

**AN ORDINANCE PROVIDING FOR ANNEXING TO THE EXISTING CORPORATE LIMITS OF THE CITY OF COMER THE UNINCORPORATED AREA CONTIGUOUS TO THE EXISTING CORPORATE LIMITS, BEING THE LANDS OWNED BY JOHN B. PAYNE AND JEAN P. PAYNE AS FULLY DESCRIBED HEREIN, AND FOR OTHER PURPOSES:**

THE COUNCIL OF THE CITY OF COMER HEREBY ORDAINS THAT THE CODE OF THE CITY OF COMER, GEORGIA, IS HEREBY AMENDED BY ADDING A NEW SECTION 39-106.2 TO READ AS FOLLOWS:

WHEREAS, John B. Payne and Jean P. Payne have submitted to the City of Comer, Georgia (hereinafter called the City) their written and signed application to have the lands as therein fully and completely described annexed to the existing corporate limits of the city, and,

WHEREAS, the City has made its own investigation and study of the area for which application for annexation has been submitted, and,

WHEREAS, the area for which the application to annex has been submitted is contiguous to the present municipal boundary of the City within the definition thereof as contained in O.C.G.A. § 36-36-20, and,

WHEREAS, the annexation of said area to the corporate limits of the City of Comer is authorized by the provisions of O.C.G.A. § 36-36-21,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Comer, and it is hereby ordained by the authority of the same that the following described unincorporated area contiguous to the existing corporate limits of said City, being the lands of John B. Payne and Jean P. Payne, to-wit:

**All that tract or parcel of land containing 59.48 acres, more or less, lying and being in the 205th G.M.D., Madison County, Georgia and being particularly described as follows:**

**Beginning at an iron pin found at the westerlymost corner of the within tract, and running north 62 degrees 44 minutes 15 seconds east 1602.34 feet to an iron pin found; thence north 62 degrees 20 minutes 0 seconds east 215.04 feet to an iron pin found; thence south 37 degrees 50 minutes 50 seconds east 257.17 feet to an iron pin found; thence south 37 degrees 51 minutes 10 seconds east 199.62 feet to an iron pin found; thence south 37 degrees 48 minutes 50 seconds east 199.46 feet to an iron pin found; thence south 52 degrees 04 minutes 50 seconds west 100 feet to an iron pin found; thence south 37 degrees 47 minutes 00 seconds east 358.26 feet to an iron pin found; thence north 52 degrees 08 minutes 30 seconds east 100 feet to an iron pin found; thence south 38 degrees 0 minutes 0 seconds east 124.03 feet to an iron pin set; thence north 31 degrees 17 minutes 0 seconds east 349.75 feet to an iron pin found on the westerly right of way of Ga. Hwy. 98; thence along the westerly right of way of Ga. Hwy. 98 south 43 degrees**

**23 minutes 35 seconds east 107.22 feet; south 46 degrees 53 minutes 10 seconds east 81.19 feet; south 50 degrees 31 minutes 25 seconds east 82.85 feet; thence leaving the westerly right of way of Ga. Hwy. 98 and along the arc of a curve of the Comer City Limits to a point on the northerly right of way of County Rd. 327 Brickyard Rd.; thence along the northerly right of way of County Rd. 327 Brickyard Rd. north 89 degrees 10 minutes 0 seconds west 61.77 feet; north 85 degrees 17 minutes 50 seconds west 75.47 feet; north 79 degrees 17 minutes 40 seconds west 67.65 feet; north 74 degrees 19 minutes 10 seconds west 104.39 feet; thence leaving the northerly right of way of County Rd. 327 Brickyard Rd. and running north 35 degrees 26 minutes 45 seconds west 428.87 feet to an iron pin found; thence north 41 degrees 02 minutes 20 seconds west 1101.39 feet to an iron pin found corner of beginning;**

**Said tract of land is more particularly shown and delineated on a plat entitled "Survey for: JOHN B. PAYNE" dated November 13, 2003, prepared by James M. Paul, registered land surveyor, which plat is by reference incorporated herein.**

be and hereby is annexed to and made a part of the lands within the corporate limits of the City of Comer, Georgia.

BE IT FURTHER ORDAINED by the authority aforesaid, and it is hereby ordained by authority of the same, that a copy of the plat of survey prepared by James M. Paul, be filed with the Clerk of the City as a part of this ordinance of annexation.

BE IT FURTHER ORDAINED by the authority aforesaid and it is hereby ordained by authority of the same, that the Clerk of the City furnish to the governing body of Madison County and to the director of the Department of Community Affairs a certified copy of this ordinance, including the aforesaid plat of survey, all as provided by O.C.G.A. §§ 36-36-3 and 36-36-21.

BE IT FURTHER ORDAINED by the authority aforesaid and it is hereby ordained by authority of the same, that any and all ordinances, or parts of ordinances, in conflict with this ordinance this day passed shall be and are hereby repealed, and this ordinance shall be of full force and effect from and after its adoption.

ADOPTED, at a regular meeting by a majority of the City Council of Comer, Georgia, at which all members were present, held on the 6th day of January, 2004.

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Comer  
Attest:

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ON File  
William E. Burroughs, Mayor, City of

\_\_\_\_\_  
On File

Stephen H. Sorrells, City Clerk  
[CITY SEAL]

Approved as to Legal Form:

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ON File  
Victor Y. Johnson, City Attorney

