

ORDINANCE NO. 2025-01

AN ORDINANCE
OF
THE CITY OF CLEVELAND,
GEORGIA

TO ANNEX 27.19 ACRES, MORE OR LESS, LYING AND BEING IN LAND LOTS 41 and 56 OF THE 2ND LAND DISTRICT OF WHITE COUNTY, GEORGIA (PRESENTLY OWNED BY THE HEREIN-AFTER IDENTIFIED OWNER) INTO THE CITY OF CLEVELAND, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the authority granted to the City of Cleveland by O.C.G.A. Section 36-36-1, et seq., and the powers vested in the Mayor and Council of said City by its Charter and the Laws of the State of Georgia; and

UPON the acceptance of the application of 100 percent of the landowners made in writing and signed by said sole owners, Ray Black, et al, requesting that the hereinafter described property be annexed into the City of Cleveland, Georgia; and

UPON prior written notice to the White County Board of Commissioners dated February 19, 2025 (in accordance with the intergovernmental agreement dated July 1, 1998, between the City of Cleveland and White County, Georgia) said Board of Commissioners expressly approved said annexation into the City by unanimous action taken by the said Board of Commissioners at their meeting on February 24, 2025); and

UPON the vote of said Mayor and Council of the City of Cleveland, at the Regular meeting of said Mayor and Council held on March 10, 2025, made upon motion duly made and seconded, to accept said applicant's petition for annexation (all required public notice of said meeting having been duly given), which affirmative vote approved the annexation of the hereinafter described property;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cleveland, and it is hereby ordained by authority thereof:

THAT the 27.19 acres, more or less, tract hereinafter described is hereby annexed into the City of Cleveland, Georgia:

ALL THAT TRACT OR PARCEL OF LAND Tract "1" lying and being in Land Lots 41 and 56, 2nd District, White County, Georgia, and being parcel of land on a plat of survey dated August 27, 2024 prepared by ClarkCanaday, LLC, Georgia Registered Land Surveyor, being more particularly described as follows:

TRACT 1

COMMENCING AT A SET NAIL AT THE CENTERLINE INTERSECTION OF DONALD E. THURMOND PARKWAY AND HIGHWAY 75 (50' R/W), THENCE S 43°58'33" E FOR A DISTANCE OF 784.33' TO A FOUND 1/2" REBAR ON THE SOUTHWESTERLY RIGHT OF WAY SAID HIGHWAY 75, SAID POINT BEING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED;

THENCE FROM SAID POINT OF BEGINNING AND ALONG SAID SOUTHWESTERLY RIGHT OF WAY S 51°20'03" E A DISTANCE OF 65.16' TO A POINT;
THENCE LEAVING SAID RIGHT OF WAY S 16°17'37" W A DISTANCE OF 54.93' TO A FOUND 1/2" REBAR;

THENCE S 16°17'37" W A DISTANCE OF 208.77' TO A FOUND NAIL;
 THENCE S 53°07'13" E A DISTANCE OF 106.96' TO A FOUND 3/4" OPEN TOP PIPE;
 THENCE S 89°28'19" W A DISTANCE OF 126.50' TO A FOUND 1/2" REBAR;
 THENCE S 89°38'27" W A DISTANCE OF 292.89' TO A FOUND 2" OPEN TOP PIPE, SAID
 POINT HAVING STATE PLANE VALUE OF N:1665110.95, E:2420328.34, GA WEST ZONE;
 THENCE S 01°29'57" W A DISTANCE OF 1029.21' TO A FOUND 1/2" REBAR; THENCE S
 67°47'56" W A DISTANCE OF 154.23' TO A FOUND 1/2" REBAR; THENCE S 77°30'57" W A
 DISTANCE OF 83.48' TO A FOUND 1/2" REBAR;
 THENCE S 84°59'42" W A DISTANCE OF 100.01' TO A POINT ON THE NORTHEASTERLY
 RIGHT OF WAY OF UNDERWOOD FARM ROAD (40' R/W);
 THENCE ALONG SAID RIGHT OF WAY FOR THE FOLLOWING COURSES: N 64°09'41" W A
 DISTANCE OF 40.73' TO A POINT;
 THENCE N 64°41'06" W A DISTANCE OF 28.28' TO A POINT; THENCE N 66°25'44" W A
 DISTANCE OF 58.29' TO A POINT; THENCE N 68°46'21" W A DISTANCE OF 74.53' TO A
 POINT; THENCE N 69°50'38" W A DISTANCE OF 56.18' TO A POINT; THENCE N 72°20'00"
 W A DISTANCE OF 28.74' TO A POINT; THENCE N 69°56'40" W A DISTANCE OF 77.36' TO
 A POINT; THENCE N 68°13'35" W A DISTANCE OF 79.81' TO A POINT; THENCE N
 67°54'45" W A DISTANCE OF 58.84' TO A POINT; THENCE N 68°03'11" W A DISTANCE OF
 70.29' TO A POINT; THENCE N 69°02'17" W A DISTANCE OF 65.88' TO A POINT; THENCE
 N 72°30'25" W A DISTANCE OF 28.42' TO A POINT;
 THENCE LEAVING SAID RIGHT OF WAY N 03°28'30" E A DISTANCE OF 754.50' TO A POINT
 ON THE CENTERLINE OF A CREEK;
 THENCE ALONG SAID CENTERLINE OF CREEK FOR THE FOLLOWING COURSES:
 S 85°26'58" E A DISTANCE OF 18.20' TO A POINT;
 THENCE N 75°35'27" E A DISTANCE OF 24.20' TO A POINT;

THENCE N 29°38'18" E A DISTANCE OF 31.36' TO A POINT; THENCE N 51°57'24" E A
 DISTANCE OF 41.38' TO A POINT; THENCE N 62°24'44" E A DISTANCE OF 52.30' TO A
 POINT; THENCE N 56°16'28" E A DISTANCE OF 27.58' TO A POINT; THENCE N 85°16'24"
 E A DISTANCE OF 40.40' TO A POINT; THENCE N 60°33'31" E A DISTANCE OF 48.94' TO
 A POINT; THENCE N 38°52'59" E A DISTANCE OF 40.92' TO A POINT; THENCE N
 41°01'23" E A DISTANCE OF 48.39' TO A POINT; THENCE N 10°54'20" E A DISTANCE OF
 40.17' TO A POINT; THENCE N 49°09'57" E A DISTANCE OF 50.28' TO A POINT; THENCE
 N 67°56'26" E A DISTANCE OF 32.85' TO A POINT; THENCE N 89°01'10" E A DISTANCE
 OF 52.58' TO A POINT; THENCE N 41°30'31" E A DISTANCE OF 47.88' TO A POINT;
 THENCE N 87°28'42" E A DISTANCE OF 60.47' TO A POINT; THENCE S 81°42'32" E A
 DISTANCE OF 18.93' TO A POINT; THENCE N 69°02'39" E A DISTANCE OF 111.65' TO A
 POINT; THENCE N 31°27'53" E A DISTANCE OF 31.25' TO A POINT; THENCE N 56°51'54"
 E A DISTANCE OF 60.52' TO A POINT;
 THENCE LEAVING SAID CENTERLINE OF CREEK S 34°02'01" E A DISTANCE OF 48.71' TO A
 FOUND 5/8" REBAR;
 THENCE N 88°49'02" E A DISTANCE OF 517.19' TO A FOUND 1/2" REBAR; THENCE N
 16°44'47" E A DISTANCE OF 97.14' TO THE POINT OF BEGINNING.
 Subject to restrictions, reservations, easements and rights of way of record,
 if any.

Said tract containing 27.19 acres, more or less, and being all of
 designated and delineated on the Plat of Survey dated , prepared for E. Ray
 Black, et al, by Pat Canady, Registered Land Surveyor No. 3039,
 ClarkCanaday LLC, Gillsville, Georgia, recorded in Plat Book____, page
 _____, Office of Clerk, Superior Court, White County, Georgia. Reference
 is hereby made to said Plat of Survey and the record thereof for a more
 complete description of said property.

THAT said 27.19 acres-tracts abuts the present city limits of the City of Cleveland along said tract's Northeasterly boundary;

THAT the abutting property within the City of Cleveland which adjoins along said Southwesterly boundary of the above-referenced 27.19-acres tracts.

THAT no island of unincorporated property will be created by the desired annexation;

THAT in accordance with the application and petition hereinabove referenced, the above-described 27.19-acres tracts 1 shall be zoned with the existing parcels the PM-U, Planned Mixed-Use District as defined in Sections 64-3.1.8 and 64-8.3.1 of the Code of Ordinances of the City of Cleveland, and said parcel will be made subject to the provisions governing the use of lands within such Zoning District as set out in the applicable provisions of the Zoning Ordinance and the other applicable ordinances of the City of Cleveland;

THAT upon annexation, all customary and usual City services shall be provided by the City of Cleveland for the benefit of said property under the terms and conditions that are customary and usual to City property owners similarly situated, including, but not limited to, City utility services;

THAT all ordinances and part of ordinances in conflict with this ordinance are hereby repealed; and

THAT the effective date of this ordinance is the 1st day of April 1, 2025, at 12:01 o'clock A.M.

ORDAINED this 10th day of March 2025, by the Mayor and Council of the City of Cleveland.

City of Cleveland, acting by and through:

Approved this 10th day of March, 2025.

Josh Turner
Josh Turner Mayor

Jeremy McClure
Jeremy McClure Council Member
Ward 3

Nan Bowen
Nan Bowen Council Member
Ward 1

C.J. McDonald
C.J. McDonald Council Member
Ward 4

Annie Sutton
Annie Sutton Council Member
Ward 2
Mayor Pro Tem

ATTEST:
Lisa A. Ritchie
Lisa A. Ritchie City Clerk