

House Bill 661 (AS PASSED HOUSE AND SENATE)

By: Representatives Drenner of the 85<sup>th</sup>, Henson of the 86<sup>th</sup>, Jacobs of the 80<sup>th</sup>, Anderson of the 92<sup>nd</sup>, Kendrick of the 93<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to reincorporate the City of Clarkston in the County of DeKalb, approved  
2 April 21, 1967 (Ga. L. 1967, p. 3391), as amended, so as to change the corporate limits of  
3 the city by annexing certain territory; to provide for related matters; to provide for a  
4 referendum; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 PART ONE

7 SECTION 1-1.

8 An Act to reincorporate the City of Clarkston in the County of DeKalb, approved  
9 April 21, 1967 (Ga. L. 1967, p. 3391), as amended, is amended by adding a new subsection  
10 to read as follows:

11 "(c) In addition to all other territory included within the boundaries of the city, the city  
12 shall also include the following described real property:

13 Beginning at a point approximately one hundred (100) feet south of the intersection of  
14 Pecan Street and East Ponce de Leon Avenue, where the existing corporate limit line of  
15 the City of Clarkston intersects with the CSX railroad; Then, following the CSX railroad  
16 in a westerly direction to its intersection with the eastern right-of-way line of Interstate  
17 285; Then, following the eastern right-of-way line of Interstate 285 in a northerly  
18 direction for approximately nine hundred and eighty (980) feet to a point where the  
19 eastern right-of-way line of Interstate 285 intersects the existing corporate limit line of  
20 the City of Clarkston; Then, following the corporate limit line of the City of Clarkston  
21 in a easternly direction for approximately one hundred and twenty (120) feet, then in a  
22 northerly direction for approximately two thousand (2,000) feet, then in an easterly  
23 direction for approximately seven hundred and fifty (750) feet to a point approximately  
24 two hundred fifty (250) feet north of the intersection of Casa Drive and Casa Woods  
25 Lane; Then, following the existing curved corporate limit line of the City of Clarkston

26 in a south-southeasterly direction to a point where the existing corporate limit line of the  
27 City of Clarkston intersects the CSX railroad, this point being the point of beginning.”

28

29

**SECTION 1-2.**

30 This part shall become effective on January 1, 2016, if approved by the referendum provided  
31 for in Part 3 of this Act.

32

**PART TWO**

33

**SECTION 2-1.**

34 An Act to reincorporate the City of Clarkston in the County of DeKalb, approved  
35 April 21, 1967 (Ga. L. 1967, p. 3391), as amended, is amended by adding a new subsection  
36 to read as follows:

37 “(c) In addition to all other territory included within the boundaries of the city, the city  
38 shall also include the following described real property:

39 Beginning at a point approximately one hundred (100) feet south of the intersection of  
40 Pecan Street and East Ponce de Leon Avenue, where the existing corporate limit line of  
41 the City of Clarkston intersects with the CSX railroad; Then, following the existing  
42 curved corporate limit line of the City of Clarkston in a southeasterly direction to a point  
43 where the existing corporate limit line of the City of Clarkston intersects the southern  
44 right-of-way line of Rowland Street, approximately one hundred fifty (150) feet east of  
45 the intersection of Rowland and Lovejoy Streets; Then, following a line consistent with  
46 the boundary lines of adjacent parcels in a westerly direction for approximately two  
47 thousand five hundred (2,500) feet, to a point on the eastern right-of-way line of Interstate  
48 285; Then, following the eastern right-of-way line of Interstate 285 south to a point  
49 approximately seven hundred (700) feet to the west of the intersection of Northern  
50 Avenue and Indian Creek Way; Then, crossing the right-of-way of Interstate 285 and  
51 continuing west following a line consistent with the boundary lines of adjacent parcels  
52 to a point along the eastern right-of-way line of Glendale Road approximately one  
53 thousand five hundred (1,500) feet southeast of Church Street; Then, following the  
54 eastern right-of-way line of Glendale Road in a northerly direction to its intersection with  
55 Gifford Street; Then, following the northern right- of-way line of Gifford Street in a  
56 southwesterly direction to the end of Gifford Street; Then, continuing in such  
57 southwesterly direction along a line consistent with adjacent parcels for approximately  
58 one thousand five hundred (1,500) feet to a point along the eastern right-of-way line of  
59 Woodland Avenue; Then, following the eastern right-of-way line of Woodland Avenue  
60 south to its intersection with North Decatur Road; Then, following the northern  
61 right-of-way line of North Decatur Road west to its intersection with the CSX railroad;

62 Then, following the CSX railroad northeast to the point where it intersects with the  
63 existing corporate limit line of the City of Clarkston, this point being the point of  
64 beginning."

65 **SECTION 2-2.**

66 This part shall become effective on January 1, 2016.

67 **PART THREE**

68 **SECTION 3-1.**

69 The election superintendent of DeKalb County shall call and conduct an election as provided  
70 in this section for the purpose of submitting this part to the electors of the territory sought to  
71 be annexed into the City of Clarkston under Part 1 of this Act for approval or rejection. The  
72 election superintendent shall conduct such election on the Tuesday next following the first  
73 Monday in November, 2015, and shall issue the call and conduct such election as provided  
74 by general law. The election superintendent shall cause the date and purpose of the election  
75 to be published once a week for two weeks immediately preceding the date thereof in the  
76 official organ of DeKalb County. The ballot shall have written or printed thereon the words:

77 "( ) YES Shall Part Two of the Act which annexes certain land into the City of  
78 ( ) NO Clarkston be approved?"

79 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons  
80 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the  
81 votes cast on such question are for approval of the annexation, then this part shall become  
82 effective on January 1, 2016. If more than one-half of the votes cast on such question are for  
83 rejection of the annexation, this part shall not become effective and shall be automatically  
84 repealed on the first day of January immediately following such election date. The expense  
85 of such election shall be borne by the City of Clarkston. It shall be the election  
86 superintendent's duty to certify the result thereof to the Secretary of State.

87 **SECTION 3-2.**

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