

FIRST READING March 12, 2019

ADVERTISED February 13, 2019

PASSED April 9, 2019

AN ORDINANCE NO. BR2019-05

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BLUE RIDGE, GEORGIA, BY REZONING A TRACT OR PARCEL OF LAND WITHIN THE CITY OF BLUE RIDGE, BEING TAX PARCELS BR-02 258 OWNED BY RUSSELL STEVENSON AND BEING APPROXIMATELY .38 ACRES, MORE OR LESS, AS MORE PARTICULARLY DESCRIBED ON THE PLAT AND WARRANTY DEED WHICH ARE ATTACHED HERETO AND, WHICH IS INCORPORATED BY REFERENCE INTO THIS ORDINANCE, AND REZONING THE PROPERTY FROM R-1 (Low Density Residential) TO R-3 (High Density Residential), WITHOUT CONDITIONS; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council of Blue Ridge, Georgia as follows:

SECTION 1
ZONING IMPOSED WITHOUT CONDITIONS

That from and after the passage of this ordinance the following described parcel within the City of Blue Ridge shall be rezoned and so designated on the zoning map of the City of Blue Ridge as R-3 (High Density Residential) and subject to all requirements of said new zoning category, being designated as tax parcel BR02 258 and as described on the attached plat and warranty deed, currently owned by Russell Stevens and being approximately .38 acres, with the following conditions:

Conditions:

(1) None

Legal Description:

The legal description of the above-referenced property, which is being rezoned from R-1 to R-3, is as follows:

All that tract and parcel of land being approximately .38 acres and lying and being within the City of Blue Ridge, Fannin County, Georgia, and owned by Russell Stevenson, and more particularly described on the plat and warranty deed which are attached hereto and incorporated by reference hereof, into this legal description.

SECTION 2:
REPEAL OF CONFLICTING ORDINANCES TO REMOVE CONFLICT

All parts of ordinances in conflict with the terms of this ordinance are hereby repealed to the extent of the conflict, but it is hereby provided that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this Ordinance on behalf of the City of Blue Ridge, Georgia.

SECTION 3.
SEVERABILITY

If any paragraph, subparagraph, sentence, clause, phrase or any other portion of this Ordinance should be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular person, situation or set of circumstances is declared invalid or unconstitutional, such invalidity shall not be construed to affect the provisions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared to be the legislative intent of the City Council of the City of Blue Ridge, Georgia to provide for separate and divisible parts and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

SECTION 4.
AMENDMENT TO THE ZONING MAP

This ordinance is enacted as an amendment to the zoning map of the City of Blue Ridge.

SECTION 5.
EFFECTIVE DATE

The effective date of this Ordinance shall be immediately upon its passage by the City Council and execution by the Mayor or upon fifteen (15) days expiring from the date of its passage without a veto of said Ordinance by the Mayor as set forth in the City Charter at Section 3.23(b).

SO ORDAINED and passed by a majority of the City Council, this 9 day of April, 2019.

BLUE RIDGE CITY COUNCIL

By: Donna White
Mayor

Attest:
Kelsey Ledford
Kelsey Ledford, City Clerk

Return Recorded Document to:
WYNDHAM AND ASSOCIATES ID #58-2199888
2460 E. FIRST STREET
SUITE B-6

BLUE RIDGE, GA 30513

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FANNIN

File #: 1604-07

This Indenture made this 10th day of May, 2016 between RUTH ALLEN , of the County of , State of Georgia, as party or parties of the first part, hereinafter called Grantor, and RUSS STEVENSON , as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 8TH DISTRICT AND 2ND SECTION OF FANNIN COUNTY, GEORGIA, BEING PART OF LAND LOT NO. 278, AND LOCATED IN THE CITY OF BLUE RIDGE, GEORGIA, AND FULLY DESCRIBED IN A DEED FROM J. D. PARKS TO G. W. MCAFEE, AND RECORDED IN BOOK "U" AT PAGE 454, FANNIN COUNTY, RECORDS ON JANUARY 15, 1906; ALSO A PART OF TOWN LOT NO. 1, IN BLOCK NO. 2, OF THE COLLEGE ADDITION TO THE CITY OF BLUE RIDGE, MAKING A PARCEL OF LAND CONVEYED EIGHTEEN AND ONE-HALF FEET FRONT AND EXTENDING BACK 100 FEET, FIFTEEN AND ONE-HALF FEET ACROSS THE BACK. THIS PROPERTY FRONTS DEPOT STREET A DISTANCE OF 118.5 FEET.

THE ABOVE DESCRIBED PROPERTY IS KNOWN AS THE W.R. YORK HOME PLACE PROPERTY.

BEING THE PROPERTY CONVEYED BY THE AUTHORITY GRANTED IN THAT FINAL ORDER GRANTING LEAVE TO SELL REAL AND/OR PERSONAL PROPERTY AT PRIVATE SALE, SAID ORDER ISSUED FEBRUARY 5, 1996, BY THE PROBATE COURT OF FANNIN COUNTY, GEORGIA.

BEING A PORTION OF SAID PROPERTY CONVEYED TO LEWIS ALLEN AND RUTH ALLEN FROM JEAN E ARP AND JAMES L DAVENPORT, DATED FEBRUARY 23, 1996, RECORDED FEBRUARY 26, 1996, IN DEED BOOK 240, PAGE 723, FANNIN COUNTY RECORDS.

MAP PARCEL #BR02 258

This Deed is given subject to all easements and restrictions of record, if any.

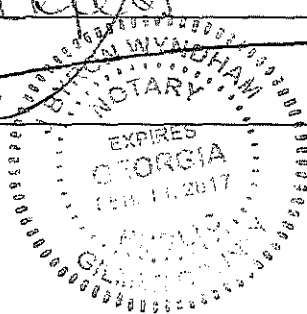
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness
[Signature]
Notary Public



[Signature] (Seal)
RUTH ALLEN

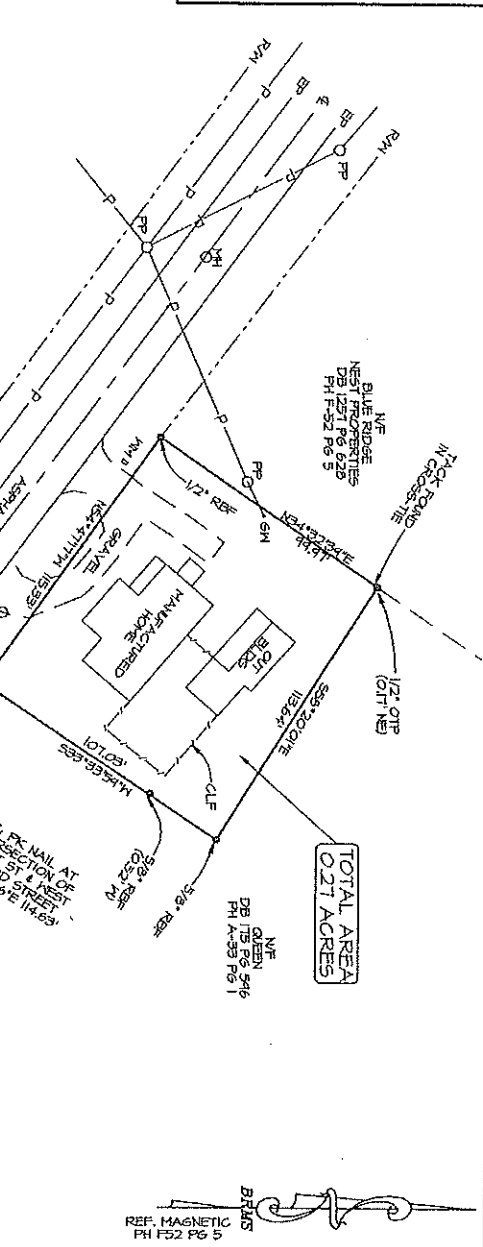
____ (Seal)

Type: PLAT
 Kind: GENERIC MAPS AND PLATS
 Recorder: 11/14/2018 6:45:00 PM
 Fee Amt: \$3,000 Page 1 of 1
 From: Term of Supervisor Court
 DAWN CHASTAIN Clerk of Courts
 Participant ID: 7738961207

BK F81 PG 6

RECORDING STAMP SPACE

- LEGEND
- BL - BUILDING LINE
 - BNK - BARBED WIRE FENCE
 - CB - DITCH BASIN
 - C/6 - CURB & GUTTER
 - CP6 - CONSOLIDATED METAL PIPE
 - CLF - CENTER LINE
 - CLP - CORRUGATED PLASTIC PIPE
 - CC - CONCRETE
 - DBP6 - DEED BOOK PAGE
 - DB - DEED
 - EB - EDGE OF INFLUENT
 - EM - EIGHT MILE
 - GM - HEAD WALL
 - HM - HEAD MOUNTED FLOOD
 - HP - IRON PIN SET-1/2" REBAR
 - IP - IRON PIPE
 - IP6 - IRON PIPE
 - LP - LAND LOT
 - LLC - LAND LOT CORNER
 - LL - LAND LOT
 - LM - LAND LOT CORNER
 - MM - MAN HOLE
 - NH - NON OR FORWARDLY
 - OP6 - OPEN TOP PIPE
 - OT6 - OPEN TOP PIPE
 - PP - POINT OF BEGINNING
 - POC - POINT OF COMMENCEMENT
 - POB - POWER TRANSFORMER BOX
 - PO - POWER HEAD POWER
 - PP - POWER POLE
 - PTP - POWER & TELEPHONE POLE
 - RIB - REBAR FLOOD
 - RC - ROCK CORNER FOUND
 - RIC - REBAR CORNER FOUND
 - RIP - REBAR CORNER FOUND
 - RPM - REBAR CORNER FOUND
 - RPM - REBAR CORNER FOUND
 - RPM - REBAR CORNER FOUND
 - TX - TELEPHONE PEDAL/STEL
 - TP - TELEPHONE POLE
 - TY - TELEPHONE POLE
 - UV - WATER VALVE
 - USP - UNDERGROUND TELEPHONE
 - USP - UNDERGROUND POWER



NOTES:
 THE FIELD DATA UPON WHICH THIS PLAT IS
 ONE FOOT IN A CLOSURE OF 25 FEET
 AND AN ANGULAR ERROR OF ONE SECOND
 PER ANGLE AND WAS ADJUSTED USING A
 LEAST SQUARE ADJUSTMENT EQUIPMENT
 FIELD DATE 10/10/18

THIS PLAT HAS BEEN CALCULATED FOR A
 FLOOD ZONE AND IS FOUND TO BE ACCURATE
 WITHIN ONE FOOT IN LESS THAN ONE
 THE BENEFIT OF A TITLE REPORT.

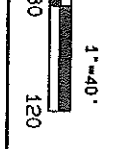
THIS PLAT WAS PREPARED WITHOUT
 THE BENEFIT OF A TITLE REPORT.

THIS PLAT IS FOR THE EXCLUSIVE USE
 OF THE PARTY OR PARTIES SHOWN
 HEREON AND IS NOT INTENDED FOR
 ANY OTHER THIRD PARTY.

THIS SURVEY IS SUBJECT TO ALL
 RIGHTS-OF-WAY EASEMENTS AND
 EASEMENTS SHOWN OR NOT SHOWN.

NO PORTION OF THIS PREPARATION IS IN A
 FLOOD ZONE AS PER FANNIN COUNTY FIRM
 PANEL JH1001TD, LAST REVISED
 SEPTEMBER 11, 2010.

THIS IS A REPRODUCTION SURVEY
 OF LAND PER
 TAX PARCEL BRD2 250



SURVEYOR'S CERTIFICATION

This plat is a recastment of an existing parcel or parcels of land and does not subdivide
 recording information of the former changes to any real property boundaries. The
 parcel or parcels are stated heron. RECASTMENT OF THIS PLAT DOES NOT IMPLY
 APPROVAL OF ANY LOCAL JURISDICTION AVAILABILITY OF PERMITS, COMPLIANCE
 WITH LOCAL REGULATIONS OR RESURVEYING OR SUITABILITY FOR ANY USE
 OR CONDITION. THE SURVEYOR, BY SIGNING AND SEALING THIS PLAT, CERTIFIES THAT
 THIS PLAT COMPLIES WITH THE minimum, the underlying and land surveyor certifies that
 or set forth in the rules and regulations of the Georgia Board of Registration for
 Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 47-6-67.

JASON HENSON
 No. 3007
 10-10-18 DATE

DATE: 10/10/18	SCALE: 1" = 40'	SURVEYED BY: JH
DRAWN BY:	CHECKED BY: JH	APPROVED BY: JH
PROJ. NAME:	STEVENSON	DEPOT ST

RETRACTMENT SURVEY FOR:
RUSS STEVENSON
 LOCATED IN LAND LOT 270,
 6th DISTRICT 2ND SECTION
 FANNIN COUNTY, GEORGIA

Blue Ridge Mountain Surveying
 PO BOX 893
 BLAIRSVILLE, GA 30514
 706.697.7900

BRMS