

Senate Resolution 852

By: Senator Kemp of the 3rd

A RESOLUTION

1 Conveying the reverter interest of the state in certain real property located in Glynn
2 County, Georgia, heretofore conveyed pursuant to resolutions of the General
3 Assembly to Boys Estate Incorporated, later known as Youth Estate, Inc., and now
4 known as Morningstar Treatment Services, Inc.; to provide an effective date; to repeal
5 conflicting laws; and for other purposes.

6 WHEREAS, the State of Georgia has heretofore conveyed a certain tract of land
7 located in Glynn County, Georgia, to Boys Estate Incorporated, a charitable
8 organization, so that the said property might be developed and used as a charitable
9 home for underprivileged boys; and

10 WHEREAS, the said conveyance was authorized by resolution of the General
11 Assembly, found at Ga. L. 1946, p. 709; and

12 WHEREAS, the said conveyance was made upon the condition that the said property
13 be used for the exclusive purpose of a charitable home for underprivileged boys, the
14 said condition being expressed as a reverter, which upon its occurrence, will cause the
15 title to the property to revert to the State of Georgia; and

16 WHEREAS, thereafter and in line with enacted legal requirements and an expansion
17 of its original charitable purpose, Boys Estate Incorporated became Youth Estate,
18 Inc., and began providing a home for underprivileged youth, regardless of sex; and

19 WHEREAS, by a resolution of the General Assembly found at Ga. L. 1978, p. 2143,
20 a second conveyance of said property was authorized and made, which expanded the
21 reverter condition to be that the property is to be used for the exclusive purpose of
22 providing a charitable home and related facilities for underprivileged youth and that,
23 should the property cease to be used for such purpose for a period of two years, the
24 property is to revert to the state Department of Natural Resources or its successor

1 agency, and with the further condition that in the event title to said property should
2 revert to the state, any and all improvements placed thereon shall become and be the
3 property of the State of Georgia; and

4 WHEREAS, there exists an urgent need to renovate certain facilities located upon the
5 property in order to increase the number of children who may be served, but such
6 renovations are prevented by the current owner's inability to obtain bank financing
7 because of the reverter condition contained in the deeds from the state; and

8 WHEREAS, the activities of the current owner, Morningstar Treatment Services, Inc.,
9 serve the public interest in this state in that the facility is a certified MATCH facility
10 through the Department of Family and Children Services (DFCS) of the Department
11 of Human Resources (DHR) of the State of Georgia; and

12 WHEREAS, the Department of Natural Resources has no present or future use for the
13 property, having been unable to develop it in 1946 as a park as was originally
14 intended when the state acquired the property; and

15 WHEREAS, it is only fitting and proper that the state recognize the owner's expanded
16 worthy purposes of serving all young people by permitting use of the facility without
17 hindrance from the impossibility of obtaining needed financing caused by the reverter
18 condition; and

19
20 WHEREAS, the said property located in Glynn County, Georgia, is more particularly
21 described as follows:

22 "A tract of land containing 350 1/2 acres, more or less, beginning at a point on the
23 north side of local county road, leading from the Coastal Highway to Altama
24 plantation at the center of the abandoned Brunswick-Altamaha Canal, running south
25 89 degrees and 14' west, a distance of 712.0 feet to a concrete marker; thence north
26 37 degrees 0' west, a distance of 1134.0 feet to a concrete marker; thence north 13
27 degrees and 47' west, a distance of 722.9 feet to a concrete marker; thence north 37
28 degrees 16' west, a distance of 553.2 feet to a concrete marker; thence north 8
29 degrees and 8' west, a distance of 1045.6 feet to a concrete marker and thence north
30 28 degrees and 11' east, a distance of 1062 1/2 feet, along an old dam to a concrete
31 marker; thence south 48 degrees east, a distance of 804.6 feet to a concrete marker;
32 thence north 2 degrees and 36' east, a distance of 5305.0 feet along the center of an
33 old rice field drainage ditch to a concrete marker; thence north 87 degrees and 24'

1 west, a distance of 80.0 feet to the bank of the South Altamaha River; thence
 2 meandering along the bank of the South Altamaha River to the north and east, to a
 3 point in the center of the Brunswick-Altamaha Canal, where it flows into the South
 4 Altamaha River; thence along the center of the Brunswick-Altamaha Canal
 5 (abandoned) to the beginning point on the edge of the county road. This area is
 6 bounded on the west by the lands of Cator Woolford; on the north by the South
 7 Altamaha River; on the east by the Brunswick-Altamaha Canal (abandoned); and
 8 on the south by a local county road.”

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

11 **SECTION 1.**

12 That the State of Georgia, for and in consideration of the above-referenced
 13 consideration and the mutual public purposes and benefits bestowed upon the parties,
 14 does hereby remise, convey, and forever quitclaim unto Morningstar Treatment
 15 Services, Inc., any and all right, title, and interest of the State of Georgia in the
 16 above-described property held by virtue of the aforesaid reverter conditions.

17 **SECTION 2.**

18 That this resolution shall become effective upon the approval of the Governor or its
 19 becoming law without such approval.

20 **SECTION 3.**

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