

PASSED: December 6, 2004

AN ORDINANCE NO. 12-6-04 (1)

AN ORDINANCE TO ANNEX AND BRING WITHIN THE CORPORATE LIMITS OF THE TOWN OF MAYSVILLE, GEORGIA, ALL THOSE TRACTS OR PARCELS OF LAND OWNED BY SAM THURMOND, AND BEING IN THE AGGREGATE 85.74 ACRES, MORE OR LESS, AND LYING AND BEING IN 465<sup>th</sup> GMD OF JACKSON COUNTY, GEORGIA, AND AS DESCRIBED ON PLATS OF SURVEY ATTACHED TO THIS ANNEXATION ORDINANCE AND INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THE DESCRIPTION FOR THIS ANNEXATION ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Sam Thurmond is the owner of all those tracts or parcels of land lying and being in the 465<sup>th</sup> GMD of Banks County, Georgia, and as described on a survey attached to this annexation ordinance and incorporated herein by reference;

WHEREAS, said tract or parcel of land is contiguous to the existing corporate limits of the Town of Maysville, Georgia at this time;

WHEREAS, Sam Thurmond has submitted to the Town Council of Maysville, Georgia, a written and signed application for annexation showing that he is the owner of all of the land to be annexed; said application also providing a complete description of the lands to be annexed;

WHEREAS, in compliance with the provision of H.B. 489, O.C.G.A. §36-70-24, and the terms of that certain Agreement Relating to Land Use Plan Coordination and Dispute Resolution Processes, among, *inter alia* the City of Maysville and Banks County (the "Agreement"), the City of Maysville properly notified the Commission Chairman and Planning Director of Banks County of the application of Sam Thurmond, and received no objection to the annexation;

BE IT ORDAINED by the Town Council of Maysville, Georgia and it is hereby ordained by the authority of the Town Charter, as amended, Art. IX, § II, ¶ III of the Georgia Constitution of 1983, as amended, and O.C.G.A. §36-36-21, as amended, as follows:

**Section 1.            Recitals.**

All the foregoing recitals of this Ordinance are incorporated herein by reference and made a part of this Annexation Ordinance.

**Section 2.            Annexation.**

Pursuant to the authority of O.C.G.A. §36-36-1 *et. seq.*, and, in particular Article 2 thereof, the Town Council of Maysville, Georgia, being the governing authority of the Town of Maysville, Georgia, does hereby annex and include within the corporate limits of the Town of

Maysville, Georgia, all of the property described as all those tracts or parcels of land lying and being in the 465th GMD of Banks County, Georgia, as described on the plats of survey which are attached to this annexation ordinance, and which is annexed into the corporate limits of the City of Maysville, Georgia, by this Ordinance. The plats of survey of said tracts or parcels of land are attached hereto, and by reference hereof, is made a part of this Ordinance annexing all of the tract or parcel of land.

**Section 3.                    Zoning Classification.**

The zoning classification for the property shall be Residential (R-1), provided, that, if the property is used for residential dwelling subdivision purposes, the property shall be subject to the following conditions due, among other things, to the character of the surrounding neighborhood:

- a) Only stick-built homes with heated floor space of not less than 1,500 square feet each shall be erected as the primary dwelling on any lot; and
- b) The average lot size shall be not less than one (1) acre.

**Section 4.                    Effective Date.**

This Annexation shall be effective for all purposes other than ad valorem taxation on the later of the date hereof or the earliest date after the date hereof which is otherwise permitted by law. For ad valorem tax purposes, this annexation shall be effective as of the end of the day on December 31, 2004.

**Section 5.                    Certification by the Clerk.**

The Town Council hereby authorizes and directs the Town Clerk of Maysville, Georgia, to certify this Ordinance and its attachments, and have a certified copy of this Ordinance and its attachments filed with the Secretary of State of the State of Georgia and other appropriate authorities.

**Section 6.                    Repeal.**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of the conflict.

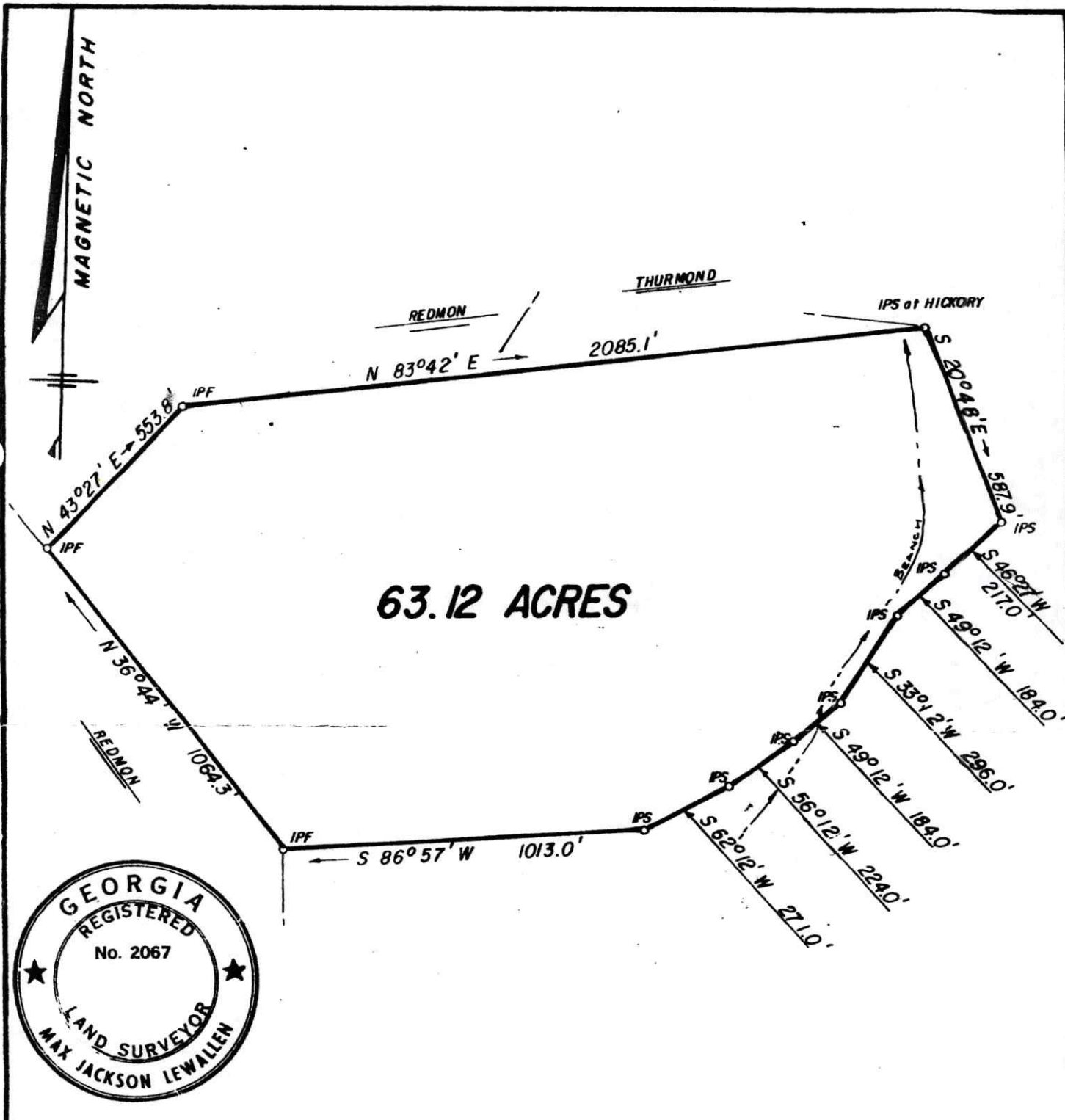
This 6th day of December, 2004.

**[SIGNATURES ON NEXT PAGE]**

MAYSVILLE TOWN COUNCIL

By: Richard Lesly  
Mayor

Attest: Lain W. Harper  
Town Clerk



63.12 ACRES



SURVEY FOR: <b>Estate of OTIS REDMON</b>			IPS = IRON PIN SET IPF = IRON PIN FOUND O/S = OFFSET LOCATION MAP 
COUNTY: BANKS	GMD: 465	STATE: GEORGIA	
DATE: 21 - FEB - 1979	SCALE: 1" = 400'	DR. BY: RNB	
SURVEYED BY: <b>MAX LEWALLEN</b> LICENSED ENGINEER & SURVEYOR RT. 3 CARNESVILLE 30521 PHONE: (HOMER) 677-3691		DR. NO: A-R-8	
		FIELD BOOK: 7-53	
I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.			

*Max Lewallen*

November 11, 2004

**BY HAND DELIVERY**

Honorable Richard Presley, Mayor and  
Town Council Members  
Town of Maysville  
PO Box 86  
Maysville, Georgia 30558

RE: Application for Annexation

Gentlemen:

Pursuant to O.C.G.A. Section 36-36-21, please accept this letter as the application of the undersigned, Sam Thurmond, as the sole owner of all of the property in question, and as applicant to have the Town of Maysville, Georgia annex the portion of the property shown on the attached tax map which is not already located in the Town. The property adjoins the existing city limits of the Town.

Thank you very much for your attention to this matter.

Sincerely,

  
\_\_\_\_\_  
Sam Thurmond

cc: Mr. Gary N. Freeman, Attorney for the Town of Maysville

