

House Resolution 142 (AS PASSED HOUSE AND SENATE)

By: Representatives Greene of the 151st, Pirkle of the 155th, and Dunahoo of the 30th

A RESOLUTION

1 Authorizing the lease of certain state owned real property located in Baldwin County;
2 authorizing the conveyance of and granting of easements on certain state owned real property
3 located in Columbia County; authorizing the conveyance of certain state owned real property
4 located in Decatur County; authorizing the conveyance of certain state owned real property
5 located in Fulton County; authorizing the conveyance of certain state owned real property
6 in Hall County; to provide for related matters; to provide an effective date; to repeal
7 conflicting laws; and for other purposes.

8 WHEREAS:

9 (1) The State of Georgia is the owner of certain real property located in Baldwin County,
10 Georgia; and
11 (2) Said real property is all those tracts or parcels of land containing approximately
12 754.105 acres, lying and being in the 1st Land District, 318th and 319th G.M.D of
13 Baldwin County, Georgia, said property being further detailed and identified on Exhibit
14 "A" of the existing Amendment to the Lease Agreement by and between the State
15 Properties Commission, acting for and on behalf of the State of Georgia, and Baldwin
16 County, Georgia dated April 2, 1998, as recorded in the State Properties Commission
17 inventory as Real Property Record 009034, being an amendment of the Lease Agreement

18 dated August 7, 1979, as recorded in the State Properties Commission inventory as Real
19 Property Record 009034; and

20 (3) Said real property is under the custody of the Georgia Forestry Commission and the
21 Georgia Department of Juvenile Justice; and

22 (4) By official action dated January 26, 2021, the Georgia Forestry Commission
23 requested to amend the current lease with Baldwin County, Georgia for an additional
24 25-year term under the same terms and conditions as the current lease, pursuant to which
25 consideration is \$250.00 annually and the Georgia Forestry Commission reserves timber
26 rights over the leased area; and

27 (5) By official action dated January 26, 2021, the Georgia Department of Juvenile Justice
28 requested to amend the current lease with Baldwin County, Georgia for an additional
29 25-year term under the same terms and conditions as the current lease, pursuant to which
30 consideration is \$250.00 annually; and

31 WHEREAS:

32 (1) The State of Georgia is the owner of certain real property located in Columbia
33 County, Georgia; and

34 (2) Said real property is approximately 0.062 of an acre in total, being a portion of a
35 26.4-acre tract located in the 1285th G.M.D. of Columbia County, Georgia, and more
36 particularly described in the Warranty Deed, dated August 30, 2006, from the
37 Development Authority of Columbia County, being recorded in Deed Book 5618, Pages
38 60-69, in the office of the Clerk of Superior Court of Columbia County, and on file with
39 the State Properties Commission Real Property Records as RPR 010223, and more
40 particularly described on a plat of survey, dated February 24, 2005, prepared by John
41 Thomas Attaway, Registered Land Surveyor #2512, and on file in the offices of the State
42 Properties Commission as RPR 010223; and

43 (3) Said real property is under the custody of the Technical College System of Georgia
44 and is located at 3500 John Huffman Way, Grovetown, Georgia, being a portion of the
45 Augusta Technical College; and

46 (4) By letter dated January 18, 2021, the Georgia Department of Transportation
47 requested the conveyance of approximately 0.023 of an acre of a right-of-way, 0.010 of
48 an acre for a permanent easement, and approximately 0.029 of an acre for a temporary
49 easement to accommodate the planned reconstruction of SR 388/Horizon South Parkway
50 from CR 571/Wrightsboro Road to Interstate 20, Project P.I. 0008351, for the total
51 consideration of approximately \$15,700.00, being comprised of approximately \$1,556.00
52 in value for the property being conveyed in fee, \$325.00 for the granting of the permanent
53 easement, \$942.00 for the granting of the temporary easement, and \$12,850.00 in value
54 for the damage to sign trade fixtures; and

55 (5) By official action dated January 25, 2021, the Technical College System of Georgia
56 requested to seek legislation to convey the approximately 0.023 of an acre right-of-way,
57 approximately 0.010 of an acre for a permanent easement, and approximately 0.029 of
58 an acre for a temporary easement to the Georgia Department of Transportation for the
59 total consideration of approximately \$15,700.00, which includes the funds to be collected
60 for damages to sign trade fixtures; and

61 WHEREAS:

62 (1) The State of Georgia is the owner of real property located in Decatur County,
63 Georgia; and

64 (2) Said real property is a portion being approximately 115 acres, lying and being in the
65 15th District of Bainbridge, Decatur County, Georgia, commonly known as the
66 Bainbridge PSATC, and more particularly described in a Warranty Deed dated April 1,
67 1966, from the Commissioners of Roads and Revenues of Decatur County, being
68 recorded in Deed Book Z-8, Pages 206-209 in the office of the Clerk of Superior Court

69 of Decatur County and on file with the State Properties Commission Real Property
70 Record as RPR 003368; and
71 (3) Said real property is under the custody of the Department of Corrections; and
72 (4) By official action dated February 25, 2021, the Department of Corrections requested
73 to surplus and convey the approximately 115 acres of real property; and

74 WHEREAS:

75 (1) The State of Georgia is the owner of real property located in Fulton County, Georgia;
76 and
77 (2) Said real property is a portion being approximately 0.005 of an acre, lying and being
78 in Land Lots 82 and 83, 14th Land District of Fulton County, Georgia, commonly known
79 as the Yellow Lot, and more particularly described in a General Warranty Deed dated
80 July 13, 2000, from the Lundsford Company, being recorded in Deed Book 29281, Page
81 88 in the office of the Clerk of Superior Court of Fulton County and on file with the State
82 Properties Commission Real Property Record as RPR 009465; and
83 (3) Said real property is under the custody of the Department of Economic Development;
84 and
85 (4) By official action dated March 1, 2021, the Department of Economic Development
86 requested to surplus and convey the approximately 0.005 of an acre of real property; and

87 WHEREAS:

88 (1) The State of Georgia is the owner of improved real property located in Hall County,
89 Georgia; and
90 (2) Said real property is approximately 2.144 acres, lying and being in Land Lots 98 and
91 112, 8th District of Flowery Branch, Hall County, Georgia, and more particularly
92 described in a General Warranty Deed dated August 30, 2018, from LLI Management
93 Company, LLC, being recorded in Deed Book 8145, Pages 334-337, in the office of the

94 Clerk of Superior Court of Hall County and on file with the State Properties Commission
95 Real Property Record as RPR 012175; and
96 (3) Said real property is under the custody of the Department of Community Affairs and
97 the Georgia Environmental Finance Authority; and
98 (4) By official action, the Georgia Environmental Finance Authority requested to surplus
99 and convey the approximately 2.144 acres of real property.

100 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
101 ASSEMBLY OF GEORGIA:

102 ARTICLE I
103 SECTION 1.

104 That the State of Georgia is the owner of the above-described property located in Baldwin
105 County, containing approximately 754.105 acres, and that in all matters relating to the
106 leasing of said real property, the State of Georgia is acting by and through its State Properties
107 Commission.

108 SECTION 2.

109 That the State of Georgia, acting by and through the State Properties Commission, is
110 authorized to amend the lease of the above-described property to Baldwin County, Georgia
111 for an additional 25-year term under the same terms and conditions as the current lease,
112 pursuant to which consideration is \$250.00 annually and the Georgia Forestry Commission
113 reserves timber rights over the entire leased area, and such further terms and conditions as
114 determined by the State Properties Commission to be in the best interest of the State of
115 Georgia.

116 **SECTION 3.**

117 That the State Properties Commission is authorized and empowered to do all acts and things
118 necessary and proper to effect such lease, including the execution of all necessary
119 documents.

120 **SECTION 4.**

121 That the authorization to lease the above-described property shall expire three years after the
122 date that this resolution becomes effective.

123 **SECTION 5.**

124 That the above-described real property shall remain in the custody of the Georgia Forestry
125 Commission and the Georgia Department of Juvenile Justice during the term of the lease.

126 **ARTICLE II**

127 **SECTION 6.**

128 That the State of Georgia is the owner of the above-described property located in Columbia
129 County, containing approximately 0.062 of an acre in total, and that in all matters relating
130 to the conveyance and granting of easements of said real property, the State of Georgia is
131 acting by and through its State Properties Commission.

132 **SECTION 7.**

133 That the State of Georgia, acting by and through the State Properties Commission, is
134 authorized to convey to the Georgia Department of Transportation approximately 0.023 of
135 an acre of a right-of-way, 0.010 of an acre for a permanent easement, and approximately
136 0.029 of an acre for a temporary easement for a total consideration of approximately
137 \$15,700.00, being comprised of approximately \$1,556.00 in value for the property being

138 conveyed in fee, \$325.00 for the granting of the permanent easement, \$942.00 for the
139 granting of the temporary easement, and \$12,850.00 in value for the damage to sign trade
140 fixtures, and such further terms and conditions as determined by the State Properties
141 Commission to be in the best interest of the State of Georgia.

142 **SECTION 8.**

143 That the State Properties Commission is authorized and empowered to do all acts and things
144 necessary and proper to effect such conveyance and granting of easements, including the
145 execution of all necessary documents.

146 **SECTION 9.**

147 That the authorization to convey the above-described property and grant the above-described
148 easements shall expire three years after the date that this resolution becomes effective.

149 **SECTION 10.**

150 That the deed or deeds and plat or plats of the conveyance and the grant of easements shall
151 be recorded by the Grantee in the Superior Court of Columbia County, Georgia, and a
152 recorded copy shall be forwarded to the State Properties Commission.

153 **SECTION 11.**

154 That the above-described real property shall remain in the custody of the Technical College
155 System of Georgia until the property is conveyed.

156 ARTICLE III
157 SECTION 12.

158 The State of Georgia is the owner of the above-described property located in Decatur
159 County, containing approximately 115 acres, and that in all matters relating to the
160 conveyance of the property the State of Georgia is acting by and through its State Properties
161 Commission.

162 SECTION 13.

163 That the above-described real property may be conveyed by appropriate instrument by the
164 State of Georgia, acting by and through its State Properties Commission by competitive bid
165 for fair market value, to a local government or state entity for fair market value, or to a local
166 government or state entity for a consideration of \$10.00 so long as the property is used for
167 public purpose in perpetuity; and other consideration and provisions as the State Properties
168 Commission shall in its discretion determine to be in the best interest of the State of Georgia.

169 SECTION 14.

170 That the State Properties Commission is authorized and empowered to do all acts and things
171 necessary and proper to effect such conveyance.

172 SECTION 15.

173 That the authorization to convey the above-described property shall expire three years after
174 the date that this resolution becomes effective.

175 **SECTION 16.**

176 That the deed or deeds and plat or plats shall be recorded by the Grantee in the Superior
177 Court of Decatur County, Georgia, and a recorded copy shall be forwarded to the State
178 Properties Commission.

179 **SECTION 17.**

180 That custody of the above-described real property shall remain in the custody of the
181 Department of Corrections until the property is conveyed.

182 **ARTICLE IV**

183 **SECTION 18.**

184 The State of Georgia is the owner of the above-described property located in Fulton County,
185 and that in all matters relating to the conveyance of the property, the State of Georgia is
186 acting by and through its State Properties Commission.

187 **SECTION 19.**

188 That the above-described real property may be conveyed by appropriate instrument by the
189 State of Georgia, acting by and through its State Properties Commission, to the Georgia
190 Department of Transportation for a total consideration of \$11,500.00 and such other
191 consideration and provisions as the State Properties Commission shall in its discretion
192 determine to be in the best interest of the State of Georgia.

193 **SECTION 20.**

194 That the State Properties Commission is authorized and empowered to do all acts and things
195 necessary and proper to effect such conveyance.

196 **SECTION 21.**

197 That the authorization to convey the above-described property shall expire three years after
198 the date that this resolution becomes effective.

199 **SECTION 22.**

200 That the deed or deeds and plat or plats shall be recorded by the Grantee in the Superior
201 Court of Fulton County, Georgia, and a recorded copy shall be forwarded to the State
202 Properties Commission.

203 **SECTION 23.**

204 That custody of the above-described real property shall remain in the custody of the
205 Department of Economic Development until the property is conveyed.

206 **ARTICLE V**

207 **SECTION 24.**

208 That the State of Georgia is the owner of the above-described property located in Hall
209 County, containing approximately 2.144 acres, and that in all matters relating to the
210 conveyance of said real property, the State of Georgia is acting by and through its State
211 Properties Commission.

212 **SECTION 25.**

213 That the above-described improved real property may be conveyed by appropriate instrument
214 by the State of Georgia, acting by and through its State Properties Commission, by
215 competitive bid for fair market value or to a local government or state entity for fair market
216 value and such other consideration and provisions as the State Properties Commission shall
217 in its discretion determine to be in the best interest of the State of Georgia.

218 **SECTION 26.**

219 That the State Properties Commission is authorized and empowered to do all acts and things
220 necessary and proper to effect such conveyance.

221 **SECTION 27.**

222 That the authorization to convey the above-described property shall expire three years after
223 the date that this resolution becomes effective.

224 **SECTION 28.**

225 That the deed or deeds and plat or plats of the conveyance shall be recorded by the Grantee
226 in the Superior Court of Hall County, Georgia, and a recorded copy shall be forwarded to the
227 State Properties Commission.

228 **SECTION 29.**

229 That the above-described real property shall remain in the custody of Department of
230 Community Affairs and the Georgia Environmental Finance Authority until the property is
231 conveyed.

232 **ARTICLE VI**

233 **SECTION 30.**

234 That this resolution shall become effective as law upon its approval by the Governor or upon
235 its becoming law without such approval.

236 **SECTION 31.**

237 That all laws and parts of laws in conflict with this resolution are repealed.