

House Bill 1128

By: Representatives Henson of the 86<sup>th</sup>, Drenner of the 85<sup>th</sup>, Holcomb of the 81<sup>st</sup>, Jacobs of the 80<sup>th</sup>, Taylor of the 79<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to reincorporate the City of Clarkston in the County of DeKalb, approved  
2 April 21, 1967 (Ga. L. 1967, p. 3391), as amended, so as to change the corporate limits of  
3 the city by annexing certain territory; to provide for related matters; to provide for a  
4 referendum; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 An Act to reincorporate the City of Clarkston in the County of DeKalb, approved  
8 April 21, 1967 (Ga. L. 1967, p. 3391), as amended, is amended by designating the existing  
9 text in Section 1.02 as subsection (a) and adding a new subsection to read as follows:

10 "(b) In addition to all other territory included within the boundaries of the city, the city  
11 shall also include the following described real property:

12 Beginning at a point on the existing corporate limit line of the City of Clarkston  
13 approximately two hundred fifty (250) feet north of the intersection of Casa Drive and  
14 Casa Woods Lane; Then, following the existing curved corporate limit line of the City  
15 of Clarkston in a south-southeasterly direction to a point where the existing corporate  
16 limit line of the City of Clarkston intersects the southern right-of-way line of Rowland  
17 Street, approximately one hundred fifty (150) feet east of the intersection of Rowland and  
18 Lovejoy Streets; Then, following a line consistent with the boundary lines of adjacent  
19 parcels in a westerly direction for approximately two thousand five hundred (2,500) feet,  
20 to a point on the eastern right-of-way line of Interstate 285; Then, following the eastern  
21 right-of-way line of Interstate 285 south to a point approximately seven hundred (700)  
22 feet to the west of the intersection of Northern Avenue and Indian Creek Way; Then,  
23 crossing the right-of-way of Interstate 285 and continuing west following a line consistent  
24 with the boundary lines of adjacent parcels to a point along the eastern right-of-way line  
25 of Glendale Road approximately 1,500 feet southeast of Church Street; Then, following  
26 the eastern right-of-way line of Glendale Road in a northerly direction to its intersection

27 with Gifford Street; Then, following the northern right-of-way line of Gifford Street in  
 28 a southwesterly direction to the end of Gifford Street; Then, continuing in such  
 29 southwesterly direction along a line consistent with adjacent parcels for approximately  
 30 one thousand five hundred (1,500) feet to a point along the eastern right-of-way line of  
 31 Woodland Avenue; Then, following the eastern right-of-way line of Woodland Avenue  
 32 south to its intersection with North Decatur Road; Then, following the northern  
 33 right-of-way line of North Decatur Road west to its intersection with Church Street;  
 34 Then, following the southern right-of-way line of Church Street in a northeasterly  
 35 direction to the western right-of-way line of Interstate 285; Then, crossing the  
 36 right-of-way of Interstate 285 diagonally in a northeasterly direction to the meeting place  
 37 of the eastern right-of-way line of Interstate 285 and the northern right-of-way line of  
 38 East Ponce de Leon Avenue; Then, following the eastern right-of-way line of Interstate  
 39 285 in a northerly direction for approximately nine hundred and eighty (980) feet to a  
 40 point where the eastern right-of-way line of Interstate 285 intersects the existing  
 41 corporate limit line of the City of Clarkston; Then, following the corporate limit line of  
 42 the City of Clarkston in a easterly direction for approximately one hundred and twenty  
 43 (120) feet, then in a northerly direction for approximately two thousand (2,000) feet, then  
 44 in an easterly direction for approximately seven hundred and fifty (750) feet to a point  
 45 approximately two hundred fifty (250) feet north of the intersection of Casa Drive and  
 46 Casa Woods Lane, this point being the point of beginning."

47 **SECTION 2.**

48 Provided that the City of Clarkston conducts a referendum on and the electors approve a  
 49 freeport exemption at the 2014 general primary, the election superintendent of DeKalb  
 50 County shall call and conduct an election as provided in this section for the purpose of  
 51 submitting this Act to the electors of the territory sought to be annexed into the City of  
 52 Clarkston under this Act for approval or rejection. If the City of Clarkston does not conduct  
 53 a referendum on a freeport exemption at the 2014 general primary or if such referendum  
 54 fails, then no election shall be held to approve this Act and this Act shall be repealed by  
 55 operation of law on July 1, 2014. The election superintendent shall conduct such election  
 56 in conjunction with the 2014 general primary and shall issue the call and conduct such  
 57 election as provided by general law. The election superintendent shall cause the date and  
 58 purpose of the election to be published once a week for two weeks immediately preceding  
 59 the date thereof in the official organ of DeKalb County. The ballot shall have written or  
 60 printed thereon the words:

61 "( ) YES Shall the Act be approved which annexes certain land into the City of  
 62 ( ) NO Clarkston?"

63 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons  
64 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the  
65 votes cast on such question are for approval of the annexation, then this Act shall become  
66 effective on January 1, 2015. If more than one-half of the votes cast on such question are for  
67 rejection of the annexation, this Act shall not become effective and shall be automatically  
68 repealed on the first day of January immediately following such election date. The expense  
69 of such election shall be borne by the City of Clarkston. It shall be the election  
70 superintendent's duty to certify the result thereof to the Secretary of State.

71 **SECTION 3.**

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