

House Resolution 88

By: Representatives Lucas of the 124th and Jamieson of the 22nd

A RESOLUTION

1 Authorizing the conveyance of certain state owned real property located in Bartow County,
2 Georgia; authorizing the conveyance of certain state owned property located in Colquitt
3 County, Georgia; authorizing the conveyance of certain state owned real property located in
4 Cook County, Georgia; authorizing the conveyance of certain state owned real property in
5 Early County, Georgia; authorizing the conveyance of certain state owned property located
6 in Franklin County, Georgia; authorizing the conveyance of certain state owned property
7 located in Washington County, Georgia; authorizing the conveyance of certain state owned
8 real property located in Whitfield County, Georgia; authorizing the conveyance of certain
9 state owned real property located in Chatham County, Georgia; to repeal conflicting laws;
10 and for other purposes.

11 WHEREAS:

12 (1) The State of Georgia is the owner of a certain parcel of real property located in
13 Bartow County, Georgia;

14 (2) Said real property is all those tracts or parcels of land lying and being in the Land Lot
15 11 of the 16th District, 3rd Section and Land Lot 21 of the 15th District, 3rd Section, of
16 Bartow County and containing a total of approximately 1.76 acres and being shown as
17 highlighted in yellow on a drawing prepared by CSX Transportation, and on file in the
18 offices of the State Properties Commission, and may be more particularly described on
19 a plat of survey prepared by a Georgia registered land surveyor and presented to the State
20 Properties Commission for approval;

21 (3) Said property is under the custody of the State Properties Commission;

22 (4) The above-described property is a portion of the Western and Atlantic Railroad right
23 of way;

24 (5) The above-described property is not within the lease limits of the Western and
25 Atlantic Railroad right of way currently leased to CSX Transportation; and

26 (6) CSX Transportation is desirous of acquiring the above-described property for use in
27 expanding their services in the area; and

1 WHEREAS:

2 (1) The State of Georgia is the owner of an interest in a certain parcel of real property
3 located in Colquitt County, Georgia;

4 (2) Said real property is all that tract or parcel of land lying and being in Land Lot 260
5 of the 8th District of Colquitt County and containing approximately 2.74 acres as shown
6 marked in yellow on a drawing prepared by Colquitt County and on file in the offices of
7 the State Properties Commission, and may be more particularly described on a plat of
8 survey prepared by a Georgia registered land surveyor and presented to the State
9 Properties Commission for approval;

10 (3) Said property is under the custody of the Georgia Forestry Commission;

11 (4) The above-described property was deeded to the state by the City of Moultrie on June
12 28, 1995, for a consideration of \$1.00;

13 (5) Colquitt County is desirous of acquiring the above-described property in conjunction
14 with the construction of a new county road project; and

15 (6) The Georgia Forestry Commission has no objection to the conveyance of the
16 above-described property to Colquitt County for said road project; and

17 WHEREAS:

18 (1) The State of Georgia is the owner of an interest in a certain parcel of real property
19 located in Cook County, Georgia;

20 (2) Said real property is all that tract or parcel of land lying and being in the City of
21 Sparks, Cook County, and containing approximately 0.186 of one acre and located at the
22 intersection of Gordon Street and Goodman Street as described on that certain deed dated
23 August 6, 1979, and on file in the offices of the State Properties Commission, and may
24 be more particularly described on a plat of survey prepared by a Georgia registered land
25 surveyor and presented to the State Properties Commission for approval;

26 (3) Said property was deeded to the City of Sparks and Georgia Department of Human
27 Resources on August 6, 1979, by Cecil Spearman for use as a Senior Citizens Center;

28 (4) The City of Sparks is desirous of acquiring the State's interest in the above-described
29 property; and

30 (5) The Department of Human Resources has no objections to the conveyance of the
31 subject property interest; and

32 WHEREAS:

33 (1) The State of Georgia is the owner of a certain parcel of real property located in Early
34 County, Georgia;

1 (2) Said real property is all that tract or parcel of land lying and being in Land Lot 125
2 of the 28th Land District of Early County within the city limits of the City of Blakely and
3 containing approximately 1.84 acres as shown on a plat of survey dated March 28, 2000,
4 prepared by G. L. Holman, Georgia Registered Land Surveyor No. 2033, and on file in
5 the offices of the State Properties Commission, and may be more particularly described
6 on a plat of survey prepared by a Georgia registered land surveyor and presented to the
7 State Properties Commission for approval;

8 (3) The subject property is a portion of the Early County Satellite Campus of Albany
9 Technical Institute;

10 (4) Early County has agreed to construct a child care facility on the subject property to
11 be operated by the child care program of the Early County Satellite Campus of Albany
12 Technical Institute; and

13 (5) The Department of Technical and Adult Education is desirous of conveying said
14 property to Early County for the above-stated purpose; and

15 WHEREAS:

16 (1) The State of Georgia is the owner of a certain parcel of real property located in
17 Franklin County, Georgia;

18 (2) Said real property is all that tract or parcel of land lying and being in the city limits
19 of Lavonia and being a lot fronting a distance of 340 feet on the west side of Augusta
20 Road and extending back to Joharvie Street, containing four and forty-eight one
21 hundredths (4.48) acres, more or less. Said lot is bounded on the north by the American
22 Legion lot; on the east by Augusta Road; on the south by Masonic Lodge lot and by
23 Lucille Street; on the west by Joharvie Street, and may be more particularly described on
24 a plat of survey prepared by a Georgia registered land surveyor and presented to the State
25 Properties Commission for approval;

26 (3) The subject property is the site of the Franklin County National Guard Armory;

27 (4) The Georgia Department of Defense is consolidating many of its activities
28 throughout the state and has determined the need to close the Franklin County National
29 Guard Armory and has declared the property surplus; and

30 (5) The City of Lavonia is desirous of acquiring the above-described property for public
31 purpose; and

32 WHEREAS:

33 (1) The State of Georgia is the owner of a certain parcel of real property located in
34 Washington County, Georgia;

1 (2) Said real property is all that tract or parcel of land lying and being in the 97th GMD
2 of Washington County containing approximately 0.60 of one acre and shown marked in
3 yellow on a drawing prepared by the Washington County Board of Education, and on file
4 in the offices of the State Properties Commission, and may be more particularly described
5 on a plat of survey prepared by a Georgia registered land surveyor and presented to the
6 State Properties Commission for approval;

7 (3) The subject property is a portion of the Sandersville Regional Youth Detention
8 Center;

9 (4) The campus of the Washington County High School adjoins the campus of the
10 Sandersville Regional Youth Detention Center;

11 (5) The Washington County Board of Education is desirous of acquiring the
12 above-described state owned property for expansion of certain physical education
13 facilities on the school campus; and

14 (6) The Department of Juvenile Justice has no objection to the conveyance of the
15 above-described property to the Washington County Board of Education; and

16 WHEREAS:

17 (1) The State of Georgia is the owner of a certain parcel of real property located in
18 Whitfield County, Georgia;

19 (2) Said real property is all that tract or parcel of land lying and being in Land Lots 39
20 and 40 of the 12th District, 3rd Section of Whitfield County and containing a total of
21 approximately 2.5 acres and being more particularly described as parcels numbers 3 and
22 6 of the Western and Atlantic Railroad Valuation Map No. V2/51 and being on file in the
23 offices of the State Properties Commission, and may be more particularly described on
24 a plat of survey prepared by a Georgia registered land surveyor and presented to the State
25 Properties Commission for approval;

26 (3) The above-described property is in the custody of the State Properties Commission
27 and is a portion of the Western and Atlantic Railroad right of way;

28 (4) The above-described property is not within the lease limits of the Western and
29 Atlantic Railroad right of way currently leased to CSX Transportation;

30 (5) The above-described property is currently leased to the ConAgra Poultry Company
31 which has expressed an interest in terminating the lease; and

32 (6) The City of Tunnel Hill is desirous of acquiring the subject property for parking in
33 conjunction with the Tunnel Hill historic tunnel site; and

1 WHEREAS:

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

4 (2) Said property is all that tract or parcel located in Land Lot 352 of the 12th District,
5 3rd Section of Whitfield County containing approximately 1.61 acres and identified as
6 Tract 2 on a plat of survey prepared by Donald O. Babb, Georgia Registered Land
7 Surveyor # 2029, dated November 1, 2000, and being on file in the offices of the State
8 Properties Commission, and may be more particularly described on a plat of survey
9 prepared by a Georgia registered land surveyor and presented to the State Properties
10 Commission for approval;

11 (3) The above-described property is in the custody of the Department of Corrections;

12 (4) It has been determined that Textile Industrial Welding, Inc., which adjoins the subject
13 property, has encroached upon the subject property;

14 (5) Textile Industrial Welding is desirous of acquiring the subject property in order to
15 cure encroachment; and

16 (6) The Department of Corrections has no objection to the conveyance of the subject
17 property to Textile Industrial Welding, Inc.; and

18 WHEREAS:

19 (1) The State of Georgia is the owner of a certain parcel of real property located in
20 Chatham County, Georgia;

21 (2) Said real property is all that tract or parcel of land lying and being in the 6th GMD
22 of Chatham County and containing approximately 0.179 of one acre and being more
23 particularly described as follows: Beginning at a point located on the south existing right
24 of way of Eisenhower Drive, 57.81 feet right of and opposite Eisenhower Drive
25 Construction Centerline Station 1+410.00; thence S 72 degrees 21' 40" E along said
26 existing right of way line a distance of 511.81 feet to a point; thence N 85 degree 19' 19"
27 W a distance of 77.42 feet to a point; thence N72 degrees 23' 56" W a distance of 318.24
28 feet to a point; thence N68 degrees 18' 39" W a distance of 118.41 feet to a point; thence
29 N 17 degrees 35' 04" a distance of 9.21 feet back to said point of Beginning, and may
30 be more particularly described on a plat of survey prepared by a Georgia Registered Land
31 Surveyor and presented to the State Properties Commission for approval; and

32 (3) Said property is under the custody of the Department of Human Resources at its
33 Savannah Regional Hospital; and

34 (4) Chatham County is in the process of planning and constructing Phase III of the
35 Truman Parkway project;

- 1 (5) Chatham County is desirous of acquiring the above-described property in conjunction
2 with the construction of Truman Parkway project; and
3 (6) The Department of Human Resources has no objection to the conveyance of the
4 above-described property to Chatham County for said road project.

5 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
6 ASSEMBLY OF GEORGIA:

7 **ARTICLE I**

8 **SECTION 1.**

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

12 **SECTION 2.**

13 That the above-described real property may be sold to CSX Transportation, Inc. for a
14 consideration of the fair market value of such property, as determined to be in the best
15 interest of the State of Georgia by the State Properties Commission and such further
16 consideration and provisions as the State Properties Commission shall in its discretion
17 determine to be in the best interests of the State of Georgia.

18 **SECTION 3.**

19 That the authorization in this resolution to convey the above-described property to CSX
20 Transportation, Inc. shall expire three years after the date that this resolution becomes
21 effective.

22 **SECTION 4.**

23 That the State Properties Commission is authorized and empowered to do all acts and things
24 necessary and proper to effect such conveyance.

25 **SECTION 5.**

26 That the deed of conveyance shall be recorded by the grantee in the Superior Court of Bartow
27 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 6.

That custody of the above-described property shall remain in the Department of Corrections until the property is conveyed to CSX Transportation, Inc.

SECTION 7.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 8.

That all costs associated with the sale of the above-described property shall be borne by the State Properties Commission.

ARTICLE II**SECTION 9.**

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

SECTION 10.

That the above-described real property may be conveyed by appropriate instrument to Colquitt County by the State of Georgia, acting by and through the State Properties Commission, for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 11.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 12.

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

SECTION 13.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Colquitt County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 14.

That custody of the above-described property shall remain in the Georgia Forestry Commission until the property is conveyed to Colquitt County.

SECTION 15.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 16.

That all costs associated with the sale of the above-described property shall be borne by the Georgia Forestry Commission.

ARTICLE III**SECTION 17.**

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

SECTION 18.

That the State of Georgia's interest, if any, in the above-described real property may be conveyed by appropriate instrument to the City of Sparks, Cook County, by the State of Georgia, acting by and through the State Properties Commission, for a consideration \$1.00, so long as the property is used for a public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 19.

That the authorization in this resolution to convey the above-described property to the City of Sparks, Cook County, shall expire three years after the date that this resolution becomes effective.

SECTION 20.

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

SECTION 21.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Cook County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 22.

That custody of the above-described property shall remain in the Department of Human Resources until the property is conveyed to the City of Sparks, Cook County.

SECTION 23.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 24.

That all costs associated with the sale of the above-described property shall be borne by the Department of Human Resources.

ARTICLE IV**SECTION 25.**

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

SECTION 26.

That the above-described real property may be conveyed by appropriate instrument to Early County by the State of Georgia, acting by and through the State Properties Commission, for the consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 27.

That the authorization in this resolution to convey the above-described property to Early County shall expire three years after the date that this resolution becomes effective.

SECTION 28.

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

SECTION 29.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Early County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 30.

That custody of the above-described property shall remain in the Department of Technical and Adult Education until the property is conveyed to Early County.

SECTION 31.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 32.

That all costs associated with the sale of the above-described property shall be borne by the Department of Technical and Adult Education.

ARTICLE V**SECTION 33.**

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

SECTION 34.

That the above-described real property may be conveyed by appropriate instrument to the City of Lavonia, Franklin County, by the State of Georgia, acting by and through the State Properties Commission, for the consideration of \$1.00, so long as the property is used for public purpose; provided, however, that if the City of Lavonia, Franklin County, should determine the need to convey all or a portion of the above-described property to a private person, corporation, or private entity prior to such conveyance, the grantee and terms and conditions of said conveyance must first be approved by the State Properties Commission. All proceeds generated from the conveyance, less direct expenses incurred as a result of the conveyance, shall be remitted to the State Properties Commission and deposited in the state treasury. Any such conveyance to the City of Lavonia, Franklin County, or to a third party shall be subject to such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 35.

That the authorization in this resolution to convey the above-described property to the City of Lavonia, Franklin County, shall expire five years after the date that this resolution becomes effective.

SECTION 36.

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

SECTION 37.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Franklin County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 38.

That custody of the above-described property shall remain in the Department of Defense until the property is conveyed to the City of Lavonia, Franklin County.

SECTION 39.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 40.

That all costs associated with the sale of the above-described property shall be borne by the Department of Defense.

ARTICLE VI**SECTION 41.**

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

SECTION 42.

That the above-described real property may be conveyed by appropriate instrument to the Washington County Board of Education by the State of Georgia, acting by and through the State Properties Commission, for the consideration of \$1.00, so long as the property is used for public purpose; provided, however, that if the Washington County Board of Education

1 should determine the need to convey all or a portion of the above-described property to a
2 private person, corporation, or private entity, prior to such conveyance, the grantee and terms
3 and conditions of said conveyance must first be approved by the State Properties
4 Commission. All proceeds generated from the conveyance, less direct expenses incurred as
5 a result of the conveyance, shall be remitted to the State Properties Commission and
6 deposited in the state treasury. Any such conveyance to the Washington County Board of
7 Education or to a third party shall be subject to such further consideration and provisions as
8 the State Properties Commission shall in its discretion determine to be in the best interests
9 of the State of Georgia.

10 **SECTION 43.**

11 That the authorization in this resolution to convey the above-described property to the
12 Washington County Board of Education shall expire three years after the date that this
13 resolution becomes effective.

14 **SECTION 44.**

15 That the State Properties Commission is authorized and empowered to do all acts and things
16 necessary and proper to effect such conveyance.

17 **SECTION 45.**

18 That the deed of conveyance shall be recorded by the grantee in the Superior Court of
19 Washington County and a recorded copy shall be forwarded to the State Properties
20 Commission.

21 **SECTION 46.**

22 That custody of the above-described property shall remain in the Department of Juvenile
23 Justice until the property is conveyed to the Washington County Board of Education.

24 **SECTION 47.**

25 That all funds generated from the sale of the above-described property shall be deposited in
26 the state treasury.

27 **SECTION 48.**

28 That all costs associated with the sale of the above-described property shall be borne by the
29 Department of Juvenile Justice.

ARTICLE VII**SECTION 49.**

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

SECTION 50.

That the above-described real property may be conveyed by appropriate instrument to the City of Tunnel Hill, Whitfield County, by the State of Georgia, acting by and through the State Properties Commission, for the consideration of \$1.00, so long as the property is used for public purpose; provided, however, that if the City of Tunnel Hill, Whitfield County, should determine the need to convey all or a portion of the above-described property to a private person, corporation, or private entity, prior to such conveyance, the grantee and terms and conditions of said conveyance must first be approved by the State Properties Commission. All proceeds generated from the conveyance, less direct expenses incurred as a result of the conveyance, shall be remitted to the State Properties Commission and deposited in the state treasury. Any such conveyance to the City of Tunnel Hill, Whitfield County, or to a third party shall be subject to such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 51.

That the authorization in this resolution to convey the above-described property to the City of Tunnel Hill, Whitfield County, shall expire three years after the date that this resolution becomes effective.

SECTION 52.

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

SECTION 53.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Whitfield County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 54.

That custody of the above-described property shall remain in the State Properties Commission until the property is conveyed to the City of Tunnel Hill, Whitfield County.

SECTION 55.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 56.

That all costs associated with the sale of the above-described property shall be borne by the State Properties Commission.

ARTICLE VIII**SECTION 57.**

That the State of Georgia is the owner of the above-described real property located in Whitfield County and that in all matters relating to the leasing of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 58.

That the above-described state owned property may be conveyed to Textile Industrial Welding, Inc., by appropriate instrument by the State of Georgia, acting by and through State Properties Commission, for a consideration of the fair market value and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 59.

That the authorization in this resolution to convey the above-described property to Textile Industrial Welding, Inc., shall expire three years after the date that this resolution becomes effective.

SECTION 60.

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

SECTION 61.

That the lease shall be recorded by the grantee in the Superior Court of Whitfield County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 62.

That custody of the above-described property shall remain in the State Properties Commission until the property is conveyed to Textile Industrial Welding, Inc.

SECTION 63.

That all funds generated from the sale of the above-described property shall be deposited in the state treasury.

SECTION 64.

That all costs associated with the sale of the above-described property shall be borne by the State Properties Commission.

ARTICLE IX**SECTION 65.**

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

SECTION 66.

That the above-described real property may be conveyed by appropriate instrument to Chatham County by the State of Georgia, acting by and through State Properties Commission, for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 67.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 68.

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

SECTION 69.

1
2 That the deed of conveyance shall be recorded by the grantee in the Superior Court of
3 Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 70.

4
5 That custody of the above-described property shall remain in the Department of Human
6 Resources until the property is conveyed to Chatham County.

SECTION 71.

7
8 That all funds generated from the sale of the above-described property shall be deposited in
9 the state treasury.

SECTION 72.

10
11 That all costs associated with the sale of the above-described property shall be borne by the
12 Department of Human Resources.

ARTICLE X**SECTION 73.**

13
14
15 That all laws and parts of laws in conflict with this resolution are repealed.