

ORDINANCE NUMBER O-08- 055

AN ORDINANCE ALLOWING REZONING

It is hereby ordained by the City Council of Douglasville, Georgia as follows:

WHEREAS, Victor J. Harrison for CP Douglas Place I, LLC has duly filed an application for the rezoning of certain property located on Shady Lane from R-2 (Single Family Detached Residential District) to CG (General Commercial District) for approximately 33,882 sq. ft., located in Land Lot 162, District 2, Section 5, lying and being within the boundaries of Douglasville, Georgia, and

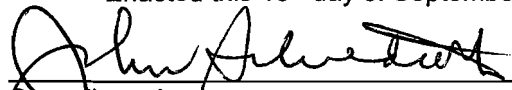
WHEREAS, the Douglasville Zoning Board duly considered and investigated said application, and held a public hearing thereon.

NOW, THEREFORE, it is hereby ordained that the aforementioned property described on the attached Exhibit A be duly rezoned from R-2 to CG. In addition to the requirements of CG zoning established by the City of Douglasville Zoning Ordinance, the following special conditions are imposed upon the property as additional conditions of rezoning:

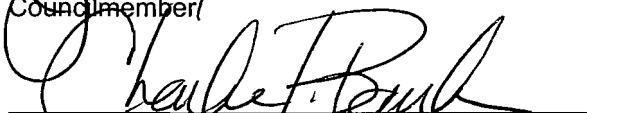
None.

It is hereby directed that the Official Zoning Map of the City of Douglasville be amended to reflect this rezoning.

Enacted this 15th day of September, 2008.



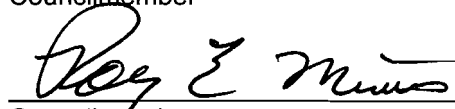
Councilmember



Councilmember

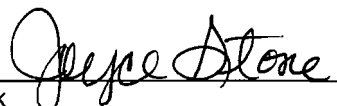


Councilmember




Councilmember

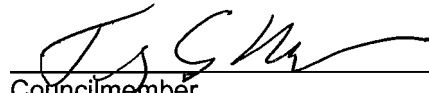
Attest:



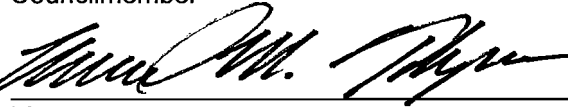
City Clerk



Councilmember



Councilmember

Councilmember


Mayor

Delivered to Mayor 9/15, 2008 City Clerk JS
Received from Mayor 9/16, 2008 City Clerk JS

2606 0537

SURVEY DESCRIPTION OF PROPERTY
TRACT 4A

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 162 OF THE 2nd DISTRICT, 5th SECTION, IN THE CITY OF DOUGLASVILLE, DOUGLAS COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING: COMMENCE AT AN IRON PIN FOUND (2" OPEN TOP PIPE) LOCATED AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY OF DOGWOOD HILLS DRIVE (VARIABLE RIGHT-OF-WAY) AND THE WESTERLY RIGHT-OF-WAY OF SHADY LANE (40' RIGHT-OF-WAY) AND PROCEEDING THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF SHADY LANE (40' RIGHT-OF-WAY) NORTH 08°35'54" WEST, A DISTANCE OF 162.43 FEET TO THE POINT OF BEGINNING:

FROM THE POINT OF BEGINNING THUS ESTABLISHED; DEPART SAID WESTERLY RIGHT-OF-WAY OF SHADY LANE (40' RIGHT-OF-WAY) SOUTH 77°26'00" WEST, A DISTANCE OF 205.66 FEET TO A POINT; THENCE NORTH 00°08'18" EAST FOR A DISTANCE OF 216.46 FEET TO A POINT; THENCE NORTH 89°34'24" EAST FOR A DISTANCE OF 199.80 FEET TO A POINT LOCATED ON THE WESTERLY RIGHT-OF-WAY OF SHADY LANE (40' RIGHT-OF-WAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF SHADY LANE (40' RIGHT-OF-WAY) SOUTH 00°08'11" EAST FOR A DISTANCE OF 173.20 FEET TO THE POINT OF BEGINNING, SAID TRACT OR PARCEL CONTAINING 0.89569 OF AN ACRE, OR 39,016 SQUARE FEET.

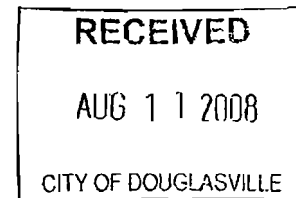
BEING THE SAME PROPERTY AS CONVEYED IN THAT CERTAIN WARRANTY DEED FROM MARGARET WALDROP BYRAM ALICE BYRAM AND ROGER SMITH, INDIVIDUALLY AND AS CO-EXECUTORS AND CO-TRUSTEES UNDER THE LAST WILL AND TESTAMENT OF N.D. BYRAM TO ANDREW LEVERETTE, JR. AND VIRGINIA C. LEVERETTE AS RECORDED IN DEED BOOK 576, PAGE 819, DOUGLAS COUNTY, GEORGIA, RECORDS.

WEL
A.S.

BK PG
2606 0538

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Taxes for the year 2007 and subsequent years which constitute a lien not yet due and payable. (NOTE: Taxes for the year 2006 were paid in the amount of \$123.23 for Map Reference #01620250004).
2. Easement to Level 3, LLC, dated February 3, 2000, recorded at Deed Book 1310, Page 211, aforesaid records. The easement does not restrict or interfere with the use of the buildings or improvements on the property and the buildings and improvements do not encroach upon the easement, as shown on the survey prepared by V.T. Hammond RPLS No. 2554, of Watts & Browning Engineers, dated July 2, 2007.
3. Easement to Plantation Pipeline Co. dated March 21, 1968 and recorded at Deed Book 94, Page 227, aforesaid records. The easement does not restrict or interfere with the use of the buildings or improvements on the property and the buildings and improvements do not encroach upon the easement, as shown on the survey prepared by V.T. Hammond RPLS No. 2554 of Watts & Browning Engineers, dated July 2, 2007.
4. Agreement with Plantation Pipeline Co., dated March 21, 1963 and, recorded at Deed Book 44, Page 365, aforesaid records. The easement does not restrict or interfere with the use of the buildings or improvements on the property and the buildings and improvements do not encroach upon the easement, as shown on the survey prepared by V.T. Hammond RPLS No. 2554 of Watts & Browning Engineers, dated July 2, 2007.
5. Easement to Plantation Pipeline Co. dated July 16, 1941, recorded at Deed Book 10, Page 213, aforesaid records. The easement does not restrict or interfere with the use of the buildings or improvements on the property and the buildings and improvements do not encroach upon the easement as shown on the survey prepared by V.T. Hammond RPLS No. 2554 of Watts & Browning Engineers, dated July 2, 2007.



RECORDED

AUG 24 2007

Cindy W. Chatlin, Clerk
Superior & State Court
Douglas County, GA