



Community Development Annexation Check List

(As of 7/13)

Name of request: _____ 10 Rebel Trail _____

Date Received: _____ 9/14/2018 _____

Location/Property Address: _____ 10 Rebel Trail (PIN: 17033100090 & 17033100010) _____

Size/Acres: _____ 2 Acres _____

Applicant/Petitioner: _____ Ronald & Cynthia Fennel _____

Representative (if applicable): _____ O'Dwyer Properties, LLC _____

What annexation method is being used: 100% 60%

Will zoning be the same as Cobb County's? Yes No

- Cobb County Zoning: _____ R-20 _____
- Cobb County Future Land Use: _____ Low Density Residential _____

Has all required paperwork submitted? Yes No

Does it meet with all of the IGA
(Intergovernmental Agreement)
agreements with Cobb County? Yes No

If yes, must notify County within 7 calendar days of receiving request.

- Submit application material to City Clerk
 - Date submitted: _____ 9/21/18 _____
 - Via Certified Mail – Receipt # _____
 - Via Hand Delivery _____
- City Clerk sends it to County Clerk
 - Date submitted: _____

County must notify Smyrna of decision within 7 calendar days of receiving notice

- County's Response:
 - No Objection _____ Objection _____
 - Requests Dispute Resolution _____
 - Date received: _____
-

Is property within 1500' of the
Chattahoochee River? _____ Yes X No

- If yes, ARC needs to be notified.
 - Date notified: _____

Does proposed use trigger a DRI review? _____ Y X N _____ Update

- If yes or update, notify ARC.
 - Date notified: _____
 - ARC comments and findings: _____
 - Date received: _____
-

Does this require P&Z review? _____ X Y _____ N

- If yes, what is meeting date? _____ October 8, 2018 _____
- P&Z recommendation: _____

What is date of M&C meeting? _____ November 19, 2018 _____

- Mayor & Council Decision: _____
-

Final City Zoning Designation: _____ R-12-Conditional _____

Final City Future Land Use Designation: _____ Low Density Residential _____

Effective Date of Annexation
(1st Day of the Following Month after Approval): _____ December 1, 2018 _____

2017 SUBMISSION UNDER SECTION 5
OF THE VOTING RIGHTS ACT
FOR THE CITY OF SMYRNA, GEORGIA

Map Designation# 17 LL/Parcel# 331

City Ward# 9991 Census Tract# !

Copies of annexation ordinance (council meeting minutes) are attached, marked:
Exhibit

Responsible body: Mayor and Council of the City of Smyrna
P.O. Box 1226
Smyrna, GA 30081
Telephone (770) 434-6600

*THIS SECTION TO BE COMPLETED BY APPLICANT. PLEASE BE SURE THIS
INFORMATION IS ACCURATE – IT WILL BE USED TO ESTABLISH EMERGENCY
SERVICE THROUGH OUR 911 SYSTEM.*

1. Is the property to be annexed vacant? Yes No
2. If NO, name of resident(s): _____
3. Complete street address: 10 Rebel Trail (17033100090 + 17033100010)
4. Telephone Number N/A
5. Number of registered voters before annexation: (
Number and type of minorities or minority language groups: (
6. Number of registered voters after annexation: (
Number and type of minorities or minority language groups: (
7. Use of property before annexation (i.e., vacant, business, residential): Vacant Residential
8. Zoning classification before annexation: Cobb County R20
9. Use of property after annexation (i.e., vacant, business, residential). If residential, please state proposed number of dwelling units: Residential Development; Combined for 18 units
10. Zoning classification being requested (if any): R12
11. Effect of change on members of racial or minority groups: N/A
12. Total number of acres being annexed: 2.0

City of Smyrna
Application for Annexation

We, the undersigned, who constitute one hundred percent (100%) of the owners of the land by acreage, as described below, which is unincorporated and contiguous to the City of Smyrna, hereby apply to have said area annexed into the City of Smyrna under the provisions of laws of the State of Georgia, said property being annexed being described as follows:

WHEREFORE, THE UNDERSIGNED HEREBY APPLY FOR SUCH ANNEXATION.

Ronald Fennel
Owner's Printed Name

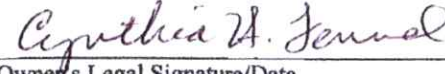
703 VININGS ESTATES DR
Address Telephone#

Cynthia Fennel
Owner's Printed Name

703 VININGS ESTATES DR
Address Telephone#

Witness the hands and seals of 100% of the record title holders of the land described above:

 9.10.18
Owner's Legal Signature/Date

 9.10.18
Owner's Legal Signature/Date

J.C. Stephenson

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

Went

PREPARED BY AND AFTER
RECORDING RETURN TO:
Diane S. Calloway, Esq.
Specialized Title Services, Inc.
6133 Peachtree Dunwoody Road, NE
Atlanta, Georgia 30328
STS File No. 1122.005

PARCEL 1

STATE OF GEORGIA
COUNTY OF FULTON

EXECUTOR'S DEED

THIS EXECUTOR'S DEED is made and entered into this 15th day of September, 2003, by and between **Stanley P. Sullivan, as Executor of the Estate of Martha B. Sullivan**, Deceased (hereinafter referred to as "Grantor"), and **Ronald D. Fennel and Cynthia H. Fennel** (hereinafter collectively referred to as "Grantee"). Grantor and Grantee to include their respective heirs, legal representatives, successors and assigns where the context requires or permits.

WITNESSETH:

THAT, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the undersigned Grantor (acting under and by virtue of the power and authority contained in the Last Will and Testament of Martha B. Sullivan, Deceased, dated December 3, 1970, the same having been duly probated in solemn form on March 24, 2000, and Letters Testamentary having been issued by the Probate Court of Cobb County, Georgia, and recorded March 24, 2000 at 11:31 a.m., Probate Court of Cobb County, Georgia) has granted, bargained, sold and conveyed and these presents does hereby grant, bargain, sell and convey unto said Grantee that certain tract or parcel of land lying and being in Land Lot 331 of the 17th District, 2nd Section, Cobb County, Georgia, and more particularly described on Exhibit "A" attached hereto and made an essential part hereof.


TO HAVE AND TO HOLD the said interest in said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, IN FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased. This conveyance is made subject to all easements, restrictions and encumbrances, if any, of record.

IT IS EXPRESSLY understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that Grantor makes this conveyance without covenants, warranties, representations or indemnities. Furthermore, any liability imposed on Grantor arising out of the conveyance made herein shall be satisfied solely out of the assets, if any, of the Estate of Martha B. Sullivan.

IN WITNESS WHEREOF, Grantor herein has hereunto set his hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

 (SEAL)
Stanley S. Sullivan, as Executor of the Estate of Martha B. Sullivan

Notary Public

(NOTARY SEAL)



EXHIBIT "A"**Lot 39, 40 and the Club Lot**

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being all of Lot 39 and the Club Lot of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

To reach the POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south $01^{\circ}41'00''$ east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south $65^{\circ}29'05''$ west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south $81^{\circ}44'09''$ west for a distance of 66.37 feet to a point; proceed thence south $29^{\circ}52'35''$ east for a distance of 79.34 feet to a point on the northwesterly right-of-way line of Club Drive (variable right-of-way, not open); thence travel southwesterly along said right-of-way line of Club Drive south $65^{\circ}31'36''$ west for a distance of 200.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, continue thence south $65^{\circ}31'36''$ west for a distance of 21.30 feet to a point on said right-of-way line; travel thence 72.28 feet along the arc of a curve to the left, said curve having a radius of 267.42 feet and being subtended by a chord of south $06^{\circ}51'34''$ east, 72.06 feet to a 1/2" re-bar found; thence travel south $29^{\circ}52'35''$ east for a distance of 51.68 feet to a point where said right-of-way line of Club Drive intersects the southeasterly right-of-way line of Rebel Trail (f/k/a Southern Drive, variable right-of-way); thence travel south $29^{\circ}52'35''$ east for a distance of 91.87 feet to a point on the northwesterly right-of-way line of Southern Railway (200' right-of-way); thence travel 412.24 feet along the arc of a curve to the left, said curve having a radius of 3,796.70 feet and being subtended by a chord of south $58^{\circ}48'45''$ west, 412.04 feet to a point; thence depart said Southern Railway right-of-way line and run north $34^{\circ}11'28''$ east for a distance of 162.38 feet to a point; thence travel north $02^{\circ}28'28''$ east for a distance of 133.90 feet to a 3/4" crimped top pipe found; thence travel north $15^{\circ}26'28''$ east for a distance of 84.15 feet to a 3/4" crimped top pipe found; thence travel north $31^{\circ}26'11''$ east for a distance of 100.71 feet to a 3/4" crimped top pipe found; thence travel north $52^{\circ}32'38''$ east for a distance of 96.29 feet to a 1/2" re-bar found; thence travel south $29^{\circ}52'35''$ east for a distance of 87.05 feet to a point on the right-of-way line of Club Drive and the POINT OF BEGINNING.

TOGETHER WITH:

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia being all of Lot 40 of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

To reach the POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south $01^{\circ}41'00''$ east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south $65^{\circ}29'05''$ west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south $01^{\circ}42'57''$ east for a distance of 87.20 feet to a point on the southeasterly right-of-way line of Club Drive (variable right-of-way, not open); thence travel along said right-of-way line of Club Drive south $65^{\circ}31'36''$ west 120.22 feet to a 1/2" re-bar found and the POINT OF BEGINNING.

From said POINT OF BEGINNING, travel south $14^{\circ}55'03''$ east for a distance of 80.99 to a 1/2" re-bar found on the northwesterly right-of-way line of Rebel Trail (f/k/a Southern Drive, variable right-of-way); thence travel south $65^{\circ}31'36''$ west along said right-of-way line of Rebel Trail for a distance of 42.80 feet to a point; thence travel northwesterly and northeasterly along said right-of-way line of Club Drive 125.46 feet along the arc of a curve to the right, said curve having a radius of 39.94 feet and being subtended by a chord of north $24^{\circ}28'24''$ west, 79.87 feet to a point; thence travel north $65^{\circ}31'36''$ east for a distance of 56.25 feet to a point on the northwesterly right-of-way line of Club Drive and the POINT OF BEGINNING.

Shown as 1.65699 collective acres, on ALTA/ACSM Land Title Survey for Ronald D. Fennel and Cynthia H. Fennel, Sea Island Employees Credit Union, Specialized Title Services, Inc., and Chicago Title Insurance Company, prepared by Watts & Browning Engineers, Inc., bearing the seal and certification of Virgil T. Hammond, Georgia Registered Land Surveyor No. 2554, dated July 17, 2003, last revised September 12, 2003.

wait

STATE OF GEORGIA
COUNTY OF FULTON

Jay C. Stephenson
Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

PREPARED BY AND AFTER
RECORDING RETURN TO:
Diane S. Calloway, Esq.
Specialized Title Services, Inc.
6133 Peachtree Dunwoody Road, NE
Atlanta, Georgia 30328
STS File No. 1122.005

PARCEL 2

EXECUTOR'S DEED

THIS EXECUTOR'S DEED is made and entered into this 15th day of September, 2003, by and between **Stanley P. Sullivan, as Executor of the Estate of Martha B. Sullivan**, Deceased (hereinafter referred to as "Grantor"), and **Ronald D. Fennel and Cynthia H. Fennel** (hereinafter collectively referred to as "Grantee"). Grantor and Grantee to include their respective heirs, legal representatives, successors and assigns where the context requires or permits.

WITNESSETH:

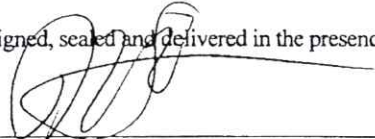
THAT, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the undersigned Grantor (acting under and by virtue of the power and authority contained in the Last Will and Testament of Martha B. Sullivan, Deceased, dated December 3, 1970, the same having been duly probated in solemn form on March 24, 2000, and Letters Testamentary having been issued by the Probate Court of Cobb County, Georgia, and recorded March 24, 2000 at 11:31 a.m., Probate Court of Cobb County, Georgia) has granted, bargained, sold and conveyed and these presents does hereby grant, bargain, sell and convey unto said Grantee that certain tract or parcel of land lying and being in Land Lot 331 of the 17th District, 2nd Section, Cobb County, Georgia, and more particularly described on Exhibit "A" attached hereto and made an essential part hereof.

TO HAVE AND TO HOLD the said interest in said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, IN FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased. This conveyance is made subject to all easements, restrictions and encumbrances, if any, of record.

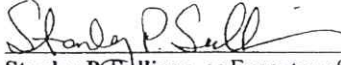
IT IS EXPRESSLY understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that Grantor makes this conveyance without covenants, warranties, representations or indemnities. Furthermore, any liability imposed on Grantor arising out of the conveyance made herein shall be satisfied solely out of the assets, if any, of the Estate of Martha B. Sullivan.

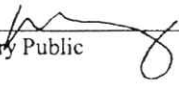
IN WITNESS WHEREOF, Grantor herein has hereunto set his hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:



Witness

 (SEAL)
Stanley P. Sullivan, as Executor of the Estate
of Martha B. Sullivan



Notary Public

(NOTARY SEAL)

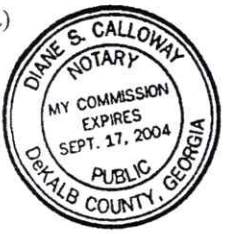


EXHIBIT "A"**Investment Lots**

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being Lots 36 and 37 of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south $01^{\circ}41'00''$ east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south $65^{\circ}29'05''$ west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south $81^{\circ}44'09''$ west for a distance of 66.37 feet to a point; thence travel south $81^{\circ}44'09''$ west a distance of 21.55 feet to a $3/4$ " crimped top pipe found; thence travel south $68^{\circ}03'56''$ west a distance of 30.03 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, travel south $29^{\circ}52'35''$ east a distance of 86.71 feet to an iron pin found on the northwesterly right-of-way line of Club Drive (variable right-of-way, not open), thence travel along said right-of-way line south $65^{\circ}31'36''$ west a distance of 100.00 feet to a point on said right-of-way line; thence depart said right-of-way line and travel north $29^{\circ}54'01''$ west a distance of 91.19 feet to a $1/2$ " rebar found; thence travel north $68^{\circ}03'56''$ east a distance of 100.56 feet to the POINT OF BEGINNING.

TOGETHER WITH:

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being Lots 41 and 42 of Block 1 of Cooper Lakes Subdivision, as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south $01^{\circ}41'00''$ east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south $65^{\circ}29'05''$ west for a distance of 75.83 feet to a 1" crimped top pipe found; travel thence south $01^{\circ}42'57''$ east for a distance of 87.20 feet to a point on the southeasterly right-of-way line of Club Drive (variable right-of-way, not open) and the POINT OF BEGINNING.

From the POINT OF BEGINNING, depart said right-of-way line and travel south $01^{\circ}42'57''$ east a distance of 86.61 feet to a point found on the northwesterly right-of-way line of Rebel Trail f/k/a Southern Drive (variable right-of-way); thence travel along said right-of-way line south $65^{\circ}31'36''$ west a distance of 100.16 feet to a $1/2$ " rebar found; thence depart said right-of-way line and travel north $14^{\circ}55'03''$ west a distance of 80.99 feet to a $1/2$ " rebar found on the southeasterly right-of-way line of Club Drive; thence travel along said right-of-way line north $65^{\circ}31'36''$ east a distance of 120.22 to the POINT OF BEGINNING.

TOGETHER WITH:

ALL THAT TRACT or parcel of land lying and being in Land Lot 331 of the 17th District and 2nd Section of Cobb County, Georgia, being Lots 69 and 70 of Block 1 of Cooper Lakes Subdivision, and as shown on Plat of Cooper Lakes and Camco Mills Property, recorded in Plat Book 1, Page 154, Records of Cobb County, Georgia, and being more particularly described as follows:

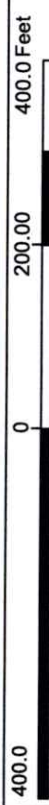
TO FIND THE POINT OF BEGINNING, commence at the common corner of Land Lots 331, 332, 389 and 390 of said district and section and proceed south $01^{\circ}41'00''$ east along the land lot line common to Land Lots 331 and 390, for a distance of 181.90 feet to a 1" crimped top pipe found; thence depart said land lot line and run south $65^{\circ}29'05''$ west for a distance of 75.83 feet to a 1" crimped top pipe found; thence travel south $01^{\circ}42'57''$ east a distance of 195.83 feet to a 1" crimped top pipe found on the southeasterly right-of-way line of Rebel Trail f/k/a Southern Drive (variable right-of-way); thence travel along said right-of-way line south $65^{\circ}31'36''$ west a distance of 119.84 feet to a 1" crimped top pipe found on said right-of-way line and the POINT OF BEGINNING.

From the POINT OF BEGINNING; depart said right-of-way line and travel south $24^{\circ}18'08''$ east a distance of 85.08 feet to a 1" crimped top pipe found; thence travel south $61^{\circ}28'13''$ west a distance of 90.24 feet to a point; thence travel north $29^{\circ}52'35''$ west a distance of 91.87 feet to a point on said right-of-way line; thence travel along said right-of-way line north $65^{\circ}31'36''$ east a distance of 98.92 feet to a 1" crimped top pipe found on said right-of-way line and the POINT OF BEGINNING.

Shown as 0.5971 collective acres on ALTA/ACSM Land Title Survey for Ronald D. Fennel and Cynthia H. Fennel, Sea Island Employees Credit Union, Specialized Title Services, Inc., and Chicago Title Insurance Company, prepared by Watts & Browning Engineers, Inc., bearing the seal and certification of Virgil T. Hammond, Georgia Registered Land Surveyor No. 2554, dated July 17, 2003, last revised September 12, 2003.



Cobb County Georgia Online Mapping



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Cobb County Georgia

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 2,400



Map Notes: