

PASSED: June 5, 2006

AN ORDINANCE NO. 2006-02

AN ORDINANCE TO ANNEX AND BRING WITHIN THE CORPORATE LIMITS OF THE TOWN OF MAYSVILLE, GEORGIA, ALL THAT TRACT OR PARCEL OF LAND OWNED BY WILLIE B. SEARS, AND BEING 9.803 ACRES, MORE OR LESS, AND LYING AND BEING IN 465th GMD OF BANKS COUNTY, GEORGIA, AND AS DESCRIBED ON A SURVEY ATTACHED TO THIS ANNEXATION ORDINANCE AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION FOR THIS ANNEXATION ORDINANCE; TO PROVIDE A ZONING CLASSIFICATION FOR THE PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, Willie B. Sears is the owner of all that tract or parcel 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, Willie B. Sears 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 Willie B. Sears, 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 that tract or parcel of land lying and being in the 465th GMD of Jackson County, Georgia, as described on a survey which is attached to this annexation ordinance, and which is annexed into the corporate limits of the City of Maysville, Georgia, by this Ordinance. The complete survey of said tract or parcel of land is 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 Agriculture (A), subject to the conditions attached hereto as **Exhibit "B"** and made a part hereof by reference.

**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 January 1, 2006.

**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 5<sup>th</sup> day of June, 2006.

TOWN OF MAYSVILLE

By Jerry Baker  
Jerry Baker, Mayor

Attest: Barbara Thomas  
Barbara Thomas, Clerk

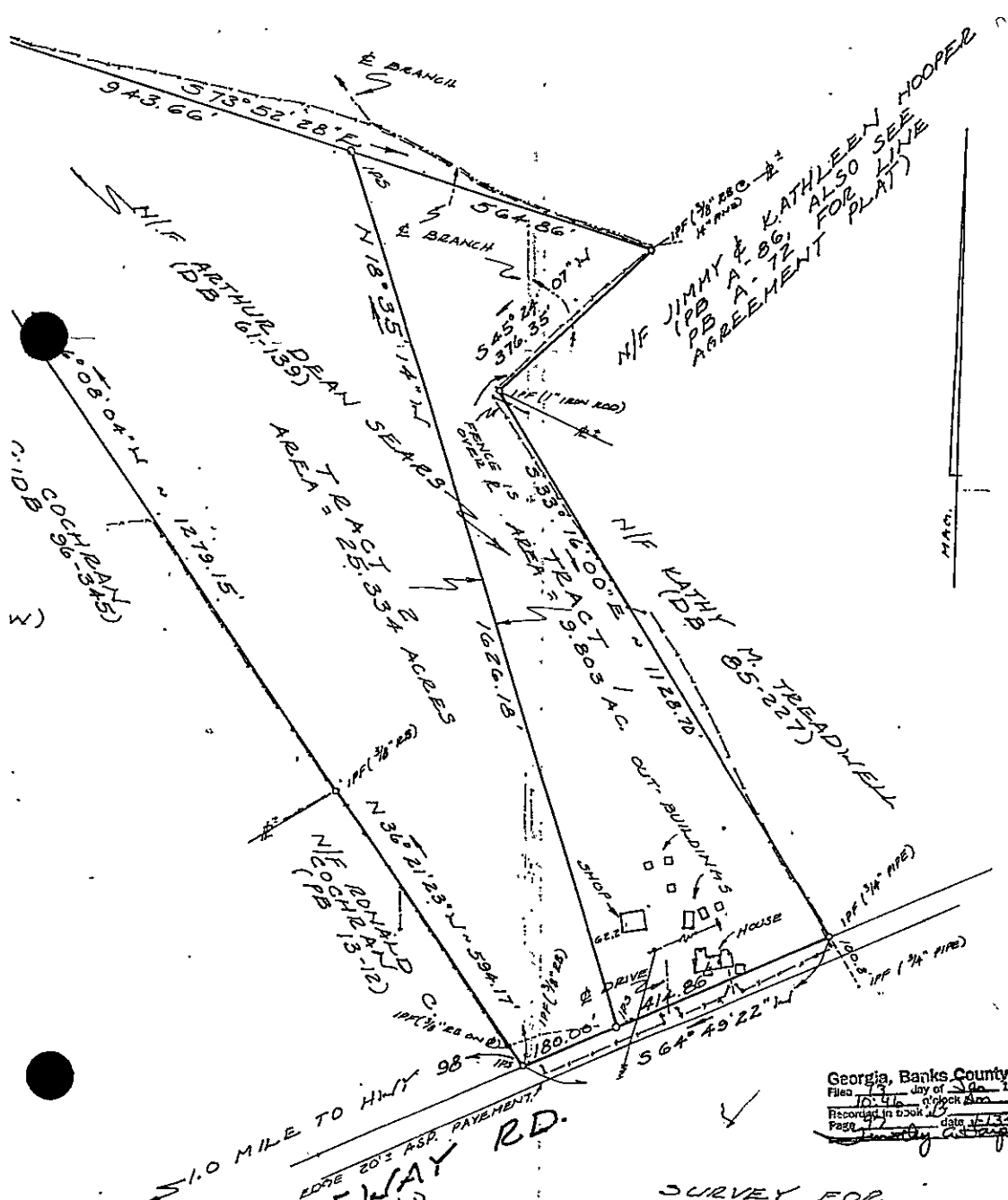
EXHIBIT "A"

NOTES

1. PROPERTY IS ZONED ABB
2. A STRIP OF LAND 10' WIDE ALONG THE "BIG" BRANCH IS IN THE CITY OF MAYSVILLE
3. ADDRESS OF PROPERTY IS: 85 RIDGEWAY RD. MAYSVILLE, GA. 30558
4. NOT ALL IMPROVEMENTS LOCATED.

N/F REDMON (DB W-171)

22.41  
E - 35.62  
S - 35.65



Georgia, Banks County  
 Filed 13 day of 10 1998  
 10:46 o'clock AM  
 Recorded in book 18  
 Page 17 date of 13 1998  
 Surveyor C. D. [Signature]

5.10 MILE TO HWY 98  
 RIDGEWAY RD.  
 (100' R/W)

SURVEY FOR  
 ARTHUR D., WILLIE B.  
 & SANDRA D. SEAR'S

## Exhibit "B"

The following shall be conditions to the zoning of the subject annexed property to Agricultural District (A):

1. The property may be used for any of the uses permitted under R-1.
2. The uses set out in Section 91 of the Ordinance shall not be permitted on the premises except as follows:
  - (a) Farm residences.
  - (b) Agricultural and forestry uses shall be limited as follows:
    - (i) commercial gardening and fruit and vegetable production shall be permitted; and
    - (ii) livestock raising shall be limited to small scale raising of yard chickens and other fowl such as guineas, ducks, geese and pea fowl together with the production and sale of product's therefrom (such as eggs) and non-commercial small livestock raising, all to be done in such a manner as to not produce odors, noise or other nuisances to neighboring properties.
  - (c) Customary and essential accessory buildings and uses including barns, storage shed, implement sheds, roadside stands for the sale of products produced on the property and the like.
  - (d) All signs shall be subject to the limitations for Home Occupations in the Zoning Ordinance of the Town, as amended from time to time.