

LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1966

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Sequential Number: 293

Short Title: CITY OF MARIETTA -- CHARTER AMENDED.

Law Number: No. 294

Origin: (House Bill No. 525).

Full Title: An Act to amend an Act providing for a new charter for the City of **Marietta**, Georgia, approved August 15, 1904 (Ga. L. 1904, p. 519), as heretofore amended, so as to change the corporate limits of said city; to authorize the Mayor and Council of **Marietta**, Georgia, to purchase, sell or encumber real or personal property belonging to said city at public or private sale and to trade, exchange, lease, rent and otherwise contract with reference to the property of said city; to provide for a Pension & Retirement System for all of the employees of the City of **Marietta**, Georgia, and the employees of the Board of Lights and Waterworks of **Marietta**, Georgia; to provide that the members of the Police and Fire Departments of the City of **Marietta**, Georgia, now participating in the existing pension plan of the City of **Marietta**, Georgia, may elect to abolish said existing plan and participate in the Pension & Retirement System herein provided for;

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to provide for the method by which the employees of the Police and Fire Departments may abolish and terminate said existing plan and participate in the Pension & Retirement System herein created; to provide for the disbursement and disposition of the fund in the existing plan in the event the members of the Fire and Police Departments of the City of **Marietta**, Georgia, elect to abolish and terminate said existing plan and to participate in the Pension & Retirement System herein created; to authorize the Mayor and Council of **Marietta**, Georgia, to determine the terms and conditions of said Pension & Retirement System and to contract with any and all legal entities with respect thereto; to authorize the Mayor and Council of the City of **Marietta**, Georgia, to provide for the payment of funds from the treasury of the City of **Marietta**, Georgia, into said Pension & Retirement System; to authorize the Mayor and Council of the City of **Marietta**, Georgia, to levy taxes, if necessary, to

activate and sustain on a sound actuarial basis said Pension & Retirement System; to provide that the governing Board of Lights and Waterworks of the City of **Marietta**, Georgia, may permit and require its employees to participate in the Pension & Retirement System on the same terms and conditions as the employees of the City of **Marietta**, Ga; to authorize the Board of Lights and Waterworks of **Marietta**, Georgia to disburse the necessary funds for such participation from its treasury; to remove the Chief of the Fire Department and the Chief of the Police Department from all the requirements and provisions of the **Civil Service** Act (incumbents excepted); to provide for the method of hiring, firing and supervising of all future Chiefs of the Fire and Police Departments (present Chiefs excepted); to authorize the Board of Lights and Waterworks of the City of **Marietta**, Georgia, to sell real or personal property at private sale; to authorize the Board of Lights and Waterworks of the City of **Marietta**, Georgia, to trade, exchange, lease, rent and otherwise contract concerning real or personal property; to authorize the Mayor and Council of the City of **Marietta**, Georgia, to grant or refuse franchises and to ratify any franchise now in existence; to authorize the Board of Lights and Waterworks to lease, rent and contract

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concerning its property for the purpose of cable television; to provide that the Board of Lights and Waterworks of the City of **Marietta**, Georgia, may furnish such cable television **service** to its customers; to authorize the Board of Lights and Waterworks of the City of **Marietta**, Georgia, to provide terms, conditions and fees for such **service**; to provide that the Mayor and Council of the City of **Marietta**, Georgia, shall have full and complete power and authority to regulate and control the collection and disposal of garbage, refuse, debris and other waste material within the corporate limits of the city and to enact any and all ordinances and resolutions necessary in connection therewith; to assess, levy and collect a sanitary tax for the collection and disposal of garbage, refuse, debris and other waste material; to prescribe and revise rates and collect fees and charges in connection with the collection and disposal of garbage, refuse, debris and other waste material; to contract with private persons, corporations and political subdivisions in connection with the collection, removal and disposal of garbage, refuse, debris and other waste material; to prevent the disposal of garbage, refuse, debris and other waste material by any means other than as prescribed by ordinances, resolutions and regulations of the Mayor and Council of the city; to repeal all conflicting laws herewith, and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. An Act entitled "An Act to create a new charter for the City of **Marietta**, in the County of Cobb, and to consolidate and declare the rights and powers of said

corporation, and for other purposes.", approved August 15, 1904 (Ga. L. 1904, p. 519), as amended, is hereby amended by adding between section 2D and section 3 a new section to be numbered section 2E and to read as follows:

"Section 2E. In addition to that territory presently embraced within the corporate limits of the City of **Marietta**, Georgia, the following parcels of land shall be included within the corporate limits of said city;

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Tract No. 1. All that tract or parcel of land lying and being in land lot 148, 17th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point where the south right-of-way of Chestnut Hill Road intersects the northwesterly right-of-way of Powder Springs Road; said right-of-way of Powder Springs Road is also the present city limit line of **Marietta**, Georgia; running thence from the point of beginning southwesterly along the northwesterly right-of-way of Powder Springs Road and the present city limit line for a distance of 333.0 feet; thence forming an interior angle of 90 degrees and 14 minutes and running northwesterly for a distance of 250.0 feet to a point on the south right-of-way of Chestnut Hill Road; running thence easterly along the south right-of-way of Chestnut Hill Road for a distance of 415 feet to the northwesterly right-of-way of Powder Springs Road and the point of beginning.

Tract No. 2. All that tract or parcel of land lying and being in land lots 507, 574, 573, 572, and 581 of the 17th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point where the north land lot line of land lot 574 intersects the easterly right-of-way of the U. S. 41 Fourlane Highway, said land lot line is also the present city limit line of **Marietta**, Georgia running thence from the beginning point, westerly along the north land lot line of 574 and 507 and the present city limit line to a point 10 feet east of the westerly right-of-way line of the U. S. 41 Fourlane Highway; running thence southeasterly along a line 10 feet east of and parallel to the westerly right-of-way line of the U. S. 41 Fourlane Highway for a distance of 3320 feet to a point; running thence northeasterly at right angles to the previous course and crossing the U. S. 41 Fourlane Highway to the easterly right-of-way of said Highway; running thence northwesterly along the easterly right-of-way of the U. S. Fourlane Highway and the

present city limit line of **Marietta**, Georgia; to the north land lot line of land lot 574 and the point of beginning.

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Tract No. 3. All that tract or parcel of land lying and being in land lots 1071, 1018, 1017, and 1000, 16th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point in said land lot 1071 where the present city limit line of **Marietta**, Georgia, intersects the center line of U. S. 41 Fourlane Highway; running thence northeasterly along the present city limit line to a point 10 feet west of the easterly right-of-way line of the U. S. 41 Fourlane Highway; running thence northwesterly along a line 10 feet west of and parallel to the easterly right-of-way line of the U. S. 41 Fourlane Highway for a distance of 2275 feet to a point; running thence southwesterly and crossing the U. S. Fourlane Highway to a point 10 feet east of the westerly right-of-way of the U. S. 41 Fourlane Highway; running thence southeasterly along a line 10 feet east of and parallel to the westerly right-of-way line of the U. S. 41 Fourlane Highway for a distance of approximately 2278 feet to a point on the present city limit line of **Marietta**, Georgia to the center line of the U. S. 41 Fourlane Highway and the point of beginning.

Tract No. 4. All that tract or parcel of land lying and being in land lot 1015, 16th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point where the present city limit line of **Marietta**, Georgia intersects the west right-of-way of Church Street; said point of intersection is approximately 544 feet north of the north right-of-way of Tower Road as measured along the west right-of-way of Church Street; running thence from the beginning point north along the west right-of-way of Church Street for a distance of 170 feet more or less; running thence northwesterly and crossing Church Street to the northwest corner of the property now or formerly owned by Cecil D. Strait and Nick C. Jones; running thence northwesterly along the northerly property line of said Straits and Jones property for a distance of 131 feet to a point; running thence southeasterly along the eastern line of said Strait and Jones property for a distance

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of 75 feet to a point; running thence northwesterly along the northerly property line of said Strait and Jones property for a distance of 172.7 feet to a point; running thence southeasterly along the easterly property line of the Strait and Jones property for a distance of 100 feet to a point; running thence southwesterly along the southerly line of said Strait and Jones property for a distance of 300 feet to the easterly right-of-way of Church Street; running thence southerly along the easterly right-of-way of Church Street for a distance of 40 feet more or less to a point where the present city limit line of **Marietta**, Georgia, intersects the easterly right-of-way of Church Street; running thence westerly along the present city limit line of **Marietta**, Georgia to the westerly right-of-way of Church Street and the point of beginning.

Tract No. 5. All that tract or parcel of land lying and being in land lot 1167 of the 16th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point on the north land lot line of land lot 1167, 200 feet westerly as measured along the north land lot line of land lot 1167, from the westerly right-of-way of Wallace Road, said north land lot line of land lot 1167 is also the present city limit line of **Marietta**, Georgia; running thence from the beginning point south 8 degrees 57 minutes east for a distance of 438.5 feet to the northwesterly right-of-way line of Gresham Road; running thence south 26 degrees 54 minutes west along the northwesterly right-of-way of Gresham Road for a distance of 118.4 feet to a point; running thence south 63 degrees 06 minutes east for a distance of 50 feet to the southeasterly right-of-way of Gresham Road; running thence northeasterly along the southeasterly right-of-way line of Gresham Road for a distance of 555.0 feet to a point; running thence south 82 degrees 32 minutes east for a distance of 291.2 feet to a point on the east land lot line of land lot 1167; running thence south 0 degrees 44 minutes west along the east land lot line of land lot 1167 for a distance of 1272.0 feet to the southeast corner of land lot 1167; running thence north 87 degrees 52 minutes west along the south land lot line

of land lot 1167 for a distance of 1014.0 feet to the easterly right-of-way line of the Interstate Highway No. 75; thence continuing westerly along the south lot line of land lot 1167 to the westerly right-of-way line of the Interstate Highway No. 75; thence continuing westerly along the south land lot line of land lot 1167 for a distance of 42.3 feet to the southwest corner of land lot 1167; running thence north along the west land lot line of land lot 1167 for a distance of 49.0 feet to the southeasterly right-of-way line of Gresham Road; running thence north 75 degrees and 30 minutes east along the southeasterly right-of-way line of Gresham Road for a distance of 29.3 feet to the

westerly right-of-way line of the Interstate Highway No. 75; running thence northeasterly along the southeasterly right-of-way of Gresham Road to the easterly right-of-way of the Interstate Highway No. 75; running thence north 4 degrees 23 minutes east along the easterly right-of-way of the Interstate Highway No. 75 for a distance of 141.2 feet; running thence north 6 degrees 26 minutes west along the easterly right-of-way of Interstate Highway 75 for a distance of 140.0 feet; running thence north 17 degrees 36 minutes west along the easterly right-of-way of the Interstate Highway No. 75 for a distance of 213.7 feet; running thence north 12 degrees 31 minutes west along the easterly right-of-way of Interstate Highway No. 75 for a distance of 105.3 feet; running thence north 14 degrees 54 minutes west along the easterly right-of-way of the Interstate Highway No. 75 for a distance of 158.0 feet; running thence north 18 degrees 22 minutes west along the easterly right-of-way of the Interstate Highway No. 75 for a distance of 158.4 feet; running thence north 1 degree 22 minutes west along the easterly right-of-way of the Interstate Highway No. 75 for a distance of 218.3 feet to a point on the north land lot line of land lot 1167; said land lot line is also the present city limit line of **Marietta**, Georgia; running thence south 89 degrees 26 minutes east along the north land lot line of land lot line 1167 and the present city limit line for a distance of 581.3 feet to the point of beginning.

Tract No. 6. All that tract or parcel of land lying and being in land lots 1000 and 1001 of the 16th district, 2nd

section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point on the northeasterly right-of-way line of the U. S. 41 Fourlane Highway 2780 feet more or less northwesterly of the intersection of the northwesterly right-of-way line of Allgood Road and the northeasterly right-of-way line of U. S. 41 Fourlane Highway, as measured along the northeasterly right-of-way of said U. S. 41 Fourlane Highway; Said beginning point is also on the present city limit line of **Marietta**, Georgia; running thence northwesterly along the northeasterly right-of-way line of U. S. Fourlane Highway for a distance of 940 feet more or less to a point, said point being located on the southeasterly right-of-way line of Industrial Park Drive; running thence northeasterly along said southeasterly right-of-way line of Industrial Park Drive for a distance of 580 feet more or less to a point; said point being located on the center line of the L. & N. Railroad Industrial Park Spur Line and the Industrial Park Spur Line is also present city limits line of **Marietta**, Georgia; running thence southeasterly along said L. & N. Railroad Industrial Park Spur Line and said present city limit line for a distance of 820 feet more or less to a point;

running thence southwesterly along the present city limit line for a distance of 680 feet more or less to a point located on the northeasterly right-of-way line of U. S. 41 Fourlane Highway and the point of beginning.

Tract No. 7. All that tract or parcel of land lying and being in land lots 77, 78, 79, 80, 81, 82, and 136, 2nd section, 17th district, Cobb County and being more fully described as follows:

Beginning on the south side of Powder Springs Road 176.0 feet south of the intersection of Arden Road and Powder Springs Road; thence running in an easterly direction 481.46 feet along the south side of Powder Springs Road to a point; thence running southeasterly 229.5 feet to a point; thence running due south 4649.4 feet to a point; thence running due east 410 feet to a point; thence running southeasterly 290 feet to a point; thence running easterly 575 feet to a point; thence running northeasterly 515 feet

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to a point; thence running southeasterly 225 feet to a point on a fence line; thence following the fence line 881 feet to a point; thence 210 feet to a point; thence running due west 1150 feet to a point; thence running due north 1305 feet to a point; thence running due west 865 feet to a point; thence running due north 1741 feet to a point; thence running northeasterly 153.2 feet to a point; thence running easterly 235.7 feet to a point; thence running northwesterly 515 feet to a point; thence running due north 206.8 feet to a point; thence running southwesterly 35.2 feet to a point; thence running due north 91.2 feet to a point; thence running northwesterly 125 feet to a point being the point of beginning of said tract containing 100 acres more or less.

Tract No. 8. All that tract or parcel of land lying and being in land lots 1225 and 1296 of the 16th district, 2nd section, and land lot 324 of the 20th district, 2nd section, Cobb County, Georgia.

Beginning at a point located at the northwest corner of the property now owned by C. Wilson Smith and the Old Dallas Highway; thence running in a westerly direction along the south side of Old Dallas Highway for a distance of 666.3 feet to a point and corner; thence north 8 degrees 21 minutes west for a distance of 928.2 feet to a point and corner; thence north 63 degrees 48 minutes west for a distance of 270 feet; thence north 10 degrees 13 minutes west for a distance of 906.2 feet to a point and corner on the 20th district and 19th district line; thence north 89 degrees 07 minutes west 551.0 feet to a point and corner; thence south 1 degree 36 minutes west 136.3 feet to a point and corner; thence north 73 degrees 46 minutes west 380 feet to a point and corner;

thence south 9 degrees 29 minutes west 382.3 feet to an iron pin; thence south 21 degrees 58 minutes east 525.6 feet to a point and corner; thence south 84 degrees 54 minutes east 451.5 feet to a point and corner; thence south 0 degrees 03 minutes east for a distance of 729.3 feet to a point and corner; thence north 82 degrees 52 minutes east for a distance of 303.0 feet to a point and corner; thence south 6 degrees 46 minutes west 338.4 feet to a point; thence south 23 degrees 44 minutes west for a distance of 63.3 feet to the point of beginning.

Tract No. 9. All that tract or parcel of land lying and being in land lots 1078, 1079 and 1080 of the 16th district, 2nd section Cobb County, Georgia, and being more particularly described as follows:

Beginning at the northwest corner of land lot 1078, said section and district, and running thence south 89 degrees 04 minutes east along the north boundary of said land lot a distance of 497.1 feet to an iron pin; thence south 08 degrees 49 minutes west a distance of 372.2 feet to an iron pin; thence south 29 degrees 23 minutes east for a distance of 68.3 feet to an iron pin; thence south 04 degrees 53 minutes west a distance of 192.6 feet to an iron pin; thence north 84 degrees 51 minutes west a distance of 267.7 feet to an iron pin; thence south 31 degrees 39 minutes west a distance of 195 feet to an iron pin; thence south 53 degrees 39 minutes west a distance of 290.0 feet to an iron pin in land lot 1079; thence south 65 degrees 09 minutes west a distance of 306 feet to an iron pin; thence north 64 degrees 51 minutes west a distance of 270 feet to a point; thence north 77 degrees 51 minutes west a distance of 279.0 feet to a point; thence north 31 degrees 06 minutes west a distance of 355 feet to an iron pin; thence north 77 degrees 36 minutes west a distance of 155 feet to an iron pin; thence north 06 degrees 26 minutes west a distance of 230.1 feet to an iron pin; thence south 82 degrees 14 minutes west a distance of 86.5 feet to an iron pin located in land lot 1080; thence north 06 degrees 27 minutes west a distance of 316.4 feet to an iron pin located on the north line of land lot 1080; thence north 88 degrees 53 minutes east a distance of 38.3 feet to a monument located at the northwest corner of land lot 1079; thence north 88 degrees 53 minutes east a distance of 106 feet to a monument; thence north 88 degrees 54 minutes east a distance of 142.9 feet to a monument; thence north 88 degrees 51 minutes east 122.5 feet to a monument; thence north 88 degrees 54 minutes east a distance of 234.1 feet to a monument; thence north 88 degrees 54 minutes east a distance of 777.6 feet to the northwest corner of land lot 1078 and the point of beginning.

Tract No. 10. All that tract or parcel of land lying and being in land lot 507, 17th district, 2nd section, Cobb

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County, Georgia, and being more particularly described as follows:

Beginning at a point 605 feet west of the western right-of-way of U. S. 41 Highway said point is on the present city limit line; running thence in a northeasterly direction 18.6 feet to a point; thence in a northeasterly direction 168.4 feet to a point; thence in a northwesterly direction 143.1 feet to a point; thence in a southwesterly direction 89.6 feet to a point on the present city limit line; thence in a southwesterly direction along the present city limit line 172.5 feet to a point and the point of beginning.

Tract No. 11. All that tract or parcel of land lying and being in land lot 1223 of the 20th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at the point where the west side of Lindly Avenue intersects the north side of Whitlock Avenue and proceeding thence westerly along the northerly side of Whitlock Avenue for a distance of 658.7 feet to a point and corner; thence northerly forming an interior angle of 90 degrees 41 minutes with the last mentioned course a distance of 445 feet to a point and corner; thence easterly forming an interior angle of 86 degrees 06 minutes with the last mentioned course a distance of 535.5 feet to a point and corner; thence southerly forming an interior angle of 92 degrees 51 minutes with the last mentioned course a distance of 80 feet to a point and corner; thence easterly forming an exterior angle with the last mentioned course of 87 degrees 09 minutes a distance of 132 feet to a point located on the westerly side of Lindley Avenue; thence south along the westerly side of Lindley Avenue a distance of 327.3 feet to the point of beginning.

Tract No. 12. All that tract or parcel of land lying and being in land lots 927, 928, 946, 947, 998, 999, and 1019, 16th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point formed by the intersection of the northwest right-of-way line of Allgood Road and the west

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land lot line of land lot 997; thence running southerly at right angles to the northwest right-of-way line of Allgood Road 50 feet to a point; said point is located on the southeast right-of-way line of Allgood Road and the present city limit line of **Marietta**, Georgia; thence running southerly along the present city limit line and southeast right-of-way line of Allgood Road for a distance of 666.5 feet to a point; thence running northerly at right angles in the southeast right-of-way line of Allgood Road and present city limit line of **Marietta**, Georgia a distance of 50 feet to a point; said point is located at the intersection of the northwest right-of-way line of Allgood Road and the west right-of-way line of Dunn Road; thence running northerly along the west right-of-way of Dunn Road for a distance of 94 feet to a point; thence running in a northwesterly direction along the center line of an old road for a distance of 199 feet to a point; thence running in a northerly direction along the centerline of an old road for a distance of 493 feet to a point and corner; thence running in a westerly direction for a distance of 661 feet to a point and corner; said point and corner is located on the east land lot line of land lot 999; thence forming an interior angle of 93 degrees 30 minutes and proceeding in a northerly direction along the east land lot line of land lot 999 to the centerline of a branch; thence running in a northwesterly direction along the centerline of said branch for a distance of 880 feet to a point; said point being located at the intersection of the centerline of the branch and the south land lot line of land lot 946; thence running west along the south land lot line of land lot 946 for a distance of 929 feet to the southwest corner of land lot 946; thence running in a northerly direction along the west land lot line of land lot 946 for a distance of 1112 feet to a point and land lot corner; said corner is the northeast land lot corner of land lot 945; thence running in a westerly direction along the north land lot line of land lot 945 for a distance of 624.5 feet to a point; said point is located at the intersection of the north land lot line of land lot 945 and the southeast right-of-way line of **Marietta**-Canton Highway; thence running along the southeast right-of-way line of the **Marietta**-Canton Highway in a northeasterly direction for a distance of 1047.5 feet to a point; thence running in a southeasterly direction

more or less along the centerline of Dunn Road and crossing the L. & N. Railroad tracks for a distance of 231 feet to a point; thence continuing in a straight line for a distance of 1897 feet to the northwest corner of land lot 998; said line follows more or less the centerline of Dunn Road; thence running in an easterly direction along the north land lot line of land lot 998 for a distance of 663 feet to a point; thence forming an interior angle of 267 degrees 56 minutes and proceeding in a northerly direction for a distance of 616 feet to a point; thence running in an easterly direction for a distance of 700 feet to a point and corner; said point is located on the west land lot line of land lot 948; thence running in a southerly direction along the west land lot line of land lot

948 for a distance of 616 feet to a point and land lot corner; said land lot corner is the northeast land lot corner of land lot 998; thence running along the east land lot line of land lot 998 for a distance of 1576 feet to a point and the point of beginning.

Tract No. 13. All that tract or parcel of land lying and being in land lots 1009 and 1010 of the 16th district and in land lots 249, 250, 283, 284, and 285 of the 20th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point located on the west land lot line of land lot 1011 675 feet more or less north of the southwest corner of said land lot at a point where the present city limits line of **Marietta**, Georgia intersects said land lot line; thence running due west in a straight line to a point on the boundary line of the Kennesaw Mountain National Battlefield Park in land lot 284; thence running north 43 degrees 05 minutes along said National Park boundary line to a point where said park boundary line intersects the south land lot line of land lot 249; thence running north 0 degrees 29 minutes east for a distance of 1069.3 feet to a point; thence running north 89 degrees 30 minutes west for a distance of 589.1 feet to a point; said point is located on the east right-of-way line of Old Mountain Road; thence running in a southerly direction along the east right-of-way line of Old Mountain Road for a distance of 3052.9 feet to a point; said point being a National

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Park monument; thence running north 84 degrees 11 minutes east for a distance of 202.4 feet to a point; thence running north 43 degrees 05 minutes east along the previously mentioned park boundary line to a point 13.7 feet south 43 degrees 05 minutes west of the point where the first described course in this description intersects the park boundary in land lot 284; running thence due east along a line 10.0 feet south of and parallel to the first described course in this description to a point on the west land lot line of land lot 1011 and the present city limit line of **Marietta**, Georgia: thence running in a northerly direction along said city limit line and land lot line for a distance of 10.0 feet to the point of beginning.

Tract No. 14. All that tract or parcel of land lying and being in land lots 577, 578, 647, 648, 17th district, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point where the north line of land lot 577 intersects the west line of land lot 577; running thence in an easterly direction along the north line of land lot 577 to the northeast corner of land lot 577; running thence in a southerly direction

along the east line of land lot 577 for a distance of 690 feet more or less; running thence easterly for a distance of 1329 feet more or less to a point on the east line of land lot 648, said point being located 650 feet more or less south from the intersection of the east line of land lot 648 and the south line of land lot 1279; running thence in a southerly direction along the east line of land lots 648 and 647 to the intersection of land lots 647, 646, 650 and 651; running thence west along the south land lot line of 647 to the intersection of land lot 647, 578, 579 and 646; running thence north along the west lot line of land lot 647 for a distance of 130 feet, more or less, to a point; running thence west for a distance of 660 feet more or less to a point; running thence south for a distance of 78 feet more or less to a point located on the north right-of-way line of Franklin Road; running thence in a north-westerly direction along the north right-of-way line of Franklin Road for a distance of 910 feet more or less to a point where the west lot line of land lot 578 intersects

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the north right-of-way line of Franklin Road; running thence north along the west lot line of land lots 578 and 577 to the point of beginning.

Tract No. 15. All that tract or parcel of land lying and being in land lot 327, 20th district, 2nd section, Cobb County, Georgia, as shown by plat of property of Lucius Hardage prepared by J. P. Phillips, Surveyor, dated October 15, 1962, and being more particularly described as follows:

Beginning at a point on the westerly side of Hardage Drive 964.5 feet from the center line of the **Marietta**-Dallas Highway as measured along the westerly side of Hardage Drive; thence running westerly along the northerly side of property now or formerly belonging to R. L. Hamby for a distance of 652.6 feet to an iron pin located at the north westerly corner of said Hamby property; thence running north for a distance of 400 feet to an iron pin; thence running east forming an interior angle with the preceding call of 90 degrees for a distance of 454 feet to a point located on the westerly side of Hardage Drive; thence running southerly and south easterly along the westerly side of Hardage Drive and following the curvature thereof for a distance of 446.7 feet to an iron pin at the point of beginning.

Tract No. 16. All that tract or parcel of land lying and being in land lots 326, 327 of the 20th district, and land lot 33 of the 19th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point on the north right-of-way line of Dallas Road where said point intersects the northeast corner of land lot 33, said point is also the present city limit

line of **Marietta**, Georgia; running thence in a westerly direction along the north line of land lot 33 to a point 10 feet east of the intersection point of the east line of land lot 327 and the north line of land lot 33; running thence in a northerly direction along a line 10 feet east of and parallel to the east line of land lot 327 to the intersection of said parallel line with the north line of land lot 326; running thence in a westerly direction 962 feet to an iron pin and

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corner; thence running southerly and forming an interior angle of 90 degrees for a distance of 600 feet to an iron pin and corner, running thence in an easterly direction and parallel to the original north line of land lot 327 for a distance of 501 feet to a point; thence running southerly forming an interior angle of 90 degrees with the previously mentioned course for a distance of 200 feet to an iron pin; thence easterly forming an interior angle of 90 degrees for a distance of 451 feet to a point on the east line of land lot 327, said point is located 800 feet south of the northeast corner of land lot 327; running thence in a southerly direction along the east line of land lot 327 for a distance of 200 feet to an iron pin, said pin is located 1000 feet south of the northeast corner of land lot 327; running thence at an angle of 90 degrees with the east line of land lot 327 in a westerly direction for a distance of 451 feet to an iron pin; running thence south and forming an interior angle of 90 degrees with the previously mentioned course for a distance of 200 feet to an iron pin; running thence easterly and forming an interior angle of 90 degrees with the previously mentioned course a distance of 451 feet to an iron pin located on the east line of land lot 327, said point being 1200 feet south of the northeast corner of land lot 327; running thence southerly along the east line of land lot 327 to the point of intersection with said land lot line and the south right-of-way line of the Dallas Road, if said east line of land lot 327 were extended to intersect said right-of-way line; running thence in an easterly direction along the south right-of-way line of the Dallas Road to the intersection of said right-of-way line with the present city limits of **Marietta**, Georgia; running thence in a northerly direction along the present city limit line of **Marietta**, Georgia to the point of beginning.

Tract No. 17. All that tract or parcel of land lying and being in land lots 147, 148, 213 and 214, of the 17th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point on the present city limits of **Marietta**, Georgia 340 feet more or less northeasterly of the point at which said city limit line intersects the west line

of land lot 148; running thence in a southeasterly direction 275 feet more or less to a point and corner; running thence south 34 degrees 38 minutes west 200 feet to a point and corner; running thence south 56 degrees 12 minutes east 500 feet to a point and corner located on the south line of said land lot 148; running thence north 87 degrees 10 minutes and 30 seconds east 651.3 feet to the southeast corner of land lot 148; running thence north 0 degrees 26 minutes west along the east line of land lot 148, 1135.5 feet to a point and corner; running thence north 69 degrees 23 minutes east 95.7 feet to a point and corner located in land lot 213; running thence north 13 degrees 53 minutes west 316 feet more or less to a point on the present city limit line of **Marietta**, Georgia; running thence in a southwesterly direction along said city limit line 1400 feet more or less to the point of beginning.

Tract No. 18. All that tract or parcel of land lying and being in land lots 576, and 575, 17th district, 2nd section, Cobb County, and being more particularly described as follows:

Beginning at a point where the east right-of-way line of Lovena Road intersects the present city limit line of Marietta, Georgia; running thence south along the east right-of-way line of Lovena Road for a distance of 400 feet more or less, said point is 550 feet north of the northeast corner of the intersection of Franklin Road and Lovena Road; running thence in an easterly direction for a distance of 240 feet to a point; thence southerly 100 feet to a point; thence westerly 240 feet to the east right-of-way of Lovena Road; thence continuing westerly for a distance of 40 feet to the west right-of-way of Lovena Road; thence northerly along the west right-of-way of Lovena Road for a distance of 470 feet more or less to the intersection of said right-of-way and the present city limit line of **Marietta**, Georgia; running thence northeasterly along said city limit line across Lovena Road to the point of beginning.

Tract No. 19. All that tract or parcel of land lying and being in land lots 577, 648 and 649, 647, 17th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point where the northwest corner of land lot 648 intersects the present city limit line of **Marietta**, Georgia; running thence in a southerly direction along the west line of land lot 648 to a point 10 feet north of the southwest corner of land lot 648; running thence in an easterly direction on a course 10 feet north of the south line

of land lot 648 and parallel to said land lot line to a point 10 feet west of the east line of land lot 648; running thence in a northerly direction on a course 10 feet west of the east line of land lot 648 and parallel to said land lot line for a distance of 310 feet more or less to a point; running thence in an easterly direction 248 feet to a point on the west right-of-way line of Meadowbrook Drive; running thence southerly along said right-of-way line for a distance of 80 feet to a point; running thence westerly for a distance of 247.4 feet to a point on the east line of land lot 648; running thence in a southerly direction along the east line of land lot 648 for a distance of 80 feet to a point on the southwest corner of lot 78 of Meadowbrook subdivision section one; running thence in an easterly direction for a distance of 246.2 feet to a point on the west right-of-way line of Meadowbrook Drive; running thence south along said right-of-way for a distance of 160 feet to a point on the south line of land lot 649; running thence in a westerly direction along said land lot line for a distance of 245 feet to the intersection of land lots 648, 649, 650 and 647; running thence south along the east line of land lot 647 for a distance of 180 feet to a point; running thence easterly for a distance of 163 feet to a point on the west right-of-way line of Meadowbrook Drive; running thence in a southerly direction along said right-of-way for a distance of 91 feet to a point; running thence in a westerly direction 160 feet to a point, said point being 10 feet east of the east line of land lot 647; running thence northerly along a course 10 feet east of the east line of land lot 647 and parallel to said line for a distance of 270 feet more or less to a point on the north line of land lot 647; running thence in a westerly direction along the north line of land lots 647 and 578 to a point 10 feet west of the intersection of land lots 647, 648, 577 and 578; running thence in a northerly direction along a course 10 feet west of the west line of land lot 648 for a distance of 1260 feet more or less to a point on the present city limit line of **Marietta**, Georgia;

running thence in an easterly direction along said city limit line for a distance of 10 feet to the point of beginning.

Tract No. 20. All that tract or parcel of land lying and being in land lots 507 and 574, 17th district, 2nd section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point formed by the intersection of the north right-of-way of Morrell Road and the west right-of-way of the U. S. 41 Fourlane Highway; thence running south westerly along the north right-of-way of Morrell Road for a distance of 687.5 feet more or less to a point on the west right-of-way of Georgia Power Company Atkinson-**Marietta** 110 K.V. Power lines; thence southeast along the west right-of-

way of said power line a distance of 31 feet more or less to a point on the south right-of-way of Morrell Road; thence northeasterly along the south right-of-way of Morrell Road a distance of 682.5 feet more or less to the west right-of-way of U. S. 41 Fourlane Highway; thence northwesterly along the west right-of-way of U. S. 41 Fourlane Highway a distance of 30 feet to the point of beginning.

Property described above being that portion of the tract known as Morrell Road between west right-of-way of U. S. 41 Fourlane Highway and west right-of-way of Georgia Power Company Atkinson to **Marietta** 110 K.V. power line.

Tract No. 21. All that tract or parcel of land lying and being in land lots 3, 4, 69, and 70 of the 17th district, 2nd section of Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point on the west line of land lot 70, said point being located 730.1 feet north of the southwest corner of said land lot and running thence due east 50 feet to a point and corner; thence due south in a line parallel with the west boundary of said land lot a distance of 680.1 feet to a point and corner; thence due east a distance of 330 feet to a point and corner; thence due south a distance of 280 feet to a point and corner; thence south 89 degrees 29 minutes east a distance of 1200 feet to a point located in Chestnut Hill Road; thence south 53 degrees 22 minutes west 320 feet

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to a point; thence south 20 degrees 22 minutes west a distance of 260 feet to a point; thence south 28 degrees 22 minutes west 200 feet to a point; thence south 63 degrees 52 minutes west a distance of 320 feet to a point; thence south 50 degrees 32 minutes west a distance of 100 feet to a point; thence south 67 degrees 34 minutes west a distance of 250 feet to a point; thence due north to a point located 764 feet south of the north line of land lot 69; thence due west to a point 330 feet east of the west line of land lot 69; thence north 75 degrees 35 minutes west a distance of 268 feet to a point; thence north 45 degrees 21 minutes west a distance of 296 feet to a point; thence north 15 degrees 07 minutes west a distance of 292 feet to a point; thence due north a distance of 198 feet more or less to the north line of land lot 4; thence east a distance of 7.45 feet to a point; thence southeasterly and curving to the south on a radius of 161 feet for a distance of 96.6 feet to a point; thence continuing southeasterly and curving to the north on a radius of 211 feet for a distance of 126.6 feet to a point; thence east 7.45 feet to the east boundary of land lot 4; thence continuing east for a distance of 5 feet; thence due north for a distance of 80 feet to a point; thence west a distance of 5 feet to a point located on the east boundary of land lot 3, said point being 15 feet north of the southeast corner of said land lot; thence west a distance of 7.45 feet; thence

westerly and northwesterly curving to the north, said curve being on a radius of 161 feet for a distance of 96.6 feet to a point; thence continuing northwesterly and curving to the south on a radius of 211 feet for a distance of 126.6 feet to a point, said point being located 80 feet north of the south line of land lot 3; thence due west for a distance of 250 feet to a point; thence due north for a distance of 597.6 feet to a point located on the south boundary of the property of James T. Manning; thence north 88 degrees 17 minutes east a distance of 468.55 feet to a point located on the west boundary of land lot 70; thence north along the west line of land lot 70 a distance of 32.3 feet to the point of beginning.

Section 2. Said Act is further amended by adding between section 2E and section 3 a new section to be numbered section 2F said Section 2F to read as follows:

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"Section 2F. Be it enacted that the tract of land herein below described is hereby deleted from the corporate limits of the City of **Marietta**, Georgia:

All that tract or parcel of land lying and being in land lot 213 of the 17th district, 2nd section of Cobb County, Georgia, and being more particularly described as follows:
[Sidenote: Property excluded from city.]

Beginning at an iron pin on the west side of Sandtown Road, and at a point 1100 feet from the intersection of Powder Springs Road and Sandtown Road; and running 399.5 feet along Sandtown Road to a pin; thence westerly a distance of 445 feet to an iron pin; thence northwesterly a distance of 386 feet to an iron pin; thence back 475 feet to the point of beginning.

The above described tract of land was erroneously included in the description of real property annexed into the City of **Marietta**, Georgia, by the State Legislature of Georgia at the May-June 1964 Extraordinary Session of said body (Ga. L. 1964 Ex. Sess. pp. 2285 through 2298 inclusive). The inclusion of all other property described in Georgia Laws, May-June 1964 Extraordinary Session pages 2285 through 2298 inclusive, within the corporate limits of the City of **Marietta**, Georgia, is hereby ratified and confirmed.

Section 3. Said Act is further amended by adding a new section between section 1 and section 2 of said Act and new section to be numbered section 1A, said section 1A to read as follows:

Section 1A. The Mayor and Council of the City of **Marietta**, Georgia, are hereby authorized to purchase, sell and encumber real or personal property at public or private sale under such terms and conditions and for whatever consideration the Mayor and Council may prescribe. The Mayor and Council are also authorized to trade, exchange, lease, rent and otherwise contract concerning any real or personal property owned by the city, or in which the city has an interest.
[Sidenote: Real and personal property.]

Section 4. Said Act is further amended, and more particularly an act approved April 1, 1965 (Ga. L. 1965, p. 3126

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et seq) by striking therefrom sections 1L, 1M, 1N, and by the addition following section 1K of an Act approved February 4, 1949 (Ga. L. 1949, p. 238 et seq.) the following sections to be numbered and to read as follows:

Section 1L. The governing authority of the City of **Marietta**, Georgia, and the governing authority of the Board of Lights and Waterworks of **Marietta**, Georgia, are hereby authorized to create a Pension and Retirement System for all employees of the City of **Marietta**, Georgia, and for all employees of the Board of Lights and Waterworks of **Marietta**, Georgia. Said governing authorities may prescribe rules and regulations governing said Pension and Retirement System and provide for the participation of said employees therein, and may, by ordinance and resolution appoint any person or persons it deems desirable to administer and supervise said system and the funds therein.

[Sidenote: Retirement system.]

Section 1M. Be it further provided that those employees now participating in and covered under the provisions of the present Policemen's and Firemen's Pension Fund may elect to abolish said present fund and to participate in the employee's Pension & Retirement System herein created. Said election to be held on May 12, 1966, at such time and place as may be prescribed by the Mayor and Council. Said election shall be by secret ballot to be prepared as directed by the Mayor and Council and said ballots to read substantially as follows:

("FOR ABOLISHING AND TERMINATING THE EXISTING POLICEMEN'S AND FIREMEN'S PENSION FUND, AND FOR PARTICIPATING IN THE PENSION AND RETIREMENT SYSTEM OF **MARIETTA**, GEORGIA.")

("AGAINST ABOLISHING AND TERMINATING THE EXISTING POLICEMEN'S AND FIREMEN'S PENSION FUND, AND AGAINST PARTICIPATING IN THE PENSION AND RETIREMENT SYSTEM OF **MARIETTA**, GEORGIA.")

[Sidenote: Referendum.]

In the event a majority of the Policemen and Firemen combined elect to come under the provisions of the new Pension

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& Retirement System, all sums that have been put into the old system by the members shall be returned to the individual members together with accrued interest thereon. All other sums remaining in the present pension fund shall be paid by the officers of said fund into the Pension & Retirement System herein created.

Section 1N. The Mayor and Council of the City of **Marietta**, Georgia, and the Board of Lights and Waterworks of **Marietta**, Georgia, are hereby authorized to invest funds from their respective treasuries into said Pension and Retirement System in such sums and amounts as may be from time to time necessary.

The Mayor and Council of the City of **Marietta**, Georgia, and the Board of Lights and Waterworks of **Marietta**, Georgia, may contract with any company or companies and are hereby authorized by proper ordinances and regulations to provide all the terms and conditions for participation by the employees in the Pension and Retirement System, and to determine the length of **service** required for retirement or partial retirement and disability benefits, and the amount of the retirement benefits, and may adopt any and all other necessary rules and regulations necessary to create, maintain, sustain and administer said funds. Especially including the right to purchase contracts of insurance annuities, retirement policies, stocks, bonds and certificates in such amounts and under such terms and conditions as the Mayor and Council and the Board of Lights and Waterworks may from time to time deem necessary.

The Mayor and Council of the City of **Marietta**, Georgia, may levy taxes in whatever amount it deems necessary to finance and sustain said Pension and Retirement System. The Pension and Retirement System herein authorized shall not become effective until such time as the Mayor and Council of the City of **Marietta**, Georgia, by proper ordinance and the governing authority of the Board of Lights and Waterworks of **Marietta**, Georgia, by proper resolution elect to put the provisions of this Act into force and affect.

Section 1-0. Be it further provided that the governing authority of the City of **Marietta** may cause to be paid from

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the treasury of the City of **Marietta** payments of premiums on life insurance and hospitalization insurance for any or all of the employees of the City of **Marietta** and is hereby authorized to pay such premium in whole or in part. The board of lights and water works is hereby authorized to pay from its treasury premiums on life and hospitalization insurance for any or all of its employees.
[Sidenote: Insurance.]

Section 5. Section 13 of the Amendatory Act of 1959 (Ga. L. 1959, p. 2111 et seq.) is hereby repealed in its entirety and a new section 13 substituted in lieu thereof to read as follows:

Section 13. In the event any vacancy occurs in the office of the Chief of the Fire Department or in the office of the Chief of the Police Department the City Manager of the City of **Marietta**, Georgia, shall recommend to the Mayor and Council the name of a person deemed to be qualified to fill such position or positions. The Mayor and Council shall appoint such person recommended by the City Manager or some other person deemed qualified to hold such position or positions at the first or second regular meeting of the Mayor and Council after the vacancy occurs. Such person selected by the Mayor and Council to fill said position or positions shall be responsible to the City Manager and Mayor and Council for a period of one year, during which period of time the Mayor and Council may remove or suspend such person then selected for any reason the Mayor and Council deem necessary and without notice and hearing. After the expiration of one year from the date a person has been so employed to serve as Chief of the Fire Department or Chief of the Police Department, such person shall be subject to all the rules and regulations of the **Civil Service** System of the City of **Marietta** and shall be fully protected and governed thereby in every respect including rules and regulations pertaining to suspension or removal from office. All **Civil Service** rights and privileges provided for in the charter of the City of **Marietta**, Georgia, ordinances of **Marietta**, Georgia, and rules and regulations of the **Civil Service** Board shall hereafter be construed to apply to the Chief of the Fire Department and the Chief of the Police Department one year after such person or persons have been employed as herein provided.
[Sidenote: Named department chief.]

Section 6. Said Act and particularly Ga. Laws 1906, page 846 through 848 is hereby amended by adding new sections immediately following section 5 of said Act and immediately preceding section 6 of said Act to be numbered as sections 5A, 5B, 5C and 5D and to read as follows:

Section 5A. The Board of Lights and Waterworks of **Marietta**, Georgia, is hereby expressly authorized to sell real or personal property at public or private sale under such terms and conditions and for whatever consideration the Board deems necessary. The Board of Lights and Waterworks of **Marietta**, Georgia, is further authorized to trade, exchange, lease, rent and otherwise contract concerning any real or personal property that the Board of Lights and Waterworks may now or hereafter own or have an interest in, and the Board of Lights and Waterworks of **Marietta**, Georgia, is expressly authorized to purchase real or personal property at public or private sale. [Sidenote: Real and personal property.]

Section 5B. The Board of Lights and Waterworks of the City of **Marietta**, Georgia, is hereby authorized to create, build, operate and maintain or lease television, radio and receiving towers, equipment and stations for the purpose of receiving and transmitting radio and television signals. The Board of Lights and Waterworks is hereby authorized to make all contracts necessary and incidental to the operation of the above **service**, including the right to buy and sell or lease all equipment necessary and incidental to the operation of said business, including cables, wire and any and all other technical and electronic devices necessary to maintain said **service**. [Sidenote: Board of Lights and Waterworks.]

Section 5C. The Board of Lights and Waterworks is hereby authorized to use any of the poles, lines, equipment and personnel of the Board of Lights and Waterworks necessary to the creation and maintenance of said **service**, and to contract with any and all persons, concerns, companies and utilities with reference to any and all matters necessary and incidental to the creation and operation and maintenance of such **service**.

Section 5D. The Board of Lights and Waterworks of **Marietta**, Georgia, is hereby authorized to receive and transmit

radio and television signals, and to furnish such **service** to any and all of its customers provided however, that the same shall be on a voluntary basis and no one shall be

required to subscribe to the cable television and radio **service**. Be it further provided that the Board of Lights and Waterworks shall determine the fees to be paid by those electing to subscribe to such **service**.

Section 7. Said Act is further amended by striking from the Amendatory Act of 1913 (Ga. L. 1913 Act No. 252) sections 1, 2, 3, 4 and 5 of Georgia Laws 1913, Act No. 252, and substituting in lieu thereof a new section to be numbered section 1 and to read as follows:

Section 1. The Mayor and Council of the City of **Marietta**, Georgia, shall have the authority and power to grant any franchise for a gas plant, electric railroad, electric light or telephone or other franchise in the nature of a public utility, including radio and television rights to corporations, individuals, and others upon and over the streets, alleys, poles and property of the City upon a written application for such franchise being made to the Mayor and Council of said city. The Mayor and Council of said city may grant or refuse said franchise upon such conditions, terms and for whatever consideration the Mayor and Council of the City of **Marietta**, Georgia, deem necessary and advisable. The granting or refusing of any franchise applied for shall be left to the sole discretion of the Mayor and Council controlled only by their judgment as to the public good and welfare.

[Sidenote: Franchises.]

Section 8. An Act creating a new charter for the City of **Marietta** approved August 15, 1904, (Ga. L. 1904, p. 519 et seq.) as amended, and particularly as amended by an Act approved March 25, 1947, (Ga. L. 1947, p. 299 et seq.) and an Act approved February 4, 1949, (Georgia Laws 1949, p. 238 et seq.), which Act, approved February 4, 1949, appears in part as follows:

"Section 27. The said Mayor and Council shall also have full power and authority to provide for, to enforce, to levy and collect the cost of sanitary and health **services**, necessary in the operation of said city, from all individuals, firms

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and corporations residing in or doing business in said city, benefiting from such **service**."

be and the same is hereby amended by striking said section 27 in its entirety and substituting in lieu thereof a new section 27 to read, as follows:

"Section 27. Any other provision of the charter of the City of **Marietta** to the contrary notwithstanding, the Mayor and Council of the City of **Marietta** shall have full and complete power and authority to regulate and to control the collection, storage, removal and disposal of garbage, refuse, debris and other waster material within the corporate limits of the city and to adopt any and all ordinances and resolutions and to prescribe all regulations necessary or desirable in connection therewith. Said Mayor and Council is hereby authorized to assess, levy and collect an ad valorem tax in such amount as may be determined necessary to pay the cost of the collection, removal and disposal of garbage, refuse, debris and other waste material from premises and and places of business within the corporate limits of the city. In addition to the foregoing, said Mayor and Council is hereby authorized to prescribe and revise rates and collect fees and charges from individuals, firms and corporations in connection with the collection, removal and disposal of garbage, refuse, debris and other waster material. Said Mayor and Council is hereby authorized to contract with private persons, firms and corporations and, as provided by the Constitution of the State of Georgia, with political subdivisions, in connection with the collection, removal and disposal of garbage, refuse, debris and other waste material and to make payments in such amounts as may be necessary to fulfill the City's obligations under any such contract or to otherwise meet its covenants thereunder. Said Mayor and Council is authorized to prevent the disposal of garbage, refuse, debris and other waste material by any means other than as prescribed by ordinances, resolutions and regulations of said Mayor and Council."

[Sidenote: Garbage disposal, etc.]

Section 9. In the event a sentence, clause or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect any other

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sentence, clause or phrase of this Act which shall remain in full force and effect as if such sentence, phrase or clause so declared or adjudged invalid or unconstitutional was not originally a part hereof. The General Assembly hereby declares that it would hereby pass the remaining parts of this Act if it had known such part or parts hereof would be declared or adjudged invalid or unconstitutional.

Section 10. Be it enacted that all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Notice of Intention to Introduce Local Legislation.

Notice is hereby given that there will be introduced at the regular January-February 1966 session of the General Assembly of Georgia, a bill to amend the charter of the City of **Marietta**, Georgia (Ga. L. 1904, p. 519, et seq.) as heretofore amended, and for other purposes.

This 27th day of December, 1965.

Kyle Yancey Senator, 33rd District Edward S. Kendrick Senator, 32nd District Ben C. Jordan Representative Hugh Lee McDaniell Representative Bob Howard Representative Joe Mack Wilson Representative J. H. Henderson, Jr. Representative

Georgia, Cobb County.

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Brooks P. Smith, who,

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on oath, deposes and says that he is the publisher of the **Marietta** Daily Journal and the Cobb County Times, and the attached copy of notice of intention to introduce local legislation was published in the **Marietta** Daily Journal, the official organ of Cobb County, in its editions for the following dates: December 31, 1965, January 7, 1966 and January 14, 1966.

/s/ Brooks P. Smith, Publisher, **Marietta** Daily Journal and Cobb County Times

Sworn to and subscribed before me,
the 28th day of January, 1966.

/s/ Thelma Kemp,
Notary Public, Georgia State at Large.
My Commission expires October 19, 1967.
(Seal).

Approval Date: Approved March 2, 1966.