

Atlanta cannot annex South Fulton neighborhoods, court rules

The state supreme court nixed Atlanta's expansion efforts Monday when justices decided that five neighborhoods the city attempted to annex instead will remain part of the new city of South Fulton.

Residents voted to form the city in November, but there was contention about its borders even before the vote was held.

Atlanta tried to annex the five neighborhoods last summer, in the weeks after Gov. Nathan Deal signed a law allowing residents in unincorporated Fulton County to decide whether to form a new city.

The law set July 1 as the date that South Fulton's city borders were set.

Atlanta's attorneys argued that the city should still be able to complete the annexations on July 1, but the justices ruled that they were too late in their efforts.

In a statement, **Kim Anderson**, an attorney representing the residents who fought the annexation, said she was thrilled with the outcome.

"This is a huge win for the City of South Fulton and its residents who have been working tirelessly to get their City up and running," she said.

A spokesperson for Atlanta said the administration is "disappointed with the ruling, but will honor the Court's decision.

"We wish that these citizens could have been afforded the same right of self-determination as the proponents of the City of South Fulton," the spokesperson said.

In the five areas the court ruled are part of South Fulton — Cascade Falls, the Northwest Cascade Business Corridor, Danforth Road, Cascade Manor and Cottages at Cascade — some residents had questioned the annexation process, which requires signatures from 60 percent of voters and 60 percent of property owners in the affected areas.

Fulton County Commission Chairman John Eaves said previously the annexation attempts were "a desperate land-grab attempt by the city of Atlanta."

The decision affirms a lower court ruling. It affects more than 300 residents as well as businesses in the area.

If the court had ruled the other way, the decision could have nullified the entire city's creation, since it would have meant people who were not residents of the new city voted in the referendum to determine its future.

South Fulton became operational May 1.

The court had earlier dismissed Atlanta's lawsuit seeking permission to annex another unincorporated area, the Fulton Industrial District. In that case, the court said it had no basis to rule on whether an annexation would be permitted since the city had not formally begun the annexation process.

Since then, the legislature passed a law that would have let Fulton residents vote on whether the district should become part of the new city. Deal vetoed it, saying he wanted Atlanta, Fulton and South Fulton to discuss what would happen to the area, which is the last unincorporated piece of Fulton County and represents millions of dollars of tax revenue.