

House Bill 378 (AS PASSED HOUSE AND SENATE)

By: Representatives Reeves of the 34th, Setzler of the 35th, and Parsons of the 44th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating a new charter for the City of Kennesaw, approved May 6, 2013
 2 (Ga. L. 2013, p. 4234), as amended, particularly by an Act approved April 10, 2014 (Ga. L.
 3 2014, p. 4106), by an Act approved May 6, 2015 (Ga. L. 2015, p. 3737), and by an Act
 4 approved May 3, 2016 (Ga. L. 2016, p. 4210), so as to change provisions relating to the
 5 corporate limits of the city; to provide for related matters; to repeal conflicting laws; and for
 6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating a new charter for the City of Kennesaw, approved May 6, 2013 (Ga. L.
 10 2013, p. 4234), as amended, particularly by an Act approved April 10, 2014 (Ga. L. 2014,
 11 p. 4106), by an Act approved May 6, 2015 (Ga. L. 2015, p. 3737), and by an Act approved
 12 May 3, 2016 (Ga. L. 2016, p. 4210), is amended in subsection (c) of Section 1.02 by adding
 13 a new paragraph to read as follows:

14 "(4) The corporate limits of the City of Kennesaw shall also include the following
 15 described parcels of land:

16 Tract 1.

17 ALL THAT TRACT OF PARCEL OF LAND LYING AND BEING IN ORIGINAL
 18 LAND LOT NO 175 OF THE 20TH DISTRICT AND 2ND SECTION OF COBB
 19 COUNTY, GEORGIA, AS SHOWN BY PLAT MADE BY JOHN H. LORD,
 20 SURVEYOR, DATED JUNE 24, 1964, RECORDED IN PLAT BOOK 37, PAGE 50,
 21 COBB COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

22 BEGINNING AT AN IRON PIN LOCATED ON THE SOUTHWESTERLY SIDE OF
 23 OLD U.S. HIGHWAY (DIXIE HIGHWAY) NO. 41 SAID IRON PIN IS LOCATED
 24 1558.8 FEET NORTHWESTERLY FROM THE INTERSECTION OF THE

25 SOUTHWESTERLY SIDE OF OLD U.S. HIGHWAY (DIXIE HIGHWAY) NO. 41
26 WITH THE NORTHEASTERLY SIDE OF U.S. HIGHWAY (4-LANE) NO. 41 AS
27 SHOWN ON SAID PLAT, SAID INTERSECTION IS ESTABLISHED BY
28 MEASURING 100 FEET FROM THE CENTERLINE OF U.S. HIGHWAY (4-LANE)
29 NO. 41 AND BY MEASURING 30 FEET FROM THE CENTERLINE OF OLD U.S.
30 HIGHWAY (DIXIE HIGHWAY) NO. 41 SAID POINT OF BEGINNING IS ALSO
31 LOCATED AT THE NORTHEAST CORNER OF PROPERTY CONVEYED BY E.S.
32 ROBERTSON TO R. S. FAIN BY DEED DATED APRIL 4, 1939 AND RECORDED
33 IN DEED BOOK 133, PAGE 68, COBB COUNTY RECORDS, SAID POINT OF
34 BEGINNING IS ALSO LOCATED 11.5 FEET NORTHWESTERLY FROM A
35 HIGHWAY MARKER LOCATED ON SAID R.S. FAIN PROPERTY, FROM SAID
36 POINT OF BEGINNING RUNNING THENCE SOUTH 58 DEGREES 51 MINUTES
37 WEST 354.7 FEET TO AN IRON PIN LOCATED ON THE NORTHEASTERLY SIDE
38 OF U.S. HIGHWAY (4-LANE) NO. 41; THENCE NORTHWESTERLY ALONG THE
39 NORTHEASTERLY SIDE OF SAID U.S. HIGHWAY (4-LANE) NO. 41 FOR A
40 DISTANCE OF 483.4 FEET TO AN IRON PIN; THENCE NORTH 8 DEGREES 45
41 MINUTES WEST 278.3 FEET TO AN IRON PIN; THENCE NORTH 64 DEGREES
42 30 MINUTES EAST 160.0 FEET TO AN IRON PIN; THENCE SOUTH 31 DEGREES
43 16 MINUTES EAST 169.5 FEET TO AN IRON PIN; THENCE NORTH 87 DEGREES
44 16 MINUTES EAST 78.3 FEET TO AN IRON PIN; THENCE NORTH 57 DEGREES
45 18 MINUTES EAST 136.8 FEET TO AN IRON PIN LOCATED ON THE
46 SOUTHWESTERLY SIDE OF OLD U.S. HIGHWAY (DIXIE HIGHWAY) NO. 41;
47 THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY SIDE OF SAID
48 OLD U.S. HIGHWAY (DIXIE HIGHWAY) NO. 41 FOR A DISTANCE OF 511.0
49 FEET TO AN IRON PIN AT THE POINT OF BEGINNING.

50 Tract 2.

51 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130
52 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA,
53 CONTAINING 13.216 ACRES AND BEING MORE PARTICULARLY DESCRIBED
54 AS FOLLOWS:

55 BEGINNING AT 2" PIPE FOUND AT THE INTERSECTION OF THE LAND LOT
56 LINE COMMON TO LAND LOTS 130 AND 131 AND THE NORTHERLY RIGHT
57 OF WAY ON BEN KING ROAD (80' RIGHT OF WAY); THENCE RUNNING
58 ALONG THE NORTHERLY RIGHT OF WAY OF BEN KING ROAD NORTH 72

59 DEGREES, 40 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 400.00 FEET
 60 TO A 2" PIPE FOUND ON SAID RIGHT OF WAY; THENCE LEAVING SAID
 61 RIGHT OF WAY NORTH 01 DEGREES 02 MINUTES 41 SECONDS WEST FOR A
 62 DISTANCE OF 244.48 FEET TO A 2" GALVANIZED PIPE FOUND; THENCE
 63 NORTH 70 DEGREES 57 MINUTES 25 SECONDS WEST FOR A DISTANCE OF
 64 374.92 FEET TO A POINT; THENCE NORTH 05 DEGREES 18 MINUTES 01
 65 SECONDS EAST FOR A DISTANCE OF 149.33 FEET TO A 1" PIPE FOUND;
 66 THENCE NORTH 04 DEGREES 41 MINUTES 05 SECONDS EAST FOR A
 67 DISTANCE OF 441.90 FEET TO A 1-1/2" PIPE FOUND; THENCE SOUTH 81
 68 DEGREES 25 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 209.63 FEET
 69 TO A WOOD POST FOUND; THENCE SOUTH 82 DEGREES 00 MINUTES 02
 70 SECONDS EAST FOR A DISTANCE OF 496.75 FEET TO A 2-1/4" PIPE FOUND ON
 71 THE LAND LOT LINE COMMON TO LAND LOTS 130 AND 131; THENCE
 72 RUNNING ALONG SAID LAND LOT LINE SOUTH 00 DEGREES 28 MINUTES 04
 73 SECONDS WEST FOR A DISTANCE OF 974.74 FEET TO A 2" PIPE FOUND ON
 74 THE NORTHERLY RIGHT OF WAY OF BEN KING ROAD AND BEING THE
 75 POINT OF BEGINNING.

76 Tract 3.

77 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130
 78 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA,
 79 CONTAINING 1.182 ACRES AND BEING MORE PARTICULARLY DESCRIBED
 80 AS FOLLOWS:

81 TO FIND THE TRUE POINT OF BEGINNING BEGIN AT A 2" PIPE FOUND AT
 82 THE INTERSECTION OF THE LAND LOT LINE COMMON TO LAND LOTS 130
 83 AND 131 AND THE NORTHERLY RIGHT OF WAY OF BEN KING ROAD (80'
 84 RIGHT OF WAY); THENCE RUN ALONG THE NORTHERLY RIGHT OF WAY OF
 85 BEN KING ROAD NORTH 72 DEGREES 40 MINUTES 43 SECONDS WEST FOR
 86 A DISTANCE OF 400.00 FEET TO 2" PIPE FOUND ON SAID RIGHT OF WAY,
 87 SAID PIPE BEING THE TRUE POINT OF BEGINNING THUS ESTABLISHED AND
 88 CONTINUING ALONG SAID RIGHT OF WAY NORTH 72 DEGREES 40 MINUTES
 89 43 SECONDS WEST FOR A DISTANCE OF 180.00 FEET TO A 2" PIPE FOUND ON
 90 SAID RIGHT OF WAY; THENCE LEAVING SAID RIGHT OF WAY; THENCE
 91 LEAVING SAID RIGHT OF WAY NORTH 00 DEGREES 37 MINUTES 34
 92 SECONDS WEST FOR A DISTANCE OF 199.61 FEET TO A 2" GALVANIZED PIPE

93 FOUND; THENCE NORTH 71 DEGREES 23 MINUTES 29 SECONDS WEST FOR
 94 A DISTANCE OF 199.90 FEET TO A 1" SOLID ROD FOUND; THENCE NORTH 05
 95 DEGREES 18 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 50.00 FEET TO
 96 A POINT; THENCE SOUTH 70 DEGREES 57 MINUTES 25 SECONDS EAST FOR
 97 DISTANCE OF 374.91 FEET TO A 2" GALVANIZED PIPE FOUND; THENCE
 98 SOUTH 01 DEGREES 02 MINUTES 41 SECONDS EAST FOR A DISTANCE OF
 99 244.48 FEET TO A 2" PIPE FOUND ON THE NORTHERLY RIGHT OF WAY OF
 100 BEN KING ROAD AND BEING THE TRUE POINT OF BEGINNING.

101 Tract 4.

102 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130
 103 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND
 104 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

105 TO FIND THE TRUE POINT OF BEGINNING BEGIN AT A POINT ON THE
 106 NORTHEASTELY SIDE OF BEN KING ROAD (AN 80-FOOT RIGHT-OF-WAY)
 107 160.02 FEET SOUTHEASTERLY AS MEASURED ALONG THE
 108 NORTHEASTERLY SIDE OF BEN KING ROAD FROM THE INTERSECTION OF
 109 THE NORTHEASTERLY SIDE OF BEN KING ROAD AND THE EASTERLY SIDE
 110 OF WREN'S WAY, SAID POINT BEING THE SOUTHEREASTERLY CORNER OF
 111 LOT 16, BLOCK B, WREN'S RIDGE SUBDIVISION, RUNNING THENCE FROM
 112 SAID POINT NORTH 01 DEGREES 09 MINUTES 00 SECONDS EAST 197.67 FEET
 113 TO A POINT, THENCE SOUTH 75 DEGREES 31 MINUTES 13 SECONDS EAST
 114 98.69 FEET TO A POINT; THENCE SOUTH 02 DEGREES 04 MINUTES 59
 115 SECONDS EAST 198.83 FEET TO A POINT ON THE NORTHEASTERLY RIGHT
 116 WAY OF WAY OF BEN KING; THENCE ALONG THE NORTHEASTERLY RIGHT
 117 OF WAY OF BEN KING ROAD, NORTH 76 DEGREES 27 MINUTES 00 SECOND
 118 WEST 109.83 FEET TO THE TRUE POINT OF BEGINNING. SAID PROPERTY IS
 119 MORE PARTICULARLY SHOWN AND DELINEATED ON PLAT OF SURVEY BY
 120 DLM CIVIL ENGINEERING LAND SURVEYING, LARRY R. MCCULLEN, G.R.L.S
 121 NO 2317.

122 BEING IMPROVED PROPERTY KNOWN AS 1720 BEN KING ROAD,
 123 ACCORDING TO THE PRESENT SYSTEM OF NUMBERING PROPERTY IN COBB
 124 COUNTY, GEORGIA. PARCEL ID NUMBER 20013000040.

125 Tract 5.

126 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130
127 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND
128 BEING 0.46 ACRES, AS SHOWN ON PLAT OF SURVEY FOR RALPH A. FREY,
129 DATED NOVEMBER 5, 1997, PREPARED BY ESTON PENDLEY, RLS, AND
130 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

131 BEGINNING AT AN IRON PIN ON THE NORTHEASTERLY RIGHT OF WAY
132 LINE OF BEN KING ROAD (AN 80 FOOT RIGHT OF WAY), SAID IRON PIN
133 BEING 1884.0 FEET SOUTHEASTERLY AS MEASURED ALONG THE
134 NORTHEASTERLY RIGHT OF WAY LINE OF BEN KING ROAD FROM THE
135 INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY OF SAID ROAD
136 AND THE CENTERLINE OF MCGARITY LANE (SAID POINT ALSO BEING 270.0
137 FEET SOUTHEASTERLY AS MEASURED ALONG THE NORTHEASTERLY
138 RIGHT OF WAY LINE OF BEN KING ROAD FROM WREN'S WAY); RUNNING
139 THENCE NORTH 02 DEGREES, 06 MINUTES, WEST 198.83 FEET TO AN IRON
140 PIN; RUNNING THENCE SOUTH 75 DEGREES, 25 MINUTES, EAST 101.2 FEET
141 TO AN IRON PIN; RUNNING THENCE SOUTH 4 DEGREES 39 MINUTES, EAST
142 200.0 FEET TO IRON PIN ON THE NORTHEASTERLY RIGHT OF WAY LINE OF
143 BEN KING ROAD, RUNNING NORTHWESTERLY ALONG THE
144 NORTHEASTERLY RIGHT OF WAY LINE OF BEN KING ROAD NORTH 76
145 DEGREES, 16 MINUTES, WEST 110.0 FEET TO A POINT, SAID POINT BEING
146 THE POINT OF BEGINNING."

147 **SECTION 2.**

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