

House Bill 1138 (AS PASSED HOUSE AND SENATE)

By: Representatives Holcomb of the 81st and Taylor of the 79th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act reincorporating the City of Doraville in the County of DeKalb, approved
2 October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, so as to change the
3 corporate limits; to authorize certain tax exemptions; to prohibit certain annexation efforts;
4 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

8 An Act reincorporating the City of Doraville in the County of DeKalb, approved
9 October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, is amended by revising the
10 description of the corporate limits of the City of Doraville in Appendix A by adding at the
11 end the following:

12 "In addition to all other territory included within the corporate limits of said city, the
13 corporate limits shall specifically include the following described property, all of which is
14 located in DeKalb County, Georgia:

15 **Annexation Area A:**

16 A certain parcel of land lying and being in Land Lots 337 and 320 of the 18th District
17 of DeKalb County, Georgia, according to the platting and tax parcel systems as set forth
18 in the official records of DeKalb County, Georgia, on the 27th day of February, 2014,
19 as more particularly described as follows:

20 Commencing at the intersection of Parcel 18 337 04 002, Parcel 18 338 08 085, the
21 easterly right-of-way property boundary of Buford Highway Northeast/US Highway
22 Route 23, and the existing municipal property boundary of the City of Doraville, and
23 being the TRUE POINT OF BEGINNING of this description;

24 Thence, southerly following the municipal property boundary of the City of Doraville,
25 which follows the easterly right-of-way property boundary of Buford Highway
26 Northeast/US Highway Route 23 to a point of intersection of the easterly right-of-way

27 property boundary of Buford Highway Northeast/US Highway Route 23, Parcel 18
28 320 01 009 and Parcel 18 320 01 035;

29 Thence, approximately 200 feet along the southerly property boundary of Parcel 18
30 320 01 009 to a point intersecting with southerly property boundary of Parcel 18 320
31 01 010 and easterly property boundary of Parcel 18 320 01 027;

32 Thence, approximately 14 feet along the easterly property boundary of Parcel 18 320
33 01 010 to a point intersecting with the easterly property boundary of said parcel and
34 with the southerly property boundary of Parcel 18 320 01 009;

35 Thence, approximately 184 feet along the southerly property boundary of Parcel 18
36 320 01 009 to a point intersecting with the southerly property boundary of Parcel 18
37 320 01 008;

38 Thence, approximately 145 feet along the southerly property boundary of Parcel 18
39 320 01 008 to a point intersecting with the southerly property boundary of Parcel 18
40 320 01 024;

41 Thence, approximately 144 feet along the southerly property boundary of Parcel 18
42 320 01 024 to a point of intersection of said Parcel and Parcel 18 320 01 023;

43 Thence, approximately 108 feet along the easterly property boundary of Parcel 18 320
44 01 024 to a point intersecting with easterly property boundary of Parcel 18 320 01
45 026;

46 Thence, approximately 324 feet along the easterly property boundary of Parcel 18 320
47 01 026 to a point of intersection of said Parcel and the northerly property boundary
48 of Parcel 18 320 01 019;

49 Thence, approximately 170 feet along the northerly property boundary of Parcel 18
50 320 01 019 to a point of intersection of said Parcel and the westerly right-of-way of
51 McElroy Road;

52 Thence, crossing McElroy Road to a point of intersection of the easterly right-of-way
53 of McElroy Road and the westerly property boundary of Parcel 18 320 04 039 and
54 Parcel 18 320 04 040;

55 Thence, northerly along the easterly right-of-way of McElroy Road to its intersection
56 with Parcel 18 320 04 039 and Parcel 18 320 04 038;

57 Thence, approximately 692 feet along the northeasterly property boundary of Parcel
58 18 320 04 038 to a point intersecting with the westerly property boundary Parcel 18
59 320 04 064;

60 Thence, approximately 291 feet along the easterly property boundary of Parcel 18 320
61 04 038 to a point intersecting with the southerly property boundary of Parcel 18 337
62 05 001;

63 Thence, approximately 336 feet along the southerly property boundary of Parcel 18
 64 337 05 001 to a point intersecting with the southerly property boundary of Parcel 18
 65 337 05 005;
 66 Thence, approximately 309 feet along the southerly property boundary of Parcel 18
 67 337 05 005 to a point intersecting with easterly property boundary of Parcel 18 337
 68 05 005;
 69 Thence, approximately 290 feet along the easterly property boundary of Parcel 18 337
 70 05 005 to a point of intersection of said Parcel and the southerly right-of-way of
 71 Oakcliff Road;
 72 Thence, crossing Oakcliff Road to a point of intersection of the northerly right-of-way
 73 of Oakcliff Road, Parcel 18 337 09 027, and Parcel 18 337 04 009;
 74 Thence, approximately 107 feet along the westerly property boundary of Parcel 18
 75 337 04 009 to a point intersecting with the southerly property boundary of Parcel 18
 76 337 09 027;
 77 Thence, approximately 215 feet along the southerly property boundary of Parcel 18
 78 337 09 027 to a point intersecting with the southerly property boundary of Parcel 18
 79 337 09 028;
 80 Thence, approximately 550 feet along the southerly property boundary of Parcel 18
 81 337 09 028 to a point of intersection of said Parcel and the municipal property
 82 boundary of the City of Doraville;
 83 Thence, northerly following the municipal property boundary of the City of Doraville
 84 to the intersection of Parcel 18 337 04 002, Parcel 18 338 08 085, and the southerly
 85 right-of-way property boundary of Buford Highway Northeast/US Highway Route 23,
 86 and being the TRUE POINT OF BEGINNING.

87 **Annexation Area B:**

88 A certain parcel of land lying and being in Land Lots 282 and 295 of the 18th District
 89 of DeKalb County, Georgia, according to the platting and tax parcel systems as set forth
 90 in the official records of DeKalb County, Georgia, on the 27th day of February, 2014
 91 as more particularly described as follows:

92 Commencing at the intersection of the easterly right-of-way boundary of Chestnut
 93 Drive, the existing municipal boundary of the City of Doraville, and Parcel 18 282 13
 94 002, being the TRUE POINT OF BEGINNING of this description;

95 Thence, southerly following the easterly right-of-way of Chestnut Drive to a point of
 96 intersection of said right-of-way with the northerly right-of-way with Interstate 85;
 97 Thence, northeasterly along the northerly right-of-way of Interstate 85 to a point of
 98 intersection with the westerly right-of-way of Interstate 285;

99 Thence, northwesterly along the westerly right-of-way of Interstate 285 to its point
100 of intersection with Parcel 18 295 01 034, and Parcel 18 295 01 036;
101 Thence, approximately 477 feet along the northerly boundary of Parcel 18 295 01 034
102 to a point intersecting with the easterly boundary of Parcel 18 295 01 037;
103 Thence, northeasterly approximately 47 feet along the easterly boundary of Parcel 18
104 295 01 037 to a point intersecting with northerly boundary of Parcel 18 295 01 037;
105 Thence, along the northerly boundary of Parcel 18 295 01 037 to a point of
106 intersection of said Parcel and Parcel 18 295 01 032;
107 Thence, approximately 472 feet along the easterly boundary of Parcel 18 295 01 032
108 to a point intersecting with the northerly boundary of Parcel 18 295 01 032;
109 Thence, approximately 305 feet along the northerly boundary of Parcel 18 295 01 032
110 to a point intersecting with the westerly boundary of Parcel 18 295 01 032;
111 Thence, approximately 735 feet along the westerly boundary of Parcel 18 295 01 032
112 to a point intersecting with the southerly boundary of Parcel 18 295 01 032;
113 Thence, approximately 38 feet along the southerly boundary of Parcel 18 295 01 032
114 to a point intersecting with the westerly boundary of Parcel 18 295 01 018;
115 Thence, approximately 555 feet along the westerly boundary of Parcel 18 295 01 018
116 to a point intersecting with the northerly boundary of Parcel 18 295 01 027;
117 Thence, approximately 43 feet along the northwesterly boundary of Parcel 18 295 01
118 027 to a point intersecting with the northwesterly boundary of Parcel 18 295 01 019;
119 Thence, approximately 580 feet along the northwesterly boundary of Parcel 18 295
120 01 019 to a point intersecting with the northwesterly boundary of Parcel 18 295 01
121 020;
122 Thence, approximately 164 feet along the northwesterly boundary of Parcel 18 295
123 01 020 to a point intersecting with the northwesterly boundary of Parcel 18 295 01
124 022;
125 Thence, approximately 130 feet along the northwesterly boundary of Parcel 18 295
126 01 022 to a point intersecting with northwesterly boundary of Parcel 18 295 01 021;
127 Thence, approximately 38 feet along the northwesterly boundary of Parcel 18 295 01
128 021 to a point of intersection of said Parcel, Parcel 18 295 01 003, and the existing
129 municipal boundary of the City of Doraville;
130 Thence, southerly following the municipal boundary of the City of Doraville to the
131 TRUE POINT OF BEGINNING.

132 **Annexation Area C:**

133 A certain parcel of land lying and being in Land Lots 312, 313, 314, 317, 318, and 319
134 of the 18th District of DeKalb County, Georgia, according to the platting and tax parcel

135 systems as set forth in the official records of DeKalb County, Georgia, on the 27th day
136 of February, 2014 as more particularly described as follows:

137 Commencing at the intersection of the northwesterly boundary corner of Parcel 18
138 312 02 028 and the southwesterly boundary corner of Parcel 18 312 02 010, being the
139 TRUE POINT OF BEGINNING of this description;

140 Thence, approximately 109 feet along the westerly boundary of Parcel 18 312 02 028
141 to a point intersecting with the westerly boundary of Parcel 18 312 02 012;

142 Thence, approximately 151 feet along the westerly boundary of Parcel 18 312 02 012
143 to a point intersecting with the westerly boundary of Parcel 18 312 02 016;

144 Thence, approximately 148 feet along the westerly boundary of Parcel 18 312 02 016
145 to a point intersecting with the westerly boundary of Parcel 18 312 02 033;

146 Thence, approximately 325 feet along the westerly boundary of Parcel 18 312 02 033
147 to a point intersecting with the westerly boundary of Parcel 18 312 02 030;

148 Thence, approximately 154 feet along the westerly boundary of Parcel 18 312 02 030
149 to a point intersecting with the southerly boundary of Parcel 18 312 02 030 and the
150 northerly right-of-way boundary of Interstate 285;

151 Thence, commencing southeasterly following the northerly right-of-way boundary of
152 Interstate 285 to a point of intersection of the right-of-way boundary of said Interstate
153 and the northerly right-of-way boundary of Interstate 85;

154 Thence, commencing northeasterly following the northerly right-of-way boundary of
155 Interstate 85 to its point of intersection of said Interstate, the existing boundary of the
156 County of DeKalb, and the existing boundary of the County of Gwinnett;

157 Thence, commencing northwesterly following the boundary of the County of DeKalb
158 to a point of intersection of said boundary, the existing municipal boundary of the
159 City of Doraville and the northerly corner of Parcel 18 318 01 001;

160 Thence, approximately 1,560 feet along the existing municipal boundary of the City
161 of Doraville and the westerly boundary of Parcel 18 318 01 001 to a point of
162 intersection with the northerly boundary of Parcel 18 318 01 002;

163 Thence, approximately 12 feet along the existing municipal boundary of the City of
164 Doraville and the northerly boundary of Parcel 18 318 01 002 to a point of
165 intersection with the westerly boundary of Parcel 18 318 01 002;

166 Thence, approximately 372 feet along the existing municipal boundary of the City of
167 Doraville and the westerly boundary of Parcel 18 318 01 002 and the westerly
168 boundary of Parcel 18 318 01 013 to a point intersecting with the easterly boundary
169 of Parcel 18 319 17 020;

170 Thence, commencing westerly approximately 1,515 feet along the existing municipal
171 boundary of the City of Doraville to the intersection of said municipal boundary and
172 the northwest corner of Parcel 18 319 03 034;
173 Thence, approximately 1,012 feet along the westerly boundary of Parcel 18 319 03
174 034 to a point intersecting with the westerly boundary of Parcel 18 319 03 038;
175 Thence, approximately 278 feet along the westerly boundary of Parcel 18 319 03 038
176 to a point intersecting with the westerly boundary of Parcel 18 313 01 063;
177 Thence, approximately 135 feet along the westerly boundary of Parcel 18 313 01 063
178 to a point intersecting with northerly boundary of Parcel 18 313 01 063;
179 Thence, approximately 193 feet along the northerly boundary of Parcel 18 313 01 063
180 to a point intersecting with the westerly boundary of Parcel 18 313 01 063;
181 Thence, following the westerly boundary of Parcel 18 313 01 063 to a point
182 intersecting with the westerly boundary of Parcel 18 313 01 062;
183 Thence, following the westerly boundary of Parcel 18 313 01 062 to a point
184 intersecting with the northerly boundary of Parcel 18 313 01 046;
185 Thence, following the westerly boundary of Parcel 18 313 01 046 to a point
186 intersecting with the northerly boundary of Parcel 18 313 01 059;
187 Thence, approximately 819 feet along the northerly boundary of Parcel 18 313 01 059
188 to a point intersecting with the northerly boundary of Parcel 18 313 01 058;
189 Thence, approximately 569 feet along the northerly boundary of Parcel 18 313 01 058
190 intersecting with the easterly boundary of Parcel 18 312 06 005;
191 Thence, approximately 649 feet along the easterly boundary of Parcel 18 312 06 005
192 to a point intersecting with the northerly boundary of Parcel 18 312 06 005;
193 Thence, approximately 650 feet along the northerly boundary of Parcel 18 312 06 005
194 to a point of intersection of said Parcel and the easterly right-of-way boundary of
195 Honeysuckle Lane;
196 Thence, crossing Honeysuckle Lane to a point of intersection of the westerly
197 right-of-way boundary of Honeysuckle Lane and the northerly boundary of Parcel 18
198 312 02 030 and Parcel 18 321 02 017;
199 Thence, following the westerly right-of-way boundary of Honeysuckle Lane northerly
200 to a point of intersection of said Road and the northwesterly corner of Parcel 18 312
201 02 017;
202 Thence, approximately 191 feet along the westerly boundary of Parcel 18 312 02 017
203 to a point intersecting with the northern boundary of Parcel 18 312 02 019;
204 Thence, approximately 270 feet along the northern boundary of Parcel 18 312 02 019
205 to a point of intersection of said Parcel and the easterly right-of-way boundary of
206 Mcelroy Road;

207 Thence, crossing Mcelroy Road to a point of intersection of the westerly right-of-way
208 boundary of said Road, Parcel 18 312 02 028, and Parcel 18 312 02 010;
209 Thence, approximately 165 feet along the northerly boundary of Parcel 18 312 02 028
210 to the TRUE POINT OF BEGINNING."

211 **SECTION 2.**

212 (a) Upon the effective date of this Act, the City of Doraville shall be authorized a freeport
213 exemption upon such real property in the annexation areas described in this Act as existed
214 for such properties, in the same exemption amounts, while they were still part of the
215 unincorporated area of DeKalb County. Without limiting the generality of the foregoing, it
216 is specifically provided that no petition, election, or other condition precedent which might
217 otherwise be required under Title 48 of the O.C.G.A. to authorize such freeport exemption
218 shall be required in order for such properties to continue receiving such exemption.

219 (b) Upon signature of the Governor, or this Act becoming effective as otherwise provided
220 by law, the annexation areas described in this Act shall be unavailable for further annexation
221 and no other annexations affecting the annexation areas described in this Act shall be
222 initiated by any annexation method under Chapter 36 of Title 36 of the O.C.G.A. and any
223 annexation process affecting such annexation areas begun prior to the approval of this Act
224 by the Governor or this Act becoming law without such approval shall, if not fully completed
225 prior to such event, be null and void and of no effect.

226 **SECTION 3.**

227 This Act shall become effective on December 31, 2014, at 12:01 A.M.

228 **SECTION 4.**

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