

House Bill 1244

By: Representatives Setzler of the 35<sup>th</sup>, Ehrhart of the 36<sup>th</sup>, Wilkerson of the 33<sup>rd</sup>, Johnson of the 37<sup>th</sup>, Manning of the 32<sup>nd</sup>, 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), and as amended by an Act  
4 approved April 20, 2011 (Ga. L. 2011, p. 3645), so as to change the provisions relating to the  
5 corporate limits of the city; to repeal conflicting laws; and for other 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), and as amended by an Act  
11 approved April 20, 2011 (Ga. L. 2011, p. 3645), is amended by adding at the end of Section  
12 1.01 the following:

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

15 **TRACT NO. 1**

16 All That Tract Or Parcel of Land Lying And Being In Land Lot 216 Of The 20th District,  
17 2nd Section, Cobb County, Georgia as shown on plat of survey by S.J. Gostin Company,  
18 Inc., dated November 8, 1972, recorded in Plat Book 56, Page 207, Cobb County  
19 Records, and being more Particularly Described As Follows:

20 BEGINNING at an iron pin on the westerly right of way of Kennesaw-Due West Road  
21 493.7 feet north of the intersection of the westerly right of way of Kennesaw-Due West  
22 Road with the northeasterly right of way of Stilesboro Road, as measured along the  
23 westerly right of way of Kennesaw-Due West Road; thence south 84 degrees 48  
24 minutes west 144.4 feet to an iron pin; thence north 36 degrees 05 minutes west 100  
25 feet to an iron pin; thence north 40 degrees 44 minutes east 65.8 feet to an iron pin;  
26 thence north 89 degrees 32 minutes east 170 feet to an iron pin at the westerly right of

27 way of Kennesaw-Due West Road; thence south 04 degrees 54 minutes west 119.4 feet  
28 along the westerly right of way of Kennesaw-Due West Road to an iron pin and the  
29 POINT OF BEGINNING  
30 Said tract of land containing total acreage of .519+/- acre

31 TRACT NO. 2

32 All That Tract Or Parcel of Land Lying And Being In Land Lot 216 Of The 20th District,  
33 2nd Section, Cobb County, Georgia And Being 1.1 acre as shown on plat made for Roy  
34 W. Hood Dated October 6, 1967, and being more Particularly Described As Follows:

35 BEGINNING at an iron pin located on the Westerly side of Due West Kennesaw Road  
36 1241.5 feet Southerly and following the curvature of Due West Kennesaw Road from  
37 the intersection of the Westerly side of said road with the original North line of Land  
38 Lot 216; thence running Westerly for a distance of 248 feet to an iron pin and corner;  
39 thence running Southerly and forming an interior angle of 86 degrees, 39 minutes for  
40 a distance of 209.5 feet to an iron pin and corner; thence running Easterly and forming  
41 an interior angle of 93 degrees, 21 minutes for a distance of 216.6 feet to an iron pin  
42 and corner located on the Westerly side of Due West Kennesaw Road; thence running  
43 Northerly along the Westerly side of said road for a distance of 210 feet to the point of  
44 beginning.

45 Said tract of land containing total acreage of 1.1+/- acre

46 TRACT NO. 3

47 All that tract or parcel of land lying and being in Land Lot 216, 20th District, 2nd  
48 Section, Cobb County, Georgia, Being Lot 2, Block C, Stilesboro Crossing Subdivision,  
49 Unit Two, as per plan recorded in Plat Book 60, Page 208, Cobb County, Georgia  
50 records, which plat is incorporated herein by reference and made a part hereof for a more  
51 detailed description, being improved property known as 1662 Johnston Trail, NW,  
52 according to the present system of numbering houses in Cobb County, Georgia and being  
53 more particularly shown on survey dated 10 August, 1987 prepared by Georgia Land  
54 Surveying Co., Inc.

55 Said tract of land containing total acreage of .57+/- acre

56 TRACT NO. 4

57 All that tract or parcel of land lying and being in Land Lot 216, 20th District, 2nd  
58 Section, Cobb County, Georgia, Being Lot 3, Block C, Stilesboro Crossing Subdivision,  
59 Unit Two, as per plan recorded in Plat Book 60, Page 208, Records of Cobb County,  
60 Georgia records, which plat is hereby referred to and made a part hereof by reference, and

being more particularly shown on survey prepared by Eston Pendley & Assoc., Inc., dated January 27, 1977.

Said tract of land containing total acreage of .65+/- acre

TRACT NO. 5

All That Tract Or Parcel of Land Lying And Being In Land Lot 216 Of The 20th District, 2nd Section, Cobb County, Georgia And Being More Particularly Described As Follows:

BEGINNING at the northerly intersection of the westerly right-of-way of Kennesaw Due West Road (80 foot right-of-way) and the northeasterly right-of-way of Stilesboro Road (70 foot right-of-way) thence North 36 degrees 06' West along the northeasterly right-of-way of Stilesboro Road, 400.0 feet to the TRUE POINT OF BEGINNING; thence north 36 degrees 06' West along said right-of-way of Stilesboro Road 100.0 feet to a corner, thence North 40 degrees 44' East, 205.5 feet to a corner; thence Sought 36 degrees 06' East, 100 feet to a point and corner; thence South 40 degrees 44' West, 205 feet to a corner on said northeasterly right-of-way of Stilesboro Road and the TRUE POINT OF BEGINNING. Being that 0.46 acre parcel labeled Parcel No. 1 on a certain plat of survey dated October 26, 1972 for Barnes Realty, Inc. By L.J. Gastin Company, Inc. of Macon, Georgia filed December 19, 1972 in Plat Book 56, page 207, Cobb County Records said plat incorporated herein by reference for more complete description. And;

Said tract of land containing total acreage of .38+/- acre

TRACT NO. 6

All that tract or parcel of land lying and being in Land Lot 216 of the 20th District, 2nd Section, Cobb County, Georgia, being Lot 1, Lot 2 and Lot 1, Block "C", Stilesboro Crossing Subdivision, Unit Two, as per plat recorded in Plat Book 60, page 208, Records of Cobb County, Georgia.

Said tract of land containing total acreage of .578+/- acre

TRACT NO. 7

All That Tract Or Parcel of Land Lying And Being In Land Lot 216 Of The 20th District, 2nd Section, Cobb County, Georgia And Being More Particularly Described As Follows:

BEGINNING at a point on the Westerly right-of-way of Kennesaw-Due West Road, 363.7 feet Northerly, as measured along the Westerly right-of-way of Kennesaw-Due West from the intersection of the Westerly right-of-way of Kennesaw-Due West Road and the Northeasterly right-of-way of Stilesboro Road; thence North 85 degrees, 05 minute, 48 seconds West, 217.74 feet to a point; thence North 40 degrees, 44 minutes

95 East, 129.1 feet to a point; thence North 84 degrees, 48 minutes East, 144.4 feet to a  
96 point on the Westerly right-of-way of Kennesaw-Due West Road; thence South 4  
97 degrees, 54 minutes West, along the Westerly right-of-way of Kennesaw-Due West  
98 Road, 130 feet to the point of beginning.

99 Said tract of land containing total acreage of .45+/- acre"

100 **SECTION 2.**

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