

House Bill 744 (COMMITTEE SUBSTITUTE)

By: Representatives Anulewicz of the 42<sup>nd</sup>, Thomas of the 39<sup>th</sup>, Allen of the 40<sup>th</sup>, Bruce of the 61<sup>st</sup>, Smith of the 41<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

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

9 style="text-align:center">"Extension of 2021 (Section 4EE)

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

12 Parcel 1

13 All that tract or parcel of land lying and being in Land Lot 519 and 562 of the 17th  
14 District, 2nd Section of Cobb County, Georgia and including the following properties:

H. B. 744 (SUB)

15 DIXIE AVE (TAX ID 17051900180); 1185 BELMONT AVE (TAX ID 17051900200);  
16 1243 BELMONT AVE (TAX ID 17051900110); 1263 BELMONT AVE (TAX ID  
17 17051900100); 1271 BELMONT AVE (TAX ID 17051900090); 1281 BELMONT AVE  
18 (TAX ID 17051900080); 1299 BELMONT AVE (TAX ID 17051900060); 1303  
19 BELMONT AVE (TAX ID 17051901280); 1307 BELMONT AVE (TAX ID  
20 17051900050); 1309 BELMONT AVE (TAX ID 17051900040); 1311 BELMONT AVE  
21 (TAX ID 17051900030); 1347 BELMONT AVE (TAX ID 17051900020); 1337  
22 BELMONT AVE (TAX ID 17051900010); and being more particularly described as  
23 follows:

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

34 LESS AND EXCEPT:

- 35 (1) 2435 Dixie Avenue - Tax Parcel 17051900190  
36 (2) 1355 Belmont Avenue - Tax Parcel 17056200160  
37 (3) 1363 Belmont Avenue - Tax Parcel 17056200150  
38 (4) 1373 Belmont Avenue - Tax Parcel 17056200140  
39 (5) 1379 Belmont Avenue - Tax Parcel 17056200130  
40 (6) 1381 Belmont Avenue - Tax Parcel 17056200120  
41 (7) 1397 Belmont Avenue - Tax Parcel 17056200110

- 42 (8) 1405 Belmont Avenue - Tax Parcel 17056200100  
 43 (9) 1413 Belmont Avenue - Tax Parcel 17056200080  
 44 (10) 1421 Belmont Avenue - Tax Parcel 17056200060  
 45 (11) 1429 Belmont Avenue - Tax Parcel 17056200050  
 46 (12) 1435 Belmont Avenue - Tax Parcel 17056200040  
 47 (13) 1443 Belmont Avenue - Tax Parcel 17056200030  
 48 (14) 1451 Belmont Avenue - Tax Parcel 17056200020  
 49 (15) 1461 Belmont Avenue - Tax Parcel 17056200010  
 50 (16) No street number Windy Hill Road - Tax Parcel 17056201210

51 Parcel 2

52 All that tract or parcel of land lying and being in Land Lot 490 and 519 of the 17th  
 53 District, 2nd Section, Cobb County, Georgia, and including the following properties:  
 54 2465 DIXIE AVE, TAX ID 17051900210; 1198 BELMONT AVE TAX ID  
 55 17051900220; 1202 BELMONT AVE, TAX ID 17051900230; 1214 BELMONT AVE,  
 56 TAX ID 1705190024; 1222 BELMONT AVE, TAX ID 17051900430; 1224 BELMONT  
 57 AVE, TAX ID 17051900270; 2474 ADAMS DR, TAX ID 17051900250; 2484 ADAMS  
 58 DR, TAX ID 17051900260; 1213 PIERCE AVE, TAX ID 17051900640; 1207 PIERCE  
 59 AVE, TAX ID 17051900650 and being more particularly described as follows:

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

68 LESS AND EXCEPT:

69 (1) 2466 Adams Drive (Tax ID 17051901580)

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

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

87 LESS AND EXCEPT:

88 (2) 2470 Adams Drive (Tax ID 17051900620)

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

93 Beginning at an iron pin on the north side of Pierce Avenue 290 feet easterly as measured  
94 along the northern side of Pierce Avenue from the corner formed by the intersection of

95 the northern side of Pierce Avenue with the northeastern side of the right of way of  
 96 Railroad Street; thence easterly along the northern side of Pierce Avenue 70 feet to an  
 97 iron pin on the western side of Adams Drive; thence north along the western side of  
 98 Adams Drive 150 feet to an iron pin; thence west 70 feet to an iron pin; thence south 150  
 99 feet to an iron pin on the northern side of Pierce Avenue and the point of beginning.

100 LESS AND EXCEPT:

101 (3) 1231 Pierce Avenue (Tax ID 17051901540)

102 All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd  
 103 Section of Cobb County, Georgia, and being known as Lot 72A of Belmont Subdivision,  
 104 as per plat recorded in Plat Book 276, Page 169, Cobb County, Georgia Records, and  
 105 being more particularly described as follows:

106 Beginning at a point where the western right-of-way of Adams Drive intersects with the  
 107 northern right-of-way of Pierce Avenue; thence South 89 degrees 30 minutes 52 seconds  
 108 West for a distance of 65.00 feet to a point; thence North 00 degrees 10 minutes 47  
 109 seconds West for a distance of 146.34 feet to a point; thence North 89 degrees 49 minutes  
 110 13 seconds East for a distance of 65 feet to a point; thence South 00 degrees 10 minutes  
 111 48 seconds East for a distance of 146.00 feet to a point being the point of beginning.

112 LESS AND EXCEPT:

113 (4) 1221 Pierce Avenue (Tax ID 17051900650)

114 All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd  
 115 Section, Cobb County, Georgia, being Lot 1, Reeves Electric Company as per plat  
 116 recorded in Plat Book 7, Page 26, Cobb County, Georgia Records, which plat is  
 117 incorporated herein by reference and made a part hereof.

118 LESS AND EXCEPT:

119 (5) Belmont Station Subdivision

120 All that tract or parcel of land lying and being in Land Lot 490 of the 17th District, 2nd  
 121 Section of Cobb County, Georgia, as to Lots 1, 2 and 3 and being in Land Lots 490 and

122 519 of said district, section and county and being Lots 4 and 5, all of Belmont Station  
123 Subdivision, as shown on plat recorded in Plat Book 278, Pages 509-510, Cobb County,  
124 Georgia Records, which plat is incorporated herein by reference and made a part hereof.

125 TOGETHER WITH:

126 Common Area

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

132 And

133 Detention and Water Quality Area

134 All that tract or parcel of land lying and being located in Land Lot 490 and 519 of the  
135 17th District, 2nd Section of Cobb County, Georgia and being Detention and Water  
136 Quality Area of Belmont Station Final Plat for Longo Custom Builders, Inc. by Ashford  
137 Engineers LLC and Perimeter Surveying Company, Inc. dated 07/01/19. Said plat being  
138 recorded in Plat Book 278, Page 509 and 510 on 09/07/19 in Cobb County, Georgia  
139 Records.

140 Parcel 3

141 All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd  
142 Section of Cobb County, Georgia, and including the following properties: 1241 PIERCE  
143 AVENUE (TAX ID 17051900600); 1251 PIERCE AVENUE (TAX ID 17051900590);  
144 PIERCE AVENUE (TAX ID 17051900570); 1259 PIERCE AVENUE (TAX ID  
145 17051900560); 1267 PIERCE AVENUE (TAX ID 17051900550); 1277 PIERCE  
146 AVENUE (TAX ID 17051900540); 1287 PIERCE AVENUE (TAX ID 17051900530);  
147 1295 PIERCE AVENUE (TAX ID 17051900520); 1305 PIERCE AVENUE (TAX ID

148 17051900510); 1313 PIERCE AVENUE (TAX ID 17051900500); 1323 PIERCE  
149 AVENUE (TAX ID 17051900490); 1331 PIERCE AVENUE (TAX ID 17051900480);  
150 1341 PIERCE AVENUE (TAX ID 17051900470); 1375 PIERCE AVENUE (TAX ID  
151 17056200680); DAVIS DRIVE (TAX ID 17056200720); 2470 DAVIS DRIVE (TAX  
152 ID 17051901250); 2460 DAVIS DRIVE (TAX ID 17051900420); 2450 DAVIS DRIVE  
153 (TAX ID 17051900410); 1376 BELMONT AVENUE (TAX ID 17056200170); 1330  
154 BELMONT AVENUE (TAX ID 17051900390); 1322 BELMONT AVENUE (TAX ID  
155 17051900380); 1314 BELMONT AVENUE (TAX ID 17051900370); 1306 BELMONT  
156 AVENUE (TAX ID 17051900360); 1298 BELMONT AVENUE (TAX ID  
157 17051900350); 1294 BELMONT AVENUE (TAX ID 17051900340); 1282 BELMONT  
158 AVENUE (TAX ID 17051900320); 1278 BELMONT AVENUE (TAX ID  
159 17051900310); 1268 BELMONT AVENUE (TAX ID 17051900300); 1258 BELMONT  
160 AVENUE (TAX ID 17051900290); 1234 BELMONT AVENUE (TAX ID  
161 17051900280); and 2465 ADAMS DRIVE (TAX ID 17051900610); and being more  
162 particularly described as follows:

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

172 LESS AND EXCEPT:

173 (1) 2475 Adams Drive (Tax ID 17051900580)

174 All that tract or parcel of land lying and being in Land Lot 519 of the 7thh District, 2nd  
175 Section of Cobb County, Georgia, as shown on a Survey dated November 28, 2018  
176 prepared by LandTec Surveying (William J. Gilbert, GRLS#2848) and being more  
177 particularly described as follows:

178 Beginning at a point where the Northern right-of-way of Pierce Avenue (a 50'  
179 right-of-way) intersects with the Eastern right-of-way of Adams Drive (right-of-way  
180 varies); thence North 00 degrees, 10 minutes 47 seconds west for a distance of 99.41 feet  
181 to a point being the point of beginning; thence North 00 degrees 10 minutes 47 seconds  
182 West for a distance of 69.97 feet along the eastern right-of-way of Adams Drive to a  
183 point at the Northwest corner of the dividing line between the subject property and that  
184 now or formerly owned by Bridget & Dolly Hogan; thence North 88 degrees 56 minutes  
185 16 seconds East along the dividing line between the subject property and the Hogan  
186 property for a distance of 70.66 feet to a 1/2" rebar set at the Northeast corner of the  
187 subject property; thence South 00 degrees 39 minutes 29 seconds West along the dividing  
188 line between the subject property and property now or formerly owned by Ronald S.  
189 Dickinson and property now or formerly owned by Clinton L. Vail, a distance of 70.00  
190 feet to a 1/2" rebar set at the Southeast corner of the subject property; thence South 88  
191 degrees 56 minutes 28 seconds West along the dividing line between the subject property  
192 and that now or formerly owned by Maurice F. Baxter a distance of 69.64 feet to a point  
193 at the Southwest corner of the subject property and the point of beginning; being known  
194 as 2475 Adams Drive, according to the present system of numbering property in Cobb  
195 County, Georgia.

196 LESS AND EXCEPT:

197 (2) 2461 Adams Drive (Tax ID 17051901550)

198 All that tract or parcel of land lying and being in Land Lot 519 of the 17th District and  
199 2nd Section of Cobb County, Georgia containing 0.194 acre, more or less, and being Lot  
200 62B as described on that certain Plat of Survey dated July 12, 2018 entitled, "Lots 62A



201 and 62B Re-Subdivision of Part of Lot 62, Belmont Property of J. H. Taylor," prepared  
202 by McClung Surveying Services, Inc., certified by Michael R. Noles, GRLS#2646 and  
203 recorded with the Clerk of the Superior Court of Cobb County, Georgia at Plat Book 277,  
204 Pages 595-596, which plat and the record thereof are each incorporated herein by specific  
205 reference thereto.

206 LESS AND EXCEPT:

207 (3) 2451 Adams Drive (Tax ID 17051900960)

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

214 Start at a point located at the intersection of the East right-of-way of Adams Drive (R/W  
215 varies) and the South right-of-way of Belmont Avenue (50' R/W) (said point also being  
216 the Point of Beginning). Thence from the point of beginning and running South 89  
217 degrees 17 minutes 40 seconds East along the South right-of-way of Belmont Avenue a  
218 distance of 72.62 feet to a rebar set; thence leaving said right-of-way and running South  
219 00 degrees 31 minutes 53 seconds West a distance of 124.32 feet to a rebar set; thence  
220 running South 89 degrees 28 minutes 29 seconds West a distance of 69.73 feet to a rebar  
221 set located along the east right-of-way of Adams Drive; thence running North 00 degrees  
222 47 minutes 25 seconds West along said right-of-way a distance of 125.88 feet to said  
223 point and the point of beginning.

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

225 LESS AND EXCEPT:

226 (4) 1340 Belmont Avenue (Tax ID 17051900400)

227 All that tract or parcel of land lying and being in Land Lot 519, 17th District, 2nd  
228 Section, Cobb County, Georgia, being Lot 51 and parts of Lots 52 and 84, Belmont  
229 Property as shown on Plat recorded in Plat Book 61, Page 7, Cobb County Records.

230 Parcel 4

231 All that tract or parcel of land lying and being in Land Lot 562 of the 17th District, 2nd  
232 Section of Cobb County, Georgia, and including the following properties: 1368 PIERCE  
233 AVE, (TAX ID 17056200340); 1378 PIERCE AVE, (TAX ID 17056200350); 1386  
234 PIERCE AVE, (TAX ID 17056200370); 1394 PIERCE AVE, (TAX ID 17056200380);  
235 1410 PIERCE AVE, (TAX ID 17056200390); 1414 PIERCE AVE, (TAX ID  
236 17056200400); 1422 PIERCE AVE, (TAX ID 17056200440); 1432 PIERCE AVE, (TAX  
237 ID 17056200450); 1436 PIERCE AVE, (TAX ID 17056200860); 1442 PIERCE AVE,  
238 (TAX ID 170562005000; 1454 PIERCE AVE, (TAX ID 170562005100); 1456 PIERCE  
239 AVE, (TAX ID 17056200520) ; 1461 Hawthorn AVE, (TAX ID 17056200530); 1435  
240 Hawthorn AVE, (TAX ID 17056200480); 1419 Hawthorn AVE, (TAX ID  
241 17056200430); 2529 SAINT CHARLES DR, (TAX ID 17056200410); 2520 SAINT  
242 CHARLES DR, (TAX ID 17056200360); 2538 SAINT CHARLES DR, TAX ID  
243 (17056200320) ; 2529 DAVIS DR, (TAX ID 17056200910); 2521 DAVIS DR, (TAX  
244 ID 17056200330) and being more particularly described as follows:

245 Begin at a point on the south side of Pierce Avenue at its intersection with the east side  
246 of Davis Drive; running thence east along the south side of Pierce Avenue to a point on  
247 the westerly right-of-way of Saint Charles Drive; continuing thence east along the south  
248 side of Pierce Avenue to a point on the westerly right-of-way of Reed Street; running  
249 thence south, along the westerly right-of-way of Reed Street to a point on the north  
250 right-of-way of Hawthorne Avenue; running thence west along the north right-of-way of  
251 Hawthorne Avenue to a point on the east right-of-way of Davis Drive; running north  
252 along the easterly right-of-way of Davis Drive to the point of beginning.

253 LESS AND EXCEPT:

254 (1) Hawthorne Gate - Phase 2

255 Hawthorne Gate, Phase 2 as shown on that final Plat for Hawthorne Gate Phase 2,  
256 recorded in Plat Book 275, Page 81 & 81, Cobb County Records, which plat is  
257 incorporated herein by reference. Said property consisting of 1409 Hawthorn Ave, 1405  
258 Hawthorn Ave, 1401 Hawthorn Ave, 1397 Hawthorn Ave, 1393 Hawthorn Ave, 1389  
259 Hawthorn Ave, 1385 Hawthorn Ave, 1381 Hawthorn Ave, 1377 Hawthorn Ave, and  
260 1373 Hawthorn Ave.

261 LESS AND EXCEPT:

262 (2) 1449 Hawthorne Avenue (Tax ID 17056200490)

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

270 LESS AND EXCEPT:

271 (3) 1423 Hawthorne Avenue (Tax ID 17056200470)

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

278 LESS AND EXCEPT:

279 (4) 1415 Hawthorne Avenue (Tax ID 17056200420)

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

285 LESS AND EXCEPT:

286 (5) 1411 Hawthorne Avenue (Tax ID 17056201100)

287 All that tract or parcel of land lying and being in Land Lot 562, 17th District, 2nd  
288 Section, Cobb County, Georgia, being Lot 19, Henry Adams Subdivision as per plat  
289 recorded in Plat Book 9, Page 130, and revised in Plat Book 275, Page 358, Cobb  
290 County, Georgia Records, which plat is incorporated herein by reference for a more  
291 complete description. Subject property address: 1411 Hawthorne Avenue, Smyrna, Ga.  
292 30080 Parcel ID: 17056201100.

293 Parcel 5

294 All that tract or parcel of land lying and being in Land Lot 562 of the 17th District, 2nd  
295 Section of Cobb County, Georgia, and including the following properties: 1495  
296 HAWTHORNE AVENUE (TAX ID 17056200550); 2555 REED STREET (TAX ID  
297 17056200710); 2545 REED STREET (TAX ID 17056200540); 2535 REED STREET  
298 (TAX ID 17056200560); 2525 REED STREET (TAX ID 17056200700); 2515 REED  
299 STREET (TAX ID 17056200570); 2497 REED STREET (TAX ID 17056200590); 2487  
300 REED STREET (TAX ID 17056201740); 2483 REED STREET (TAX ID  
301 17056200600); 2471 REED STREET (TAX ID 17056200610); 2455 REED STREET  
302 (TAX ID 17056200630); 2439 REED STREET (TAX ID 17056200960); 2435 REED  
303 STREET (TAX ID 17056200640); 2431 REED STREET (TAX ID 17056200950); 2413  
304 REED STREET (TAX ID 17056200650); 2405 REED STREET (TAX ID  
305 17056200660); and being more particularly described as follows:

H. B. 744 (SUB)

306 Begin at a point on the east right-of-way of Reed Street at its intersection with the north  
307 side of Hawthorne Avenue; running thence north along the east side of Reed Street to a  
308 point where the east side of Reed Street intersects the south right-of-way of Windy Hill  
309 Road; running thence east along the south side of Windy Hill Road to a point where the  
310 south side of Windy Hill Road intersects the east land lot line of Land Lot 562 (said line  
311 dividing Land Lots 591 and 562); running thence south along said land lot line to a point  
312 where the east land lot line of Land Lot 562 intersects the north right-of-way of  
313 Hawthorne Avenue; running thence west along the north right-of-way of Hawthorne  
314 Avenue to a point where the north right-of-way of Hawthorne Avenue intersects the east  
315 right-of-way of Reed Street, which point is the point of beginning.

316 Parcel 6

317 All that tract or parcel of land lying in Land Lot 519 and 562 of the 17th District, 2nd  
318 Section of Cobb County, Georgia, and including the following properties: 1242 PIERCE  
319 AVE (TAX ID 17051900700); 1250 PIERCE AVE (TAX ID 17051900710); 1258  
320 PIERCE AVE (TAX ID 17051900720); 1272 PIERCE AVE (TAX ID 17051900980);  
321 1304 PIERCE AVE (TAX ID 17051900770); 1312 PIERCE AVE (TAX ID  
322 17051900780); 1322 PIERCE AVE (TAX ID 17051900790); 1332 PIERCE AVE (TAX  
323 ID 17051900800); 1342 PIERCE AVE (TAX ID 17051900810); 1362 PIERCE AVE  
324 (TAX ID 17056200240), 2529 DIXIE AVE (TAX ID 17051900910); and being more  
325 particularly described as follows:

326 BEGIN at a point on the south side of Pierce Avenue at its intersection with the east side  
327 of Dixie Avenue running thence east along the southerly right-of-way of Pierce Avenue  
328 to a point that is the intersection of the south right-of-way of Pierce Avenue and the  
329 western right-of-way of Davis Drive; running thence south along the westerly  
330 right-of-way of Davis Drive to a point where the westerly right-of-way of Davis Drive  
331 intersects the northerly right-of-way of Hawthorne Avenue; running thence west along

332 the northerly right-of-way of Hawthorne Avenue to the intersection of the northerly  
333 right-of-way of Hawthorne Avenue with the easterly right-of-way of Dixie Avenue;  
334 running thence north east along the easterly right-of-way of Dixie Avenue to the  
335 intersection of the east right-of-way of Dixie Avenue with the southerly right-of-way of  
336 Pierce Avenue and the point of beginning.

337 LESS AND EXCEPT:

338 (1) 1210 PIERCE AVENUE

339 All that tract or parcel of land lying and being in Land Lot 519 of the 17th District, 2nd  
340 Section, Cobb County, Georgia, being 0.312 Acres designated as Tract 1 as per plat of  
341 survey prepared for Mill Creek II, LLC, dated July 8, 2003 and prepared by Robert B.  
342 Betterton, Georgia Registered Land Surveyor No. 2496, Betterton Surveying and Design,  
343 Inc. and being more particularly described as follows: To find the true point of beginning,  
344 begin at an iron pin located at the intersection of the northeasterly side of the right of way  
345 of Dixie Avenue (being a variable right of way) and the southerly side of the right of way  
346 of Pierce Avenue (50 foot right of way) and run thence south 88 degrees 34 minutes 35  
347 seconds east along the southerly side of the right of way of Pierce Avenue for a distance  
348 of 46.64 feet to an iron pin at the true point of beginning; from said true point of  
349 beginning, running thence south 88 degrees 34 minutes 35 seconds east along the  
350 southerly side of the right of way of Pierce Avenue for a distance of 113.14 feet to an iron  
351 pin and comer; running thence south 02 degrees 19 minutes 52 seconds west for a  
352 distance of 159.62 feet to an iron pin and comer; running thence north 88 degrees 39  
353 minutes 00 seconds west for a distance of 11.09 feet to a point and comer located on the  
354 northeasterly side of the right of way of Dixie Avenue running thence In a northerly  
355 direction along the northeasterly side of the right of way of Dixie Avenue and following  
356 the curvature thereof, having a radius of 1879.86 feet (said arc being subtended by a  
357 chord bearing north 41 degrees 27 minutes 57 seconds west a chord distance of 189.78  
358 feet) for an arc distance of 189.86 feet to an iron pin and comer; running thence north 56

359 degrees 39 minutes 26 seconds east along the mitered corner of Dixie Avenue and Pierce  
360 Avenue for a distance of 36.07 feet to an iron pin at the true point of beginning.

361 LESS AND EXCEPT:

362 (2) 1220 Pierce Avenue

363 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 519  
364 OF THE 17TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, BEING  
365 0.311 ACRES DESIGNATED AS TRACT 2 AS PER PLAT OF SURVEY PREPARED  
366 FOR MILL CREEK II, LLC, DATED JULY 8, 2003, AND PREPARED BY ROBERT  
367 H. BETTERTON, GEORGIA REGISTERED LAND SURVEYOR NO. 2496,  
368 BETTERTON SURVEYING & DESIGN, INC., AND BEING MORE  
369 PARTICULARLY DESCRIBED AS FOLLOWS:

370 TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT AN IRON PIN LOCATED  
371 AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF THE RIGHT OF  
372 WAY OF DIXIE AVENUE (BEING A VARIABLE RIGHT OF WAY) AND THE  
373 SOUTHERLY SIDE OF THE RIGHT OF WAY OF PIERCE AVENUE (50 FOOT  
374 RIGHT OF WAY) AND RUN THENCE SOUTH 88 DEGREES 34 MINUTES 35  
375 SECONDS EAST ALONG THE SOUTHERLY SIDE OF THE RIGHT OF WAY OF  
376 PIERCE AVENUE FOR A DISTANCE OF 46.64 FEET TO AN IRON PIN;  
377 CONTINUE THENCE SOUTH 88 DEGREES 34 MINUTES 34 SECONDS EAST  
378 ALONG THE SOUTHERLY SIDE OF THE RIGHT OF WAY OF PIERCE AVENUE  
379 FOR A DISTANCE OF 113.14 FEET TO AN IRON PIN AT THE TRUE POINT OF  
380 BEGINNING; FROM SAID TRUE POINT OF BEGINNING, RUNNING THENCE  
381 SOUTH 88 DEGREE 34 MINUTES 35 SECONDS EAST ALONG THE SOUTHERLY  
382 SIDE OF THE RIGHT OF WAY OF PIERCE AVENUE FOR A DISTANCE OF 85.01  
383 FEET TO AN IRON PIN AND CORNER; RUNNING THENCE SOUTH 02 DEGREES  
384 19 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 159.51 FEET TO AN  
385 IRON PIN AND CORNER; RUNNING THENCE NORTH 99 DEGREES 39 MINUTES

386 00 SECONDS WEST FOR A DISTANCE OF 85.01 FEET TO A POINT AND  
387 CORNER; RUNNING THENCE NORTH 02 DEGREES 19 MINUTES 52 SECONDS  
388 EAST FOR A DISTANCE OF 152.61 FEET TO AN IRON PIN AT THE TRUE POINT  
389 OF BEGINNING.

390 BEING KNOWN AS 1220 PIERCE AVENUE, SMYRNA, COBB COUNTY,  
391 GEORGIA, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING  
392 PROPERTY IN COBB COUNTY, GEORGIA.

393 LESS AND EXCEPT:

394 (3) 1230 Pierce Avenue

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

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



413 seconds East for a distance of 159.51 feet to an iron pin at the TRUE POINT OF  
414 BEGINNING.

415 LESS AND EXCEPT:

416 (4) 1268 Pierce Avenue

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

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

432 LESS AND EXCEPT:

433 (5) 1276 Pierce Avenue

434 All that tract or parcel of land lying and being in Land Lot No. 519, 17th District, 2nd  
435 Section, Cobb County, Georgia, and being subdivided Lot No. 117 of the property of J.  
436 H. Taylor, as shown on plat made by R. E. Smith, Registered Surveyor, June 10, 1944,  
437 recorded at Plat Book 5, Page 81, Cobb County Records, said plat being hereby adopted  
438 for a more particular description, delineation and location of said property, which is more  
439 particularly described as follows:

440 Beginning at a point on the south side of Pierce Avenue, 725 feet east of the southeastern  
441 intersection of Pierce Avenue and Railroad Street, and running thence south for a distance  
442 of 210 feet to a point and corner; thence running east for a distance of 80 feet to a point  
443 and corner; thence running north for a distance of 210 feet to the south side of Pierce  
444 Avenue; thence running west along the south side of Pierce Avenue for a distance of 80  
445 feet to the point of beginning, being improved property and being known as 1276 Pierce  
446 Avenue, according to the present system of numbering in Cobb County, Georgia.

447 LESS AND EXCEPT:

448 (6) 1294 Pierce Avenue

449 All that tract or parcel of land being in the State of Georgia, County of Cobb, Land Lot  
450 519, 17th District, 2nd Section, of Cobb County, Georgia, being Lot 116 of J.H. Taylor  
451 Subdivision, as per plat recorded in Plat Book 5, Page 81, Cobb County, Georgia  
452 Records.

453 LESS AND EXCEPT:

454 (7) 1352 Pierce Avenue

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

459 LESS AND EXCEPT:

460 (8) 2510 Davis Drive

461 All that tract or parcel of land lying and being in Land Lots 519 and 562 of the 17th  
462 District, 2nd Section of Cobb County, Georgia and being more particularly described as  
463 follows:

464 BEGINNING AT A POINT on the west side of Davis Drive which is 215 feet north of  
465 the intersection of the west side of Davis Drive with the north side of Hawthorne Avenue;  
466 and running thence west for a distance of 140 feet to a point and corner; thence running

467 north for a distance of 70 feet to a point and a corner; thence running east for a distance  
468 of 140 feet to a point and corner located on the west side of Davis Drive; thence running  
469 south along the west side of Davis Drive for a distance of 70 feet to the point of  
470 beginning. Being all of Lot No. 3, Henry Adams Property, as shown on a plat recorded  
471 in Plat Book 9, Page 106, Cobb County, Georgia records, which plat is incorporated  
472 herein and made a part hereof by reference.

473 LESS AND EXCEPT:

474 (9) Hawthorne Gate Phase 1

475 All that tract or parcel of land lying and being in Land Lots 519 and 562 of the 17th  
476 District, 2nd Section, Cobb County, Georgia and being more particularly described as  
477 follows:

478 Beginning at a point on the northern side of Hawthorne Avenue where it intersects the  
479 western right of way of Davis Drive; running thence South 88 degrees 35 minutes 03  
480 seconds West along the Northerly Right of Way of Hawthorne Avenue a distance of  
481 455.44 feet to a point; Running thence North 00 degrees 00 minutes 35 seconds East a  
482 distance of 214.83 feet to a point; traveling thence North 88 degrees 35 minutes 03  
483 seconds East a distance of 450.97 feet to a point on the westerly right of way of Davis  
484 Drive; running thence South 01 degrees 11 minutes East along the Westerly Right of Way  
485 of Davis Drive a distance of 214.77 feet to a point on the Northerly Right of Way of  
486 Hawthorne Avenue and the POINT OF BEGINNING.

487 Said tract is shown on that final plat for Hawthorne Gate Phase I recorded in Plat Book  
488 274, Page 730 and 731, in the Cobb County Superior Court which plat is incorporated  
489 by reference.

490 LESS AND EXCEPT:

491 (10) 1305 Hawthorne Avenue

492 All THAT TRACT OR PARCEL of land lying and being in Land Lot 519 of the 17th  
493 District 2nd Section of Cobb County, Georgia, being Lot 132 of the J. H. Taylor Property,

494 as per plat recorded in Plat Book 5, Page 81, Cobb County, Georgia Records, and being  
 495 more particularly described as follows:

496 BEGINNING at a point on the North side of Hawthorne Avenue, 1360 feet West of the  
 497 intersection of the West side of Reed Street with the North side of Hawthorne Avenue  
 498 (said beginning point also being the Southwest corner of Lot 133); thence West along the  
 499 North side of Hawthorne Avenue, 80 feet to Lot No. 131; thence North along the East  
 500 side of Lot No. 131, 215 feet to Lot No. 115; thence East along the South line of Lot 115,  
 501 80 feet to Lot No. 133; thence South along the West side of Lot No. 133, 215 feet to the  
 502 North side of Hawthorne Avenue and the POINT OF BEGINNING.

503 LESS AND EXCEPT:

504 (11) 1285 Hawthorne Avenue

505 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT  
 506 519 OF THE 17TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA AND  
 507 BEING DESIGNATED AS LOTS 131, 130, 129, AS SHOWN ON A PLAT OF  
 508 PROPERTY OF J.H. TAYLOR AS RECORDED IN PLAT BOOK 5, PAGE 81 COBB  
 509 COUNTY, GEORGIA RECORDS, AND BEING MORE FULLY DESCRIBED AS  
 510 FOLLOWS:

511 TO REACH THE POINT OF BEGINNING, START AT THE INTERSECTION OF  
 512 THE NORTH RIGHT-OF-WAY OF HAWTHORNE STREET (ALSO KNOWN AS  
 513 HAWTHORN AVENUE) (RIGHT OF WAY VARIES) AND THE WEST RIGHT OF  
 514 WAY OF DAVIS DRIVE (40' RIGHT-OF-WAY). THENCE RUNNING WEST  
 515 ALONG SAID NORTH RIGHT OF WAY OF SAID HAWTHORNE STREET A  
 516 DISTANCE OF 540 FEET TO A NAIL SET AND THE POINT OF BEGINNING.  
 517 THENCE FROM THE POINT OF BEGINNING AND CONTINUING NORTH 88  
 518 DEGREES 18 MINUTES 13 SECONDS WEST ALONG SAID RIGHT-OF-WAY OF  
 519 SAID HAWTHORNE STREET A DISTANCE OF 240.00 FEET TO A REBAR SET.  
 520 THENCE LEAVING SAID NORTH RIGHT-OF-WAY OF SAID HAWTHORNE

521 STREET AND RUNNING NORTH 01 DEGREES 35 MINUTES 23 SECONDS  
 522 EAST A DISTANCE OF 215.00 FEET TO A REBAR SET; THENCE RUNNING  
 523 SOUTH 88 DEGREES 18 MINUTES 13 SECONDS EAST A DISTANCE OF 240  
 524 FEET TO A REBAR SET; THENCE RUNNING SOUTH 01 DEGREES 35  
 525 MINUTES 23 SECONDS WEST A DISTANCE OF 215.00 FEET TO SAID NAIL  
 526 SET LOCATED ON THE SAID NORTH RIGHT-OF-WAY OF SAID HAWTHORNE  
 527 STREET AND POINT OF BEGINNING.

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

530 LESS AND EXCEPT:

531 (12) 1267 Hawthorne Avenue

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

542 LESS AND EXCEPT:

543 (13) Hawthorne Ave (Tax Par 1705190090)

544 All that tract or parcel of land lying and being in Cobb County Georgia, known as Lot  
 545 #127 on Hawthorne Avenue of the Belmont Subdivision, according to plat of R. E. Smith,  
 546 Registered Civil Engineer, and in Land Lots #490 to 562 of the 17th District 2nd Section

547 of Cobb County, Georgia. The Lot fronting eighty (80) feet to the west side of Hawthorne  
548 Avenue and extending back two hundred (200) feet more or less.

549 LESS AND EXCEPT:

550 (14) 2545 Dixie Avenue

551 All that tract or parcel of land lying and being in Land Lot 519 of the 17th District and  
552 2nd Section of Cobb County, Georgia and being Lot No 126 as shown and described  
553 upon a plat of the property of J.H. Taylor, as shown on a survey made by R.E. Smith on  
554 June 10, 1944, a copy of which plat is recorded in Plat Book 5, Page 8, in the office of  
555 Clerk of the Superior Court of Cobb County, Georgia, reference to which is hereby made  
556 for a more accurate description of the metes and bounds. Said lot fronts on Railroad  
557 Street as shown upon said plat, and is bounded on the West by said Railroad Street; and  
558 fronts 305 feet on said named street; and is bounded on the south by said Railroad Street  
559 and a small frontage on Hawthorne Avenue; and is bounded on the east for a distance of  
560 185 feet by Lot No. 127 as shown on said plat heretofore referred to; and bounded on the  
561 north by Lot No. 125 as shown on said plat for a distance of 236 feet.

562 Parcel 7

563 1711 Roswell Street

564 All that tract or parcel of land lying and being in Land Lot 634 of the 17th District, 2nd  
565 Section of Cobb County, Georgia, being Lot 8 of the M. Frostig Subdivision as per plat  
566 recorded in Plat Book 4, Page 120, Cobb County, Georgia Records, which plat is  
567 incorporated herein and made a part hereof by reference.

568 Said property is also described as 1711 Roswell Street and Tax Parcel No. 17063400040.

569 Parcel 8

570 All that tract or parcel of land lying and being in Land Lot 664 of the 17th District, 2nd  
571 Section of Cobb County, Georgia and including the following properties: 2583

572 DAVENPORT ST, (TAX ID 17066400690); 2571 DAVENPORT ST, (TAX ID  
573 17066400360); and being more particularly described as follows:

574 Tract One

575 BEGINNING at a point on the east right of way of Davenport Street (also known as  
576 Davenport Road), 445.5 feet south of the north line of Land Lot 664; thence from the  
577 point of beginning, South 84 degrees 09 minutes 33 seconds East 202.18 feet to a point;  
578 thence South 05 degrees 10 minutes 05 seconds West 103.26 feet to a point on the North  
579 right of Way of Argo Drive thence South 66 degrees 46 minutes 05 seconds West 88.00  
580 feet, South 76 degrees 06 minutes 45 seconds West 74.14 feet, and North 81 degrees 21  
581 minutes 49 seconds West 45.51 feet to the North right of Way of Argo drive and the east  
582 right of way of Davenport Street; thence North 02 degrees 01 minutes 51 seconds East  
583 169.20 feet to the point of beginning, and containing 0.67 acres.

584 Tract Two

585 All that tract or parcel of land lying and being in Land Lot 664 of the 17th District, 2nd  
586 Section of Cobb County, Georgia, and being more particularly described as tax parcel  
587 17066400360. Said property is designated as 2571 Davenport Street according to the  
588 current system of numbering in Cobb County, Georgia."

589 **SECTION 2.**

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