

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 661:

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 referenda; to provide for contingent  
6 effective dates and automatic repeal; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 **SECTION 2.**

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

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

20 Legal Description Tract 'A'

21 All of the tract or parcel of land lying and being in land lot 244 of the 6th land district of  
22 Gwinnett County, Georgia, which tract is more particularly described in Deed Book 3249,  
23 page 280, of the real property records of the Clerk of Superior Court of Gwinnett County,  
24 Georgia, and Plat Book 18, page 187A, of such records, consisting of 0.983 acres, more or  
25 less.

## 26 Legal Description Tract 'B'

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

30 Beginning at a point located at the intersection of the existing City of Peachtree Corners,  
31 Georgia city limits line and the existing City of Norcross, Georgia city limits line at or near  
32 the intersection of Buford Highway (a variable width right-of-way) and Jimmy Carter  
33 Boulevard (a variable width right-of-way), said point being the POINT OF BEGINNING;  
34 thence running in a generally southerly and southeasterly direction along the existing City  
35 of Norcross, Georgia city limits line along and/or adjacent to the aforesaid Jimmy Carter  
36 Boulevard to a point located at the intersection of aforesaid Jimmy Carter Boulevard  
37 right-of-way and the existing City of Norcross, Georgia city limits line and the northeasterly  
38 boundary line of property now or formerly owned by Urban Redevelopment Agency of  
39 Gwinnett County (formerly owned by OFS Brightwave Solutions, Inc.), commonly known  
40 as 6305 Crescent Drive, Norcross, Georgia and with the Tax Parcel Identification Number  
41 R6216 018 according to the current system for numbering and identifying real property in  
42 the City of Norcross, Gwinnett County, Georgia, being further depicted and described in  
43 Exhibit "C" entitled "Legal Description of Parcel B (Conveyed Property)" to that certain  
44 Declaration of Covenants, Restrictions and Easements, dated December 20, 2018, recorded  
45 on December 20, 2018 in Deed Book 56322, page 852, of the real property records of the  
46 Clerk of Superior Court of Gwinnett County, Georgia; thence departing the aforesaid Jimmy  
47 Carter Boulevard right-of-way, turning and running in a generally westerly direction along  
48 the northern boundary line of the aforesaid lands now or formerly owned by Urban  
49 Redevelopment Agency of Gwinnett County; thence continuing in a generally westerly  
50 direction along the northern boundary line of lands now or formerly owned by OFS  
51 Brightwave Solutions, Inc. (being further depicted and described in Exhibit "B" entitled  
52 "Legal Description of Parcel A (OFS Retained Property)" to that certain Declaration of  
53 Covenants, Restrictions and Easements, dated December 20, 2018, recorded on  
54 December 20, 2018 in Deed Book 56322, page 852, of the real property records of the Clerk  
55 of Superior Court of Gwinnett County, Georgia, to the northwestern edge of the boundary  
56 line of the aforesaid lands now or formerly owned by OFS Brightwave Solutions Inc.; thence  
57 turning and running in a generally southerly direction along the western boundary line of the  
58 aforesaid lands now or formerly owned by OFS Brightwave Solutions Inc.; thence continuing  
59 in a generally southerly direction along the western boundary line of lands now or formerly  
60 owned by Urban Redevelopment Agency of Gwinnett County to the northern boundary of  
61 lands now or formerly owned by the Georgia Department of Transportation being commonly  
62 known as Interstate I-85 (a variable width right-of-way); thence turning and running in a

63 generally westerly and southwesterly direction along the northern boundary line of the  
 64 aforesaid interstate I-85 right-of-way to a point at the intersection of the northern boundary  
 65 line of the aforesaid interstate I-85 right-of-way and portion of the existing DeKalb County,  
 66 Georgia, eastern county limits line; thence departing the aforesaid interstate I-85  
 67 right-of-way, turning and running in a generally northerly and north westerly direction along  
 68 the existing DeKalb County, Georgia eastern county limits line to the point of intersection  
 69 of the centerline of the aforesaid Buford Highway and a portion of the existing City of  
 70 Peachtree Corners, Georgia southern city limits and the DeKalb County, Georgia eastern  
 71 county limits line; thence turning and running in a generally easterly and north easterly  
 72 direction along the centerline of the aforesaid Buford Highway, being the southern common  
 73 boundary line of the City of Peachtree Corners, Georgia city limits line to the point of  
 74 intersection of the common boundary line of the City of Peachtree Corners, Georgia southern  
 75 city limits and the existing City of Norcross, Georgia westerly city limits line being the  
 76 POINT OF BEGINNING."

77 **SECTION 3.**

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

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

88 All persons desiring to vote for approval of the Act shall vote "Yes" and all persons desiring  
 89 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 90 such question and for the question provided for in Section 4 of this Act are for approval of  
 91 the Act, then Section 2 of this Act shall become effective on January 1, 2021. If more than  
 92 one-half of the votes cast on either such question are for rejection of the Act or if either  
 93 election is not held as provided in this section, then Section 2 of this Act shall not become  
 94 effective and this Act shall be automatically repealed on January 1, 2021. The expense of  
 95 such election shall be borne by the City of Norcross. It shall be the election superintendent's  
 96 duty to certify the result thereof to the Secretary of State.

97 **SECTION 4.**

98 The election superintendent of the City of Norcross shall call and conduct an election as  
 99 provided in this section for the purpose of submitting this Act to the electors of the City of  
 100 Norcross under this Act for approval or rejection. The election superintendent shall conduct  
 101 such election on the date of the November, 2020, general election and shall issue the call and  
 102 conduct such election as provided by general law. The election superintendent shall cause  
 103 the date and purpose of the election to be published once a week for two weeks immediately  
 104 preceding the date thereof in the official organ of the City of Norcross. The ballot shall have  
 105 written or printed thereon the words:

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

108 All persons desiring to vote for approval of the Act shall vote "Yes" and all persons desiring  
 109 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 110 such question and for the question provided for in Section 3 of this Act are for approval of  
 111 the Act, then Section 2 of this Act shall become effective on January 1, 2021. If more than  
 112 one-half of the votes cast on either such question are for rejection of the Act or if either  
 113 election is not held as provided in this section, then Section 2 of this Act shall not become  
 114 effective and this Act shall be automatically repealed on January 1, 2021. The expense of  
 115 such election shall be borne by the City of Norcross. It shall be the election superintendent's  
 116 duty to certify the result thereof to the Secretary of State.

117 **SECTION 5.**

118 Except as provided in Section 3 and Section 4 of this Act, this Act shall become effective  
 119 upon its approval by the Governor or upon its becoming law without such approval.

120 **SECTION 6.**

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