

**ORDINANCE NO.: 2010-078**

*Amending the effective date for annexation of Ordinances 2010-038 Annexing 4032 Rosewood Drive, 4040 Rosewood Drive, 209 South Beltline Boulevard, 223 A-C South Beltline Boulevard and 307 South Beltline Boulevard, Richland County TMS #13805-05-07, 13805-05-09, 13805-05-10, 13805-05-11 and 13805-05-12; 2010-039 Annexing 4126 Beecliff Drive, Richland County TMS #13809-03-13; 2010-040 Annexing 3113 Farrow Road, Richland County TMS #11504-30-16 and 2010-041 Annexing 1804 Gary Street, Richland County TMS #11612-02-04*

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WHEREAS, Ordinances 2010-038 Annexing 4032 Rosewood Drive, 4040 Rosewood Drive, 209 South Beltline Boulevard, 223 A-C South Beltline Boulevard and 307 South Beltline Boulevard, Richland County TMS #13805-05-07, 13805-05-09, 13805-05-10, 13805-05-11 and 13805-05-12; 2010-039 Annexing 4126 Beecliff Drive, Richland County TMS #13809-03-13; 2010-040 Annexing 3113 Farrow Road, Richland County TMS #11504-30-16 and 2010-041 Annexing 1804 Gary Street, Richland County TMS #11612-02-04 were given first reading approval by City Council on March 17, 2010 and second reading approval on April 7, 2010, with an effective date of annexation into the City as of April 30, 2010; and,

WHEREAS, the properties annexed by these ordinances are zoned and/or currently used for residential purposes; and,

WHEREAS, a vacancy occurred in City Council District 2 on March 9, 2010, which term ends on June 30, 2012; and,

WHEREAS, the United States District Court three judge panel enjoined the election scheduled for April 6, 2010 to fill the vacancy in the District 2 Council seat unless Section 5 preclearance was received prior to the election; and,

WHEREAS, Section 5 preclearance was not received prior to the polls opening on April 6, 2010 at 7:00 o'clock a.m.; and,

WHEREAS, by Resolution R-2010-038 enacted on April 7, 2010, City Council set a special election for the vacant City Council District 2 seat to be held on July 9, 2010; and,

WHEREAS, these properties have not been given preclearance by the United States Justice Department Voting Rights Division to participate in the July 9, 2010 special election as required by Section 5 of the Voting Rights Act; and,

WHEREAS, there is not sufficient time before the special election date of July 9, 2010 to allow for submission and request for a preclearance for these properties; NOW, THEREFORE,

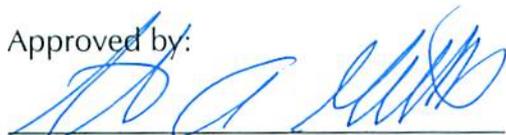
BE IT ORDAINED by the Mayor and Council this 5th day of May, 2010, that the effective date of annexation for Ordinances 2010-038 Annexing 4032 Rosewood Drive, 4040 Rosewood Drive, 209 South Beltline Boulevard, 223 A-C South Beltline Boulevard and 307 South Beltline Boulevard, Richland County TMS #13805-05-07, 13805-05-09, 13805-05-10, 13805-05-11 and 13805-05-12; 2010-039 Annexing 4126 Beecliff Drive, Richland County TMS #13809-03-13; 2010-040 Annexing 3113 Farrow Road, Richland County TMS #11504-30-16 and 2010-041 Annexing 1804 Gary Street, Richland County TMS #11612-02-04 shall be amended to July 30, 2010.

Requested by:



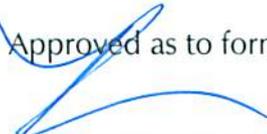
MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 4/21/2010  
Final Reading: 5/5/2010

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