

Box S.W., Suite 2700
Ga 30303

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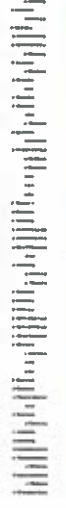
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First class

RETURN RECEIPT
REQUESTED

Mr. Michael Sturmond, CEO
DeKalb County
1300 Commerce Dr.
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**

February 1, 2021

**VIA CERTIFIED MAIL RETURNED RECEIPT REQUESTED
USPS Tracking No.: 7020 1290 0001 0986 5044**

CEO'S Office

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

MAR 01 2021

Date Received

Re: Application for annexation by 100% of the property known as
1078 Moreland Avenue, 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 note that the current DeKalb County Zoning is RSM; DeKalb County Land Use TN (Traditional Neighborhood). The analog City of Atlanta Zoning is MR-1; City of Atlanta Land Use is 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
February 1, 2021
Page Two

Thank you for your attention to this matter.

Sincerely,

Handwritten signature of Foris Webb, III, P.A.

Foris Webb, III
Municipal Clerk
City of Atlanta

FW/pcm
Enclosure

CC: Atlanta City Council Members
Nina Hickson, City Attorney
Carmen Chubb, Chief of Staff
Charletta Jacks Intergovernmental Affairs Director, Office of the Mayor
Gabrielle Sanders, Legislative Analyst, Office of the Mayor
Keyetta Holmes, Director of Planning

Dekalb County

Cheryl Watson-Harris, Superintendent DeKalb County Schools
Stacy Grear, GIS Director, DeKalb County, via email to scgrear@dekalbcountyga.gov

Fulton County

Erica Long, Atlanta Public Schools via e-mail at erica.long@atlanta.k12.ga.us



2021 JAN 27 PM 1:08

January 14, 2021

Henry A. Bailey, Jr.
404-504-5446
hbailey@mmmlaw.com
www.mmmlaw.com

VIA EMAIL TO: (FWEBB@ATLANTAGA.GOV)

Atlanta City Council
Office of Municipal Clerk
55 Trinity Avenue, SW
Suite 2700
Atlanta, Georgia 30303
Attn: Foris Webb

RE: Annexation request for the property located at 1078 Moreland Avenue.

Dear Mr. Webb:

Please accept this letter as a formal request to annex the property shown on the enclosed survey and city limits map that is located in unincorporated DeKalb County into the City of Atlanta being known as Parcel ID Numbers 15-145-15-054 & 15-145-15-099. It is requested that the annexation proceed concurrently with a rezoning request to rezone the annexed property to MR-3 along with the portion of the property located in the City of Atlanta at the Moreland Avenue frontage. The annexation is being proposed as the 100% method as you'll see by the enclosed original petition signed by the property owner. Following annexation and rezoning, the property will be redeveloped together as one project in the City of Atlanta.

Please contact me at the information listed herein if you require any additional information or have any questions.

Sincerely,

Henry A. Bailey, Jr.

cc: Natalyn Archibong (via email @ narchibong@Atlantaga.gov)
Patricia Marshall (via email @ pcmarshall@atlantaga.gov)
Keyetta Holmes (via email @ kmholmes@atlantaga.gov)

PETITION REQUESTING ANNEXATION
100 PERCENT METHOD OF ANNEXATION

January 14, ~~2020~~²⁰²¹
(Date of Submission)

To the Mayor and City Council of the City of Atlanta, Georgia.

1. We, the undersigned, representing all of the owner(s) of all real property of the territory described herein respectfully request that the City Council of the City of Atlanta, Georgia, annex this territory to the City of Atlanta, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.

2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of the City of Atlanta, Georgia, and the description of such territory is as follows:

SEE ATTACHED BOUNDARY DESCRIPTIONS, INCORPORATED HEREIN BY REFERENCE

3. We request the property be zoned to the MR-3 zoning classification which is the City of Atlanta zoning classification similar to that of our current Residential Small Family classification in DeKalb County and that the comprehensive land use plan designation for all of the property be designated as Medium Density Residential.

4. Please contact our legal counsel, Carl Westmoreland and Henry Bailey of Morris Manning & Martin, LLP at (404) 233-7000 if you are in need of further information or have any questions concerning this petition.

Sincerely,

LANDOWNER ONLY:

By: Ahmed Hussain

Name: Ahmed Hussain

Title: Managing member, Stony Creek
Developments, LLC.

LEGAL DESCRIPTION

As-surveyed Description – Moreland Avenue Tract

A parcel of land lying in Land Lot 145 of the 15th district of Dekalb County and being more particularly described as follows:

Beginning at a 1" open top pipe lying on the the easterly right-of-way of Moreland Avenue (variable right-of-way) and being the southwest corner of Stonybrook Park (as recorded in Plat Book 13, Page 53 of the Dekalb County Clerk of Courts Office), thence leaving said right-of-way run South 88 Degrees 42 Minutes 40 Seconds East for a distance of 1,523.10 feet to set 5/8" capped rebar (L.S.F. 1322) lying on the westerly right-of-way of Shadowridge Drive (60' public right-of-way), said point also lying on the southerly line of Lot 13 of Eastwood Subdivision (as recorded in Plat Book 20, Page 30 of the Dekalb County Clerk of Courts Office); thence run South 00 Degrees 45 minutes 41 Seconds West along said right-of-way for a distance of 294.82 feet to a found capped rebar (RLS #2554) being the northeast corner of Sky Haven Heights Subdivision (as recorded in Plat Book 139, Page 3 of the Dekalb County Clerk of Courts Office); thence run North 89 Degrees 52 Minutes 47 Seconds West for a distance of 1,330.16 feet to a set 5/8" capped rebar (L.S.F. 1322) said point being the northerly corner common to lots 1 and 7 of Anglin Park Subdivision (as recorded in Plat Book 11, Page 143 of the Dekalb County Clerk of Courts Office); thence run South 00 Degrees 56 Minutes 27 Seconds West along said common line for a distance of 37.80 feet to a found 1/2" rebar being the easterly corner common to lots 1 and 2 of the aforementioned subdivision; thence run North 89 Degrees 31 Minutes 03 Seconds West along said common line for a distance of 193.98 feet to a set 5/8" capped rebar (L.S.F. 1322) being the westerly corner common to lots 1 and 2 of the aforementioned subdivision and lying on the easterly right-of-way of Moreland Avenue; thence run North 00 Degrees 56 Minutes 27 Seconds East along said right-of-way for a distance of 49.95 feet to a set 5/8" capped rebar (L.S.F. 1322); thence run North 88 Degrees 50 Minutes 33 Seconds East along said right-of-way for a distance of 16.00 feet to a set 5/8" capped rebar (L.S.F. 1322); thence run North 00 Degrees 56 Minutes 27 Seconds East along said right-of-way for a distance of 128.00 feet to a set 5/8" capped rebar (L.S.F. 1322); thence run South 88 Degrees 59 Minutes 33 Seconds West along said right-of-way for a distance of 16.00 feet to a set 5/8" capped rebar (L.S.F. 1322), said point being witnessed by a found 1/2" rebar being 0.30 feet on line along the previously mentioned call; thence run North 00 Degrees 56 Minutes 27 Seconds East along said right-of-way for a distance of 184.48 feet to the POINT OF BEGINNING.

Said parcel being 478,015 square feet, or 10 974 acres.



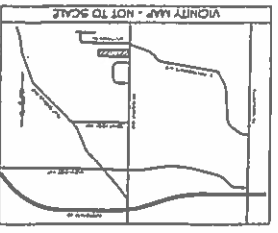
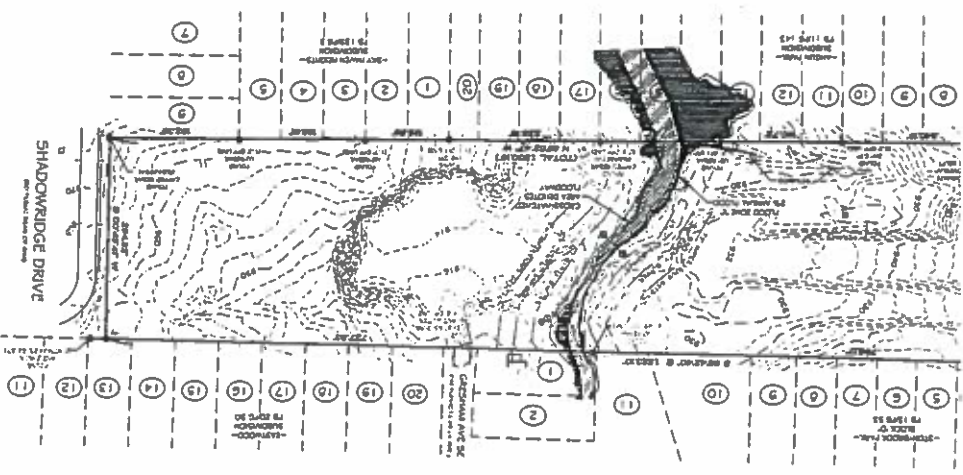
PRELIMINARY
 OF RECORD
 DATE: 11/15/2013
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT # 2013A

TRACT CONTAINS
 11.021 ACRES

RESERVATION
 1. 5' EASEMENT
 2. 10' EASEMENT
 3. 15' EASEMENT
 4. 20' EASEMENT
 5. 25' EASEMENT
 6. 30' EASEMENT
 7. 35' EASEMENT
 8. 40' EASEMENT
 9. 45' EASEMENT
 10. 50' EASEMENT
 11. 55' EASEMENT
 12. 60' EASEMENT
 13. 65' EASEMENT
 14. 70' EASEMENT
 15. 75' EASEMENT
 16. 80' EASEMENT
 17. 85' EASEMENT
 18. 90' EASEMENT
 19. 95' EASEMENT
 20. 100' EASEMENT

GENERAL NOTES:

1. The boundaries shown on this map are based on the survey data provided to the Surveyor.
2. The Surveyor has not conducted a physical inspection of the site and is not responsible for any errors or omissions.
3. The Surveyor is not responsible for any existing or future easements, encroachments, or other interests in the property.
4. The Surveyor is not responsible for any existing or future zoning, building, or other regulations.
5. The Surveyor is not responsible for any existing or future taxes, liens, or other encumbrances.
6. The Surveyor is not responsible for any existing or future utility lines, easements, or other infrastructure.
7. The Surveyor is not responsible for any existing or future environmental, historical, or cultural resources.
8. The Surveyor is not responsible for any existing or future natural resources, including wetlands, streams, or other features.
9. The Surveyor is not responsible for any existing or future mineral, oil, gas, or other subsurface resources.
10. The Surveyor is not responsible for any existing or future public works, including roads, bridges, or other infrastructure.
11. The Surveyor is not responsible for any existing or future utility easements, including power, gas, or other lines.
12. The Surveyor is not responsible for any existing or future easements, including access, utility, or other rights.
13. The Surveyor is not responsible for any existing or future encroachments, including structures, fences, or other improvements.
14. The Surveyor is not responsible for any existing or future boundary disputes, including adjacent property owners.
15. The Surveyor is not responsible for any existing or future survey errors, including mistakes in measurements or calculations.
16. The Surveyor is not responsible for any existing or future title issues, including ownership, liens, or other claims.
17. The Surveyor is not responsible for any existing or future legal actions, including lawsuits, judgments, or other proceedings.
18. The Surveyor is not responsible for any existing or future changes in law, including statutes, regulations, or court decisions.
19. The Surveyor is not responsible for any existing or future changes in facts, including new discoveries or information.
20. The Surveyor is not responsible for any existing or future changes in circumstances, including changes in ownership or use.



AS ALLIANCE
LAND SURVEYING
 L.S.# 1322
 6008 ATLANTA HWY, STE. 100
 TUCKER, GA 30084
 TEL: 770-271-7100 / WWW.ASALLIANCE.COM

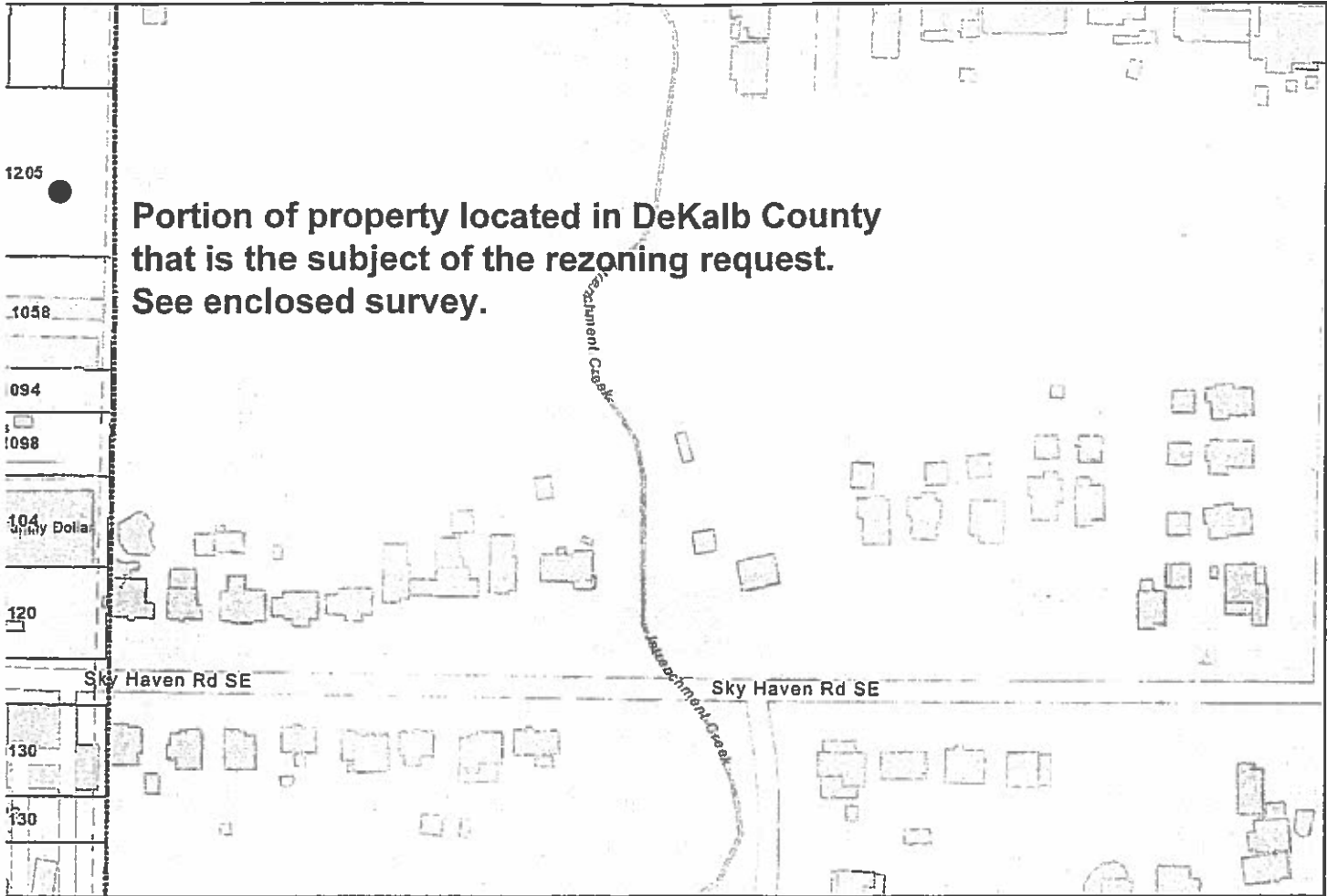
LOCATED IN:
 LAND LOT 145
 15TH DISTRICT
 DEKALB COUNTY, GEORGIA

BOUNDARY/TOPOGRAPHIC SURVEY
MORELAND AVENUE TRACT
 FOR
 RANGEWATER REAL ESTATE

PROJECT # 2013A
 CHECKED BY: [Name]
 DRAWN BY: [Name]

1 OF 1

ArcGIS Web Map



Portion of property located in DeKalb County
that is the subject of the rezoning request.
See enclosed survey.

1205

1058

094

1098

104 Utility Dolar

120

Sky Haven Rd SE

Sky Haven Rd SE

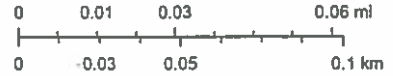
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130

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- Parcel
- Atlanta City Limits
- StreetCar Line
- GOLD
- MARTA Rail Stations
- Address Point
- MARTA Rail Lines
- GREEN
- BeltLine Trails
- BLUE
- RED

1:2,257



Esi Community Maps Contributors, City of Atlanta, BuildingFootprintUSA,
Web AppBuilder for ArcGIS
Esi, HERE, Garmin, SafeGraph, FAO, MET/NASA, USGS, EPA, NPS |