

Senate Bill 32

By: Senator Weber of the 40th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act reincorporating the City of Doraville in the County of DeKalb, approved
2 October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, so as to change the
3 corporate limits of the city; to provide for a referendum; to provide for automatic repeal
4 under certain circumstances; to provide for effective dates; to repeal conflicting laws; and
5 for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 An Act reincorporating the City of Doraville in the County of DeKalb, approved October 13,
9 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, is amended by revising the description
10 of the corporate limits of the City of Doraville in Appendix A to read as follows:

11 "APPENDIX A
12 LEGAL DESCRIPTION
13 CORPORATE LIMITS
14 CITY OF DORAVILLE, DEKALB COUNTY, GEORGIA

15 All that tract or parcel of land lying and being in 6th and 18th Land Districts of DeKalb
16 County, Georgia, and more particularly described as follows:

17 Beginning at the intersection of Land Lot Line 334-335 of the 18th Land District of DeKalb
18 County with the northern right-of-way of Interstate Freeway 285, the aforesaid intersection
19 being a back corner of Lot No. 2, Block B in Carver Hills Subdivision; thence proceeding
20 northerly, 701 feet, more or less, along Land Lot Line 334-335 to the common corner of
21 Land Lots 334, 335, 343 and 342; thence easterly, 944 feet, more or less, along Land Lot
22 Line 342-335 to the common back corner of Lot No. 40 in McArthur Estates Subdivision and
23 a tract of land now or formerly known as DeKalb County Tax Parcel No. 18 343 1 1, said
24 corner being the intersection of Land Lot Line 335-342 with the centerline of a creek, said
25 creek being tributary to Nancy Creek; thence along the centerline of the aforesaid creek in
26 a generally northwesterly direction, 1,177 feet, more or less, along the back property lines

1 of Lot Number 40 through Lot Number 27 in McArthur Estates Subdivision, said back
2 property lines being common with the eastern property line of a tract of land now or formerly
3 known as DeKalb County Tax Parcel No. 18 343 1 1, to the common corner of Lot Numbers
4 27 and 28 in the McArthur Estates Subdivision and a tract of land now or formerly known
5 as DeKalb County Tax Parcel No. 18 343 1 1; thence northeasterly, 474.8 feet , more or less,
6 along the back property lines of Lot Numbers 25 and 26 in the McArthur Estates
7 Subdivision, said property lines being common with the eastern property line of a tract or
8 parcel of land now or formerly known as DeKalb County Tax Parcel No. 18 343 1 1, to the
9 common property corner of Lot Numbers 24 and 25 in the McArthur Estates Subdivision;
10 thence northwesterly, 130 feet, more or less, to the southeast property corner of Lot Number
11 1 in Phase 2 of Dunwoody North Subdivision; thence easterly, 667 feet, more or less, along
12 the southerly property lines of Phase 13 of the Dunwoody North Subdivision to a property
13 corner, said corner being the southwestern property corner of the Chateau at Dunwoody
14 Condominiums; thence easterly, 759 feet, more or less, the southern property lines of the
15 Chateau at Dunwoody Condominiums, to a property corner, said corner being the
16 intersection of the southern property line of the Chateau at Dunwoody Condominiums with
17 the centerline of Nancy Creek; thence generally northeasterly, 552 feet, more or less, along
18 the center line of Nancy Creek to a property corner on the western right-of-way of Tilly Mill
19 Road, said corner being common to tracts of land now or formerly known as DeKalb County
20 Tax Parcels 18 342 1 65 and 66; thence northeasterly and perpendicular to the centerline of
21 Tilly Mill Road, 50 feet, more or less, to a point on the existing Doraville City Limit Line
22 within the Tilly Mill Road right-of-way; thence northwesterly, 730 feet, more or less, along
23 the existing Doraville City Limit Line within the right-of-way of Tilly Mill Road to the
24 intersection of the aforesaid Doraville City Limit Line with the extended southern property
25 line of a tract of land now or formerly known as DeKalb County Tax Parcel 18 342 5 4;
26 thence northwesterly, 130 feet, more or less, to the intersection of the existing Doraville City
27 Limit Line with the extended northern property line of a tract of land now or formerly known
28 as DeKalb County Tax Parcel 18 342 5 4; thence northwesterly, 240 feet, more or less, along
29 the westerly Tilly Mill Road right-of-way, to a point on Land Lot Line 342-355, said point
30 being the northeastern property corner of at tract or parcel of land now or formerly known
31 as DeKalb County Tax Parcel 18 342 7 18 and Lot 1 of Phase 13 in the Dunwoody North
32 Subdivision; thence easterly, 1,000 feet, more or less, along Land Lot Line 342-355, to the
33 Land Lot corner common to Land Lots 342, 341, 355 and 356; thence continuing easterly,
34 1,490 feet, more or less, along Land Lot Line 341-356 to the intersection of Land Lot Line
35 341-356 with the northern right-of-way line of Peachtree Industrial Boulevard; thence
36 continuing easterly, 131 feet, more or less, along Land Lot Line 341-356 to the point of
37 intersection with the line identified as a control of access established as 50 feet inside of and
38 parallel with the northern right-of-way of Peachtree Industrial Boulevard, said control of
39 access line also being 75 feet northwesterly from and parallel with the center line of

1 Peachtree Industrial Boulevard; thence northeasterly, 1,350 feet, more or less, along the
2 aforesaid control of access line of Peachtree Industrial Boulevard to the intersection with the
3 boundary between the 6th and 18th Land Districts of DeKalb County; thence continuing
4 northeasterly, 2,000 feet, more or less, along the aforesaid control of access line of Peachtree
5 Industrial Boulevard to the intersection with the boundary of DeKalb and Gwinnett Counties;
6 said intersect point being in Land Lot 277 of the 6th Land District of DeKalb County, in the
7 vicinity of the Winters Chapel Road-Peachtree Industrial Boulevard intersection; thence
8 southeasterly, 4,700 feet, more or less, along the boundary of Gwinnett and DeKalb Counties
9 to a point, said point being on Land Lot Line 248-249; thence northeasterly, 30 feet, more
10 or less, along Land Lot Line 248-249, said line also being the boundary of Gwinnett and
11 DeKalb Counties, to a point, said point being the corner common to Land Lots 247, 248, 249
12 and 250; thence southeasterly, 995 feet, more or less, along Land Lot Line 247-248 to a
13 point, said point being the southeast property corner of a tract or parcel of land now or
14 formerly known as DeKalb County Tax Parcel 6 248 2 2; thence southwesterly, 120 feet,
15 more or less, along the southerly right-of-way of Buford Highway to a point, said point being
16 the intersection of the southern property line of a tract or parcel of land now or formerly
17 know as DeKalb County Tax Parcel 6 248 2 2 to a point, said point being on the boundary
18 of the 6th and 18th Land Districts and on the boundary of Gwinnett and DeKalb Counties;
19 thence southeasterly, 450 feet, more or less, along the boundary of the 18th Land District to
20 a point; thence southeasterly, 1,904 feet, more or less, along the easterly boundary of Section
21 3-B of Oakcliff Estates Subdivision, said line also being the boundary of Gwinnett and
22 DeKalb Counties, to a point, said point being the northwestern property corner of a tract or
23 parcel of land now or formerly known as DeKalb County Tax Parcel 18 338 5 66; thence
24 southeasterly, 794 feet, more or less, through Section 3, Unit 2 of Oakcliff Estates
25 Subdivision to a point, said point being the northeast property corner of a tract or parcel of
26 land now or formerly known as DeKalb County Tax Parcel 18 338 4 9; thence southerly,
27 230 feet, more or less, along the easterly property line of a tract or parcel of land now or
28 formerly known as DeKalb County Tax Parcels 18 338 4 9 to a point, said point being the
29 southeasterly property corner of a tract or parcel of land now or formerly known as DeKalb
30 County Tax Parcel 18 338 4 9; thence S 57° 00' E, 642 feet, more or less, along the boundary
31 of Gwinnett and DeKalb Counties to a point; thence S 80° 40' R, 200 feet, more or less,
32 along the boundary of Gwinnett and DeKalb Counties to a point; thence N 80° 50' E, 496
33 feet, more or less, along the boundary of Gwinnett and DeKalb Counties to a point; thence
34 S 65° 15' E, 446 feet, more or less, along the boundary of Gwinnett and DeKalb Counties to
35 a point; thence S 52° 30' E, 1,687 feet, more or less, along the boundary of Gwinnett and
36 DeKalb Counties to a point; thence S 54° 10' E, 230 feet, more or less, along the boundary
37 of Gwinnett and DeKalb Counties to a point; thence S 59° 30' E, 600 feet, more or less,
38 along the boundary of Gwinnett and DeKalb Counties to a point; thence S 53° 30' E, 215
39 feet, more or less, along the boundary of Gwinnett and DeKalb Counties to a point, said point

1 being on the northerly right-of-way of Interstate Highway 85; thence southeasterly along the
2 centerline of Interstate Highway 85 to a point, said point being the intersection of the
3 northerly right-of-way of Interstate Highway 85 with the northerly right-of-way of Interstate
4 Highway 285, said intersection point being a property corner on a tract or parcel of land now
5 or formerly known as DeKalb County Tax Parcel 18 312 2 25; thence across Interstate
6 Highway 285 to a point on the southerly right-of-way of Interstate Highway 285, said point
7 being the northwest property corner of a tract or parcel of land now or formerly known as
8 DeKalb County Tax Parcel 18 295 1 33; thence southwesterly, 477 feet, more or less, along
9 the western property line of a tract or parcel of land now or formerly known as DeKalb
10 County Tax Parcel 18 295 1 33 to a point; thence southeasterly, 10 feet, more or less, along
11 the property line of a tract or parcel of land now or formerly known as DeKalb County Tax
12 Parcel 18 295 1 33 to a point; thence southwesterly, 470 feet, more or less, along the western
13 property line of tracts or parcels of land now or formerly known as DeKalb County Tax
14 Parcels 18 295 1 33 and 34 to a point, said point being the beginning of a curve to the
15 southeast on DeKalb Technology Parkway; thence following the aforesaid curve, 202 feet,
16 more or less, to a point on the northerly right-of-way of DeKalb Technology Parkway;
17 thence southeast, 61 feet, more or less, along the right-of-way of DeKalb Technology
18 Parkway to a point, said point being on the southerly right-of-way of a Georgia Power
19 Company Transmission Line; thence across DeKalb Technology Parkway to a point, said
20 point being the northeast property corner of a tract or parcel of land now or formerly known
21 as DeKalb County Tax Parcel 18 295 1 26; thence southwesterly, 168 feet, more or less,
22 along the northern property line of a tract or parcel of land now or formerly known as
23 DeKalb County Tax Parcel 18 295 1 26 to a point, said point being the southeastern property
24 corner of a tract or parcel now or formerly known as DeKalb County Tax Parcel 18 295 1 32;
25 thence westerly, 700 feet, more or less, along the northern property line of a tract or parcel
26 of land now or formerly known as DeKalb County Tax Parcel 18 295 1 18 to a point, said
27 point being the northwestern property corner of the aforesaid parcel; thence southeasterly,
28 352 feet, more or less, along the western property line of a tract or parcel of land now or
29 formerly known as DeKalb County Tax Parcel 18 295 1 18 to a point, said point being a
30 property corner of the aforesaid parcel; thence southeasterly, 164 feet, more or less, along
31 the western property line of a tract or parcel of land now or formerly known as DeKalb
32 County Tax Parcel 18 295 1 18 to a point, said point being a property corner of the aforesaid
33 parcel; thence southeasterly, 38 feet, more or less, along the western property line of a tract
34 or parcel of land now or formerly known as DeKalb County Tax Parcel 18 295 1 18 to a
35 point, said point being a property corner of the aforesaid parcel and on the southerly
36 right-of-way of a Georgia Power Company Transmission Line; thence southeasterly, 155
37 feet, more or less, along the western property line of a tract or parcel of land now or formerly
38 known as DeKalb County Tax Parcel 18 295 1 18 to a point, said point being a property
39 corner of the aforesaid parcel; thence southeasterly, 180 feet, more or less, along the western

1 property line of a tract or parcel of land now or formerly known as DeKalb County Tax
2 Parcel 18 295 1 18 to a point, said point being on the northerly right-of-way of DeKalb
3 Technology Parkway; thence across DeKalb Technology Parkway perpendicular to the
4 centerline of aforesaid DeKalb Technology Parkway to a point, said point being on the
5 northerly right-of-way of Interstate Highway 85; thence southwesterly along the northerly
6 right-of-way of Interstate Highway 85 to a point, said point being the intersection of the
7 northerly right-of-way of Interstate Highway 85 with the centerline of Chamblee Tucker
8 Road; thence northwesterly, 4,211 feet, more or less, along the centerline of Chamblee
9 Tucker Road to a point, said point being the intersection of the aforesaid centerline with the
10 centerline of Shallowford Road north of Chamblee Tucker Road; thence northwesterly,
11 3,150 feet, more or less, along the centerline of Shallowford Road to a point, said point being
12 the intersection of the aforesaid centerline with the extended property line common to tracts
13 or parcels of land now or formerly known as DeKalb County Tax Parcels 18 310 2 7, 18 310
14 2 4 and 18 310 2 14; thence northwesterly, 1,043 feet, more or less, along the aforesaid
15 extended common property line to a point on the southerly right-of-way of New Peachtree
16 Road, said point being the northwest property corner of a tract or parcel of land now or
17 formerly known as DeKalb County Tax Parcel 18 310 2 7; thence northwesterly across New
18 Peachtree Road to a point on the northerly right-of-way of New Peachtree Road, said point
19 being the southeastern property corner of a tract or parcel of land now or formerly known as
20 DeKalb County Tax Parcel 18 310 5 30; thence northwesterly, 233 feet, more or less, along
21 the easterly property line and its extension of a tract or parcel of land now or formerly known
22 as DeKalb County Tax Parcel 18 310 5 30 to a point on the southerly right-of-way of
23 MARTA; thence easterly, 405 feet, more or less, to a point on Land Lot Line 309-310;
24 thence northerly, 1,707 feet, more or less, along Land Lot Line 309-310 to a point, said point
25 being the common corner of Land Lots 309, 310, 322 and 323; thence northerly, 2,970 feet,
26 more or less, along Land Lot Line 322-323 to a point, said point being the common corner
27 of Land Lots 322, 323, 334 and 335; thence northerly, 180 feet, more or less, along Land Lot
28 Line 334-335 to a point, said point being on the northerly right-of-way of Carver Drive and
29 the southeastern property corner of a tract or parcel of land now or formerly known as
30 DeKalb County Tax Parcel 18 334 1 168; thence southwesterly, 181 feet, more or less, along
31 the northerly right-of-way of Carver Drive to a point, said point being the intersection of the
32 aforesaid northerly right-of-way with the easterly right-of-way of Parsons Drive, said drive
33 having a 50 foot right-of-way width; thence northwesterly, 416 feet, more or less, along the
34 easterly right-of-way of Parsons Drive to a point, said point being the northwestern property
35 corner of a tract or parcel of land now or formerly known as DeKalb County Tax Parcel 18
36 334 1 168; thence northeasterly, 157 feet, more or less, along the common property line of
37 tracts or parcels of land now or formerly known as DeKalb County Tax Parcels 18 334 1 168
38 and 18 334 1 142 to a point, said point being the property corner common to tracts or parcels
39 of land now or formerly known as DeKalb County Tax Parcels 18 334 1 168, 18 334 1 142

1 and 18 334 1 136; thence easterly, 201 feet, more or less, along the common property line
 2 of tracts or parcels of land now or formerly known as DeKalb County Tax Parcels 18 334 1
 3 136 and 18 334 1 168 to a point, said point being on Land Lot Line 334-335; thence
 4 northerly, 1,855 feet, more or less, along Land Lot Line 334-335, crossing Interstate
 5 Highway 285 to a point, said point being the intersection of the aforesaid Land Lot Line
 6 334-335 with the northerly right-of-way of Interstate Highway 285 and the point of
 7 beginning.

8 The above described Corporate Limits for the City of Doraville contain an area of 5.7 square
 9 miles, more or less, and are shown more fully on a map entitled *City of Doraville, Georgia,*
 10 *DeKalb County, Charter City Limits, January 2007* prepared by Keck & Wood, Inc.

11 It is intended that the City Limits of the City of Doraville not extend into Gwinnett County
 12 at any point and should the above and foregoing legal description or error of any nature
 13 whatsoever be interpreted to extend said boundaries of the City of Doraville into Gwinnett
 14 County then this paragraph shall prevail and the boundary shall be set on the DeKalb
 15 County- Gwinnett County Line, it specifically being intended that all the City of Doraville
 16 shall lie within DeKalb County, Georgia."

17 SECTION 2.

18 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
 19 superintendent of DeKalb County shall call and conduct an election as provided in this
 20 section for the purpose of submitting this Act to the electors of DeKalb County who reside
 21 in the area proposed to be annexed into the City of Doraville pursuant to Section 1 of this Act
 22 for approval or rejection. The election superintendent shall conduct that election on the third
 23 Tuesday in June, 2007, and shall issue the call and conduct that election as provided by
 24 general law. The superintendent shall cause the date and purpose of the election to be
 25 published once a week for two weeks immediately preceding the date thereof in the official
 26 organ of DeKalb County. The ballot shall have written or printed thereon the words:

27 "() YES Shall the Act be approved which annexes certain territory into the corporate
 28 () NO limits of the City of Doraville?"

29 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 30 to vote for rejection of the Act shall vote "No." If more than one-half of the total votes cast
 31 on such question are for approval of the Act, it shall become of full force and effect
 32 immediately. If the Act is not so approved or if the election is not conducted as provided in
 33 this section, the remaining sections of this Act shall not become effective and this Act shall
 34 be automatically repealed on the first day of January immediately following that election

1 date. The expense of such election shall be borne by the City of Doraville. It shall be the
2 election superintendent's duty to certify the result thereof to the Secretary of State.

3 **SECTION 3.**

4 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
5 its approval by the Governor or upon its becoming law without such approval.

6 **SECTION 4.**

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