

Senate Resolution 120

By: Senators Thomas of the 2nd, Price of the 56th, Hill of the 4th, Stephens of the 51st,
Brown of the 26th and others

ADOPTED SENATE

A RESOLUTION

1 Authorizing the granting of nonexclusive easements for operation and maintenance of
2 facilities, utilities, and ingress and egress, in, on, over, under, upon, across, or through
3 property owned by the State of Georgia in Baldwin, Bibb, Cherokee, Clarke, Crisp, Floyd,
4 Forsyth, Glynn, Habersham, Hall, Jasper, McDuffie, McIntosh, Morgan, and Screven
5 Counties, Georgia, and Hamilton County, Tennessee; to repeal conflicting laws; and for
6 other purposes.

7 WHEREAS, the State of Georgia is the owner of certain real property located in Baldwin,
8 Bibb, Cherokee, Clarke, Crisp, Floyd, Forsyth, Glynn, Habersham, Hall, Jasper, McDuffie,
9 McIntosh, Morgan, and Screven Counties, Georgia, and Hamilton County, Tennessee; and

10 WHEREAS, Baldwin County, SED-Gray, LLC, Athens/Clarke County, the City of Cordele,
11 the Atlanta Gas Light Company, Forsyth County, the City of Alto, the City of Gainesville,
12 the Municipal Electric Authority of Georgia, the City of Thomson, Georgia Power
13 Company, Siguard Kviten, the Tennessee Department of Transportation, the Tennessee
14 Valley Authority, the City of Canton, Cherokee County, and Screven County desire to
15 operate and maintain facilities, utilities, and ingress and egress in, on, over, under, upon,
16 across, or through a portion of said property; and

17 WHEREAS, these facilities, utilities, and ingress and egress in, on, over, under, upon,
18 across, or through the above-described state property have been requested and/or approved
19 by the Georgian Forestry Commission, Department of Defense, Department of Natural
20 Resources, Department of Juvenile Justice, Department of Human Resources, Department
21 of Technical and Adult Education, Department of Corrections, Department of Motor
22 Vehicles, and the State Properties Commission with respect to property under the jurisdiction
23 of their respective departments.

1 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
2 ASSEMBLY OF GEORGIA:

3 **ARTICLE I**

4 **SECTION 1.**

5 That the State of Georgia is the owner of the hereinafter described real property in Baldwin
6 County, and the property is in the custody of the Georgia Forestry Commission, hereinafter
7 referred to as the "easement area" and that, in all matters relating to the easement area, the
8 State of Georgia is acting by and through its State Properties Commission.

9 **SECTION 2.**

10 That the State of Georgia, acting by and through its State Properties Commission, may grant
11 to Baldwin County, or its successors and assigns, a nonexclusive easement for the operation
12 and maintenance of a water line in, on, over, under, upon, across, or through the easement
13 area for the purpose of maintaining, repairing, replacing, inspecting, and operating a water
14 line together with the right of ingress and egress over adjacent land of the State of Georgia
15 as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area
16 is located in the 320th GMD of Baldwin County, Georgia, and is more particularly described
17 as follows:

18 'That portion and that portion only as shown in yellow on a drawing dated December 13,
19 2001, prepared by Ingram & Watkins, LLC Consulting Engineers and on file in the offices
20 of the State Properties Commission,'

21 and may be more particularly described by a plat of survey prepared by a Georgia Registered
22 Land Surveyor and presented to the State Properties Commission for approval.

23 **SECTION 3.**

24 That the above-described premises shall be used solely for the purpose of installing,
25 maintaining, repairing, replacing, inspecting, and operating said water sewer line.

26 **SECTION 4.**

27 That Baldwin County shall have the right to remove or cause to be removed from said
28 easement area only such trees and bushes as may be reasonably necessary for the proper
29 operation and maintenance of said water line.

SECTION 5.

1
2 That, after Baldwin County has put into use the water line for which this easement is
3 granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of
4 Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and
5 easement granted herein. Upon abandonment, Baldwin County, or its successors and assigns,
6 shall have the option of removing their facilities from the easement area or leaving the same
7 in place, in which event the utility shall become the property of the State of Georgia, or its
8 successors and assigns.

SECTION 6.

9
10 That no title shall be conveyed to Baldwin County and, except as herein specifically granted
11 to Baldwin County, all rights, title, and interest in and to said easement area is reserved in
12 the State of Georgia, which may make any use of said easement area not inconsistent with
13 or detrimental to the rights, privileges, and interest granted to Baldwin County.

SECTION 7.

14
15 That if the State of Georgia, acting by and through its State Properties Commission,
16 determines that any or all of the facilities placed on the easement area should be removed
17 or relocated to an alternate site on state owned land in order to avoid interference with the
18 state's use or intended use of the easement area, it may grant a substantially equivalent
19 nonexclusive easement to allow placement of the removed or relocated facilities across the
20 alternate site, under such terms and conditions as the State Properties Commission shall in
21 its discretion determine to be in the best interests of the State of Georgia, and Baldwin
22 County shall remove or relocate its facilities to the alternate easement area at its sole cost and
23 expense, unless the State Properties Commission determines that the requested removal or
24 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
25 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
26 percent the amount of a written estimate provided by Baldwin County. Upon written
27 request, the State Properties Commission, in its sole discretion, may permit the relocation
28 of the facilities to an alternate site on state owned land so long as the removal and relocation
29 is paid by the party or parties requesting such removal and at no cost and expense to the
30 State of Georgia.

SECTION 8.

31
32 That the easement granted to Baldwin County shall contain such other reasonable terms,
33 conditions, and covenants as the State Properties Commission shall deem in the best interest
34 of the State of Georgia and that the State Properties Commission is authorized to use a more

1 accurate description of the easement area, so long as the description utilized by the State
2 Properties Commission describes the same easement area herein granted.

3 **SECTION 9.**

4 That the consideration for such easement shall be \$10.00 and such further consideration and
5 provisions as the State Properties Commission may determine to be in the best interest of the
6 State of Georgia.

7 **SECTION 10.**

8 That this grant of easement shall be recorded by the grantee in the Superior Court of Baldwin
9 County and a recorded copy shall be forwarded to the State Properties Commission.

10 **SECTION 11.**

11 That the authorization in this resolution to grant the above-described easement to Baldwin
12 County shall expire three years after the date that this resolution becomes effective.

13 **SECTION 11A.**

14 This resolution does not affect and is not intended to affect any right, powers, interest, or
15 liability of the Department of Transportation with respect to the state highway system, or
16 of a county with respect to the county road system or of a municipality with respect to the
17 city street system. The grantee shall obtain any and all other required permits from the
18 appropriate governmental agencies as are necessary for its lawful use of the easement area
19 or public highway right of way and comply with all applicable state and federal
20 environmental statutes in its use of the easement areas.

21 **SECTION 12.**

22 That the State Properties Commission is authorized and empowered to do all acts and things
23 necessary and proper to effect the grant of the easement area.

24 **ARTICLE II**

25 **SECTION 13.**

26 That the State of Georgia is the owner of the hereinafter described real property in Clarke
27 County, and the property is in the custody of the Department of Natural Resources,
28 hereinafter referred to as the "easement area" and that, in all matters relating to the easement
29 area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 14.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Athens/Clarke County, or its successors and assigns, a nonexclusive easement for the operation and maintenance of a sanitary sewer line in, on, over, under, upon, across, or through the easement area for the purpose of maintaining, repairing, replacing, inspecting, and operating a sanitary sewer line together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 216th GMD of Clarke County, Georgia, and is more particularly described as follows:

'That portion and that portion only as shown in yellow on a plat of survey dated February 3, 1999, prepared by J. R. Holland, Georgia Registered Land Surveyor # 1087 the and on file in the offices of the State Properties Commission,' and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 15.

That the above-described premises shall be used solely for the purpose of installing, maintaining, repairing, replacing, inspecting, and operating said sanitary sewer line.

SECTION 16.

That Athens/Clarke County shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper operation and maintenance of said sanitary sewer line.

SECTION 17.

That, after the Athens/Clarke County has put into use the sanitary sewer line for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Athens/Clarke County, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the utility shall become the property of the State of Georgia, or its successors and assigns.

SECTION 18.

That no title shall be conveyed to Athens/Clarke County and, except as herein specifically granted to Athens/Clarke County, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not

1 inconsistent with or detrimental to the rights, privileges, and interest granted to
2 Athens/Clarke County.

3 **SECTION 19.**

4 That if the State of Georgia, acting by and through its State Properties Commission,
5 determines that any or all of the facilities placed on the easement area should be removed
6 or relocated to an alternate site on state owned land in order to avoid interference with the
7 state's use or intended use of the easement area, it may grant a substantially equivalent
8 nonexclusive easement to allow placement of the removed or relocated facilities across the
9 alternate site, under such terms and conditions as the State Properties Commission shall in
10 its discretion determine to be in the best interests of the State of Georgia, and Athens/Clarke
11 County shall remove or relocate its facilities to the alternate easement area at its sole cost and
12 expense, unless the State Properties Commission determines that the requested removal or
13 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
14 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
15 percent the amount of a written estimate provided by Athens/Clarke County. Upon written
16 request, the State Properties Commission, in its sole discretion, may permit the relocation
17 of the facilities to an alternate site on state owned land so long as the removal and relocation
18 is paid by the party or parties requesting such removal and at no cost and expense to the
19 State of Georgia.

20 **SECTION 20.**

21 That the easement granted to Athens/Clarke County shall contain such other reasonable
22 terms, conditions, and covenants as the State Properties Commission shall deem in the best
23 interest of the State of Georgia and that the State Properties Commission is authorized to use
24 a more accurate description of the easement area, so long as the description utilized by the
25 State Properties Commission describes the same easement area herein granted.

26 **SECTION 21.**

27 That the consideration for such easement shall be \$10.00 and such further consideration and
28 provisions as the State Properties Commission may determine to be in the best interest of the
29 State of Georgia.

30 **SECTION 22.**

31 That this grant of easement shall be recorded by the grantee in the Superior Court of Clarke
32 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 23.

That the authorization in this resolution to grant the above-described easement to Athens/Clarke County shall expire three years after the date that this resolution becomes effective.

SECTION 23A.

This resolution does not affect and is not intended to affect any right, powers, interest, or liability of the Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement areas.

SECTION 24.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE III**SECTION 25.**

That the State of Georgia is the owner of the hereinafter described real property in Crisp County, and the property is in the custody of the Department of Juvenile Justice hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 26.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Cordele, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a sanitary sewer manhole in, on, over, under, upon, across, or through the easement area for the purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a sanitary sewer manhole together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Land Lot 228 of the 10th Land District of Crisp County, Georgia, and is more particularly described as follows:

1 'That portion and that portion only as shown marked in yellow on a drawing prepared
2 by Keck and Wood, Inc., dated February 12, 2002 and on file in the offices of the
3 State Properties Commission,'
4 and may be more particularly described by a plat of survey prepared by a Georgia Registered
5 Land Surveyor and presented to the State Properties Commission for approval.

6 **SECTION 27.**

7 That the above-described premises shall be used solely for the purpose of planning,
8 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
9 said sanitary sewer manhole.

10 **SECTION 28.**

11 That the City of Cordele shall have the right to remove or cause to be removed from said
12 easement area only such trees and bushes as may be reasonably necessary for the proper
13 construction, operation, and maintenance of said sanitary sewer manhole.

14 **SECTION 29.**

15 That, after the City of Cordele has put into use the sanitary sewer manhole for which this
16 easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to
17 the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,
18 and easement granted herein. Upon abandonment, the City of Cordele, or its successors and
19 assigns, shall have the option of removing its facilities from the easement area or leaving the
20 same in place, in which event the facility shall become the property of the State of Georgia
21 or its successors and assigns.

22 **SECTION 30.**

23 That no title shall be conveyed to the City of Cordele, and, except as herein specifically
24 granted to the City of Cordele, all rights, title, and interest in and to said easement area is
25 reserved in the State of Georgia, which may make any use of said easement area not
26 inconsistent with or detrimental to the rights, privileges, and interest granted to the City of
27 Cordele.

28 **SECTION 31.**

29 That if the State of Georgia, acting by and through its State Properties Commission,
30 determines that any or all of the facilities placed on the easement area should be removed
31 or relocated to an alternate site on state owned land in order to avoid interference with the
32 state's use or intended use of the easement area, it may grant a substantially equivalent

1 nonexclusive easement to allow placement of the removed or relocated facilities across the
2 alternate site, under such terms and conditions as the State Properties Commission shall in
3 its discretion determine to be in the best interests of the State of Georgia, and the City of
4 Cordele shall remove or relocate its facilities to the alternate easement area at its sole cost
5 and expense, unless the State Properties Commission determines that the requested removal
6 or relocation is to be for the sole benefit of the State of Georgia and approves payment by
7 the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
8 percent the amount of a written estimate provided by the City of Cordele. Upon written
9 request, the State Properties Commission, in its sole discretion, may permit the relocation
10 of the facilities to an alternate site on state owned land so long as the removal and relocation
11 is paid by the party or parties requesting such removal and at no cost and expense to the
12 State of Georgia.

13 **SECTION 32.**

14 That the easement granted to the City of Cordele shall contain such other reasonable terms,
15 conditions, and covenants as the State Properties Commission shall deem in the best interest
16 of the State of Georgia and that the State Properties Commission is authorized to use a more
17 accurate description of the easement area, so long as the description utilized by the State
18 Properties Commission describes the same easement area herein granted.

19 **SECTION 33.**

20 That the consideration for such easement shall be \$10.00 and such further consideration and
21 provisions as the State Properties Commission may determine to be in the best interest of the
22 State of Georgia.

23 **SECTION 34.**

24 That this grant of easement shall be recorded by the grantee in the Superior Court of Crisp
25 County and a recorded copy shall be forwarded to the State Properties Commission.

26 **SECTION 35.**

27 That the authorization in this resolution to grant the above-described easement to the City
28 of Cordele shall expire three years after the date that this resolution becomes effective.

29 **SECTION 35A.**

30 This resolution does not affect and is not intended to affect any right, powers, interest, or
31 liability of the Department of Transportation with respect to the state highway system, or
32 of a county with respect to the county road system or of a municipality with respect to the

1 city street system. The grantee shall obtain any and all other required permits from the
2 appropriate governmental agencies as are necessary for its lawful use of the easement area
3 or public highway right of way and comply with all applicable state and federal
4 environmental statutes in its use of the easement areas.

5 **SECTION 36.**

6 That the State Properties Commission is authorized and empowered to do all acts and things
7 necessary and proper to effect the grant of the easement area.

8 **ARTICLE IV**

9 **SECTION 37.**

10 That the State of Georgia is the owner of the hereinafter described real property in Floyd
11 County, and the property is in the custody of the Department of Human Resources,
12 hereinafter referred to as the "easement area" and that, in all matters relating to the easement
13 area, the State of Georgia is acting by and through its State Properties Commission.

14 **SECTION 38.**

15 That the State of Georgia, acting by and through its State Properties Commission, may grant
16 to Atlanta Gas Light Company, or its successors and assigns, a nonexclusive easement for
17 the construction, operation, and maintenance of a natural gas line on, over, under, upon,
18 across, or through the easement area for the purpose of constructing, erecting, installing,
19 maintaining, repairing, replacing, inspecting, and operating a natural gas line together with
20 the right of ingress and egress over adjacent land of the State of Georgia as may be
21 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located
22 in Land Lots 200 of the 23rd Land District of Floyd County, Georgia, and is more
23 particularly described as follows:

24 "That portion and that portion only as shown in yellow on utility plan sheets C10,
25 C11 and C12 entitled "Rome Probation Detention Center" prepared by Rainwater and
26 Associates, dated May 31, 2002 and on file in the offices of the State Properties
27 Commission,'

28 and may be more particularly described by a plat of survey prepared by a Georgia Registered
29 Land Surveyor and presented to the State Properties Commission for approval.

SECTION 39.

1
2 That the above-described premises shall be used solely for the purpose of planning,
3 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
4 said natural gas line.

SECTION 40.

5
6 That Atlanta Gas Light Company shall have the right to remove or cause to be removed from
7 said easement area only such trees and bushes as may be reasonably necessary for the proper
8 construction, operation, and maintenance of said natural gas line.

SECTION 41.

9
10 That, after Atlanta Gas Light Company has put into use the natural gas line for which this
11 easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to
12 the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,
13 and easement granted herein. Upon abandonment, Atlanta Gas Light Company, or its
14 successors and assigns, shall have the option of removing its facilities from the easement
15 area or leaving the same in place, in which event the facility shall become the property of
16 the State of Georgia or its successors and assigns.

SECTION 42.

17
18 That no title shall be conveyed to Atlanta Gas Light Company, and, except as herein
19 specifically granted to Atlanta Gas Light Company, all rights, title, and interest in and to said
20 easement area is reserved in the State of Georgia, which may make any use of said easement
21 area not inconsistent with or detrimental to the rights, privileges, and interest granted to
22 Atlanta Gas Light Company.

SECTION 43.

23
24 That if the State of Georgia, acting by and through its State Properties Commission,
25 determines that any or all of the facilities placed on the easement area should be removed
26 or relocated to an alternate site on state owned land in order to avoid interference with the
27 state's use or intended use of the easement area, it may grant a substantially equivalent
28 nonexclusive easement to allow placement of the removed or relocated facilities across the
29 alternate site, under such terms and conditions as the State Properties Commission shall in
30 its discretion determine to be in the best interests of the State of Georgia, and Atlanta Gas
31 Light Company shall remove or relocate its facilities to the alternate easement area at its sole
32 cost and expense, unless the State Properties Commission determines that the requested
33 removal or relocation is to be for the sole benefit of the State of Georgia and approves
34 payment by the State of Georgia of all or a portion of such actual cost and expense, not to

1 exceed by 20 percent the amount of a written estimate provided by Atlanta Gas Light
2 Company. Upon written request, the State Properties Commission, in its sole discretion,
3 may permit the relocation of the facilities to an alternate site on state owned land so long as
4 the removal and relocation is paid by the party or parties requesting such removal and at no
5 cost and expense to the State of Georgia.

6 **SECTION 44.**

7 That the easement granted to Atlanta Gas Light Company shall contain such other reasonable
8 terms, conditions, and covenants as the State Properties Commission shall deem in the best
9 interest of the State of Georgia and that the State Properties Commission is authorized to use
10 a more accurate description of the easement area, so long as the description utilized by the
11 State Properties Commission describes the same easement area herein granted.

12 **SECTION 45.**

13 That the consideration for such easement shall be \$10.00 and such further consideration and
14 provisions as the State Properties Commission may determine to be in the best interest of the
15 State of Georgia.

16 **SECTION 46.**

17 That this grant of easement shall be recorded by the grantee in the Superior Court of Floyd
18 County and a recorded copy shall be forwarded to the State Properties Commission.

19 **SECTION 47.**

20 That the authorization in this resolution to grant the above-described easement to Atlanta
21 Gas Light Company shall expire three years after the date that this resolution becomes
22 effective.

23 **SECTION 47A.**

24 This resolution does not affect and is not intended to affect any right, powers, interest, or
25 liability of the Department of Transportation with respect to the state highway system, or
26 of a county with respect to the county road system or of a municipality with respect to the
27 city street system. The grantee shall obtain any and all other required permits from the
28 appropriate governmental agencies as are necessary for its lawful use of the easement area
29 or public highway right of way and comply with all applicable state and federal
30 environmental statutes in its use of the easement areas.

SECTION 48.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE V**SECTION 49.**

That the State of Georgia is the owner of the hereinafter described real property in Forsyth County, and the property is in the custody of the State Properties Commission, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 50.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Forsyth County, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a water line on, over, under, upon, across, or through the easement area for the purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a water line together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Forsyth County, Georgia, and are more particularly described as follows:

'That portion and that portion only as shown highlighted in yellow on plat of survey entitled "Water Line Easement" prepared by Billy Ray Cheek, Georgia registered Land Surveyor #1615, dated November 7, 2001 and all being on file in the offices of the State Properties Commission,'

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 51.

That the above-described premises shall be used solely for the purpose of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said water line.

SECTION 52.

That Forsyth County shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said water line.

SECTION 53.

1
2 That, after Forsyth County has put into use the water line for which this easement is granted,
3 a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia,
4 or its successors and assigns, of all the rights, title, privileges, powers, and easement granted
5 herein. Upon abandonment, Forsyth County, or its successors and assigns, shall have the
6 option of removing its facilities from the easement area or leaving the same in place, in
7 which event the facility shall become the property of the State of Georgia or its successors
8 and assigns.

SECTION 54.

9
10 That no title shall be conveyed to Forsyth County, and, except as herein specifically granted
11 to Forsyth County, all rights, title and interest in and to said easement area is reserved in the
12 State of Georgia, which may make any use of said easement area not inconsistent with or
13 detrimental to the rights, privileges, and interest granted to Forsyth County.

SECTION 55.

14
15 That if the State of Georgia, acting by and through its State Properties Commission,
16 determines that any or all of the facilities placed on the easement area should be removed
17 or relocated to an alternate site on state owned land in order to avoid interference with the
18 state's use or intended use of the easement area, it may grant a substantially equivalent
19 nonexclusive easement to allow placement of the removed or relocated facilities across the
20 alternate site, under such terms and conditions as the State Properties Commission shall in
21 its discretion determine to be in the best interests of the State of Georgia, and Forsyth County
22 shall remove or relocate its facilities to the alternate easement area at its sole cost and
23 expense, unless the State Properties Commission determines that the requested removal or
24 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
25 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
26 percent the amount of a written estimate provided by Forsyth County. Upon written request,
27 the State Properties Commission, in its sole discretion, may permit the relocation of the
28 facilities to an alternate site on state owned land so long as the removal and relocation is paid
29 by the party or parties requesting such removal and at no cost and expense to the State of
30 Georgia.

SECTION 56.

31
32 That the easement granted to Forsyth County shall contain such other reasonable terms,
33 conditions, and covenants as the State Properties Commission shall deem in the best interest
34 of the State of Georgia and that the State Properties Commission is authorized to use a more

1 accurate description of the easement area, so long as the description utilized by the State
2 Properties Commission describes the same easement area herein granted.

3 **SECTION 57.**

4 That the consideration for such easement shall be for \$10.00 and such further consideration
5 and provisions as the State Properties Commission may determine to be in the best interest
6 of the State of Georgia.

7 **SECTION 58.**

8 That this grant of easement shall be recorded by the grantee in the Superior Court of Forsyth
9 County and a recorded copy shall be forwarded to the State Properties Commission.

10 **SECTION 59.**

11 That the authorization in this resolution to grant the above-described easement to Forsyth
12 County shall expire three years after the date that this resolution becomes effective.

13 **SECTION 59A.**

14 This resolution does not affect and is not intended to affect any right, powers, interest, or
15 liability of the Department of Transportation with respect to the state highway system, or
16 of a county with respect to the county road system or of a municipality with respect to the
17 city street system. The grantee shall obtain any and all other required permits from the
18 appropriate governmental agencies as are necessary for its lawful use of the easement area
19 or public highway right of way and comply with all applicable state and federal
20 environmental statutes in its use of the easement areas.

21 **SECTION 60.**

22 That the State Properties Commission is authorized and empowered to do all acts and things
23 necessary and proper to effect the grant of the easement area.

24 **ARTICLE VI**

25 **SECTION 61.**

26 That the State of Georgia is the owner of the hereinafter described real property in
27 Habersham County, and the property is in the custody of the Department of Corrections,
28 hereinafter referred to as the "easement area" and that, in all matters relating to the easement
29 area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 62.

1
2 That the State of Georgia, acting by and through its State Properties Commission, may grant
3 to the City of Alto, or its successors and assigns, a nonexclusive easement for the
4 construction, operation, and maintenance of a water well in, on, over, under, upon, across,
5 or through the easement area for the purpose of constructing, erecting, installing,
6 maintaining, repairing, replacing, inspecting, and operating a water well together with the
7 right of ingress and egress over adjacent land of the State of Georgia as may be reasonably
8 necessary to accomplish the aforesaid purposes. Said easement area is located in Land Lot
9 196 of the 10th District of Habersham County, Georgia, and is more particularly described
10 as follows:

11 'That portion and that portion only as shown in yellow on a plat of survey entitled
12 "Survey For the Town of Alto", dated May 13, 2002, prepared by Jeff Weshner,
13 Georgia Registered Land Surveyor #2323 and on file in the offices of the State
14 Properties Commission,'

15 and may be more particularly described by a plat of survey prepared by a Georgia Registered
16 Land Surveyor and presented to the State Properties Commission for approval.

SECTION 63.

17
18 That the above-described premises shall be used solely for the purpose of planning,
19 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
20 said water well.

SECTION 64.

21
22 That the City of Alto shall have the right to remove or cause to be removed from said
23 easement area only such trees and bushes as may be reasonably necessary for the proper
24 construction, operation, and maintenance of said water well.

SECTION 65.

25
26 That, after the City of Alto has put into use the water well for which this easement is granted,
27 a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia,
28 or its successors and assigns, of all the rights, title, privileges, powers, and easement granted
29 herein. Upon abandonment, the City of Alto, or its successors and assigns, shall have the
30 option of removing its facilities from the easement area or leaving the same in place, in
31 which event the facility shall become the property of the State of Georgia or its successors
32 and assigns.

SECTION 66.

1
2 That no title shall be conveyed to the City of Alto, and, except as herein specifically granted
3 to the City of Alto, all rights, title, and interest in and to said easement area is reserved in the
4 State of Georgia, which may make any use of said easement area not inconsistent with or
5 detrimental to the rights, privileges, and interest granted to the City of Alto.

SECTION 67.

6
7 That if the State of Georgia, acting by and through its State Properties Commission,
8 determines that any or all of the facilities placed on the easement area should be removed
9 or relocated to an alternate site on state owned land in order to avoid interference with the
10 state's use or intended use of the easement area, it may grant a substantially equivalent
11 nonexclusive easement to allow placement of the removed or relocated facilities across the
12 alternate site, under such terms and conditions as the State Properties Commission shall in
13 its discretion determine to be in the best interests of the State of Georgia, and the City of
14 Alto shall remove or relocate its facilities to the alternate easement area at its sole cost and
15 expense, unless the State Properties Commission determines that the requested removal or
16 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
17 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
18 percent the amount of a written estimate provided by the City of Alto. Upon written request,
19 the State Properties Commission, in its sole discretion, may permit the relocation of the
20 facilities to an alternate site on state owned land so long as the removal and relocation is paid
21 by the party or parties requesting such removal and at no cost and expense to the State of
22 Georgia.

SECTION 68.

23
24 That the easement granted to the City of Alto shall contain such other reasonable terms,
25 conditions, and covenants as the State Properties Commission shall deem in the best interest
26 of the State of Georgia and that the State Properties Commission is authorized to use a more
27 accurate description of the easement area, so long as the description utilized by the State
28 Properties Commission describes the same easement area herein granted.

SECTION 69.

29
30 That the consideration for such easement shall be \$10.00 and such further consideration and
31 provisions as the State Properties Commission may determine to be in the best interest of the
32 State of Georgia.

SECTION 70.

That this grant of easement shall be recorded by the grantee in the Superior Court of Habersham County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 71.

That the authorization in this resolution to grant the above-described easement to the City of Alto shall expire three years after the date that this resolution becomes effective.

SECTION 71A.

This resolution does not affect and is not intended to affect any right, powers, interest, or liability of the Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement areas.

SECTION 72.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VII**SECTION 73.**

That the State of Georgia is the owner of the hereinafter described real property in Hall County, and the property is in the custody of the Department of Corrections and Department of Motor Vehicles, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 74.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Gainesville, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a sanitary sewer line in, on, over, under, upon, across, or through the easement area for the purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a sanitary sewer line together with the right of ingress and egress over adjacent land of the State of Georgia as may be

1 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located
2 in the 411th GMD in the City of Gainesville, Hall County , Georgia, and is more particularly
3 described as follows:

4 "That portion and that portion only as shown in yellow on a plat of survey entitled
5 "Allen Creek Regional Sewerage Facilities" dated August 9, 2002, prepared by
6 Edwin E. Ledford, Georgia Registered Land surveyor #2340 and on file in the
7 offices of the State Properties Commission,'

8 and may be more particularly described by a plat of survey prepared by a Georgia Registered
9 Land Surveyor and presented to the State Properties Commission for approval.

10 **SECTION 75.**

11 That the above-described premises shall be used solely for the purpose of planning,
12 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
13 said sanitary sewer line.

14 **SECTION 76.**

15 That The City of Gainesville shall have the right to remove or cause to be removed from said
16 easement area only such trees and bushes as may be reasonably necessary for the proper
17 construction, operation, and maintenance of said sanitary sewer line.

18 **SECTION 77.**

19 That, after the City of Gainesville has put into use the sanitary sewer line for which this
20 easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to
21 the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,
22 and easement granted herein. Upon abandonment, the City of Gainesville, or its successors
23 and assigns, shall have the option of removing its facilities from the easement area or leaving
24 the same in place, in which event the facility shall become the property of the State of
25 Georgia or its successors and assigns.

26 **SECTION 78.**

27 That no title shall be conveyed to the City of Gainesville, and, except as herein specifically
28 granted to the City of Gainesville, all rights, title, and interest in and to said easement area
29 is reserved in the State of Georgia, which may make any use of said easement area not
30 inconsistent with or detrimental to the rights, privileges, and interest granted to the City of
31 Gainesville.

SECTION 79.

1
2 That if the State of Georgia, acting by and through its State Properties Commission,
3 determines that any or all of the facilities placed on the easement area should be removed
4 or relocated to an alternate site on state owned land in order to avoid interference with the
5 state's use or intended use of the easement area, it may grant a substantially equivalent
6 nonexclusive easement to allow placement of the removed or relocated facilities across the
7 alternate site, under such terms and conditions as the State Properties Commission shall in
8 its discretion determine to be in the best interests of the State of Georgia, and the city of
9 Gainesville shall remove or relocate its facilities to the alternate easement area at its sole cost
10 and expense, unless the State Properties Commission determines that the requested removal
11 or relocation is to be for the sole benefit of the State of Georgia and approves payment by
12 the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
13 percent the amount of a written estimate provided by the City of Gainesville. Upon written
14 request, the State Properties Commission, in its sole discretion, may permit the relocation
15 of the facilities to an alternate site on state owned land so long as the removal and relocation
16 is paid by the party or parties requesting such removal and at no cost and expense to the
17 State of Georgia.

SECTION 80.

18
19 That the easement granted to the City of Gainesville shall contain such other reasonable
20 terms, conditions, and covenants as the State Properties Commission shall deem in the best
21 interest of the State of Georgia and that the State Properties Commission is authorized to use
22 a more accurate description of the easement area, so long as the description utilized by the
23 State Properties Commission describes the same easement area herein granted.

SECTION 81.

24
25 That the consideration for such easement shall be for \$10.00 and such further consideration
26 and provisions as the State Properties Commission may determine to be in the best interest
27 of the State of Georgia.

SECTION 82.

28
29 That this grant of easement shall be recorded by the grantee in the Superior Court of Hall
30 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 83.

31
32 That the authorization in this resolution to grant the above-described easement to the city of
33 Gainesville shall expire three years after the date that this resolution becomes effective.

SECTION 84.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

SECTION 84A.

This resolution does not affect and is not intended to affect any right, powers, interest, or liability of the Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement areas.

ARTICLE VIII**SECTION 85.**

That the State of Georgia is the owner of the hereinafter described real property in Jasper County, and the property is in the custody of the Department of Technical and Adult Education, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 86.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Municipal Electric Authority of Georgia (MEAG), or its successors and assigns, a nonexclusive easement for the construction, operation and maintenance of electrical transmission lines in, on, over, under, upon, across, or through the easement area for the purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating electrical transmission lines together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area are located in Land Lot 65 of the 16th District of Jasper County, Georgia, and is more particularly described as follows:

'That portion and that portion only as shown marked in yellow on a plat of survey entitled "MEAG Power" dated November 14, 2002 and prepared by J. B. Faircloth, Georgia Registered Land Surveyor No. 2120 and being on file in the offices of the State Properties Commission,'

1 and may be more particularly described by a plat of survey prepared by a Georgia Registered
2 Land Surveyor and presented to the State Properties Commission for approval.

3 **SECTION 87.**

4 That the above-described premises shall be used solely for the purpose of planning,
5 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
6 said electrical transmission lines.

7 **SECTION 88.**

8 That MEAG shall have the right to remove or cause to be removed from said easement area
9 only such trees and bushes as may be reasonably necessary for the proper construction,
10 operation, and maintenance of said electrical transmission lines.

11 **SECTION 89.**

12 That, after MEAG has put into use the electrical transmission lines for which this easement
13 is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State
14 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and
15 easement granted herein. Upon abandonment, MEAG, or its successors and assigns, shall
16 have the option of removing its facilities from the easement area or leaving the same in
17 place, in which event the facility shall become the property of the State of Georgia or its
18 successors and assigns.

19 **SECTION 90.**

20 That no title shall be conveyed to MEAG and, except as herein specifically granted to
21 MEAG, all rights, title, and interest in and to said easement area is reserved in the State of
22 Georgia, which may make any use of said easement area not inconsistent with or detrimental
23 to the rights, privileges, and interest granted to MEAG.

24 **SECTION 91.**

25 That if the State of Georgia, acting by and through its State Properties Commission,
26 determines that any or all of the facilities placed on the easement area should be removed
27 or relocated to an alternate site on state owned land in order to avoid interference with the
28 state's use or intended use of the easement area, it may grant a substantially equivalent
29 nonexclusive easement to allow placement of the removed or relocated facilities across the
30 alternate site, under such terms and conditions as the State Properties Commission shall in
31 its discretion determine to be in the best interests of the State of Georgia, and MEAG shall
32 remove or relocate its facilities to the alternate easement area at its sole cost and expense,

1 unless the State Properties Commission determines that the requested removal or relocation
2 is to be for the sole benefit of the State of Georgia and approves payment by the State of
3 Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the
4 amount of a written estimate provided by MEAG. Upon written request, the State Properties
5 Commission, in its sole discretion, may permit the relocation of the facilities to an alternate
6 site on state owned land so long as the removal and relocation is paid by the party or parties
7 requesting such removal and at no cost and expense to the State of Georgia.

8 **SECTION 92.**

9 That the easement granted to MEAG shall contain such other reasonable terms, conditions,
10 and covenants as the State Properties Commission shall deem in the best interest of the State
11 of Georgia and that the State Properties Commission is authorized to use a more accurate
12 description of the easement area, so long as the description utilized by the State Properties
13 Commission describes the same easement area herein granted.

14 **SECTION 93.**

15 That the consideration for such easement shall be for the fair market value, but not less than
16 \$650.00, and such further consideration and provisions as the State Properties Commission
17 may determine to be in the best interest of the State of Georgia.

18 **SECTION 94.**

19 That this grant of easement shall be recorded by the grantee in the Superior Court of Jasper
20 County and a recorded copy shall be forwarded to the State Properties Commission.

21 **SECTION 95.**

22 That the authorization in this resolution to grant the above-described easement to MEAG
23 shall expire three years after the date that this resolution becomes effective.

24 **SECTION 95A.**

25 This resolution does not affect and is not intended to affect any right, powers, interest, or
26 liability of the Department of Transportation with respect to the state highway system, or
27 of a county with respect to the county road system or of a municipality with respect to the
28 city street system. The grantee shall obtain any and all other required permits from the
29 appropriate governmental agencies as are necessary for its lawful use of the easement area
30 or public highway right of way and comply with all applicable state and federal
31 environmental statutes in its use of the easement areas.

SECTION 96.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XI**SECTION 97.**

That the State of Georgia is the owner of the hereinafter described real property in McDuffie County, and the property is in the custody of the Department of Technical And Adult Education, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 98.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Thomson, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of sanitary sewer lines, in, on, over, under, upon, across, or through the easement area for the purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating sanitary sewer lines, together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 134th GMD of McDuffie County, Georgia, and is more particularly described as follows:

'That portion and that portion only as shown marked in yellow on a plat of survey entitled "City of Thomson at Augusta Technical Institute" dated March 20, 2002 prepared by John A. McGill, Georgia Registered Land Surveyor #1753 and being on file in the offices of the State Properties Commission,'

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 99.

That the above-described premises shall be used solely for the purpose of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said sanitary sewer lines.

SECTION 100.

1
2 That the City of Thomson shall have the right to remove or cause to be removed from said
3 easement area only such trees and bushes as may be reasonably necessary for the proper
4 construction, operation, and maintenance of said sanitary sewer lines.

SECTION 101.

5
6 That, the City of Thomson has put into use the sanitary sewer lines for which this easement
7 is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State
8 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and
9 easement granted herein. Upon abandonment, the City of Thomson or its successors and
10 assigns, shall have the option of removing its facilities from the easement area or leaving the
11 same in place, in which event the facility shall become the property of the State of Georgia,
12 or its successors and assigns.

SECTION 102.

13
14 That no title shall be conveyed to the City of Thomson and, except as herein specifically
15 granted to the City of Thomson, all rights, title, and interest in and to said easement area is
16 reserved in the State of Georgia, which may make any use of said easement area not
17 inconsistent with or detrimental to the rights, privileges, and interest granted to the City of
18 Thomson.

SECTION 103.

19
20 That if the State of Georgia, acting by and through its State Properties Commission,
21 determines that any or all of the facilities placed on the easement area should be removed
22 or relocated to an alternate site on state owned land in order to avoid interference with the
23 state's use or intended use of the easement area, it may grant a substantially equivalent
24 nonexclusive easement to allow placement of the removed or relocated facilities across the
25 alternate site, under such terms and conditions as the State Properties Commission shall in
26 its discretion determine to be in the best interests of the State of Georgia, and the City of
27 Thomson shall remove or relocate its facilities to the alternate easement area at its sole cost
28 and expense, unless the State Properties Commission determines that the requested removal
29 or relocation is to be for the sole benefit of the State of Georgia and approves payment by
30 the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
31 percent the amount of a written estimate provided by the City of Thomson. Upon written
32 request, the State Properties Commission, in its sole discretion, may permit the relocation
33 of the facilities to an alternate site on state owned land so long as the removal and relocation

1 is paid by the party or parties requesting such removal and at no cost and expense to the
2 State of Georgia.

3 **SECTION 104.**

4 That the easement granted to the City of Thomson shall contain such other reasonable terms,
5 conditions, and covenants as the State Properties Commission shall deem in the best interest
6 of the State of Georgia and that the State Properties Commission is authorized to use a more
7 accurate description of the easement area, so long as the description utilized by the State
8 Properties Commission describes the same easement area herein granted.

9 **SECTION 105.**

10 That the consideration for such easement shall be \$10.00 and such further consideration and
11 provisions as the State Properties Commission may determine to be in the best interest of the
12 State of Georgia.

13 **SECTION 106.**

14 That this grant of easement shall be recorded by the grantee in the Superior Court of
15 McDuffie County and a recorded copy shall be forwarded to the State Properties
16 Commission.

17 **SECTION 107.**

18 That the authorization in this resolution to grant the above-described easement to the City
19 of Thomson shall expire three years after the date that this resolution becomes effective.

20 **SECTION 107A.**

21 This resolution does not affect and is not intended to affect any right, powers, interest, or
22 liability of the Department of Transportation with respect to the state highway system, or
23 of a county with respect to the county road system or of a municipality with respect to the
24 city street system. The grantee shall obtain any and all other required permits from the
25 appropriate governmental agencies as are necessary for its lawful use of the easement area
26 or public highway right of way and comply with all applicable state and federal
27 environmental statutes in its use of the easement areas.

28 **SECTION 108.**

29 That the State Properties Commission is authorized and empowered to do all acts and things
30 necessary and proper to effect the grant of the easement area.

ARTICLE X**SECTION 109.**

That the State of Georgia is the owner of the hereinafter described real property in Glynn and McIntosh Counties, Georgia, and the property is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 110.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement for the construction, operation and maintenance of guy wires and anchors together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area are located in within the boundary of the Altamaha Wildlife Management in Glynn and McIntosh Counties, Georgia, and are more particularly described as follows:

'That portion and that portion only as shown marked in yellow on a drawing marked as Exhibit "A" on the Board of Natural Resources Resolution dated September 25, 2002 under project Altamaha WMA, and being on file in the offices of the State Properties Commission,'

and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 111.

That the above-described premises shall be used solely for the purpose of, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said guy wires and anchors.

SECTION 112.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper operation of said guy wires and anchors.

SECTION 113.

That, after Georgia Power Company, has put into use the guy wires and anchors for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges,

1 powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its
2 successors and assigns, shall have the option of removing its facilities from the easement
3 area or leaving the same in place, in which event the facility shall become the property of
4 the State of Georgia, or its successors and assigns.

5 **SECTION 114.**

6 That no title shall be conveyed to Georgia Power Company and, except as herein
7 specifically granted to Georgia Power Company, all rights, title, and interest in and to said
8 easement area is reserved in the State of Georgia, which may make any use of said easement
9 area not inconsistent with or detrimental to the rights, privileges, and interest granted to
10 Georgia Power Company.

11 **SECTION 115.**

12 That if the State of Georgia, acting by and through its State Properties Commission,
13 determines that any or all of the facilities placed on the easement area should be removed
14 or relocated to an alternate site on state owned land in order to avoid interference with the
15 state's use or intended use of the easement area, it may grant a substantially equivalent
16 nonexclusive easement to allow placement of the removed or relocated facilities across the
17 alternate site, under such terms and conditions as the State Properties Commission shall in
18 its discretion determine to be in the best interests of the State of Georgia, and Georgia Power
19 Company shall remove or relocate its facilities to the alternate easement area at its sole cost
20 and expense, unless the State Properties Commission determines that the requested removal
21 or relocation is to be for the sole benefit of the State of Georgia and approves payment by
22 the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
23 percent the amount of a written estimate provided by Georgia Power Company. Upon
24 written request, the State Properties Commission, in its sole discretion, may permit the
25 relocation of the facilities to an alternate site on state owned land so long as the removal and
26 relocation is paid by the party or parties requesting such removal and at no cost and expense
27 to the State of Georgia.

28 **SECTION 116.**

29 That the easement granted to Georgia Power Company shall contain such other reasonable
30 terms, conditions, and covenants as the State Properties Commission shall deem in the best
31 interest of the State of Georgia and that the State Properties Commission is authorized to use
32 a more accurate description of the easement areas, so long as the description utilized by the
33 State Properties Commission describes the same easement area herein granted.

SECTION 117.

That the consideration for such easement shall be for the fair market value, but not less than \$650.00, and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 118.

That this grant of easement shall be recorded by the grantee in the Superior Court of Glynn and McIntosh Counties, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 119.

That the authorization in this resolution to grant the above-described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 119A

This resolution does not affect and is not intended to affect any right, powers, interest, or liability of the Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement areas.

SECTION 120.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XI**SECTION 121.**

That the State of Georgia is the owner of the hereinafter described real property in Morgan County, Georgia, and the property is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 122.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Sigurd Kviten, or its successors and assigns, a nonexclusive easement for the construction,

1 operation, and maintenance of ingress and egress in, on, over, under, upon, across, or
2 through the easement area for the purpose of constructing, installing, maintaining, repairing,
3 replacing, inspecting, and operating ingress and egress together with the right of ingress and
4 egress over adjacent land of the State of Georgia as may be reasonably necessary to
5 accomplish the aforesaid purposes. Said easement area is located within the boundary of
6 Hard Labor Creek State Park in Morgan County, Georgia, and is more particularly described
7 as follows:

8 "That portion and that portion only as shown marked in yellow on a drawing
9 attached as Exhibit "A" to that certain Board of Natural Resources
10 Resolution dated September 25, 2002 listed as Project "Hard Labor Creek
11 State Park" and on file in the offices of the State Properties Commission,'
12 and may be more particularly described by a plat of survey prepared by a Georgia Registered
13 Land Surveyor and presented to the State Properties Commission for approval.

14 **SECTION 123.**

15 That the above-described premises shall be used solely for the purpose of planning,
16 constructing, installing, maintaining, repairing, replacing, inspecting, and operating said
17 ingress and egress.

18 **SECTION 124.**

19 That Sigurd Kviten shall have the right to remove or cause to be removed from said
20 easement area only such trees and bushes as may be reasonably necessary for the proper
21 construction, operation, and maintenance of said ingress and egress.

22 **SECTION 125.**

23 That, after Sigurd Kviten has put into use the ingress and egress for which this easement is
24 granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of
25 Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and
26 easement granted herein. Upon abandonment, Sigurd Kviten, or its successors and assigns,
27 shall have the option of removing its facilities from the easement area or leaving the same
28 in place, in which event the facilities shall become the property of the State of Georgia, or
29 its successors and assigns.

30 **SECTION 126.**

31 That no title shall be conveyed to Sigurd Kviten, and, except as herein specifically granted
32 to Sigurd Kviten, all rights, title, and interest in and to said easement area is reserved in the

1 State of Georgia, which may make any use of said easement area not inconsistent with or
2 detrimental to the rights, privileges, and interest granted to Sigurd Kviten.

3 **SECTION 127.**

4 That if the State of Georgia, acting by and through its State Properties Commission,
5 determines that any or all of the facilities placed on the easement area should be removed
6 or relocated to an alternate site on state owned land in order to avoid interference with the
7 state's use or intended use of the easement area, it may grant a substantially equivalent
8 nonexclusive easement to allow placement of the removed or relocated facilities across the
9 alternate site, under such terms and conditions as the State Properties Commission shall in
10 its discretion determine to be in the best interests of the State of Georgia, and Sigurd Kviten
11 or its successors and assigns shall remove or relocate its facilities to the alternate easement
12 area at its sole cost and expense, unless the State Properties Commission determines that the
13 requested removal or relocation is to be for the sole benefit of the State of Georgia and
14 approves payment by the State of Georgia of all or a portion of such actual cost and expense,
15 not to exceed by 20 percent the amount of a written estimate provided by Sigurd Kviten.
16 Upon written request, the State Properties Commission, in its sole discretion, may permit the
17 relocation of the facilities to an alternate site on State owned land so long as the removal and
18 relocation is paid by the party or parties requesting such removal and at no cost and expense
19 to the State of Georgia.

20 **SECTION 128.**

21 That the easement granted to Sigurd Kviten shall contain such other reasonable terms,
22 conditions, and covenants as the State Properties Commission shall deem in the best interest
23 of the State of Georgia and that the State Properties Commission is authorized to use a more
24 accurate description of the easement area, so long as the description utilized by the State
25 Properties Commission describes the same easement area herein granted.

26 **SECTION 129.**

27 That the consideration for such easement shall be for the fair market value, but not less than
28 \$650.00 and such further consideration and provisions as the State Properties Commission
29 may determine to be in the best interest of the State of Georgia.

30 **SECTION 130.**

31 That this grant of easement shall be recorded by the grantee in the Superior Court of Morgan
32 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 131.

That the authorization in this resolution to grant the above-described easement to Sigurd Kviten shall expire three years after the date that this resolution becomes effective.

SECTION 131A.

This resolution does not affect and is not intended to affect any right, powers, interest, or liability of the Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement areas.

SECTION 132.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XII**SECTION 133.**

That the State of Georgia is the owner of the hereinafter described real property in Hamilton County, Tennessee, and the property is in the custody of the State Properties Commission, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 134.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Tennessee Department of Transportation, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a bridge in, on, over, under, upon, across, or through the easement area for the purpose of constructing, installing, maintaining, repairing, inspecting, and operating a bridge together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the City of Chattanooga, Hamilton County, Tennessee, and is more particularly described as follows:

'That portion and that portion only as marked in yellow on a drawing prepared by State of Tennessee Department of Transportation Bureau of Planning and Development and on file in the offices of the State Properties Commission,'

1 and may be more particularly described by a plat of survey prepared by a Georgia Registered
2 Land Surveyor and presented to the State Properties Commission for approval.

3 **SECTION 135.**

4 That the above-described premises shall be used solely for the purpose of planning,
5 constructing, installing, maintaining, repairing, inspecting, and operating said bridge.

6 **SECTION 136.**

7 That, after the Tennessee Department of Transportation has put into use the bridge for which
8 this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion
9 to the State of Georgia, or its successors and assigns, of all the rights, title, privileges,
10 powers, and easement granted herein. Upon abandonment, the Tennessee Department of
11 Transportation, or its successors and assigns, shall have the option of removing its facilities
12 from the easement area or leaving the same in place, in which event the facility shall become
13 the property of the State of Georgia or its successors and assigns.

14 **SECTION 137.**

15 That no title shall be conveyed to the Tennessee Department of Transportation, and, except
16 as herein specifically granted to the Tennessee Department of Transportation, all rights, title,
17 and interest in and to said easement area is reserved in the State of Georgia which may make
18 any use of said easement area not inconsistent with or detrimental to the rights, privileges,
19 and interest granted to the Tennessee Department of Transportation.

20 **SECTION 138.**

21 That if the State of Georgia, acting by and through its State Properties Commission,
22 determines that any or all of the facilities placed on the easement area should be removed
23 or relocated to an alternate site on state owned land in order to avoid interference with the
24 state's use or intended use of the easement area, it may grant a substantially equivalent
25 nonexclusive easement to allow placement of the removed or relocated facilities across the
26 alternate site, under such terms and conditions as the State Properties Commission shall in
27 its discretion determine to be in the best interests of the State of Georgia, and the Tennessee
28 Department of Transportation shall remove or relocate its facilities to the alternate easement
29 area at its sole cost and expense, unless the State Properties Commission determines that the
30 requested removal or relocation is to be for the sole benefit of the State of Georgia and
31 approves payment by the State of Georgia of all or a portion of such actual cost and expense,
32 not to exceed by 20 percent the amount of a written estimate provided by the Tennessee
33 Department of Transportation. Upon written request, the State Properties Commission, in

1 its sole discretion, may permit the relocation of the facilities to an alternate site on State
2 owned land so long as the removal and relocation is paid by the party or parties requesting
3 such removal and at no cost and expense to the State of Georgia.

4 **SECTION 139.**

5 That the easement granted to the Tennessee Department of Transportation shall contain such
6 other reasonable terms, conditions, and covenants as the State Properties Commission shall
7 deem in the best interest of the State of Georgia and that the State Properties Commission
8 is authorized to use a more accurate description of the easement area, so long as the
9 description utilized by the State Properties Commission describes the same easement area
10 herein granted.

11 **SECTION 140.**

12 That the consideration for such easement shall be for the fair market value, but not less than
13 \$650.00 and such further consideration and provisions as the State Properties Commission
14 may determine to be in the best interest of the State of Georgia.

15 **SECTION 141.**

16 That this grant of easement shall be recorded by the grantee in the Superior Court of
17 Hamilton County, Tennessee and a recorded copy shall be forwarded to the State Properties
18 Commission.

19 **SECTION 142.**

20 That the authorization in this resolution to grant the above-described easement to the
21 Tennessee Department of Transportation shall expire three years after the date that this
22 resolution becomes effective.

23 **SECTION 142A.**

24 This resolution does not affect and is not intended to affect any right, powers, interest, or
25 liability of the Department of Transportation with respect to the state highway system, or
26 of a county with respect to the county road system or of a municipality with respect to the
27 city street system. The grantee shall obtain any and all other required permits from the
28 appropriate governmental agencies as are necessary for its lawful use of the easement area
29 or public highway right of way and comply with all applicable state and federal
30 environmental statutes in its use of the easement areas.

SECTION 143.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XIII**SECTION 144.**

That the State of Georgia is the owner of the hereinafter described real property in Hamilton County, Tennessee, and the property is in the custody of the State Properties Commission, hereinafter referred to as the "easement area" and that, in all matters relating to the easement areas, the State of Georgia is acting by and through its State Properties Commission.

SECTION 145.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Tennessee Valley Authority, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of electrical distribution lines in, on, over, under, upon, across, or through the easement area for the purpose of constructing, installing, maintaining, repairing, replacing, inspecting, and operating electrical distribution lines, together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement areas are located in the First Civil District of Hamilton County, Tennessee, within Western and Atlantic Railroad right of way, and is more particularly described as follows:

'That portion and that portion only as shown marked in yellow as shown on Sheet 1A of US-TVA drawing LW_1938, revision 4 prepared for the Tennessee Valley Authority, and on file in the offices of the State Properties Commission,' and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 146.

That the above-described premises shall be used solely for the purpose of planning, constructing, installing, maintaining, repairing, replacing, inspecting, and operating said electrical distribution lines.

SECTION 147.

1
2 That, after the Tennessee Valley Authority has put into use the electrical distribution lines
3 which this easement is granted, a subsequent abandonment of the use thereof shall cause a
4 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
5 privileges, powers, and easement granted herein. Upon abandonment, the Tennessee Valley
6 Authority, or its successors and assigns, shall have the option of removing its facilities from
7 the easement area or leaving the same in place, in which event the facility shall become the
8 property of the State of Georgia or its successors and assigns.

SECTION 148.

9
10 That no title shall be conveyed to the Tennessee Valley Authority, and, except as herein
11 specifically granted to the Tennessee Valley Authority, all rights, title, and interest in and
12 to said easement area is reserved in the State of Georgia, which may make any use of said
13 easement areas not inconsistent with or detrimental to the rights, privileges, and interest
14 granted to the Tennessee Valley Authority.

SECTION 149.

15
16 That if the State of Georgia, acting by and through its State Properties Commission,
17 determines that any or all of the facilities placed on the easement areas should be removed
18 or relocated to an alternate site on state owned land in order to avoid interference with the
19 state's use or intended use of the easement areas, it may grant a substantially equivalent
20 nonexclusive easement to allow placement of the removed or relocated facilities across the
21 alternate sites, under such terms and conditions as the State Properties Commission shall in
22 its discretion determine to be in the best interests of the State of Georgia, and the Tennessee
23 Valley Authority shall remove or relocate its facilities to the alternate easement areas at its
24 sole cost and expense, unless the State Properties Commission determines that the requested
25 removal or relocation is to be for the sole benefit of the State of Georgia and approves
26 payment by the State of Georgia of all or a portion of such actual cost and expense, not to
27 exceed by 20 percent the amount of a written estimate provided by the Tennessee Valley
28 Authority. Upon written request, the State Properties Commission, in its sole discretion,
29 may permit the relocation of the facilities to an alternate site on state owned land so long as
30 the removal and relocation is paid by the party or parties requesting such removal and at no
31 cost and expense to the State of Georgia.

SECTION 150.

32
33 That the easement granted to the Tennessee Valley Authority shall contain such other
34 reasonable terms, conditions, and covenants as the State Properties Commission shall deem

1 in the best interest of the State of Georgia and that the State Properties Commission is
2 authorized to use a more accurate description of the easement areas, so long as the
3 description utilized by the State Properties Commission describes the same easement areas
4 herein granted.

5 **SECTION 151.**

6 That the consideration for such easement shall be for the fair market value, but not less than
7 \$650.00 and such further consideration and provisions as the State Properties Commission
8 may determine to be in the best interest of the State of Georgia.

9 **SECTION 152.**

10 That this grant of easement shall be recorded by the grantee in the Superior Court of
11 Hamilton County, Tennessee, and a recorded copy shall be forwarded to the State Properties
12 Commission.

13 **SECTION 153.**

14 That the authorization in this resolution to grant the above-described easement to the
15 Tennessee Valley Authority shall expire three years after the date that this resolution
16 becomes effective.

17 **SECTION 153A.**

18 This resolution does not affect and is not intended to affect any right, powers, interest, or
19 liability of the Department of Transportation with respect to the state highway system, or
20 of a county with respect to the county road system or of a municipality with respect to the
21 city street system. The grantee shall obtain any and all other required permits from the
22 appropriate governmental agencies as are necessary for its lawful use of the easement area
23 or public highway right of way and comply with all applicable state and federal
24 environmental statutes in its use of the easement areas.

25 **SECTION 154.**

26 That the State Properties Commission is authorized and empowered to do all acts and things
27 necessary and proper to effect the grant of the easement area.

28 **ARTICLE XIV**

29 **SECTION 155.**

30 That the State of Georgia is the owner of the hereinafter described real property in Bibb
31 County, and the property is in the custody of the Department of Defense, hereinafter referred

1 to as the "easement area" and that, in all matters relating to the easement areas, the State of
2 Georgia is acting by and through its State Properties Commission.

3 **SECTION 156.**

4 That the State of Georgia, acting by and through its State Properties Commission, may grant
5 to SED-Gray, LLC, or its successors and assigns, a nonexclusive easement for the
6 construction, operation, and maintenance of underground supports for a retaining wall in,
7 on, over, under, upon, across, or through the easement area for the purpose of constructing,
8 installing, maintaining, repairing, replacing, inspecting, and operating underground supports
9 for a retaining wall, together with the right of ingress and egress over adjacent land of the
10 State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said
11 easement areas are located in Land Lot 38 of the Macon Reserve East Land District of Bibb
12 County, and is more particularly described as follows:

13 'That portion and that portion only as shown marked in yellow as Grading and
14 Drainage Plan, being sheet #C-4, dated April 22, 2002 entitled Walgreens #06790,
15 and on file in the offices of the State Properties Commission,'

16 and may be more particularly described by a plat of survey prepared by a Georgia Registered
17 Land Surveyor and presented to the State Properties Commission for approval.

18 **SECTION 157.**

19 That the above-described premises shall be used solely for the purpose of planning,
20 constructing, installing, maintaining, repairing, replacing, inspecting, and operating said
21 underground support for a retaining wall.

22 **SECTION 158.**

23 That, after SED-Gray, LLC has put into use the underground supports for a retaining wall
24 which this easement is granted, a subsequent abandonment of the use thereof shall cause a
25 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
26 privileges, powers, and easement granted herein. Upon abandonment, SED-Gray, LLC, or
27 its successors and assigns, shall have the option of removing its facilities from the easement
28 area or leaving the same in place, in which event the facility shall become the property of
29 the State of Georgia or its successors and assigns.

30 **SECTION 159.**

31 That no title shall be conveyed to SED-Gray, LLC, and, except as herein specifically granted
32 to SED-Gray, LLC, all rights, title, and interest in and to said easement area is reserved in

1 the State of Georgia, which may make any use of said easement areas not inconsistent with
2 or detrimental to the rights, privileges, and interest granted to SED-Gray, LLC.

3 **SECTION 160.**

4 That if the State of Georgia, acting by and through its State Properties Commission,
5 determines that any or all of the facilities placed on the easement areas should be removed
6 or relocated to an alternate site on state owned land in order to avoid interference with the
7 state's use or intended use of the easement areas, it may grant a substantially equivalent
8 nonexclusive easement to allow placement of the removed or relocated facilities across the
9 alternate sites, under such terms and conditions as the State Properties Commission shall in
10 its discretion determine to be in the best interests of the State of Georgia, and SED-Gray,
11 LLC shall remove or relocate its facilities to the alternate easement areas at its sole cost and
12 expense, unless the State Properties Commission determines that the requested removal or
13 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
14 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
15 percent the amount of a written estimate provided by SED-Gray, LLC. Upon written
16 request, the State Properties Commission, in its sole discretion, may permit the relocation
17 of the facilities to an alternate site on state owned land so long as the removal and relocation
18 is paid by the party or parties requesting such removal and at no cost and expense to the
19 State of Georgia.

20 **SECTION 161.**

21 That the easement granted to SED-Gray, LLC shall contain such other reasonable terms,
22 conditions, and covenants as the State Properties Commission shall deem in the best interest
23 of the State of Georgia and that the State Properties Commission is authorized to use a more
24 accurate description of the easement areas, so long as the description utilized by the State
25 Properties Commission describes the same easement areas herein granted.

26 **SECTION 162.**

27 That the consideration for such easement shall be \$10.00 and such further consideration and
28 provisions as the State Properties Commission may determine to be in the best interest of the
29 State of Georgia.

30 **SECTION 163.**

31 That this grant of easement shall be recorded by the grantee in the Superior Court of Bibb
32 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 164.

That the authorization in this resolution to grant the above-described easement to SED-Gray, LLC shall expire three years after the date that this resolution becomes effective.

SECTION 164A.

This resolution does not affect and is not intended to affect any right, powers, interest, or liability of the Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement areas.

SECTION 165.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XV**SECTION 166.**

That the State of Georgia is the owner of the hereinafter described real property in Cherokee County, and the property is in the custody of the Department of Defense, hereinafter referred to as the "easement area" and that, in all matters relating to the easement areas, the State of Georgia is acting by and through its State Properties Commission.

SECTION 167.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Canton, Cherokee County, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of storm water piping in, on, over, under, upon, across, or through the easement area for the purpose of constructing, installing, maintaining, repairing, replacing, inspecting, and operating storm water piping, together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Land Lot 159 of the 14th District, 2nd Section of Cherokee County, and is more particularly described as follows:

That portion and that portion only as shown highlighted in yellow as drawing provided by the City of Canton, Cherokee County, and on file in the offices of the

1 State Properties Commission and may be more particularly described by a plat of
2 survey prepared by a Georgia Registered Land Surveyor and presented to the State
3 Properties Commission for approval.'

4 **SECTION 168.**

5 That the above-described premises shall be used solely for the purpose of planning,
6 constructing, installing, maintaining, repairing, replacing, inspecting, and operating said
7 storm water piping.

8 **SECTION 169.**

9 That, after the City of Canton, Cherokee County, has put into use the storm water piping for
10 which this easement is granted, a subsequent abandonment of the use thereof shall cause a
11 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
12 privileges, powers, and easement granted herein. Upon abandonment, the City of Canton,
13 Cherokee County, or its successors and assigns, shall have the option of removing its
14 facilities from the easement area or leaving the same in place, in which event the facility
15 shall become the property of the State of Georgia, or its successors and assigns.

16 **SECTION 170.**

17 That no title shall be conveyed to the City of Canton, Cherokee County, and, except as herein
18 specifically granted to the City of Canton, Cherokee County, all rights, title, and interest in
19 and to said easement area is reserved in the State of Georgia, which may make any use of
20 said easement areas not inconsistent with or detrimental to the rights, privileges, and interest
21 granted to the City of Canton, Cherokee County.

22 **SECTION 171.**

23 That if the State of Georgia, acting by and through its State Properties Commission,
24 determines that any or all of the facilities placed on the easement areas should be removed
25 or relocated to an alternate site on state owned land in order to avoid interference with the
26 state's use or intended use of the easement areas, it may grant a substantially equivalent
27 nonexclusive easement to allow placement of the removed or relocated facilities across the
28 alternate sites, under such terms and conditions as the State Properties Commission shall in
29 its discretion determine to be in the best interests of the State of Georgia, and the City of
30 Canton, Cherokee County, shall remove or relocate its facilities to the alternate easement
31 areas at its sole cost and expense, unless the State Properties Commission determines that the
32 requested removal or relocation is to be for the sole benefit of the State of Georgia and
33 approves payment by the State of Georgia of all or a portion of such actual cost and expense,

1 not to exceed by 20 percent the amount of a written estimate provided by the City of Canton,
2 Cherokee County. Upon written request, the State Properties Commission, in its sole
3 discretion, may permit the relocation of the facilities to an alternate site on state owned land
4 so long as the removal and relocation is paid by the party or parties requesting such removal
5 and at no cost and expense to the State of Georgia.

6 **SECTION 172.**

7 That the easement granted to the City of Canton, Cherokee County, shall contain such other
8 reasonable terms, conditions, and covenants as the State Properties Commission shall deem
9 in the best interest of the State of Georgia and that the State Properties Commission is
10 authorized to use more accurate description of the easement areas, so long as the description
11 utilized by the State Properties Commission describes the same easement areas herein
12 granted.

13 **SECTION 173.**

14 That the consideration for such easement shall be \$10.00 and such further consideration and
15 provisions as the State Properties Commission may determine to be in the best interest of the
16 State of Georgia.

17 **SECTION 174.**

18 That this grant of easement shall be recorded by the grantee in the Superior Court of
19 Cherokee County, and a recorded copy shall be forwarded to the State Properties
20 Commission.

21 **SECTION 175.**

22 That the authorization in this resolution to grant the above-described easement to the City of
23 Canton, Cherokee County, shall expire three years after the date that this resolution becomes
24 effective.

25 **SECTION 175A.**

26 This resolution does not affect and is not intended to affect any right, powers, interest, or
27 liability of the Department of Transportation with respect to the state highway system, or of
28 a county with respect to the county road system or of a municipality with respect to the city
29 street system. The grantee shall obtain any and all other required permits from the
30 appropriate governmental agencies as are necessary for its lawful use of the easement area
31 or public highway right of way and comply with all applicable state and federal
32 environmental statutes in its use of the easement areas.

SECTION 176.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XV**SECTION 177.**

That the State of Georgia is the owner of the hereinafter described real property in Screven County, and the property is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area" and that, in all matters relating to the easement areas, the State of Georgia is acting by and through its State Properties Commission.

SECTION 178.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Screven County, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of roadways in, on, over, under, upon, across, or through the easement area for the purpose of constructing, installing, maintaining, repairing, replacing, inspecting, and operating roadways, together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 37th GMD of Screven County, and is more particularly described as follows:

'That portion and that portion only as shown highlighted in yellow on a plat of survey entitled "Property Survey for Screven County Old River County Road" dated December 17, 2001 and prepared by Warren E. Poythress, Georgia Registered Land Surveyor #1953 and on file in the offices of the State Properties Commission,' and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 179.

That the above-described premises shall be used solely for the purpose of planning, constructing, installing, maintaining, repairing, replacing, inspecting, and operating said roadway.

SECTION 180.

That, after Screven County has put into use the roadway for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted

1 herein. Upon abandonment, the Screven County, or its successors and assigns, shall have the
2 option of removing its facilities from the easement area or leaving the same in place, in
3 which event the facility shall become the property of the State of Georgia, or its successors
4 and assigns.

5 **SECTION 181.**

6 That no title shall be conveyed to Screven County and, except as herein specifically granted
7 to Screven County, all rights, title, and interest in and to said easement area is reserved in the
8 State of Georgia, which may make any use of said easement areas not inconsistent with or
9 detrimental to the rights, privileges, and interest granted to Screven County.

10 **SECTION 182.**

11 That if the State of Georgia, acting by and through its State Properties Commission,
12 determines that any or all of the facilities placed on the easement areas should be removed
13 or relocated to an alternate site on state owned land in order to avoid interference with the
14 state's use or intended use of the easement areas, it may grant a substantially equivalent
15 nonexclusive easement to allow placement of the removed or relocated facilities across the
16 alternate sites, under such terms and conditions as the State Properties Commission shall in
17 its discretion determine to be in the best interests of the State of Georgia, and Screven
18 County shall remove or relocate its facilities to the alternate easement areas at its sole cost
19 and expense, unless the State Properties Commission determines that the requested removal
20 or relocation is to be for the sole benefit of the State of Georgia and approves payment by the
21 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
22 percent the amount of a written estimate provided by Screven County. Upon written
23 request, the State Properties Commission, in its sole discretion, may permit the relocation of
24 the facilities to an alternate site on state owned land so long as the removal and relocation
25 is paid by the party or parties requesting such removal and at no cost and expense to the State
26 of Georgia.

27 **SECTION 183.**

28 That the easement granted to Screven County shall contain such other reasonable terms,
29 conditions, and covenants as the State Properties Commission shall deem in the best interest
30 of the State of Georgia and that the State Properties Commission is authorized to use a more
31 accurate description of the easement areas, so long as the description utilized by the State
32 Properties Commission describes the same easement areas herein granted.

SECTION 184.

1

2 That the consideration for such easement shall be \$10.00 and such further consideration and
3 provisions as the State Properties Commission may determine to be in the best interest of the
4 State of Georgia.

SECTION 185.

5

6 That this grant of easement shall be recorded by the grantee in the Superior Screven County,
7 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 185A.

8

9 This resolution does not affect and is not intended to affect any right, powers, interest, or
10 liability of the Department of Transportation with respect to the state highway system, or of
11 a county with respect to the county road system or of a municipality with respect to the city
12 street system. The grantee shall obtain any and all other required permits from the
13 appropriate governmental agencies as are necessary for its lawful use of the easement area
14 or public highway right of way and comply with all applicable state and federal
15 environmental statutes in its use of the easement areas.

SECTION 186.

16

17 That the authorization in this resolution to grant the above-described easement to Screven
18 County shall expire three years after the date that this resolution becomes effective.

ARTICLE XVII

19

SECTION 187.

20

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