

Senate Bill 259

By: Senator Mullis of the 53rd

**AS PASSED SENATE**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To amend an Act providing a new charter for the City of Fort Oglethorpe, approved  
2 April 1, 1996 (Ga. L 1996, p. 3892), as amended, so as to change the corporate limits; to  
3 provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

5  
6 An Act providing a new charter for the City of Fort Oglethorpe, approved April 1, 1996  
7 (Ga. L 1996, p. 3892), as amended, is amended by adding a new subsection to Section 1.11  
8 to read as follows:

9 "(d) After the effective date of this subsection, the boundaries of the city shall not include  
10 the territory described as follows:

11 All that tract or parcel of land lying and being in Original Land Lot Nos. 126 and 127 in  
12 the 9th District and 4th Section of Catoosa County, Georgia and in Land Lot No. 126 in  
13 the 28th District and 3rd Section of Catoosa County, Georgia and being more particularly  
14 described as follows:

15 Beginning at a point located on the south right of way line of State Highway 2A (a  
16 public road with a variable right of way) said point being located north 01 degree 40  
17 minutes 06 seconds west a distance of 145.20 feet with and along the east original line  
18 of said Land lot No. 126 in the 9th District and 4th Section, Catoosa County from the  
19 southeast corner thereof; thence south 77 degrees 34 minutes 19 seconds east with and  
20 along the south right of way line of State Highway 2A a distance of 140.29 feet to a  
21 concrete monument; thence south 76 degrees 53 minutes 00 seconds east continuing  
22 along the south right of way line of State Highway 2A a distance of 208.14 feet to an  
23 iron rod; thence south 52 degrees 13 minutes 51 seconds west a distance of 436.35 feet  
24 to an iron pipe located in the southeast corner of Land Lot No. 126 in the 28th District  
25 and 3rd Section; thence south 00 degrees 53 minutes 59 seconds east with and along the  
26 west line of Land Lot NO. 127 in the 28th District and 3rd Section a distance of  
27 1018.16 feet to an oak tree; thence north 89 degrees 54 minutes 13 seconds west a

distance of 1568.69 feet to a fence corner; thence north 00 degrees 01 minute 08 seconds east a distance of 509.88 feet to an iron pin located in the centerline of a ditch; thence with and along the meanderings of the centerline of said ditch the following chords and distances: south 83 degrees 00 minutes 35 seconds east, 100.53 feet; south 79 degrees 53 minutes 49 seconds east, 169.83 feet; north 68 degrees 45 minutes 05 seconds east, 141.66 feet; north 25 degrees 14 minutes 31 seconds east, 113.32 feet; north 07 degrees 48 minutes 41 seconds east, 204.06 feet; and north 25 degrees 36 minutes 22 seconds east, 144 feet to an iron pin; thence north 08 degrees 00 minutes 23 seconds east a distance of 236 feet to a spike; thence north 88 degrees 43 minutes 53 seconds east a distance of 196.40 feet to an iron rod; thence north 05 degrees 33 minutes 23 seconds east a distance of 297.35 feet to an iron rod; thence north 07 degrees 14 minutes 44 seconds east a distance of 92.94 feet to an iron rod located in the south right of way line of State Highway 2A; thence south 76 degrees 40 minutes 37 seconds east with and along the south right of way line of State Highway 2A a distance of 358.25 feet to a nail; thence south 76 degrees 40 minutes 37 seconds east continuing along the south right of way line of State Highway 2A a distance of 179.50 feet to a concrete monument; thence south 15 degrees 52 minutes 23 seconds west with and along an offset in the south right of way line of State Highway 2A a distance of 44.80 feet to a concrete monument; thence south 77 degrees 34 minutes 19 seconds east continuing along the south right of way line of State Highway 2A a distance of 245.44 feet to the point of beginning.

There is also conveyed the permanent private way and easement described in Judgment in the case of Bernard H Brown, et al V. Samuel D Wise, Catoosa County Civil Action Case No. 96CV30187 and recorded in Deed Book 1239, page 443 in the Office of the Clerk of the Superior Court of Catoosa County, Georgia.

Reference is made to a survey plat of the above described property prepared by Larry Newman, Georgia Registered Surveyor dated January 3, 2006 and review March 22, 2006 which said plat is by reference incorporated herein.

Subject to and together with a 50 foot easement for ingress, egress and to place utilities upon which said easement is shown by dotted lines on the above referenced plat and as set out in Deed Book 1091, page 307 and in Deed Book 793, page 44 in the Office of the Clerk of the Superior Court of Catoosa County, Georgia.

60 Subject to Georgia Department of Transportation conditions, restrictions and  
61 requirements for access from the above described property to Georgia Highway 2A  
62 which include, but or not limited to, application and construction requirements as  
63 prescribed by the Georgia Department of Transportation."

64 **SECTION 2.**

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