A BILL TO BE ENTITLED
AN ACT

To amend an Act creating a new charter for the City of Smyrna, approved August 27, 1931 (Ga. L. 1931, p. 955), as amended, so as to provide for the annexation of certain territory into the boundaries of the city; to provide for related matters; 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 Smyrna, approved August 27, 1931 (Ga. L. 1931, p. 955), as amended, is amended by adding a new section to read as follows:

"Extension of 2021 (Section 4EE)

There shall be included in the corporate limits of the City of Smyrna all of the area embraced within the following described tracts and parcels of land:

Parcel 1

All that tract or parcel of land lying and being in Land Lot 519 and 562 of the 17th District, 2nd Section of Cobb County, Georgia and including the following properties:
DIXIE AVE (TAX ID 17051900180); 1185 BELMONT AVE (TAX ID 17051900200); 1243 BELMONT AVE (TAX ID 17051900110); 1263 BELMONT AVE (TAX ID 17051900100); 1271 BELMONT AVE (TAX ID 17051900090); 1281 BELMONT AVE (TAX ID 17051900080); 1299 BELMONT AVE (TAX ID 17051900060); 1303 BELMONT AVE (TAX ID 17051901280); 1307 BELMONT AVE (TAX ID 17051900050); 1309 BELMONT AVE (TAX ID 17051900040); 1311 BELMONT AVE (TAX ID 17051900030); 1347 BELMONT AVE (TAX ID 17051900020); 1337 BELMONT AVE (TAX ID 17051900010); and being more particularly described as follows:

BEGIN at a point where the Easterly right-of-way of Dixie Avenue intersects the Northerly right-of-way of Belmont Avenue; RUNNING thence East along the northerly right-of-way of Belmont Avenue to a point that marks the intersection of the west right-of-way of Reed Street and the north right-of-way of Belmont Avenue; running north along the west right-of-way of Reed Street to a point on the southern right-of-way of Windy Hill Road, running thence west along the south side of Windy Hill Road to a point where the south side of Windy Hill Road intersects the east right-of-way of Dixie Avenue; running thence South along the East right-of-way of Dixie Avenue to a point where the East right-of-way of Dixie Avenue intersects the north right-of-way of Belmont Avenue which point is the point of beginning.

LESS AND EXCEPT:

1. 2435 Dixie Avenue - Tax Parcel 17051900190
2. 1355 Belmont Avenue - Tax Parcel 17056200160
3. 1363 Belmont Avenue - Tax Parcel 17056200150
4. 1373 Belmont Avenue - Tax Parcel 17056200140
5. 1379 Belmont Avenue - Tax Parcel 17056200130
6. 1381 Belmont Avenue - Tax Parcel 17056200120
7. 1397 Belmont Avenue - Tax Parcel 17056200110
(8) 1405 Belmont Avenue - Tax Parcel 17056200100
(9) 1413 Belmont Avenue - Tax Parcel 17056200080
(10) 1421 Belmont Avenue - Tax Parcel 17056200060
(11) 1429 Belmont Avenue - Tax Parcel 17056200050
(12) 1435 Belmont Avenue - Tax Parcel 17056200040
(13) 1443 Belmont Avenue - Tax Parcel 17056200030
(14) 1451 Belmont Avenue - Tax Parcel 17056200020
(15) 1461 Belmont Avenue - Tax Parcel 17056200010
(16) No street number Windy Hill Road - Tax Parcel 17056201210

Parcel 2

All that tract or parcel of land lying and being in Land Lot 490 and 519 of the 17th District, 2nd Section, Cobb County, Georgia, and including the following properties:
2465 DIXIE AVE, TAX ID 17051900210; 1198 BELMONT AVE TAX ID 17051900220; 1202 BELMONT AVE, TAX ID 17051900230; 1214 BELMONT AVE, TAX ID 1705190024; 1222 BELMONT AVE, TAX ID 17051900430; 1224 BELMONT AVE, TAX ID 17051900270; 2474 ADAMS DR, TAX ID 17051900250; 2484 ADAMS DR, TAX ID 17051900260; 1213 PIERCE AVE, TAX ID 17051900640; 1207 PIERCE AVE, TAX ID 17051900650 and being more particularly described as follows:

Begin at a point on the south side of Belmont Avenue where it intersects the east side of Dixie Avenue; running thence east along the south side of Belmont Avenue to the westerly right-of-way of Adams Drive; running thence south along the westerly right-of-way of Adams Drive to a point on the north right-of-way of Pierce Avenue; running thence west along the north right-of-way of Pierce Avenue west to a point where the north right of way of Pierce Avenue intersects the easterly right-of-way of Dixie Avenue; running thence north along the east right-of-way of Dixie Avenue to the southerly right-of-way of Belmont Avenue and the point of beginning.

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LESS AND EXCEPT:

(1) 2466 Adams Drive (Tax ID 17051901580)
All that tract or parcel of land lying and being in original Land Lot 519 of the 17th District, 2nd Section, Cobb County, Georgia, and being the northern part of Lot 72, Belmont Subdivision, as shown on a plat of the property of Henry Adams & J. M. Adams, prepared by John Patton Phillips, Georgia registered Land Surveyor, dated January 24, 1951, and recorded in Plat Book 9, Page 23, Cobb County, Georgia Records, which is hereby expressly incorporated herein and made a part hereof by this specific reference thereto, for a more complete description of the said property, being more particularly described as follows:

Beginning at an iron pin found on the westerly right-of-way line of Adams Drive which is located 150.0 feet north of the point of intersection of the said westerly right-of-way line of Adams Drive with the northerly right of way line of Pierce Avenue, as measured along the said westerly right-of-way line of Adams Drive; thence running west for a distance of 70.0 feet to an iron pin; thence running north for a distance of 100.0 feet to an iron pin; thence running east for a distance of 70.0 feet to an iron pin which is located on the said westerly right-of-way line of Adams Drive; thence running south along the said westerly right-of-way line of Adams Drive for a distance of 100.0 feet to an iron pin, which is the point of beginning.

LESS AND EXCEPT:

(2) 2470 Adams Drive (Tax ID 17051900620)
All that tract or parcel of land lying and being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia, being part of Lot 72 of Belmont Subdivision according to a plat recorded in Plat Book 5, Page 81, records of the Clerk of the Superior Court of Cobb County, Georgia, and being more particularly described as follows:

Beginning at an iron pin on the north side of Pierce Avenue 290 feet easterly as measured along the northern side of Pierce Avenue from the corner formed by the intersection of
the northern side of Pierce Avenue with the northeastern side of the right of way of Railroad Street; thence easterly along the northern side of Pierce Avenue 70 feet to an iron pin on the western side of Adams Drive; thence north along the western side of Adams Drive 150 feet to an iron pin; thence west 70 feet to an iron pin; thence south 150 feet to an iron pin on the northern side of Pierce Avenue and the point of beginning.

LESS AND EXCEPT:

(3) 1231 Pierce Avenue (Tax ID 17051901540)
All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd Section of Cobb County, Georgia, and being known as Lot 72A of Belmont Subdivision, as per plat recorded in Plat Book 276, Page 169, Cobb County, Georgia Records, and being more particularly described as follows:

Beginning at a point where the western right-of-way of Adams Drive intersects with the northern right-of-way of Pierce Avenue; thence South 89 degrees 30 minutes 52 seconds West for a distance of 65.00 feet to a point; thence North 00 degrees 10 minutes 47 seconds West for a distance of 146.34 feet to a point; thence North 89 degrees 49 minutes 13 seconds East for a distance of 65 feet to a point; thence South 00 degrees 10 minutes 48 seconds East for a distance of 146.00 feet to a point being the point of beginning.

LESS AND EXCEPT:

(4) 1221 Pierce Avenue (Tax ID 17051900650)
All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd Section, Cobb County, Georgia, being Lot 1, Reeves Electric Company as per plat recorded in Plat Book 7, Page 26, Cobb County, Georgia Records, which plat is incorporated herein by reference and made a part hereof.

LESS AND EXCEPT:

(5) Belmont Station Subdivision
All that tract or parcel of land lying and being in Land Lot 490 of the 17th District, 2nd Section of Cobb County, Georgia, as to Lots 1, 2 and 3 and being in Land Lots 490 and
519 of said district, section and county and being Lots 4 and 5, all of Belmont Station Subdivision, as shown on plat recorded in Plat Book 278, Pages 509-510, Cobb County, Georgia Records, which plat is incorporated herein by reference and made a part hereof.

TOGETHER WITH:

Common Area

All that tract or parcel of land lying and being located in Land Lot 490 of the 17th District, 2nd Section of Cobb County, Georgia and being The Common Area of Belmont Station Final Plat for Longo Custom Builders, Inc. by Ashford Engineers LLC and Perimeter Surveying Company, Inc. dated 07/01/19. Said plat being recorded in Plat Book 278, Page 509 and 510 on 09/07/19 in Cobb County, Georgia Records.

And

Detention and Water Quality Area

All that tract or parcel of land lying and being located in Land Lot 490 and 519 of the 17th District, 2nd Section of Cobb County, Georgia and being Detention and Water Quality Area of Belmont Station Final Plat for Longo Custom Builders, Inc. by Ashford Engineers LLC and Perimeter Surveying Company, Inc. dated 07/01/19. Said plat being recorded in Plat Book 278, Page 509 and 510 on 09/07/19 in Cobb County, Georgia Records.

Parcel 3

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd Section of Cobb County, Georgia, and including the following properties: 1241 PIERCE AVENUE (TAX ID 17051900600); 1251 PIERCE AVENUE (TAX ID 17051900590); 1261 PIERCE AVENUE (TAX ID 17051900580); 1259 PIERCE AVENUE (TAX ID 17051900560); 1267 PIERCE AVENUE (TAX ID 17051900550); 1277 PIERCE AVENUE (TAX ID 17051900540); 1287 PIERCE AVENUE (TAX ID 17051900530); 1295 PIERCE AVENUE (TAX ID 17051900520); 1305 PIERCE AVENUE (TAX ID
17051900510); 1313 PIERCE AVENUE (TAX ID 17051900500); 1323 PIERCE AVENUE (TAX ID 17051900490); 1331 PIERCE AVENUE (TAX ID 17051900480); 1341 PIERCE AVENUE (TAX ID 17051900470); 1375 PIERCE AVENUE (TAX ID 17056200680); DAVIS DRIVE (TAX ID 17056200720); 2470 DAVIS DRIVE (TAX ID 17051901250); 2460 DAVIS DRIVE (TAX ID 17051900420); 2450 DAVIS DRIVE (TAX ID 17051900410); 1376 BELMONT AVENUE (TAX ID 17056200170); 1330 BELMONT AVENUE (TAX ID 17051900390); 1322 BELMONT AVENUE (TAX ID 17051900380); 1314 BELMONT AVENUE (TAX ID 17051900370); 1306 BELMONT AVENUE (TAX ID 17051900360); 1298 BELMONT AVENUE (TAX ID 17051900350); 1294 BELMONT AVENUE (TAX ID 17051900340); 1282 BELMONT AVENUE (TAX ID 17051900320); 1278 BELMONT AVENUE (TAX ID 17051900310); 1268 BELMONT AVENUE (TAX ID 17051900300); 1258 BELMONT AVENUE (TAX ID 17051900290); 1234 BELMONT AVENUE (TAX ID 17051900280); and 2465 ADAMS DRIVE (TAX ID 17051900610); and being more particularly described as follows:

Begin at a point on the north side of Pierce Avenue at its intersection with the east side of Adams Drive; running thence east along the north side of Pierce Avenue to a point where the north side of Pierce Avenue intersects the west side of the right-of-way of Davis Drive; running thence north along the west right-of-way of Davis Drive to a point where the west side of Davis Drive intersects the southerly right-of-way of Belmont Avenue; running thence west along the southerly right-of-way of Belmont Avenue to a point where said right-of-way intersects the east side of Adams Drive; running thence south along the east side of Adams Drive to a point on the north side of Pierce Avenue which is the point of beginning.

LESS AND EXCEPT:

(1) 2475 Adams Drive (Tax ID 17051900580)
All that tract or parcel of land lying and being in Land Lot 519 of the 7th District, 2nd Section of Cobb County, Georgia, as shown on a Survey dated November 28, 2018 prepared by LandTec Surveying (William J. Gilbert, GRLS#2848) and being more particularly described as follows:

Beginning at a point where the Northern right-of-way of Pierce Avenue (a 50' right-of-way) intersects with the Eastern right-of-way of Adams Drive (right-of-way varies); thence North 00 degrees, 10 minutes 47 seconds west for a distance of 99.41 feet to a point being the point of beginning; thence North 00 degrees 10 minutes 47 seconds West for a distance of 69.97 feet along the eastern right-of-way of Adams Drive to a point at the Northwest corner of the dividing line between the subject property and that now or formerly owned by Bridget & Dolly Hogan; thence North 88 degrees 56 minutes 16 seconds East along the dividing line between the subject property and the Hogan property for a distance of 70.66 feet to a 1/2" rebar set at the Northeast corner of the subject property; thence South 00 degrees 39 minutes 29 seconds West along the dividing line between the subject property and property now or formerly owned by Ronald S. Dickinson and property now or formerly owned by Clinton L. Vail, a distance of 70.00 feet to a 1/2" rebar set at the Southeast corner of the subject property; thence South 88 degrees 56 minutes 28 seconds West along the dividing line between the subject property and that now or formerly owned by Maurice F. Baxter a distance of 69.64 feet to a point at the Southwest corner of the subject property and the point of beginning; being known as 2475 Adams Drive, according to the present system of numbering property in Cobb County, Georgia.

LESS AND EXCEPT:

(2) 2461 Adams Drive (Tax ID 17051901550)

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District and 2nd Section of Cobb County, Georgia containing 0.194 acre, more or less, and being Lot 62B as described on that certain Plat of Survey dated July 12, 2018 entitled, "Lots 62A
and 62B Re-Subdivision of Part of Lot 62, Belmont Property of J. H. Taylor," prepared
by McClung Surveying Services, Inc., certified by Michael R. Noles, GRLS#2646 and
recorded with the Clerk of the Superior Court of Cobb County, Georgia at Plat Book 277,
Pages 595-596, which plat and the record thereof are each incorporated herein by specific
reference thereto.

LESS AND EXCEPT:

(3) 2451 Adams Drive (Tax ID 17051900960)

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd
Section of Cobb County, Georgia and being designated as Lot 62A, Resubdivision of Part
of Lot 62, Belmont Property of J. M. Taylor, as recorded in Plat Book 277, Page 595-596,
Cobb County, Georgia Records on a Plat of Survey for Ronald S. Dickinson by McClung
Surveying Services, Inc. dated 6-12-18, last revised 7-12-18 and being more fully
described as follows:

Start at a point located at the intersection of the East right-of-way of Adams Drive (R/W
varies) and the South right-of-way of Belmont Avenue (50' R/W) (said point also being
the Point of Beginning). Thence from the point of beginning and running South 89
degrees 17 minutes 40 seconds East along the South right-of-way of Belmont Avenue a
distance of 72.62 feet to a rebar set; thence leaving said right-of-way and running South
00 degrees 31 minutes 53 seconds West a distance of 124.32 feet to a rebar set; thence
running South 89 degrees 28 minutes 29 seconds West a distance of 69.73 feet to a rebar
set located along the east right-of-way of Adams Drive; thence running North 00 degrees
47 minutes 25 seconds West along said right-of-way a distance of 125.88 feet to said
point and the point of beginning.

Said tract or parcel of land containing 0.204+ acres or 8,902+ square feet.

LESS AND EXCEPT:

(4) 1340 Belmont Avenue (Tax ID 17051900400)
All that tract or parcel of land lying and being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia, being Lot 51 and parts of Lots 52 and 84, Belmont Property as shown on Plat recorded in Plat Book 61, Page 7, Cobb County Records.

Parcel 4

All that tract or parcel of land lying and being in Land Lot 562 of the 17th District, 2nd Section of Cobb County, Georgia, and including the following properties: 1368 PIERCE AVE, (TAX ID 17056200340); 1378 PIERCE AVE, (TAX ID 17056200350); 1386 PIERCE AVE, (TAX ID 17056200370); 1394 PIERCE AVE, (TAX ID 17056200380); 1410 PIERCE AVE, (TAX ID 17056200390); 1414 PIERCE AVE, (TAX ID 17056200400); 1422 PIERCE AVE, (TAX ID 17056200440); 1432 PIERCE AVE, (TAX ID 17056200450); 1436 PIERCE AVE, (TAX ID 17056200860); 1442 PIERCE AVE, (TAX ID 17056200500); 1454 PIERCE AVE, (TAX ID 17056200510); 1456 PIERCE AVE, (TAX ID 17056200520); 1461 Hawthorn AVE, (TAX ID 17056200530); 1435 Hawthorn AVE, (TAX ID 17056200480); 1419 Hawthorn AVE, (TAX ID 17056200430); 2529 SAINT CHARLES DR, (TAX ID 17056200410); 2520 SAINT CHARLES DR, (TAX ID 17056200360); 2538 SAINT CHARLES DR, TAX ID 17056200320); 2529 DAVIS DR, (TAX ID 17056200910); 2521 DAVIS DR, (TAX ID 17056200330) and being more particularly described as follows:

Begin at a point on the south side of Pierce Avenue at its intersection with the east side of Davis Drive; running thence east along the south side of Pierce Avenue to a point on the westerly right-of-way of Saint Charles Drive; continuing thence east along the south side of Pierce Avenue to a point on the westerly right-of-way of Reed Street; running thence south, along the westerly right-of-way of Reed Street to a point on the north right-of-way of Hawthorne Avenue; running thence west along the north right-of-way of Hawthorne Avenue to a point on the east right-of-way of Davis Drive; running north along the easterly right-of-way of Davis Drive to the point of beginning.
LESS AND EXCEPT:

(1) Hawthorne Gate - Phase 2

Hawthorne Gate, Phase 2 as shown on that final Plat for Hawthorne Gate Phase 2, recorded in Plat Book 275, Page 81 & 81, Cobb County Records, which plat is incorporated herein by reference. Said property consisting of 1409 Hawthorn Ave, 1405 Hawthorn Ave, 1401 Hawthorn Ave, 1397 Hawthorn Ave, 1393 Hawthorn Ave, 1389 Hawthorn Ave, 1385 Hawthorn Ave, 1381 Hawthorn Ave, 1377 Hawthorn Ave, and 1373 Hawthorn Ave.

LESS AND EXCEPT:

(2) 1449 Hawthorne Avenue (Tax ID 17056200490)

All that tract or parcel of land lying and being in Land Lot 562 of the 17th District, 2nd Section of Cobb County, Georgia, and being Lot 30 of Henry Adams Property as per plat recorded in Plat Book 10, Page 52, Cobb County records, and being same property as described in a Warranty Deed dated September 27, 1990 from Dewey V. Reeves to Laurie C. Reeves, et al, recorded in Deed Book 5880, Page 304, and by this reference made a part hereof. Property being further known as 1449 Hawthorne Avenue as houses are currently numbered in Cobb County, Georgia.

LESS AND EXCEPT:

(3) 1423 Hawthorne Avenue (Tax ID 17056200470)

All that tract or parcel of land lying and being in Land Lot 562, 17th District, 2nd Section, Cobb County, Georgia, and being Lot 32, Property of Henry Adams, as per plat recorded in Plat Book 10, Page 52, Records of Cobb County, Georgia, which plat is incorporated herein by reference for more particular description and delineation of the lot dimensions thereof. Property is known as 1423 Hawthorne Avenue as houses are currently numbered in Cobb County, Georgia.

LESS AND EXCEPT:

(4) 1415 Hawthorne Avenue (Tax ID 17056200420)
All that tract or parcel of land lying and being in Land Lot 562, 17th District, 2nd Section, Cobb County, Georgia, being Lots 19 and 20, Property of Henry Adams, as per plat recorded at Plat Book 9, Page 130, Cobb County, Georgia records, which plat is incorporated herein and made a part thereof by this reference. Property is known as 1415 Hawthorne Avenue as houses are currently numbered in Cobb County, Georgia.

LESS AND EXCEPT:

(5) 1411 Hawthorne Avenue (Tax ID 17056201100)

All that tract or parcel of land lying and being in Land Lot 562, 17th District, 2nd Section, Cobb County, Georgia, being Lot 19, Henry Adams Subdivision as per plat recorded in Plat Book 9, Page 130, and revised in Plat Book 275, Page 358, Cobb County, Georgia Records, which plat is incorporated herein by reference for a more complete description. Subject property address: 1411 Hawthorne Avenue, Smyrna, Ga. 30080 Parcel ID: 17056201100.

Parcel 5

All that tract or parcel of land lying and being in Land Lot 562 of the 17th District, 2nd Section of Cobb County, Georgia, and including the following properties: 1495 HAWTHORNE AVENUE (TAX ID 17056200550); 2555 REED STREET (TAX ID 17056200540); 2535 REED STREET (TAX ID 17056200560); 2525 REED STREET (TAX ID 17056200700); 2515 REED STREET (TAX ID 17056200570); 2497 REED STREET (TAX ID 17056200590); 2487 REED STREET (TAX ID 17056201740); 2483 REED STREET (TAX ID 1705620600); 2471 REED STREET (TAX ID 1705620610); 2455 REED STREET (TAX ID 17056200630); 2439 REED STREET (TAX ID 17056200960); 2435 REED STREET (TAX ID 17056200640); 2431 REED STREET (TAX ID 17056200950); 2413 REED STREET (TAX ID 17056200650); 2405 REED STREET (TAX ID 17056200660); and being more particularly described as follows:
Begin at a point on the east right-of-way of Reed Street at its intersection with the north side of Hawthorne Avenue; running thence north along the east side of Reed Street to a point where the east side of Reed Street intersects the south right-of-way of Windy Hill Road; running thence east along the south side of Windy Hill Road to a point where the south side of Windy Hill Road intersects the east land lot line of Land Lot 562 (said line dividing Land Lots 591 and 562); running thence south along said land lot line to a point where the east land lot line of Land Lot 562 intersects the north right-of-way of Hawthorne Avenue; running thence west along the north right-of-way of Hawthorne Avenue to a point where the north right-of-way of Hawthorne Avenue intersects the east right-of-way of Reed Street, which point is the point of beginning.

Parcel 6
All that tract or parcel of land lying in Land Lot 519 and 562 of the 17th District, 2nd Section of Cobb County, Georgia, and including the following properties: 1242 PIERCE AVE (TAX ID 17051900700); 1250 PIERCE AVE (TAX ID 17051900710); 1258 PIERCE AVE (TAX ID 17051900720); 1272 PIERCE AVE (TAX ID 17051900980); 1304 PIERCE AVE (TAX ID 17051900770); 1312 PIERCE AVE (TAX ID 17051900780); 1322 PIERCE AVE (TAX ID 17051900790); 1332 PIERCE AVE (TAX ID 17051900800); 1342 PIERCE AVE (TAX ID 17051900810); 1362 PIERCE AVE (TAX ID 17056200240), 2529 DIXIE AVE (TAX ID 17051900910); and being more particularly described as follows:
BEGIN at a point on the south side of Pierce Avenue at its intersection with the east side of Dixie Avenue running thence east along the southerly right-of-way of Pierce Avenue to a point that is the intersection of the south right-of-way of Pierce Avenue and the western right-of-way of Davis Drive; running thence south along the westerly right-of-way of Davis Drive to a point where the westerly right-of-way of Davis Drive intersects the northerly right-of-way of Hawthorne Avenue; running thence west along
the northerly right-of-way of Hawthorne Avenue to the intersection of the northerly 
right-of-way of Hawthorne Avenue with the easterly right-of-way of Dixie Avenue; 
running thence north east along the easterly right-of-way of Dixie Avenue to the 
intersection of the east right-of-way of Dixie Avenue with the southerly right-of-way of 
Pierce Avenue and the point of beginning.

LESS AND EXCEPT:

(1) 1210 PIERCE AVENUE

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd 
Section, Cobb County, Georgia, being 0.312 Acres designated as Tract 1 as per plat of 
survey prepared for Mill Creek II, LLC, dated July 8, 2003 and prepared by Robert B. 
Betterton, Georgia Registered Land Surveyor No. 2496, Betterton Surveying and Design, 
Inc. and being more particularly described as follows: To find the true point of beginning, 
begin at an iron pin located at the intersection of the northeasterly side of the right of way 
of Dixie Avenue (being a variable right of way) and the southerly side of the right of way 
of Pierce Avenue (50 foot right of way) and run thence south 88 degrees 34 minutes 35 
seconds east along the southerly side of the right of way of Pierce Avenue for a distance 
of 46.64 feet to an iron pin at the true point of beginning; from said true point of 
beginning, running thence south 88 degrees 34 minutes 35 seconds east along the 
southerly side of the right of way of Pierce Avenue for a distance of 113.14 feet to an iron 
pin and comer; running thence south 02 degrees 19 minutes 52 seconds west for a 
distance of 159.62 feet to an iron pin and comer; running thence north 88 degrees 39 
minutes 00 seconds west for a distance of 11.09 feet to a point and comer located on the 
northeasterly side of the right of way of Dixie Avenue running thence In a northerly 
direction along the northeasterly side of the right of way of Dixie Avenue and following 
the curvature thereof, having a radius of 1879.86 feet (said arc being subtended by a 
chord bearing north 41 degrees 27 minutes 57 seconds west a chord distance of 189.78 
feet) for an arc distance of 189.86 feet to an iron pin and comer; running thence north 56
degrees 39 minutes 26 seconds east along the mitered corner of Dixie Avenue and Pierce
Avenue for a distance of 36.07 feet to an iron pin at the true point of beginning.
LESS AND EXCEPT:
(2) 1220 Pierce Avenue
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 519
OF THE 17TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, BEING
0.311 ACRES DESIGNATED AS TRACT 2 AS PER PLAT OF SURVEY PREPARED
FOR MILL CREEK II, LLC, DATED JULY 8, 2003, AND PREPARED BY ROBERT
H. BETTERTON, GEORGIA REGISTERED LAND SURVEYOR NO. 2496,
BETTERTON SURVEYING & DESIGN, INC., AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT AN IRON PIN LOCATED
AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF THE RIGHT OF
WAY OF DIXIE AVENUE (BEING A VARIABLE RIGHT OF WAY) AND THE
SOUTHERLY SIDE OF THE RIGHT OF WAY OF PIERCE AVENUE (50 FOOT
RIGHT OF WAY) AND RUN THENCE SOUTH 88 DEGREES 34 MINUTES 35
SECONDS EAST ALONG THE SOUTHERLY SIDE OF THE RIGHT OF WAY OF
PIERCE AVENUE FOR A DISTANCE OF 46.64 FEET TO AN IRON PIN;
CONTINUE THENCE SOUTH 88 DEGREES 34 MINUTES 34 SECONDS EAST
ALONG THE SOUTHERLY SIDE OF THE RIGHT OF WAY OF PIERCE AVENUE
FOR A DISTANCE OF 113.14 FEET TO AN IRON PIN AT THE TRUE POINT OF
BEGINNING; FROM SAID TRUE POINT OF BEGINNING, RUNNING THENCE
SOUTH 88 DEGREE 34 MINUTES 35 SECONDS EAST ALONG THE SOUTHERLY
SIDE OF THE RIGHT OF WAY OF PIERCE AVENUE FOR A DISTANCE OF 85.01
FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 02 DEGREES
19 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 159.51 FEET TO AN
IRON PIN AND CORNER; RUNNING THENCE NORTH 99 DEGREES 39 MINUTES

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00 SECONDS WEST FOR A DISTANCE OF 85.01 FEET TO A POINT AND
CORNER; RUNNING THENCE NORTH 02 DEGREES 19 MINUTES 52 SECONDS
EAST FOR A DISTANCE OF 152.61 FEET TO AN IRON PIN AT THE TRUE POINT
OF BEGINNING.
BEING KNOWN AS 1220 PIERCE AVENUE, SMYRNA, COBB COUNTY,
GEORGIA, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING
PROPERTY IN COBB COUNTY, GEORGIA.

LESS AND EXCEPT:

(3) 1230 Pierce Avenue

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd
Section, Cobb County, Georgia, being 0.311 acres designated as Tract 3 as per plat of
survey prepared for Mill Creek II, LLC, dated July 8, 2003 and prepared by Robert B.
Betterton, Georgia Registered Land Surveyor No. 2496, Betterton Surveying & Design,
Inc. and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING begin at an iron pin located at the
intersection of the northeasterly side of the right of way of Dixie Avenue (being a
variable right of way) and the southerly side of the right of way of Pierce Avenue (50 foot
right of way) and run thence South 88 degrees 34 minutes 35 seconds East along the
southerly side of the right of way of Pierce Avenue for a distance of 46.64 feet to an iron
pin; continue thence South 88 degrees 34 minutes 35 seconds East along the southerly
side of the right of way of Pierce Avenue for a distance of 198.15 feet to an iron pin at
the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running
thence South 88 degrees 34 minutes 35 seconds East along the southerly side of the right
of way of Pierce Avenue for a distance of 85.00 feet to an iron corner; running thence
South 02 degrees 19 minutes 54 seconds West for a distance of 159.40 feet to an iron pin
and corner; running thence North 88 degrees 39 minutes 00 seconds West for a distance
of 85.00 feet to a point and corner; running thence North 02 degrees 19 minutes 52
seconds East for a distance of 159.51 feet to an iron pin at the TRUE POINT OF
BEGINNING.

LESS AND EXCEPT:

(4) 1268 Pierce Avenue

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd
Section, Cobb County, Georgia, being Lot 119, of property of J. P. Taylor, as per plat
recorded in Plat Book 5, Page 81, Cobb County Records, which plat is incorporated
herein by this reference and made a part of this description.

Beginning at an iron pin on the southerly side of Pierce Avenue, 565.00 feet easterly from
the corner formed by the intersection of the southerly side of Pierce Avenue with the
Northeasterly side of Dixie Avenue, formerly Railroad Street, said Point of Beginning
also being at the line dividing Lots 115 and 120, said subdivision; run thence southerly
along the easterly line of said Lot 120 that forms an interior angle of 91 degrees 03
minutes with southerly side of Pierce Avenue, 210.00 feet to an iron pin and Lot 128, said
subdivision; run thence northeasterly along the northerly line of said Lot 120, 80.00 feet
to an iron pin and Lot 118, said subdivision; run thence northerly along the westerly line
of said Lot 118, 210.0 feet to an iron pin on the southerly side of Pierce Avenue; run
thence westerly along the southerly side of Pierce Avenue, 80.0 feet to an iron pin and
the point of beginning.

LESS AND EXCEPT:

(5) 1276 Pierce Avenue

All that tract or parcel of land lying and being in Land Lot No. 519, 17th District, 2nd
Section, Cobb County, Georgia, and being subdivided Lot No. 117 of the property of J.
H. Taylor, as shown on plat made by R. E. Smith, Registered Surveyor, June 10, 1944,
recorded at Plat Book 5, Page 81, Cobb County Records, said plat being hereby adopted
for a more particular description, delineation and location of said property, which is more
particularly described as follows:
Beginning at a point on the south side of Pierce Avenue, 725 feet east of the southeastern intersection of Pierce Avenue and Railroad Street, and running thence south for a distance of 210 feet to a point and corner; thence running east for a distance of 80 feet to a point and corner; thence running north for a distance of 210 feet to the south side of Pierce Avenue; thence running west along the south side of Pierce Avenue for a distance of 80 feet to the point of beginning, being improved property and being known as 1276 Pierce Avenue, according to the present system of numbering in Cobb County, Georgia.

LESS AND EXCEPT:

(6) 1294 Pierce Avenue
All that tract or parcel of land being in the State of Georgia, County of Cobb, Land Lot 519, 17th District, 2nd Section, of Cobb County, Georgia, being Lot 116 of J.H. Taylor Subdivision, as per plat recorded in Plat Book 5, Page 81, Cobb County, Georgia Records.

LESS AND EXCEPT:

(7) 1352 Pierce Avenue
All that tract or parcel of land lying and being in Land Lots 519 and 562 of the 17th District, 2nd Section of Cobb County, Georgia and being Lot 1 property of Henry Adams Subdivision, as per plat recorded in Plat Book 77, Page 16, Cobb County, Georgia Records which plat is incorporated herein by reference and made a part hereof.

LESS AND EXCEPT:

(8) 2510 Davis Drive
All that tract or parcel of land lying and being in Land Lots 519 and 562 of the 17th District, 2nd Section of Cobb County, Georgia and being more particularly described as follows:
BEGINNING AT A POINT on the west side of Davis Drive which is 215 feet north of the intersection of the west side of Davis Drive with the north side of Hawthorne Avenue; and running thence west for a distance of 140 feet to a point and corner; thence running
north for a distance of 70 feet to a point and a corner; thence running east for a distance
of 140 feet to a point and corner located on the west side of Davis Drive; thence running
south along the west side of Davis Drive for a distance of 70 feet to the point of
beginning. Being all of Lot No. 3, Henry Adams Property, as shown on a plat recorded
in Plat Book 9, Page 106, Cobb County, Georgia records, which plat is incorporated
herein and made a part hereof by reference.
LESS AND EXCEPT:
(9) Hawthorne Gate Phase 1
All that tract or parcel of land lying and being in Land Lots 519 and 562 of the 17th
District, 2nd Section, Cobb County, Georgia and being more particularly described as
follows:
Beginning at a point on the northern side of Hawthorne Avenue where it intersects the
western right of way of Davis Drive; running thence South 88 degrees 35 minutes 03
seconds West along the Northerly Right of Way of Hawthorne Avenue a distance of
455.44 feet to a point; Running thence North 00 degrees 00 minutes 35 seconds East a
distance of 214.83 feet to a point; traveling thence North 88 degrees 35 minutes 03
seconds East a distance of 450.97 feet to a point on the westerly right of way of Davis
Drive; running thence South 01 degrees 11 minutes East along the Westerly Right of Way
of Davis Drive a distance of 214.77 feet to a point on the Northerly Right of Way of
Hawthorne Avenue and the POINT OF BEGINNING.
Said tract is shown on that final plat for Hawthorne Gate Phase I recorded in Plat Book
274, Page 730 and 731, in the Cobb County Superior Court which plat is incorporated
by reference.
LESS AND EXCEPT:
(10) 1305 Hawthorne Avenue
All THAT TRACT OR PARCEL of land lying and being in Land Lot 519 of the 17th
District 2nd Section of Cobb County, Georgia, being Lot 132 of the J. H. Taylor Property,
as per plat recorded in Plat Book 5, Page 81, Cobb County, Georgia Records, and being
more particularly described as follows:

BEGINNING at a point on the North side of Hawthorne Avenue, 1360 feet West of the
intersection of the West side of Reed Street with the North side of Hawthorne Avenue
(said beginning point also being the Southwest corner of Lot 133); thence West along the
North side of Hawthorne Avenue, 80 feet to Lot No. 131; thence North along the East
side of Lot No. 131, 215 feet to Lot No. 115; thence East along the South line of Lot 115,
80 feet to Lot No. 133; thence South along the West side of Lot No. 133, 215 feet to the
North side of Hawthorne Avenue and the POINT OF BEGINNING.

LESS AND EXCEPT:

(11) 1285 Hawthorne Avenue

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT
519 OF THE 17TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA AND
BEING DESIGNATED AS LOTS 131, 130, 129, AS SHOWN ON A PLAT OF
PROPERTY OF J.H. TAYLOR AS RECORDED IN PLAT BOOK 5, PAGE 81 COBB
COUNTY, GEORGIA RECORDS, AND BEING MORE FULLY DESCRIBED AS
FOLLOWS:

TO REACH THE POINT OF BEGINNING, START AT THE INTERSECTION OF
THE NORTH RIGHT-OF-WAY OF HAWTHORNE STREET (ALSO KNOWN AS
HAWTHORN AVENUE) (RIGHT OF WAY VARIES) AND THE WEST RIGHT OF
WAY OF DAVIS DRIVE (40' RIGHT-OF-WAY). THENCE RUNNING WEST
ALONG SAID NORTH RIGHT OF WAY OF SAID HAWTHORNE STREET A
DISTANCE OF 540 FEET TO A NAIL SET AND THE POINT OF BEGINNING.
THENCE FROM THE POINT OF BEGINNING AND CONTINUING NORTH 88
DEGREES 18 MINUTES 13 SECONDS WEST ALONG SAID RIGHT-OF-WAY OF
SAID HAWTHORNE STREET A DISTANCE OF 240.00 FEET TO A REBAR SET.
THENCE LEAVING SAID NORTH RIGHT-OF-WAY OF SAID HAWTHORNE
STREET AND RUNNING NORTH 01 DEGREES 35 MINUTES 23 SECONDS EAST A DISTANCE OF 215.00 FEET TO A REBAR SET; THENCE RUNNING SOUTH 88 DEGREES 18 MINUTES 13 SECONDS EAST A DISTANCE OF 240 FEET TO A REBAR SET; THENCE RUNNING SOUTH 01 DEGREES 35 MINUTES 23 SECONDS WEST A DISTANCE OF 215.00 FEET TO SAID NAIL SET LOCATED ON THE SAID NORTH RIGHT-OF-WAY OF SAID HAWTHORNE STREET AND POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 1.185 ACRES OF 51,600 SQUARE FEET.

LESS AND EXCEPT:

(12) 1267 Hawthorne Avenue

All THAT TRACT OR PARCEL of land lying and being in Land Lot 519 of the 17th District, 2nd Section of Cobb County, Georgia, being Lot 128 of the J. H. Taylor Property, according to a plat recorded in Plat Book 5, Page 81, Cobb County, Georgia Records, and being more particularly described as follows: BEGINNING at a point on the north side of Hawthorne Avenue one hundred twenty-three (123) feet east of the intersection of the northeast side of Railroad Street with the north side of Hawthorne avenue; running thence east along the north side of Hawthorne Avenue eighty (80) feet to a point; running thence north two hundred fifteen (215) feet to a point; running thence west eighty (80) feet to a point; running thence south two hundred fifteen (215) feet to a point on the north side of Hawthorne Avenue and the point of beginning.

LESS AND EXCEPT:

(13) Hawthorne Ave (Tax Par 1705190090)

All that tract or parcel of land lying and being in Cobb County Georgia, known as Lot #127 on Hawthorne Avenue of the Belmont Subdivision, according to plat of R. E. Smith, Registered Civil Engineer, and in Land Lots #490 to 562 of the 17th District 2nd Section
of Cobb County, Georgia. The Lot fronting eighty (80) feet to the west side of Hawthorne Avenue and extending back two hundred (200) feet more or less.

LESS AND EXCEPT:

(14)  2545 Dixie Avenue

All that tract or parcel of land lying and being in Land Lot 519 of the 17th District and 2nd Section of Cobb County, Georgia and being Lot No 126 as shown and described upon a plat of the property of J.H. Taylor, as shown on a survey made by R.E. Smith on June 10, 1944, a copy of which plat is recorded in Plat Book 5, Page 8, in the office of Clerk of the Superior Court of Cobb County, Georgia, reference to which is hereby made for a more accurate description of the metes and bounds. Said lot fronts on Railroad Street as shown upon said plat, and is bounded on the West by said Railroad Street; and fronts 305 feet on said named street; and is bounded on the south by said Railroad Street and a small frontage on Hawthorne Avenue; and is bounded on the east for a distance of 185 feet by Lot No. 127 as shown on said plat heretofore referred to; and bounded on the north by Lot No. 125 as shown on said plat for a distance of 236 feet.

Parcel 7

1711 Roswell Street

All that tract or parcel of land lying and being in Land Lot 634 of the 17th District, 2nd Section of Cobb County, Georgia, being Lot 8 of the M. Frostig Subdivision as per plat recorded in Plat Book 4, Page 120, Cobb County, Georgia Records, which plat is incorporated herein and made a part hereof by reference. Said property is also described as 1711 Roswell Street and Tax Parcel No. 17063400040.

Parcel 8

All that tract or parcel of land lying and being in Land Lot 664 of the 17th District, 2nd Section of Cobb County, Georgia and including the following properties: 2583
DAVENPORT ST, (TAX ID 17066400690); 2571 DAVENPORT ST, (TAX ID 17066400360); and being more particularly described as follows:

Tract One

BEGINNING at a point on the east right of way of Davenport Street (also known as Davenport Road), 445.5 feet south of the north line of Land Lot 664; thence from the point of beginning, South 84 degrees 09 minutes 33 seconds East 202.18 feet to a point; thence South 05 degrees 10 minutes 05 seconds West 103.26 feet to a point on the North right of Way of Argo Drive thence South 66 degrees 46 minutes 05 seconds West 88.00 feet, South 76 degrees 06 minutes 45 seconds West 74.14 feet, and North 81 degrees 21 minutes 49 seconds West 45.51 feet to the North right of Way of Argo drive and the east right of way of Davenport Street; thence North 02 degrees 01 minutes 51 seconds East 169.20 feet to the point of beginning, and containing 0.67 acres.

Tract Two

All that tract or parcel of land lying and being in Land Lot 664 of the 17th District, 2nd Section of Cobb County, Georgia, and being more particularly described as tax parcel 17066400360. Said property is designated as 2571 Davenport Street according to the current system of numbering in Cobb County, Georgia.”

SECTION 2.

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