



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:	Venture Partners of Dalton, LLC
APPLICANT ADDRESS:	130 Misty Meadows Lane
CITY, STATE & ZIP:	Ringgold, GA 30736
TELEPHONE NUMBER:	423-316-6200

PROPOSED PROPERTY TO BE ANNEXED

(1) STREET ADDRESS OF PROPERTY TO BE ANNEXED:	937 Market Street, Dalton, GA 30720
(2) SUBDIVISION OF THE PROPERTY TO BE ANNEXED:	n/a
(3) LOT(S) NUMBER OF THE PROPERTY TO BE ANNEXED:	n/a
(4) FUTURE INTENDED USE OF THE PROPERTY TO BE ANNEXED:	Commercial Development

• PROPOSED ZONING CLASSIFICATION	MU
• PROPOSED AMOUNT OF ACREAGE TO BE ANNEXED	0.53 Acres
• TAX MAP NUMBER/PARCEL NUMBER	12-261-33-000
• HOUSING UNITS	n/a

(1) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF REGISTERED VOTERS	<input type="text"/>
(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)	<input type="text"/>
(3) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF ADULTS IN THE HOUSEHOLD.	<input type="text"/>
(4) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF CHILDREN IN THE HOUSEHOLD.	<input type="text"/>
(5) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF HOUSING UNITS.	<input type="text"/>
(6) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, PLACE NUMBER OF RESIDENTS IN APPLICABLE BOX.	<input type="checkbox"/> CAUCASIAN <input type="checkbox"/> LATINO <input type="checkbox"/> AFRICAN AMERICAN <input type="checkbox"/> OTHER
(7) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS CONTRACT, LIST THE NUMBER OF PERSONS WHOSE PRIMARY LANGUAGE IS OTHER THAN ENGLISH.	<input type="text"/>

SIGNATURE OF APPLICANT(S)

DATE

10.09.20

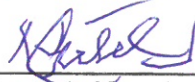
OWNERSHIP VERIFICATION

The undersigned is the / an owner of an interest in the lands described in the attached Annexation Contract, which proposes to amend the Official Zoning Map of Dalton, Georgia, and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

12-261-33-000

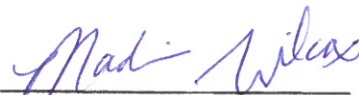
*Describe parcel or parcels and nature of interest
and percentage of interest*

I hereby appoint _____
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)

Sworn to and subscribed
Before me, this 9th day
of December, 2020.



Notary Public



(Seal)



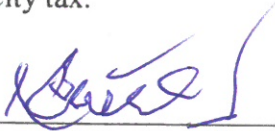
NOTICE TO ALL LANDOWNERS REGARDING ANNEXATION

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

10-09-20
DATE

EXHIBIT "B"

4-1-13

Mixed use (*MU*.) This transition district is established to provide for appropriate mixed use opportunities on parcels smaller than those required for the PUD district. Typically, such uses would include apartment or condominium style multi-family housing situated above compatible retail/service commercial or light manufacturing uses that are intended to serve such residents and the general public. However, the use(s) may also be entirely commercial or light manufacturing, creating more flexibility with respect to access, setbacks, etc., as shown on an approved site plan. To be considered for the MU district, a full and complete application for rezoning shall include a preliminary site plan. Establishing a MU district requires the implementation and adherence to the approved site plan as required by: 1) these regulations; 2) any other applicable regulations; or 3) any conditions resulting from the review process. Once submitted, if there are any material alterations to the site plan, the altered site plan shall be resubmitted.

Deed Doc: WD
Recorded 09/24/2018 01:42PM
Georgia Transfer Tax Paid : \$380.70
MELICA KENDRICK
Clerk Superior Court, WHITFIELD County, Ga.
Bk **06673** Pg **0179-0181**

Pre1002631

[Space above this line for recording data.]

Please Record and Return To:

✓ J. Tom Minor, IV
The Minor Firm
P.O. Box 2586
Dalton, GA 30722-2586

LIMITED WARRANTY DEED

THIS INDENTURE made this 21st day of September, 2018, between **937 Market Street LLC**, a Georgia limited liability company, Grantor, and **Venture Partners of Dalton, LLC**, a Georgia limited liability company, Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

THE GRANTOR, for and in consideration of the sum of ten dollars and other valuable considerations, in hand paid at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said Grantee all that tract or parcel of land as more particularly described in Exhibit "A" attached hereto, reference to which is hereby made and incorporated herein by reference.

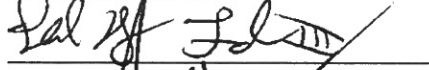
THIS CONVEYANCE is made subject to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, in Fee Simple, the said Grantor hereby covenanting that the above-described property is free and clear from any encumbrance done or suffered by Grantor. The said Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the lawful claims of all persons claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, this deed has been duly executed and sealed by Grantor the day and year first above written.

Signed, sealed and delivered

In the presence of:



Unofficial Witness

Notary Public

My commission expires

[Notary Seal]

File No. 20180686

937 Market Street LLC

By: 

(Seal)

Ashish Patel, Manager

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot No. 261 of the 12th District and 3rd Section of Whitfield County, Georgia, and being more particularly described by plat of survey by Whitfield Engineering Company dated September 28, 1989, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the tract of land herein described, commence at point located at the intersection of the east right of way line of Market Street and the south right of way line of Walnut Avenue; thence south 03 degrees 06 minutes 00 seconds west, along the east right of way line of Market Street a distance of 217.75 feet to a point; thence south 20 degrees 03 minutes 00 seconds west, along the east right of way line of Market Street a distance of 679.52 feet to the southeast terminus of the existing right of way of Market Street; thence south 20 degrees 03 minutes west, along the proposed east right of way line of Market Street a distance of 3.96 feet; thence along an arc with a radius of 65 feet a distance of 15.03 feet along the proposed east right of way of Market Street; thence south 02 degrees 53 minutes 45 seconds west, along the proposed east right of way line of Market Street a distance of 37.88 feet to a point which is the TRUE POINT OF BEGINNING of the tract of land herein described; from the TRUE POINT OF BEGINNING thus established, thence south 87 degrees 06 minutes 15 seconds east a distance of 165 feet to an iron pin; thence south 02 degrees 53 minutes 45 seconds west a distance of 140 feet to an iron pin; thence north 87 degrees 06 minutes 15 seconds west a distance of 165 feet to an iron pin on the proposed east right of way line of Market Street; thence north 02 degrees 53 minutes 45 seconds east a distance of 140 feet to an iron pin which is THE POINT OF BEGINNING.

TOGETHER WITH and subject to a non-exclusive perpetual easement 50 feet in width for the purpose of ingress and egress as well as for the placement of utility services above, upon and/or below the following described real estate, to-wit:

BEGINNING at the southeast terminus of Market Street, said point being located in a southerly direction, as measured along said right of way line, a distance of 897.27 feet from the point of intersection of said right of way line and the south right of way line of Walnut Avenue; thence south 20 degrees 03 minutes west a distance of 3.96 feet to a point; thence along an arc with a radius of 65 feet a distance of 15.03 feet to a point; thence south 02 degrees 53 minutes 45 seconds west a distance of 177.88 feet to an iron pin; thence north 87 degrees 06 minutes 15 seconds west a distance of 50 feet, more or less, to the property now or formerly owned by Cracker Barrel Old Country Store, Inc.; thence in a northerly direction along the eastern boundary of property now or formerly owned by Cracker Barrel Old Country Store, Inc. to the southwesterly terminus of the public right of way designated as Market Street; thence in an easterly direction along the southern terminus of the public right of way designated as Market Street to its southeasterly terminus and THE POINT OF BEGINNING.

For prior title, see Deed Book 6649 Page 672, Whitfield County, Georgia Land Records.

PUBLIC WORKS DEPARTMENT
P. ANDREW PARKER, P.E., DIRECTOR
aparker@daltonga.gov

535 N. Elm Street
P.O. Box 1205
Dalton, GA 30722-1205
Office: (706) 278-7077
FAX: (706) 278-1847

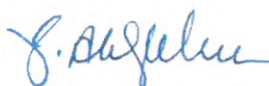


DAVID PENNINGTON, MAYOR

CITY COUNCIL MEMBERS
GARY CREWS
TYREE GOODLETT
ANNALEE HARLAN
DEREK WAUGH

M E M O R A N D U M

TO: David Pennington III, Mayor
Attn: Bernadette Chattam, City Clerk

FROM: P. Andrew Parker, P.E. 
Public Works Director

RE: Annexation Request
Venture Partners of Dalton LLC.
937 Market Street (former Dairy Queen site)
0.53 Acres
Parcel Number: 12-261-33-000
Zoning Classification: MU

DATE: December 10, 2020

Regarding the subject request, please be advised that the Public Works Department has no objections to the annexation of the above referenced parcel.

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

December 4, 2020

David Pennington, III
Mayor, City of Dalton

Re: Annexation proposal for parcel #12-261-33-000

Greetings,

At the present time there is **no** indication the proposed annexation of above listed property would render a reduction in the level of fire protection to this area by Dalton Fire Department.

The addition of any buildings, depending on the type of occupancy, would require fire suppression features. Depending on the size of building within the future development plans, as well as the type of occupancy, the need for additional hydrants required would be determined. Currently there is adequate water supply present.

Dalton Fire Department would not oppose annexation, in fact we encourage annexation, with the contingency for expansion of fire protection, and apparatus access measures relative to additional development of the property.

Thank you,

Todd Pangle
Fire Chief
Dalton Fire Department

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: December 03, 2020

To: Chief Cliff Cason

From: Captain Jamie Johnson

RE: 937 Market St. (Old Dairy Queen) Venture Partners of Dalton LLC.

Chief Cason:

I have reviewed the annexation request for 12-261-33-000. This property will have no bearing on the Dalton Police Department's law enforcement services in this area.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jamie Johnson".

Captain Jamie Johnson



December 5, 2020

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

**RE: Annexation Request for Venture Partners of Dalton, LLC – 937 Market Street
(.53 acres)**

Dear Mayor Pennington:

As requested in your December 3, 2020, memorandum, Dalton Utilities has reviewed the annexation request of Venture Partners of Dalton, LLC for 0.53 acres located at 937 Market Street. This property is further described as parcel number 12-261-33-000 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 mbuckner@dutil.com should any questions arise or if we may be of assistance.

Sincerely,

A handwritten signature in blue ink that reads "Mark Buckner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark Buckner, P.E.