

House Bill 1538 (AS PASSED HOUSE AND SENATE)

By: Representatives Anulewicz of the 42nd, Allen of the 40th, Jones of the 53rd, Smith of the 41st, Thomas of the 39th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Smyrna, approved August 27, 1931
2 (Ga. L. 1931, p. 955), as amended, so as to provide for the annexation of certain territory into
3 the boundaries of the city; to provide for related matters; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act creating a new charter for the City of Smyrna, approved August 27, 1931
8 (Ga. L. 1931, p. 955), as amended, is amended by adding a new section to read as follows:

9 *"Extension of 2022 (Section 4FF)*

10 There shall be included in the corporate limits of the City of Smyrna all of the area
11 embraced within the following described tracts and parcels of land:

12 Parcel 1

13 All that tract or parcel of land lying and being in Land Lots 282, 283, 284, 175, 171, 176,
14 and 177 of the 18th District of Cobb County and including the following properties; 6271
15 River View Road (Tax ID No. 18017500120); 6269 Riverview Road (Tax ID No.
16 18017500110); 6210 Nichols Drive (Tax ID No. 18017500130); 6281 Oakdale Road (Tax

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17 ID No. 18017700230); 1465 Veteran Memorial Highway (Tax ID No. 18028200030); 1479
18 VETERANS MEMORIAL HWY (TAX ID 18028200040); 1483 VETERANS
19 MEMORIAL HWY (TAX ID 18028200050); 1491 VETERANS MEMORIAL HWY
20 (TAX ID 18028300020); 1501 VETERANS MEMORIAL HWY (TAX ID 18028300030);
21 1511 VETERANS MEMORIAL HWY (TAX ID 18028300040); 1513 VETERANS
22 MEMORIAL HWY (TAX ID 18028300050); 1521 VETERANS MEMORIAL HWY
23 (TAX ID 18028300060); 6400 RIVER VIEW RD (TAX ID 18028300070); 1625
24 VETERANS MEMORIAL HWY (TAX ID 18028300080); 6377 RIVER VIEW RD (TAX
25 ID 18028400060); 6323 RIVER VIEW RD (TAX ID 18028400080); 6100 NICHOLS DR
26 (TAX ID 18017100070); 6150 NICHOLS DR (TAX ID 18017500080); 1650
27 ARMSTRONG PL (TAX ID 18017600100); RIVER VIEW RD (TAX ID 18017500070);
28 6324 RIVER VIEW RD (TAX ID 18028400010); 6330 RIVER VIEW RD (TAX ID
29 18028400020); 6384 RIVER VIEW RD (TAX ID 18028400030); and 1648 Armstrong
30 Place (Parcel ID No. 18017500060) and being more particularly described as:
31 Begin at a point where the northeast side of Veterans Memorial Highway intersects the
32 southeast right-of-way on Oakdale Road; running thence southeast along the northeast side
33 of Veterans Memorial Highway and following the meanderings thereof to the northwest
34 side of the Chattahoochee River; running thence northeasterly along the northwest side of
35 said river to the northeast boundary of property conveyed to Riverview Land Investments,
36 LLC in Deed Book 15899 , Page 4160, Cobb County Records, hereinafter "Riverview Land
37 Property" (said property is also described as 6323 Riverview Road and Tax Parcel
38 18028400080 according to the present numbering systems in Cobb County); running
39 thence northwest along said northeast boundary of said Riverview Land Property to a point
40 where such property boundary meets the south side of Riverview Road; thence traveling
41 North West across Riverview Road to a point on the North West right of way of said road
42 where it intersects the North East property line of property owned by Helen Hair Stamps,
43 as Trustee under The Helen Hair Stamps Revocable Trust dated July 3, 2019 (hereinafter

44 "Stamps Trust") (said property is described as 6324 Riverview Road, designated as Tax
45 Parcel 18028400010 and described in Deed Book 15660, Page 5180, Cobb County,
46 Georgia); running thence northeast along the northwest boundary of Riverview Road to
47 a point where Riverview Road intersects Nichols Drive; running thence northwest along
48 the southern and western right-of-way of Nichols Drive to a point where the westerly
49 right-of-way of Nichols Drive intersects the north line of property now or formerly owned
50 by Rogers Cartage Co. (said property is also described as 6100 Nichols Drive and
51 designated as Tax Parcel 18017100070 and described in Deed Book 15604, Page 4389,
52 Cobb County Records); thence running west along said north property line of the Rogers
53 Cartage Property to a point where such property line intersects the common land lot line
54 to Land Lots 170 and 171; running thence south along said common land lot line for Land
55 Lots 170 and 171 along the Western boundary of the Rogers Cartage Co. property line to
56 a point where such Western property line intersects the North East property line of
57 property now or formerly owned by the City of Smyrna (said property being Tax Parcel
58 18017001180); running thence southeasterly along the southwest property line of said
59 Rogers Cartage property to a point where the southwestern boundary of the Rogers Cartage
60 Co. property intersects the northeasterly property line of property now or formerly owned
61 by 6150 Nichols, LLC (said property is also described as 6150 Nichols Drive and
62 designated as Tax Parcel 18017500080 and described in Deed Book 15716, Page 1344,
63 Cobb County Records); running thence south and west, along the northwestern boundary
64 of said 6150 Nichols, LLC property to a point where such property line joins the
65 northwesterly property line of property now or formerly owned by Vincent M.
66 Gissendanner (said property is also described as 1650 Armstrong Place, designated as Tax
67 Parcel 18017600100 and described in Deed Book 9597, Page 85, Cobb County Records);
68 running thence southwest along the northwesterly property line of the Gissendanner tract
69 a distance of 77.80 feet more or less to a point; thence continuing southwest along the
70 northwesterly property line of the Gissendanner tract to a point where the southwest

71 boundary of the Gissendanner tract intersects the northwest boundary of property now or
72 formerly owned by Meritage Homes of Georgia, Inc (said property is also described as
73 1648 Armstrong Place, designated as Tax Parcel 18017500060 and described in Deed Book
74 16010, Page 6249 , Cobb County Records); running thence southwest along the northwest
75 boundary of said Meritage Homes property (said line dividing said property from property
76 owned by Oakdale Bluffs Community Association, Tax Parcel 18017601590) to a point
77 where said line intersects the northwest boundary line of property owned by Helen Hair
78 Stamps, as Trustee under The Helen Hair Stamps Revocable Trust dated July 3, 2019
79 (hereinafter "Stamps Trust") (said property is described as 6324 Riverview Road,
80 designated as Tax Parcel 18028400010 and described in Deed Book 15660, Page 5180,
81 Cobb County Records); running thence southwest along the northwest boundary of said
82 Stamps Trust property to a point where such property line joins the northwest property line
83 of property known or formerly owned by Helen Hair Stamps as Trustee under The Helen
84 Hair Stamps Revocable Trust dated July 3, 2019 (hereinafter "The Stamps Trust Property
85 2") (said property is described as 6330 Riverview Road, designated as Tax Parcel
86 18028400020 and described in Deed Book 15660, Page 5184, Cobb County Records);
87 running thence southwest, along the northwest property boundary of The Stamps Trust
88 Property 2 to a point where said property line joins the northwest property line of property
89 now or formerly owned by Riverview Land Investments, LLC (said property is also
90 described as 6384 Riverview Road and designated as Tax Parcel 18028400030)
91 (hereinafter the "Riverview Land Tract"); running thence southwest, along the northwest
92 boundary of the Riverview Land tract to a point where said boundary line joins the
93 northeast boundary of property now or formerly owned by Laesk Development LLC (said
94 tract is also described as 1465 Veterans Memorial Highway, designated as Tax Parcel
95 18028200030 and described in Deed Book 15694, Page 1071, Cobb County Records)
96 (hereinafter the "Laesk Tract"); running thence northwest, along the northeast boundary of
97 the Laesk Tract to a point where said line meets the southeasterly boundary of property

98 now or formerly owned by The Oakdale Bluffs Community Association (said property is
99 designated as Tax Parcel 18017700750) (hereinafter the "Oakdale Bluffs Tract"); running
100 thence southwest along a line that is the boundary between the northwest property line of
101 the Laesk Tract and the southeast property line of The Oakdale Bluffs tract to a point where
102 such line joins the southwest boundary line of The Oakdale Bluffs Tract (said line is east
103 boundary of property now or formerly owned by Harma Jean Wilkie, described as 6209
104 Oakdale Road and designated as Tax Parcel 18017700060) (hereinafter the "Wilkie
105 Tract"); continuing thence southwest along the North property line of the Laesk Tract (said
106 property line separating the Wilkie Tract and The Oakdale Bluffs Tract) to a point where
107 it meets the north east boundary of property now or formerly owned by Race Trac
108 Petroleum, Inc. (said tract is described as 6281 Oakdale Rd and designated as Tax Parcel
109 18017700230); running thence north west along the north east boundary of said Racetrac
110 Petroleum Tract to a point on the easterly right of way of Oakdale Rd; running thence south
111 along the easterly right-of-way of Oakdale Road to a point where the southeast
112 right-of-way of Oakdale Road intersects the northeast right-of-way of Veterans Memorial
113 Highway which point is the point of beginning.

114 Parcel 2

115 COMBINED TRACT ONE AND TWO

116 Tax Parcels 18006100060 & 18006100080

117 All that tract or parcel of land lying and being in Land Lots 61, 62 and 172 of the 18th
118 District, 2nd Section, Cobb County, Georgia, and being identified as tax parcel
119 identification numbers 18006100060, 18006100080 and shown on plat of survey for
120 Phoenix Crane Rental dated November 28, 1998, by David W. Lynah, RLS #1845, said
121 parcel measuring 9.18 acres, more fully and particularly described as follows:

122 Beginning at a point marked by an iron pin found at the common corner of Land Lots 61,
123 62, 171 and 172; thence proceeding along the southern line of Land Lot 62 (the line

124 common to Land Lots 62 and 171) south 89 degrees 34 minutes 21 seconds west for a
125 distance of 734.67 feet to a point marked by an iron pin found on said Land Lot line; thence
126 departing said Land Lot line north 31 degrees 21 minutes 10 seconds east for a distance of
127 677.52 feet to a point marked by an iron pin located on the southwesterly right-of-way of
128 Dickerson Drive (a 40' right-of-way); thence proceeding along said southwesterly
129 right-of-way of Dickerson Drive south 64 degrees 50 minutes 20 seconds east for a
130 distance of 471.20 feet to a point; thence continuing along said right-of-way of Dickerson
131 Drive along an arc in a southeasterly and southerly direction for an arc distance of 402.51
132 feet, said arc being subtended by a chord having a bearing of south 57 degrees 34 minutes
133 10 seconds east and a distance of 400.00 feet to a point; thence continuing along said
134 right-of-way along an arc in a southeasterly and southerly direction for an arc distance of
135 127.59 feet, said arc being subtended by a chord having a bearing of south 29 degrees 30
136 minutes 04 seconds east and a distance of 124.30 feet to a point marked by an iron pin
137 located on said right-of-way; thence departing said right-of-way south 63 degrees 33
138 minutes 00 seconds west to a distance of 120.00 feet to a point marked by an iron pin
139 located on the south line of Land Lot 61 (the line common to Land Lots 61 and 172);
140 thence departing said Land Lot Line south 77 degrees 09 minutes 04 seconds west for a
141 distance of 215.08 feet to a point marked by an iron pin; thence proceeding north 67
142 degrees 53 minutes 25 seconds west for a distance of 136.06 feet to the true point of
143 beginning as established hereinabove.

144 TRACT THREE

145 1835 Dickerson Drive - Parcel 18006100040

146 All that tract or parcel of land lying and being in Land Lots 61, 62 and 172 of the 18th
147 District and 2nd Section of Cobb County, Georgia and being identified as 1835 Dickerson
148 Drive, Tax Parcel 18006100040 and being more particularly described as follows:

149 BEGINNING at the northeasterly intersection of Riverview Road and Dickerson Drive;
150 running thence northwesterly along the northeasterly right of way of Dickerson Drive a
151 distance of 357.49 feet to THE TRUE POINT OF BEGINNING; running thence
152 northwesterly along the northeasterly right of way of Dickerson Drive a distance of 825
153 feet to a point; running thence north 28 degrees 29 minutes 00 seconds east a distance of
154 200 feet; running thence north 1 degree 15 minutes 00 seconds east a distance of 119.9 feet;
155 running thence south 59 degrees 09 minutes 00 seconds east a distance of 1258.62 feet;
156 running thence south 46 degrees 58 minutes 00 seconds west a distance of 355.10 feet to
157 THE TRUE POINT OF BEGINNING.

158 TRACT FOUR

159 1855 Dickerson Drive - Parcel 18017200170

160 All that tract or parcel of land lying and being in Land Lots 61 and 172 of the 18th District,
161 2nd Section, Cobb County, Georgia, and being identified as 1855 Dickerson Drive, Tax
162 Parcel 18017200170, and being more particularly described as follows:

163 FIND THE POINT OF BEGINNING by locating where the easterly side of Dickerson
164 Drive and the northerly side of Riverview Road intersect; thence from that point of
165 intersection following along the northerly side of Riverview Road northeasterly 117.1 feet
166 to a point which is the TRUE POINT OF BEGINNING; thence from the true point of
167 beginning N 62 degrees and 00 minutes W 140.31 to a point; thence N 05 degrees 33
168 minutes 40 seconds W 141.29 feet to a point; thence N 09 degrees 28 minutes 26 seconds
169 W 110.08 feet to a point; thence N 46 degrees 58 seconds E 355.10 feet to a point; thence
170 S 58 degrees 02 minutes E 340.48 feet to a point located on the northerly side of Riverview
171 Road; thence along Riverview Road S 32 degrees 51 minutes 51 seconds W 124.56 feet to
172 a point; thence S 35 degrees 31 minutes 36 seconds W 100.05 feet to a point; thence S 42
173 degrees 00 minutes 41 seconds W 110.76 feet to a point; thence S 52 degrees W 83.78 feet
174 to a point; thence S 81 degrees 20 minutes W 45.92 feet to a point which is the POINT OF

175 BEGINNING. All according to a survey registered land surveyor, David W. Lynah dated
176 January 30, 1980 and revised March 3, 1980."

177 **SECTION 2.**

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