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January 2, 2020

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

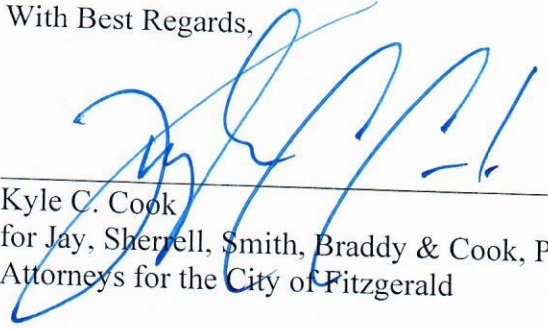
Mike Dinnerman,  
County Manager  
Ben Hill County, Georgia  
402 East Pine Street  
Fitzgerald, GA 31750

Re: Annexation to the City of Fitzgerald - Ordinance No. 19-1551

Dear Mike:

This letter serves as notification to the Board of Commissioners of Ben Hill County, Georgia, that the enclosed annexation ordinances have been enacted by the City of Fitzgerald, Georgia. Attached to said ordinances is a map which shows the property being annexed. Also enclosed is an Annexation Report Form providing required information pursuant to O.C.G.A. § 36-36-3.

With Best Regards,

  
\_\_\_\_\_  
Kyle C. Cook  
for Jay, Sherrell, Smith, Braddy & Cook, P.C.  
Attorneys for the City of Fitzgerald

Enc

This is to certify that this is a copy of an original document on file with the City of Fitzgerald City Clerk.

*Cristina Warr*

12-19-19

ORDINANCE NO. 19-1551



AN ORDINANCE TO AMEND THE CITY OF FITZGERALD ZONING DISTRICT MAP WITH RESPECT TO 3.05 ACRES, MORE OR LESS, IN FIVE ACRE TRACTS 1200 AND 1201 LAND LOT NUMBER 91, IN THE THIRD LAND DISTRICT OF BEN HILL COUNTY, GEORGIA, LOCATED AT 102 SADIE STREET, FITZGERALD, GA 31750, AND THE PUBLIC ROAD RIGHT OF WAY ADJACENT THERETO; TO ANNEX SAID PROPERTY TO THE EXISTING CORPORATE LIMITS OF THE CITY OF FITZGERALD, GEORGIA; TO REZONE SAID PROPERTY FROM G-B (COUNTY) TO G-B (CITY); TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the owner of the land hereinafter described has, by written and signed application, applied to the Mayor and Council of the City of Fitzgerald for said lands to be annexed to the existing corporate limits of the City of Fitzgerald, as provided by law, and particularly Georgia Laws 1963, page 119, as amended, and

WHEREAS, all requirements of law, including but not limited to the requirements of the Zoning Ordinance for the City of Fitzgerald, Georgia, with respect to a map amendment thereof have been complied with;



**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Fitzgerald, as follows:

**SECTION 1.** From and after the passage of this ordinance the following described lands are hereby annexed to and incorporated into the corporate limits of the City of Fitzgerald, to wit:

3.013 acres and being that certain portion of Five Acre Tracts Numbers 1200 and 1201 in Land Lot Number 91 in the Third Land District of Ben Hill County, Georgia, which lies North of the right-of-way of the Seaboard Coast Line Railroad Company and West of U.S. Highway 129 and being more particularly described as beginning at the Southeast corner of the intersection of Sadie Street and South Main Street Extension and thence North 89 degrees 28 minutes East 586.25 feet to the West right-of-way line of U.S. Highway 129; thence South 16 degrees 39 minutes East 21.60 feet along the West right-of-way line of said highway to the North right-of-way line of the Seaboard Coast Line Railroad Company; thence in a general Southwesterly direction along said railroad right-of-way line 689.11 feet to the East right-of-way line of South Main Street Extension; thence North 01 degree 30 minutes West 376.60 feet along the East right-of-way line of South Main Street Extension to the point of beginning.

**SECTION 2.** A complete survey of the above described property by a competent surveyor is attached to this ordinance and by reference is made a part of this ordinance and is of file in the office of the Clerk of the City of Fitzgerald.

**SECTION 3.** The City of Fitzgerald Zoning District Map is hereby amended to include the lands described in this ordinance, and said lands shall have the zoning classification of GB.

**SECTION 4.** This annexation ordinance shall become effective for ad valorem tax purposes on December 31 of the year during which such annexation occurred and for all other purposes shall become effective on the first day of the month following the month during which the requirements of Article 2 of O.C.G.A. Chapter 36-36 have been met, including the requirement that an identification of the property so annexed shall be filed with the Department

of Community Affairs and with the governing authority of Ben Hill County, Georgia, in accordance with O.C.G.A. § 36-36-3.

**SECTION 5.** In the event any provision or portion of this ordinance shall be unconstitutional or invalid, the remaining portion shall remain in full force and effect.

**SECTION 6.** Any portion of any ordinance in conflict with this ordinance is hereby repealed.

DATE OF FIRST READING: November 11, 2019

DATE OF SECOND READING: December 9, 2019

PASSED BY THE FOLLOWING VOTE:

"YES"	<u>8</u>
"NO"	<u>0</u>
"ABSTAIN"	<u>0</u>

APPROVED: \_\_\_\_\_

MAYOR

ATTEST: \_\_\_\_\_

CITY CLERK





City of Fitzgerald

Emily S. Ray  
F: Ben Hill/emily/view1

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F:Ben Hill/emily/view1