

House Bill 1495

By: Representatives Bryant of the 160th and Purcell of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Garden City, approved April 17, 1973
2 (Ga. L. 1973, p. 3581), as amended, so as to extend the present corporate limits of said
3 municipality and annex and incorporate certain additional land to said municipality; to
4 provide for referendums; to provide for submission under the federal Voting Rights Act of
5 1965, as amended; to provide for matters related to the foregoing; to provide effective dates;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating a new charter for the City of Garden City, approved April 17, 1973 (Ga. L.
10 1973, p. 3581), as amended, is amended by adding at the end of Section 1.11 a new
11 subsection to read as follows:

12 "(j) The corporate limits of Garden City shall also include the following described
13 contiguous tracts or parcels of land, to wit:

14 Parcel One

15 All that certain tract or parcel of land situated in the southeastern quadrant of Interstate
16 Highways 95 & 16, in the 7th G.M. District of Chatham County, Georgia, known as
17 Southbridge, and being more particularly described as follows:

18 Commencing at a point where the centerline of Interstate Highway 16 is intersected by
19 the centerline of Dean Forest Road (relocated), running thence along the centerline of
20 said Dean Forest Road S 42°56' W 478.53' to a point; running thence N 47°04' W 85.00'
21 to a concrete monument; running thence S 38°13' W 250.19' along the western right of
22 way line of Dean Forest Road to a point; running thence S 36°38' W 99.81' along said
23 western right of way line to a point, said point being the Point of Beginning; running

24 thence S 36°31'39" W 308.15' to a point located at the Northeast corner of Ph.1 of lands
25 now or formerly of Timberlands Associates as more particularly shown on a plat dated
26 01/88, and recorded in the Office of the Clerk of the Superior Court of Chatham County,
27 Georgia, in Plat Record Book 9-P, Page 29; running thence S 23°23'39" W 51.76' to a
28 point; running thence 683.65' counterclockwise along the arc of a curve with a radius of
29 2,804.78', and a chord distance of 682.07' with a chord bearing of S 27°17'28" W to a
30 point; running thence 1.09' counterclockwise along the arc of a curve with a chord
31 distance of 1.05' and chord bearing of S 20°33'35" W to a point; running thence
32 S16°20'06" W 76.69' to a point located at the Northeast corner of Lot 28, Dean Forest
33 Gardens Subdivision, Unit 2; running thence N 72°20'18" W 553.91' to a point; running
34 thence S 21°51'45" W 450.04' to a point; running thence N 72°25'39" W 138.23' to a
35 point; running thence S 21°00'55" W 652.25' along the eastern boundary line of a 3.49
36 acre lagoon to a point; running thence S 21°00'55" W 550.00' along the eastern boundary
37 line of Southbridge, Ph. 5, Section A, as shown on a plat dated 06/90, and recorded in the
38 aforesaid Clerk's Office in Subdivision Map Book 11-S, Page 40, to a point; running
39 thence N 72°20'55" W 363.07' to a point; running thence S 21°02'09" W 400.43' along
40 the eastern boundary line of Southbridge Fairway No. 15 as shown on a plat dated
41 05/01/03, and recorded in the aforesaid Clerk's Office in Plat Record Book 26-P, Page
42 74-O, to a point; running thence S 72°24'19" E 1,083.15' along the northern boundary line
43 of Southbridge, Ph. 4-B, as shown on a subdivision map dated 06/96, and recorded in the
44 aforesaid Clerk's Office in Subdivision Map Book 16-S, Page 80, to a point located on
45 the western right of way line of Dean Forest Road; running thence S 20°12'08" W 500.63'
46 along said western right of way line of Dean Forest Road to a point; running thence N
47 72°19'44" W 1,091.81' along the southern boundary line of said Southbridge, Ph. 4-B, to
48 a point; running thence N 72°20'15" W 1,726.16' along the southern boundary line of
49 Southbridge, Ph. 8, Section B, as shown on a map dated 03/03/92, and recorded in the
50 aforesaid Clerk's Office in Subdivision Map Book 12-S, Page 49, to a point; running
51 thence N 72°20'15" W 921.32' along the southern boundary line of Southbridge, Ph. 8,
52 Section A, as shown on a subdivision map dated 01/92, and recorded in the aforesaid
53 Clerk's Office in Subdivision Map Book 12-S, Page 33, to a point; running thence N
54 72°20'17" W 2,308.23' along the southern boundary line of Southbridge, Ph. 7-A, as
55 shown on a subdivision map dated 03/94, and recorded in the aforesaid Clerk's Office in
56 Subdivision Map Book 14-S, Page 46, to a point; running thence N 72°20'15" W
57 3,324.67' along the southern boundary line of Southbridge Common Properties (i.e.,
58 wetlands, Fairway Nos. 1, 2 & 3), as shown on a plat recorded in the aforesaid Clerk's
59 Office in Plat Record Book 11-P, Page 46, to a point; running thence S 1°04'22" W
60 208.79' along the eastern boundary line of Lot 641, Southbridge, Ph. 16-A, as shown on

61 a subdivision map dated 05/11/01, and recorded in the aforesaid Clerk's Office in
62 Subdivision Map Book 22-S, Page 4-B, to a point; running thence S 01°04'22" W 526.05'
63 to a point; running thence S 15°71'30" E 262.76' to a point located at the Southeast corner
64 of Lot 740, Southbridge, Ph. 16-D, as shown on a subdivision map dated 04/23/02, and
65 recorded in the aforesaid Clerk's Office in Subdivision Map Book 25-S, Page 7-B;
66 running thence S15°09'11" E 754.04' along the boundary line between certain wetlands
67 on the West and the city limits of Savannah on the East to a point located at the Northeast
68 corner of Lot 821, Southbridge, Ph. 17, as shown on a subdivision map dated 02/06/03,
69 and recorded in the aforesaid Clerk's Office in Subdivision Map Book 27-S, Page 43-B;
70 running thence S 15°09'11" E 313.81' to a point; running thence S 53°59'55" E 433.98'
71 to a point; running thence S 54°33'27" E 379.40' to a point; running thence S 14°71'18"
72 W 816.79' to a point; running thence S 73°57'01" E 905.73' to a point, said point being
73 located at the Northeast corner of Tract F-1 of a subdivision of a portion of the C&S
74 Tract known as Berwick Plantation on a subdivision map dated 11/20/02, and recorded
75 in the aforesaid Clerk's Office in Subdivision Map Book 26-S, Page 68; running thence
76 in a southerly direction S 16°22'01" W 866.56' along the eastern boundary line of said
77 Tract F-1 to a point located at the Northeast corner of Tract F-2 of the C&S Tract known
78 as Berwick Plantation as also shown on the above-mentioned subdivision map recorded
79 in the aforesaid Clerk's Office in Subdivision Map Book 26-S, Page 68; running thence
80 S 16°22'01" W 1,465.82' to a point; running thence S 56°28'44" W 445.64' to a point;
81 running thence N 87°59'37" W 455.16' to a point; running thence S 38°57'57" W 360.00'
82 to a point; running thence 69.44' counterclockwise along the arc of a curve with a radius
83 of 1,845.00', and a chord distance of 69.44' with a chord bearing of N 52°07'44" W to a
84 point; running thence S 53°12'26" E 115.87' to a point; running thence S 36°47'34" W
85 90.00' to a point; running thence S 53°12'26" E 115.87' to a point; running thence S
86 51°02'27" W 257.08' to a point shown as having coordinates of N 746161.1693, E
87 943435.2244 and the point of beginning for Tract F-3 of said C&S Tract known as
88 Berwick Plantation on the above-mentioned plat; running thence sequentially, in a
89 clockwise direction, along the southeastern, southerly, and southwesterly boundary lines
90 of said Tract F-3 to a point located at the southeastern corner of Tract K-1 of said C&S
91 Tract known as Berwick Plantation as also shown on the above-mentioned plat recorded
92 in the aforesaid Clerk's Office in Subdivision Map Book 26-S, Page 68; running thence
93 N 68°05'37" W 2,247.78' along the southern boundary line of said Tract K-1 to a point
94 located on the eastern right of way line of Interstate Highway 95; running thence in a
95 northeasterly direction along the eastern right of way line of Interstate Highway 95 to the
96 West of Tract "K-1", Southbridge Phase 18, Fairway No. 5 (as shown on a plat dated
97 05/01/03, and recorded in the aforesaid Clerk's Office in Plat Record Book 26-P, Page

98 74B), and an earth berm (as shown on a plat of Southbridge Canterbury Park Townhomes
99 Phase 2, dated 02/14/03, and recorded in the aforesaid Clerk's Office in Subdivision Map
100 Book 27-S, Page 51C), to a point located on the southern right of way line of Interstate
101 Highway 16; running thence continuously in an easterly direction along the southern right
102 of way line of Interstate Highway 16 to the immediate North of (a) the above-mentioned
103 earth berm, (b) certain unplatted wetlands, (c) Southbridge Fairway No. 7, as shown on
104 a plat dated 05/01/03, and recorded in the aforesaid Clerk's Office in Plat Record Book
105 26-P, Page 74E, (d) a 200' buffer located to the North of Lots 469 through 455 of
106 Southbridge, Ph. 12-B, as shown on a plat dated 03/03/97, and recorded in the aforesaid
107 Clerk's Office in Subdivision Map Book 16-S, Page 93, (e) certain unplatted wetlands
108 and/or open space, (f) a 200' buffer located to the North of Lots 407 and 408, and open
109 space, of Southbridge, Ph. 12-A, as shown on a plat dated 01/13/97, and recorded in the
110 aforesaid Clerk's Office in Subdivision Map Book 16-S, Page 74, (g) a buffer to the North
111 of Lots 208, 209, 214, and 215, and Southbridge Boulevard, of Southbridge, Ph. 9, as
112 shown on a subdivision map dated 03/29/93, and recorded in the aforesaid Clerk's Office
113 in Subdivision Map Book 13-S, Page 30, (h) a buffer to the North of Southbridge
114 Boulevard traversing Southbridge, Ph. 10, Div. 2, as shown on a subdivision map
115 recorded in the aforesaid Clerk's Office in Subdivision Map Book 15-S, Page 84, (i)
116 certain unplatted open space, and (j) the northern boundary line of Steeple Run at
117 Southbridge, Ph. 14, as shown on a subdivision map dated 05/01/97, and recorded in the
118 aforesaid Clerk's Office in Subdivision Map Book 17-S, Page 32, to a point located at the
119 Northeast corner of said Steeple Run at Southbridge, Ph. 14; running thence in an easterly
120 direction along the southern right of line of Interstate Highway 16 to a point located at
121 the Northwest corner of a parcel now or formerly of Chatham County, Georgia, more
122 particularly described in a warranty deed recorded in the aforesaid Clerk's Office in Deed
123 Record Book 217-V, Page 540; running thence S 38°13' W 419.82' to a point located at
124 the Southwest corner of the County parcel; and, running thence S 74°42' W 602.97' to a
125 point, said point being the Point of Beginning.

126 The above-described property, being "V" shaped, is bounded as follows: On the North
127 by the southern right of way line of Interstate Highway 16 and by lands now or formerly
128 of Chatham County, Georgia; on the East by lands now or formerly owned by Chatham
129 County, Georgia, the western right of way line of Dean Forest Road, the western
130 boundary lines of Lots 18-28 of Dean Forest Gardens Subdivision-Unit 2, Lot 3 of the
131 W.L. Barbee Subdivision (pt. of a tract described in a warranty deed recorded in the
132 aforesaid Clerk's Office in Deed Record Book 53-D, Page 291), the city limits of the City
133 of Savannah, Georgia, and Tracts E, G-1 and G-2 of the subdivision of a portion of the

134 C&S Tract known as Berwick Plantation; on the South by the eastern one-half of Lot 12,
135 Dean Forest Gardens Subdivision-Unit 2, the city limits of the City of Savannah, Georgia,
136 and Tracts E, G-1, G-2, and J-2 of the subdivision of a portion of the C&S Tract known
137 as Berwick Plantation (see the plat dated 06/18/03, and recorded in the aforesaid Clerk's
138 Office in Subdivision Map Book 28-S, Page 23); and on the West by said Tract J-2 and
139 the eastern right of way line of Interstate Highway 95.

140 The above-described property is also shown on that certain plan prepared by Thomas &
141 Hutton Engineering Company dated March 2001, revised January 13, 2005, a copy of
142 which is on file in the office of the city clerk of the City of Garden City.

143 Parcel Two

144 ALL that certain lot, tract or parcel of land situate, lying, and being in the 7th G.M.
145 District of Chatham County, Georgia, shown and designated as Lot Number
146 Twenty-Eight (28) upon a plat entitled "Plat of Remaining Portion of Lot 28, Dean Forest
147 Gardens, Unit 2, 7th G.M. District, Chatham County, Georgia," prepared by Helmly,
148 Purcell & Associates, Inc., dated March 31, 1981, and recorded in the Office of the Clerk
149 of the Superior Court of Chatham County, Georgia, in Plat Record Book 3-P, Page 126.
150 Said plat is incorporated herein by specific reference for a more particular description of
151 the subject property.

152 AND ALSO,

153 ALL that certain lot, tract or parcel of land situate, lying, and being in Chatham County,
154 Georgia, shown and designated as Lot Number Twenty-Seven (27), Dean Forest Gardens,
155 Unit 2, on a plat of said subdivision recorded in the Office of the Clerk of the Superior
156 Court of Chatham County, Georgia, in Plat Record Book D, Page 167, said plat being
157 incorporated herein by reference and being made a part hereof for all legal purposes.

158 Excepting, however, all those certain lots, tracts or parcels of land, situate, lying and
159 being in the 7th G.M. District of Chatham County, Georgia, shown and designated as
160 Lots Numbered One (1) and Six (6) upon a plat prepared for Harbor Forest Development
161 LLC, by John S. Kern, Georgia Registered Engineer No. 11261, and Terry Mack
162 Coleman, Georgia Registered Land Surveyor No. 2486, dated May 1, 2003, revised
163 November 3, 2008, entitled "A Minor Subdivision & Minor Revision to Harbor Forest
164 Office Park, as Recorded in Subdivision Map Book 29-S, PG 58, and Being a

165 Subdivision of Lots 27 and 28, Dean Forest Gardens Subdivision, 7th G.M. District,
 166 Chatham County, State of Georgia," and recorded in the Office of the Clerk of the
 167 Superior Court of Chatham County, Georgia, in Subdivision Map Book 41-S, Page 10,
 168 said plat being incorporated herein by reference and being made a part hereof for better
 169 determining the metes, bounds, courses, and distances of the lots which are contiguous
 170 and, as a whole, are bounded as follows: On the North by common area and a private
 171 vehicular access and utility easement; on the East by Dean Forest Road (60'R/W); on the
 172 South by a portion of Lot Number Twenty-Six (26), Dean Forest Gardens, Unit 2; and
 173 on the West by a common area and a private vehicular access and utility easement.

174 The above-described property is more commonly known as 1481 and 1487 Dean Forest
 175 Road, Garden City, Georgia, and has been assigned property identification numbers of
 176 1-0989A-02-013, 1-0989A-02-014, 1-0989A-02-015, 1-0989A-02-016, and
 177 1-0989A-02-018 by the Chatham County, Georgia, Tax Assessor.

178 Parcel Three

179 ALL that certain tract or parcel of land situate, lying, and being in the 7th G.M. District
 180 of Chatham County, Georgia, about seven miles Southwest of the City of Savannah,
 181 containing in the aggregate, 10 acres, more or less, being part of the Lovell Tract,
 182 bounded on the East by Dean Forest Road; on the South, West, and North by lands now
 183 or formerly of Donald R. Brewster, and on the Northeast by lands now or formerly of J.
 184 H. Hope, and having the following metes and bounds, to-wit: Starting on the West side
 185 of the former 30 foot right of way of Dean Forest Road at a point 408 feet North 20
 186 degrees 48 minutes East along Dean Forest Road from the Southeast corner of the 495
 187 acre tract bought by Donald R. Brewster from The Lovell Company by warranty deed
 188 dated May 6, 1943, which corner is 34 feet North and about 16½ feet East of a 6 x 6
 189 concrete monument, thence North 72 degrees 33 minutes West for a distance of 1089 feet
 190 (16.50 chains) to a stake; thence North 20 degrees 48 minutes East for a distance of 400
 191 feet (6.06 chains) to a stake; thence South 72 degrees 33 minutes East for a distance of
 192 363 feet to the Southwest corner of the lands of Hope, and for a further distance of 726
 193 feet along the Hope line to a point on the West side of Dean Forest Road, marked by a
 194 concrete monument placed on said line about 16½ feet West of said road; thence South
 195 20 degrees 48 minutes West along said road for a distance of 400 feet (6.06 chains) to the
 196 Point of Beginning, which is also marked by a concrete monument placed on South line
 197 about 16½ feet West of said road, and being the same property conveyed by Donald R.
 198 Brewster to Mrs. Hattie Cornelia Horton by deed dated and filed for record April 29,

199 1946, and recorded in Deed Record Book 42-A, Folio 123, in the Office of the Clerk of
200 the Superior Court of Chatham County, Georgia.

201 The above-described property is also known as Lots Numbered 1, 2, and 3 of the W.L.
202 Barbee Subdivision in Chatham County, Georgia, with property identification numbers
203 assigned by the Tax Assessor of Chatham County, Georgia, of 1-0989-02-003B,
204 1-0989-02-003A, and 1-0989-02-003, respectively.

205 Parcel Four

206 ALL that certain lot, tract, or parcel of land lying and being in Chatham County, Georgia,
207 shown and designated as Lot 18, Dean Forest Gardens, Unit 2, on a plat dated May 7,
208 1945, revised July 20, 1945, and recorded in the Office of the Clerk of the Superior Court
209 of Chatham County, Georgia, in Plat Record Book D, Page 167, said plat being
210 incorporated herein by reference and being made a part hereof for all legal purposes.

211

212 The above-described property is the same property conveyed to Annie Marie Williams
213 Sapp by deeds recorded in the Office of the Clerk of the Superior Court of Chatham
214 County, Georgia, in Deed Record Book 202-P, Page 358, and in Deed Record Book
215 332-Q, Page 55. The property has been assigned a property identification number of
216 1-0989A-02-001 by the Tax Assessor of Chatham County, Georgia.

217 Parcel Five

218 ALL that certain lot, tract, or parcel of land situate, lying, and being in Chatham County,
219 Georgia, shown and designated as Lot 1, Webb Subdivision, formerly the eastern portion
220 of Lots 10 & 11, Dean Forest Gardens, on a plat dated April 29, 2003, prepared by James
221 M. Sims, Georgia Registered Land Surveyor No. 2280, and recorded in the Office of the
222 Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 25-P,
223 Page 70, said plat being incorporated herein by reference and being made a part hereof
224 for all legal purposes.

225 Said property is the same property conveyed to Gray Tybee, LLC, by Murray M. Webb
226 in a deed dated July 10, 2003, and recorded in the Office of the Clerk of the Superior
227 Court of Chatham County, Georgia, in Deed Record Book 256-H, Page 549. The
228 property has been assigned a property identification number of 1-0989-02-001A by the
229 Tax Assessor of Chatham County, Georgia.

230 Parcel Six

231 ALL that certain lot, tract, or parcel of land situate, lying, and being in Chatham County,
232 Georgia, shown as a 3.1 acre portion of Dean Forest Gardens on a plat dated May 16,
233 2001, prepared by Charles W. Tuten, Jr., Georgia Registered Land Surveyor No. 2345,
234 and recorded in the Office of the Clerk of the Superior Court of Chatham County,
235 Georgia, in Plat Record Book 18-P, Page 17, said plat being incorporated herein by
236 reference and being made a part hereof for all legal purposes.

237 The above-described property is the same property conveyed to Freida M. Odum by
238 Joseph J. Tribble, as Successor Trustee of "Dean Forest Participation Agreement" under
239 Deed of Trust dated April 30, 1989, as recorded in the Office of the Clerk of the Superior
240 Court of Chatham County, Georgia, in Deed Record Book 95-T, Page 493, as modified
241 by an instrument recorded on March 7, 1989, in the aforesaid Clerk's Office in Deed
242 Record Book 141-I, Page 361, in a deed dated June 4, 2001, and recorded in the aforesaid
243 Clerk's Office in Deed Record Book 223-C, Page 98. Said property has been assigned
244 a property identification number of 1-0990-01-021 by the Tax Assessor of Chatham
245 County, Georgia.

246 Parcel Seven

247 ALL that certain lot, tract, or parcel of land situate, lying, and being in Chatham County,
248 Georgia, shown and designated as Lot 2, Webb Subdivision, formerly the eastern portion
249 of Lots 10 & 11, Dean Forest Gardens, on a plat dated April 29, 2003, prepared by James
250 M. Sims, Georgia Registered Land Surveyor No. 2280, and recorded in the Office of the
251 Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 25-P,
252 Page 70, said plat being incorporated herein by reference and being made a part hereof
253 for all legal purposes.

254 Said property has been assigned a property identification number of 1-0989-02-001 by
255 the Tax Assessor of Chatham County, Georgia.

256 Parcel Eight

257 ALL that certain lot, tract, or parcel of land situate, lying, and being in Chatham County,
258 Georgia, shown and designated as the eastern one-half of Lot 12, Dean Forest Gardens
259 Subdivision, Unit 2, on a plat prepared by Donald R. Brewster, dated May 7, 1945,

260 revised July 20, 1945, and recorded in the Office of the Clerk of the Superior Court of
261 Chatham County, Georgia, in Plat Record Book D, Page 167, said plat being incorporated
262 herein by reference and being made a part hereof for all legal purposes.

263 Said property is the same property conveyed to Logan Supply Co. by a deed recorded in
264 the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed
265 Record Book 111-L, Page 64. The property has been assigned a property identification
266 number of 1-0989-02-002 by the Tax Assessor of Chatham County, Georgia.

267 Parcel Nine

268 ALL that certain lot, tract or parcel of land situate, lying, and being in Chatham County,
269 Georgia, located at the Southwest intersection of Interstate 16 and Dean Forest Road
270 (relocated), Chatham County, Georgia, described as follows: Commencing at a point
271 where the center line of Interstate 16 is intersected by the center line of Dean Forest Road
272 (relocated), running thence along the center line of Dean Forest Road S42°56'W for a
273 distance of 478.53' to a point; running thence N47°4'W for a distance of 85.00' to a
274 concrete monument which is the Point of Beginning; running thence along the western
275 right of way line of Dean Forest Road S38°13'W for a distance of 220.00' to a point;
276 running thence along said western right of way S36°38'W for a distance of 130.00' to a
277 concrete monument; running thence N74°42'W for a distance of 602.97' to a three inch
278 hickory sapling; running thence N38°13'E for a distance of 419.82' to a concrete
279 monument on the southern right of way line of (Ramp F-3) Interstate 16'; running thence
280 along the southern right of way line of said ramp S74°42'E for a distance of 526.35' to a
281 concrete monument; and running thence S21°14'E for a distance of 78.74' to the Point of
282 Beginning. This tract of land herein described is designated as "5.7 Acres" upon a map
283 thereof for Shell Oil Company by Thomas and Hutton Engineering Company recorded
284 in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat
285 Record Book Q, Page 192. This is the same property conveyed to Dean Forest
286 Properties, LLC, by Limited Warranty Deed dated August 30, 2000, and recorded in the
287 aforesaid Clerk's Office in Deed Record Book 214-X, Page 183. Said map and deed are
288 incorporated herein by reference.

289 The above-described property has been assigned a property identification number of
290 1-0989-02-005 by the Tax Assessor of Chatham County, Georgia."

291 **SECTION 2.**

292 (a) Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
 293 superintendent of Chatham County shall call and conduct elections as provided in this
 294 section for the purpose of submitting this Act to:

295 (1) The electors of Chatham County residing in the areas described in Section 1 of this
 296 Act, but outside the existing municipal boundaries of the city, for approval or rejection;
 297 and

298 (2) The electors of the City of Garden City, for approval or rejection.

299 The election superintendent shall conduct the elections on the same date, which shall be
 300 the earliest date therefor permissible under Code Section 21-2-540 of the O.C.G.A., and
 301 shall issue the call and conduct the elections as provided by general law. The
 302 superintendent shall cause the date and purpose of the elections to be published once a
 303 week for two weeks immediately preceding the date thereof in the official organ of
 304 Chatham County. The ballots shall have written or printed thereon the words:

305 "() YES Shall the Act be approved which annexes certain property into the corporate
 306 () NO limits of the City of Garden City?"

307 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 308 desiring to vote for rejection of the Act shall vote "No."

309 (b) The votes cast by the electors described in paragraph (1) of subsection (a) of this
 310 section shall be tallied separately from the votes cast by the electors described in paragraph
 311 (2) of subsection (a) of this section. If:

312 (1) More than one-half of the votes cast on such question by the electors described in
 313 paragraph (1) of subsection (a) of this section are for approval of the Act; and

314 (2) More than one-half of the votes cast on such question by the electors described in
 315 paragraph (2) of subsection (a) of this section are for approval of the Act,

316 then Section 1 of this Act shall become of full force and effect immediately. If the Act is
 317 not so approved by both sets of electors separately or if the elections are not conducted as
 318 provided in this section, Section 1 of this Act shall not become effective and this Act shall
 319 be automatically repealed on the first day of January immediately following that election
 320 date. The expense of such elections shall be borne by the City of Garden City. It shall be
 321 the election superintendent's duty to certify the results thereof to the Secretary of State.

322 **SECTION 3.**

323 The governing authority of the City of Garden City shall through its legal counsel cause this
 324 Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
 325 amended; and such submission shall be made to the United States Department of Justice or

326 filed with the appropriate court no later than 45 days after the date on which this Act is
327 approved by the Governor or otherwise becomes law without such approval.

328 **SECTION 4.**

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

331 **SECTION 5.**

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