

AN ORDINANCE 24-101
ENTITLED

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE
CITY OF ALBANY (ORDINANCE NO. 09-102) SO AS TO CHANGE THE
STATUS OF THE PROPERTY HEREINAFTER DESCRIBED**

BE IT ORDAINED by the Board of City Commissioners of the City of Albany, Georgia, and it is hereby ordained by the authority of same:

SECTION I: That from and after the passage of this Ordinance the official Zoning Ordinance and Map of the City of Albany, Ordinance No. 09-102, adopted January 27, 2009, as amended, and the same hereby is further amended so as to change the status of the property hereinafter described as follows:

CHANGE FROM	: C-7 (Mixed-Use Planned-Development District)
TO	: C-2 (General Mixed-Use Business District)
LOCATION	: Nottingham Way & Ledo Rd.
OWNER/APPLICANT	: Colonial Town Center LLC
ZONING CASE	: #23-087

With the following condition: A carwash is not allowed

Exhibit "A" LOT 1: All that certain tract or parcel of land lying and being a part of Land Lot 409, 1st Land District, Albany, Dougherty County, Georgia, being more particularly described as follows: Begin at a point at the mitered right-of-way corner of the intersection of the eastern right-of-way line of Nottingham Way (right-of-way varies) with the southern right-of-way line of Ledo Road (80' right-of-way) and go across the miter north 52 degrees, 33 minutes, 16 seconds east for a distance of 29.33 feet to a point on the southern right-of-way line of Ledo Road; thence go along the southern right-of-way line of Ledo Road north 87 degrees, 17 minutes, 41 seconds east for a distance of 209.34 feet to a point on the southern right-of-way line of Ledo Road, thence leave said southern right-of-way line and go south 02 degrees, 42 minutes, 19 seconds east for a distance of 254.86 feet to a point; thence go south 87 degrees, 17 minutes, 41 seconds west for a distance of 233.75 feet to a point on the eastern right-of-way line of Nottingham Way; thence go along the eastern right-of-way line of Nottingham Way north 02 degrees, 37 minutes, 52 seconds west for a distance of 238.15 feet to a point at the mitered right-of-way corner of the intersection of the eastern right-of-way line of Nottingham Way with the southern right-of-way line of Ledo Road, the POINT OF BEGINNING. Said tract contains 1.362 acres.

LOT 2: All that certain tract or parcel of land lying and being a part of Land Lot 409, 1st Land District, Albany, Dougherty County, Georgia, being more particularly described as follows: Commence at a point at the mitered right-of-way corner of the intersection of the eastern right-of-way line of Nottingham Way (right-of-way varies) with the southern right-of-way line of Ledo Road (80' right-of-way) and go across the miter north 52 degrees, 33 minutes, 16 seconds east for a distance of 29.33 feet to a point on the southern right-of-way line of Ledo Road; thence go along the southern right-of-way line of Ledo Road north 87 degrees, 17 minutes, 41 seconds east for a distance of 209.34 feet

to a point on the southern right-of-way line of Ledo Road, said point being THE POINT OF BEGINNING. From said POINT OF BEGINNING, continue along the southern right-of-way line of Ledo Road and go north 87 degrees, 17 minutes, 41 seconds east for a distance of 221.41 feet to a point on said southern right-of-way line; thence continue to follow the southern right-of-way line of Ledo Road and go north 86 degrees, 53 minutes, 21 seconds east for a distance of 11.79 feet to a point; thence leave said southern right-of-way line and go south 02 degrees, 2 minutes, 19 seconds east for a distance of 151.64 feet to a point; thence go south 87 degrees, 17 minutes, 41 seconds west for a distance of 233.20 feet to a point; thence go north 02 degrees, 42 minutes, 19 seconds west for a distance of 151.55 feet to a point on the southern right-of-way line of Ledo Road, THE POINT OF BEGINNING. Said tract contains 0.811 acres.

LOT 4: All that certain tract or parcel of land lying and being a part of Land Lot 409, 1st Land District, Albany, Dougherty County, Georgia, being more particularly described as follows: Commence at a point at the mitered right-of-way corner of the intersection of the eastern right-of-way line of Nottingham Way (right-of-way varies) with the southern right-of-way line of Ledo Road (80' right-of-way) and go across the miter north 52 degrees, 33 minutes, 16 seconds east for a distance of 29.33 feet to a point on the southern right-of-way line of Ledo Road; thence go along the southern right-of-way line of Ledo Road north 87 degrees, 17 minutes, 41 seconds east for a distance of 430.75 feet to a point on the southern right-of-way line of Ledo Road; thence continue along said southern right-of-way line and go north 86 degrees, 53 minutes, 21 seconds east for a distance of 11.79 feet to a point on the southern right-of-way line of Ledo Road, said point being the POINT OF BEGINNING. From said POINT OF BEGINNING, continue along the southern right-of-way line of Ledo Road and go north 86 degrees, 53 minutes, 21 seconds east for a distance of 49.15 feet to a point on the southern right-of-way line of Ledo Road; thence leave said southern right-of-way line and go south 03 degrees, 06 minutes, 39 seconds east for a distance of 384.31 feet to a point on the northern line of a 30' Access & Utility Easement; thence go along the northern line of the Access & Utility Easement south 87 degrees, 17 minutes, 41 seconds west for a distance of 285.08 feet to a point; thence go north 02 degrees, 42 minutes, 19 seconds west for a distance of 232.31 feet; thence go north 87 degrees, 17 minutes, 41 seconds east for a distance of 233.20 feet to a point; thence go north 02 degrees, 42 minutes, 19 seconds west for a distance of 151.64 feet to a point on the southern right-of-way line of Ledo Road, the POINT OF BEGINNING. Said tract contains 1.689 acres.

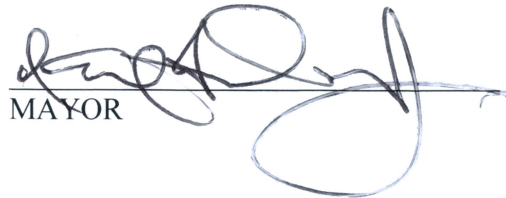
EXHIBIT "B", TRACT 1: All that certain tract or parcel of land lying and being a part of Land Lot 409 in the First Land District, Albany Dougherty County, Georgia, and being more particularly described as follows: Commence at a point at the extension of the mitered intersection of the Eastern right-of-way line of Nottingham Way (right-of-way varies) with the southern right-of-way line of Ledo Road (80' right-of-way), and thence go north 87 degrees, 17 minutes, 41 seconds east for a distance of 32.69 feet to a 5/8" rebar found at the mitered corner of the southern right-of-way line of Ledo Road; thence go along the southern right-of-way line of Ledo Road north 87 degrees, 17 minutes, 41 seconds east for a distance of 442.11 feet to a point on the southern right-of-way line of Ledo Road; thence continue along said right-of-way line and go north 86 degrees, 53

minutes, 21 seconds east for a distance of 60.92 feet to a 5/8" rebar found on the southern right-of-way line of Ledo Road; thence leave the southern right-of-way line of Ledo Road and go south 03 degrees, 06 minutes, 39 seconds east for a distance of 6.00 feet to a point, said point being the POINT OF BEGINNING. From said POINT OF BEGINNING, thence go south 03 degrees, 06 minutes, 39 seconds east for a distance of 383.87 feet to a point; thence go south 86 degrees, 53 minutes, 21 seconds west for a distance of 284.88 feet to a point; thence go north 02 degrees, 42 minutes, 19 seconds west for a distance of 233.90 feet to a point; thence go north 87 degrees, 17 minutes, 41 seconds east for a distance of 233.00 feet to a point; thence go north 02 degrees, 42 minutes, 19 seconds west for a distance of 151.63 feet to a point on the southern future right-of-way line of Ledo Road; thence go along the southern future right-of-way line of Ledo Road north 86 degrees, 53 minutes, 21 seconds east for a distance of 49.15 feet to a point; said point being the POINT OF BEGINNING. Said tract contains 1.691 acres. LESS AND EXCEPT from the above-described property that portion of the property conveyed by that certain Quit Claim Deed from FirstBank Financial Services, a banking corporation, to the City of Albany, Georgia, a municipal corporation, dated February 4, 2008, filed for record June 10, 2008 at 10:43 a.m., recorded in Deed Book 3496, Page 264, aforesaid records.

TRACT 2: All that certain tract or parcel of land lying and being part of Land Lot 409 in the First Land District, Albany, Dougherty County, Georgia, and being more particularly described as follows: Commence at a point at the extension of the mitered intersection of the eastern right-of-way line of Nottingham Way (right-of-way varies) with the southern right-of-way line of Ledo Road (80' right-of-way), and thence go north 87 degrees, 17 minutes, 41 seconds east for a distance of 32.69 feet to a 5/8" rebar found at the mitered corner of the southern right-of-way line of Ledo Road; thence go along the southern right-of-way line of Ledo Road north 87 degrees, 17 minutes, 41 seconds east for a distance of 442.11 feet to a point on the southern right-of-way line of Ledo Road; thence continue along said right-of-way line and go north 86 degrees, 53 minutes 21 seconds east for a distance of 60.92 feet to a 5/8" rebar found on the southern right-of-way line of Ledo Road; thence leave the southern right-of-way line of Ledo Road and go south 03 degrees, 06 minutes, 39 seconds east for a distance of 6.00 feet to a point on the southern future right-of-way line of Ledo Road; thence go south 03 degrees, 06 minutes, 39 seconds east for a distance of 383.87 feet to a point; said point being the POINT OF BEGINNING. From said POINT OF BEGINNING, thence go south 03 degrees, 06 minutes, 39 seconds east for a distance of 39.54 feet to a point; thence go south 86 degrees, 53 minutes, 21 seconds west for a distance of 502.34 feet to a concrete monument found on the eastern right-of-way line of Nottingham Way; thence go south 87 degrees, 22 minutes, 08 seconds west for a distance of 17.00 feet to a point on the eastern future right-of-way of Nottingham Way; thence go along the eastern future right-of-way line of Nottingham Way north 02 degrees, 37 minutes, 52 seconds west for a distance of 409.79 feet to a point at the mitered corner of the eastern future right-of-way line of Nottingham Way; thence go across the miter north 52 degrees, 33 minutes, 16 seconds east for a distance of 29.33 feet to a point on the southern future right-of-way line of Ledo Road; thence go along the southern future right-of-way line of Ledo Road 87 degrees, 17 minutes, 41 seconds east for a distance of 430.75 feet to a point; thence

continue along the southern future right-of-way line of Ledo Road north 86 degrees, 53 minutes, 21 seconds east for a distance of 11.79 feet to a point on the southern future right-of-way line of Ledo Road; thence leave said southern future right-of-way line and go south 02 degrees, 42 minutes, 19 seconds east for a distance of 151.63 feet to a point; then go south 87 degrees, 17 minutes, 41 seconds west for a distance of 233.00 feet to a point; thence go south 02 degrees, 42 minutes, 19 seconds east for a distance of 233.90 feet to a point; thence go north 86 degrees, 53 minutes, 21 seconds east for a distance of 284.88 feet to a point; said point being the POINT OF BEGINNING. Said tract contains 3.351 acres. LESS AND EXCEPT from the above-described property that portion of the property conveyed by that certain Quitclaim Deed of Release from FirstBank Financial Services to Southeastern Investment Partners-Albany, LLP dated July 23, 2008, filed for record August 21, 2008, at 11:12 a.m., recorded in Deed Book 3522, Page 128, aforesaid Records. FURTHER LESS AND EXCEPT from the above-described property that portion of the property conveyed by the certain Deed Under Power of Attorney from Southeastern Investment Partner-Albany, LLP, by its attorney in fact, Sherwood Properties, LLC to Sherwood Properties, LLC, dated August 4, 2009, filed for record August 12, 2009 at 1:35 p.m., recorded in Deed Book 3630, Page 14, aforesaid records. FURTHER LESS AND EXCEPT from the above-described property that portion of the property conveyed by that certain Quit Claim Deed from FirstBank Financial Services, a banking corporation, to the City of Albany, Georgia, a municipal corporation, dated February 4, 2008, filed for record June 10, 2008, at 10:43 a.m., recorded in Deed Book 3496, Page 264, aforesaid records.

SECTION II: That all Ordinances or parts of Ordinances in conflict herewith be, and the same hereby are repealed.


MAYOR

ATTEST:


CITY CLERK

Adopted: January 23, 2024

