

House Bill 508 (AS PASSED HOUSE AND SENATE)

By: Representatives Setzler of the 35th, Manning of the 32nd, Teasley of the 38th, Dollar of the 45th, Ehrhart of the 36th, 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 home rule amendment filed in the office
3 of Secretary of State September 22, 2009 (Ga. L. 2010, p. 4239), so as to change the
4 provisions relating to the corporate limits of the city; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act creating a new charter for the City of Kennesaw, approved April 10, 1971 (Ga. L.
9 1971, p. 3620), as amended, particularly by home rule amendment filed in the office of
10 Secretary of State September 22, 2009 (Ga. L. 2010, p. 4239), is amended by adding at the
11 end of Section 1.01 the following:

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

14 Tract 1.

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

17 **BEGINNING** at a 1/2-inch rebar found at the intersection of the Land Lot Line
18 common to land lots 125 and 126 with the northern right-of-way of US Highway 41
19 (200' right-of-way); Thence leaving said right-of-way along said Land Lot Line and the
20 division line between Odeon Village, LLC (Deed Book 14629, Page 4413) and Miss
21 Nina Bostic et al (Deed Book 136, Page 202), North 01 degrees 18 minutes 21 seconds
22 East, a distance of 749.62 feet to a 1/2-inch rebar found; Thence along the division line
23 between Cobblestone Landing, L.P. (Deed Book 13543, Page 18320) and Miss Nina
24 Bostic et al, North 01 degrees 18 minutes 11 seconds East, a distance of 499.57 feet to
25 a 1/2-inch rebar found; Thence along the division line between Liberty Commons
26 Subdivision (Plat Book 195, Page 25) and Miss Nina Bostic et al North 00 degrees 21

27 minutes 06 seconds East, a distance of 499.65 feet to a 1" open top pipe found; Thence
 28 leaving said Land Lot Line, South 88 degrees 33 minutes 44 seconds East, a distance
 29 of 413.42 feet to a 3/4-inch open top pipe found; Thence South 85 degrees 56 minutes
 30 10 seconds East, a distance of 84.14 feet to a 1" open top pipe found; Thence along the
 31 division line between Rosemary James Strickland (Deed Book 14311, Page 1936) and
 32 Miss Nina Bostic et al the following two courses and distances: South 01 degrees 51
 33 minutes 47 seconds East, a distance of 1051.31 feet to a 1" crimped top pipe found;
 34 South 87 degrees 34 minutes 10 seconds East, a distance of 315.72 feet to a 1-1/2-inch
 35 crimped top pipe found; Thence along the division line between Robert J. Cain (Deed
 36 Book 11145, Page 199) and Miss Nina Bostic et al South 86 degrees 57 minutes 13
 37 seconds East, a distance of 344.54 feet to a 1/2-inch rebar found on the western
 38 right-of-way of Robin Drive; Thence South 03 degrees 08 minutes 34 seconds West,
 39 a distance of 126.29 feet to a 5/8-inch rebar set; Thence South 00 degrees 28 minutes
 40 58 seconds West, a distance of 200.10 feet to a 5/8-inch rebar set; Thence
 41 along the division line between Estes Express Lines (Deed Book 7590, Page 257) and
 42 Miss Nina Bostic et al, South 02 degrees 06 minutes 44 seconds West, a distance of
 43 320.00 feet to a 5/8-inch rebar set; Thence along the division line between Kilgore
 44 Properties, L.P. (Deed Book 6230, Page 1) and Miss Nina Bostic et al, South 02
 45 degrees 04 minutes 17 seconds West, a distance of 292.00 feet to a 5/8-inch rebar set
 46 on the northern right-of-way of US Highway 41; Thence along said right-of-way, North
 47 76 degrees 24 minutes 29 seconds West, a distance of 1225.77 feet to a 1/2-inch rebar
 48 found at the intersection of the Land Lot Line common to land lots 125 and 126 with
 49 the northern right-of-way of US Highway 41; said 1/2-inch rebar found being the
 50 **TRUE POINT OF BEGINNING.**

51 Said tract of land contains 35.254 Acres.

52 Tract 2.

53 All That Tract Or Parcel of Land Lying And Being In Land Lot 136 Of The 20th District,
 54 2nd Section, Cobb County, Georgia And Being More Particularly Described As Follows:
 55 Beginning At A 1/2" Rebar Found Located On The Northwesterly Right Of Way Of
 56 McCollum Parkway (A 160 Foot Right Of Way) A Distance Of 550.21 Feet
 57 Northeasterly As Measured Along Said Right Of Way From The Intersection Of The
 58 Northwesterly Right Of Way Of McCollum Parkway And The South Land Lot Line Of
 59 Land Lot 136 Of The 20th District, 2nd Section Of Cobb County, Georgia (The Calls
 60 From The Point Of Beginning To Said South Land Lot Line Are As Follows South 65
 61 Degrees 25 Minutes 19 Seconds West A Distance Of 314.41 Feet To A 1" Rod Found,
 62 Thence Continuing South 65 Degrees 25 Minutes 19 Seconds West Along Said Right

63 Of Way A Distance Of 235.80 To Said South Land Lot Line) From Said Point Of
 64 Beginning Running Thence Along Property Now Or Formerly Owned By Atlanta Gas
 65 Light Company North 28 Degrees 25 Minutes 04 Seconds West A Distance Of 464.88
 66 Feet To An Iron Pin Located On The South Right Of Way Of Big Shanty Road (Right
 67 Of Way Varies); Running Thence North 89 Degrees 00 Minutes 52 Seconds East Along
 68 Said South Right Of Way Of Big Shanty Road A Distance Of 234.57 Feet To 1/2"
 69 Rebar; Thence Leaving Said South Right Of Way Of Big Shanty Road And Running
 70 Along Property Now Or Formerly Owned By Millwright Local Union 1263 South 25
 71 Degrees 32 Minutes 00 Seconds East A Distance Of 369.89 Feet To An Iron Pin Found
 72 Located On The Northwesterly Right Of Way Of McCollum Parkway; Running Thence
 73 along The northwesterly Right Of Way Of McCollum Parkway South 65 Degrees 23
 74 Minutes 15 Seconds West A Distance Of 190.00 To An Iron Pin Found And The Point
 75 Of Beginning, According To That Certain Survey Prepared For Henry M. Pickens (Sic),
 76 Beaumont Products, Inc., Pickens (Sic) Properties, LLC, U.S. Small Business
 77 Administration, Bank Of North Georgia And Chicago Title Insurance Corporation, By
 78 Gary L. Cooper, G.R.L.S.# 2606, Dated November 11, 2009, And Being Shown As
 79 1.917 Acres.

80 Together With That Certain Easement For Detention Pond And Drainage Purposes As
 81 Described And Granted To Mark L. Marsh And David H. Moore, Individually And
 82 D/B/A M & M Properties In That Easement Agreement Filed Of Record January 13,
 83 1997 And Recorded In Deed Book 10108, Page 51 Cobb County, Georgia Records.

84 Tract 3.

85 ALL That tract or parcel of land lying or being in Land Lots 59 & 94, of the 20th
 86 District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more
 87 particularly described as follows:

88 Commencing at the intersection of the southerly right-of-way line of Shiloh Road
 89 (right-of-way varies) and the westerly right-of-way line of Frey Road (100-foot
 90 right-of-way) said point being the POINT OF BEGINNING; THENCE proceeding
 91 along the said westerly right-of-way line of Frey Road South 02 degrees 10 minutes 30
 92 seconds West, a distance of 270.27 feet to a point; THENCE continuing along the said
 93 westerly right-of-way line of Frey Road and crossing from Land Lot 59 into Land Lot
 94 94, South 01 degrees 29 minutes 26 seconds West, a distance of 86.92 feet to a point.
 95 THENCE turning a bearing southwesterly North 89 degrees 15 minutes 41 seconds
 96 West, a distance of 220.79 feet to a point; THENCE turning a bearing southwesterly
 97 South 40 degrees 08 minutes 12 seconds West, a distance of 333.12 feet to a point;
 98 THENCE turning a bearing northwesterly North 89 degrees 55 minutes 07 seconds

99 West, a distance of 393.59 feet to a point. THENCE continuing along the said
 100 northeasterly right-of-way line of George Busbee Parkway, northwesterly and northerly
 101 a distance of 90.25 feet along the arc of a curve to the right, having a radius of 661.20
 102 feet and being subtended by a chord which bears North 24 degrees 16 minutes 24
 103 seconds West, for a distance of 90.18 feet, to a point; THENCE continuing along the
 104 said northeasterly right-of-way line of George Busbee Parkway, North 11 degrees 25
 105 minutes 47 seconds West, a distance of 147.66 feet to a point on the southerly
 106 right-of-way line of Shiloh road (right-of-way varies); THENCE along the said
 107 southerly right-of-way line of Shiloh Road North 70 degrees 16 minutes 54 seconds
 108 East, a distance of 155.17 feet to a point; THENCE continuing along the said southerly
 109 right-of-way line of Shiloh Road North 60 degrees 22 minutes 55 seconds East, a
 110 distance of 78.85 feet to a point; THENCE continuing along the said southerly
 111 right-of-way line of Shiloh Road North 68 degrees 51 minutes 31 seconds East, a
 112 distance of 307.70 feet to a point; THENCE continuing along the said southerly
 113 right-of-way line of Shiloh Road easterly and northeasterly a distance of 430.90 feet
 114 along the arc of a curve to the left, having a radius of 1923.88 feet and being subtended
 115 by a chord which bears North 66 degrees 05 minutes 42 seconds East, for a distance of
 116 430.00 feet, to the POINT OF BEGINNING.

117 Containing 6.197 Acres, more or less, and shown on a Zoning Exhibit of Property for
 118 Towne View Baptist Church, as Tract 1.

119 Tract 4.

120 ALL That tract or parcel of land lying or being in Land Lots 59 & 94, of the 20th District,
 121 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly
 122 described as follows:

123 Commencing at the intersection of the southerly right-of-way line of Shiloh Road
 124 (right-of-way varies) and the westerly right-of-way line of Frey Road (100-foot
 125 right-of-way) said point being the POINT OF BEGINNING; THENCE proceeding
 126 along the said westerly right-of-way line of Frey Road South 02 degrees 10 minutes 30
 127 seconds West, a distance of 270.27 feet to a point; THENCE continuing along the said
 128 westerly right-of-way line of Frey Road and crossing from Land Lot 59 into Land Lot
 129 94, South 01 degrees 29 minutes 26 seconds West, a distance of 86.92 feet to a point
 130 and the TRUE POINT OF COMMENCEMENT; THENCE continuing along the said
 131 westerly right-of-way line of Frey Road and crossing from Land Lot 59 into Land Lot
 132 94, South 01 degrees 29 minutes 26 seconds West, a distance of 528.73 feet to a point.
 133 THENCE leaving the said westerly right-of-way line of Frey Road proceed North 88
 134 degrees 42 minutes 18 seconds West, a distance of 668.69 feet to a point on the

135 northeasterly right-of-way line of George Busbee Parkway (right-of-way varies);
136 THENCE along the said northeasterly right-of-way line of George Busbee Parkway,
137 crossing from Land Lot 94 to Land Lot 59 North 31 degrees 32 minutes 59 seconds
138 West, a distance of 95.24 feet to a point, THENCE continuing along the said
139 northeasterly right-of-way line of George Busbee Parkway, northwesterly and northerly
140 a distance of 206.19 feet along the arc of a curve to the right, having a radius of 661.20
141 feet and being subtended by a chord which bears North 24 degrees 16 minutes 24
142 seconds West, for a distance of 205.36 feet, to a point; THENCE leaving the said
143 northeasterly right-of-way line of George Busbee Parkway, South 89 degrees 55
144 minutes 07 seconds East, a distance of 393.59 feet to a point. THENCE turning a
145 bearing northeasterly North 40 degrees 08 minutes 12 seconds East, a distance of
146 333.12 feet to a point; THENCE turning a bearing southeasterly South 89 degrees 15
147 minutes 41 seconds East, a distance of 220.79 feet to a point and THE TRUE POINT
148 OF COMMENCEMENT.

149 Containing 6.53 Acres, more or less, and shown on a Zoning Exhibit of Property for
150 Towne View Baptist Church, as Tract 1 & 2."

151 **SECTION 2.**

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