

House Bill 1144 (AS PASSED HOUSE AND SENATE)

By: Representatives Wilkerson of the 38th, Evans of the 42nd, Smith of the 41st, Ehrhart of the 36th, Carson of the 46th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Powder Springs, approved March 13,
2 1970 (Ga. L. 1970, p. 2760), as amended, particularly by an Act approved May 6, 2013 (Ga.
3 L. 2013, p. 4194), so as to provide for annexation of certain property; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 An Act creating a new charter for the City of Powder Springs, approved March 13, 1970 (Ga.
8 L. 1970, p. 2760), as amended, particularly by an Act approved May 6, 2013 (Ga. L. 2013,
9 p. 4194), is amended by designating the existing language in subsection (a) as paragraph (1)
10 and inserting a new paragraph (2) in subsection (a) to read as follows:

11 "(2)(A) Tract and Parcel Corrections

12 (i) Property located at 4400 Brownsville Road known as Brownsville Commons
13 Shopping Center, as described in deeds recorded at Deed Book 4552, Page 3229 and
14 Deed Book 13474, Page 3811, Cobb County, Georgia records and being Cobb County
15 tax parcel no.19102700050 and 19102700230.

16 (ii) All that tract or parcel of land lying and being in the 19th District, 2nd Section,
17 Cobb County, Georgia and being a part of original Land Lots 825, 826, 877, 878,
18 more particularly described as follows:

19 Beginning at a point in the northwest corner of land lot 878; thence South along the
20 Western land lot line of 878 to the center line of Powder Springs Creek; thence travel
21 in the Southwesterly direction along the center line of Powder Springs Creek to the
22 Easterly side of right of way of C.H. James Parkway; thence Southwesterly along the
23 Easterly side of right of way of C.H. James Parkway to a point on the South land lot
24 line of 878; thence East along the South land lot line of 878 and 877 to the
25 Southeastern corner of 877; thence North along the Eastern land lot line of 877 to the
26 center line of Powder Springs Creek; thence Southwest along the center line of

27 Powder Springs Creek to the center of the fork at Florence Branch in Powder Springs
 28 Creek; thence Northwest along the center line of Florence Branch to a point on the
 29 Southwesterly right of way of Norfolk Southern Corp. Railway; thence Northwest
 30 along the Southwesterly right of way of Norfolk Southern Corp. Railway to a point
 31 at the Easterly side right of way C.H. James Parkway; thence South along the Eastern
 32 right of way of C.H. James Parkway to a point on a Northern land lot line of 878; and
 33 thence West along the Northern land lot line of 878 to a point in the Northwest Corner
 34 of land lot 878 and the point of beginning.

35 Said property consists of Sweetwater Landing Subdivision Units I & II as per plat
 36 recorded in Plat Book 256, Page 78, and Plat Book 262, Page 71, Cobb County,
 37 Georgia records and the following tracts adjoining said subdivision; identified as
 38 Cobb County tax parcels 19082500080, 169082500030, 19087700210, 19087800010,
 39 19087800030, and 19087800110.

40 (iii) Tapp Middle School, located at 3900 Macedonia Road, and being described as
 41 Cobb County Tax Parcel 19072300020.

42 (iv) That portion of Caley's Mill Subdivision Unit I lying and being in Land Lot 761
 43 of the 19th District, 2nd Section as shown on plat recorded at Plat Book 123, Page 60,
 44 Cobb County, Georgia records.

45 (v) All property located within Warren Farm Subdivision as shown and described on
 46 plat recorded at Plat Book 185, Page 97, Cobb County, Georgia records, and being
 47 located in land lots 735, 736, 745, and 746, of the 19th District, 2nd Section, Cobb
 48 County, Georgia.

49 (vi) All property located within Arden Field Subdivision as shown and described on
 50 plat recorded at Plat Book 218, Page 86, Cobb County, Georgia, and being located in
 51 Land Lots 735, 736, 745 and 746 of the 19th District, 2nd Section, Cobb County,
 52 Georgia.

53 (vii) All that tract or parcel being in Land Lot 1022 of the 19th District, 2nd Section,
 54 Cobb County, Georgia and being more particularly described as follows:

55 Beginning at a point at the intersection of the center line of Powder Springs Creek and
 56 the Southern land lot line of 1022, also being the Point of Beginning; thence North
 57 and Northwesterly along the center line of Powder Springs Creek to a point at the
 58 Northeast corner of Springbrooke Estates Unit II, Phase II as per plat recorded in Plat
 59 Book 273, Page 355; thence leaving the center line of Powder Springs Creek South
 60 28 degrees 28 minutes 26 seconds, West a distance of 114.26 feet; thence South 19
 61 degrees 53 minutes 5 seconds East a distance of 174.00 feet; thence South 37 degrees
 62 32 minutes 56 seconds East a distance of 90.63 feet; thence South 14 degrees 58
 63 minutes 34 seconds West a distance of 73.42 feet; thence South 21 degrees 34

64 minutes 01 seconds East a distance of 67.69 feet; thence South 85 degrees 36 minutes
65 40 seconds East a distance of 52.01 feet; thence South 05 degrees 16 minutes 01
66 seconds West a distance of 87.15 feet; thence South 32 degrees 24 minutes 53
67 seconds East a distance of 59.90 feet; thence South 76 degrees 22 minutes 42 seconds
68 East a distance of 110.99 feet; thence South 47 degrees 44 minutes 00 seconds East
69 a distance of 39.00 feet to a point on the South land lot line of 1022; thence East along
70 the South land lot of 1022 to Center Line of Powder Springs Creek being the Point of
71 Beginning, and also being described as Cobb County Tax Parcel 19102200030.

72 (viii) Property located at 4144 Old Austell Road, being described in deed recorded
73 at Deed Book 12476, Page 233, Cobb County, Georgia records, and being Cobb
74 County Tax Parcel 1909460030.

75 (ix) The Powder Springs cemetery located on Old Austell Road, and being described
76 as Cobb County Tax Parcel 19090400360.

77 (x) The following properties located on Austell Powder Springs Road and being
78 Cobb County Tax Parcels 19094600070 and 19094600300.

79 (xi) The entire right of way of Powder Springs Road, from its intersection with
80 Hopkins Road, to its intersection with Wildhorse Creek, together with those
81 properties being described as Cobb County Tax Parcels 1908600040 and
82 19086800290.

83 (xii) That property located west of Hopkins Road and being in Land Lots 759, 760,
84 795, and 796 of the 19th District, 2nd Section, Cobb County, Georgia, being Cobb
85 County Tax Parcels 19076000020, 19079500020, 19079500010, and 19079600020.

86 (xiii) That property east of and adjoining the Norfolk Southern Railroad right of way
87 in Land Lot 949, of the 19th District, 2nd Section of Cobb County, Georgia, and
88 being Cobb County Tax Parcels 19094900030 and 19094900300.

89 (xiv) The entirety of the Silverbrooke Subdivision, as described in plat recorded at
90 Plat Book 234, Page 44, Cobb County, Georgia records; and also the entirety of the
91 Powder Springs Commons East development, as described in plat recorded at Plat
92 Book 273, Page 206, Cobb County, Georgia records; and also the entirety of
93 Commercial Tract 5, as described in plat recorded at Plat Book 271, Page 593; and
94 also the following tracts identified as Cobb County Tax Parcels 19066200030,
95 19066200040, 19067200060, 19067200010, and 1907300050.

96 (xv) The entirety of the Evergreen Park Subdivision as described in plat recorded at
97 Plat Book 184, Page 85, Cobb County, Georgia records.

98 (xvi) Property located at 4889 Hill Road, and contained within and known as Cobb
99 County Tax Parcel 19095200030, as further described in deed recorded at Deed Book
100 14523; Page 325, Cobb County, Georgia records.

- 101 (B) Roads or Portions of Roads. The following roads or portions of roads adjoining or
102 in proximity to the city limits of Powder Springs, Georgia:
- 103 (i) The entire right of way of Brownsville Road, from its intersection with Marietta
104 Street to its intersection with Hiram Lithia Springs Road.
- 105 (ii) The entire right of way of Powder Springs Road, from its intersection with
106 Marietta Street to a point thereon opposite and adjoining the southeast corner of Cobb
107 County Tax Parcel 19086600015.
- 108 (iii) The entire right of way of C.H. James Pkwy, from its intersection with Oglesby
109 Road to its intersection with the Paulding County Line.
- 110 (iv) The entire right of way of Austell Powder Springs Road, from its intersection
111 with Marietta Street to its intersection with Sharon Drive.
- 112 (v) The entire right of way of Florence Road, from its intersection with Powder
113 Springs Dallas Road to a point thereon opposite and adjoining the northeast corner of
114 Cobb County Tax Parcel 19067500017.
- 115 (vi) The entire right of way of Old Lost Mountain Road, from its intersection with
116 Powder Springs-Dallas Road to its intersection with Richard D. Sailors Parkway.
- 117 (vii) The entire right of way of Shipp Road, from its intersection with Florence Road
118 to its intersection with eastern boundary Land Lot 678.
- 119 (viii) The entire right of way of Macedonia Road, from a point thereon opposite and
120 adjoining the northwest corner of Cobb County Tax Parcel 19072600025 to its
121 intersection with Red Rose Drive.
- 122 (ix) The entire right of way of Richard D. Sailors Parkway, from its intersection with
123 C.H. James Parkway to its intersection with Powder Springs Road.
- 124 (x) The entire right of way of Lewis Road, from its intersection with C.H. James
125 Parkway to its intersection with the Norfolk Southern Railroad."

126 **SECTION 2.**

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