

House Bill 661

By: Representatives Marin of the 96th, Moore of the 95th, Clark of the 108th, McLeod of the 105th, McClain of the 100th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Norcross, Georgia, approved
2 March 28, 1990 (Ga. L. 1990, p. 4934), as amended, particularly by an Act approved
3 May 12, 2011 (Ga. L. 2011, p. 4036), and an Act approved April 11, 2012 (Ga. L. 2012, p.
4 4917), so as to change the corporate limits of the City of Norcross; to redesignate a
5 subsection; to provide for related matters; to provide for a referendum; to provide for
6 contingent effective dates and automatic repeal; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act to amend an Act creating a new charter for the City of Norcross, Georgia, approved
11 April 11, 2012 (Ga. L. 2012, p. 4917), is amended by redesignating subsection (h) of
12 Section 1.12 as new subsection (h.1) of Section 1.12.

13 **SECTION 2.**

14 An Act creating a new charter for the City of Norcross, Georgia, approved March 28, 1990
15 (Ga. L. 1990, p. 4934), as amended, particularly by an Act approved May 12, 2011 (Ga. L.
16 2011, p. 4036), and an Act approved April 11, 2012 (Ga. L. 2012, p. 4917), is revised by
17 adding a new subsection to read as follows:

18 "(h.2) In addition to all other territory included within the corporate limits of said city, the
19 corporate limits shall specifically include the following described property, all of which is
20 located in Gwinnett County, Georgia:

21 Legal Description Tract 'A'

22 All of the tract or parcel of land lying and being in land lot 244 of the 6th land district of
23 Gwinnett County, Georgia, which tract is more particularly described in Deed Book 3249,
24 page 280, of the real property records of the Clerk of Superior Court of Gwinnett County,

25 Georgia, and Plat Book 18, page 187A, of such records, consisting of 0.983 acres, more or
26 less.

27 Legal Description Tract 'B'

28 All of the tract or parcel of land lying and being in land lots 216, 217, 218, 219, 220, 221,
29 222, 223, 244, 245, 246A, 246B, and 247 of the 6th land district of Gwinnett County,
30 Georgia, which tract is more particularly described as follows:

31 Beginning at a point located at the intersection of the existing City of Peachtree Corners,
32 Georgia city limits line and the existing City of Norcross, Georgia city limits line at or near
33 the intersection of Buford Highway (a variable width right-of-way) and Jimmy Carter
34 Boulevard (a variable width right-of-way), said point being the POINT OF BEGINNING;
35 thence running in a generally southerly and southeasterly direction along the existing City
36 of Norcross, Georgia city limits line along and/or adjacent to the aforesaid Jimmy Carter
37 Boulevard to a point located at the intersection of aforesaid Jimmy Carter Boulevard
38 right-of-way and the existing City of Norcross, Georgia city limits line and the northeasterly
39 boundary line of property now or formerly owned by Urban Redevelopment Agency of
40 Gwinnett County (formerly owned by OFS Brightwave Solutions, Inc.), commonly known
41 as 6305 Crescent Drive, Norcross, Georgia and with the Tax Parcel Identification Number
42 R6216 018 according to the current system for numbering and identifying real property in
43 the City of Norcross, Gwinnett County, Georgia, being further depicted and described in
44 Exhibit "C" entitled "Legal Description of Parcel B (Conveyed Property)" to that certain
45 Declaration of Covenants, Restrictions and Easements, dated December 20, 2018, recorded
46 on December 20, 2018 in Deed Book 56322, page 852, of the real property records of the
47 Clerk of Superior Court of Gwinnett County, Georgia; thence departing the aforesaid Jimmy
48 Carter Boulevard right-of-way, turning and running in a generally westerly direction along
49 the northern boundary line of the aforesaid lands now or formerly owned by Urban
50 Redevelopment Agency of Gwinnett County; thence continuing in a generally westerly
51 direction along the northern boundary line of lands now or formerly owned by OFS
52 Brightwave Solutions, Inc. (being further depicted and described in Exhibit "B" entitled
53 "Legal Description of Parcel A (OFS Retained Property)" to that certain Declaration of
54 Covenants, Restrictions and Easements, dated December 20, 2018, recorded on
55 December 20, 2018 in Deed Book 56322, page 852, of the real property records of the Clerk
56 of Superior Court of Gwinnett County, Georgia, to the northwestern edge of the boundary
57 line of the aforesaid lands now or formerly owned by OFS Brightwave Solutions Inc.; thence
58 turning and running in a generally southerly direction along the western boundary line of the
59 aforesaid lands now or formerly owned by OFS Brightwave Solutions Inc.; thence continuing
60 in a generally southerly direction along the western boundary line of lands now or formerly
61 owned by Urban Redevelopment Agency of Gwinnett County to the northern boundary of

62 lands now or formerly owned by the Georgia Department of Transportation being commonly
 63 known as Interstate I-85 (a variable width right-of-way); thence turning and running in a
 64 generally westerly and southwesterly direction along the northern boundary line of the
 65 aforesaid interstate I-85 right-of-way to a point at the intersection of the northern boundary
 66 line of the aforesaid interstate I-85 right-of-way and portion of the existing DeKalb County,
 67 Georgia, eastern county limits line; thence departing the aforesaid interstate I-85
 68 right-of-way, turning and running in a generally northerly and north westerly direction along
 69 the existing DeKalb County, Georgia eastern county limits line to the point of intersection
 70 of the centerline of the aforesaid Buford Highway and a portion of the existing City of
 71 Peachtree Corners, Georgia southern city limits and the DeKalb County, Georgia eastern
 72 county limits line; thence turning and running in a generally easterly and north easterly
 73 direction along the centerline of the aforesaid Buford Highway, being the southern common
 74 boundary line of the City of Peachtree Corners, Georgia city limits line to the point of
 75 intersection of the common boundary line of the City of Peachtree Corners, Georgia southern
 76 city limits and the existing City of Norcross, Georgia westerly city limits line being the
 77 POINT OF BEGINNING."

78

SECTION 3.

79 The election superintendent of Gwinnett County shall call and conduct an election as
 80 provided in this section for the purpose of submitting this Act to the electors of the territory
 81 sought to be annexed into the City of Norcross under this Act for approval or rejection. The
 82 election superintendent shall conduct such election on the date of the November, 2020,
 83 general election and shall issue the call and conduct such election as provided by general law.
 84 The election superintendent shall cause the date and purpose of the election to be published
 85 once a week for two weeks immediately preceding the date thereof in the official organ of
 86 Gwinnett County. The ballot shall have written or printed thereon the words:

87 "() YES Shall the Act be approved which annexes certain land into the City of
 88 () NO Norcross?"

89 All persons desiring to vote for approval of the Act shall vote "Yes" and all persons desiring
 90 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 91 such question are for approval of the Act, then Section 2 of this Act shall become effective
 92 on January 1, 2021. If more than one-half of the votes cast on such question are for rejection
 93 of the Act or if the election is not held as provided in this section, then Section 2 of this Act
 94 shall not become effective and this Act shall be automatically repealed on January 1, 2021.
 95 The expense of such election shall be borne by the City of Norcross. It shall be the election
 96 superintendent's duty to certify the result thereof to the Secretary of State.

97 **SECTION 4.**

98 Except as provided in Section 3 of this Act, this Act shall become effective upon its approval
99 by the Governor or upon its becoming law without such approval.

100 **SECTION 5.**

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