHITFIELD COUNTY.

LIMITED WARRANTY DEED

THIS INDENTURE, made the 23rd day of April, 2019, between RONALD J. JOHNS, LLC, a Georgia Limited Liability Company (hereinafter, whether singly or more than one, the "Grantor"), and ERIC AZUA (hereinafter, whether singly or more than one, the "Grantee"):

WITNESSETH

That in consideration of Ten Dollars (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor by these presents does hereby grant, bargain, sell, and convey unto the said Grantee the following described real property, together with the appurtenances thereto belonging, to-wit:

All that tract or parcel of land lying and being in Land Lot No. 179 in the 12th District and 3rd Section of Whitfield County, Georgia, and being Lot No. 22 of Spence Subdivision, Phase 2, more particularly described according to a plat of survey of said subdivision prepared for Brian Spence by Mitchell Lowery, Georgia Registered Land Surveyor No. 3109, dated March 26, 2018 and recorded in Plat Cabinet E, Slide 1095, in the office of the Clerk of the Superior Court of Whitfield County, Georgia, which plat is incorporated herein by reference for a complete description, and subject to a drainage easement fifteen feet in width, the centerline of which is the north line of said Lot 22.

TO HAVE AND TO HOLD, all and singular the above described premises, unto the said Grantee, and to the heirs, legal representatives, successors and assign of the said Grantee for ever, in fee simple.

AND THE SAID GRANTOR, and the heirs, legal representatives in and the said Grantor will WARRANT and DEFEND all right, title and interest in and to the heirs, legal representatives, successors and assigns of the Grantee, against all acts and deeds of the said Grantor.

SUBJECT, **HOWEVER**, to all easements, rights-of-way, covenants and restrictions which may lawfully affect the above-described property.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this Deed on the day and year first above written.

Signed, sealed and delivered	
in the presence of:	

nofficial Witness

RONALD J. JOHNS, LLC

RONALD J. JOHNS, MANAGER

Notary Public

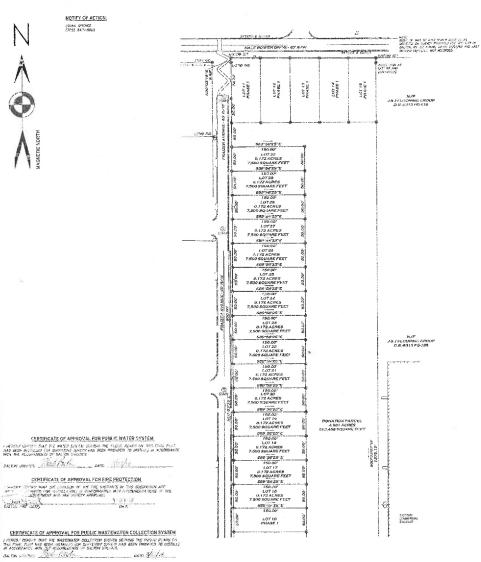
My Commission Expires:

[Notary Seal]

J. 75

SUSAN W BISSON Notary Public - State of Georgia Whitfield County My Comm. Expires Dec. 5, 2020 eFiled & eRecorded
DATE: \$77/2018
TIME: 251. PM
PLAT BOOK: 00000E
PAGE: 01095
RECORDING FEE: 8.00
PARTICIPANT ID: 752211597
CLEKK: Melica Kendrick
Whitfield County, GA FOR RECORDING USE ONLY

NOTIFY OF ACTION: (98AN SPENCE (703) 842~6965



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VICINITY MAP ZONING

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SURVEY NOTES

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IF YOU DIG GEORGIA...
CALL US FIRST!
!-800-282-7411
770-623-4344
(METRO ATLANTA DNLY)
DILLINES PROTECTION CENTER
IT'S THE LAW

226-JE W. The City Charles Lowery & Associates LAND SURVEYING, LLC

CERTIFICATE OF APPROVAL FOR PURI IC WATER SYSTEM

DALTON UTWO TE THAT PARTY DATE STOPE

CERTIFICATE OF APPROVAL FOR RECORDING THE METRIC COUNTY BUSINESS AND ADMINISTRATION THE CHARMAN CONTINUES THAT HE WAS CONTINUED TO THE CHARMAN CONTINUES THAT HE WAS CONTINUED TO THE METRIC COUNTY SHOULD BE ADMINISTRATION OF THE METRIC COUNTY SHOULD BE ADMINISTRATION FROM METRIC COUNTY SHOULD SHOULD BE ADMINISTRATION OF THE METRIC COUNTY SHOULD SH

> Subdivision Design Approved By Planning Commission 4/23/2018

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EHR. ACCURACY AND DESIGN CERTIFICATE
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MINOP SUBDIVISION OF: UNDEVELOPED LOTS WITHIN FRAZIER ACRES SUBDIVISION

STATE: GEORGIA COUNTY: WHITFIELD PREPARED FOR: SPENCE SUBDIVISION, PHASE 2

LUWERY & ASSOCIATES
LAND SURVEYING, LLC
317 GRASSDALE ROAD
CARTERSVILLE, OA 30121
77.0-334-8181
WWW.LOWERYLANDSURVEYS.COM
BEORGIA C.O.A.: LSF-001102

EXHIBIT "B"

4-1-5

Medium density single family residential (R-3.) This district is established to protect single-family detached dwellings, typically within a more urban atmosphere, including residential subdivisions, on smaller lots of not less than 7,500 square feet and which are served by public sewer or an approved central on-site sewage management system. All dwellings in this district shall contain not less than 1,000 square feet of heated floor area. There shall be no manufactured or mobile homes within this district, in order to maintain the traditional residential character of such districts. Only one dwelling unit per lot shall be allowed in this district.

Whitfield County Tax Parcel Information

Owner and Parcel Information

Parcel Number 12-179-02-058
Realkey 44519

GIS Map Map

Owner Name AZUA ERIC & MARGARITA

Owner Address 1230 FRAZIER

Owner Address 2

Owner Address 3

Owner City DALTON
Owner State GA
Owner Zip 30721

Latitude Longitude

Property Information

Class Agricultural
Strata Lot
Tax District County
Neighborhood NMLK

Legal Description 0.17A LL179-12 (LT22 E-1095)

Total Acres 0.17
Zoning See GIS Map

GMD\Map Number 081

Subdivision
Subdivision Phase

Subdivision Section 0004

Subdivision Block Subdivision Lot Comments:

Appeals Information

This parcel does not have any appeals

Parcel Address

Parcel House Number 0

Parcel Street Extension

Parcel Street Direction

Parcel Street Name FRAZIER

Parcel Street Units

Parcel Street Type AVE

Current Fair Market Value Information

 Previous
 0

 Current
 129070

 Land
 30000

 Residential Improvement
 99070

Commercial Improvement Accessory Improvement Conservation Use Value

Historical Fair Market Value Information

2018 0 0 0 0 0

Exemption Information

Homestead S0
Preferential Year
Conservation Use Year
Historical Year
Historical Val 0

EZ year
EZ Val 0

GIS Quickmap



For the current GIS map of this parcel, click on the Quickmap to launch the interactive map viewer

Tax Commissioner Information

Before making payment verify the amount due with the Tax Commissioner's office at 706-275-7510

Tax Bill Recipient Year AZUA ERIC & MARGARITA 2020 Legal Description Sale Date 0.17A LL179-12 (LT22 E-1095) 4/30/2019

William C Cason III Chief of Police

ccason@daltonga.gov www.daltonpd.com www.cityofdalton-ga.gov/police



Public Safety Commission

Bill Weaver Terry Mathis Anthony Walker Dr. Luis M. Viamonte Truman Whitfield

DALTON POLICE DEPARTMENT

301 Jones Street, Dalton, Georgia 30720 Phone: 706-278-9085 • Fax: 706-272-7905

Date: November 19, 2020

To: Chief Cliff Cason

From: Captain Jamie Johnson

RE: 1230 Frazier Dr. Parcel 12-179-02-058

Chief Cason:

I have reviewed the annexation request for 1230 Frazier Dr. Parcel Numbers 12-179-02-058. This property will have no bearing on the Dalton Police Department's law enforcement services in this area.

1. .

Sincerely,

Captain Jamie Johnson

DALTON FIRE DEPARTMENT

TODD PANGLE Fire Chief Telephone 706-278-7363 Fax 706-272-7107 tpangle@daltonga.gov 404 School Street Dalton, GA 30720



PUBLIC SAFETY COMMISSION

Bill Weaver
Dr. Luis Viamonte
Terry Mathis
Truman Whitfield
Anthony Walker

November 18, 2020

David Pennington, III Mayor, City of Dalton

Re:

Annexation proposal for parcel #12-179-02-058

1230 Frazier Dr.

Greetings,

A review of the proposed annexation listed above has been completed and we do not perceive a negative impact to the fire protection in the area as a result of such annexation approval.

There is sufficient water available in the area as well as meeting the proximity requirement of our ordinance to recommend acceptance of the proposal relative to fire protection at this time.

Thank you,

Todd Pangle Fire Chief

Dalton Fire Department



November 17, 2020

Mr. David Pennington, III Mayor, City of Dalton Post Office Box 1205 Dalton, Georgia 30722-1205

RE: Annexation Request for Eric Mark Azua – 1230 Frazier Drive (.172 acres)

Dear Mayor Pennington:

As requested in your November 10, 2020, memorandum, Dalton Utilities has reviewed the annexation request of Eric Mark Azua for 0.172 acres +/- located at 1230 Frazier Drive. This property is further described as parcel number 12-179-02-058 by the Whitfield County Tax Assessor's Office.

Dalton Utilities can provide water, wastewater, natural gas, telecommunications and electricity to this site from nearby existing utility infrastructure.

Please do not hesitate to contact me at (706) 529-1011 or <u>mbuckner@dutil.com</u> should any questions arise or if we may be of assistance.

Sincerely,

Mark Buckner, P.E.



MITCHELL & MITCHELL, P.C.

ATTORNEYS AT LAW ESTABLISHED 1924

TERRY L. MILLER G. GARGANDI VAUGHN WILLIAM J. KIMSEY W. CODY NEWSOME

108 S. THORNTON AVE. POST OFFICE BOX 668 DALTON, GEORGIA 30722-0668 TELEPHONE: (706) 278-2040 FACSIMILE: (706) 278-3040 www.mmfirmlaw.com

D. WRIGHT MITCHELL (1895 - 1970)DOUGLAS W. MITCHELL, JR. 1923 - 1984) NEIL WESTER (1944 - 2006)

November 12, 2020

Bernadette Chattam City Clerk

RE: Annexation application of: Eric Mark Azua Property address: 1230 Frazier Drive

Tax parcel No.: 12-179-02-058

Dear Clerk:
The Office of the City Attorney has reviewed the above-referenced application.
The application is hereby:
Approved
✓ Approved with stipulation
1.) Subject to co-owner Margarita Azua signing consent form/application.
Rejected
Notice by the City to Whitfield County pursuant to O.C.G.A. §36-36-6 is required.

Should you need any additional information or clarification of the stipulations please feel free to contact my office.

Sincerely,

MITCHELL & MITCHELL, P.C.

G. Gargandi Vaughn

City Attorney City of Dalton