WEST POINT GEORGIA

Welcome Home

September Monthly Reports
October 2015

AGENDA
WORK SESSION

WEST POINT

THURSDAY, OCTOBTER 8TH
WORK SESSION
@ 8:15 AM

PUBLIC HEARING

- Annexation request by Willie Barber
- Annexation request by City of West Point
- Annexation request by Harris Co. Development Authority

MEETING CALLED TO ORDER

AGENDA REVIEWED IN ITS ENTIRELY BEFORE DISCUSSION

PUBLIC COMMENT ON AGENDA ITEMS (FORM REQUIRED)

NEW BUSINESS

- Annexation request by Willie Barber
- Annexation request by City of West Point
- Annexation request by Harris Co. Development Authority
- Ante Litem Notice – Matthew Senn, False Arrest and Malicious Prosecution
- Forward Fund Request from City Of West Point Police Department
- Breast Cancer Awareness Proclamation

CONSIDER ITEMS FOR BUSINESS MEETING (Create Business Meeting Agenda)

MAYOR & COUNCIL COMMENTS

ADJOURNED

Next Meeting:
Council Meeting - Monday, October 12th @ 6:00 PM

MINUTES

The regular meeting of the Mayor and Council was held in the Council room of West Point City Hall September 14, 2015 at 6:00 P.M. with Mayor A. Drew Ferguson IV presiding.

Members Present:
Councilmember Joseph R. Downs III
Councilmember Gloria R. Marshall
Councilmember Gerald W. Ledbetter
Councilmember Sandra Thornton
Councilmember Steven M. Tramell
Councilmember Benjamin F. Wilcox

Members Absent:

Mayor Ferguson called Councilmember Gerald W. Ledbetter for opening prayer.

Mayor Ferguson led the Pledge of allegiance.

Mayor Ferguson called the meeting of the Mayor and City Council to order and welcomed everyone.

MINUTES

Mayor Ferguson asked for a motion to approve the minutes from the August 10, 2015 regular meeting. Motion was made by Councilmember Gerald W. Ledbetter and seconded by Councilmember Joseph R. Downs III; **passed unanimously**.

FINANCIAL REPORT

Councilmember Gloria R. Marshall presented the August financial report with the September cash position and forecast and made a motion to accept the report; motion seconded by Councilmember Benjamin F. Wilcox and **passed unanimously**.

AGENDA

Mayor Ferguson reviewed the listed agenda and asked for a motion to approve the agenda. Councilmember Sandra Thornton said motion and seconded by Councilmember Gloria R. Marshall; **passed unanimously**.

DISTRIBUTED GENERATION

Councilmember Benjamin F. Wilcox made a motion to approve a new electric rate tariff, application and agreement that will only affect customers who may choose to connect

generation resources to the City of West Point electric system. There are currently no distributed generation connections on the cities electric system. The new tariff will be published with the 2016 rate schedule in January. The motion was seconded by Councilmember Gerald W. Ledbetter; **passed unanimously.**

2015 MILLAGE RATE

Councilmember Sandra Thornton read a resolution and presented it in a form of a motion to adopt the 2015 Ad Valorem Tax levy for the City of West Point as follows:

Gross Levy as follows:	14.128 Mills
Local Option Sales Tax Credit	4.128 Mills
Effective Levy	9.348 Mills

City Tax for 2015 set at 9.348 Mills.

The motion was seconded by Councilmember Gerald W. Ledbetter; **passed unanimously.**

NEW ECONOMIC DEVELOPMENT POSITION

Councilmember Steven M. Tramell made said motion to approve the recommendation of the City Manager to hire Ms. Meghan Duke as the Economic Development Director for the City of West Point. Ms. Duke will begin employment with the city on October 5, 2015. ; The motion was seconded by Councilmember Gloria R. Marshall; **passed unanimously.**

LETTER TO TRANSMIT COMPREHENSIVE PLAN

Councilmember Joseph R. Downs III made a motion to submit the updated City of West Point Comprehensive Plan to Three Rivers Regional Commission and the Department of Community Affairs for their review. The motion was seconded by Councilmember Sandra Thornton; **passed unanimously**.

OTHER

Mayor Ferguson announced Point University will play its first home football game in West Point on September 19 at 12:00 noon. He encouraged everyone to support the Skyhawks by attending the game.

ADJOURN

There being no further business, the meeting was adjourned.

Richard McCoy City Clerk	A. Drew Ferguson IV Mayor

FINANCIAL REPORT

City of West Point Financial Report September, 2015

REVENUES

	General Fund	EMRG 911	Water Fund
Current Revenue	$193,117.79	$642.94	$367,076.32
YTD Revenue	$4,045,921.93	$57,478.81	$3,229,819.81
Budget	**$6,757,262.00**	**$94,337.00**	**$3,741,982.00**
Percentage Budget	59.88%	60.93%	86.31%

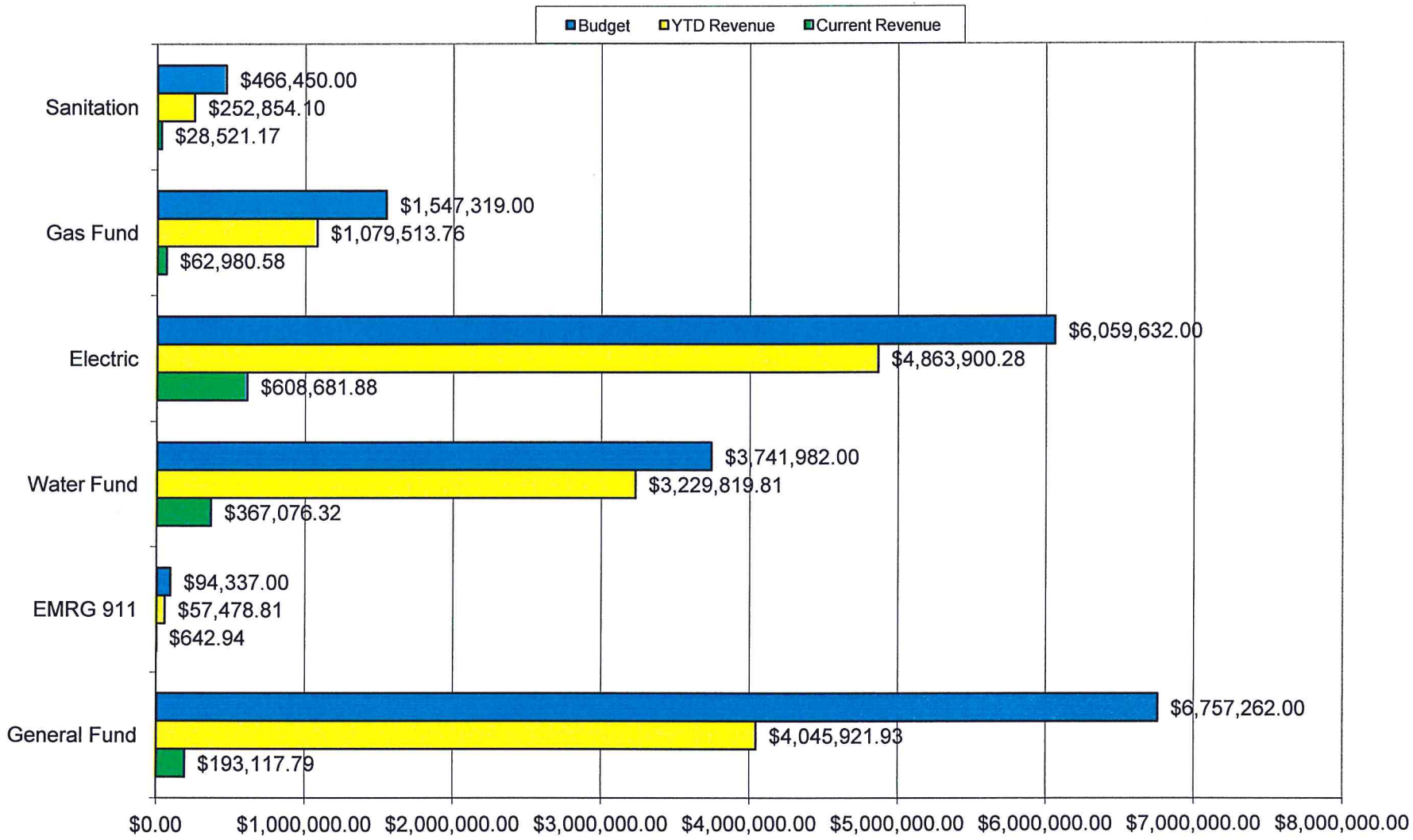
	Electric Fund	Gas Fund	Sanitation
Current Revenue	$608,681.88	$62,980.58	$28,521.17
YTD Revenue	$4,863,900.28	$1,079,513.76	$252,854.10
Budget	**$6,059,632.00**	**$1,547,319.00**	**$466,450.00**
Percentage Budget	80.27%	69.77%	54.21%

	One Georgia	EIP	SPLOST
Current Revenue	$0.00	$0.00	$86,900.90
YTD Revenue	$0.00	$0.00	$1,108,077.96
Budget	**$0.00**	**$0.00**	**$1,336,100.00**
Percentage Budget	#DIV/0!	#DIV/0!	82.93%

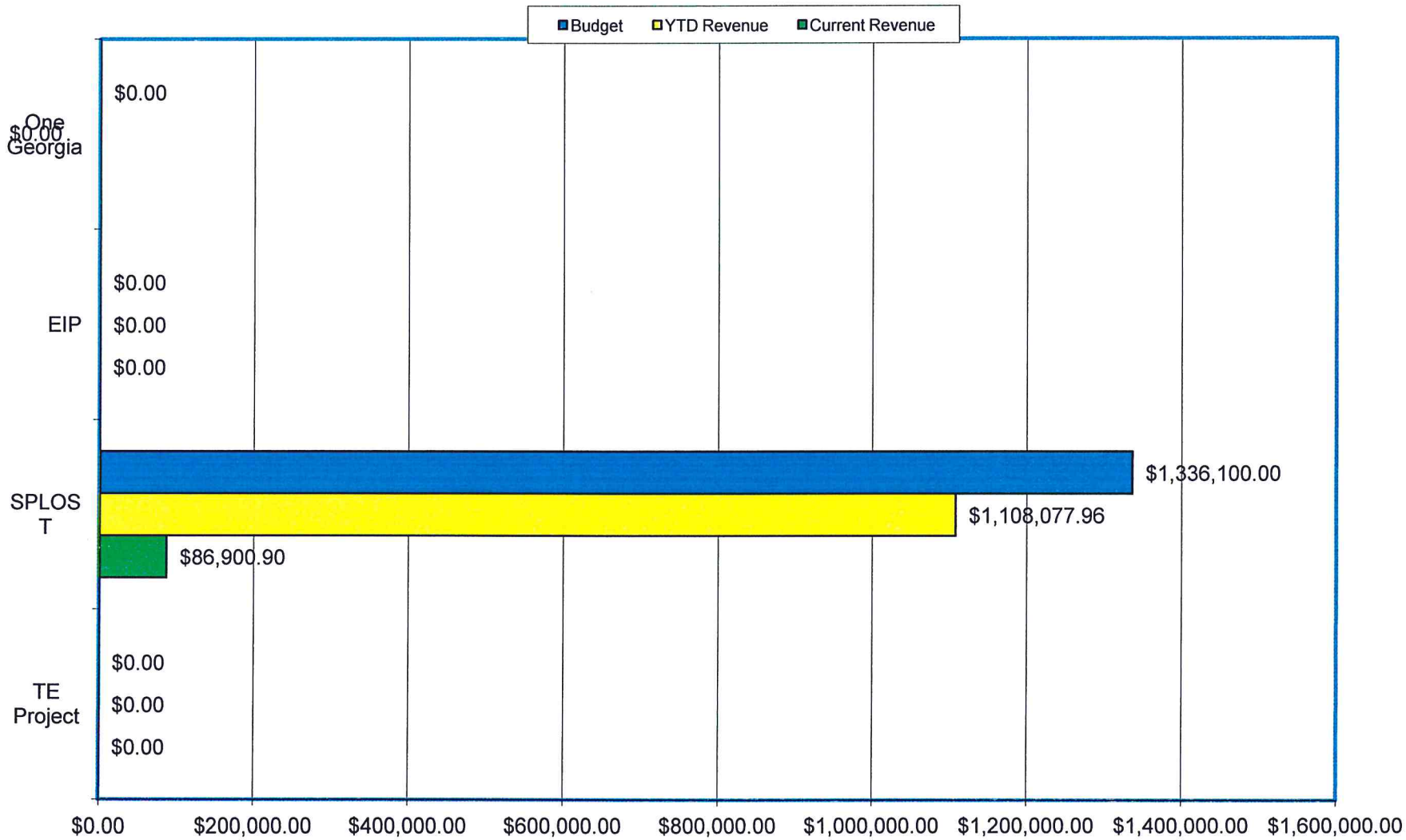
Total All Departments			**Total All Departments**
Current Revenues	$1,347,921.58	**Total YTD Revenue**	$14,637,566.65
Current Expense	$1,390,789.98	**Total YTD Expenses**	$15,163,719.66
over/under	($42,868.40)	**over/under**	($526,153.01)

YTD Revenue	**$14,637,566.65**
Budget	**$20,003,082.00**
Percentage	**73.18%**

Budget Revenue Comparison September, 2015



Budget Revenue Comparison September, 2015



City of West Point Financial Report September, 2015

EXPENSES

	General Government	Police Dept	Fire Dept	Street Dept
Current Expense	$157,273.65	$124,580.01	$145,056.23	$45,592.20
YTD Expense	$1,210,561.94	$1,157,352.25	$1,565,769.38	$446,738.36
Budget	**$1,043,730.00**	**$1,755,650.00**	**$1,843,851.00**	**$623,030.00**
Percentage Budget	115.98%	65.92%	84.92%	71.70%

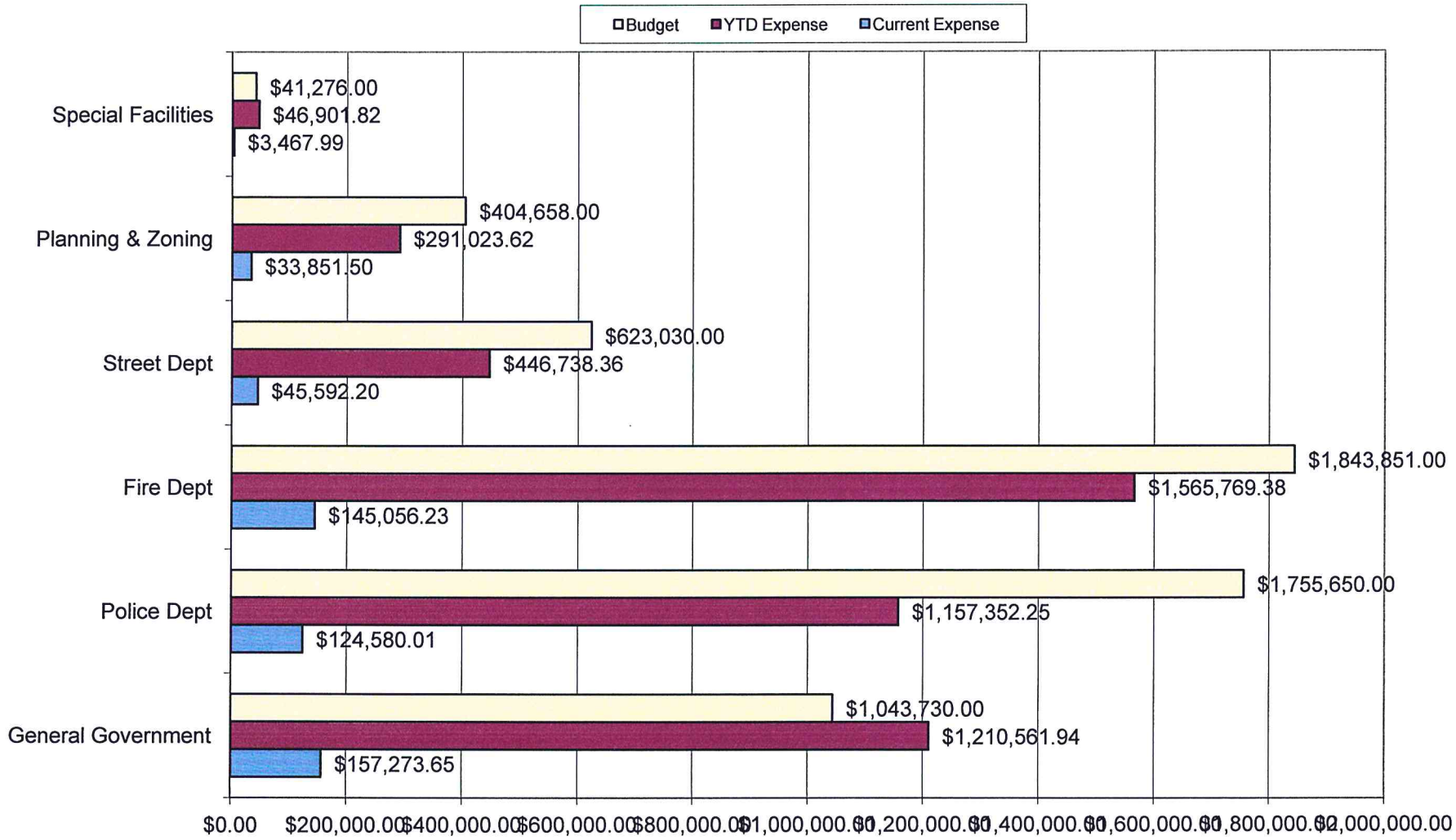
	Planning & Zoning	Special Facilities	EMRG 911 SYS	Water Dept
Current Expense	$33,851.50	$3,467.99	$10,988.57	$76,314.11
YTD Expense	$291,023.62	$46,901.82	$64,528.66	$1,119,353.46
Budget	**$404,658.00**	**$41,276.00**	**$94,337.00**	**$1,737,180.00**
Percentage Budget	71.92%	113.63%	68.40%	64.44%

	Sewer/ Water	Electric Dept	Gas Dept	Sanitation Dep
Current Expense	$137,782.51	$486,180.12	$109,295.40	$34,876.64
YTD Expense	$1,242,006.38	$4,276,747.02	$984,777.60	$384,625.59
Budget	**$2,004,802.00**	**$6,059,632.00**	**$1,547,319.00**	**$466,450.00**
Percentage Budget	61.95%	70.58%	63.64%	82.46%

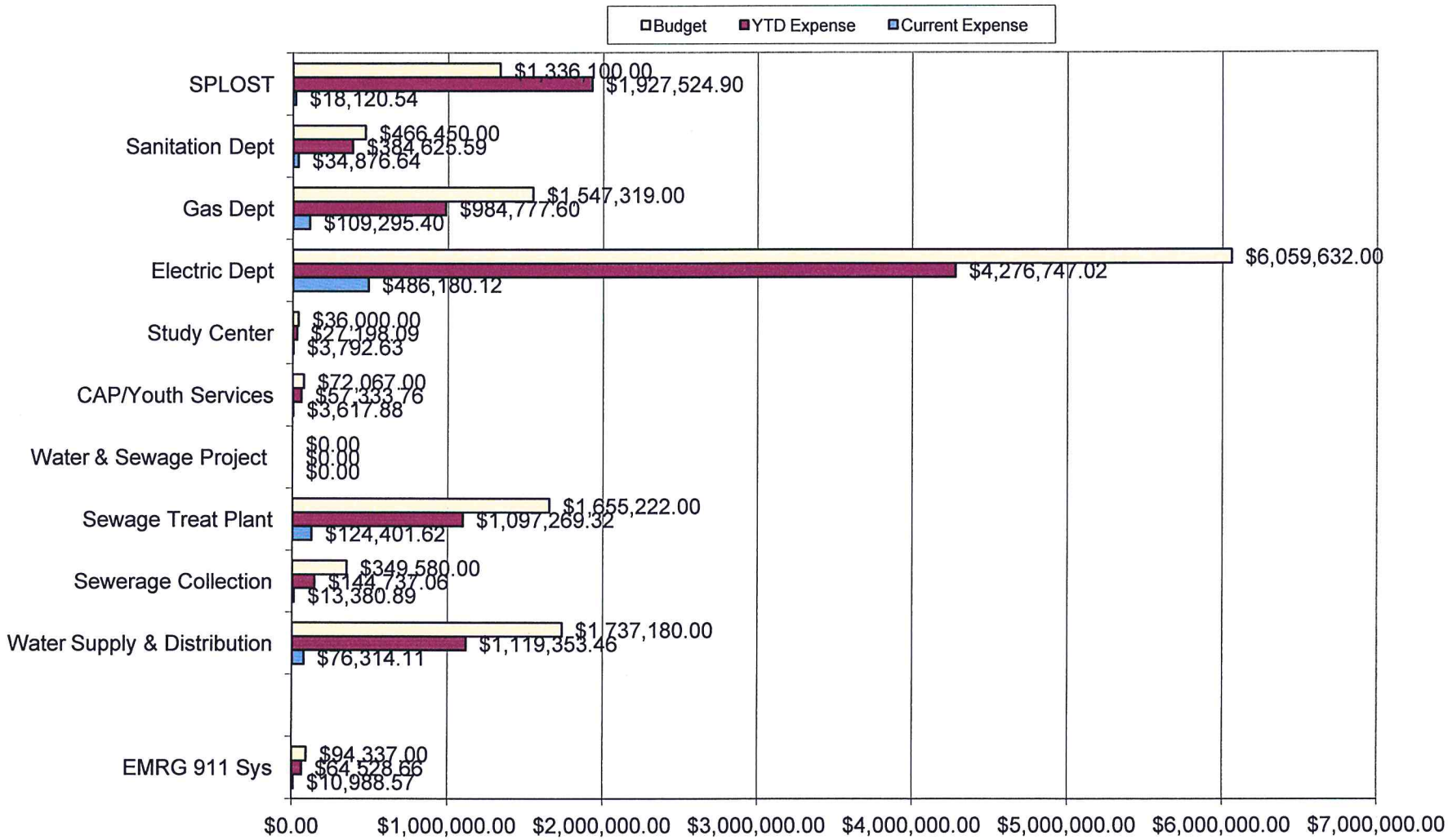
	SPLOST	Study Center	CAP/Youth Services	Economic Dev
Current Expense	$18,120.54	$3,792.63	$3,617.88	$0.00
YTD Expense	$1,927,524.90	$27,198.09	$57,333.76	$361,276.83
Budget	**$1,336,100.00**	**$36,000.00**	**$72,067.00**	**$937,000.00**
Percentage Budget	144.27%	75.55%	79.56%	38.56%

	All Funds		Total All Departments		
Current Revenues	$1,347,921.58	**Total YTD Revenue**	$14,637,566.65	**Total YTD Expenses**	**$15,163,719.66**
Current Expense	$1,390,789.98	**Total YTD Expenses**	$15,163,719.66	**Budget**	**$20,003,082.00**
over/under	($42,868.40)	**over/under**	($526,153.01)	**Percentage**	**75.81%**

Budget Expense Comparison September, 2015



Budget Expense Comparison September, 2015



DEPARTMENT REPORTS

Fire Department

Planning Department

Police Department

Public Works

Utility Department

City of West Point
Fire Department
P.O. Box 487
West Point, GA 31833

MONTHLY ACTIVITY REPORT

September 2015

FIRE RESPONSES

Structure / Residential	2
Structure / Business	2
Vehicle	0
Ground Cover, Trash	0
Hazardous Materials	0
Rescue, M.V.A.	8
False Alarms	4
Automatic Aid Troup Co.	0
Automatic Aid Harris Co	0
Other Responses	0
Total Fire Responses	**16**

EMERGENCY MEDICAL SERVICE RESPONSES

FACILITY	TRIPS
East AL Medical-Lanier	17
West Ga. Medical	17
East AL Medical-Opelika	3
Columbus Medical Center	0
Landing Zone	2
Non-Transport	15
Total E.M.S. Responses	**54**

CITY OF

WEST POINT
P.O. Box 487
West Point, GA 31833

Community Development Department
September 1 – September 30

Permits Issued –	**12**
Elec. Water, Gas	7
Building	5
Inspections -	**111**
Industrial	21
New Commercial	27
Remodel Comm.	19
New Residential	31
Remodel Res.	9
Soil& Erosion	4
Certificate of Occupancy-	**5**
Hearings -	**0**
No Shows	0
Public Notices-	**0**
Structures Demolished-	**1**

Statistical Counts Report

For records with dates between 9/1/2015 and 9/30/2015

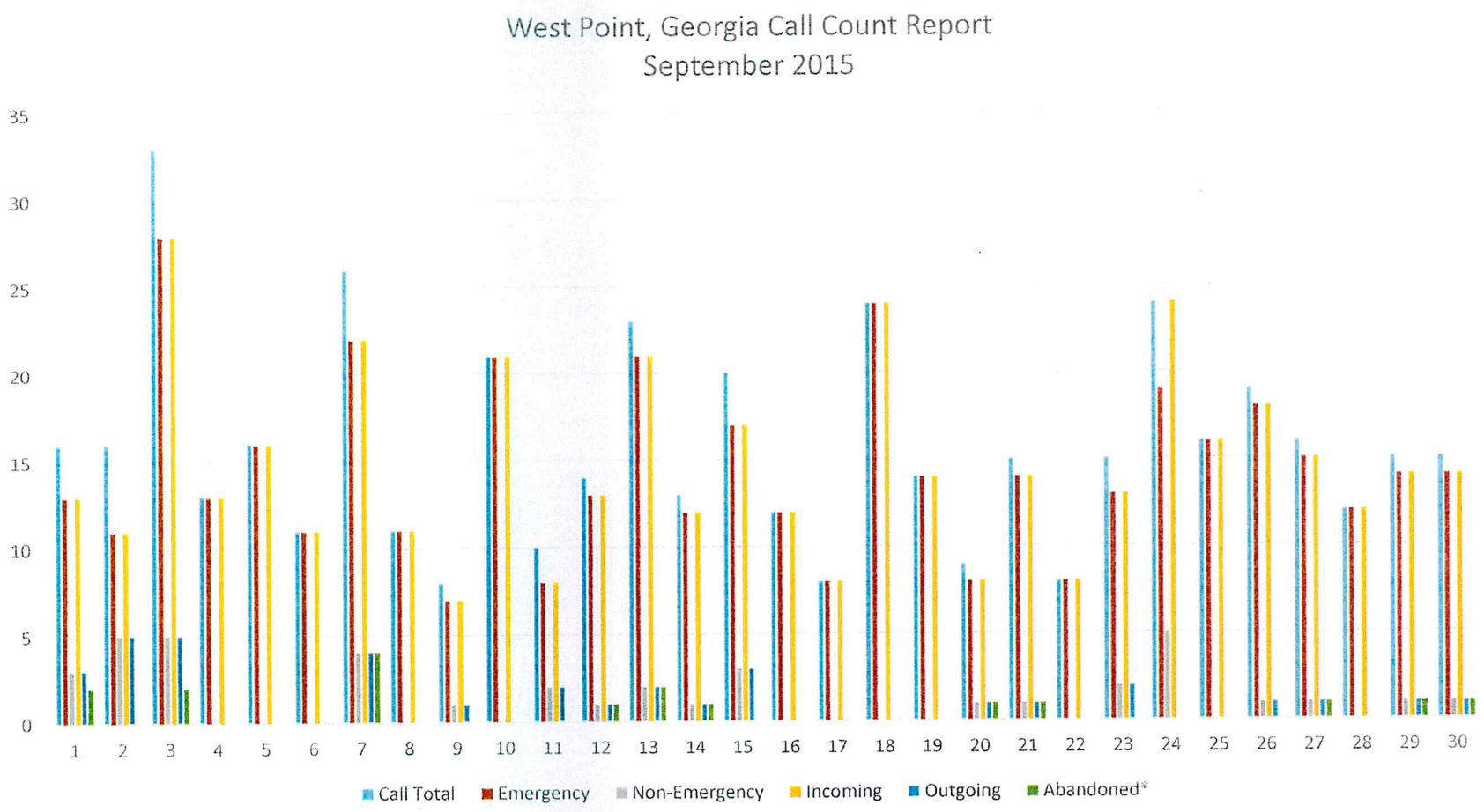
WEST POINT PD

Incident Reports Created	ALL	INCIDENTS	MISC.	FAMILY VIOL.
	101	71	23	7
Incident Reports Cleared	ALL	BY ARREST	UNFOUNDED	EXCEPTIONALLY
	75	33	40	2
Property Involved			STOLEN	RECOVERED
			$19,552	$13,377
Incident Type Level			FELONY	MISDEMEANOR
			27	51

Investigative Files Opened	17
Investigative Files Assigned	14
Investigative Files Cleared	10
Drug Related Investigative Files Opened	0
Drug Related Investigative Files Cleared	0
Arrests / Booking Records	41
Citations Issued	110
Warnings Issued	20
Ordinance Violations	12

Court Services	RECEIVED	SERVED
Civil Papers	0	0
Subpoenas	0	0
Warrants	35	46

Accident Reports	ALL	CRASH	PRIV PROP
	39	25	14


West Point, Georgia Call Count Report
September 2015
35
30
25
20
15
10
5
0
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
Call Total
Emergency
Non-Emergency
Incoming
Outgoing
Abandoned*

City of West Point, Georgia
9-1-1 Call Volume by Day - September 2014

	Daily Call Total	Call Category Emergency	Call Category Non-Emergency	Call Origin Incoming	Call Origin Outgoing	Abandoned*
1	16	13	3	13	3	2
2	16	11	5	11	5	0
3	33	28	5	28	5	2
4	13	13	0	13	0	0
5	16	16	0	16	0	0
6	11	11	0	11	0	0
7	26	22	4	22	4	4
8	11	11	0	11	0	0
9	8	7	1	7	1	0
10	21	21	0	21	0	0
11	10	8	2	8	2	0
12	14	13	1	13	1	1
13	23	21	2	21	2	2
14	13	12	1	12	1	1
15	20	17	3	17	3	0
16	12	12	0	12	0	0
17	8	8	0	8	0	0
18	24	24	0	24	0	0
19	14	14	0	14	0	0
20	9	8	1	8	1	1
21	15	14	1	14	1	1
22	8	8	0	8	0	0
23	15	13	2	13	2	0
24	24	19	5	24	0	0
25	16	16	0	16	0	0
26	19	18	1	18	1	0
27	16	15	1	15	1	1
28	12	12	0	12	0	0
29	15	14	1	14	1	1
30	15	14	1	14	1	1
		433	40	438	35	17
Total	473	473		473		17

*The Abandoned Call Count total is also included in the Incoming Call Origin Count.

Public Works Department Activity Report
September 2015

Preventive maintenance on storm water collection system

Patch with 16 tons

Haul Sludge for the W.P.C.P.

Trim limbs on the R-O-W

Cut with boom mower

Service and repair Equip.

Clean up in town area

Clean recycle area on Stateline Road

Cut and pick up trash on R-O-W

Cut and clean in Cemetery

Cut Kia Parkway and Boulevard

Paint street traffic lines

Repair curbing

September 2015 Utility Department Reports

Gas Department/Utility Protection

For the month of ***September***, ***2015***

Task Desc	Gas Crew & Utility Protection	Department Total
LOCATE UNDERGROUND UTILITIES	30	30
INVESTIGATE A REPORTED GAS LEAK	1	1
RESTAKE UG LOCATES	4	4
REPORT OF GAS LEAK	1	1
UPDATE UPC MAPS	1	1
MISCELLANEOUS-GAS	4	4
GRAND TOTAL	**41**	**41**

Power & Lights

For the month of ***September***, ***2015***

Task Desc	Electric Crew	Department Total
CHANGE METER	3	3
REPAIR STREET LIGHT	4	4
REPAIR SECURITY LIGHT	2	2
REPAIR TRAFFIC LIGHT	3	3
POWER OUTAGE	8	8
REPAIR SERVICE LINE	2	2
SET NEW/REPLACE POLE	2	2
MISCELLANEOUS-POWER	8	8
GRAND TOTAL	**32**	**32**

SERVICE TRUCK

For the month of ***September***, ***2015***

Task Desc	Field Customer Service	Department Total
CITY HALL WORK ORDER	63	63
GRAND TOTAL	**63**	**63**

Sewer Department

For the month of ***September***, ***2015***

Task Desc	Sewer Crew	Department Total
SEWER BACK UP	2	2
SEWER MISCELLANEOUS	1	1
GRAND TOTAL	**3**	**3**

September 2015 Utility Department Reports

Water Distribution
For the month of ***September***, ***2015***

Task Desc	Water Distribution Crew	Sewer Crew	Department Total
MISCELLANEOUS-WATER	2	1	3
CHANGE METER	1	0	1
REPAIR LEAK IN SERVICE LINE	1	0	1
CHECK WATER PRESSURE	2	0	2
NEW WATER SERVICE	2	0	2
INVESTIGATE WATER LEAK	2	0	2
GRAND TOTAL	**10**	**1**	**11**

Water Treatment Plant
September, 2015

37,883,000 Gallons Withdrawn From River (Average 1,263,000 GPD) 70% of Permit Limit

Highest Day Withdrawal was on August 11th. The amount was 1,792,000 Gallons. This is 86% of Permit Limit.

37,165,000 Gallons Pumped to System (Average 1,239,000 GPD)

Wastewater Treatment Plant
September, 2015

33,800,000 Gallons Discharged to the River (Average 1,093,333 GPD)

NEW BUSINESS

LEWIS, TAYLOR & TODD, P.C.
ATTORNEYS AT LAW
SUITE 3
205 NORTH LEWIS STREET
POST OFFICE DRAWER 1027
LAGRANGE, GEORGIA 30241

JOHN M. TAYLOR
JEFFREY M. TODD

JAMES R. LEWIS
(1928-1996)
GEORGE E. SIMS, JR.
(1917-1967)
FAX (706) 882-4905
TELEPHONE (706) 882-2501

September 28, 2015

VIA EMAIL

Ms. Sara Thompson, City Planner
CITY OF WEST POINT
P.O. Box 487
West Point, Georgia 31833
sarathompson@CityofWestPointGA.com

RE: Harris County, City of West Point and Barber Annexation and Zoning Ordinances

Dear Sara:

Using the information you provided, we have prepared a proposed annexation and zoning ordinance for each of the tree parcels anticipated to be acted upon by City Council at the October business meeting. A copy of each proposed ordinance is enclosed, in addition to the exhibits for each of the annexation ordinances. Thank you for including all of the exhibits within your packets.

Should you have any questions or require any changes, please let me know.

With best regards, I am

Very truly yours,

LEWIS, TAYLOR & TODD, P.C.

Jeffrey M. Todd

JT/atb
Attachments
cc: Ed Moon
Richard McCoy
Sammy Osborne
Kristin Lester

15-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO ANNEX TO THE CITY CONTIGUOUS REAL PROPERTY OWNED BY WILLIE BARBER AND LOCATED ON OLD WEST POINT ROAD; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Willie Barber (hereafter "Owner") is the owner of land herein referred to which is contiguous to the existing corporate limits of the City of West Point, Georgia, as defined by the laws of the State of Georgia, such land being described in Exhibit "A" attached hereto;

WHEREAS, Owner has filed with the City of West Point a written and signed application requesting that the land area described within Exhibit "A" be annexed to and made a part of the City of West Point, a copy of such request being attached hereto and made a part hereof as Exhibit "B";

WHEREAS, upon such request the Mayor and Council of the City of West Point have determined such application meets the requirements of laws contained within O.C.G.A. § 36-36-20 through § 36-36-21, et seq.;

WHEREAS, the City of West Point upon accepting said application timely notified the Board of Commissioners of Harris County, Georgia, of the proposed annexation and attached hereto as Exhibit "C" is evidence that said body interposes no land use classification objection to the annexation pursuant to O.C.G.A. § 36-36-11;

WHEREAS, the area proposed for annexation adjoins and is contiguous to the present corporate limits of the City of West Point as defined by the laws of this state;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT, AS FOLLOWS:

SECTION 1:

That the application of Willie Barber for annexation of the area contiguous to the City of West Point, as described in Exhibit "A" and as shown on the plat attached as Exhibit "D," be and the same is hereby approved, and the contiguous area proposed for the annexation is hereby annexed to the City of West Point so that such land shall constitute a part of the land within the corporate limits of the City of West Point as fully and completely as if the limits had been marked and defined by a special act of the General Assembly of Georgia.

SECTION 2:

That a copy of this ordinance, together with a description of the area to be annexed thereto as Exhibit "A," a copy of the written request for annexation attached thereto as Exhibit "B" and a copy of the plat attached thereto as Exhibit "D," all duly certified by the City Clerk of the City of West Point, be forwarded to and filed with the Georgia Department of Community Affairs and also forwarded to the Board of Commissioners of Harris County, Georgia.

SECTION 3:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4:

This ordinance, after adoption and upon approval by the Mayor and Council, shall become effective according to the terms of O.C.G.A. § 36-36-2, on the 1st day of November, 2015.

READ AND ADOPTED _____

_____
A. Drew Ferguson, IV, Mayor

ATTEST:

_____
City Clerk

_____
Joseph R. Downs, III, Councilmember

_____
Gerald W. Ledbetter, Councilmember

_____
Gloria R. Marshall, Councilmember

_____

Sandra Thornton, Councilmember

_____

Steve Tramell, Councilmember

_____

Benjamin F. Wilcox, Councilmember

EXHIBIT "A"

Commencing at the Northeast corner of Land Lot 226, 5th Land District, Harris County, Georgia; thence South 88° 46' 18" West, a distance of 436.91 feet; thence South 88° 47' 32" West, a distance of 728.74 feet, thence South 07° 07' 49" East, a distance of 81.15 feet to a point on the Southerly margin of Old West Point Road, said point being the POINT OF BEGINNING; from said POINT OF BEGINNING leaving said southerly margin South 03° 14' 14" East, a distance of 516.70 feet; thence South 86° 24' 38" West, a distance of 50.00 feet; thence North 02° 52' 17" West, a distance of 259.84 feet; thence South 89° 53' 33" West, a distance of 237.77 feet; thence North 03° 42' 36" West, a distance of 257.77 feet to the southerly margin of the Old West Point Road; thence along said southerly margin North 88° 42' 50" East, a distance of 83.25 feet; continue North 88° 42' 50" East, a distance of 25.00 feet; continue North 89° 53' 48" East, a distance of 130.01 feet; continue North 89° 57' 10" East, a distance of 49.96 feet to the POINT OF BEGINNING, said described tract containing 2.000 acres, more or less.

The above-described property is more particularly described in that plat of survey entitled "Boundary Survey for Willie James Barber, II" prepared by Harris Gray and dated January 16, 2015, which survey is incorporated herein for the purposes of a more complete description.

EXHIBIT "B"

W3 CHECK ☑ CASH ☐ PAID
AUG 04 2015
CITY OF WEST POINT

CITY OF WEST POINT, GEORGIA
Planning and Zoning Department
Post Office Box 487
West Point, Georgia 31833
Office (706) 645-2226
Fax (706) 643-8150

APPLICATION FOR ~~DE-ANNEXATION~~ ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of West Point, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant WILLIE J BARBER II
Mailing Address 2822 OLD WEST POINT RD WEST POINT GA
Telephone 706-573-0176 Fax
Property Owner (Use back if multiple names) WILLIE J BARBER II
Mailing Address 2822 OLD WEST POINT RD WEST POINT GA
Telephone 706-573-0176 Fax
Address/Location of Property 2822 OLD WEST POINT RD WEST POINT GA
County Zoning Classification RESIDENTIAL Requested Zoning Classification RESIDENTIAL
Present Land Use RESIDENTIAL

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

✓ A petition for annexation into the City of West Point, Georgia, which shall be in the form of a letter and include:
- √ Petitioner's Name
- √ Mailing Address
- √ Contact Telephone Number
- √ Address or Tax Map Number of the property(s) proposed for annexation
- √ County Zoning Classification(s)
- √ Requested Zoning Classification(s)
- √ Present Land Use of the property(s)
- √ Proposed Land Use of the property(s)

✓ A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

✓ A legal description of the property.

Application for Annexation Zoning **City of West Point, Georgia**

✓ A survey by a licensed and registered land surveyor. One (1) 8 ½ " x 11" copy shall be submitted with the application for annexation.

✓ Fees for the Annexation application shall be made payable to the City of West Point in the amount shown in the fee schedule.

The City shall notify Troup or Harris County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. The Planning Commission will consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. Upon approval of annexation of the property and placing a zoning designation with the property, the City shall submit the proposed annexation to the U.S. Department of Justice (DOJ) for review. Upon review and favorable comment from DOJ, the annexation is officially in place. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The zoning classification approved by the City following the hearing shall become effective on the later of:
> The date the zoning is approved by the Council, and
> The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of West Point shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489.

Building Permits

No permits shall be issued for construction of a building on newly annexed property until the City of West Point receives clearance on the annexation request from the U.S. Department of Justice as required by the Voting Rights Act of 1965, as amended.

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Applicant's Signature _____ Date 08-04-15

FOR OFFICIAL USE ONLY

DATE RECEIVED 8-4-15

RECEIVED BY SARA S. THOMPSON

City of West Point, Georgia
Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner WILLIE J BARBER II

Telephone Number 706-573-0176

Address of Subject Property 2822 OLD WEST POINT RD
WEST POINT GA 31833

I swear that I am the owner or legal representative of the property which is the subject matter of the attached application, as it is shown in the records of Troup County or Harris County, Georgia.

Signature of Property Owner/Legal Representative

Personally appeared before me

Willie J Barber II

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

(Affix Raised Sea! *Here)*

1-25-2019
Date

JEFFREY JON MARTIN
NOTARY PUBLIC
Exp Jan. 25, 2019
TROUP COUNTY, GA

EXHIBIT "C"

HARRIS COUNTY BOARD OF COMMISSIONERS
104 North College Street • Post Office Box 365
Hamilton, Georgia 31811-0365
Phone: 706-628-4958 • Fax: 706-628-4223

August 14, 2015

VIA CERTIFIED RETURN RECEIPT

The Honorable A. Drew Ferguson, IV, Mayor
City of West Point
Post Office Box 487
West Point, GA 31833

RE: Notice of Annexation
Parcel 006 064A
Land Lot 227 in Land District 5
2 acres on Old West Point Road

Dear Mayor Ferguson:

This letter is in response to the Notification of Annexation dated August 6, 2015, regarding the above property and received on August 10.

Pursuant to OCGA § 36-36-7 and OCGA § 36-36-9, this is to advise that there are no County facilities located within the 2- acre tract to be annexed.

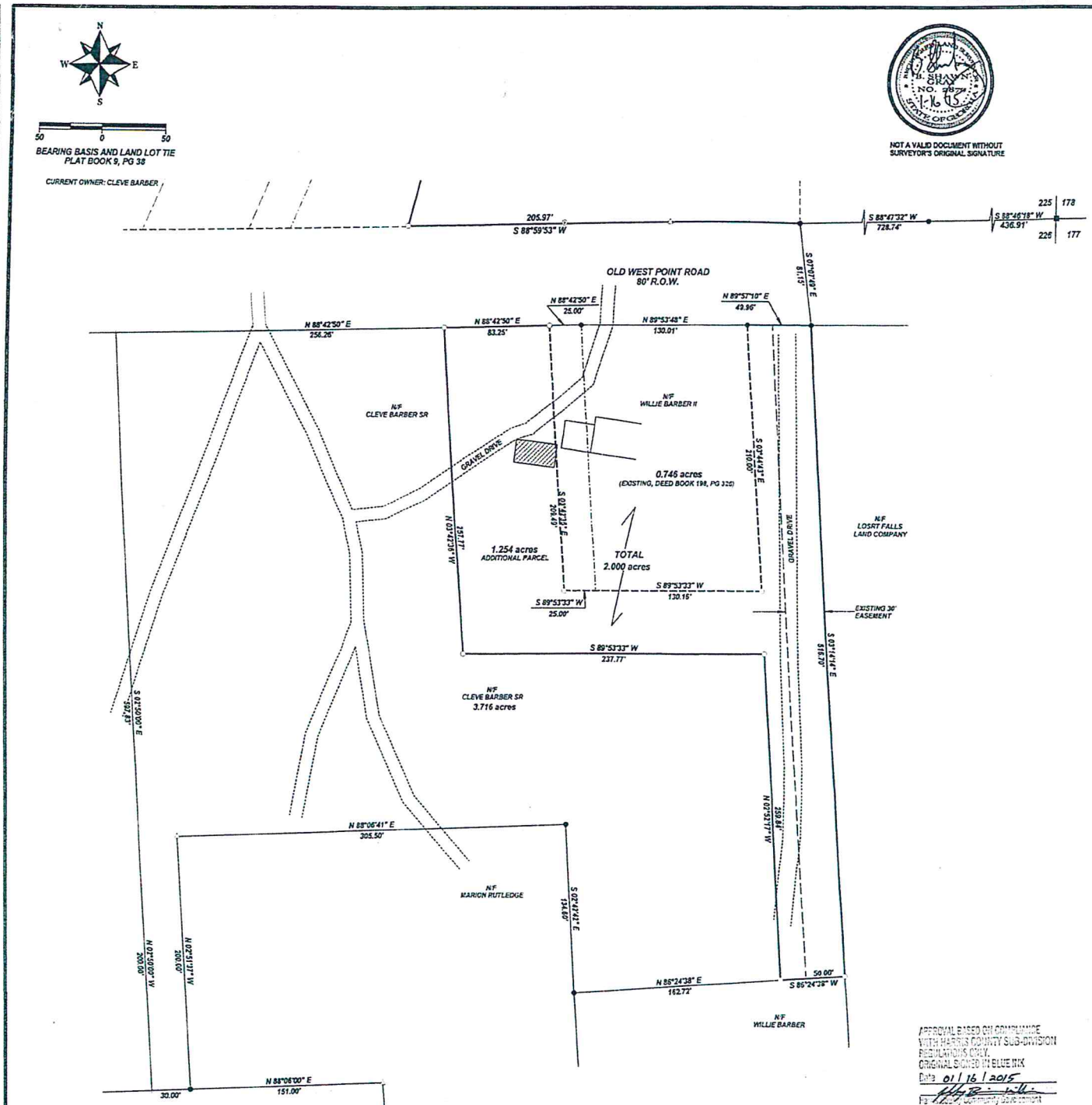
Pursuant to OCGA § 36-36-113, this is to advise that the County has no objection to the annexation of this property and its subsequent rezoning to Single Family Residential (R-1A).

Sincerely,

Greg Wood
County Manager

GW/ndm

EXHIBIT "D"



APPROVAL BASED ON COMPLIANCE WITH HARRIS COUNTY SUB-DIVISION REGULATIONS ONLY.
ORIGINAL SIGNED IN BLUE INK
Date 01/16/2015
By [signature], Authorized Representative

I, B. Shawn Gray, a registered land surveyor in the state of Georgia, hereby declare that this plat or map is a true and accurate representation of a survey conducted under my direction. I further declare that there is no visible evidence of encroachment by buildings on adjoining property. That the structures now erected on said property are within the boundaries of same, except as shown, there are no rights of way or easements visible, but is subject to any such rights of ways and easements that may be recorded or unrecorded, or joint drive ways on, over, or across this property, visible on the surface except as shown on this plat. That I have consulted the Federal Insurance Administration Flood Hazard Boundary Map and that the above-described property is not shown in a special flood hazard area. Zone: X

Panel Number 0025A, Community Number 130338, Dated December 05, 1990

The survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67".

The type of equipment used to obtain the linear and angular measurements used in the preparation of said map or plat is Topcon GTS-225. RECON TDS Data Collector

[signature] GEORGIA REGISTRATION NO. 2879 — 1-16-15 DATE

APPROVAL BASED ON COMPLIANCE WITH HARRIS COUNTY SUBDIVISION REGULATIONS ONLY.

DATE _____

HARRIS COUNTY INSPECTOR

I HERBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTIONS LINES, DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED, AND GRANT EASEMENTS AS SHOWN ON THE PLAT. I ALSO CERTIFY THAT ALL CURRENT STATE, CITY, AND COUNTY TAXES OR OTHER ASSESSMENTS HAVE BEEN PAID.

OWNER

1-16-15, 2014
DATE

Georgia, Harris County
Clerk, Superior Court
I hereby certify the within instrument was filed for record at 4:50 P.M. 1-16 20 15, and recorded in Plat Book 36 page 182 on 1-16, 20 15
[signature] Deputy Clerk
Stacy K. Hansken, Clerk of Superior Court

SHEET 1 OF 1	
CLIENT	BO BARBER
JOB NO.	GA140038.0000
ACAD FILE	BARBER 12-29-14
FIELD DATE:	DEC 31, 2014
DRAWN BY: BSG	FLD. BOOK: XXXX
REVISIONS	DATE
change certification	1-15-15

BOUNDARY SURVEY FOR WILLIE JAMES BARBER II

PROPERTY LOCATED IN
LAND LOT 226
5TH LAND DISTRICT
HARRIS COUNTY, GEORGIA

HARRIS GRAY
▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LSF 00118
824 3rd AVENUE, WESTPOINT, GA 706-645-5885

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN >5,000 FEET AND AN ANGULAR ERROR OF <2" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN >10,000 FEET.

LEGEND OF ABBREVIATIONS

○	Iron Pin Set - 1/2" Rebar	Ⓦ	Water Meter	W	West
●	Iron Pin Found	Ⓖ	Gas Meter	F	Field Measurement
■	Concrete Monument Found	AC	Acre(s)	P	Platted Measurement
—	Fence Line	SEC	Section	N/F	Now or Formerly
℄	Center Line	T	Township	P.O.B.	Point of Beginning
E	Power Line	R	Range	ROW	Right of Way
△	Calculated Point	N	North	'	Minutes When Used in a Bearing
°	Degrees	NE	Northeast	"	Seconds When Used in a Bearing
Ⓟ	Power Pole	NW	Northwest	'	Feet When Used in Distance
Ⓜ	Power Meter	S	South	"	Inches When Used in Distance
Ⓐ	Air Conditioner	SE	Southeast	±	More or Less (or Plus or minus)
Ⓛ	Ground Light (Power Underground)	SW	Southwest		Line Not To Scale
Ⓕ	Flag Pole	E	East		
Ⓥ	Water Valve				

15-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO CLASSIFY THE USE ZONE OF REAL ESTATE TO BE ANNEXED INTO THE CITY LOCATED ADJACENT TO OLD WEST POINT ROAD AND OWNED BY WILLIE BARBER; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT, AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of West Point be amended so as to classify as R1-A (single-family dwelling district) the following described real estate which is to be annexed into the corporate limits of the City of West Point, to wit:

> All that tract or parcel of land lying and being in the 5th Land District of Harris County, Georgia, containing 2 acres, more or less, located on Old West Point Road, said parcel also known as Harris County Tax Map Parcel Number 006-064A.

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

Pursuant to Official Code of Georgia Annotated Section 36-66-4(d)(4), this ordinance after adoption by the Council and upon approval by the Mayor, shall become effective upon the latter of the following dates: (1) the date the zoning is approved by the Mayor and Council; or (2) the date that the annexation of the above-referenced property becomes effective pursuant to Official Code of Georgia Annotated 36-36-2.

READ AND ADOPTED _____

ATTEST:

_____
City Clerk

_____
A. Drew Ferguson, IV, Mayor

_____
Joseph R. Downs, III, Councilmember

_____
Gerald W. Ledbetter, Councilmember

_____
Gloria R. Marshall, Councilmember

_____
Sandra Thornton, Councilmember

_____
Steve Tramell, Councilmember

_____
Benjamin F. Wilcox, Councilmember

15-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO ANNEX TO THE CITY CONTIGUOUS REAL PROPERTY OWNED BY THE CITY OF WEST POINT AND LOCATED ON OLD WEST POINT ROAD; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, City of West Point (hereafter "Owner") is the owner of land herein referred to which is contiguous to the existing corporate limits of the City of West Point, Georgia, as defined by the laws of the State of Georgia, such land being described in Exhibit "A" attached hereto;

WHEREAS, Owner has filed with the City of West Point a written and signed application requesting that the land area described within Exhibit "A" be annexed to and made a part of the City of West Point, a copy of such request being attached hereto and made a part hereof as Exhibit "B";

WHEREAS, upon such request the Mayor and Council of the City of West Point have determined such application meets the requirements of laws contained within O.C.G.A. § 36-36-20 through § 36-36-21, et seq.;

WHEREAS, the City of West Point upon accepting said application timely notified the Board of Commissioners of Harris County, Georgia, of the proposed annexation and attached hereto as Exhibit "C" is evidence that said body interposes no land use classification objection to the annexation pursuant to O.C.G.A. § 36-36-11;

WHEREAS, the area proposed for annexation adjoins and is contiguous to the present corporate limits of the City of West Point as defined by the laws of this state;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT, AS FOLLOWS:

SECTION 1:

That the application of City of West Point for annexation of the area contiguous to the City of West Point, as described in Exhibit "A" and as shown on the drawing attached as Exhibit "D," be and the same is hereby approved, and the contiguous area proposed for the annexation is hereby annexed to the City of West Point so that such land shall constitute a part of the land within the corporate limits of the City of West Point as fully and completely as if the limits had been marked and defined by a special act of the General Assembly of Georgia.

SECTION 2:

That a copy of this ordinance, together with a description of the area to be annexed thereto as Exhibit "A," a copy of the written request for annexation attached thereto as Exhibit "B" and a copy of the drawing attached thereto as Exhibit "D," all duly certified by the City Clerk of the City of West Point, be forwarded to and filed with the Georgia Department of Community Affairs and also forwarded to the Board of Commissioners of Harris County, Georgia.

SECTION 3:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4:

This ordinance, after adoption and upon approval by the Mayor and Council, shall become effective according to the terms of O.C.G.A. § 36-36-2, on the 1st day of November, 2015.

READ AND ADOPTED _____

_____
A. Drew Ferguson, IV, Mayor

ATTEST:

_____
City Clerk

_____
Joseph R. Downs, III, Councilmember

_____
Gerald W. Ledbetter, Councilmember

Gloria R. Marshall, Councilmember

Sandra Thornton, Councilmember

Steve Tramell, Councilmember

Benjamin F. Wilcox, Councilmember

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 226 of the 5th Land District of Harris County, Georgia, and being more particularly described as follows: BEGINNING at a concrete monument found at the corner common to Land Lots 177, 178, 225 and 226; thence along the Northerly land lot line of Land Lot 226 and the property now or formerly owned by West Point Holdings, LLC, North 87° 54' 49" West a distance of 595.26 feet to an iron pin set (NOTE: all further references to "iron pin set" in this description are ½" rebar with yellow plastic cap stamped "Rochester-LSF000484") and the true POINT OF BEGINNING. From this POINT OF BEGINNING, thence leaving said land lot line and along the property now or formerly owned by Lost Falls Land Company, LLLP South 21° 10' 08" West a distance of 99.71 feet to an iron pin set on the North right-of-way of Old West Point Road (80' R/W), thence along the said right-of-way of Old West Point Road the following calls: North 74° 30' 36" West a distance of 149.08 feet to a point; thence 397.91 feet along a curve to the left, said curve having a chord of North 79° 16' 33" West 397.31 feet and a radius of 2085.95 feet to a ½" rebar found on the North land lot line of Land Lot 226; thence leaving said right-of-way and along the North land lot line of Land Lot 226 and the property now or formerly owned by West Point Holdings, LLC, South 87° 54' 49" East a distance of 570.41 feet to an iron pin set, being the true POINT OF BEGINNING.

The above-described parcel contains 0.503 acre or 21,901 square feet, more or less, located in Land Lot 226, 5th Land District, Harris County, Georgia, and more particularly shown on boundary survey dated August 11, 2008, by Rochester & Associates, Inc., a copy of which is attached hereto and made a part hereof.

This being a part of the property described in that certain deed dated November 23, 2004, and recorded in Deed Book 781, Page 298, in the Office of the Clerk of Superior Court of Harris County, Georgia.

EXHIBIT "B"

CITY OF WEST POINT, GEORGIA
Planning and Zoning Department
Post Office Box 487
West Point, Georgia 31833
Office (706) 645-2226
Fax (706) 643-8150

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of West Point, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant City Of West Point
Mailing Address P.O. Box 487 West Point GA 31833
Telephone 706-645-3090 Fax 706-645-3564
Property Owner (Use back if multiple names) City Of West Point
Mailing Address " "
Telephone " " Fax " "
Address/Location of Property Land Lot 226 of dist. 5 (Harris Co.)
County Zoning Classification — Requested Zoning Classification GREENSPACE
Present Land Use GREENSPACE

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

___ A petition for annexation into the City of West Point, Georgia, which shall be in the form of a letter and include:
- √ Petitioner's Name
- √ Mailing Address
- √ Contact Telephone Number
- √ Address or Tax Map Number of the property(s) proposed for annexation
- √ County Zoning Classification(s)
- √ Requested Zoning Classification(s)
- √ Present Land Use of the property(s)
- √ Proposed Land Use of the property(s)

___ A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

___ A legal description of the property(s) and a legal description for each zoning classification being requested.

____ A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One (1) plat 18" x 24" minimum and one (1) 8 ½ " x 11" shall be submitted with the application for annexation.

____ Fees for the Annexation application shall be made payable to the City of West Point in the amount shown in the fee schedule.

The City shall notify Troup or Harris County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. The Planning Commission will consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. Upon approval of annexation of the property and placing a zoning designation with the property, the City shall submit the proposed annexation to the U.S. Department of Justice (DOJ) for review. Upon review and favorable comment from DOJ, the annexation is officially in place. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The zoning classification approved by the City following the hearing shall become effective on the later of:
> The date the zoning is approved by the Council, and
> The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of West Point shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489.

Building Permits

No permits shall be issued for construction of a building on newly annexed property until the City of West Point receives clearance on the annexation request from the U.S. Department of Justice as required by the Voting Rights Act of 1965, as amended.

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Applicant's Signature _____ Date 8-6-2015

FOR OFFICIAL USE ONLY

DATE RECEIVED 8-6-15

RECEIVED BY Lisa J. Thompson

City of West Point, Georgia
Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner City of West Point

Telephone Number 706-645-3090

Address of Subject Property Land Lot 226 of district 5 (Harris County GA)

I swear that I am the owner or legal representative of the property which is the subject matter of the attached application, as it is shown in the records of Troup County or Harris County, Georgia.

Signature of Property Owner/Legal Representative

Personally appeared before me

Ed Moon

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Suvrenda Van Billingslea
Notary Public

SUVRENDA VAN BILLINGSLEA NOTARY PUBLIC Exp. Aug. 27, 2018 TROUP COUNTY, GA

(Affix Raised Sea! *Here)*

8/6/2015
Date

EXHIBIT "C"

HARRIS COUNTY BOARD OF COMMISSIONERS
104 North College Street • Post Office Box 365
Hamilton, Georgia 31811-0365
Phone: 706-628-4958 • Fax: 706-628-4223

August 14, 2015

VIA CERTIFIED RETURN RECEIPT

The Honorable A. Drew Ferguson, IV, Mayor
City of West Point
Post Office Box 487
West Point, GA 31833

RE: Notice of Annexation
Parcel 006 051B
Land Lot 226 in Land District 5
0.5 acres on Old West Point Road

Dear Mayor Ferguson:

This letter is in response to the Notification of Annexation dated August 6, 2015, regarding the above property and receipt on August 10.

Pursuant to OCGA § 36-36-7 and OCGA § 36-36-9, this is to advise that there are no County facilities located within the 0.5 acre tract to be annexed.

Pursuant to OCGA § 36-36-113, this is to advise that the County has no objection to the annexation of this property and its subsequent rezoning as MXD-1.

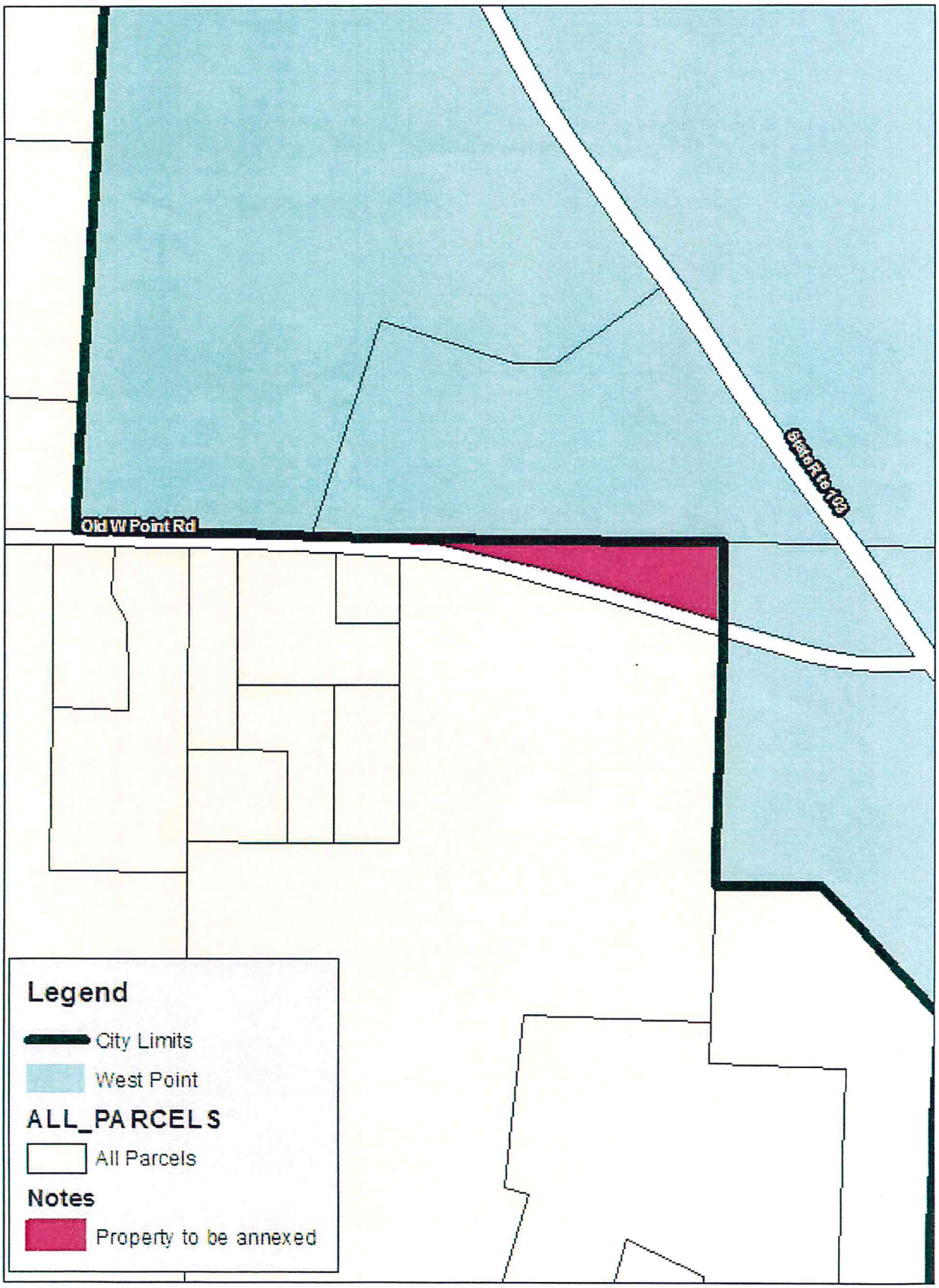
Sincerely,

Greg Wood
County Manager

GW/ndm

EXHIBIT "D"

Land Lot 226 Dist. 5 (Harris County)



15-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO CLASSIFY THE USE ZONE OF REAL ESTATE TO BE ANNEXED INTO THE CITY LOCATED ON OLD WEST POINT ROAD AND OWNED BY THE CITY OF WEST POINT; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT, AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of West Point be amended so as to classify as MXD (mixed use district) the following described real estate which is to be annexed into the corporate limits of the City of West Point, to wit:

> All that tract or parcel of land lying and being in Land Lot 226 of the 5th Land District of Harris County, Georgia, containing 0.503 acre, more or less, located on Old West Point Road, as more particularly described in that Warranty Deed dated September 29, 2008, recorded in Deed Book 53, Page 149, Harris County Records. Said parcel is also known as Harris County Tax Map Parcel Number 006-051B.

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

Pursuant to Official Code of Georgia Annotated Section 36-66-4(d)(4), this ordinance after adoption by the Council and upon approval by the Mayor, shall become effective upon the latter of the following dates: (1) the date the zoning is approved by the Mayor and Council; or (2) the date that the annexation of the above-referenced property becomes effective pursuant to Official Code of Georgia Annotated 36-36-2.

READAND ADOPTED _____

ATTEST:

_____
City Clerk

_____
A. Drew Ferguson, IV, Mayor

_____
Joseph R. Downs, III, Councilmember

_____
Gerald W. Ledbetter, Councilmember

_____
Gloria R. Marshall, Councilmember

_____
Sandra Thornton, Councilmember

_____
Steve Tramell, Councilmember

_____
Benjamin F. Wilcox, Councilmember

15-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO ANNEX TO THE CITY CONTIGUOUS REAL PROPERTY OWNED BY HARRIS COUNTY, GEORGIA, AND LOCATED ON DAVIDSON ROAD; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Harris County, Georgia (hereafter "Owner"), is the owner of land herein referred to which is contiguous to the existing corporate limits of the City of West Point, Georgia, as defined by the laws of the State of Georgia, such land being described in Exhibit "A" attached hereto;

WHEREAS, Owner has filed with the City of West Point a written and signed application requesting that the land area described within Exhibit "A" be annexed to and made a part of the City of West Point, a copy of such request being attached hereto and made a part hereof as Exhibit "B";

WHEREAS, upon such request the Mayor and Council of the City of West Point have determined such application meets the requirements of laws contained within O.C.G.A. § 36-36-20 through § 36-36-21, et seq.;

WHEREAS, the City of West Point upon accepting said application timely notified the Board of Commissioners of Harris County, Georgia, of the proposed annexation and attached hereto as Exhibit "C" is evidence that said body interposes no land use classification objection to the annexation pursuant to O.C.G.A. § 36-36-11;

WHEREAS, the area proposed for annexation adjoins and is contiguous to the present corporate limits of the City of West Point as defined by the laws of this state;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT, AS FOLLOWS:

SECTION 1:

That the application of the Board of Commissioners of Harris County, Georgia, for annexation of the area contiguous to the City of West Point, as described in Exhibit "A" and as shown on the plat attached as Exhibit "D," be and the same is hereby approved, and the contiguous area proposed for the annexation is hereby annexed to the City of West Point so that such land shall constitute a part of the land within the corporate limits of the City of West Point as fully and completely as if the limits had been marked and defined by a special act of the General Assembly of Georgia.

SECTION 2:

That a copy of this ordinance, together with a description of the area to be annexed thereto as Exhibit "A," a copy of the written request for annexation attached thereto as Exhibit "B" and a copy of the plat attached thereto as Exhibit "D," all duly certified by the City Clerk of the City of West Point, be forwarded to and filed with the Georgia Department of Community Affairs and also forwarded to the Board of Commissioners of Harris County, Georgia.

SECTION 3:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4:

This ordinance, after adoption and upon approval by the Mayor and Council, shall become effective according to the terms of O.C.G.A. § 36-36-2, on the 1st day of November, 2015.

READ AND ADOPTED _____

_____
A. Drew Ferguson, IV, Mayor

ATTEST:

_____
City Clerk

_____
Joseph R. Downs, III, Councilmember

_____
Gerald W. Ledbetter, Councilmember

Gloria R. Marshall, Councilmember

Sandra Thornton, Councilmember

Steve Tramell, Councilmember

Benjamin F. Wilcox, Councilmember

EXHIBIT "A"

TRACT A:

All that tract or parcel of land containing 114.44 acres situate, lying and being in Land Lot 169 of the 5th Land District of Harris County, Georgia, which property is more particularly described as follows: Beginning at an iron pin found at the point of intersection of the South line of Land Lot 169 of the 5th Land District with the East right-of-way line of Davidson Road, which point is the Point of Beginning of the property described herein and running thence North 09° 50' 58" East along the East right-of-way line of Davidson Road for 1002.80 feet to a point; thence running in a Northerly direction along a curve in the East right-of-way line of Davidson Road for a distance of 646.96 feet to a point, which curve has a chord bearing of North 25° 37' 56" East and a chord distance of 638.81 feet; thence running North 41° 24' 53" East along the East right-of-way line of Davidson Road for a distance of 423.13 feet to an iron pin found; thence running South 87° 29' 34" East for a distance of 2257.24 feet to an iron pin found; thence running South 01° 50' 50" West for a distance of 1760.61 feet to an pin found on the South line of Land Lot 169; thence running South 89° 33' 04" West along the South line of Land Lot 169 for a distance of 2926.22 feet to an iron pin found at the point of intersection of the South line of Land Lot 169 with the East right-of-way line of Davidson Road, which point is the Point of Beginning of the property described herein.

TRACT B:

All that tract or parcel of land containing 0.91 acres situate, lying and being in Land Lot 169 of the 5th Land District of Harris County, Georgia, which property is more particularly described as follows: Beginning at an iron pin found at the point of intersection of the South line of Land Lot 169 of the 5th Land District with the East right-of-way line of Davidson Road, which point is the Point of Beginning of the property described herein and running thence North 09° 50' 58" East along the East right-of-way line of Davidson Road for 1002.89 feet to a point; thence running in a Northerly direction along a curve in the East right-of-way line of Davidson Road for a distance of 646.96 feet to a point, which curve has a chord bearing of North 25° 37' 56" East and a chord distance of 638.81 feet; thence running North 41° 24' 53" East along the East right-of-way line of Davidson for a distance of 423.13 feet to an iron pin found, which is the Point of Beginning of the property described herein; thence running South 87° 29' 34" East for a distance of 2257.24 feet to an iron pin found; thence running North 01° 53' 17" East for a distance of 33.55 feet to an iron pin found; thence running North 88° 18' 32" West for a distance of 2255.84 feet to an iron pin found on the East right-of-way line of Davidson Road; thence running South 44° 34' 19" West along the East right-of-way line of Davidson Road for a distance of 1.89 feet to an iron pin found, which point is the Point of Beginning of the property described herein.

The above-described property is more fully shown as Tracts A and B on a plat of survey prepared by Raymon K. Haralson, Georgia Registered Land Surveyor, entitled "Survey of Property of N.A. Jones," dated August 24, 2015, which plat is by this reference incorporated herein.

EXHIBIT "B"

CITY OF WEST POINT, GEORGIA
Planning and Zoning Department
Post Office Box 487
West Point, Georgia 31833
Office (706) 645-2226
Fax (706) 643-8150

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of West Point, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant HARRIS COUNTY
Mailing Address P O BOX 365, HAMILTON, GA 31811
Telephone (706) 628-4958 Fax (706) 628-4223
Property Owner (Use back if multiple names) NEWTON ALBERT JONES JR, ESTATE
Mailing Address 6492 SADDLEHORN DR, ROCKY MOUNT, NC 27803
Telephone (252) 446-5588 Fax
Address/Location of Property PARCEL # 006 006 DAVIDSON ROAD
County Zoning Classification A-1 Requested Zoning Classification I-2
Present Land Use TIMBER

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

✓ A petition for annexation into the City of West Point, Georgia, which shall be in the form of a letter and include:
- √ Petitioner's Name
- √ Mailing Address
- √ Contact Telephone Number
- √ Address or Tax Map Number of the property(s) proposed for annexation
- √ County Zoning Classification(s)
- √ Requested Zoning Classification(s)
- √ Present Land Use of the property(s)
- √ Proposed Land Use of the property(s)

✓ A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

✓ A legal description of the property(s) and a legal description for each zoning classification being requested.

____ A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One (1) plat 18" x 24" minimum and one (1) 8 ½ " x 11" shall be submitted with the application for annexation.

____ Fees for the Annexation application shall be made payable to the City of West Point in the amount shown in the fee schedule.

The City shall notify Troup or Harris County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. The Planning Commission will consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. Upon approval of annexation of the property and placing a zoning designation with the property, the City shall submit the proposed annexation to the U.S. Department of Justice (DOJ) for review. Upon review and favorable comment from DOJ, the annexation is officially in place. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The zoning classification approved by the City following the hearing shall become effective on the later of:
> The date the zoning is approved by the Council, and
> The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of West Point shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489.

Building Permits

No permits shall be issued for construction of a building on newly annexed property until the City of West Point receives clearance on the annexation request from the U.S. Department of Justice as required by the Voting Rights Act of 1965, as amended.

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Meg Wood — 8/31/2015

Applicant's Signature — Date

FOR OFFICIAL USE ONLY

DATE RECEIVED 8/31/2015

RECEIVED BY Sammy Osborne

City of West Point, Georgia
Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner Newton Albert Jones JR Estate

Telephone Number (252) 446-5588

Address of Subject Property Land Lot 169 5th Land District Davidson Rd.
Harris County, Georgia

I swear that I am the owner or legal representative of the property which is the subject matter of the attached application, as it is shown in the records of Troup County or Harris County, Georgia.

executor
Signature of Property Owner/Legal Representative

Personally appeared before me

Robert C Crowder

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

MICHAEL G WILLE
My Commission Expires
NOTARY
PUBLIC
06-23-16
WILSON COUNTY, NC
(Affix Raised Seal Here)

7/16/15
Date

EXHIBIT "C"

HARRIS COUNTY BOARD OF COMMISSIONERS
104 North College Street • Post Office Box 365
Hamilton, Georgia 31811-0365
Phone: 706-628-4958 • Fax: 706-628-4223

September 4, 2015

via Certified Return Receipt Mail

The Honorable A. Drew Ferguson, IV, Mayor
City of West Point
Post Office Box 487
West Point, GA 31833

RE: Notice of Annexation
Parcel 006 006
Land Lot 169 in Land District 5
114.5 acres on Davidson Road

Dear Mayor Ferguson:

This letter is in response to the Notification of Annexation dated September 4, 2015, regarding the above property and received on September 4.

Pursuant to OCGA § 36-36-7 and OCGA § 36-36-9, this is to advise that there are no County facilities located within the 114.5-acre tract to be annexed.

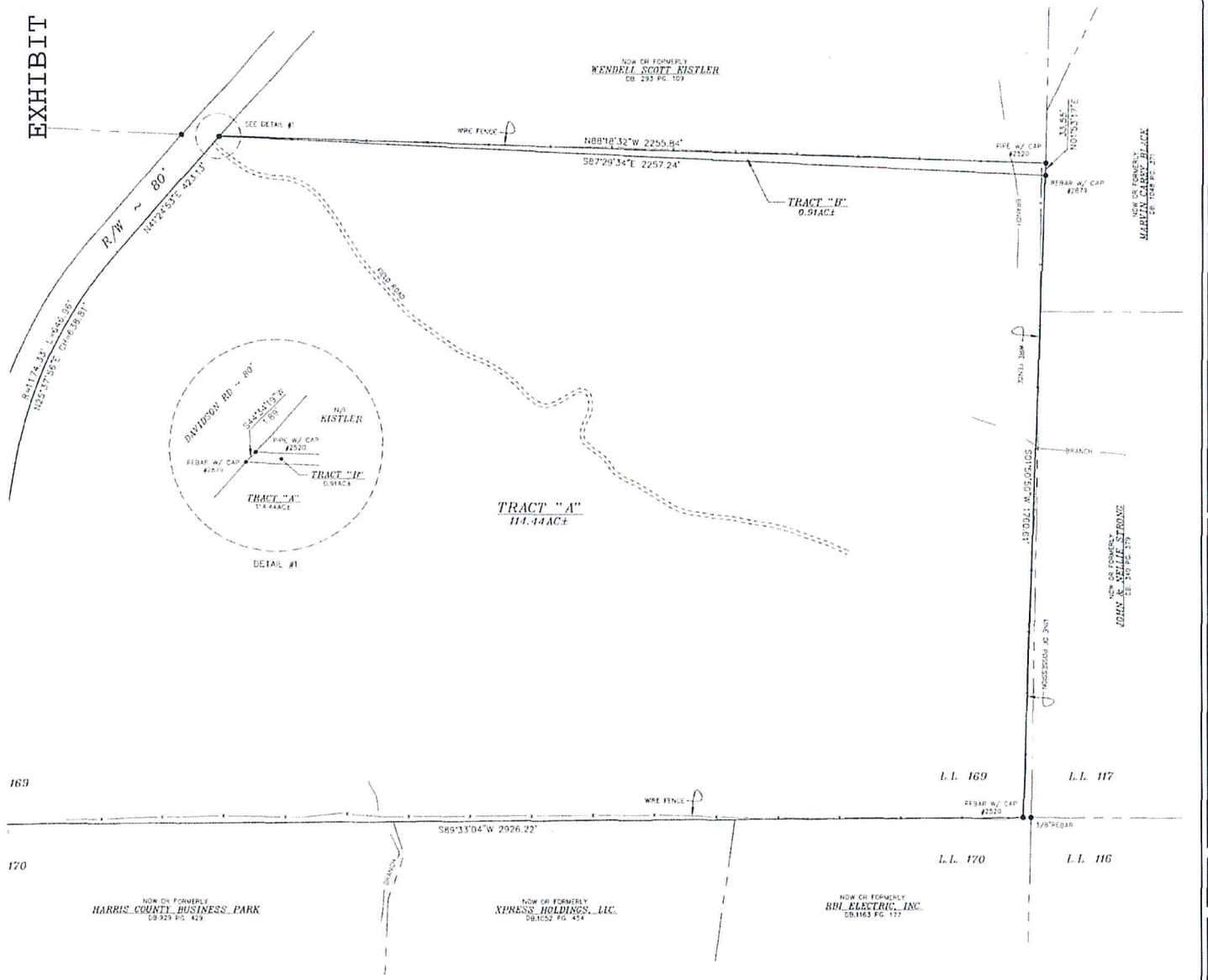
Pursuant to OCGA § 36-36-113, this is to advise that the County has no objection to the annexation of this property and its subsequent rezoning to I-1 (Heavy Industrial).

Sincerely,

Greg Wood
County Manager

GW/ndm

EXHIBIT "D"



TH CAP SET
UND AS NOTED

ACCORDING TO THE FLOOD INSURANCE RATE MAPS (FIRM) DATED JULY 3, 2012, COVERING HARRIS COUNTY, GEORGIA (COMMUNITY NO. 130338), THE SUBJECT PROPERTY IS LOCATED ON PANEL NO. 0070 & 0300 AND IS SHOWN IN FLOOD ZONE "X" AND IS NOT SHOWN IN A FLOOD HAZARD AREA.

THE PROPERTY SHOWN ON THIS PLAT IS SUBJECT TO ANY EXISTING COVENANTS, EASEMENTS AND RIGHT OF WAYS OF RECORD.

THE FIELD DATA ON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 44,790 & AN ANGULAR ERROR OF 08" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN >100,000 FEET.

A GEOMAX ZOOMBO ROBOTIC TOTAL STATION, CARLSON FIELD CONTROLLER & FIXED TRAVERSE SIGHTS WHERE UTILIZED TO PERFORM THIS SURVEY.

GEORGIA REGISTERED No. 2697 LAND SURVEYOR
RAYMON K. HARALSON

DATE: 08-24-15

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

Haralson & Adams
LAND SURVEYING & CONSTRUCTION LAYOUT
WWW.HARALSON-ADAMS.COM
P.O. BOX 536 HAMILTON, GEORGIA
PHONE# (706) 573-4102

SURVEY
PROPERTY OF
N.A. JONES JR.
LOCATED IN
LAND LOT 169 - 5th LAND DISTRICT
HARRIS COUNTY, GEORGIA
FOR
HARRIS COUNTY BOARD OF COMMISSIONERS

200 100 0 200
GRAPHIC SCALE: 1"=200'

JOB NUMBER:	2015025
SURVEYED BY:	BS
DRAWN BY:	DCA
SURVEY DATE:	07/31/2015
DRAWING DATE:	08/24/2015
CHECKED BY:	RKH

PAGE NUMBER
1
OF 1

15-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO CLASSIFY THE USE ZONE OF REAL ESTATE TO BE ANNEXED INTO THE CITY LOCATED ON DAVIDSON ROAD IN HARRIS COUNTY, GEORGIA, AND OWNED BY THE BOARD OF COMMISSIONERS OF HARRIS COUNTY, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT, AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of West Point be amended so as to classify as I-2 (heavy industrial district) the following described real estate which is to be annexed into the corporate limits of the City of West Point, to wit:

> All that tract or parcel of land lying and being in Land Lot 169 of the 5th Land District of Harris County, Georgia, containing 115.35 acres, more or less, located on Davidson Road and known as Harris County Tax Map Parcel Number 006-006.

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

Pursuant to Official Code of Georgia Annotated Section 36-66-4(d)(4), this ordinance after adoption by the Council and upon approval by the Mayor, shall become effective upon the latter of the following dates: (1) the date the zoning is approved by the Mayor and Council; or (2) the date that the annexation of the above-referenced property becomes effective pursuant to Official Code of Georgia Annotated 36-36-2.

READAND ADOPTED _____

_____
A. Drew Ferguson, IV, Mayor

ATTEST:

_____
City Clerk

_____
Joseph R. Downs, III, Councilmember

_____
Gerald W. Ledbetter, Councilmember

_____
Gloria R. Marshall, Councilmember

_____
Sandra Thornton, Councilmember

_____
Steve Tramell, Councilmember

_____
Benjamin F. Wilcox, Councilmember

KENNETH D. TEAL
ATTORNEY AT LAW

119 RIDLEY AVENUE
SUITE 300
LAGRANGE, GEORGIA 30240

TELEPHONE: (706) 845-7971
FACSIMILE: (706) 845-7619
EMAIL: kenteal@att.net
WEB ADDRESS: galawyer.net

September 9, 2015

VIA FEDERAL EXPRESS
TRACKING NO.:7744 6673 1872

Honorable A. Drew Ferguson, IV, Mayor
City of West Point
730 First Avenue
West Point, Georgia 31833

ANTE LITEM NOTICE OF CLAIM

Re:		
	Claimant:	Matthew Senn
	Address:	1279 County Road 216, Lanett, Alabama 36863
	Date of Incident:	April 12, 2015
	Location:	Irish Bred Pub
	Claims:	False Arrest and Malicious Prosecution

Dear Mayor Ferguson:

Please be advised that the undersigned is counsel to Matthew Senn in his claim for personal injuries as a result of the above-referenced incident which occurred on April 12, 2015 at the Irish Bred Pub in West Point, Georgia. Mr. Senn intends to file a claim and/or civil action for damages against the City of West Point and others in connection with the injuries sustained by him from falsely being arrested.

Please allow this correspondence to serve as formal ante litem notice, in accordance with the provisions of O.C.G.A. § 36-33-5, of our client's claims for damages against the City of West Point, and any and all other officers, employees, agencies or entities who may have been involved in causing the injuries to Mr. Senn. Please also see *Pain v. Blackwell,* 259 Ga. 483,484(Ga 1989). The claims are based on negligence and, upon information and belief; potential claims for gross negligence and willful and wanton conduct may also exist.

On April 12, 2015, Mr. Matthew Senn was employed as an entertainer at the Irish Bred Pub. That morning at approximately 1:00 a.m., a fight broke out on the outside of the Pub. West Point Police Officers arrived on the scene. The Officers took one or two citizens in custody at that time. After conducting little or no investigation the Officers left the scene. On or about Friday, May 30, 2015, my Client was arrested on an arrest warrant for the incident outside the Irish Bred Pub.

On April 12, 2015, Mr. Senn was inside the pub when the fight broke out. The parties had

already separated when he walked down to the scene. Mr. Senn was merely a bystander. Multiple cameras in the vicinity verify these facts. No investigation or contact was made with Mr. Senn prior to his arrest. Mr. Senn was detained at the West Point Police Department and then later transported to the Troup County Jail. As a result of this incident by the West Point Police Department, Mr. Senn was arrested, booked, and held in Troup County Jail for the weekend with no hope of bond. One of the charges was a felony. Mr. Senn also lost his home because he was forced to use his rent money to post bail when bond was finally set, Monday. Upon realizing their mistake, the police department did not halt the prosecution of the case, but required Mr. Senn to go forward obtaining an attorney and appear in court. Mr. Senn suffered emotionally and suffered mental pain as a result of these actions.

We are demanding payment of $100,000.00 as compensation for the humiliation, incarceration and mental pain and suffering. If you contend this letter does not provide you with sufficient notice pursuant to O.C.G.A. § 36-33-5, or comply with said statute, please advise me immediately. Please accept this as a request for all insurance information that may cover any aspect of these claims.

Best Regards,

Kenneth D. Teal

KDT: kmh

c: *Via Federal Express Tracking No.: 7744 6677 7922*

Ms. Sandra Thornton *(copy 1)*
Mr. Gerald Ledbetter *(copy 2)*
✓Mr. Steve Tramell *(copy 3)*
Ms. Gloria Ramsey Marshall *(copy 4)*
Mr. Joseph R. Downs, III *(copy 5)*
Mr. Benjamin F. Wilcox *(copy 6)*

KMMG

Payment In Lieu of Taxes 2013-20

	Forward Fund	Gen Fund		City	From KMMG	WPDA
2013-Year 1	$780,000	$20,000	(WPE $20,000)	$800,000	$850,000	$50,000
2014 Year 2	$280,000	$520,000	(WPE $20,000 GF $500,000)	$800,000	$900,000	$100,000
2015 Year 3	$680,000	$120,000	(WPE $20,000 GF $100,000)	$800,000	$900,000	$100,000
2016 Year 4	$660,000	$140,000	(WPE $20,000 GF $120,000)	$800,000	$900,000	$100,000
2017 Year 5	$100,000	$700,000	(WPE $20,000 GF $680,000)	$800,000	$900,000	$100,000
Totals	$2,500,000	$1,500,000	$4,000,000	$4,000,000	$4,450,000	$450,000
	WPE	$100,000				
	General Fund	$1,400,000				

	From KMMG	City	WPDA
2018	$281,020	$181,820	$100,000
2019	$281,818	$181,818	$100,000
2020-2028	$181,818	$181,818	$0

	From KMMG	Forward Fund	City General Fund	WPDA
Totals	$6,650,000	$2,500,000	$3,500,000	$650,000

Balance 9-2015	$1,545,608.07		
Hwy 18 Inter	$ 250,000.00	Grant	
River Park	$ 190,000.00	Grant	
Virginia Cook Bld	$ 180,000.00	Grant	
PD Renovation	$ 280,000.00	Loan (Repay full amount in 2017)	
Total	$ 900,000.00		
Remaining Fund	645608.07		
2016 Payment	$ 660,000.00		
2017 Payment	$ 100,000.00		
Loan Repayment	$ 280,000.00		
Final Fund	$ 1,685,608.07		

INFORMATION