

House Bill 714

By: Representative Everett of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 10 of Chapter 5 of Title 44 of the Official Code of Georgia Annotated,
2 relating to dedication, so as to provide that a landowner shall be presumed to have dedicated
3 land for a public road if such land had been used as such for at least seven years; to provide
4 that a political subdivision shall be presumed to have accepted a dedication if it has
5 performed maintenance or repair to such land; to provide for the extent of the dedication; to
6 repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Article 10 of Chapter 5 of Title 44 of the Official Code of Georgia Annotated, relating to
10 dedication, is amended by inserting at the end thereof the following:

11 "44-5-231.

12 (a) An owner shall be presumed to have dedicated his or her land to use as a public road
13 if the land has been used as a road by the public continuously and without protest from the
14 owner for a period of seven years. Such presumption shall be rebuttable.

15 (b) A political subdivision shall be presumed to have accepted the dedication of private
16 land for use as a public road if the provisions of subsection (a) of this Code section have
17 been met and the political subdivision has undertaken to maintain or improve such property
18 during the seven-year period of time.

19 (c) In the event of a public dedication and acceptance as provided in this Code section, the
20 right of way of the dedicated road shall extend to one foot beyond the farthest ditch or
21 grading along either side of the road."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.