

House Bill 831

By: Representatives Hines of the 38th, Parsons of the 40th, Wiles of the 34th, Wix of the 33rd,
Johnson of the 35th 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 19, 2000 (Ga. L.
3 2000, p. 3942), 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 19, 2000 (Ga. L. 2000,
9 p. 3942), 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 All that tract or parcel of land lying and being in Land Lot 207 of the 20th District, 2nd
13 Section, Cobb County, Georgia, being 1.217 acres as shown on plat of survey for Doris
14 W. Popham and Herbert Wilbur dated August 26, 1999 and being more particularly
15 described as follows:

16 Beginning at a point on the easterly right of way line of Old U. S. Highway 41 (60 foot
17 right of way), said point being the southwest corner of Tract 11 as shown on plat of
18 survey by J. P. Phillips dated November 6, 1946 and recorded in Plat Book 6, Page 143,
19 in the Office of the Clerk, Superior Court, Cobb County, Georgia, running thence south
20 31 degrees 11 minutes 23 seconds east 482.52 feet to a point; running thence north 88
21 degrees 07 minutes 55 seconds west 158.06 feet to a point; running thence north 88
22 degrees 03 minutes 56 seconds west 106.54 feet to a point on the easterly right of way
23 line of Old U. S. Highway 41; running thence north 02 degrees 32 minutes 31 seconds
24 east along the easterly right of way line of said highway 222.46 feet to a point; running
25 thence northerly along the easterly right of way line of said highway and following the
26 curvature thereof an arc distance of 181.85 feet on a radius of 5575.78 feet (the chord

1 subtending said arc being south 01 degree 29 minutes 03 seconds west 181.84 feet) to
2 a point, said point being the point of beginning.

3 All that tract or parcel of land lying and being in Land Lot 177, 20th District, 2nd
4 Section, Cobb County, Georgia, as more particularly described in that Preliminary Plan
5 dated June 7, 2000, by DGM Land Planning Consultants, and being more particularly
6 described as follows:

7 To find the true point of beginning commence at the common corner of Land Lots 177,
8 178, 203, and 204, said district, and section; thence proceed north $00^{\circ}38'18''$ east as
9 measured along the westerly land lot line of Land Lot 177, said district and section, for
10 a distance of 500.15 feet to a point and corner; thence proceed south $86^{\circ}37'28''$ east for
11 a distance of 1,524.78 feet to a point, this being the TRUE POINT OF BEGINNING;
12 thence running south $87^{\circ}34'33''$ east for a distance of 174.62 feet to a point and corner;
13 thence running north $11^{\circ}38'07''$ east for a distance of 200.00 feet to a point and corner;
14 thence running south $78^{\circ}01'30''$ east for a distance of 300.00 feet to a point located on
15 the northwesterly right of way of Kennesaw Due West Road; thence running
16 northeasterly as measured along the northwesterly right of way of Kennesaw Due West
17 Road the following courses and distances: north $13^{\circ}07'36''$ east for a distance of 14.44
18 feet; north $13^{\circ}49'01''$ east for a distance of 101.15 feet; north $17^{\circ}41'12''$ east for a
19 distance of 102.84 feet; north $24^{\circ}30'04''$ east for a distance of 103.92 feet; north
20 $32^{\circ}37'33''$ east for a distance of 103.29 feet; north $37^{\circ}03'14''$ east for a distance of
21 101.24 feet; north $37^{\circ}23'29''$ east for a distance of 100.29 feet; north $38^{\circ}08'16''$ east
22 for a distance of 257.06 feet to a point and corner; thence running north $87^{\circ}50'25''$ west
23 for a distance of 936.31 feet to a point and corner; thence running south $00^{\circ}40'57''$
24 west for a distance of 916.23 feet to the POINT OF BEGINNING. Said tract contains
25 12.3 acres.

26 All and singular that certain tract of land lying and being in Land Lot 66, 20th District,
27 2nd Section, Cobb County, Georgia, being more particularly described as follows:

28 COMMENCING at the intersection of the east line of Land Lot 66 and the South right
29 of way of McEver Road, having a 50-foot right of way, Thence South $02^{\circ}11'54''$ West,
30 for a distance of 1191.01 feet to a point on the centerline of Procter Creek; Thence
31 following the meandering of said creek North $62^{\circ}39'07''$ West, for a distance of 45.56
32 feet to a point; Thence North $65^{\circ}56'14''$ West, for a distance of 85.94 feet to a point;
33 Thence South $54^{\circ}55'07''$ West, for a distance of 139.39 feet to a point; Thence South
34 $61^{\circ}12'36''$ West, for a distance of 83.78 feet to a point; Thence South $37^{\circ}41'04''$ West,
35 for a distance of 102.26 feet to a point; Thence South $31^{\circ}31'35''$ West, for a distance
36 of 72.3 2 feet to a point; Thence South $86^{\circ}21'48''$ West, for a distance of 54.73 feet to
37 a point; Thence North $86^{\circ}40'02''$ West, for a distance of 153.26 feet to a point; Thence

1 South 47°05'45" West, for a distance of 48.22 feet to a point; Thence South 24°55'04"
 2 West, for a distance of 82.33 feet to a point; Thence South 61°35'51" West, for a
 3 distance of 70.00 feet to a point; Thence South 69°55'46" West, for a distance of
 4 358.13 feet to a point; Thence South 89°45'51" West, for a distance of 60.03 feet to a
 5 point; Thence South 78°09'17" West, for a distance of 177.48 feet to a point; Thence
 6 leaving the centerline of said creek North 02°25'40" East, for a distance of 1528.03
 7 feet to a point; Thence North 89°38'23" East, for a distance of 150.18 feet to a Post
 8 Found; Thence North 88°10'43" East, for a distance of 316.34 feet to a Post Found;
 9 Thence North 88°10'43" East, for a distance of 234.95 feet to a point; Thence North
 10 01°16'32" East, for a distance of 253.81 feet to a point on the southerly right of way
 11 of New McEver Road; Thence following said right of way along the arc of a curve to
 12 the left a distance of 166.65 feet, said curve having a radius of 1401.48 feet and a chord
 13 of South 78°41'13" East, 166.55 feet, to a point; Thence continuing on said right of
 14 way South 81°03'55" East, for a distance of 89.09 feet to a point; thence continuing on
 15 said right of way South 82°10'40" East, for a distance of 148.66 feet to a point; thence
 16 South 82°53'55" East 223.81 feet to the point of beginning.

17 All that tract or parcel of land lying and being in Land Lot 60 of the 20th District, 2nd
 18 Section of Cobb County, Georgia, as shown by plat of survey prepared by Merritt &
 19 Welker, Engineers, dated February 1964, a copy of which is recorded in Plat Book 33,
 20 Page 41, Cobb County Records, and being more particularly described as follows:

21 BEGINNING at a point on the southwesterly right of way Shiloh Road 296 feet east of
 22 the intersection formed by the east right of way of Ayers Drive with the southwesterly
 23 right of way of Shiloh Road; thence running south 71 degrees 05 minutes east for a
 24 distance of 207.5 feet to a point; thence running south 62 degrees 58 minutes east for
 25 a distance of 207.5 feet to a point and corner; thence running south 3 degrees 09
 26 minutes west for a distance of 515.1 feet to a point and corner; thence running north 63
 27 degrees 40 minutes west for a distance of 408.7 feet to a point and corner; thence
 28 running north 1 degree 34 minutes east for a distance of 495 feet to the southwesterly
 29 right of way of Shiloh Road and the point of beginning.

30 All that tract or parcel of land lying and being in Land Lot 60 of the 20th District, 2nd
 31 Section, Cobb County, Georgia, being Lot 1, Block I, Pinetree Country Club Estates f/k/a
 32 Recreation Center of Cobb County Recreation Authority and being more particularly
 33 described as follows:

34 Beginning at the intersection of the southerly right of way of Shiloh Road (right of way
 35 varies) with the west right of way of Ayers Drive; running thence south 02 degrees 11
 36 minutes 50 seconds west along the west right of way of Ayers Drive a distance of 125.0
 37 feet to an iron pin; running thence north 87 degrees 44 minutes 00 seconds west a

1 distance of 227.1 feet to an iron pin; running thence north 07 degrees 16 minutes 15
2 seconds east a distance of 90.1 feet to an iron pin located on the southerly right of way
3 of Shiloh Road; running thence north 83 degrees 07 minutes 45 seconds east along the
4 southerly right of way of Shiloh Road a chord distance of 221.04 feet (having an arc
5 distance of 222.45 feet) to an iron pin at said intersection and the point of beginning;
6 said tract containing a dwelling located thereon and being more particularly shown on
7 survey prepared by Tru-Line Surveying, Inc., dated April 24, 1997; reference plat at
8 Plat Book 21, Pages 146-147, Cobb County, Georgia records.

9 All that tract or parcel of land lying and being in the 20th District, 2nd Section, Cobb
10 County, Georgia, being part of original Lot of Land No. 60 more particularly described
11 as Lot No. 16, Block J of Recreation Center according to plat of survey dated August
12 1960 by Allen Paul Welker, R.S. No. 1081, as recorded in Plat Book 21, Page 146 and
13 147, Cobb County, Georgia Plat Records and which plat is incorporated herein by
14 reference for more complete description of the captioned premises.

15 All that tract or parcel of land lying and being in Land Lots 212, 213, 214, 244 and 243
16 of the 20th District, 2nd Section, Cobb County, Georgia, and being more particularly
17 described as follows:

18 Commencing at a point located at the southwesterly intersection of the rights of way of
19 Stanley Road, having a 50 foot right of way, and Collins Road, having a 40 foot right
20 of way, said point being the TRUE POINT OF BEGINNING; thence along the westerly
21 right of way of Collins Road south 83 degrees 14 minutes 56 seconds east a distance
22 of 99.33 feet to the point of curvature of a curve, concave to the south, having a radius
23 of 259.85 feet, and a chord of 100.59 feet bearing south 76 degrees 05 minutes 51
24 seconds east; thence easterly along said curve, a distance of 101.22 feet to a point;
25 thence south 58 degrees 37 minutes 46 seconds east, a distance of 57.45 feet to the
26 point of curvature of a curve, concave to the southwest, having a radius of 519.01 feet,
27 and a chord of 146.62 feet bearing south 42 degrees 37 minutes 58 seconds east; thence
28 southeasterly along said curve, a distance of 147.11 feet to a point; thence south 37
29 degrees 01 minutes 46 seconds east, a distance of 51.30 feet to the point of curvature
30 of a curve, concave to the northeast, having a radius of 212.39 feet, and a chord of
31 102.33 feet bearing south 53 degrees 24 minutes 43 seconds east; thence southeasterly
32 along said curve, a distance of 103.34 feet to a point; thence south 64 degrees 30
33 minutes 16 seconds east, a distance of 151.90 feet to the point of curvature of a curve,
34 concave to the north, having a radius of 302.02 feet, and a chord of 175.45 feet bearing
35 south 84 degrees 25 minutes 34 seconds east; thence easterly along said curve, a
36 distance of 178.01 feet to a point; thence north 83 degrees 23 minutes 46 seconds east,
37 a distance of 55.11 feet to a point; thence leaving said southwesterly right of way south

1 01 degrees 25 minutes 02 seconds west, a distance of 252.73 feet to a point; thence
2 north 86 degrees 55 minutes 57 seconds east, a distance of 175.79 feet to a point; thence
3 north 83 degrees 22 minutes 22 seconds east, a distance of 570.43 feet to the
4 northeasterly right of way of Barrett Parkway, having a 109 foot right of way, said point
5 being 54.5 feet from right of way centerline as measured perpendicular to said right of
6 way centerline, and a point of curvature, concave to the northwest, having a radius of
7 2237.33 feet, and a chord of 172.94 feet bearing south 50 degrees 32 minutes 35
8 seconds west; thence along said northwesterly right of way, southwesterly along said
9 curve, a distance of 172.98 feet to a point; thence continuing along said northwesterly
10 right of way, south 52 degrees 45 minutes 29 seconds west, a distance of 637.89 feet
11 to a point at the intersection of said northwesterly right of way and the south line of
12 Land Lot 213 and the north line of Land Lot 244; thence south 52 degrees 45 minutes
13 29 seconds west, a distance of 194.47 feet to the point of curvature, concave to the
14 southeast, having a radius of 2346.33 feet and having a chord of 873.74 feet bearing
15 south 42 degrees 01 minutes 38 seconds west; thence southwesterly along said curve,
16 a distance of 878.87 feet to a point of curvature, concave to the southeast, having a
17 radius of 2346.53 feet, and a chord of 433.92 feet bearing south 25 degrees 59 minutes
18 28 seconds west; thence continuing southwesterly along said curve, a distance of
19 434.54 feet to a point; thence leaving said right of way north 56 degrees 15 minutes 33
20 seconds west, a distance of 164.86 feet to a point; thence north 43 degrees 17 minutes
21 30 seconds west, a distance of 230.05 feet to a point; thence south 85 degrees 08
22 minutes 41 seconds west, a distance of 1535.28 feet to a point at the easterly right of
23 way of driveway from Stanley Road to Devereux Property, having a 40 foot right of
24 way; thence along said right of way north 36 degrees 26 minutes 30 seconds west, a
25 distance of 655.58 feet to the intersection of said right of way and the southerly
26 intersection of Stanley Road, having a 40 foot right of way; thence along the southerly
27 right of way of Stanley Road north 69 degrees 54 minutes 44 seconds east, a distance
28 of 130.09 feet to the point of curvature, concave to the northwest, having a radius of
29 388.39 feet, and a chord of 300.86 feet bearing north 46 degrees 50 minutes 56 seconds
30 east; thence easterly along said curve, a distance of 308.94 feet to a point; thence north
31 27 degrees 47 minutes 35 seconds east, a distance of 114.22 feet to the point of
32 curvature, concave to the southeast, having a radius of 408.15 feet, and a chord of
33 356.46 feet bearing north 62 degrees 31 minutes 08 seconds east; thence northeasterly
34 along said curve, a distance of 368.89 feet to a point; thence north 89 degrees 49
35 minutes 21 seconds east a distance of 112.87 feet to a point; thence leaving said right
36 of way south 10 degrees 16 minutes 06 seconds east a distance of 203.49 feet to a point;
37 thence south 61 degrees 37 minutes 54 seconds east, a distance of 101.21 feet to a

1 point; thence north 01 degrees 19 minutes 45 seconds west, a distance of 260.19 feet
2 to the southerly right of way of Stanley Road having a 40 foot right of way and a point
3 of curvature, concave to the north, having a radius of 751.94 feet, a chord distance of
4 138.98 feet and a chord bearing of north 75 degrees 56 minutes 59 seconds east; thence
5 easterly along said curve, a distance of 139.18 feet to a point; thence north 70 degrees
6 12 minutes 01 seconds east a distance of 75.07 feet to the point of curvature of a curve,
7 concave to the south, having a radius of 546.53 feet, and a chord of 146.99 feet bearing
8 south 77 degrees 38 minutes 48 seconds west; thence easterly along said curve, a
9 distance of 147.43 feet to a point; thence north 84 degrees 15 minutes 18 seconds east,
10 a distance of 74.33 feet to the point of curvature of a curve concave to the north, having
11 a radius of 2861.50 feet, and a chord of 155.50 feet bearing north 83 degrees 01 minutes
12 47 seconds east; thence easterly along said cure, a distance of 155.62 feet to a point;
13 thence leaving said right of way south 14 degrees 26 minutes 53 seconds west, a
14 distance of 138.18 feet to a point on the south line of Land Lot 213 and the north line
15 of Land Lot 244; thence along said land lot line south 89 degrees 58 minutes 15
16 seconds east, a distance of 265.70 feet to a point; thence south 89 degrees 58 minutes
17 15 seconds east, a distance of 174.46 feet to a point; thence north 89 degrees 16 minutes
18 58 seconds east, a distance of 253.47 feet to a point; thence leaving said land lot line
19 north 25 degrees 43 minutes 47 seconds west a distance of 321.88 feet; thence north 25
20 degrees 26 minutes 00 seconds west, a distance of 90.35 feet to a point; thence north
21 25 degrees 34 minutes 27 seconds west a distance of 138.08 feet to a point; thence north
22 30 degrees 27 minutes 35 seconds east, a distance of 209.86 feet to a point; thence north
23 25 degrees 57 minutes 00 seconds west, a distance of 210.28 feet to the southeasterly
24 right of way of Stanley Road, having a 50 foot right of way, and a point of curvature,
25 concave to the southeast, having a radius of 419.17 feet, and a chord of 42.05 feet
26 bearing north 53 degrees 02 minutes 02 seconds east; thence northeasterly along said
27 curve, a distance of 42.07 feet to the point of curvature of a curve, concave to the
28 southeast, having a radius of 402.50 feet, and a chord of 64.80 feet bearing north 59
29 degrees 10 minutes 19 seconds east; thence northeasterly along said curve, a distance
30 of 64.88 feet to the point of curvature of a curve, concave to the northwest, having a
31 radius of 1193.00 feet, and a chord of 199.69 feet bearing north 64 degrees 19 minutes
32 20 seconds east; thence easterly along said curve, a distance of 199.92 feet to the true
33 point of beginning, said described tract containing 78.53 acres."

34 SECTION 2.

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