

House Resolution 1075 (AS PASSED HOUSE AND SENATE)

By: Representatives Walker of the 141st, Floyd of the 138th, Ray of the 128th and O'Neal of the 139th

A RESOLUTION

1 Authorizing the conveyance of certain state owned real property located in Houston County,
2 Georgia, in exchange for certain other property in Georgia; authorizing the conveyance of
3 certain state owned real property located in Fulton County, Georgia, in exchange for certain
4 other property in Georgia; authorizing the conveyance of certain state owned property in
5 Houston County, Georgia; to repeal conflicting laws; and for other purposes.

6 WHEREAS:

7 (1) The State of Georgia is the owner of a certain tract of real property located in
8 Houston County, Georgia;

9 (2) Said real property is all that tract or parcel of land, lying and being in Land Lots 230,
10 231, 233, and 234 of the 5th District, of Houston County, Georgia, and is more
11 particularly described on a plat of survey entitled "Boundary Survey for Georgia
12 Department of Natural Resources," dated October 8, 1996, by V. T. Hammond, Georgia
13 Registered Land Surveyor No. 2554, containing 544.02 acres and on file in the offices
14 of the State Properties Commission, and may be more particularly described on a plat of
15 survey prepared by a Georgia Registered Land Surveyor and presented to the State
16 Properties Commission for approval;

17 (3) Said property is under the custody and management of the Department of Natural
18 Resources;

19 (4) The United States Air Force is in need of expanding Robins Air Force Base in order
20 to allow for the location of the Joint Surveillance, Tracking and Radar System;

21 (5) The location of the Joint Surveillance, Tracking and Radar System would be of great
22 benefit to the local region and the State of Georgia;

23 (6) A coalition of Houston County and City of Warner Robins governmental entities has
24 come together to help bring about the above-mentioned Robins Air Force Base
25 expansion; and

26 (7) In furtherance of said expansion the above-mentioned coalition have proposed to
27 exchange certain properties owned, or to be owned, by one or more members of the
28 coalition for the above-described state owned property; and

1 WHEREAS:

2 (1) The State of Georgia is the owner of a certain tract of real property located in Fulton
3 County, Georgia;

4 (2) Said real property is all that tract or parcel of land, lying and being in Land Lot 84
5 of the 14th District, of Fulton County, Georgia, and is more particularly described on a
6 drawing entitled "Georgia World Congress Center Property to be exchanged with Georgia
7 Power Company", dated February 27, 2002, containing approximately 0.09 of one acre
8 and on file in the offices of the State Properties Commission, and may be more
9 particularly described on a plat of survey prepared by a Georgia Registered Land
10 Surveyor and presented to the State Properties Commission for approval;

11 (3) Said property is under the custody and management of the Georgia World Congress
12 Center;

13 (4) Georgia Power Company is the owner of a certain parcel adjoining the
14 above-described state owned property and equal to its size;

15 (5) The Georgia World Congress Center is desirous of exchanging the above-described
16 state owned property for the above-mentioned adjoining property owned by Georgia
17 Power Company; and

18 (6) Georgia Power is desirous of making the above-mentioned exchange of properties;
19 and

20 WHEREAS:

21 (1) The State of Georgia is the owner of a certain tract of real property located in
22 Houston County, Georgia;

23 (2) Said real property is all that tract or parcel of land, lying and being in the upper 5th
24 District of Houston County, Georgia, containing approximately 139.9 acres, and being
25 part of Land Lots 83 and 84, and being more particularly described in a plat of survey by
26 Cherokee Engineering Company dated June 1957, entitled "Property of the State of
27 Georgia, Georgia Forestry Commission" (recorded in Map Book 4, page 266, in Houston
28 County Deed Records) on file in the offices of the State Properties Commission, and may
29 be more particularly described on a plat of survey prepared by a Georgia Registered Land
30 Surveyor and presented to the State Properties Commission for approval;

31 (3) Said property is under the custody and management of the Georgia Forestry
32 Commission;

33 (4) The Houston County Development Authority is desirous of acquiring the
34 above-described state owned property for the purpose of enhancing growth in the region;
35 and

1 (5) The Georgia Forestry Commission has no objection to this conveyance to the
2 Houston County Development Authority.

3 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
4 ASSEMBLY OF GEORGIA:

5 **ARTICLE I**

6 **SECTION 1.**

7 That the State of Georgia is the owner of the above-described real property and that in all
8 matters relating to the conveyance of the real property the State of Georgia is acting by and
9 through its State Properties Commission.

10 **SECTION 2.**

11 That the above-described state owned real property may be conveyed by appropriate
12 instrument to the appropriate local Houston County or City of Warner Robins governmental
13 entity or entities by the State of Georgia, acting by and through the State Properties
14 Commission in exchange for certain real properties owned by the appropriate local Houston
15 County and City of Warner Robins governmental entity or entities; and said exchange shall
16 be for tracts or parcels of real property of equal value and any difference in values of the
17 tracts or parcels to be exchanged may be made equal by monetary consideration and such
18 further consideration and provisions as the State Properties Commission shall in its discretion
19 determine to be in the best interests of the State of Georgia.

20 **SECTION 3.**

21 That the authorization in this resolution to convey the above-described property to the
22 appropriate Houston County or City of Warner Robins governmental entity or entities in
23 exchange for certain properties owned by the appropriate Houston County or City of Warner
24 Robins governmental entity or entities shall expire three years after the date that this
25 resolution becomes effective.

26 **SECTION 4.**

27 That the State Properties Commission is authorized and empowered to do all acts and things
28 necessary and proper to effect such exchange.

SECTION 5.

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2 That the deed of conveyance or the above-described state owned property shall be recorded
3 by the grantee in the Superior Court of Houston County and a recorded copy shall be
4 forwarded to the State Properties Commission.

SECTION 6.

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6 That custody of the above-described property shall remain in the custody of the Department
7 of Natural Resources until the property is conveyed to the appropriate Houston County or
8 City of Warner Robins governmental entity or entities.

ARTICLE II**SECTION 7.**

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11 That the State of Georgia is the owner of the above-described real property and that in all
12 matters relating to the conveyance of the real property the State of Georgia is acting by and
13 through its State Properties Commission.

SECTION 8.

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15 That the above-described state owned real property may be conveyed by appropriate
16 instrument to Georgia Power Company by the State of Georgia, acting by and through the
17 State Properties Commission, in exchange for certain real property owned by Georgia Power
18 Company; and said exchange shall be for tracts or parcels of real property of equal value as
19 determined by the State Properties Commission to be in the best interest of the State of
20 Georgia and such further consideration and provisions as the State Properties Commission
21 shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 9.

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23 That the authorization in this resolution to convey the above-described property to Georgia
24 Power Company in exchange for certain property owned by Georgia Power Company shall
25 expire three years after the date that this resolution becomes effective.

SECTION 10.

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27 That the State Properties Commission is authorized and empowered to do all acts and things
28 necessary and proper to effect such exchange.

SECTION 11.

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2 That the deeds of conveyance of the above-described state owned property shall be recorded
3 by the grantee in the Superior Court of Fulton County and a recorded copy shall be
4 forwarded to the State Properties Commission.

SECTION 12.

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6 That custody of the above-described state owned property shall remain in the Georgia World
7 Congress Center until the property is conveyed to Georgia Power Company.

ARTICLE III

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SECTION 13.

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10 That the State of Georgia is the owner of the above-described real property and that in all
11 matters relating to the conveyance of the real property the State of Georgia is acting by and
12 through its State Properties Commission.

SECTION 14.

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14 That the above-described state owned real property may be conveyed by appropriate
15 instrument to the Houston County Development Authority for a consideration of \$686,000.00
16 and such further consideration and provisions as the State Properties Commission shall in its
17 discretion determine to be in the best interest of the State of Georgia.

SECTION 15.

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19 That, for a period of three years from the date the Houston County Development Authority
20 acquires the above-described property, should the Houston County Development Authority
21 determine the need to sell all or a portion of said property as surplus and not for a project
22 within its statutory purposes, then before any disposition of such property, the State of
23 Georgia acting by and through its State Properties Commission shall have the right to
24 purchase said property for the consideration equal to the amount the Houston County
25 Development Authority paid to the state for such property or portion thereof plus the value
26 of any improvements made to such property.

SECTION 16.

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28 That the authorization in this resolution to convey the above-described property to the
29 Houston County Development Authority shall expire three years after the date that this
30 resolution becomes effective.

