

Senate Resolution 80

By: Senators Thomas of the 2nd, Schaefer of the 50th, Zamarripa of the 36th, Grant of the 25th, Hamrick of the 30th and others

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, Banks, Burke, Chatham, Douglas,
4 Fulton, and Newton counties, Georgia; to repeal conflicting laws; and for other purposes.

5 WHEREAS, the State of Georgia is the owner of certain real property located in Baldwin,
6 Banks, Burke, Chatham, Douglas, Fulton, and Newton counties, Georgia; and

7 WHEREAS, the Alltel Communications, Victor M. Corral, Georgia Power, Chatham County,
8 the City of Savannah, and 1998 Augustus Partners, LP, desire to operate and maintain
9 facilities, utilities and ingress and egress in, on, over, under, upon, across, or through a
10 portion of said property; and

11 WHEREAS, these facilities, utilities and ingress and egress in, on, over, under, upon, across,
12 or through the above-described state property have been requested and/or approved by the
13 Department of Juvenile Justice, the Department of Natural Resources, the Department of
14 Defense, the Department of Human Resources, the Department of Corrections, the
15 Department of Technical and Adult Education, and the Geo. L. Smith II Georgia World
16 Congress Center with respect to property under the jurisdiction of their respective
17 departments.

18 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
19 ASSEMBLY OF GEORGIA:

ARTICLE I

SECTION 1.

22 That the State of Georgia is the owner of the hereinafter described real property in Baldwin
23 County, and the property is in the custody of the Department of Juvenile Justice, hereinafter

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

3 **SECTION 2.**

4 That the State of Georgia, acting by and through its State Properties Commission, may grant
5 to Alltel Communications, or its successors and assigns, a nonexclusive easement for the
6 operation and maintenance of a telecommunications equipment site in, on, over, under, upon,
7 across, or through the easement area for the purposes of maintaining, repairing, replacing,
8 inspecting and operating a telecommunications equipment site together with the right of
9 ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary
10 to accomplish the aforesaid purposes. Said easement area is located in the City of
11 Milledgeville, Baldwin County, Georgia, and on the grounds of the Bill E. Ireland Youth
12 Development Campus and is more particularly described as follows:

13 "That portion and that portion only as shown in yellow on a plat of survey dated February
14 20, 2004, prepared by James R. McDougald and on file in the offices of the State
15 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 3.**

19 That the above-described premises shall be used solely for the purposes of installing,
20 maintaining, repairing, replacing, inspecting, and operating said telecommunications
21 equipment site.

22 **SECTION 4.**

23 That Alltel Communications shall have the right to remove or cause to be removed from said
24 easement area only such trees and bushes as may be reasonably necessary for the proper
25 operation and maintenance of said telecommunications equipment site.

26 **SECTION 5.**

27 That, after Alltel Telecommunications has put into use the telecommunications equipment
28 site this easement is granted, a subsequent abandonment of the use thereof shall cause a
29 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
30 privileges, powers, and easement granted herein. Upon abandonment, Alltel
31 Communications, or its successors and assigns, shall have the option of removing their
32 facilities from the easement area or leaving the same in place, in which event the utility shall
33 become the property of the State of Georgia or its successors and assigns.

SECTION 6.

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

SECTION 7.

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

SECTION 8.

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

SECTION 9.

32
33 That the easement granted to Alltel Communications shall contain such other reasonable
34 terms, conditions, and covenants as the State Properties Commission shall deem in the best

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

4 **SECTION 10.**

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

8 **SECTION 11.**

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

11 **SECTION 12.**

12 That the authorization in this resolution to grant the above-described easement to Alltel
13 Communications shall expire three years after the date that this resolution becomes effective.

14 **SECTION 13.**

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

17 **ARTICLE II**

18 **SECTION 14.**

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

23 **SECTION 15.**

24 That the State of Georgia, acting by and through its State Properties Commission, may grant
25 to Victor M. Corral, or his successors and assigns, a nonexclusive easement for the operation
26 and maintenance of ingress and egress in, on, over, under, upon, across, or through the
27 easement area for the purposes of maintaining, repairing, replacing, inspecting, and
28 operating ingress and egress together with the right of ingress and egress over adjacent land
29 of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes.

1 Said easement area is located in land lot 227 of the 10th district of Banks County, Georgia,
2 and is more particularly described as follows:

3 "That portion and that portion only as shown in yellow on a plat of survey dated June 29,
4 2000, prepared by Samuel L. Duvald and on file in the offices of the State Properties
5 Commission"

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

8 **SECTION 16.**

9 That the above-described premises shall be used solely for the purposes of installing,
10 maintaining, repairing, replacing, inspecting, and operating said ingress and egress.

11 **SECTION 17.**

12 That Victor M. Corral shall have the right to remove or cause to be removed from said
13 easement area only such trees and bushes as may be reasonably necessary for the proper
14 operation and maintenance of said ingress and egress.

15 **SECTION 18.**

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

23 **SECTION 19.**

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

28 **SECTION 20.**

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 or
31 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 Victor M.
4 Corral shall remove or relocate its facilities to the alternate easement area at its sole cost and
5 expense, unless the State Properties Commission determines that the requested removal or
6 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
7 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 Victor M. Corral. Upon written
9 request, the State Properties Commission, in its sole discretion, may permit the relocation of
10 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 at no cost expense to the State of
12 Georgia.

13 **SECTION 21.**

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

21 **SECTION 22.**

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

27 **SECTION 23.**

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

31 **SECTION 24.**

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

SECTION 25.

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

SECTION 26.

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 27.**

That the State of Georgia is the owner of the hereinafter described real property in Burke 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 area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 28.

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 an electrical distribution line in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating an electrical distribution 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 land lots 60 and 62 in the City of Waynesboro, Burke County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown marked in yellow on a drawing prepared by Georgia Power Company, and being DWE# 303011001324 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 29.

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

SECTION 30.

1
2 That Georgia Power Company shall have the right to remove or cause to be removed from
3 said easement area only such trees and bushes as may be reasonably necessary for the proper
4 construction, operation, and maintenance of said electrical distribution line.

SECTION 31.

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

SECTION 32.

13
14 That no title shall be conveyed to Georgia Power Company, and, except as herein specifically
15 granted to Georgia Power Company, all rights, title, and interest in and to said easement area
16 are reserved to 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 Georgia
18 Power Company.

SECTION 33.

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 or
22 relocated to an alternate site on state owned land in order to avoid interference with the state's
23 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive
24 easement to allow placement of the removed or relocated facilities across the alternate site,
25 under such terms and conditions as the State Properties Commission shall in its discretion
26 determine to be in the best interests of the State of Georgia, and Georgia Power Company
27 shall remove or relocate its facilities to the alternate easement area at its sole cost and
28 expense, unless the State Properties Commission determines that the requested removal or
29 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
30 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 Georgia Power Company. Upon
32 written request, the State Properties Commission, in its sole discretion, may permit the
33 relocation of the facilities to an alternate site on state owned land so long as the removal and

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

3 **SECTION 34.**

4 That this resolution does not affect and is not intended to affect any rights, powers, interest,
5 or liability of the Department of Transportation with respect to the state highway system, of
6 a county with respect to the county road system, or of a municipality with respect to the city
7 street system. Grantee shall obtain any and all other required permits from the appropriate
8 governmental agencies as are necessary for its lawful use of the easement area or public
9 highway right of way and comply with all applicable state and federal environmental statutes
10 in its use of the easement area.

11 **SECTION 35.**

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

17 **SECTION 36.**

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

21 **SECTION 37.**

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

24 **SECTION 38.**

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

27 **SECTION 39.**

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

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

6 **SECTION 45.**

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

11 **SECTION 46.**

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

19 **SECTION 47.**

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 or
22 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 Chatham
27 County shall remove or relocate its facilities to the alternate easement area at its sole cost and
28 expense, unless the State Properties Commission determines that the requested removal or
29 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
30 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 Chatham County. Upon written
32 request, the State Properties Commission, in its sole discretion, may permit the relocation of
33 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 at no cost and expense to the State of
2 Georgia.

3 **SECTION 48.**

4 That the easement granted to Chatham County shall contain such other reasonable terms,
5 conditions, and covenants as the State Properties Commission shall deem in the best interests
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 49.**

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 interests of
12 the State of Georgia.

13 **SECTION 50.**

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

16 **SECTION 51.**

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

19 **SECTION 52.**

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

22 **ARTICLE V**

23 **SECTION 53.**

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

SECTION 54.

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

10 "That portion and that portion only as shown highlighted in yellow on a plat of survey
11 dated April 12, 2004 and revised May 12, 2004 prepared by Steve R. Waters and all being
12 on file in the offices of the State Properties Commission"

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

SECTION 55.

15
16 That the above described premises shall be used solely for the purposes of planning,
17 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
18 said sanitary sewer line.

SECTION 56.

19
20 That the City of Savannah shall have the right to remove or cause to be removed from said
21 easement area only such trees and bushes as may be reasonably necessary for the proper
22 construction, operation, and maintenance of said sanitary sewer line.

SECTION 57.

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

SECTION 58.

31
32 That no title shall be conveyed to the City of Savannah, and, except as herein specifically
33 granted to the City of Savannah, all rights, title, and interest in and to said easement area are

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

4 **SECTION 59.**

5 That this resolution does not affect and is not intended to affect any rights, powers, interest,
6 or liability of the Department of Transportation with respect to the state highway system, of
7 a county with respect to the county road system, or of a municipality with respect to the city
8 street system. Grantee shall obtain any and all other required permits from the appropriate
9 governmental agencies as are necessary for its lawful use of the easement area or public
10 highway right of way and comply with all applicable state and federal environmental statutes
11 in its use of the easement area.

12 **SECTION 60.**

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

29 **SECTION 61.**

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

SECTION 62.

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

SECTION 63.

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

SECTION 64.

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

SECTION 65.

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 VI**SECTION 66.**

That the State of Georgia is the owner of the hereinafter described real property in Douglas 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 67.

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 in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating guy wires 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 49 of the 1st district 5th section in the City of Douglasville, Douglas County, Georgia, and is more particularly described as follows:

1 "That portion and that portion only as shown in yellow on a drawing prepared by Georgia
2 Power Company and showing dimension of 45 feet by 10 feet and on file in the offices of
3 the 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 68.**

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

10 **SECTION 69.**

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

14 **SECTION 70.**

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

22 **SECTION 71.**

23 That no title shall be conveyed to Georgia Power Company, and, except as herein specifically
24 granted to Georgia Power Company, all rights, title, and interest in and to said easement area
25 are reserved to 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 Georgia
27 Power Company.

28 **SECTION 72.**

29 That this resolution does not affect and is not intended to affect any rights, powers, interest,
30 or liability of the Department of Transportation with respect to the state highway system, of
31 a county with respect to the county road system, or of a municipality with respect to the city
32 street system. Grantee shall obtain any and all other required permits from the appropriate

1 governmental agencies as are necessary for its lawful use of the easement area or public
2 highway right of way and comply with all applicable state and federal environmental statutes
3 in its use of the easement area.

4 **SECTION 73.**

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

21 **SECTION 74.**

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

27 **SECTION 75.**

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

SECTION 76.

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

SECTION 77.

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 78.

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 79.**

That the State of Georgia is the owner of the hereinafter described real property in Fulton County, and the property is in the custody of the Geo. L. Smith II Georgia World Congress Center, 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 80.

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 an overhead transmission line in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating an overhead transmission 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 Land Lot 82 of the 14th district, City of Atlanta, Fulton County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown in yellow on a plat of survey entitled 'Northwest – Davis Street Transmission Line Property of State of Georgia,' prepared by Georgia Power Company, dated June 22, 2004, 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 81.

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

SECTION 82.

5
6 That Georgia Power 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 overhead transmission line.

SECTION 83.

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

SECTION 84.

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

SECTION 85.

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

SECTION 86.

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 or
4 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 Georgia Power
9 Company 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 the
12 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 Georgia Power Company. Upon
14 written request, the State Properties Commission, in its sole discretion, may permit the
15 relocation of the facilities to an alternate site on state owned land so long as the removal and
16 relocation is paid by the party or parties requesting such removal at no cost and expense to
17 the State of Georgia.

SECTION 87.

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

SECTION 88.

24
25 That the consideration for such easement shall be for the fair market value and such further
26 consideration and provisions as the State Properties Commission may determine to be in the
27 best interests of the State of Georgia.

SECTION 89.

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

SECTION 90.

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

SECTION 91.

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 VIII**SECTION 92.**

That the State of Georgia is the owner of the hereinafter described real property in Newton 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 93.

That the State of Georgia, acting by and through its State Properties Commission, may grant to 1998 Augustus Partners, L. P., or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a storm drain in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a storm drain 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 295 of the 9th district of Newton 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 '1998 Augustus Partners, L.P.' dated December 23, 2003, and prepared by Fred Wilson Long 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 94.

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

SECTION 95.

1
2 That 1998 Augustus Partners, L. P., shall have the right to remove or cause to be removed
3 from said easement area only such trees and bushes as may be reasonably necessary for the
4 proper construction, operation, and maintenance of said storm drain.

SECTION 96.

5
6 That, after 1998 Augustus Partners, L. P., has put into use the storm drain for which this
7 easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to
8 the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,
9 and easement granted herein. Upon abandonment, 1998 Augustus Partners, L. P., or its
10 successors and assigns, shall have the option of removing its facilities from the easement area
11 or leaving the same in place, in which event the facility shall become the property of the
12 State of Georgia or its successors and assigns.

SECTION 97.

13
14 That no title shall be conveyed to 1998 Augustus Partners, L. P., and, except as herein
15 specifically granted to 1998 Augustus Partners L. P., all rights, title, and interest in and to
16 said easement area are reserved to the State of Georgia, which may make any use of said
17 easement area not inconsistent with or detrimental to the rights, privileges, and interest
18 granted to 1998 Augustus Partners, L. P.

SECTION 98.

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

SECTION 99.

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

1 its discretion determine to be in the best interests of the State of Georgia, and 1998 Augustus
2 Partners, L. P., shall remove or relocate its facilities to the alternate easement area at its sole
3 cost and expense, unless the State Properties Commission determines that the requested
4 removal or relocation is to be for the sole benefit of the State of Georgia and approves
5 payment by the State of Georgia of all or a portion of such actual cost and expense, not to
6 exceed by 20 percent the amount of a written estimate provided by 1998 Augustus Partners,
7 L. P. Upon written request, the State Properties Commission, in its sole discretion, may
8 permit the relocation of the facilities to an alternate site on state owned land so long as the
9 removal and relocation is paid by the party or parties requesting such removal at no cost and
10 expense to the State of Georgia.

11 **SECTION 100.**

12 That the easement granted to 1998 Augustus Partners, L. P., shall contain such other
13 reasonable terms, conditions, and covenants as the State Properties Commission shall deem
14 in the best interests of the State of Georgia and that the State Properties Commission is
15 authorized to use a more accurate description of the easement area, so long as the description
16 utilized by the State Properties Commission describes the same easement area herein granted.

17 **SECTION 101.**

18 That the consideration for such easement shall be for the fair market value, but not less than
19 \$650.00, and such further consideration and provisions as the State Properties Commission
20 may determine to be in the best interests of the State of Georgia.

21 **SECTION 102.**

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

24 **SECTION 103.**

25 That the authorization in this resolution to grant the above-described easement to 1998
26 Augustus Partners, L. P., shall expire three years after the date that this resolution becomes
27 effective.

28 **SECTION 104.**

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.

1

ARTICLE XI

2

SECTION 105.

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