

House Bill 635 (AS PASSED HOUSE AND SENATE)

By: Representatives Setzler of the 35th, Cooper of the 41st, Dollar of the 45th, Parsons of the 42nd, Johnson of the 37th, 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, so as to change the provisions relating to the corporate
3 limits of the city; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

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

10 TRACTS I AND IV

11 All that tract or parcel of land lying and being in Land Lots 174, 175, and 206 of the 20th
12 District, 2nd Section of Cobb County, Georgia, being more part particularly described as
13 follows:

14 BEGINNING at a iron pin placed at the intersection of the northwesterly right-of-way of
15 Roberts Road (70-foot right-of-way) and the northeasterly right-of-way of Old U.S.
16 Highway 41 (100-foot right-of-way); running thence along the northeasterly right-of-way
17 of U.S. Highway 41 and following the curvature thereof a distance of 200.0 feet (said
18 curve having a chord distance of 199.97 feet with a bearing of north 42 degrees 3 minutes
19 west) to a point; running thence along the northeasterly right-of-way of Old U.S.
20 Highway 41 and following the curvature thereof 500.0 feet (said curve having a chord
21 distance of 499.68 feet with a bearing north 41 degrees 18 minutes west) to a point;
22 leaving said northeasterly right-of-way, running thence north 80 degrees 49 minutes east
23 a distance of 180.0 feet to a point; running thence north 9 degrees 11 minutes west 133.1
24 feet to a point; running thence north 80 degrees 49 minutes east 600.8 feet to an iron pin
25 found; running thence south 65 degrees 9 minutes 30 seconds east a distance of 181.3 feet
26 to a point; running thence south 9 degrees 11 minutes east a distance of 496.4 feet to a

27 point on the northwesterly right-of-way of Roberts Road; running thence along the
 28 northwesterly right-of-way of Roberts Road and following the curvature thereof 369.7
 29 feet (said curve having a chord distance of 368.62 feet with a bearing of south 70 degrees
 30 31 minutes 30 seconds west) to a point; running thence along the northwesterly
 31 right-of-way of Roberts Road and following the curvature thereof 150.0 feet (said curve
 32 having a chord distance of 149.98 feet with a bearing of south 61 degrees 53 minutes
 33 west) to an iron pin; running thence north 42 degrees 36 minutes 30 seconds west a
 34 distance of 19.0 feet to an iron pin; running thence south 47 degrees 23 minutes 30
 35 seconds west a distance of 50.3 feet to a point on the northeasterly right-of-way of Old
 36 U.S. Highway 41, said point being the POINT OF BEGINNING; shown as Tracts I and
 37 IV and containing 11.31 acres on that certain plat of survey entitled "Kennesaw Crossing
 38 Shopping Center Prepared for: NAJCO, Inc., Wachovia Bank, Chicago Title Insurance
 39 Company", prepared by David W. Lynah Surveyors, bearing the seal and certification of
 40 David W. Lynah, Georgia Registered Land Surveyor No. 1845, dated March 1, 1999.

41 TRACT II

42 All that tract or parcel of land lying and being in Land Lots 174 and 175 of the 20th
 43 District, 2nd Section, Cobb County, Georgia more particularly described as follows:

44 TO FIND THE POINT OF BEGINNING OF TRACT II, commence at an iron pin
 45 placed at the intersection of the northeast right-of-way of Old U.S. Highway 41
 46 (100-foot right-of-way) and the northwest right-of-way of Roberts Road (70-foot
 47 right-of-way); running thence north 47 degrees 23 minutes 30 seconds east a distance
 48 of 50.3 feet to an iron pin; running thence south 42 degrees 36 minutes 30 seconds east
 49 a distance of 19.0 feet to an iron pin placed on the northwesterly right-of-way of
 50 Roberts Road; running thence northeasterly along the curve of the northwestern
 51 right-of-way of Roberts Road a distance of 150.0 feet (said curve having a chord
 52 distance of 149.98 feet with a bearing of north 61 degrees 53 minutes east); running
 53 thence northeasterly along the curve of the northwestern right-of-way of Roberts Road
 54 a distance of 369.7 feet (said curve having a chord distance of 368.62 feet with a
 55 bearing of north 70 degrees 31 minutes 30 seconds east) to the POINT OF
 56 BEGINNING OF TRACT II; running thence north 9 degrees 11 minutes west a
 57 distance of 496.4 feet to a point; running thence south 65 degrees 9 minutes 30 seconds
 58 east a distance of 219.0 feet to an iron pin; leaving said northwestern right-of-way,
 59 running thence south 35 degrees 08 minutes 30 seconds east a distance of 450.0 feet to
 60 an iron pin placed on the northwesterly right-of-way of Roberts Road; running thence
 61 south 88 degrees 51 minutes west along the northwesterly right-of-way of Roberts Road
 62 a distance of 36.2 feet to a point; leaving said northwesterly right-of-way, running
 63 thence north 35 degrees 8 minutes 30 seconds west a distance of 180.0 feet to a point;

64 running thence south 72 degrees 4 minutes 30 seconds west a distance of 140.0 feet to
65 a point; running thence south 18 degrees 02 minutes 30 seconds east a distance of 120.0
66 feet to the northwesterly right-of-way of Roberts Road; running thence southwesterly
67 along the curve of the northwesterly right-of-way of Roberts Road a distance of 144.1
68 feet (said curve having a chord distance of 144.01 feet with a bearing of south 80
69 degrees 38 minutes west) to the POINT OF BEGINNING OF TRACT II; shown as
70 tract II and containing 2.12 acres on that certain plat of survey entitled "Kennesaw
71 Crossing Shopping Center Prepared for: NAJCO, Inc., Wachovia Bank, Chicago Title
72 Insurance Company", prepared by David W. Lynah Surveyors, bearing the seal and
73 certification of David W. Lynah, Georgia Registered Land Surveyor No. 1845, dated
74 March 1, 1999.

75 TRACT III

76 All that tract or parcel of land lying and being in Land Lot 175 of the 20th District 2nd
77 Section, Cobb County, Georgia; more particularly described as follows:

78 TO FIND THE POINT OF BEGINNING, commence at an iron pin placed at the
79 intersection of the northeast right-of-way of Old U.S. Highway 41 (100-foot
80 right-of-way) and the northwest right-of-way of Roberts Road (70-foot right-of-way);
81 running thence along the curve of the northeast right-of-way of Old U.S. Highway 41
82 a distance of 200.0 feet (said curve having a chord distance of 199.97 feet with a
83 bearing of north 42 degrees 03 minutes west); running thence along the curve of the
84 northeast right-of-way of Old U.S. Highway 41 a distance of 500.0 feet (said curve
85 having a chord distance of 499.68 feet with a bearing of north 41 degrees 18 minutes
86 west) to the POINT OF BEGINNING; running thence north 36 degrees 38 minutes 30
87 seconds west along the northeast right-of-way of Old U.S. Highway 41 a distance of
88 150.0 feet to an iron pin found; leaving said northeast right-of-way, running thence
89 north 80 degrees 49 minutes east a distance of 249.2 feet to a point; running thence
90 south 9 degrees 11 minutes east a distance of 133.1 feet to a point; running thence south
91 80 degrees 49 minutes west a distance of 180.0 feet to the POINT OF BEGINNING;
92 shown as Tract III and containing 0.65 acres on that certain plat of survey entitled
93 "Kennesaw Crossing Shopping Center Prepared for: NAJCO, Inc., Wachovia Bank,
94 Chicago Title Insurance Company", prepared by David W. Lynah Surveyors, bearing
95 the seal and certification of David W. Lynah, Georgia Registered Land Surveyor No.
96 1845, dated March 1, 1999.

97 TRACT V

98 All that tract or parcel of land lying and being in Land Lot 174 of the 20th District, 2nd
99 Section of Cobb County, Georgia, being more particularly described as follows:

100 BEGINNING at an iron pin placed at the intersection of the northwesterly right-of-way
101 of Roberts Road (70-foot right-of-way) and the northeasterly right-of-way of Old U.S.
102 Highway 41 (100-foot right-of-way); running thence north 47 degrees 23 minutes 30
103 seconds east a distance of 50.3 feet to an iron pin; running thence south 42 degrees 36
104 minutes 30 seconds east a distance of 19.0 feet to an iron pin; running thence along the
105 northwesterly right-of-way line of Roberts Road and following the curvature thereof
106 a distance of 150.0 feet (said curve having a chord distance of 149.98 feet with a
107 bearing of north 61 degrees 53 minutes east) to a point; continuing thence along the
108 northwesterly right-of-way of Roberts Road and following the curvature thereof a
109 distance of 369.7 feet (said curve having a chord distance of 368.62 feet with the
110 bearing of north 70 degrees 31 minutes 30 seconds east) to a point; continuing thence
111 along the northwesterly right-of-way of Roberts Road and following the curvature
112 thereof of a distance of 144.1 feet (said curve having a chord distance of 144.1 feet with
113 a bearing north 82 degrees 3 minutes east) to the POINT OF BEGINNING; leaving said
114 northwesterly right-of-way, running thence north 18 degrees 02 minutes 30 seconds
115 west a distance of 120.0 feet to a point; running thence north 72 degrees 04 minutes 30
116 seconds east a distance of 140.0 feet to a point; running thence South 35 degrees 8
117 minutes 30 seconds east a distance of 180.0 feet to a point on the northwesterly
118 right-of-way of Roberts Road; thence following northwesterly right-of-way of Roberts
119 Road and following the curvature thereof a distance of 200.0 feet (said curve having a
120 chord distance of 199.90 feet with a bearing of south 87 degrees 08 minutes west) to
121 the POINT OF BEGINNING; shown as Tract V and containing 0.53 acres on that
122 certain plat of survey entitled "Kennesaw Crossing Shopping Center Prepared for:
123 NAJCO, Inc., Wachovia Bank, Chicago Title Insurance Company", prepared by David
124 W. Lynah Surveyors, bearing the seal and certification of David W. Lynah, Georgia
125 Registered Land Surveyor No. 1845, dated March 1, 1999.

126 TOGETHER WITH the buildings and improvements located on Tracts I, II, III, IV, and
127 V until the expiration or earlier termination of the Lease evidenced by the memorandum
128 of Lease record in Deed Book 1135, Page 42, Records of Cobb County, Georgia; and
129 amended in Deed Book 1846, page 714, aforesaid Records.

130 4131 Jiles Road

131 TRACT I

132 Beginning at an iron pin on the northerly side of Baker Road's 60 foot right of way, said
133 iron pin being 830.03 feet West of the East line of Land Lot 62 and being 1354.65 feet
134 East of the East side of the right of way of Kuykendall Road; running thence south 84
135 degrees 36 minutes East along said right of way 225 feet to an iron pin and corner;
136 running thence north 17 degrees 25 minutes East along other property of Grantors 644.88

137 feet to an iron pin and corner on the South side of property now or formerly owned by
138 L.G. Landers; running thence North 82 degrees 12 minutes West 185.15 feet to an iron
139 pin and rock corner; running thence South 20 degrees 41 minutes west along property
140 now or formerly owned by L.G. Landers 661.81 feet to the iron pin at the point of
141 beginning; containing 3.0 acres, as shown on the Plat of Survey recorded in Plat Book 76,
142 page 56, Cobb county Records."

143 **SECTION 2.**

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