

Senators Henson of the 41st, Parent of the 42nd, Butler of the 55th and Millar of the 40th offers the following substitute to HB 661:

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 **PART ONE**

7 **SECTION 1-1.**

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

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

13 Beginning at a point approximately one hundred (100) feet south of the intersection of
14 Pecan Street and East Ponce de Leon Avenue, where the existing corporate limit line of
15 the City of Clarkston intersects with the CSX railroad; Then, following the CSX railroad
16 in a westerly direction to its intersection with the eastern right-of-way line of Interstate
17 285; Then, following the eastern right-of-way line of Interstate 285 in a northerly
18 direction for approximately nine hundred and eighty (980) feet to a point where the
19 eastern right-of-way line of Interstate 285 intersects the existing corporate limit line of
20 the City of Clarkston; Then, following the corporate limit line of the City of Clarkston
21 in a easterly direction for approximately one hundred and twenty (120) feet, then in a
22 northerly direction for approximately two thousand (2,000) feet, then in an easterly
23 direction for approximately seven hundred and fifty (750) feet to a point approximately
24 two hundred fifty (250) feet north of the intersection of Casa Drive and Casa Woods
25 Lane; Then, following the existing curved corporate limit line of the City of Clarkston

26 in a south-southeasterly direction to a point where the existing corporate limit line of the
 27 City of Clarkston intersects the CSX railroad, this point being the point of beginning.”

28
 29 **SECTION 1-2.**

30 This part shall become effective on January 1, 2016, if approved by the referendum provided
 31 for in Part 3 of this Act.

32 **PART TWO**

33 **SECTION 2-1.**

34 An Act to reincorporate the City of Clarkston in the County of DeKalb, approved
 35 April 21, 1967 (Ga. L. 1967, p. 3391), as amended, is amended by adding a new subsection
 36 to read as follows:

37 “(c) In addition to all other territory included within the boundaries of the city, the city
 38 shall also include the following described real property:

39 Beginning at a point approximately one hundred (100) feet south of the intersection of
 40 Pecan Street and East Ponce de Leon Avenue, where the existing corporate limit line of
 41 the City of Clarkston intersects with the CSX railroad; Then, following the existing
 42 curved corporate limit line of the City of Clarkston in a southeasterly direction to a point
 43 where the existing corporate limit line of the City of Clarkston intersects the southern
 44 right-of-way line of Rowland Street, approximately one hundred fifty (150) feet east of
 45 the intersection of Rowland and Lovejoy Streets; Then, following a line consistent with
 46 the boundary lines of adjacent parcels in a westerly direction for approximately two
 47 thousand five hundred (2,500) feet, to a point on the eastern right-of-way line of Interstate
 48 285; Then, following the eastern right-of-way line of Interstate 285 south to a point
 49 approximately seven hundred (700) feet to the west of the intersection of Northern
 50 Avenue and Indian Creek Way; Then, crossing the right-of-way of Interstate 285 and
 51 continuing west following a line consistent with the boundary lines of adjacent parcels
 52 to a point along the eastern right-of-way line of Glendale Road approximately one
 53 thousand five hundred (1,500) feet southeast of Church Street; Then, following the
 54 eastern right-of-way line of Glendale Road in a northerly direction to its intersection with
 55 Gifford Street; Then, following the northern right- of-way line of Gifford Street in a
 56 southwesterly direction to the end of Gifford Street; Then, continuing in such
 57 southwesterly direction along a line consistent with adjacent parcels for approximately
 58 one thousand five hundred (1,500) feet to a point along the eastern right-of-way line of
 59 Woodland Avenue; Then, following the eastern right-of-way line of Woodland Avenue
 60 south to its intersection with North Decatur Road; Then, following the northern
 61 right-of-way line of North Decatur Road west to its intersection with the CSX railroad;

62 Then, following the CSX railroad northeast to the point where it intersects with the
 63 existing corporate limit line of the City of Clarkston, this point being the point of
 64 beginning."

65 **SECTION 2-2.**

66 This part shall become effective on January 1, 2016.

67 **PART THREE**

68 **SECTION 3-1.**

69 The election superintendent of DeKalb County shall call and conduct an election as provided
 70 in this section for the purpose of submitting this part to the electors of the territory sought to
 71 be annexed into the City of Clarkston under Part 1 of this Act for approval or rejection. The
 72 election superintendent shall conduct such election on the Tuesday next following the first
 73 Monday in November, 2015, and shall issue the call and conduct such election as provided
 74 by general law. The election superintendent shall cause the date and purpose of the election
 75 to be published once a week for two weeks immediately preceding the date thereof in the
 76 official organ of DeKalb County. The ballot shall have written or printed thereon the words:

77 "() YES Shall Part Two of the Act which annexes certain land into the City of
 78 () NO Clarkston be approved?"

79 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons
 80 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the
 81 votes cast on such question are for approval of the annexation, then this part shall become
 82 effective on January 1, 2016. If more than one-half of the votes cast on such question are for
 83 rejection of the annexation, this part shall not become effective and shall be automatically
 84 repealed on the first day of January immediately following such election date. The expense
 85 of such election shall be borne by the City of Clarkston. It shall be the election
 86 superintendent's duty to certify the result thereof to the Secretary of State.

87 **SECTION 3-2.**

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