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MAYOR EMERITUS
CITY OF ATLANTA

April 20, 1967

Mr. Earl Landers
City Hall
Atlanta, Georgia

Dear Earl:

As you know, there is an area immediately adjacent to the Atlanta city limits in the Sandy Springs area, which has always voted for annexation to Atlanta.

One of the Plan of Improvement Acts provided that if a land lot had sufficient people and sufficient taxable values, that it could be annexed by a petition to the Superior Court.

The County Attorney (who, incidentally, has always been a bitter opponent of the Plan of Improvement) has indicated that possibly this act was rendered invalid by a Home Rule Act later passed by the Legislature.


I notice that the Supreme Court of Georgia in the case of Lee versus the City of Jesup, has held that the Home Rule Act of 1965 does not provide the sole method for annexation, but that the General Assembly still has power to do so by special act. This would indicate that the method set forth in the Plan of Improvement Act of 1951 would still be valid.

If the City would be willing to encourage the people in this land lot, I believe they would get up such a petition. If it were successful and if the Court upheld it, this would mean that you could annex selective contiguous areas of desirable citizens by direct court action instead of being browbeaten and treated as we were when the last annexation referendum was authorized by the legislative delegation.

It would also start a trend, which in my opinion, would induce the balance of Sandy Springs to come in.

The Legal Department might also look into the question as to whether or not this method would be valid in the case of land in another county. North Atlanta is contiguous to Atlanta. I live a few hundred feet from it, and many of my neighbors would like to come into the City.

Yours sincerely,


WILLIAM B. HARTSFIELD

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