

**RESOLUTION**

**A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY TO OBJECT TO THE PROPOSED ANNEXATION OF APPROXIMATELY 17 ACRES OF LAND INTO THE CITY OF ATLANTA PURSUANT TO A PETITION FILED WITH THE CITY OF ATLANTA**

**WHEREAS**, the City of Atlanta sent notice dated May 25, 2022 to DeKalb County of its intent to consider an annexation petition (“annexation petition”) that would annex approximately 17 acres of land into the City of Atlanta, including properties located on Flat Shoals Road, Pine Trail, and the Collection at East Lake townhome community, via the sixty percent (60%) method;

**WHEREAS**, the County Attorney and the administration’s staff have reviewed the annexation petition, correspondence from the City of Atlanta, and the applicable state law governing annexations;

**WHEREAS**, O.C.G.A. § 36-36-113 allows counties to object to annexation petitions in certain circumstances;

**WHEREAS**, DeKalb County has determined that an objection to the annexation petition is necessary and warranted; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Authority:

1. The County Attorney is directed to deliver DeKalb County’s Objection to the annexation petition, in a substance approved by the Chief Operating Officer and in a form acceptable to the County Attorney, to the City of Atlanta;
2. The County Attorney is further directed to pursue arbitration of this issue in the manner provided by law and to provide periodic reports to the members of the Governing Authority on the matter; and
3. The Chief Executive Officer, or his designee, is authorized to execute all necessary documents.

June 17, 2022

**ADOPTED** by the DeKalb County Board of Commissioners, this \_\_\_\_ day of \_\_\_\_\_, 2022.

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**ROBERT J. PATRICK**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

**APPROVED** by the Chief Executive Officer of DeKalb County, this \_\_\_\_ day of \_\_\_\_\_, 2022.

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**MICHAEL L. THURMOND**  
Chief Executive Officer  
DeKalb County, Georgia

**ATTEST:**

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**BARBARA H. SANDERS-NORWOOD, CCC**  
Clerk to the Board of Commissioners and  
Chief Executive Officer  
DeKalb County, Georgia

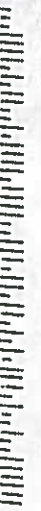
**APPROVED AS TO FORM:**

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**VIVIANE H. ERNSTES**  
County Attorney  
DeKalb County, Georgia

For

Office of the manager  
City of Atlanta  
55 Trinity Avenue S.W., Suite 2700  
Atlanta, Georgia 30303



7019 2970 0000 1602 4336

Mrs. Michael T. Howard, CEO  
DeKalb County  
1300 Commerce Drive  
6th Floor  
Decatur, GA 30030





**CITY OF ATLANTA  
OFFICE OF THE MUNICIPAL CLERK**

**FORIS WEBB, III  
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GA 30303  
(404) 330-6033  
FAX (404) 658-6103**

May 25, 2022

**VIA CERTIFIED MAIL RETURNED RECEIPT REQUESTED  
USPS Tracking No.: 7019 2970 0000 1602 4336**

**CEO'S Office**

**JUN 06 2022**

**Date Received**

Michael Thurmond, CEO  
DeKalb County  
1300 Commerce Dr., 6th Floor  
Decatur, GA 30030

**Re: Petition for Annexation by the 60% Method of the properties known as Pine Trail, Flat Shoals Road, S.E. and Lefferts Place, S.E.**

Dear Mr. Thurmond:

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of receipt by the City of Atlanta, Georgia ("City") of an annexation application, enclosed herein. A description of the boundaries of the proposed annexation area is included within the application, less and except that portion of the property that is currently in the City limits.

Pursuant to O.C.G.A. § 36-36-111, please see below the breakdown of the current DeKalb County Zonings for certain properties along with the corresponding analog City of Atlanta Zonings for same properties.

**Zoning and land use information for 2021 Flat Shoals Road SE.:**

DeKalb County	Zoning	C-1	Land Use	SUB
COA	Zoning	C-1	Land Use	Low Density Commercial

**Zoning and land use information for 2030 Flat Shoals Road SE.**

DeKalb County	Zoning	RSM	Land Use	SUB
COA	Zoning	MR-1	Land Use	Low Density Residential

The Honorable Michael Thurmond, CEO  
May 25, 2022  
Page Two

**Zoning and land use information for 2090 Flat Shoals Road SE.**

DeKalb County	Zoning	RSM	Land Use	SUB
COA	Zoning	MR-1	Land Use	Low Density Residential

**Zoning and land use information for 2118 Flat Shoals Road SE.**

DeKalb County	Zoning	R-75	Land Use	SUB
COA	Zoning	R-4	Land Use	Single Family Residential

**Zoning and land use information for 2124 Flat Shoals Road SE.**

DeKalb County	Zoning	RSM	Land Use	SUB
COA	Zoning	MR-1	Land Use	Low Density Residential

**Zoning and land use information for 1708 Pine Trial, 1730 Pine Trial and 1748 Pine Trial SE.**

DeKalb County	Zoning	R-75	Land Use	SUB
COA	Zoning	R-4	Land Use	Single Family Residential

**Zoning and land use information for 1030 Fayetteville Road SE.**

DeKalb County	Zoning	O-I	Land Use	SUB
COA	Zoning	O-I	Land Use	Office Institutional

**Zoning and land use information for Lefferts Place SE.**

DeKalb County	Zoning	RSM	Land Use	SUB
COA	Zoning	MR-1	Land Use	Low Density Residential

Pursuant to O.C.G.A. § 36-36-7 and O.C.G.A. § 36-36-9, the county governing authority must notify the Atlanta City Council within five business days of receipt of this notice if any county owned public facilities are located in the area proposed to be annexed. Any notice must be sent by certified mail or statutory overnight delivery, return receipt requested.

If the county governing authority has an objection pursuant to O.C.G.A § 36-36-113, in accordance with the land use objection and resolution process, it must be delivered to the Atlanta City Council by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of this notice.

The Honorable Michael Thurmond, CEO  
May 25, 2022  
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Thank you for your attention to this matter.

Sincerely,



Foris Webb, III  
Municipal Clerk  
City of Atlanta

FW/pcm  
Enclosure

CC: Atlanta City Council Members  
Nina Hickson, City Attorney,  
Odie Donald, Chief of Staff  
Kenyatta Mitchell, Intergovernmental Affairs Director, Office of the Mayor  
Keyetta Holmes, Director of Planning

Dekalb County

Vasanne S. Tinsley, Interim Superintendent DeKalb County Schools  
via e-mail at [vasanne\\_s\\_tinsley@dekalbschoolsga.org](mailto:vasanne_s_tinsley@dekalbschoolsga.org)  
Stacy Grear, GIS Director, DeKalb County, via email to [scgrear@dekalbcountyga.gov](mailto:scgrear@dekalbcountyga.gov)

Fulton County

Erica Long, Atlanta Public Schools via e-mail at [erica.long@atlanta.k12.ga.us](mailto:erica.long@atlanta.k12.ga.us)

Atlanta, Georgia 30316

2022 MAY 24 AM 10:06

May 20, 2022

City of Atlanta  
Annexation Division  
55 Trinity Avenue  
Atlanta, GA, 30303

**RE: ANNEXATION INTO THE CITY OF ATLANTA:**

**AREA OF ANNEXATION:** Pine Trail, SE, Flat Shoals Rd SE and Lefferts Place, SE-Atlanta, GA 30316

We the petitioners, residents of unincorporated Atlanta, in DeKalb County wish to be legitimized by the City of Atlanta and annexed formally. The above referenced roads consist of parcels (map attached) and are directly adjacent to the Atlanta City Limits. These addresses are currently in unincorporated Atlanta and seek annexation into the City of Atlanta as a matter of choice.

The above referenced parcel, as noted on the attached map, consists of Pine Trail, SE, Flat Shoals Road, SE and the townhome collection at the Gates of East Lake also known as the Collections at East Lake on Lefferts Place, Atlanta, GA 30316. and Brighton Village Annexation Parcel seeks annexation under the 60% method as outlined by O.G.C.A §36-36-32.

The attached map attached shows the boundaries of this area as well as a list of addresses, who wish to be admitted by annexation into Atlanta:

**THE BOUNDARIES OF THE PETITIONED PARCEL AS PER OUR MAP**

The boundary defined by the map created by the City of Atlanta's Planning Department is: The western border of this parcel starts at the corner of Fayetteville Rd and Flat Shoals Rd, which is already within the Atlanta City Limits and starts moving northward with the center of Fayetteville Rd being the western boundary. This area abuts the current city limits with the parcel at the Southeast corner of Pine Trail SE being the most northwesterly address in the parcel to be annexed. The northernmost boundary proceeds along both sides of Pine Trail SE, and Lefferts Place crossing Sugar Creek and Keystone Drive to include all of 2124 Flat Shoals Rd, SE, which will be the easternmost address of this parcel and form both the northeastern, eastern and southeastern lot of this parcel. The southern boundary of this parcel will always be the center of Flat Shoals Rd, SE as it travels from the city limits and include of all of 2124 Flat Shoals Rd, SE., at which point that entire lot will form the easternmost boundary of this parcel seeking annexation. This parcel consists of a few single-family homes zoned as R-75. They are on smaller lots that cannot be modified to allow for expansion. There is one property occupied by Chris 180 on Fayetteville Rd, that is zoned as O-1 which is a non-profit organization, with a sister building across the street already within the City of Atlanta. The Collection at East Lake,

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also known as the Gates of East Lake, is in development and includes a common HOA area at 2030 Flat Shoals Road, 2090 Flat Shoals Road, SE and 2124 Flat Shoals Road, SE Atlanta, GA, 30316 are zoned as RSM. The lot at 2021 Flat Shoals Road is zoned C-1

### **THE PROCESS AND OUR DUE DILIGENCE**

Annexation by the 60% method requires creation of a map, showing the map to each voting landowner, resident voter, or landowning non-voter, and demonstrating what parcels are to be annexed and getting their signature by petition. This process has been performed, as required by statute and City of Atlanta ordinance. The signatures were collected within one year and the area is attached for your review as well as the parcels seeking annexation.

Annexation under the 60% method is the greatest form of self-governance. In this method, these residents have had a well-informed opportunity to choose which municipality they prefer to be associated with. They have received the information and decided that they would like to be completely incorporated into the City of Atlanta's portion of DeKalb County. There are also no county facilities located within this parcel. This petition encompasses the desire of single-family homeowners, apartment dwellers, and landowners to join the City of Atlanta

We have a letter from O'Dwyer Homes, the builder of the Gates at East Atlanta and developer who expresses no objection to the annexation (See Attached Exhibit)

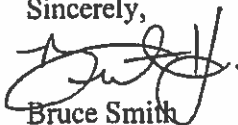
### **THE PETITIONERS' PRAY FOR ANNEXATION**

Lastly, this petition is not a rebuke of DeKalb County. We will continue to be great neighbors and residents of DeKalb County. We pray that the City of Atlanta would welcome us as homeowners, voters, residents and community members.

### **CLERICAL CORRECTIONS IF NECESSARY**

We do ask that if any page of our petition is not transmitted to either the City of Atlanta or to the DeKalb County Commissioner's Office, that we be notified as soon as possible to correct such error. We shall highlight the number of pages of the Spreadsheet of Addresses as well as Petitions for your convenience. (see Attached Exhibits).

Sincerely,



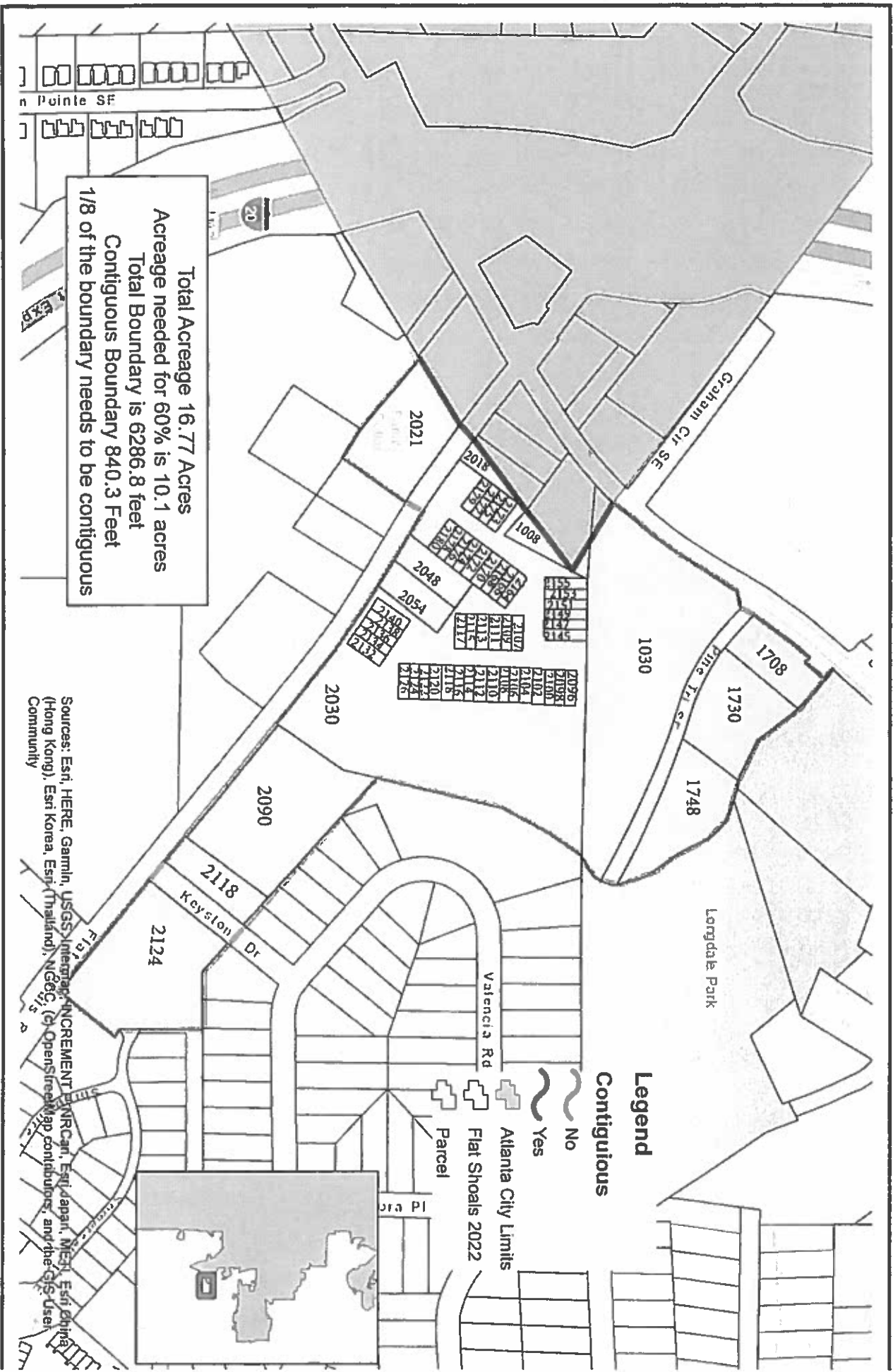
Bruce Smith  
404-615-2396



PARCELID	SITEADDRESS	OWNER/NAME1	OWNER/NAME2	ACREAGE	SIGNED
15 141 01 001	2124 Flat Shoals Road Atlanta, GA 30316	BILLIONAIRES CONSTRUCTION INC		2.09	YES
15 147 05 002	2048 Flat Shoals Road Atlanta, GA 30316	MENDHEIM SYNETRA		0.34	YES
15 148 02 037	2090 Flat Shoals Road Atlanta, GA 30316	VOFS VICTORIA TIC LLC	VOFS KG TIC LLC	2.2	YES
15 147 05 019	2179 Lefferts Place Atlanta, GA 30316	JOHNSON DARRON		0.06	YES
15 147 05 017	2178 Lefferts Place Atlanta, GA 30316	SMITH BRUCE MOORE JR		0.05	YES
15 147 05 020	2177 Lefferts Place Atlanta, GA 3036	KAIMACHIANDE, JETTA		0.05	YES
15 147 05 016	2176 Lefferts Place Atlanta, GA 30316	WEST, CHIQUETTA		0.05	YES
15 147 05 021	2175 Lefferts Place Atlanta, GA 30316	HOUSTON, DAVID		0.05	YES
15 147 05 022	2173 Lefferts Place Atlanta, GA 30316	PRESLEY, RENEE		0.06	YES
15 147 05 014	2172 Lefferts Place Atlanta, GA 30316	FORSTER, EVAN	NORRIS, DYLAN	0.07	YES
15 147 05 059	2170 Lefferts Place Atlanta, GA 30316	JOHNSON QUENTIN	JACKSON, COURTNEY	0.05	YES
15 147 04 058	2168 Lefferts Place Atlanta, GA 30316	VALLEJO EDUARDO	YOO RAN	0.05	YES
15 147 05 056	2164 Lefferts Place Atlanta, GA 30316	GREGORY, RUSSELL		0.06	YES
15 147 05 027	2147 Lefferts Place Atlanta, GA 30316	FLEATHER, NIKKO		0.06	YES
15 147 05 028	2145 Lefferts Place Atlanta, GA 30316	NEWKIRK, NAILAH		0.07	YES
15147 05 032	2102 Garden Place Atlanta, GA 30316	SOBERS, MAIA		0.06	YES
15 147 05 013	1030 Fayetteville Road Atlanta, GA 30316	CHRIS 180 SUPPORT ORGANIZATION INC		4.37	YES
15 148 02 026	1708 Pine Trail Atlanta, GA 30316	CHRIS 180 SUPPORT ORGANIZATION INC		0.62	YES
15 148 02 028	1730 Pine Trail Atlanta, GA 30316	CHRIS 180 SUPPORT ORGANIZATION INC		1.1	YES
15 148 02 029	1748 Pine Trail Atlanta, GA 30316	CHRIS 180 SUPPORT ORGANIZATION INC		1.01	YES
			<b>SIGNED ACREAGE</b>	<b>12.47</b>	

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Total Acreage 16.77 Acres  
 Acreage needed for 60% is 10.1 acres  
 Total Boundary is 6286.8 feet  
 Contiguous Boundary 840.3 Feet  
 1/8 of the boundary needs to be contiguous

**Legend**  
 Contiguous

- No
- Yes
- Atlanta City Limits
- Flat Shoals 2022
- Parcel

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGIS, (c) OpenStreetMap contributors, and the GIS User Community



Date: 8/17/2022  
 Requested By: [Name]  
 User Name: STHeisterman  
 Print Style: [Style]  
 Project: [Project Name]



Department of  
**CITY PLANNING**

THIS MAP IS PROVIDED AS A PUBLIC SERVICE. The City of Atlanta has no liability for any errors, omissions, or inaccuracies in the data or information contained herein. The City of Atlanta is not responsible for any damage or loss of any kind, including but not limited to, property damage, personal injury, or financial loss, arising from the use of this map or information. The City of Atlanta is not responsible for any damage or loss of any kind, including but not limited to, property damage, personal injury, or financial loss, arising from the use of this map or information. The City of Atlanta is not responsible for any damage or loss of any kind, including but not limited to, property damage, personal injury, or financial loss, arising from the use of this map or information.



January 31, 2022

City Council of the City of Atlanta  
Atlanta City Hall  
55 Trinity Ave SW,  
Atlanta, GA 30303

Dear City Council:

This letter for in response to the annexation request form Dekalb County to the City Atlanta for the Marshall Landing, Brighton Village, and surrounding properties. This annexation request included our new subdivision, Collections at East Lake, which is for the 46 lot townhome community at 2030 Flat Shoals Rd. We are the builder and partners with the developer, Gates at Flat Shoals LLC, for this community.

While we are unable to sign the annexation request due to potential disruption to our building efforts, we do not oppose the annexation request submitted to the City of Atlanta.

Sincerely,

Jordon Tench  
Land Development Manager  
O'Dwyer Properties, LLC



Changing Directions.  
Changing Lives.

1030 Fayetteville Road SE Atlanta, Georgia 30316 • Phone: 404-486-9034 Fax: 404-486-9053

December 30, 2021

Mayor's Office of Intergovernmental Affairs  
City of Atlanta

Re: Brighton Village/Marshall's Landing Annexation

I hereby am signing the attached petition as the authorized official for CHRIS 180 to join the Brighton Village-Marshalls Landing City of Atlanta Annexation. If there are any questions I may be reached at 404-457-4753 (cell) or 404-486-9034 (office).

Sincerely,

Kathy Colbenson, LMFT  
President & CEO  
CHRIS 180, Inc.

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CHRIS180.org



**LAND OWNER ONLY (own land within the area to be annexed)**

	<b>Name (Print)</b>	<b>Address (Print)</b>	<b>Signature</b>	<b>Date</b>
1		1030 Fayetteville Road, Atlanta, GA, 30316	<i>Kathy Colburn</i>	12/31/21
2		1708 Pine Trail, Atlanta, GA, 30316	<i>Kathy Colburn</i>	12/31/21
3		1730 Pine Trail, Atlant, GA, 30316	<i>Kathy Colburn</i>	12/31/21
4		1748 Pine Trail, Atlanta, GA, 30316	<i>Kathy Colburn</i>	12/31/21
5				

**VOTER ONLY (NON-LAND OWNER) (registered to vote in but do not own land within the area to be annexed)**

	<b>Name (Print)</b>	<b>Address (Print)</b>	<b>Signature</b>	<b>Date</b>
1				
2				
3				
4				
5				

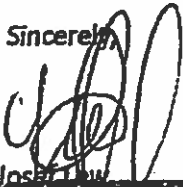
Josef Lew  
VOFS Victoria TIC LLC

MEMORANDUM

To: City of Atlanta, Mayors Office of Governmental Affairs  
From: Josef Lew  
Re: Brighton Village-Marshalls Landing Annexation  
Date: March 24, 2022

I hereby am signing the attached petition as the duly authorized agent for VOFS KG TIC LLC/VOFS Victoria TIC LLC, 4706 18<sup>th</sup> Ave, Brooklyn, NY 11204, registered agent address 632 Dogwood Trail, Tyrone, GA, 30260 to join the Brighton Village-Marshalls Landing Annexation. If there are any questions I may be reached at (404) 255-3297. We are seeking to annex the property at 2090 Flat Shoals Road consisting of 2.20 acres into the city of Atlanta.

Sincerely,




Josef Lew

Scanned with CamScanner

**City of Atlanta Annexation Petition Form**

**Landowner and Voter (registered to vote and own land within area to be annexed)**

Name (Print)	Address (Print)	Signature	Date
<b>Land Owner Only (own land with the area to be annexed)</b>			
Josef Lew	2090 Flat Shoals Rd, Atlanta, GA, 30316		3/24/2022
<b>Voter Only (registered to vote in but do not own land within area to be annexed)</b>			

Fahnmusah Lotallah  
Billionaire Construction  
34 Peachtree St.  
Atlanta GA 30303  
404-643-4606

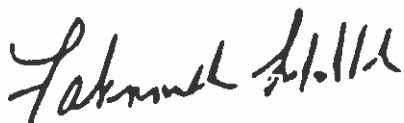
Memorandum:

To: City of Atlanta, Mayor's Office of Intergovernmental Affairs  
From: Fahnmusha Lotallah  
Re: Brighton Village/Marshall's Landing Annexation  
Date: February 22, 2022

I hereby am signing the attached petition as the authorized official for Billionaires Construction Inc. to join the Brighton Village-Marshalls Landing Annexation. If there are any questions I may be reached at (678) 861-4061. We are seeking to annex in the property at 2124 Flat Shoals Road consisting of 2.09 acres into the City of Atlanta.

Sincerely,

Fahnmusah Lotallah



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**LAND OWNER ONLY (own land within the area to be annexed)**

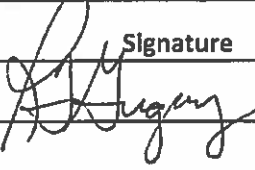
	<b>Name (Print)</b>	<b>Address (Print)</b>	<b>Signature</b>	<b>Date</b>
1	Fahmusah Lotallah	2124 Flat Shoals Road	<i>Fahmusah Lotallah</i>	2-22-22
2				
3				
4				
5				

**VOTER ONLY (NON-LAND OWNER) (registered to vote in but do not own land within the area to be annexed)**




	<b>Name (Print)</b>	<b>Address (Print)</b>	<b>Signature</b>	<b>Date</b>
1				
2				
3				
4				
5				

**City of Atlanta Annexation Petition Form**

**Landowner and Voter (registered to vote and own land within area to be annexed)**

Name (Print)	Address (Print)	Signature	Date
Russell Gregory	2164 Lefferts Place Atlanta, GA 30314		5-1-2022

**Land Owner Only (own Land with the area to be annexed)**

Maia Sobers	2102 Garden #1 30316		5-2-22
Renee Presley	2173 Lefferts Place 30316		5-2-22
Mikko Fletcher	2147 Lefferts Place 30316		5/4/22
Nailah E. Newkirk	2145 Lefferts Place 30316	Nailah E. Newkirk	5/4/22



**Voter Only (registered to vote in but do not own land within area to be annexed)**


City of Atlanta Annexation Petition Form

Landowner and Voter (registered to vote and own land within area to be annexed)

Name (Print)	Address (Print)	Signature	Date

Land Owner Only (own Land with the area to be annexed)

Eduardo Vallejo	2168 Lefferts Pl, Atlanta 30316		3/28/2022
Ran Yoo	2168 Lefferts Pl, Atlanta 30316		3/28/2022

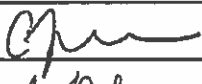

Voter Only (registered to vote in but do not own land within area to be annexed)


City of Atlanta Annexation Petition Form

Landowner and Voter (registered to vote and own land within area to be annexed)

Name (Print)	Address (Print)	Signature	Date

Land Owner Only (own Land with the area to be annexed)

Courtney Jackson	2170 Lefferts Pl Atlanta 30316		3/25/22
QUENTIN JOHNSON	2170 LEFFERTS PL SE ATLANTA, GA 30316	Quentin Johnson	3/24/22
Darron Johnson	2179 LEFFERTS PL		3/27/22

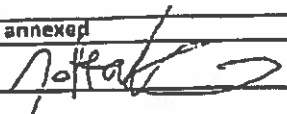
Voter Only (registered to vote in but do not own land within area to be annexed)


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**City of Atlanta Annexation Petition Form**

Landowner and Voter (registered to vote and own land within area to be annexed)			
Name (Print)	Address (Print)	Signature	Date
Chiquetta West	2176 Lefferts Pl, Atl. 30316	<i>[Signature]</i>	11/28/21
Bruce Smith Jr.	2178 Lefferts Pl <sup>Att</sup> 30316	<i>[Signature]</i>	12/19/21
EVAN Forster	2172 Lefferts Place 30316	<i>[Signature]</i>	3/6/2022
Land Owner Only (own Land with the area to be annexed)			
<del>19</del> <i>[Signature]</i> <del>1272</del> <sup>Dorian Norris</sup>	<del>1272</del> Lefferts Pl	<i>[Signature]</i>	11/28/21
Bruce Smith Jr.	2175 Lefferts Pl <sup>Att</sup> 30316	<i>[Signature]</i>	12/19/21
David Houston	2175 Lefferts Pl	<i>[Signature]</i>	3/23/22
Voter Only (registered to vote in but do not own land within area to be annexed)			

**City of Atlanta Annexation Petition Form**

Landowner and Voter (registered to vote and own land within area to be annexed)			
Name (Print)	Address (Print)	Signature	Date
Land Owner Only (own Land with the area to be annexed)			
Netta Kaimachiende	2177 Lefferts Place		6/13/22
Voter Only (registered to vote in but do not own land within area to be annexed)			

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**City of Atlanta Annexation Petition Form**

**Landowner and Voter (registered to vote and own land within area to be annexed)**

Name (Print)	Address (Print)	Signature	Date

**Land Owner Only (own Land with the area to be annexed)**

Synetra Mendheim	2048 Flat Shoals Rd SE	<i>Synetra Mendheim</i>	2/12/22

**Voter Only (registered to vote in but do not own land within area to be annexed)**

Cobi Lynn	2110 Flat Shoals Rd Atlanta	<i>Cobi Lynn</i>	2-12-2022
Alavieri Cynth	2100 Flat Shoals RR4H P12	<i>Alavieri Cynth</i>	2-12-22
Sharmeen Hyppert	2110 Flat Shoals Rd #23	<i>S Hyppert</i>	2-12-22
Belinda Jones	2110 Flat Shoals Rd SE # B-9	<i>B. Jones</i>	2-12-22