

Senate Bill 259

By: Senator Mullis of the 53rd

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act providing a new charter for the City of Fort Oglethorpe, approved
2 April 1, 1996 (Ga. L 1996, p. 3892), as amended, so as to change the corporate limits; to
3 provide for related matters; to repeal conflicting laws; and for other purposes.

4 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

5 **SECTION 1.**

6 An Act providing a new charter for the City of Fort Oglethorpe, approved April 1, 1996
7 (Ga. L 1996, p. 3892), as amended, is amended by adding a new subsection to Section 1.11
8 to read as follows:

9 "(d) After the effective date of this subsection, the boundaries of the city shall not include
10 the territory described as follows:

11 All that tract or parcel of land lying and being in Original Land Lot Nos. 126 and 127 in
12 the 9th District and 4th Section of Catoosa County, Georgia and in Land Lot No. 126 in
13 the 28th District and 3rd Section of Catoosa County, Georgia and being more particularly
14 described as follows:

15 Beginning at a point located on the south right of way line of State Highway 2A (a
16 public road with a variable right of way) said point being located north 01 degree 40
17 minutes 06 seconds west a distance of 145.20 feet with and along the east original line
18 of said Land lot No. 126 in the 9th District and 4th Section, Catoosa County from the
19 southeast corner thereof; thence south 77 degrees 34 minutes 19 seconds east with and
20 along the south right of way line of State Highway 2A a distance of 140.29 feet to a
21 concrete monument; thence south 76 degrees 53 minutes 00 seconds east continuing
22 along the south right of way line of State Highway 2A a distance of 208.14 feet to an
23 iron rod; thence south 52 degrees 13 minutes 51 seconds west a distance of 436.35 feet
24 to an iron pipe located in the southeast corner of Land Lot No. 126 in the 28th District
25 and 3rd Section; thence south 00 degrees 53 minutes 59 seconds east with and along the
26 west line of Land Lot NO. 127 in the 28th District and 3rd Section a distance of
27 1018.16 feet to an oak tree; thence north 89 degrees 54 minutes 13 seconds west a

28 distance of 1568.69 feet to a fence corner; thence north 00 degrees 01 minute
29 08 seconds east a distance of 509.88 feet to an iron pin located in the centerline of a
30 ditch; thence with and along the meanderings of the centerline of said ditch the
31 following chords and distances: south 83 degrees 00 minutes 35 seconds east,
32 100.53 feet; south 79 degrees 53 minutes 49 seconds east, 169.83 feet; north 68 degrees
33 45 minutes 05 seconds east, 141.66 feet; north 25 degrees 14 minutes 31 seconds east,
34 113.32 feet; north 07 degrees 48 minutes 41 seconds east, 204.06 feet; and north
35 25 degrees 36 minutes 22 seconds east, 144 feet to an iron pin; thence north 08 degrees
36 00 minutes 23 seconds east a distance of 236 feet to a spike; thence north 88 degrees
37 43 minutes 53 seconds east a distance of 196.40 feet to an iron rod; thence north
38 05 degrees 33 minutes 23 seconds east a distance of 297.35 feet to an iron rod; thence
39 north 07 degrees 14 minutes 44 seconds east a distance of 92.94 feet to an iron rod
40 located in the south right of way line of State Highway 2A; thence south 76 degrees
41 40 minutes 37 seconds east with and along the south right of way line of State
42 Highway 2A a distance of 358.25 feet to a nail; thence south 76 degrees 40 minutes
43 37 seconds east continuing along the south right of way line of State Highway 2A a
44 distance of 179.50 feet to a concrete monument; thence south 15 degrees 52 minutes
45 23 seconds west with and along an offset in the south right of way line of State
46 Highway 2A a distance of 44.80 feet to a concrete monument; thence south 77 degrees
47 34 minutes 19 seconds east continuing along the south right of way line of State
48 Highway 2A a distance of 245.44 feet to the point of beginning.

49 There is also conveyed the permanent private way and easement described in Judgment
50 in the case of Bernard H Brown, et al V. Samuel D Wise, Catoosa County Civil Action
51 Case No. 96CV30187 and recorded in Deed Book 1239, page 443 in the Office of the
52 Clerk of the Superior Court of Catoosa County, Georgia.

53 Reference is made to a survey plat of the above described property prepared by Larry
54 Newman, Georgia Registered Surveyor dated January 3, 2006 and review
55 March 22, 2006 which said plat is by reference incorporated herein.

56 Subject to and together with a 50 foot easement for ingress, egress and to place utilities
57 upon which said easement is shown by dotted lines on the above referenced plat and as
58 set out in Deed Book 1091, page 307 and in Deed Book 793, page 44 in the Office of
59 the Clerk of the Superior Court of Catoosa County, Georgia.

60 Subject to Georgia Department of Transportation conditions, restrictions and
61 requirements for access from the above described property to Georgia Highway 2A
62 which include, but or not limited to, application and construction requirements as
63 prescribed by the Georgia Department of Transportation."

64 **SECTION 2.**

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