

House Resolution 1144

By: Representatives Tillman of the 173rd, Smith of the 169th, Mosley of the 171st, Coleman of the 142nd, Keen of the 174th and others

A RESOLUTION

1 Conveying certain state owned real property located in Glynn County, Georgia; including
2 easements for use and access over certain state owned property located in Glynn County,
3 Georgia; to provide for an effective date; to repeal conflicting laws; and for other purposes.

4 WHEREAS, the State of Georgia is the owner of certain real property, consisting of
5 approximately 24.8 acres located in the City of Brunswick, G.M. District 26, Glynn County,
6 Georgia; and

7 WHEREAS, Tract "A" of the said real property is all that tract or parcel of land lying and
8 being in the City of Brunswick, being located in the G.M. District 26 of Glynn County, and
9 containing approximately 0.843 acres as shown on a plat of survey prepared by the Shupe
10 Surveying Company, P.C., more particularly Gary R. Nevill, Georgia Registered Land
11 Surveyor No. 2401, dated December 20, 2001, and issued January 30, 2002, and on file in
12 the offices of the State Properties Commission (hereinafter the "Conveyance Property"); and

13 WHEREAS, Tract "B" of the said real property is all that tract or parcel of land lying and
14 being in the City of Brunswick, being located in the G.M. District 26 of Glynn County, and
15 containing approximately 0.023 acres as shown on a plat of survey prepared by Shupe
16 Surveying Company, P.C., more particularly Gary R. Nevill, Georgia Registered Land
17 Surveyor No. 2401, dated December 20, 2001, and issued January 30, 2002, and on file in
18 the offices of the State Properties Commission (hereinafter the "Easement Property"); and

19 WHEREAS, the Access Easement (Existing Paved Roadway) of the said real property is all
20 that tract or parcel of land lying and being in the City of Brunswick, being located in the
21 G.M. District 26 of Glynn County, and containing approximately 0.668 acres, also known
22 as "Conservation Way", as shown on a plat of survey prepared by Shupe Surveying
23 Company, P.C., more particularly Gary R. Nevill, Georgia Registered Land Surveyor No.
24 2401, dated December 20, 2001, and issued January 30, 2002, and on file in the offices of
25 the State Properties Commission (hereinafter the "Access Easement"); and

1 WHEREAS, said property is under the custody and management of the Department of
2 Natural Resources; and

3 WHEREAS, the United States of America is in need of expanding its Coast Guard presence
4 in Glynn County, Georgia; and

5 WHEREAS, the location of a Coast Guard facility in Glynn County, Georgia, would be of
6 great benefit to the local region and the State of Georgia; and

7 WHEREAS, the United States of America has agreed to pay fair market value for the
8 above-referenced Conveyance Property.

9 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
10 ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 That the State of Georgia is the owner of 0.843 acres of hereinabove described real property
13 located in Glynn County, Georgia, previously identified as the Conveyance Property; and
14 further that the State of Georgia is the owner of 0.023 acres of hereinabove described real
15 property located in Glynn County, Georgia, previously identified as the Easement Property;
16 and further that the State of Georgia is the owner of 0.668 acres of hereinabove described
17 real property located in Glynn County, Georgia, previously identified as the Access
18 Easement.

19 **SECTION 2.**

20 That the above-described Conveyance Property shall be conveyed by the State of Georgia
21 to the United States of America, for the benefit of the United States Coast Guard, and that
22 easements over the above-described Easement Property and over the above-described Access
23 Easement shall be granted by the State of Georgia to the United States of America, for the
24 benefit of the United States Coast Guard, for the consideration of the fair market value of the
25 property interests, to wit: \$10.00 and other good and valuable consideration, the sufficiency
26 of which is acknowledged by the State of Georgia and the United States of America.

27 **SECTION 3.**

28 That the conveyance of property and grant of easements herein conveyed and granted shall
29 be subject to the following provisions and stipulations, the rights and obligations of the State
30 of Georgia to be effectuated by its Department of Natural Resources (DNR) and the rights

1 and obligations of the United States of America to be effectuated by the United States Coast
2 Guard (USCG):

3 (a) USCG agrees that it shall construct its new Station Brunswick upon the Conveyance
4 Property based on the design and plans previously approved by the DNR.

5 (b) USCG agrees that it shall construct all parking spaces for its new Station Brunswick,
6 including parking for visitors, reservists, and USCG vehicles, boat trailers, and other
7 mobile equipment, totally within the Conveyance Property.

8 (c) USCG agrees that it shall construct, build, and erect all signage necessary to notify the
9 public of access to the new Station Brunswick; provided, however, that all such signage
10 shall be erected only at locations approved in writing by the DNR Coastal Resources
11 Division Director.

12 (d) USCG and the DNR agree that maintaining or controlling vehicular access to both the
13 new Station Brunswick or to the DNR's Coastal Regional Headquarters will, at times, be
14 necessary. USCG and the DNR agree that certain special events and festivals such as the
15 DNR's annual Coastfest will involve special management of vehicular access to and from
16 the site and agree to cooperate in restricting traffic as may be necessary.

17 (e) USCG agrees that it shall have no right to use the Marine Services Building located on
18 adjacent property of the DNR except by written permission of the DNR's Coastal
19 Resources Division Director.

20 (f) USCG acknowledges that access to its floating dock that is to be constructed on the
21 Easement Property in conjunction with the construction of its new Station Brunswick, is
22 available only across the fixed and floating docks of the DNR. USCG also acknowledges
23 that the location of power, water, and telephones to the USCG floating dock will also be
24 across the fixed and floating docks of the DNR. USCG agrees that the DNR shall have the
25 right to control such access and location of utilities. The DNR agrees that such access and
26 utility location shall not be unreasonably denied.

27 (g) USCG agrees that in the event shoaling occurs between the marsh on the north side of
28 the USCG floating dock and the USCG floating dock so as to prevent access by DNR's
29 vessels to the back side of the DNR's docks at low tide, USCG shall dredge and remove
30 the shoaling.

31 (h) USCG agrees that its present temporary building located on DNR property shall be
32 removed within 30 days of the completion of the new Station Brunswick, as DNR has a
33 pressing need to utilize the property presently occupied by the USCG temporary building.

34 **SECTION 4.**

35 That the State of Georgia, subject to the other provisions of this resolution, for and in
36 consideration of the above-referenced consideration and the mutual public purposes and

1 benefits bestowed upon the parties, does hereby remise, convey, and forever quitclaim unto
2 the United States of America any and all right, title, and interest of the State of Georgia in
3 the above-described Conveyance Property, and hereby further grants unto the United States
4 of America the aforementioned easement rights in the Easement Property and the Access
5 Easement.

6 **SECTION 5.**

7 That the conveyance of the above-described Conveyance Property and the grant of the
8 easements to the Easement Property and Access Easement shall become effective upon the
9 payment of the above-described consideration and the formal acceptance by the United States
10 of America, such acceptance to be indicated by the signature of the appropriate official of the
11 United States of America; and if not so accepted, this resolution shall expire five years after
12 the date this resolution becomes effective.

13 **SECTION 6.**

14 That the executive director of the State Properties Commission is authorized and empowered
15 to do all acts and things necessary and proper to effect this resolution.

16 **SECTION 7.**

17 That a Memorandum of Conveyance concerning the Conveyance Property, Easement
18 Property, and Access Easement, including the formal acceptance by the United States of
19 America, shall be recorded by the grantee in the Superior Court of Glynn County, Georgia,
20 and a recorded copy shall be forwarded to the State Properties Commission.

21 **SECTION 8.**

22 That this resolution shall become effective upon the signature of the Governor.

23 **SECTION 9.**

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