House Bill 321 (AS PASSED HOUSE AND SENATE)

By: Representatives Manning of the 32nd, Ehrhart of the 36th, Cooper of the 41st, Tumlin of the 38th, Johnson of the 37th, and others

A BILL TO BE ENTITLED

AN ACT

To amend an Act creating a new charter for the City of Kennesaw, approved April 10, 1971 (Ga. L. 1971, p. 3620), as amended, particularly by an Act approved June 3, 2003 (Ga. L. 2003, p. 4373), so as to change the provisions relating to the corporate limits of the city; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a new charter for the City of Kennesaw, approved April 10, 1971 (Ga. L. 1971, p. 3620), as amended, particularly by an Act approved June 3, 2003 (Ga. L. 2003, p. 4373), is amended by adding at the end of Section 1.02 the following:

"The corporate limits of the City of Kennesaw shall also include the following described parcels of land:

Tract 1.

All that tract or parcel of land lying and being in Land Lot 175 of the 20th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the southwesterly right of way of U. S. 41 (Cobb Parkway) and the southeasterly right of way of Ellison Lakes Drive, thence southeasterly along the southwesterly right of way of U. S. 41 a distance of 190 feet to a point, said point being the POINT OF BEGINNING: Thence south 44 degrees 50 minutes 00 seconds east, 110.00 feet to a point; thence south 44 degrees 50 minutes 00 seconds east, 90.00 feet to a point; thence south 47 degrees 10 minutes 00 seconds west, 240.00 feet to a point; thence north 44 degrees 50 minutes 00 seconds west, 90 feet to a point; thence north 44 degrees 50 minutes 00 seconds west, 110.00 feet to a point; thence north 47 degrees 10 minutes 00 seconds east, 240.00 feet to a point, said point being the POINT OF BEGINNING. Said tract or parcel of land contains 1.10 acres.

Tract 2.

All that tract or parcel of land lying and being in Land Lot 211 and 246 of the 20th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a #4 rebar at the common corner of Land Lots 211, 212, 245 and 246; thence along the southern land lot line of Land Lot 211 south 89 degrees 00 minutes 58 seconds east, 307.89 feet to a concrete monument; thence leaving said land lot line north 00 degrees 54 minutes 45 seconds west, 84.74 feet to a point; thence north 75 degrees 52 minutes 45 seconds east, 774.38 feet to a point on the southwestern right of way of Ridenour Parkway (50 foot right of way); thence across said right of way north 14 degrees 21 minutes 43 seconds east, 55.27 feet to a point on the northeastern right of way of Ridenour Parkway (50 foot right of way) and the northern side of a 100 foot wide Georgia Power easement, said point being THE POINT OF BEGINNING; thence along said easement north 76 degrees 10 minutes 56 seconds east, 315.77 feet to a point; thence south 63 degrees 43 minutes 03 seconds east, 273.73 feet to a point; thence leaving said easement south 00 degrees 41 minutes 38 seconds east, 202.65 feet to a point on the northwest right of way of Ridenour Road; thence along said right of way south 35 degrees 53 minutes 00 seconds west, 134.79 feet to a point; thence along a curve to the left, an arc distance of 14.01 feet, said curve having a radius of 253.26 feet and being subtended by a chord of 14.01 feet, at south 34 degrees 18 minutes 59 seconds west, to a point on the northeastern most intersection of a mitered intersection of Ridenour Road and Ridenour Parkway; thence along the mitered intersection south 75 degrees 00 minutes 00 seconds west, 28.51 feet to a point; thence along the right of way of Ridenour Parkway along a curve to the right an arc distance of 73.41 feet, said curve having a radius of 170.64 feet and being subtended by a chord of 72.85 feet, at north 45 degrees 37 minutes 31 seconds west, to a point; thence north 33 degrees 18 minutes 00 seconds west, 120.00 feet to a point; thence along a curve to the left, an arc distance of 286.27 feet, said curve having a radius of 434.49 feet and being subtended by a chord of 281.12 feet, at north 52 degrees 10 minutes 30 seconds west, to a point; thence north 71 degrees 03 minutes 00 seconds west 28.07 feet to a point; thence along a curve to the right, an arc distance of 86.21 feet, said curve having a radius of 208.40 feet and being subtended by a chord of 85.59 feet, at north 59 degrees 11 minutes 59 seconds west to a point, said point being the POINT OF BEGINNING. Said tract or parcel of land contains 2.71 acres.

Tract 3.

All that tract or parcel of land lying and being in Land Lot 211 and 246 of the 20th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a #4 rebar at the common corner of Land Lots 211, 212, 245 and 246; thence along the southern land lot line of Land Lot 211 south 89 degrees 00 minutes 58 seconds east 307.89 feet to a concrete monument, said point being the POINT OF BEGINNING; thence leaving said land lot line and running along the city limits line of the City of Kennesaw north 00 degrees 54 minutes 45 seconds west, 84.74 feet to a point; thence north 75 degrees 52 minutes 45 seconds east, 774.38 feet to a point on the southwestern right of way of Ridenour Parkway (50 foot right of way); thence along said right of way along a curve to the left, an arc distance of 80.65 feet, said curve having a radius of 258.40 feet and being subtended by a chord of 80.32 feet, at south 62 degrees 06 minutes 31 seconds east, to a point; thence south 71 degrees 03 minutes 00 seconds east, 28.07 feet to a point; thence along a curve to the right, an arc distance of 253.33 feet, said curve having a radius of 384.49 feet and being subtended by a chord of 248.77 feet, at south 52 degrees 10 minutes 30 seconds east, to a point; thence south 33 degrees 18 minutes 00 seconds east, 120.00 feet to a point; thence along a curve to the left, an arc distance of 103.19 feet, said curve having a radius of 220.64 feet and being subtended by a chord of 102.26 feet, at south 46 degrees 41 minutes 56 seconds east to a point on the northwestern most intersection of a mitered intersection of Ridenour Road and Ridenour Parkway; thence along said miter south 24 degrees 00 minutes 00 seconds east 31.24 feet to a point on the right of way of Ridenour Road; thence along the right of way of said road along a curve to the left, an arc distance of 28.22 feet, said curve having a radius of 253.26 feet and being subtended by a chord of 28.20 feet, at south 09 degrees 11 minutes 33 seconds west, to a point; thence leaving said right of way south 41 degrees 49 minutes 53 seconds west, 15.50 feet to a point; thence north 37 degrees 54 minutes 34 seconds west 153.68 feet to a point; thence south 60 degrees 42 minutes 32 seconds west, 169.07 feet to a point; thence north 85 degrees 12 minutes 52 seconds west, 96.98 feet to a point; thence north 85 degrees 07 minutes 00 seconds west, 149.04 feet to a point; thence north 00 degrees 26 minutes 42 seconds east, 99.05 feet to a concrete monument on the southern land lot line of Land Lot 211; thence along said land lot line north 89 degrees 32 minutes 22 seconds west, 695.61 feet to a point, said point being THE POINT OF BEGINNING. Said tract or parcel of land contains 5.54 acres.

Tract 4.

All that tract or parcel of land lying and being in Land Lot 26 of the 20th District, 2nd Section, Tax Parcel 34, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at a point formed by the intersection of the southeasterly right of way of Hickory Grove Road (50 foot right of way) and the south land lot line of Land Lot 26 (aforesaid district and section; running thence south 86 degrees 31 minutes 44 seconds east and along the south land lot line of Land Lot 26 a distance of 1386.56 feet to a point marked by an iron pin and the true point of beginning; running thence north 12 degrees 20 minutes 09 seconds west a distance of 403.91 feet to a point marked by an iron pin located on the southerly right of way line of Hickory Grove Road (50 foot right of way); running thence north 83 degrees 53 minutes 53 seconds east long the southerly right of way line of Hickory Grove Road a distance of 181.72 feet to a point; running thence northeasterly along the southerly right of way line of Hickory Grove Road, and following the curvature thereof, an arc distance of 220.59 feet (said arc having a chord bearing of north 77 degrees 12 minutes 08 seconds east, a chord distance of 220.09 feet and a radius of 943.78 feet) to a point marked by an iron pin; running thence generally southwesterly, along the westerly right of way line of an abandoned county road, the following courses and distances: south 11 degrees 57 minutes 48 seconds west 74.80 feet to a point; south 19 degrees 22 minutes 49 seconds west 51.26 feet to a point; south 08 degrees 56 minutes 00 seconds west 177.55 feet to a point; thence running southwesterly, along the westerly right of way line of the aforesaid abandoned county road, and following the curvature thereof, an arc distance of 206.47 feet (said arc having a chord bearing of south 30 degrees 03 minutes 11 seconds west a chord distance of 201.82 feet, and a radius of 280.07 feet) to a point marked by an iron pin located on the south land lot line of Land Lot 26; running thence north 86 degrees 31 minutes 44 seconds west along the south land lot line of Land Lot 26 a distance of 148.14 feet to a point marked by an iron pin and the true point of BEGINNING.

The above described property is more particularly shown as a 2.861 acre tract on and delineated according to, that certain plat of survey for Phillip R. Herrin by Smith & Smith Land Surveyors, P.C. and bearing the seal of William C. Smith, Georgia Registered Land Surveyor # 1803, dated October 6, 1995.

Tract 5.

All that tract or parcel of land lying and being in Land Lot 92 of the 20th District, 2nd Section, Cobb County, Georgia, being Parcel 026, Unit Lot 0028, Block I, Recreation Center, Cobb County Recreation Authority (AKA Pinetree Estates), as per plat recorded in Plat Book 34, Pages 65 and 66, Cobb County Records, being improved property having a house thereon known as 3722 Cherokee Street (formerly Shiloh Road) according to the present system of numbering in Cobb County, Georgia.

THE TRUE POINT OF BEGINNING commences at an iron pin found at the intersection of the easterly right of way of Cherokee Street (formerly Shiloh Road having a 50 foot right of way) and the northerly right of way of Bozeman Lake Road (having a 50 foot right of way), run thence in a northeasterly direction along the easterly right of way of Cherokee Street 110.0 feet to a point and the TRUE POINT OF BEGINNING. From the TRUE POINT OF BEGINNING run thence north 22 degrees 26 minutes east 100.00 feet to a point, run thence south 67 degrees 34 minutes east 200.00 feet, run thence south 22 degrees 26 minutes west 100.00 feet, run thence north 67 degrees 34 minutes 200.00 feet to an iron pin and the TRUE POINT OF BEGINNING.

Tract 6.

All that tract or parcel of land lying and being in Land Lot 92 of the 20th District, 2nd Section, Cobb County, Georgia, being Parcel 025, Unit Lot 0027, Block I, Recreation Center, Cobb County Recreation Authority (AKA Pinetree Estates), as per plat recorded in Plat Book 34, Pages 65 and 66, Cobb County Records, being improved property having a house thereon known as 3712 Cherokee Street (formerly Shiloh Road) according to the present system of numbering in Cobb County, Georgia.

THE TRUE POINT OF BEGINNING commences at an iron pin found at the intersection of the easterly right of way of Cherokee Street (formerly Shiloh Road having a 50 foot right of way) and the northerly right of way of Bozeman Lake Road (having a 50 foot right of way). From the TRUE POINT OF BEGINNING run thence north 22 degrees 26 minutes east 110.00 feet to a point, run thence south 67 degrees 34 minutes east 200.00 feet, run thence south 22 degrees 26 minutes west 110.00 feet, run thence north 67 degrees 34 minutes west 200.00 feet to an iron pin and the TRUE POINT OF BEGINNING.″

SECTION 2.

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