

**CITY OF HAMPTON
STATE OF GEORGIA**

ORDINANCE NO. 2024-13

AN ORDINANCE TO DENY THE ANNEXATION OF CERTAIN PROPERTIES BEARING PARCEL IDENTIFICATION NOS. 022-01032000 AND 022-01033000 AND BEING 12.41 +/- ACRES INTO THE CITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Hampton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the governing authority of the City is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Hampton, Georgia has the authority to consider applications to deannex certain properties from the City to be apart of Henry County ("County") pursuant to O.C.G.A. §36-36-131; and

WHEREAS, Georgia law permits municipalities to approve the deannexation of incorporated areas if the County consents to the deannexation and the deannexation conforms with the requirements of Title 36, Chapter 36 of the Georgia Code unless it finds that the deannexation would be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality; and

WHEREAS, Title 36, Chapter 36 continues to provide further limitations on approval of deannexations; and

WHEREAS, pursuant to O.C.G.A. §36-36-133, if the City has outstanding general obligation bond or revenue bond indebtedness, property in the City is ineligible for deannexation; and

WHEREAS, the City recently received applications for deannexation (the "Deannexation Applications"), copies of which are attached hereto as **Exhibit "A"** and incorporated by reference, and legal descriptions are attached to said applications of the lands to be deannexed; and

WHEREAS, preliminary investigation reveals that the Deannexation Applications were signed by one hundred percent of the landowners and accompanied by a complete description of the property to be deannexed (collectively, the "Properties"), that the Properties are contiguous to the municipal boundary of the City, that the Properties are within the County, and that deannexation will not create an unincorporated "island" as contemplated by O.C.G.A. § 36-36-132, et seq. (the "Act"); and

WHEREAS, a further investigation reveals that the Properties are encumbered by revenue

bond indebtedness held by the City making the Properties ineligible for deannexation pursuant to O.C.G.A. § 36-36-133; and

WHEREAS, the City's revenue bond indebtedness was approved in 2006, refinanced in 2016 with a maturity date of 2026; and

WHEREAS, the City's revenue bond indebtedness encumbers all property in the City as it's debt for the City's sewer plant; and

WHEREAS, the governing body of the County voted to approve the deannexation on March 18, 2024 without consideration of O.C.G.A. § 36-36-133; and

WHEREAS, the governing body of the County did not notify the City until June 26, 2024 of its acceptance of the Deannexation Applications; and

WHEREAS, the deannexation is not allowed by law and the health, safety, and welfare of the citizens of Hampton, Georgia will be negatively impacted if the deannexation were approved.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, GEORGIA, and by the authority thereof:

Section 1. The Properties described in "Exhibit A" attached hereto and incorporated herein by reference are hereby denied deannexation from the City of Hampton, Georgia pursuant to the authority of O.C.G.A. Sections 36-36-130 *et seq.*

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

Section 4. This Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Hampton, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

Section 5.

- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to

the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED, this 13th day of August 2024.

CITY OF HAMPTON, GEORGIA


ANN N. TARPLEY, Mayor

ATTEST:


RASHIDA FAIRLEY, City Clerk

APPROVED AS TO FORM:


L'ERIN BARNES WIGGINS, City Attorney

First Read: 07/09/2024

Second Read: 08/13/2024

RESOLUTION #24- 87

**RESOLUTION ACCEPTING PROPOSED DEANNEXATION FROM THE CITY OF
HAMPTON OF TWO (2) PARCELS OF LAND CONSISTING OF A COMBINED 12.41 +/-
ACRES IN LAND LOT 114 OF THE 3RD DISTRICT, HENRY COUNTY, GEORGIA**

WHEREAS, pursuant to *O.C.G.A. Article 8*, the Henry County Board of Commissioners have received application from property owners (“Applicants”) advising Henry County of their intent to deannex (DE-AX-23-02) two (2) properties consisting of a combined total of 12.41 +/- acres in Land Lot 114 of the 3rd District from the municipal boundary of the City of Hampton, Henry County, Georgia, being **Parcels 022-01032000 and 022-01033000** (the “Property”) (*see*, Exhibit A, attached hereto); and

WHEREAS, in connection with, and immediately following, the annexation, the property owners seek to change the zoning for the Property from the City of Hampton R-1 (Single-Family Residential) zoning district to the Henry County R-1 (Single-Family Residence) zoning district; and

WHEREAS, *O.C.G.A. § 36-36-131* grants the City of Hampton the authority to deannex an area or areas of the existing corporate limits upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such deannexation; and

WHEREAS, Henry County Board of Commissioners analyzed and whether the deannexation may be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality; and

WHEREAS, the Henry County Board of Commissioners has determined that the proposed deannexation of the Property into the County would not cause a material increase in the burden on Henry County; and

WHEREAS, the Henry County Board of Commissioners has determined that the proposed deannexation of the Property into the County would not result in an increase in density and infrastructure demands which would be detrimental to Henry County and to the health, safety, and welfare of Henry County and its citizens; and

WHEREAS, the Henry County Board of Commissioners has determined that the proposed deannexation would not be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

NOW THEREFORE, BE IT RESOLVED that, pursuant to the provisions of *O.C.G.A. § 36-36-131*, et seq, Henry County accepts the proposed deannexation (DE-AX-23-02) of the Property, as described in Exhibit A, from the municipal boundaries of the City of Hampton to the corporate boundary of Henry County, Georgia, on the grounds that the proposed the proposed deannexation would not be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

BE IT FURTHER RESOLVED that the County Manager and/or the County Attorney are authorized and directed to send such notice(s) as are required by law to the City of Hampton and/or the effected property owners.

BE IS FURTHER RESOLVED that the County Attorney is authorized to initiate such legal proceedings as are proper to enjoin the deannexation of the Property and/or initiate and/or engage in the arbitration proceedings authorized per *O.C.G.A. § 36-36-114*.

BE IT FURTHER RESOLVED that this Resolution shall be forwarded to the City, together with such supporting documentation as are reasonable and necessary to support the same.

BE IT SO RESOLVED, THIS 19TH DAY OF MARCH 2024.



CARLOTTA HARRELL, CHAIR
HENRY COUNTY BOARD OF
COMMISSIONERS

ATTEST:



STEPHANIE BRAUN
COUNTY CLERK



HENRY COUNTY **DEPARTMENT OF PLANNING & ZONING**

APPLICATION FOR DEANNEXATION

To the Board of Commissioners of Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the Henry County Board of Commissioners accept the deannexation request of this territory from city boundaries, and extend the County services district to include the same.
2. The territory to be deannexed is contiguous to existing unincorporated areas, and complies with requirements established in O.C.G.A Title 36, Chapter 36. The description of such territory is attached hereto.

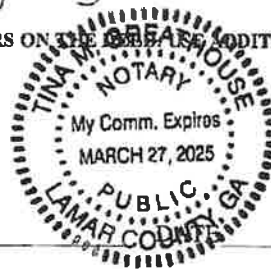
OWNERS NAME(S) Priscilla D. Hendry
Edwin O. Hendry
 PHONE NUMBER(S) 770 946 3637
 EMAIL ADDRESS(ES) 678 283 1728
 DEANNEXATION FROM ☒ HAMPTON ☐ LOCUST GROVE ☐ MCDONOUGH ☐ STOCKBRIDGE
 LOCATION/ADDRESS 68 W. King Rd. Hampton, GA 30228
 LAND LOT/DISTRICT LLot 114 L. DIST: 3
 ACERAGE 5.93 ACERS
 PARCEL ID NUMBER(S) 022-01032000
 ZONING DISTRICT(S) 004 HAMPTON

USE ADDITIONAL SHEETS IF REQUIRED.

SIGNATURE(S) Priscilla D. Hendry DATE 6-27-23
Edwin O. Hendry DATE 6-27-23

ALL PROPERTY OWNERS MUST SIGN AS THEIR NAME APPEARS ON THE DEED. USE ADDITIONAL SHEETS IF REQUIRED.

Tina M. O'Leary
 NOTARY SIGNATURE AND SEAL



(Office use only)

☒ Survey OR ☐ Legal description AND ☒ Letter from property owner(s) requesting deannexation
 Application Received by: [Signature] Title: Planner II Date: 7/25/23

Applicant Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant* made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Henry County Board of Commissioners or Zoning Advisory Board who will consider the application?

Yes ☐ No ☒

If **Yes**, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

Commissioner/Zoning Advisory Board Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this 27 day of June, 2023

PRISCILLA B. HENDRY
Edwin Hendry
 Applicant's Name - Printed

[Signature]
 Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 27 day of June, 2023.



[Signature]
 Notary Public

* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for a Conditional Use.

July 24, 2023

To Whom It May Concern:

Priscilla and Edwin Hendry ,owners of the property at 68 W. King Rd in the city of Hampton , Georgia

Are requesting that the above property be de-annexed from the city of Hampton to the county of Henry.

Thank you ,

Priscilla Hendry
Edwin Hendry

Mrs. Margaret A. Newman

Mrs. Margaret A. Newman

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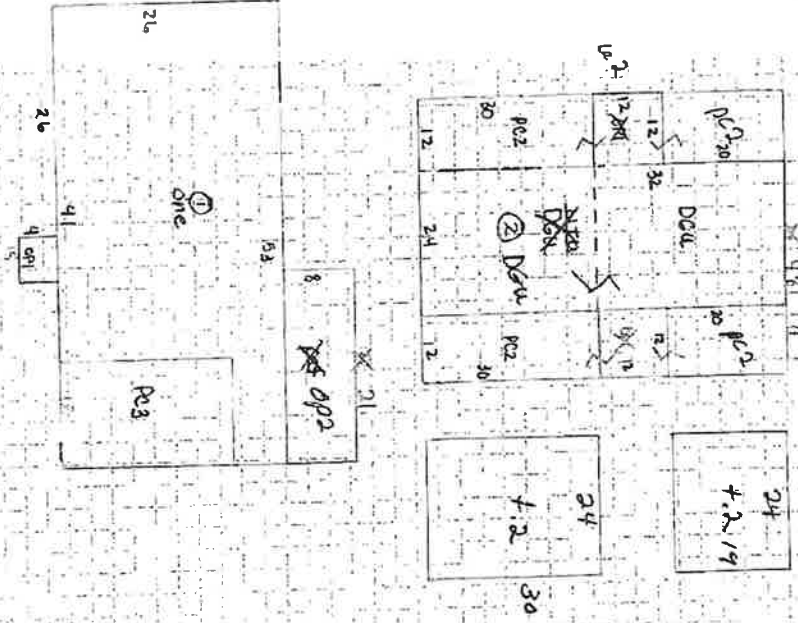
KING ROAD 140 KING ROAD 40 P.M.
100-100-100
100-100-100

HENRY COUNTY GEORGIA - Residential Appraisal Card

Field Work By: JD	Date: 7.13.82	Field Work By: JD	Date: 1/1	Building No.	No. of Acres	No. of Rooms	No. of Bathrooms	Stories
Field Work By: MSD	Date: 7.10.88	Field Work By: JD	Date: 1/1					
Field Work By: JD	Date: 1/1	Field Work By: JD	Date: 1/1					

NAME/ADDRESS:

98 West 1st Rd - LG FB 30+



NOTES: 92- add Data All data on Data Sheet 7-10-88 BXT-Field

active, second small addition N.W. corner 7-10-88 BXT-Field
 on New Change COME TO C. Change lot to 8001 opa. on
 Add 1920 pca to both sides of Data and Draw off 12.2
 GAZEBO noted as little value, no other Data Apprais

Improvement No.	Type of Structure	CODE	DESCR.	CODE	DESCR.	CODE	DESCR.	CODE	DESCR.	CODE	DESCR.
1	Year Built: 1978	1	1978	1	1978	1	1978	1	1978	1	1978
2	Effective Yr. ETVB	2	1978	2	1978	2	1978	2	1978	2	1978

PERMIT NUMBER	CLASS	ZONING	ADJUSTED AREA	CONDITION	YEAR
920972	C-	R1			
EXTERIOR WALLS	ROOF MATERIAL	ROOF TYPE	FLOORS	CEILING	INTERIOR FINISH
02 Comp / Wall Bd	01 Sheet Metal	01 Shed	01 Ply-wood	00 N/A	01 Ply-wood
03 Corr. Metal	02 Roll Comp.	02 Hip	02 S. Pine	01 S. Rock	02 Conc. on Grade
05 Wood Fr. Sillaco	04 Shingle, Asph.	03 Gable	03 Conc. on Grade	02 S. Rock Slip	06 Terrazo
06 Wood Fr. No Sheath	07 Clay Tile	05 Gambrel	06 Terrazo	03 Wood	08 Hardwood
07 Conc. Blk. Plain	12 Wood Shingles	06 Mansard	08 Hardwood		10 Parquet
09 Conc. Blk. Sillaco	14 Alum. Sheets	08 Wd. Tl. Wd. Dk.	10 Parquet		11 Quarry Tile
11 Wood Fr. w/ Sheath	16 Fiberglass Sheath		11 Quarry Tile		
12 Blk. on Wood					
13 Blk. on Masonry					
21 Ext. Ply-wood					
27 Alum. Siding					
28 Masonry Siding					
33 Vinyl Siding					
34 Permeacore					
44 Cedar / Smooth					
49 Logs					
50 Rough Cedar					
56 Cedar Brd. 8 in					



2021 Property Tax Statement

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com

FORWARDING SERVICE REQUESTED

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Henry County Tax Commissioner



AUTO 5-DIGIT 30228 12 202 3858 1 AV 0.398

HENDRY PRISCILLA D & EDWIN O
68 WEST KING RD
HAMPTON, GA 30228



BILL NUMBER BARCODE

Bill No.	Due Date	TOTAL DUE
2021-35654	11/16/2021	445.76

Map: 022-01032000

Payment Good Through: 11/16/2021

Location: 68 WEST KING RD

Printed: 08/02/2021

Interest will be applied monthly after the due date. A 5% penalty will be applied every 120 days from the due date. (20% maximum) Payment Good Through date applies to Current Year interest only. Bills are mailed to the Jan 1 owner. If you have sold this property, please return the bill along with a Settlement Statement within 90 days from the due date. (Ga Code Section 46-3-3). We accept US postmark only as proof of mailing. Questions regarding Payments: 770 288-8180 opt 3. Questions regarding Value: 770 288-7699 opt 1.

PAYMENTS ARE ACCEPTED PRIOR TO DUE DATE. PAYMENT DROP BOXES AVAILABLE AT BOTH LOCATIONS. You can pay your taxes online at www.HenryCountyTax.com

Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253-6698



RETURN THIS PORTION WITH PAYMENT

(Interest will be added monthly if not paid by due date)

If your taxes are paid by your mortgage company,
send them this portion only.

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com



Tax Payer: HENDRY PRISCILLA D & EDWIN O
Map Code: 022-01032000 REAL
Description: LLOT: 114 LDIST: 3
Location: 68 WEST KING RD
Bill No: 2021-35654
District: 004 HAMPTON

Phone: (770) 288-8180 Fax: (770) 288-8190

Building Value	Land Value	Acres	Fair Market Value	Due Date			Payment Good Through	Exemptions
105,800	61,100	5.9300	166,900	11/16/2021			11/16/2021	L9
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
HENRY COUNTY TAX	166,900.00	66,760.00	31,320.00	35,440.00	12.357	437.93	0.00	311.44
COUNTY SALES TAX CREDIT	166,900.00	66,760.00	31,320.00	35,440.00	-3.569	0.00	-126.49	0.00
COUNTY WATER	166,900.00	66,760.00	31,320.00	35,440.00	2.000	70.88	0.00	70.88
FIRE PROTECTION SSD	166,900.00	66,760.00	31,320.00	35,440.00	1.105	39.16	0.00	39.16
RECREATION SSD	166,900.00	66,760.00	31,320.00	35,440.00	.685	24.28	0.00	24.28
TOTALS					12.578	572.25	-126.49	445.76

Map: 022-01032000



BILL NUMBER BARCODE

Scan the QR Code with
your smart phone to pay
your tax bill.



Homeowners are entitled to homestead exemptions only on their actual place of permanent residence. Only one homestead is allowed for one immediate family group. Please notify the Tax Assessors of any changes which could affect your homestead exemption such as, changes to Warranty Deed, age, death, disability or change of residence. You must file by April 1, 2022 for the 2022 tax year. If you are 62 years of age on or before Jan 1 2022, and currently receive homestead exemption, you may qualify for additional exemptions for 2022. Contact the office @ 770-288-7999 option 1 or 770-288-8180 option 3 for details. Information is also available on Disability and Disabled Veterans exemptions. Forms may be found on our website.

Bill No: 2021-35654	
Current Due	445.76
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
TOTAL DUE	445.76

2021 Property Tax Statement

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com

FORWARDING SERVICE REQUESTED

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Henry County Tax Commissioner



AUTO 5-DIGIT 38228 12 202 3856 1AV 0.368

HENDRY PRISCILLA D & EDWIN O
68 WEST KING RD
HAMPTON, GA 30228



RETURN THIS PORTION WITH PAYMENT

(Interest will be added monthly if not paid by due date)

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com



Phone: (770) 288-8180 Fax: (770) 288-8180

Bill No.	Due Date	TOTAL DUE
2021-35654	11/16/2021	445.76

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Location: 68 WEST KING RD

Payment Good Through: 11/16/2021

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PAYMENTS ARE ACCEPTED PRIOR TO DUE DATE. PAYMENT DROP BOXES AVAILABLE AT BOTH LOCATIONS. You can pay your taxes online at www.HenryCountyTax.com

Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253-6696



If your taxes are paid by your mortgage company,
send them this portion only.

Tax Payer: HENDRY PRISCILLA D & EDWIN O
Map Code: 022-01032000 REAL
Description: LLOT: 114 LDIST: 3
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RECREATION SSD		166,900.00	66,760.00	31,320.00	35,440.00	.685	24.28	0.00	24.28
TOTALS						12.578	572.25	-126.49	445.76

Map: 022-01032000



BILL NUMBER BARCODE

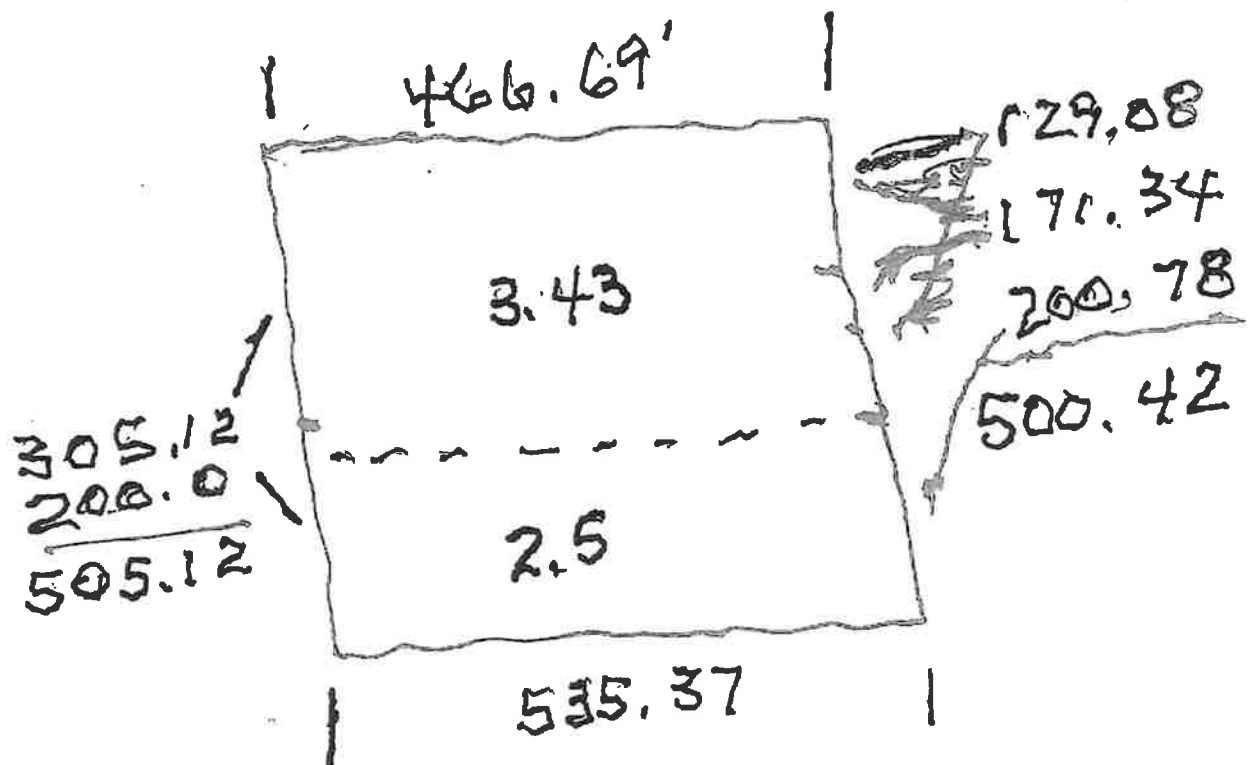
Scan the QR Code with
your smart phone to pay
your tax bill.



Bill No: 2021-35654

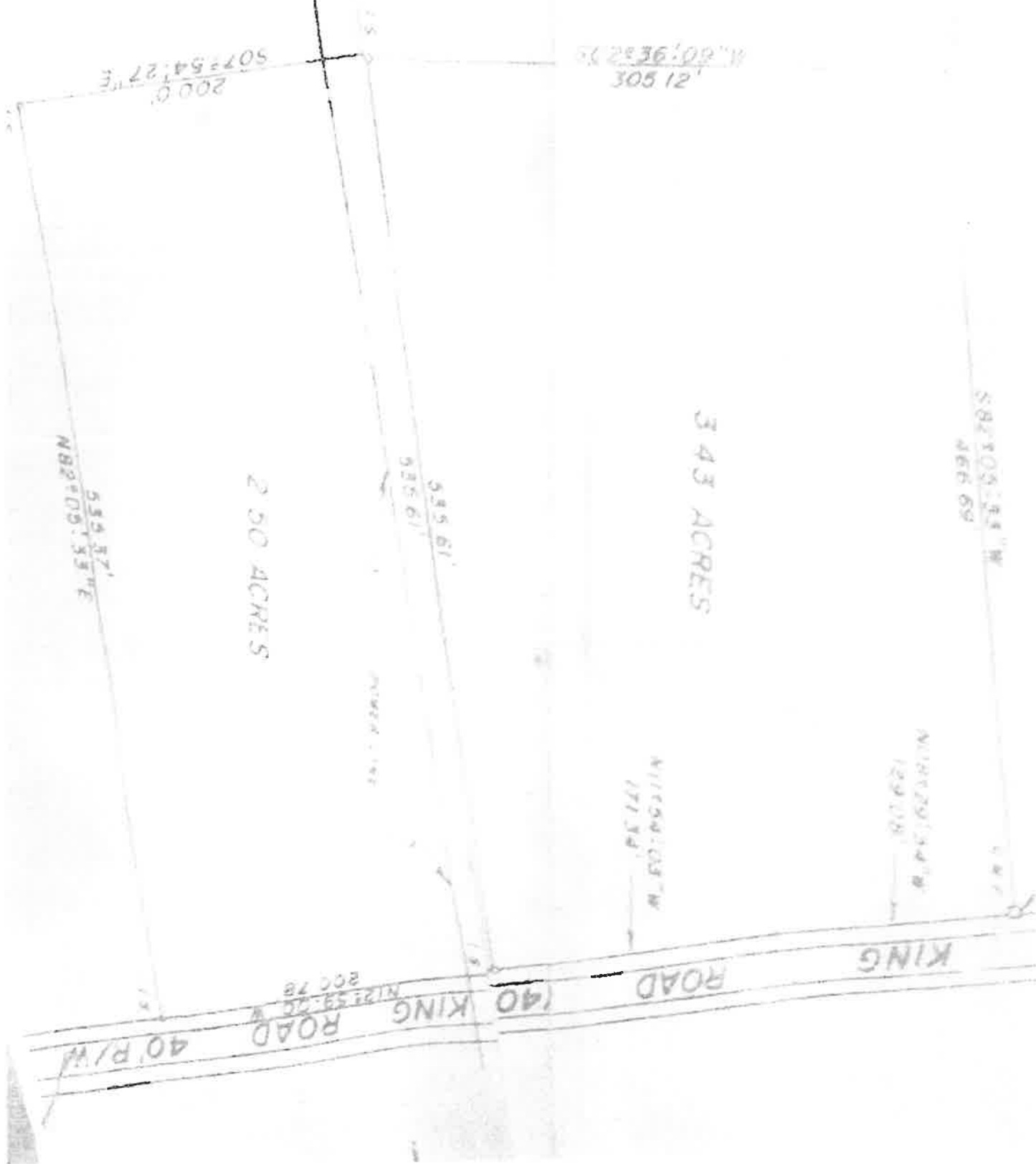
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Mrs Miriam A Newman

Mrs Miriam A Newman



FILED IN OFFICE THIS THE 2^D
DAY OF June 1922
AT 11:00 O'CLOCK P. M.
L. A. H. by [signature]
CLERK DISTRICT COURT


FOR ADVISORY A RESEARCHER

5.00 ACRES

NORTH *ASAGUE TIG*

Mrs. MARGARET A. HANFORD

1077 *Edmund A. Byrne*



Dr. van Dordt

June 20-1977

GONKLE & ASSOC.
ENGINEERING & SURVEYING
GRiffin, Georgia

PROPERTY SURETY FOR
JOHN HERBERT, INC.
LOCATED IN CITY OF HAMPTON
LANDLOT 114 OF THE 3RD LAND DISTRICT
HENRY COUNTY, GEORGIA
SCALE: 1"=100'—DATE: MAY 30, 1977

Filed in office this 28th day of June 19 71.
at 2157 O'clock P. M.
Lawrence E. Taylor
District Judge Court

M.D. Mervin A. Diamond

2.50 ACRES

—NORTH  MAGNETIC

Ms. Martin A. Hanson

FOR NUTRITION & NUTRITION

2025 RELEASE UNDER E.O. 14176

2025 RELEASE UNDER E.O. 14176

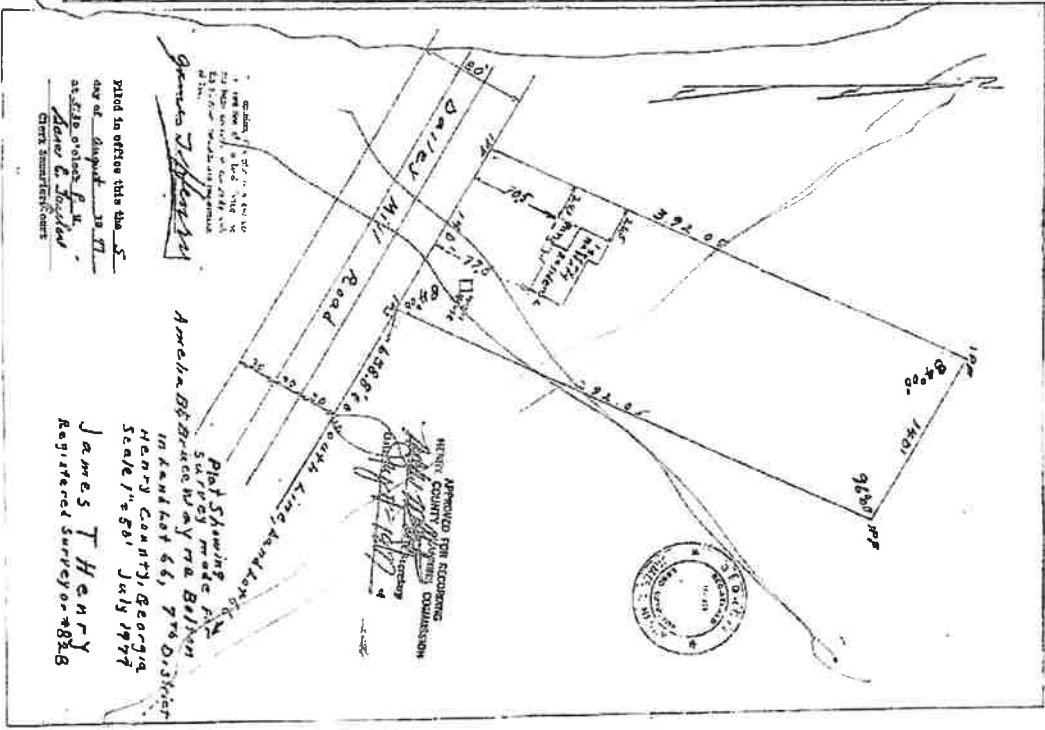
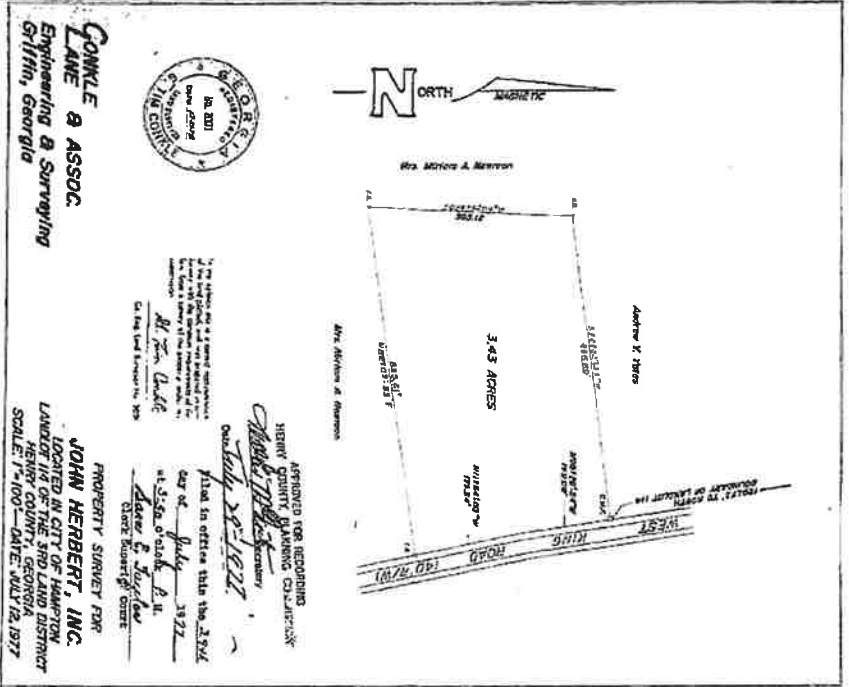
CONKLE & ASSOC.
LANE
Engineering & Surveying
Griffin, Georgia

PROPERTY SURVEY FOR
JOHN HERBERT, INC.
LOCATED IN CITY OF HAMPTON
LANDLOT 119 OF THE 3RD LAND DISTRICT
HENRY COUNTY, GEORGIA
SCALE: 1" = 100' — DATE: MAY 30, 1977

PB6/281

PB6/296

296





HENRY COUNTY DEPARTMENT OF PLANNING & ZONING

APPLICATION FOR DEANNEXATION

To the Board of Commissioners of Henry County, Georgia.

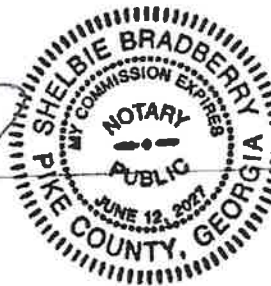
1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the Henry County Board of Commissioners accept the deannexation request of this territory from city boundaries, and extend the County services district to include the same.
2. The territory to be deannexed is contiguous to existing unincorporated areas, and complies with requirements established in O.C.G.A Title 36, Chapter 36. The description of such territory is attached hereto.

OWNERS NAME(S) DONALD R. LANDIS
DELL G. LANDIS
 PHONE NUMBER(S) 770-946-8841 (HOME) 770-653-3958 (DON CELL) 770-653-3957 (DELL CELL)
 EMAIL ADDRESS(ES) DLANDISSR@CHARTER.NET
 DEANNEXATION FROM ☒ HAMPTON ☐ LOCUST GROVE ☐ MCDONOUGH ☐ STOCKBRIDGE
 LOCATION/ADDRESS 58 WEST KING RD, HAMPTON, GA. 30228
 LAND LOT/DISTRICT LLLOT - 114 LDIST. - 3
 ACERAGE 6.520
 PARCEL ID NUMBER(S) 002-01033000
 ZONING DISTRICT(S) LLLOT - 114 LDIST - 3
 USE ADDITIONAL SHEETS IF REQUIRED.

SIGNATURE(S) Donald R. Landis DATE 26 JUL 2023
Dell G. Landis DATE 07/24/2023

ALL PROPERTY OWNERS MUST SIGN AS THEIR NAME APPEARS ON THE DEED. USE ADDITIONAL SHEETS IF REQUIRED.

Shelbie Bradberry
 NOTARY SIGNATURE AND SEAL



DATE 7/24/2023

(Office use only)

☐ Survey OR ☒ Legal description AND ☒ Letter from property owner(s) requesting deannexation

Application Received by: YAD YR Title: Planner II Date: 7/25/23

Applicant Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Henry County Board of Commissioners or Zoning Advisory Board who will consider the application?

Yes _____ No ☒

If Yes, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

Commissioner/Zoning Advisory Board Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this _____ day of _____

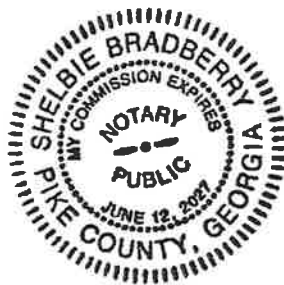
DONALD R. LANDIS
Applicant's Name - Printed
DRLL ELANDIS

Donald R. Landis
Signature of Applicant/Property Owner/Agent
Deel E. Landis

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 24 day of July, 2023




Shelby Bradberry
Notary Public

* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for a Conditional Use.

To whom it may concern:

I Donald R. Landis and my wife Dell E. Landis who are co-owners of the property at 58 W King Rd, Hampton, GA 30228 desire to de-annex from the City of Hampton and be totally in Henry County only. The attached documents are for that purpose.

Signed: Donald R. Landis  Date: 24 JUL 2023

Signed: Dell E. Landis  Date: 07/24/2023

STATE OF GEORGIA, Henry County

IN CONSIDERATION of the Sum of LOVE AND AFFECTION AND OTHER VALUABLE CONSIDERATION
DOLLARS to US WE, DONALD RICHARD LANDIS and DELL G. LANDIS
 of the County of Henry do hereby sell and convey unto
DONALD R. LANDIS, SR. and DELL G. LANDIS
AS JOINT TENANTS WITH FULL SURVIVORSHIP & NOT MERELY AS TENANTS IN COMMON
 of the County of HENRY THEIR heirs and assigns, a tract or parcel
 of land, which is described as follows:

All that lot, tract or parcel of land situate, lying and being in Land Lot 114 of the 3rd Land District of the City of Hampton, Henry County, Georgia, as shown by plat of survey for Donald Richard Landis and Dell G. Landis by Koons, Wood & Associates, Inc., dated 8/26/86 and in accordance with said plat being more particularly described as follows:

TO REACH THE TRUE POINT OF BEGINNING commence at the intersection of the southwest right-of-way line of West King Road and the northerly line of Land Lot 114; thence southeasterly along the southwestern right-of-way line of West King Road 681.91 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING southeasterly along the southwestern right-of-way line of West King Road a distance of 609.84 feet to a point; thence South 77 degrees 50 minutes 20 seconds West a distance of 466.69 feet to a point; thence North 12 degrees 09 minutes 40 seconds West a distance of 609.75 feet to a point; thence North 77 degrees 30 minutes 20 seconds East 461.50 feet to a point and the TRUE POINT OF BEGINNING.

REC'D IN EX. 2147
 PAGE 276
 DATE REC'D 9-7-95
 CLERK David E. Taylor
 SEP 6 11 32 AM '95

PAID & RECEIVED
 CLERK OF COURT OF COURT
 HENRY COUNTY, GA.

HENRY COUNTY GEORGIA
 REAL ESTATE TRANSFER TAX
 PAID \$ -0- Love & Affection
 DATE 9-6-95
David E. Taylor
 Clerk of Superior Court

THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO ALL EASEMENTS & RESTRICTIVE COVENANTS OF RECORD, IF ANY.

To Have and to Hold said land and appurtenances unto said _____

DONALD R. LANDIS, SR. and DELL G. LANDIS
 AS JOINT TENANTS WITH FULL SURVIVORSHIP & NOT MERELY AS TENANTS IN COMMON, THEIR heirs, executors, administrators, and assigns, in fee simple.

WE warrant the title to said land against the lawful claims of all persons.

In Witness Whereof, we have hereunto set our hand and affixed our seal this the 25th day of August, 19 95

Signed, sealed and delivered in the presence of:

[Signature]
 UNOFFICIAL WITNESS
[Signature] (SEAL)
 NOTARY PUBLIC, MY COMMISSION EXPIRES _____
 Notary Public, Henry County, Georgia
 My Commission Expires 12-31-1996

[Signature] (L.S.)
 DONALD RICHARD LANDIS
[Signature] (L.S.)
 DELL G. LANDIS
 (L.S.)

017893

HOODS & WOODS consulting engineers - surveyors - planners 18 EASTWICK BLVD PEACOCK CITY GEORGIA 30269 407-9220	
SUBDIVISION: 58 WEST KING ROAD, HAMPTON	LOT: 14 LAND LOT: 14
BLOCK: 3rd DISTRICT: 3rd	DATE: 8/26/86 REV:
SCALE: 1" = 100' COUNTY: HENRY	JOB NO: 86891

DONALD RICHARD LANDIS & DELL G. LANDIS

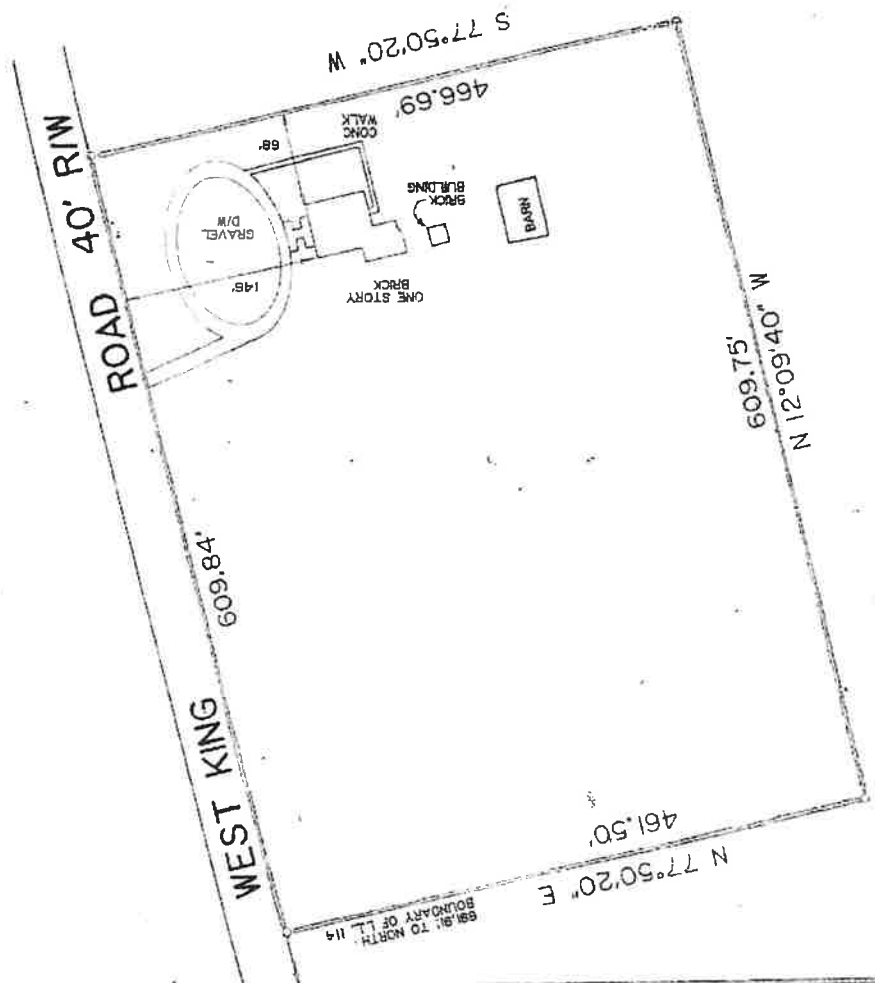
PREPARED FOR:

NOTE: HOUSE LOCATION BY
 THIS OFFICE ONLY. BOUNDARY
 DATA TAKEN FROM A PLAT
 IN PLAT BOOK 7, PAGE 7.

In my opinion, this property does not
 lie within a flood hazard area accord-
 ing to the latest HUD flood plain map.



In my opinion this plat is a correct
 representation of the land platted and
 has been prepared in conformity with
 the minimum standards and require-
 ments by law.
 J.R. Wood
 Member S. A. M. S. O. G.



Deannexation Evaluation Report



Henry County Planning & Zoning CITY OF HAMPTON DE-AX-23-02

Commission District: 1
Commissioner: Johnny Wilson
Report Prepared by: Kenta Lanham, Planner III

Property Owners: Edward and Pricilla Hendry
Dell and Donald Landis

Location: 68 West King Road
58 West King Road

Parcel ID(s): 022-01032000
022-01033000

Request: Deannexation

BOC Meeting: **March 19, 2024**

Lot Size: 12.41 +/- acres (total)

Zoning History: Per correspondence received by Planning staff on March 13, 2024, from City of Hampton Community Development Department staff, the subject properties are zoned R-1 (Single-Family Residential).

Adjacent properties are as follows:

North: City of Hampton
South: Unincorporated Henry County
East: City of Hampton
West: City of Hampton

Current Land Use: Single-Family Residences

Future Land Use: The Henry County/Cities Joint 2040 Comprehensive Plan and Future Land Use Map designates the property as Rural Residential.

Proposed Zoning: As per the application materials, the residents of two (2) properties, consisting of a combined total of 12.41 +/- acres, propose to deannex the subject properties from the municipal boundaries of the City of Hampton to the unincorporated limits of Henry County. Upon deannexation, the properties would be zoned R-1 (Single-Family Residence), which is the zoning designation of the properties within City of Hampton.

Comments: The owners of the subject property are requesting the 100% deannexation method from the City of Hampton. According to the Official Code Georgia Annotated, *O.C.G.A. § 36-36-131*, municipal corporations can deannex incorporated area or areas which directly abut the existing municipal boundary or would directly abut on the municipal boundary if it were not otherwise

separated from the municipal boundary by lands owned by the municipal corporation or some other political subdivision, by lands owned by this state, or by the definite width of any street or street right of way; any creek or river; or any right of way of a railroad or other public service corporation.

The application packet, including the written and signed applications of all of the owners of all of the land proposed to be deannexed, and containing a complete description of the lands to be deannexed was submitted to Henry County on July 25, 2023, in accordance with *O.C.G.A. § 36-36-113*.

As per the application materials, the residents of two (2) properties, consisting of a combined 12.41 +/- acres, propose to deannex the subject properties from the municipal boundaries of the City of Hampton to the unincorporated limits of Henry County. Upon deannexation, the properties would be zoned R-1 (Single-Family Residence).

The Future Land Use Map (FLUM), as part of the Henry County 2045 Comprehensive Plan, designates the area south of the subject property as Rural Residential, which is described in the Comprehensive Plan as areas characterized by agricultural and natural land uses with lots ranging from small (less than 1 acre) to very large. The Rural Residential FLUM designation supports developments with a density of up to 1.0 dwelling units per acre, net.

The subject property is located within an area designated as a Rural Community on the Henry County Development and Infrastructure Strategy Area Map. The vision for Rural Community areas is to maintain a rural environment that accommodates low intensity residential growth. Investment in multi-use trails for the purpose of recreational use in these areas is recommended.

Per *O.C.G.A. 36-36-134*, in the event of a deannexation, a municipality may, but is not required to, continue to provide any services to the property which it was providing immediately prior to the deannexation, provided that the county and municipality have agreed to terms and conditions for the municipality continuing to provide such services.

Per *O.C.G.A. 36-36-131*, a municipality is granted the authority to deannex an area or areas of the existing corporate limits upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such deannexation. If the governing authority of the county consents to the deannexation and the deannexation conforms with the requirements of *O.C.G.A. Article 8*, the governing authority of the municipal corporation shall approve such deannexation unless it finds that the deannexation would be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

Recommendation: It is Planning & Zoning staff's opinion that the deannexation would not be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the City of Hampton.

Attachments:

- Aerial Map
- Zoning Map

- Tax Map
- Future Land Use Map
- Resolution
- Application Packet

RESOLUTION #24- 87

**RESOLUTION ACCEPTING PROPOSED DEANNEXATION FROM THE CITY OF
HAMPTON OF TWO (2) PARCELS OF LAND CONSISTING OF A COMBINED 12.41 +/-
ACRES IN LAND LOT 114 OF THE 3RD DISTRICT, HENRY COUNTY, GEORGIA**

WHEREAS, pursuant to *O.C.G.A. Article 8*, the Henry County Board of Commissioners have received application from property owners (“Applicants”) advising Henry County of their intent to deannex (DE-AX-23-02) two (2) properties consisting of a combined total of 12.41 +/- acres in Land Lot 114 of the 3rd District from the municipal boundary of the City of Hampton, Henry County, Georgia, being **Parcels 022-01032000 and 022-01033000** (the” Property”) (*see*, Exhibit A, attached hereto); and

WHEREAS, in connection with, and immediately following, the annexation, the property owners seek to change the zoning for the Property from the City of Hampton R-1 (Single-Family Residential) zoning district to the Henry County R-1 (Single-Family Residence) zoning district; and

WHEREAS, *O.C.G.A. § 36-36-131* grants the City of Hampton the authority to deannex an area or areas of the existing corporate limits upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such deannexation; and

WHEREAS, Henry County Board of Commissioners analyzed and whether the deannexation may be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality; and

WHEREAS, the Henry County Board of Commissioners has determined that the proposed deannexation of the Property into the County would not cause a material increase in the burden on Henry County; and

WHEREAS, the Henry County Board of Commissioners has determined that the proposed deannexation of the Property into the County would not result in an increase in density and infrastructure demands which would be detrimental to Henry County and to the health, safety, and welfare of Henry County and its citizens; and

WHEREAS, the Henry County Board of Commissioners has determined that the proposed deannexation would not be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

NOW THEREFORE, BE IT RESOLVED that, pursuant to the provisions of *O.C.G.A. § 36-36-131*, et seq, Henry County accepts the proposed deannexation (DE-AX-23-02) of the Property, as described in Exhibit A, from the municipal boundaries of the City of Hampton to the corporate boundary of Henry County, Georgia, on the grounds that the proposed the proposed deannexation would not be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

BE IT FURTHER RESOLVED that the County Manager and/or the County Attorney are authorized and directed to send such notice(s) as are required by law to the City of Hampton and/or the effected property owners.

BE IS FURTHER RESOLVED that the County Attorney is authorized to initiate such legal proceedings as are proper to enjoin the deannexation of the Property and/or initiate and/or engage in the arbitration proceedings authorized per *O.C.G.A. § 36-36-114*.

BE IT FURTHER RESOLVED that this Resolution shall be forwarded to the City, together with such supporting documentation as are reasonable and necessary to support the same.

BE IT SO RESOLVED, THIS 19TH DAY OF MARCH 2024.

A handwritten signature in blue ink, appearing to read 'Carlotta Harrell', written over a horizontal line.

CARLOTTA HARRELL, CHAIR
HENRY COUNTY BOARD OF
COMMISSIONERS

ATTEST:

A handwritten signature in blue ink, appearing to read 'Stephanie Braun', written over a horizontal line.

STEPHANIE BRAUN
COUNTY CLERK



HENRY COUNTY **DEPARTMENT OF PLANNING & ZONING**

APPLICATION FOR DEANNEXATION

To the Board of Commissioners of Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the Henry County Board of Commissioners accept the deannexation request of this territory from city boundaries, and extend the County services district to include the same.
2. The territory to be deannexed is contiguous to existing unincorporated areas, and complies with requirements established in O.C.G.A Title 36, Chapter 36. The description of such territory is attached hereto.

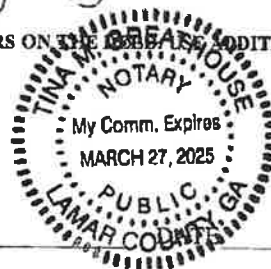
OWNERS NAME(S) PRISCILLA D. HENDRY
EDWIN O. HENDRY
 PHONE NUMBER(S) 770 946 3637
 EMAIL ADDRESS(ES) 678 283 1728
 DEANNEXATION FROM ☒ HAMPTON ☐ LOCUST GROVE ☐ MCDONOUGH ☐ STOCKBRIDGE
 LOCATION/ADDRESS 68 W. King Rd. Hampton, GA 30228
 LAND LOT/DISTRICT LLot 114 L DIST: 3
 ACERAGE 5.93 ACRES
 PARCEL ID NUMBER(S) 022-01032000
 ZONING DISTRICT(S) 004 HAMPTON

USE ADDITIONAL SHEETS IF REQUIRED.

SIGNATURE(S) Priscilla D. Hendry DATE 6-27-23
Edwin O. Hendry DATE 6-27-23

ALL PROPERTY OWNERS MUST SIGN AS THEIR NAME APPEARS ON THE DEED OR ADDITIONAL SHEETS IF REQUIRED.

NOTARY SIGNATURE AND SEAL



(Office use only)

☒ Survey OR ☐ Legal description AND ☒ Letter from property owner(s) requesting deannexation

Application Received by: [Signature] Title: Planner II Date: 7/25/23

Applicant Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Henry County Board of Commissioners or Zoning Advisory Board who will consider the application?

Yes ☐ No ☒

If Yes, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

Commissioner/Zoning Advisory Board Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this 27 day of June, 2023

PRISCILLA B. HENDRY
EDWIN HENDRY
Applicant's Name - Printed

[Signature]
Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 27 day of June, 2023.



[Signature]
Notary Public

* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for a Conditional Use.

July 24, 2023

To Whom It May Concern:

Priscilla and Edwin Hendry ,owners of the property at 68 W. King Rd in the city of Hampton , Georgia

Are requesting that the above property be de-annexed from the city of Hampton to the county of Henry.

Thank you ,

Priscilla Hendry
Edwin Hendry

Mrs. Miriam A. Newman

Mrs. Miriam A. Newman

507054122
2000

102236-028
305 12

2.00 ACRES

3.43 ACRES

539.8'
N 88° 14' 45" W

548.6'
N 33° 01'

401.20' 0.8" W
171.38'

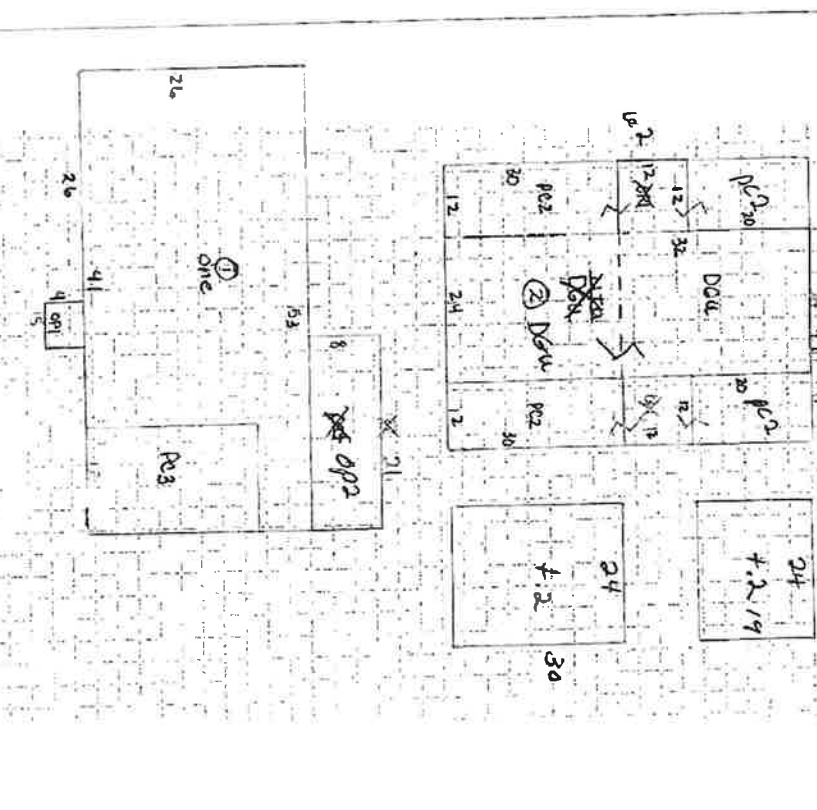
401.20' 0.8" W
171.38'

KING ROAD 40 KING ROAD 40 P.M.
102236-028
305 12

HENRY COUNTY GEORGIA - Residential Appraisal Card

Field Work By	Date	Field Work By	Date	Field Work By	Date
By	1/13/84	By	1/1	By	1/1
Field Work By	Date	Field Work By	Date	Field Work By	Date
By	7/10/88	By	1/1	By	1/1
Field Work By	Date	Field Work By	Date	Field Work By	Date
By	1/1	By	1/1	By	1/1

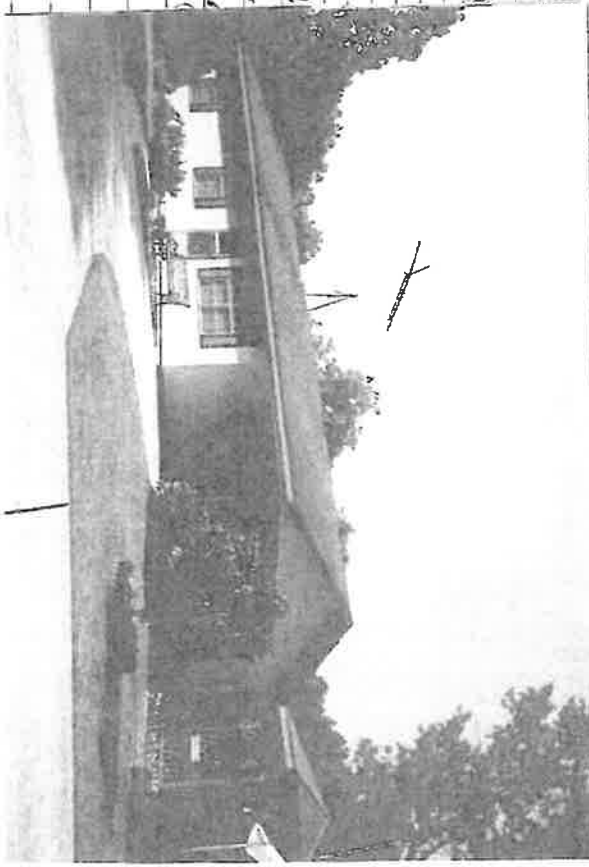
NAME/ADDRESS: 08 11821 1111 Rd. LB F2 34+



NOTES: 92-add Dec All notes on Dec Contract p22
 active. Current small outbldg N.W. of house 7-10-88 EXT-field
 on Res Change Cmt to C. Change part to Ext 1 opa, on
 add 1220 p22 to both sides of Dec and draw off t.2.
 Gar2bo noted of Little value. All other Data Refs

Improvement No.	1	2	3	4	5	6
Type of Structure	1	2	3	4	5	6
Year Built	1978	1978	1978	1978	1978	1978
Remodeled Yr.						
Effective Yr. EYB						
Bldg	1	2	3	4	5	6
Improvement	PC1	PC2	PC3	PC4	PC5	PC6
Class	1	2	3	4	5	6
Base Rate						
Base Area						
Adjusted Area						
Condition						
Year						

PERMIT NUMBER	920922	CUBS	C-1	ZONING	R2	UNITIES	W S G ALL
HOME SITE	Exc	Good	Poor	Very Poor	Very Poor	Very Poor	Very Poor
DESCRIPTION	1	2	3	4	5	6	7
EXTERIOR WALLS							
ROOF MATERIAL							
ROOF TYPE							
FLOORS							
CEILING							



2021 Property Tax Statement

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com

FORWARDING SERVICE REQUESTED

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Henry County Tax Commissioner



AUTO**5-DIGIT 30228 12 202 3853 1 AV 0.368

HENDRY PRISCILLA D & EDWIN O
68 WEST KING RD
HAMPTON, GA 30228



BILL NUMBER BARCODE

Bill No.	Due Date	TOTAL DUE
2021-35654	11/16/2021	445.76

Map: 022-01032000

Payment Good Through: 11/16/2021

Location: 68 WEST KING RD

Printed: 08/02/2021

Interest will be applied monthly after the due date. A 5% penalty will be applied every 120 days from the due date. (20% maximum) Payment Good Through date applies to Current Year Interest only. Bills are mailed to the Jan 1 owner. If you have sold this property, please return the bill along with a Settlement Statement within 90 days from the due date. (Ga Code Section 48-3-3). We accept US postmark only as proof of mailing. Questions regarding Payments: 770 288-8180 opt 3. Questions regarding Value: 770 288-7999 opt 1.

PAYMENTS ARE ACCEPTED PRIOR TO DUE DATE. PAYMENT DROP BOXES AVAILABLE AT BOTH LOCATIONS. You can pay your taxes online at www.HenryCountyTax.com

Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253-6696



RETURN THIS PORTION WITH PAYMENT

(Interest will be added monthly if not paid by due date)

If your taxes are paid by your mortgage company,
send them this portion only.

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com



Tax Payer: HENDRY PRISCILLA D & EDWIN O
Map Code: 022-01032000 REAL
Description: LLOT: 114 LDIST: 3
Location: 68 WEST KING RD
Bill No: 2021-35654
District: 004 HAMPTON

Phone: (770) 288-8180 Fax: (770) 288-8190

Building Value	Land Value	Acres	Fair Market Value	Due Date			Payment Good Through	Exemptions
105,800	81,100	5.9300	166,900	11/16/2021			11/16/2021	L9
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
HENRY COUNTY TAX	166,900.00	66,760.00	31,320.00	35,440.00	12.357	437.93	0.00	311.44
COUNTY SALES TAX CREDIT	166,900.00	66,760.00	31,320.00	35,440.00	-3.569	0.00	-126.49	0.00
COUNTY WATER	166,900.00	66,760.00	31,320.00	35,440.00	2.000	70.88	0.00	70.88
FIRE PROTECTION SSD	166,900.00	66,760.00	31,320.00	35,440.00	1.105	39.16	0.00	39.16
RECREATION SSD	166,900.00	66,760.00	31,320.00	35,440.00	.685	24.28	0.00	24.28
TOTALS					12.578	572.25	-126.49	445.76

Map: 022-01032000



BILL NUMBER BARCODE

Scan the QR Code with
your smart phone to pay
your tax bill.



Homeowners are entitled to homestead exemptions only on their actual place of permanent residence. Only one homestead is allowed for one immediate family group. Please notify the Tax Assessors of any changes which could affect your homestead exemption such as, changes to Warranty Deed, age, death, disability or change of residence. You must file by April 1, 2022 for the 2022 tax year. If you are 62 years of age on or before Jan 1 2022, and currently receive homestead exemption, you may qualify for additional exemptions for 2022. Contact the office @ 770-288-7999 option 1 or 770-288-8180 option 3 for details. Information is also available on Disability and Disabled Veterans exemptions. Forms may be found on our website.

Bill No: 2021-35654	
Current Due	445.76
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
TOTAL DUE	445.76

2021 Property Tax Statement

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com

FORWARDING SERVICE REQUESTED

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Henry County Tax Commissioner



AUTO 5-DIGIT 30228 12 202 3886 1 A/V 0.388

HENDRY PRISCILLA D & EDWIN O
68 WEST KING RD
HAMPTON, GA 30228



RETURN THIS PORTION WITH PAYMENT

(Interest will be added monthly if not paid by due date)

Michael Harris
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253
www.henrycountytax.com



Phone: (770) 288-8180 Fax: (770) 288-8180

Bill No.	Due Date	TOTAL DUE
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Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253-6686



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Tax Payer: HENDRY PRISCILLA D & EDWIN O
Map Code: 022-01032000 REAL
Description: LLOT: 114 LDIST: 3
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District: 004 HAMPTON

Building Value	Land Value	Acres	Fair Market Value	Due Date			Payment Good Through	Exemptions	
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HENRY COUNTY TAX		166,900.00	66,760.00	31,320.00	35,440.00	12.357	437.93	0.00	311.44
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TOTALS						12.578	572.25	-126.49	445.76

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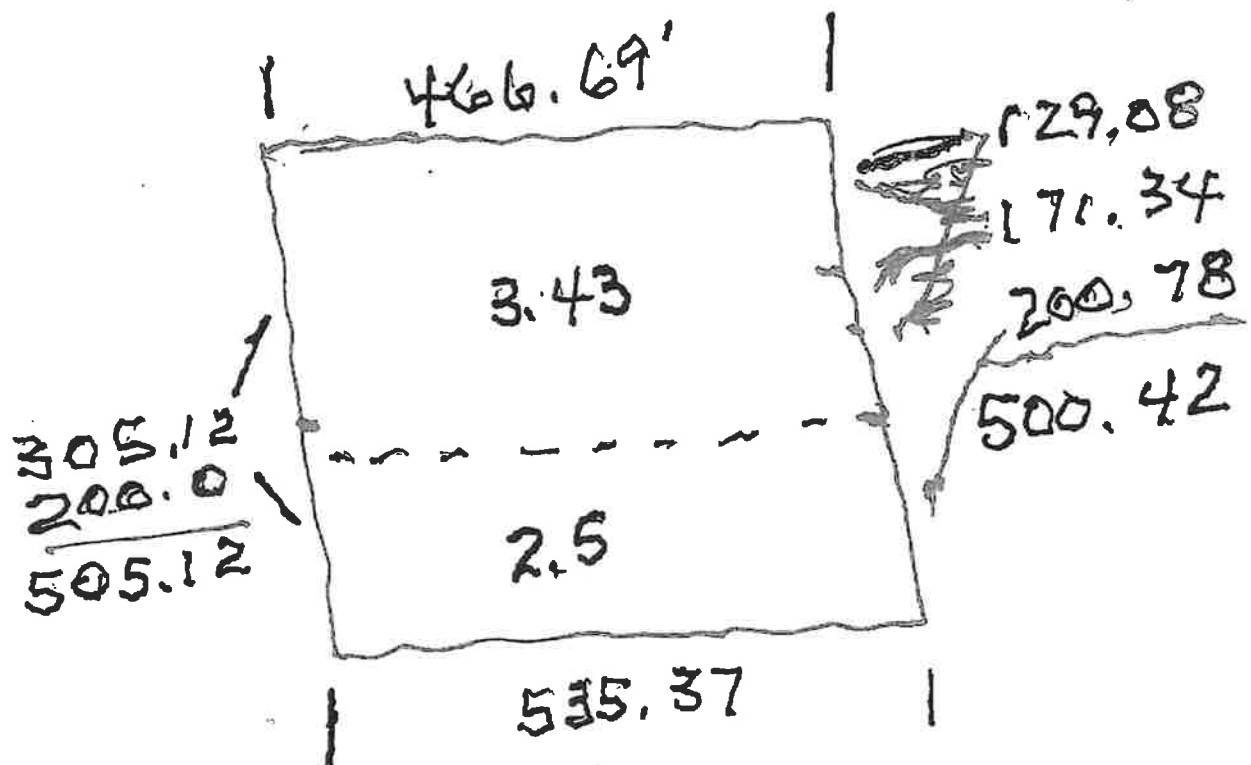


BILL NUMBER BARCODE

Bill No: 2021-35654

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Homeowners are entitled to homestead exemptions only on their actual place of permanent residence. Only one homestead is allowed for one immediate family group. Please notify the Tax Assessors of any changes which could affect your homestead exemption such as, changes to Warranty Deed, age, death, disability or change of residence. You must file by April 1, 2022 for the 2022 tax year. If you are 62 years of age on or before Jan 1 2022, and currently receive homestead exemption, you may qualify for additional exemptions for 2022. Contact the office @ 770-288-7999 option 1 or 770-288-8180 option 3 for details. Information is also available on Disability and Disabled Veterans exemptions. Forms may be found on our website.



Mrs Miriam A New

Mrs Miriam A Newman



FILED IN OFFICE THIS 21ST DAY OF June 19 77
AT 1:12 0'1000 P. M.
JACK BEAVER
CLERK SINGAPORE COURT

NORTH *MAGNETIC*

Mrs. Mary Ann A. Hewitt

FOR AIRMAIL & POSTAGE

5.00 ACRES

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June 20-1877

GONKLE & ASSOC.
LANE
Engineering & Surveying
Griffin, Georgia

PROPERTY SURVEY FOR
JOHN HERBERT, INC.
LOCATED IN CITY OF HANPTON
LANDLOT 114 OF THE 3RD LAND DISTRICT
HENRY COUNTY, GEORGIA
SCALE: 1"=100'—DATE: MAY 30, 1977

Filed in office this 28th
day of June 19 27.
at 2:15 o'clock P. M.
Harry E. Taylor
District Judge

NORTH 

APRIL 2017

M. J. Newman & A. Albertsson

2.50 ACRES

How Affirmative Action Works

It is against this a certain Mr. Paulson
of the land office, and was proved to be
friendly with the numerous representatives of the
law firm a group of the property under
the name of

Mr. John Clarke

Co. being land Surveyors the 20th

[Handwritten signature]
Brendon T. ...
Jan 1977
SS - 1071

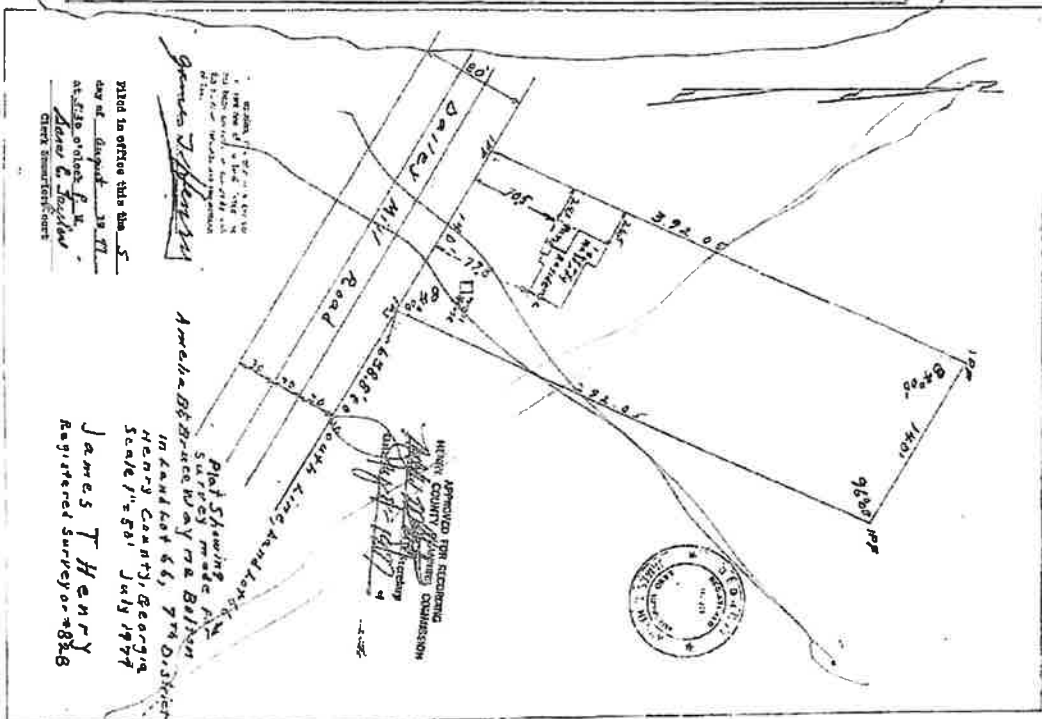
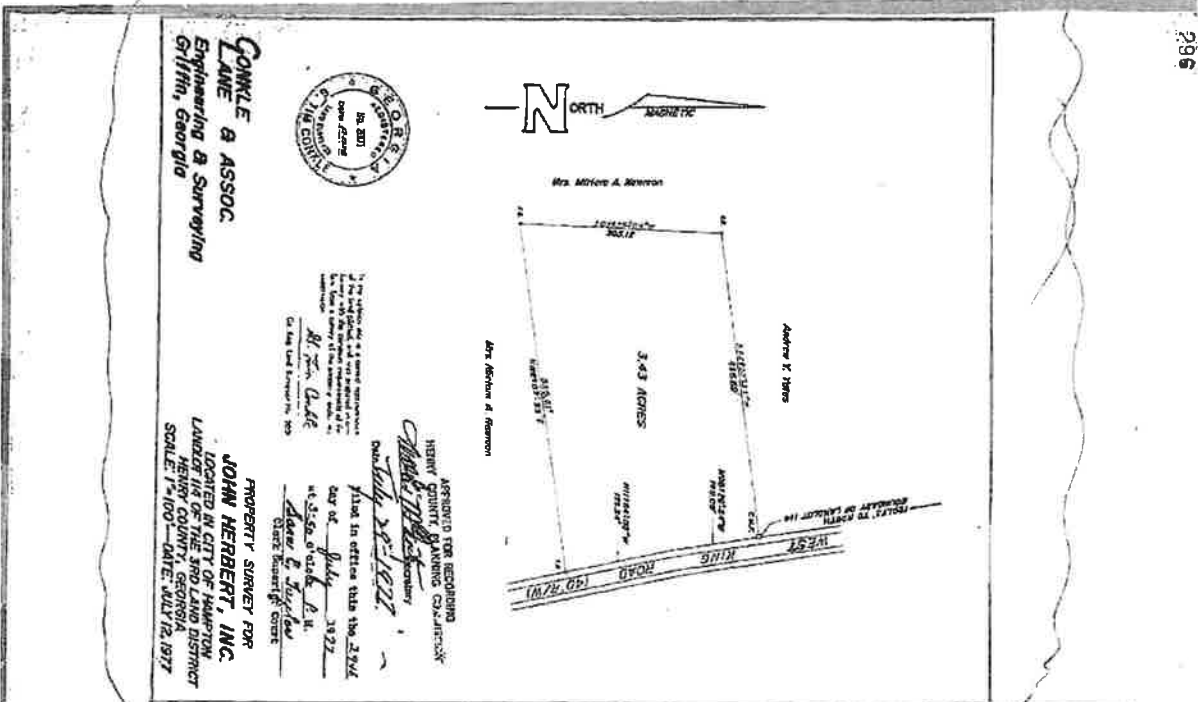
GONKLE & ASSOC.
LANE
Engineering & Surveying
Griffin, Georgia

PROPERTY SURVEY FOR
JOHN HERBERT, INC.
LOCATED IN CITY OF HAMPTON
LANDLOT 114 OF THE 3RD LAND DISTRICT
HENRY COUNTY, GEORGIA
SCALE: 1"=100'—DATE: MAY 30, 1987

PB6/281

PB6/294

296





HENRY COUNTY DEPARTMENT OF PLANNING & ZONING

APPLICATION FOR DEANNEXATION

To the Board of Commissioners of Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the Henry County Board of Commissioners accept the deannexation request of this territory from city boundaries, and extend the County services district to include the same.
2. The territory to be deannexed is contiguous to existing unincorporated areas, and complies with requirements established in O.C.G.A Title 36, Chapter 36. The description of such territory is attached hereto.

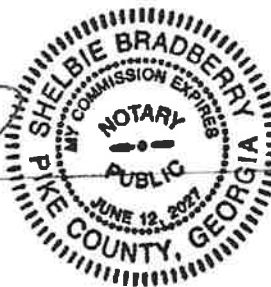
OWNERS NAME(S) DONALD R. LANDIS
DELL G. LANDIS
 PHONE NUMBER(S) 770-946-8841 (HOUSE) 770-653-3958 (DON CELL) 770-653-3957 (DELL CELL)
 EMAIL ADDRESS(ES) DLANDISSR@CHARTER.NET
 DEANNEXATION FROM ☒ HAMPTON ☐ LOCUST GROVE ☐ MCDONOUGH ☐ STOCKBRIDGE
 LOCATION/ADDRESS SR WEST KING RD, HAMPTON, GA. 30228
 LAND LOT/DISTRICT LLOT-114 L DIST. - 3
 ACERAGE 6.520
 PARCEL ID NUMBER(S) 002-01033000
 ZONING DISTRICT(S) LLOT-114 L DIST. - 3

USE ADDITIONAL SHEETS IF REQUIRED.

SIGNATURE(S) Donald R. Landis DATE 7/5/2023
Dell E. Landis DATE 07/24/2023

ALL PROPERTY OWNERS MUST SIGN AS THEIR NAME APPEARS ON THE DEED. USE ADDITIONAL SHEETS IF REQUIRED.

Shelbie Bradberry
 NOTARY SIGNATURE AND SEAL



DATE 7/24/2023

(Office use only)

☒ Survey OR ☒ Legal description AND ☒ Letter from property owner(s) requesting deannexation

Application Received by: YAD YR Title: Planner II Date: 7/25/23

Applicant Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Henry County Board of Commissioners or Zoning Advisory Board who will consider the application?

Yes ☐ No ☒

If **Yes**, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

Commissioner/Zoning Advisory Board Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this _____ day of _____

DONALD R. LANDIS
Applicant's Name - Printed
DELL E. LANDIS

Donald R. Landis
Signature of Applicant/Property Owner/Agent
Dell E. Landis

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 24 day of July, 2023



Shelby Bradbury
Notary Public

* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for a Conditional Use.

To whom it may concern:

I Donald R. Landis and my wife Dell E. Landis who are co-owners of the property at 58 W King Rd, Hampton, GA 30228 desire to de-annex from the City of Hampton and be totally in Henry County only. The attached documents are for that purpose.

Signed: Donald R. Landis *Donald R. Landis* Date: 24 JUL 2023

Signed: Dell E. Landis *Dell E Landis* Date: 07/24/2023

STATE OF GEORGIA, Henry County

IN CONSIDERATION of the Sum of LOVE AND AFFECTION AND OTHER VALUABLE CONSIDERATION
THOUSAND DOLLARS to US paid WE, DONALD RICHARD LANDIS and DELL G. LANDIS
of the County of Henry do hereby sell and convey unto
DONALD R. LANDIS, SR. and DELL G. LANDIS
AS JOINT TENANTS WITH FULL SURVIVORSHIP & NOT MERELY AS TENANTS IN COMMON
of the County of HENRY THEIR heirs and assigns, a tract or parcel
of land, which is described as follows:

All that lot, tract or parcel of Land situate, lying and being in Land Lot 114 of the 3rd Land District of the City of Hampton, Henry County, Georgia, as shown by plat of survey for Donald Richard Landis and Dell G. Landis by Koons, Wood & Associates, Inc., dated 8/26/86 and in accordance with said plat being more particularly described as follows:

TO REACH THE TRUE POINT OF BEGINNING commence at the intersection of the southwest right-of-way line of West King Road and the northerly line of Land Lot 114; thence southeasterly along the southwestern right-of-way line of West King Road 681.91 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING southeasterly along the southwestern right-of-way line of West King Road a distance of 609.84 feet to a point; thence South 77 degrees 50 minutes 20 seconds West a distance of 466.69 feet to a point; thence North 12 degrees 09 minutes 40 seconds West a distance of 609.75 feet to a point; thence North 77 degrees 50 minutes 20 seconds East 461.50 feet to a point and the TRUE POINT OF BEGINNING.

REC'D in BK 2147
PAGE 410
DATE REC'D 9-7-95
DEPT. David E. Taylor
SEP 6 11 32 AM '95

FILED & PAID
CLERK OF COURT OF COURT
HENRY COUNTY, GA.

HENRY COUNTY GEORGIA
REAL ESTATE TRANSFER TAX
PAID 0 - Love & Affection
DATE 9-6-95
David E. Taylor
Clerk of Superior Court

THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO ALL EASEMENTS & RESTRICTIVE COVENANTS OF RECORD, IF ANY.

To Have and to Hold said land and appurtenances unto said

DONALD R. LANDIS, SR. and DELL G. LANDIS
AS JOINT TENANTS WITH FULL SURVIVORSHIP & NOT MERELY AS TENANTS IN COMMON, THEIR
heirs, executors, administrators, and assigns, in fee simple.

WE warrant the title to said land against the lawful claims of all persons.

In Witness Whereof, we have hereunto set our hand s and affixed our seal s
this the 25th day of August, 19 95

Signed, sealed and delivered in the presence of:

David E. Taylor
CLERK OF SUPERIOR COURT
HENRY COUNTY, GEORGIA
NOTARY PUBLIC, My Comm. Expires 12-31-1996
(SEAL)

Donald Richard Landis (L.S.)
DONALD RICHARD LANDIS
Dell G. Landis (L.S.)
DELL G. LANDIS
017893 (L.S.)

SUBDIVISION: 58 WEST KING ROAD, HAMPTON	
LOT:	LAND LOT: 14
BLOCK:	DISTRICT: 3rd
SCALE: 1" = 100'	COUNTY: HENRY
JOB NO.: 86891	
DATE: 8/26/86	
REV:	

WOODS
consulting engineers • surveyors • planners

18 EASTMOORE BLVD
PEACHTREE CITY
404-9220

DONALD RICHARD LANDIS & DELL G. LANDIS

PREPARED FOR:

NOTE: HOUSE LOCATION BY
DATA TAKEN FROM A PLAT
IN PLAT BOOK 7, PAGE 7.

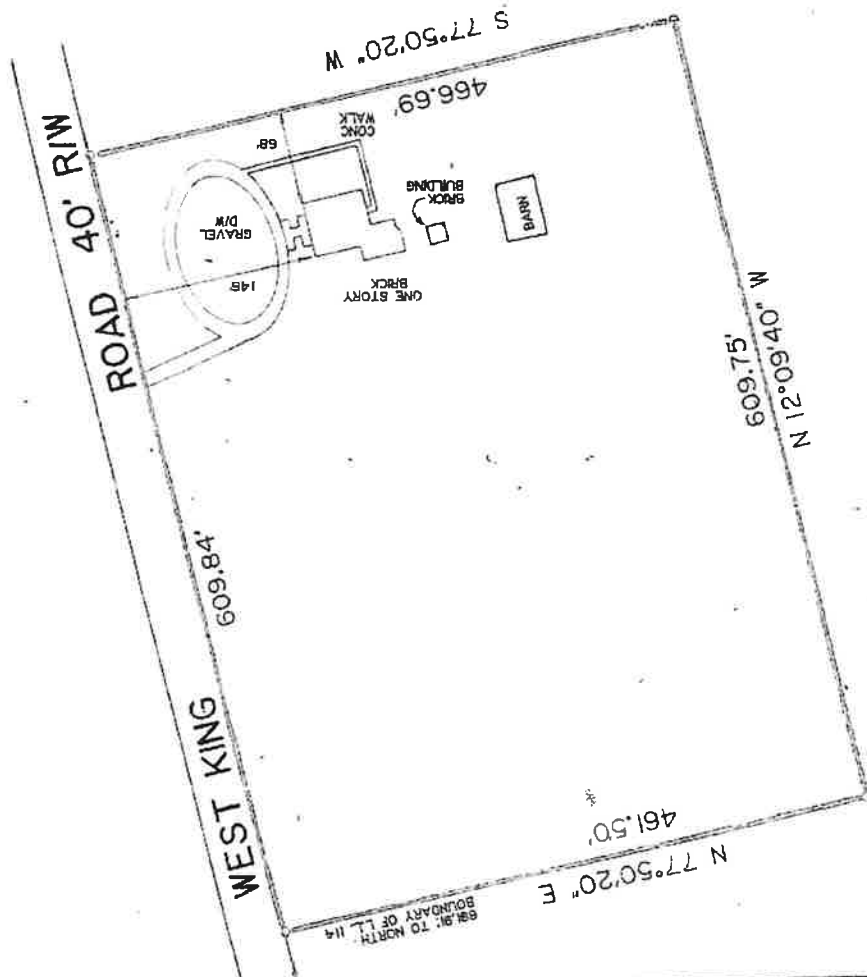
In my opinion, this property does not
lie within a flood hazard area accord-
ing to the latest HUD flood plain map.



In my opinion this plat is a correct
representation of the land platted and
has been prepared in conformity with
the minimum standards and require-
ments by law.

Member S. A. M. S. O. G.

JR 11/22



Deannexation Evaluation Report



Henry County Planning & Zoning CITY OF HAMPTON DE-AX-23-02

Commission District: 1
Commissioner: Johnny Wilson
Report Prepared by: Kenta Lanham, Planner III

Property Owners: Edward and Pricilla Hendry
Dell and Donald Landis

Location: 68 West King Road
58 West King Road

Parcel ID(s): 022-01032000
022-01033000

Request: Deannexation

BOC Meeting: March 19, 2024

Lot Size: 12.41 +/- acres (total)

Zoning History: Per correspondence received by Planning staff on March 13, 2024, from City of Hampton Community Development Department staff, the subject properties are zoned R-1 (Single-Family Residential).

Adjacent properties are as follows:

North: City of Hampton
South: Unincorporated Henry County
East: City of Hampton
West: City of Hampton

Current Land Use: Single-Family Residences

Future Land Use: The Henry County/Cities Joint 2040 Comprehensive Plan and Future Land Use Map designates the property as Rural Residential.

Proposed Zoning: As per the application materials, the residents of two (2) properties, consisting of a combined total of 12.41 +/- acres, propose to deannex the subject properties from the municipal boundaries of the City of Hampton to the unincorporated limits of Henry County. Upon deannexation, the properties would be zoned R-1 (Single-Family Residence), which is the zoning designation of the properties within City of Hampton.

Comments: The owners of the subject property are requesting the 100% deannexation method from the City of Hampton. According to the Official Code Georgia Annotated, *O.C.G.A. § 36-36-131*, municipal corporations can deannex incorporated area or areas which directly abut the existing municipal boundary or would directly abut on the municipal boundary if it were not otherwise

separated from the municipal boundary by lands owned by the municipal corporation or some other political subdivision, by lands owned by this state, or by the definite width of any street or street right of way; any creek or river; or any right of way of a railroad or other public service corporation.

The application packet, including the written and signed applications of all of the owners of all of the land proposed to be deannexed, and containing a complete description of the lands to be deannexed was submitted to Henry County on July 25, 2023, in accordance with *O.C.G.A. § 36-36-113*.

As per the application materials, the residents of two (2) properties, consisting of a combined 12.41 +/- acres, propose to deannex the subject properties from the municipal boundaries of the City of Hampton to the unincorporated limits of Henry County. Upon deannexation, the properties would be zoned R-1 (Single-Family Residence).

The Future Land Use Map (FLUM), as part of the Henry County 2045 Comprehensive Plan, designates the area south of the subject property as Rural Residential, which is described in the Comprehensive Plan as areas characterized by agricultural and natural land uses with lots ranging from small (less than 1 acre) to very large. The Rural Residential FLUM designation supports developments with a density of up to 1.0 dwelling units per acre, net.

The subject property is located within an area designated as a Rural Community on the Henry County Development and Infrastructure Strategy Area Map. The vision for Rural Community areas is to maintain a rural environment that accommodates low intensity residential growth. Investment in multi-use trails for the purpose of recreational use in these areas is recommended.

Per *O.C.G.A. 36-36-134*, in the event of a deannexation, a municipality may, but is not required to, continue to provide any services to the property which it was providing immediately prior to the deannexation, provided that the county and municipality have agreed to terms and conditions for the municipality continuing to provide such services.

Per *O.C.G.A. 36-36-131*, a municipality is granted the authority to deannex an area or areas of the existing corporate limits upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such deannexation. If the governing authority of the county consents to the deannexation and the deannexation conforms with the requirements of *O.C.G.A. Article 8*, the governing authority of the municipal corporation shall approve such deannexation unless it finds that the deannexation would be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

Recommendation: It is Planning & Zoning staff's opinion that the deannexation would not be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the City of Hampton.

Attachments:

- Aerial Map
- Zoning Map

- Tax Map
- Future Land Use Map
- Resolution
- Application Packet