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WHAT IS ANNEXATION?

Annexation is the action taken to incorporate parcels of land into an existing city's limits.

Enclosed are instructions, information, and the tools necessary to start the process of annexation into the City of Brookhaven.

Annexation requests are governed by state law and are considered solely by the City Council, which has full discretion to grant or deny annexation applications.

To avoid delay in processing your request, please read the attached carefully and include all required information in your annexation application packet.

Prior to submitting the application, should you need assistance or have questions, please call the Community Development Department at (404) 637-0500 between 8:30 AM – 4:30 PM, Monday through Friday.

Annexation Law in Georgia

There are three primary methods of annexing property that is adjacent to existing city limits in Georgia.*

All three require the consent of a majority of the persons living in an area to be annexed into a city.

I. THE 100 PERCENT METHOD

Property owners of all the land in an area may seek to have their property annexed into an adjacent city by signing a petition.

II. THE 60 PERCENT METHOD

Owners of at least 60% of the property in the area to be annexed, and at least 60% of the registered voters in the area, may seek to have their property annexed into an adjacent city by signing a petition.

III. RESOLUTION AND REFERENDUM

An election may be held in the area proposed for annexation to determine if the area should be annexed. This method requires that an agreement between all the local governments providing services in that area be reached and that a majority of voters residing in the area to be annexed vote in favor of the annexation.

* There are two other methods of annexation; 1) annexations by the General Assembly through local legislation; and 2) the annexation of unincorporated islands totally surrounded by a city.

Application for Annexation

Application Requirements



THE 100 PERCENT METHOD

- Completed Application (Page 5)
- Letter of Intent (Page 6)
- Signed & Notarized signature forms for signed by 100 percent of owners (or legal representative thereof) of all the land, including owner(s) of private roads (Page 8)
- A complete legal description of lands to be annexed. (O.C.G.A. § 36-36-21)
- A survey and/or parcel map of lands to be annexed.
- An excel spreadsheet of parcels to be annexed including address, tax parcel ID number, acreage, existing zoning, and owners of each parcel

	A	B	C	D	E	F	G
1	Parcel_ID	Address	Acreage	Zoning	Owner	Date of Signature	
2	18 200 01 001	123 Main Street	1.05	C-1	John Smith	6/20/2023	
3	18 200 01 002	125 Main Street	0.93	C-1	Bruce Wayne	6/21/2023	
4							
5							

Application for Annexation

Application Requirements



THE 60 PERCENT METHOD

- Completed Application (Page 5)
- Letter of Intent (Page 7)
- Signed & Notarized signature forms for at least 60 percent of the electors resident in the area and owners (or legal representative thereof) of at least 60 percent of the total land area (Pages 8 & 9)
 - All signatures must be collected within one year from the first signature collected. (O.C.G.A. § 36-36-32)
- A complete legal description of lands proposed to annex. The property cannot cross county lines by this method. (O.C.G.A. § 36-36-33)
- A survey and/or parcel map of lands to be annexed.
- The following excel spreadsheets for parcels proposed to be annexed:
 - Address, tax parcel ID number, existing zoning, acreage, and owners of each parcel – indicating those that have signed and notarized the signature forms agreeing to the annexation and the date of signature

	A	B	C	D	E	F	G
1	Parcel_ID	Address	Acreage	Zoning	Owner	Agree to Annex? (Yes, No, Unable to Reach)	Date of Signature
2	18 200 01 001	123 Main Street	1.05	C-1	John Smith	Yes	6/20/2023
3	18 200 01 002	125 Main Street	0.93	C-1	Bruce Wayne	Unable to Reach	n/a
4							

- Electors resident at All Parcels including address they are registered at, and their voter registration number – indicating those that have signed and notarized the signature forms agreeing to the annexation and the date of signature

	A	B	C	D	E
1	Address	Elector	Voter Registration Number	Agree to Annex? (Yes, No, Unable to Reach)	Date of Signature
2	123 Main Street	Lex Luthor	000001	Yes	6/20/2023
3	125 Main Street	Bruce Wayne	000002	Unable to Reach	N/A
4					

Application for Annexation



Name of Person Initiating Application: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

Type of Annexation (check one):

100 % Method

Total Number of Parcels to be Annexed: _____

Total Acreage of Parcels to be Annexed: _____

60 % Method

Proposed Number of Parcels to be annexed: _____

Proposed Acreage of Parcels to be Annexed: _____

Number of Owners of Parcels to be Annexed: _____ Number of Owner Signatures Collected: _____ % Collected: _____

Number of Electors of Parcels to be Annexed: _____ Number of Electors Signatures Collected: _____ % Collected: _____

<u>Required Application Documents</u>	
100% Method	60% Method
<input type="checkbox"/> Annexation Letter of Intent	<input type="checkbox"/> Annexation Letter of Intent
<input type="checkbox"/> Notarized Signature Forms Signed by 100% of all Owners	<input type="checkbox"/> Notarized Signature Forms Signed by Owners of 60% of land area and 60% of all Electors
<input type="checkbox"/> Completed Application	<input type="checkbox"/> Completed Application
<input type="checkbox"/> List of Parcels to be Annexed including their Zoning	<input type="checkbox"/> Lists for Parcels to be Annexed Including:
<input type="checkbox"/> Legal Description	<input type="checkbox"/> Parcels and Parcel Zoning
<input type="checkbox"/> Parcel Map/Survey	<input type="checkbox"/> Acreage of Each Parcel
	<input type="checkbox"/> Owners and Electors of Each Parcel
	<input type="checkbox"/> Legal Description
	<input type="checkbox"/> Parcel Map/Survey

Application for Annexation

Letter of Intent – By 100 Percent Method



Date

To the City Council of the City of Brookhaven, Georgia:

We, the owners of all real property of the territory described herein, respectfully request that the City Council accept our application to annex this territory into the City of Brookhaven, Georgia, and extend the city boundaries to include the same.

The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of Brookhaven, Georgia, and the description of such territory is attached.

Our application for annexation will be based on the 100 Percent Method and we have collected the signatures of 100% of the owners or legal representatives of all the land outlined in the attached description.

100 PERCENT METHOD

Application for Annexation

Letter of Intent – By 60 Percent Method



Date

To the City Council of the City of Brookhaven, Georgia:

We respectfully request that the City Council accept our application to annex this territory into the City of Brookhaven, Georgia, and extend the city boundaries to include the same.

The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-31) to the existing corporate limits of Brookhaven, Georgia, and the description of such territory is attached.

Our application for annexation will be based on the 60 Percent Method and we have collected the signatures of at least 60 percent of the electors resident in the area and owners at least 60 percent of the land outlined in the attached description.

60 PERCENT METHOD

Application for Annexation



PROPERTY OWNER SIGNATURES TO REQUEST ANNEXATION INTO THE CITY OF BROOKHAVEN

Property Address:

Parcel ID:

Owner(s) of Record:

OWNER SIGNATURE

I attest that I am the owner or authorized representative on file of the property listed above. Circle: **YES** or **NO**

_____ **Yes**, I request annexation into the City of Brookhaven for the Parcel/Property listed above.

_____ **No**, I do not request annexation into the City of Brookhaven for the Parcel/Property listed above.

Name: _____ Relationship to Owner: (circle)
Self or Authorized Representative

Signature: _____ Date: _____

CO-OWNER SIGNATURE

I attest that I am the co-owner or authorized representative on file of the property listed above. Circle: **YES** or **NO**

_____ **Yes**, I request annexation into the City of Brookhaven for the Parcel/Property listed above.

_____ **No**, I do not request annexation into the City of Brookhaven for the parcel/property listed above.

Name: _____ Relationship to Owner: (circle)
Self or Authorized Representative

Signature: _____ Date: _____

Sworn to and subscribed before me this _____ day of _____, 20_____	
Notary Public Name:	Stamp:
Notary Public Signature:	

Application for Annexation



REGISTERED VOTER SIGNATURES TO REQUEST ANNEXATION INTO THE CITY OF BROOKHAVEN

Property Address:

Parcel ID:

VOTER SIGNATURE

I attest that I am a DeKalb County voter registered at the property listed above. Circle: **YES** or **NO**

_____ **Yes**, I request annexation into the City of Brookhaven for the Parcel/Property listed above.

_____ **No**, I do not request annexation into the City of Brookhaven for the parcel/property listed above.

Name: _____ **Voter Registration #:** _____

Signature: _____ **Date:** _____

Sworn to and subscribed before me this ____ day of _____, 20 ____	
Notary Public Name:	Stamp:
Notary Public Signature:	