

## House Resolution 1144 (AS PASSED HOUSE AND SENATE)

By: Representatives Tillman of the 173<sup>rd</sup>, Smith of the 169<sup>th</sup>, Mosley of the 171<sup>st</sup>, Coleman of the 142<sup>nd</sup>, Keen of the 174<sup>th</sup> 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 and general right of ingress and  
20 egress) of the said real property is all that tract or parcel of land lying and being in the City  
21 of Brunswick, being located in the G.M. District 26 of Glynn County, and containing  
22 approximately 0.668 acres, also known as "Conservation Way", as shown on a plat of survey  
23 prepared by Shupe Surveying Company, P.C., more particularly Gary R. Nevill, Georgia  
24 Registered Land Surveyor No. 2401, dated December 20, 2001, and issued January 30, 2002,  
25 and on file in the offices of the State Properties Commission (hereinafter the "Access

1 Easement"), and includes the general right of ingress and egress from the Conveyance  
2 Property to the Easement Property over and across the high ground and floating docks  
3 between the Conveyance Property and Easement Property; and

4 WHEREAS, said property is under the custody and management of the Department of  
5 Natural Resources; and

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

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

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

12 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL  
13 ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

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

22 **SECTION 2.**

23 That the above-described Conveyance Property shall be conveyed by the State of Georgia  
24 to the United States of America, for the benefit of the United States Coast Guard, and that  
25 easements over the above-described Easement Property and over the above-described Access  
26 Easement shall be granted by the State of Georgia to the United States of America, for the  
27 benefit of the United States Coast Guard, for the consideration of \$347,000.00 and other  
28 good and valuable consideration, the sufficiency of which is acknowledged by the State of  
29 Georgia and the United States of America.

**SECTION 3.**

1  
2 That the conveyance of property and grant of easements herein conveyed and granted shall  
3 be subject to the following provisions and stipulations, the rights and obligations of the State  
4 of Georgia to be effectuated by its Department of Natural Resources (DNR) and the rights  
5 and obligations of the United States of America to be effectuated by the United States Coast  
6 Guard (USCG):

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

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

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

16 (d) USCG and the DNR agree that maintaining or controlling vehicular access to both the  
17 new Station Brunswick or to the DNR's Coastal Regional Headquarters will, at times, be  
18 necessary. USCG and the DNR agree that certain special events and festivals such as the  
19 DNR's annual Coastfest will involve special management of vehicular access to and from  
20 the site and agree to cooperate in directing traffic as may be necessary and not impeding  
21 essential USCG operations.

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

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

32 (g) USCG will not impede or obstruct or DNR's use and enjoyment of the north side of  
33 its existing floating docks and agrees that in the event that USCG causes shoaling to occur  
34 between the marsh on the north side of the USCG floating dock and the USCG floating  
35 dock so as to prevent access by DNR's vessels to the back side of the DNR's docks at low  
36 tide, USCG shall dredge and remove the shoaling in accordance with appropriate law.

1 (h) USCG agrees that its present temporary building located on DNR property shall be  
2 removed within 45 days of the completion of the new Station Brunswick, as DNR has a  
3 pressing need to utilize the property presently occupied by the USCG temporary building.

4 **SECTION 4.**

5 That the State of Georgia, subject to the other provisions of this resolution, for and in  
6 consideration of the above-referenced consideration and the mutual public purposes and  
7 benefits bestowed upon the parties, does hereby remise, convey, and forever quitclaim unto  
8 the United States of America any and all right, title, and interest of the State of Georgia in  
9 the above-described Conveyance Property, and hereby further grants unto the United States  
10 of America the aforementioned easement rights in the Easement Property and the Access  
11 Easement.

12 **SECTION 5.**

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

19 **SECTION 6.**

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

22 **SECTION 7.**

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

27 **SECTION 8.**

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

29 **SECTION 9.**

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