

House Bill 1608

By: Representatives Wiles of the 34th, Hines of the 38th, Ehrhart of the 36th, Franklin of the 39th, Collins of the 29th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Kennesaw, approved April 10, 1971
2 (Ga. L. 1971, p. 3620), as amended, particularly by an Act approved April 27, 2001 (Ga. L.
3 2001, p. 4464), so as to change the provisions relating to the corporate limits of said city; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 An Act creating a new charter for the City of Kennesaw, approved April 10, 1971 (Ga. L.
8 1971, p. 3620), as amended, particularly by an Act approved April 27, 2001 (Ga. L. 2001,
9 p. 4464), is amended by adding at the end of Section 1.02 the following:

10 "The corporate limits of the City of Kennesaw shall also include the following described
11 parcels of land:

12 PARCEL 1

13 All that tract or parcel of land lying and being in Land Lot 141 of the 20th District, 2nd
14 Section, Cobb County, Georgia, and being shown on survey for The Church
15 Development Committee of the North Georgia Conference, Inc., by Taso & Associates,
16 dated September 30, 1991. Said property consisting of 4.287 acres, designated as Tract
17 1 on said survey and being more particularly described as follows:

18 Beginning at an iron pin located on the north line of Land Lot 141, 270.02 feet east of
19 the northwest corner of said Land Lot. From said point of beginning run thence North
20 89 degrees 49 minutes 40 seconds East a distance of 199.59 feet to a point located on
21 the southwest side of U.S. Hwy. 41 (Cobb Parkway); run thence along the southerly and
22 southwesterly side of Cobb Parkway right of way South 76 degrees 26 minutes 28
23 seconds East a distance of 289.10 feet to an iron pin; continuing thence South 02
24 degrees 54 minutes 22 seconds West a distance of 21.63 feet to an iron pin; continuing
25 thence South 02 degrees 53 minutes 52 seconds West a distance of 406.35 feet to an
26 iron pin; run thence North 75 degrees 04 minutes 35 seconds West a distance of 481.92

1 feet to an iron pin; run thence North 00 degrees 50 minutes 02 seconds East a distance
2 of 349.06 feet to an iron pin and the point of beginning.

3 AND

4 All that tract or parcel of land lying and being in Land Lot 141 of the 20th District, 2nd
5 Section, Cobb County, Georgia, being shown on a survey prepared for the Church
6 Development Committee of the North Georgia Conference, Inc., by Taso & Associates,
7 on September 30, 1991. Said property consisting of 4.287 acres, designated as Tract 2 on
8 said survey and being more particularly described as follows:

9 To find the point of beginning, commence at an iron pin located on the north line of
10 Land Lot 141, 270.02 feet east of the northwest corner of said Land Lot; run thence
11 South 00 degrees 50 minutes 02 seconds West a distance of 349.06 feet to an iron pin
12 and the POINT OF BEGINNING; run thence South 75 degrees 04 minutes 35 seconds
13 East a distance of 481.92 feet to an iron pin; run thence South 86 degrees 39 minutes
14 03 seconds East a distance of 59.39 feet to an iron pin; run thence South 05 degrees 51
15 minutes 14 seconds East a distance of 210 feet to an iron pin; continuing thence South
16 01 degrees 22 minutes 59 seconds East a distance of 104.64 feet to an iron pin; run
17 thence North 85 degrees 55 minutes 07 seconds West a distance of 556.05 feet to an
18 iron pin; run thence North 00 degrees 50 seconds 02 seconds East a distance of 394.63
19 feet to an iron pin and the point of beginning.

20 AND

21 All that tract or parcel of land lying and being in Land Lot 141 of the 20th District, 2nd
22 Section, Cobb County, Georgia, and being more particularly described as follows:

23 Beginning at an iron pin found on the southern right of way of Rutledge Road (40 foot
24 right of way) (unpaved) which iron pin is located South 62 degrees 12 minutes 45
25 seconds East 755.0 feet from the common corner of Land Lots 141, 142, 126 and 125,
26 said District and Section; run thence easterly along the southern right of way of
27 Rutledge Road South 83 degrees 45 minutes East 168.01 feet to an iron pin found on
28 the southern right of way of Rutledge Road, which iron pin is located 276.5 feet
29 westerly from the intersection of the southern right of way of Rutledge Road with the
30 right of way of Mack Dobbs Road; run thence South 04 degrees 05 minutes West
31 357.49 feet to an iron pin found; run thence South 87 degrees 42 minutes West 169.0
32 feet to an iron pin found; run thence North 03 degrees 58 minutes East 384.69 feet to
33 an iron pin found on the southern right of way of Rutledge Road and the Point of
34 Beginning.

35 AND

36 All that tract or parcel of land lying and being in Land Lot 141 of the 20th District, 2nd
37 Section, Cobb County, Georgia, and being more particularly described as follows:

1 Beginning at an iron pin found at the intersection of the southern right of way line of
 2 U.S. Hwy. 41 (a/k/a Cobb Parkway), said southern right of way line being one hundred
 3 feet south of the centerline of U.S. Hwy. 41 and the northern right of way line of Mack
 4 Dobbs Road (40 foot right of way), said point also being the intersection of the
 5 northwestern right of way line of Mack Dobbs Road and the southern line of a gravel
 6 drive within the southern right of way of U.S. Hwy. 41; thence leaving said southern
 7 right of way line of U.S. Hwy. 41 and along the northwestern right of way line of Mack
 8 Dobbs Road along the arc of a curve to the left (said curve having a chord length of
 9 117.77 feet on a bearing of South 60 degrees 22 minutes 50 seconds West and a radius
 10 of 1549.38 feet) an arc distance of 117.80 feet to a point; thence continuing along said
 11 northwestern right of way line South 58 degrees 12 minutes 09 seconds West a distance
 12 of 5.06 feet to a point; thence along said northern right of way line along the arc of a
 13 curve to the left (said curve having a chord length of 113.20 feet on a bearing of South
 14 34 degrees 59 minutes 36 seconds West and a radius of 143.92 feet) an arc distance of
 15 116.35 feet to a point; thence along said northwestern right of way line along the arc
 16 of a curve to the left (said curve having a chord length of 139.40 feet on a bearing of
 17 South 05 degrees 45 minutes 42 seconds West and a radius of 664.37 feet) an arc
 18 distance of 139.66 feet to an iron pin set; thence leaving said right of way line South 86
 19 degrees 38 minutes 31 seconds West a distance of 101.91 feet to an iron pin found;
 20 thence North 03 degrees 00 minutes 45 seconds East a distance of 357.45 feet to an iron
 21 pin found on the southern right of way line of U.S. Hwy. 41; thence along said southern
 22 right of way line South 77 degrees 40 minutes 26 seconds East a distance of 274.87 feet
 23 to an iron pin found the POINT OF BEGINNING.

24 Said tract containing 1.09 acres as shown on Survey for The Church Development
 25 Committee of the North Georgia Conference, Inc., dated June 20, 1994, prepared by C&C
 26 Land Surveyors, Inc., and bearing the certification of Anastasios Costarides, GRLS
 27 #2448.

28 **PARCEL 2**

29 All that tract or parcel of land lying and being in Land Lot 126 of the 20th District, 2nd
 30 Section of Cobb County, Georgia, and being more particularly described as follows:

31 Beginning at an iron pin which is the point forming the intersection of Land Lot 125,
 32 Land Lot 126, Land Lot 141 and Land Lot 142 and the point of beginning; running
 33 thence south 89 degrees 49 minutes 24 seconds west a distance of 469.61 feet to an iron
 34 pin; running thence south 78 degrees 08 minutes and 47 seconds east a distance of
 35 481.17 feet to an iron pin; running thence north 00 degrees 44 minutes 36 seconds west
 36 a distance of 100.29 feet to an iron pin and the point of beginning; containing 0.54 acres
 37 according to a plat of survey for Wendall M. Hardin and Ann Rutledge Hardin,

1 prepared by Anastasios Costarides, Georgia Registered Land Surveyor No. 2448, dated
2 March 11, 1998, which plat of survey is incorporated herein by reference.

3 PARCEL 3

4 All that tract or parcel of land lying and being in Land Lot 141 of the 20th District, 2nd
5 Section of Cobb County, Georgia, which is more particularly described as follows:

6 BEGINNING at a point on the South side of U.S. Highway No. 41, 275 feet West as
7 measured along said highway from its intersection with the West side of Mack Dobbs
8 Road; thence Westerly along the Southerly side of U.S. Highway No. 41, 710 feet more
9 or less to its intersection with the Southerly side of Rutledge Road; thence continuing
10 Westerly along the Southerly side of Rutledge Road 210 feet more or less to the West
11 original line of said land lot; thence South 290.4 feet to a point; thence East 150 feet to
12 a point; thence South 290.39 feet to a point; thence West 150 feet to the West original
13 line of said land lot; thence South 140 feet to a point; thence East 1006.3 feet more or
14 less to a point on the West side of Mack Dobbs Road; thence Northerly along the West
15 side of Mack Dobbs Road 70 feet more or less to a point; thence West 210 feet to a
16 point; thence North 210 feet more or less to a point; thence East 108 feet more or less
17 to a point; thence Northwesterly 358 feet to the South side of U.S. Highway No. 41 and
18 the point of beginning.

19 PARCEL 4

20 All that tract or parcel of land lying and being in Land Lots 175, 205 and 206 of the 20th
21 District, 2nd Section of Cobb County, Georgia, and being a portion of the property shown
22 on plat of survey prepared by J.P. Phillips, Surveyor, dated June 5, 1950 and being more
23 particularly described as follows:

24 Beginning at an iron pin located at the common corners of Land Lots 176, 175, 206 and
25 205, said District and Section, and running thence north 01 degree west, 1435 feet to
26 an iron pin located on the southeasterly right-of-way of the 200 foot right-of-way of
27 U.S. Highway 41 (4-lane Highway); running thence in a southeasterly direction along
28 said right-of-way and forming an exterior angle of 136 degrees 20 minutes with the
29 preceding course, a distance of 1248 feet to an iron pin and corner; running thence
30 south 47 degrees 10 minutes west, 240 feet to an iron pin and corner; running thence
31 south 44 degrees 40 minutes east, 762.5 feet to an iron pin and corner; running thence
32 south 66 degrees 25 minutes west, 497 feet to an iron pin; running thence south 24
33 degrees 30 minutes east, 700 feet to an iron pin and corner, running thence north 82
34 degrees 15 minutes east, 708 feet to a point located on the centerline of Noonday Creek;
35 running thence in a southwesterly direction along the center-line of said creek and
36 following the meanderings thereof a distance of 2380 feet to a point located on the
37 southerly line of Land Lot 206, running thence south 89 degrees west, 160 feet to the

1 iron pin located at the common corners of Land Lots 205, 206, 213 and 214, said
 2 District and Section, running thence north 25 degrees 25 minutes west, 2360 feet to an
 3 iron pin, running thence in a northwesterly direction along property now or formerly
 4 owned by L.P. Daniel, a distance of 450 feet to the northerly line of Land Lot 25,
 5 running thence north 89 degrees east along said land lot line, a distance of 1155 feet to
 6 the iron pin at the point of beginning, and containing approximately 130.9 acres.

7 LESS AND EXCEPT:

8 All that tract or parcel of land lying and being in Land Lot 205 and 206 of the 20th
 9 District, 2nd Section of Cobb County, Georgia, and being a portion of the property shown
 10 on plat of survey prepared by J.P. Phillips, Surveyor, dated June 5, 1950 and being more
 11 particularly described as follows:

12 Beginning at an iron pin located at the common corners of Land Lots 205, 206, 213 and
 13 214, said District and Section and running thence North 25 degrees 25 minutes west,
 14 a distance of 2250 feet (more or less) to a point and corner, running thence in an
 15 easterly direction a distance of 874 feet (more or less) to a point located on the east line
 16 of Land Lot 205; running thence in a southerly direction along said land lot line a
 17 distance of 1850 feet (more or less) to the iron pin at the point of beginning, and being
 18 a triangular shaped parcel of land containing 18.559 acres.

19 AND LESS AND EXCEPT:

20 All that tract or parcel of land lying and being in Land Lot 205 of the 20th District, 2nd
 21 Section of Cobb County, Georgia and being a portion of that property shown on plat of
 22 survey prepared by J.P. Phillips, Surveyor, dated June 5, 1950, and being more
 23 particularly described as follows:

24 TO FIND THE TRUE POINT OF BEGINNING, start at an iron pin located at the
 25 common corners of Land Lots 205, 206, 213 and 214, said District and Section and run
 26 thence North 01 degree West along the easterly line of Land Lot 205, said District and
 27 Section, a distance of 1850 feet, more or less, to a point, THIS BEING THE TRUE
 28 POINT OF BEGINNING; continuing thence along said land lot line 725 feet, more or
 29 less, to a point and corner; running thence westerly a distance of 928.48 feet to property
 30 now or formerly owned by L.F. Daniel; running thence in a southeasterly direction
 31 along said Daniel property, 727.1 feet, more or less, to a point and corner; running
 32 thence easterly along the northern line of property previously deeded to grantees herein
 33 (by Warranty Deed dated December 28, 1977 and recorded in Deed Book 1849, page
 34 196, Cobb County Records) a distance of 874 feet, more or less, to the point of
 35 beginning, and containing 15.0 acres.

36 AND LESS AND EXCEPT:

1 ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 175, 20th
 2 District, 2nd Section, Cobb County, Georgia and being more particularly described as
 3 follows:

4 BEGINNING at an iron pin found at the intersection of the common land lot line of
 5 Land Lot 175 and Land Lot 176 and the southwesterly right of way line of U.S. 41 (200
 6 foot right of way), proceed South 44 degrees 40 minutes East a distance of 635.42 feet
 7 along said right of way line to a fence corner; thence proceed South 54 degrees 11
 8 minutes 57 seconds West a distance of 162.89 feet to a fence corner, thence proceed
 9 South 24 degrees 52 minutes 46 seconds East a distance of 103.04 feet to a fence
 10 corner; thence proceed South 12 degrees 1 minute 43 seconds West a distance of 475.85
 11 feet to a point; Thence proceed North 77 degrees 58 minutes 17 seconds West a
 12 distance of 156.77 feet to a point on the common land lot line of Land Lot 175 and
 13 Land Lot 176; thence proceed North 01 degrees West a distance of 1,073.57 feet along
 14 said land lot line to an iron pin and the POINT OF BEGINNING; said tract containing
 15 5.84 acres, according to survey for Andrew J. Ellison & Edith Knox Ellison dated
 16 December 22, 1990, prepared by Thomas M. Ginn, Sr. (Georgia Registered Land
 17 Surveyor No. 1549) on behalf of Southern Surveying & Mapping Co., Inc.

18 PARCEL 5

19 All that tract or parcel of land lying and being in Land Lot 178 of the 20th District, 2nd
 20 Section, Cobb County, Georgia and being more particularly described as follows:

21 Beginning at a point on the northwest side of Pine Mountain Road 186 feet southwest
 22 of the intersection formed by the intersection of the north land lot line of Land Lot 178
 23 and the northwest side of Pine Mountain Road, thence running southwesterly along the
 24 curvature of said road for a distance of 518 feet to a point and corner; thence running
 25 in a northwest direction for a distance of 418 feet to a point and corner, thence running
 26 418 in a north direction to a point and corner, thence running in a northeast direction
 27 for a distance of 436 feet to a point on the northwest side of Pine Mountain Road and
 28 the point of beginning.

29 PARCEL 6

30 All that tract or parcel of land lying and being in Land Lots 176 and 177, 20th District,
 31 2nd Section, Cobb County, Georgia and being more particularly described as follows:

32 BEGINNING at an iron pin at the intersection of the southerly right-of-way of Burnt
 33 Wood Drive (a 50 foot right of way) and the easterly right-of-way of Kennesaw Due
 34 West Road (an 80 foot right-of-way); running thence, S 75 degrees 51 minutes 27
 35 seconds E - 493.44 feet along the southerly right-of-way of Burnt Woods Drive; thence,
 36 leaving said southerly right-of-way of Burnt Wood Drive, and running S 30 degrees 49
 37 minutes 30seconds W - 333.67 feet along the westerly property line of Lot 7 of Burnt

1 Wood Park, Unit II (Plat Book 160, Page 54 Cobb County records) to an iron pin;
 2 running thence, N 89 degrees 31 minutes 59 seconds W - 595.3 feet along the northerly
 3 property line of Lots 1 through 4 of A.D. Campbell Subdivision (Plat Book 24, Page
 4 37 Cobb County records) to an iron pin on the easterly right-of-way of Kennesaw Due
 5 West Road; running thence, N 38 degrees 10 minutes 31seconds E - 293.21 feet along
 6 the easterly right-of-way of Kennesaw Due West Road to a point; running thence, along
 7 a curve to the left along the easterly right-of-way of Kennesaw Due West Road, said
 8 curve having a chord of N 31 degrees 50 minutes 46 seconds E - 202.18 feet, a radius
 9 of 917 feet, and an arc length of 202.59 feet to an iron pin at the intersection of the
 10 easterly right-of-way of Kennesaw Due West Road and the southerly right-of-way of
 11 Burnt Wood Drive and the POINT OF BEGINNING

12 PARCEL 7

13 All that tract or parcel of land lying and being in Land Lot 217 of the 20th District, 2nd
 14 Section, Cobb County, Georgia and being shown as 24.76 acres of land according to plat
 15 of survey by Braswell Engineering, Inc., dated November 10, 2000 and revised December
 16 12, 2000 and being more particularly described as follows:

17 Commencing at an iron pin located at the northeast corner of land lot 216; thence south
 18 01 degree 21 minutes 24 seconds west along the west right-of-way of Shillings Road
 19 (50 foot right-of-way) a distance of 1293.74 feet to an iron pin located at the
 20 intersection of the west right-of-way of Shillings Road and the northwesterly right-of-
 21 way of Stilesboro Road (70 foot right-of-way); thence south 78 degrees 40 minutes 57
 22 seconds west along the northwesterly right-of-way of Stilesboro Road (70 foot right-of-
 23 way) a distance of 689.73 feet to an iron pin; thence continuing in a westerly direction
 24 along the northwesterly side of Stilesboro Road a distance of 115.00 feet to an iron pin;
 25 thence north 01 degree 59 minutes 00 seconds east a distance of 1434.10 feet to an iron
 26 pin located on the northline of Land Lot 217; thence south 87 degrees 46 minutes 45
 27 seconds east along the north line of Land Lot 217 a distance of 794.58 feet to an iron
 28 pin located at the northeast corner of Land Lot 217, the same being the point of
 29 beginning.

30 PARCEL 8

31 All that tract or parcel of land lying and being in Land Lot 216, 20th District, 2nd
 32 Section, Cobb County, Georgia, being Lot 1, Block 3, Unit Two, Stilesboro Crossing, as
 33 shown on plat recorded in Plat Book 60, Page 208, Cobb County records.

34 PARCEL 9

35 All that tract or parcel of land lying and being a part of Land Lot 141, 20th District, 2nd
 36 Section, Cobb County Georgia, more particularly described as follows:

1 BEGINNING at the intersection of Land Lot 125, 126, and 142 and 141 on Old Mt.
2 Olivett Road and running East a distance of One Hundred Fifty (150) feet; thence
3 running South a distance of Two Hundred Ninety and Four Tenths (290.4) feet; thence
4 running West a distance of One Hundred Fifty (150) feet; thence running North a
5 distance Two Hundred Ninety and Four Tenths (290.4) feet to Old Mt. Olivett Road,
6 the point of beginning."

7 **SECTION 2.**

8 All laws and parts of laws in conflict with this Act are repealed.