

## House Resolution 166

By: Representative Barnard of the 166<sup>th</sup>

## A RESOLUTION

1 Authorizing the conveyance of certain state owned real property located in Brantley County,  
2 Georgia; authorizing the conveyance of certain state owned real property located in Chatham  
3 County, Georgia; authorizing the conveyance of certain state owned real property located in  
4 Cherokee County, Georgia; authorizing the leasing of certain state owned property located  
5 in Fulton County, Georgia; authorizing the conveyance of certain state owned real property  
6 located in Fulton County, Georgia; authorizing the conveyance of certain state owned real  
7 property located in Jackson County, Georgia; authorizing the conveyance of certain state  
8 owned real property located in Meriwether County, Georgia; authorizing the conveyance of  
9 certain state owned real property located in Taliaferro County, Georgia; authorizing the  
10 conveyance of certain state owned real property located in Troup County, Georgia;  
11 authorizing the conveyance of certain state owned real property located in Union County,  
12 Georgia; authorizing the conveyance of certain state owned property located in Hamilton  
13 County, Tennessee; to repeal conflicting laws; and for other purposes.

## 14 WHEREAS:

- 15 (1) The State of Georgia is the owner of two certain parcels of real property located in  
16 Brantley County, Georgia;
- 17 (2) Said real property are all those tracts or parcels of land lying and being in land lots  
18 127 and 128 of the 9th district of Brantley County and containing a total of approximately  
19 137.08 acres as shown on a plat of survey prepared by Everett Tomberlin, Georgia  
20 Registered Land Surveyor #2922, dated February 20, 2004, and being on file in the  
21 offices of the State Properties Commission, and may be more particularly described on  
22 a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the  
23 State Properties Commission for approval;
- 24 (3) Said parcels are a portion of Dixon Memorial State Forest, now under the custody of  
25 the Georgia Forestry Commission;
- 26 (4) The Axson Timber Company has agreed to convey five parcels containing a total of  
27 approximately 102.8 acres constituting inholdings within Dixon Memorial State Forest  
28 in exchange for the above-described state owned parcels;

1 (5) It has been determined that the value of the property to be conveyed to Axson Timber  
2 Company is greater than the value of the property to be acquired by the state and Axson  
3 Timber Company has agreed to compensate the state for the difference in values;

4 (6) The Georgia Forestry Commission by Resolution dated August 11, 2004,  
5 recommended the exchange of the above-described properties; and

6 WHEREAS:

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

9 (2) Said real property is all that tract or parcel of land lying and being in the 8th GMD  
10 of Chatham County consisting of 1.619 acres as shown on a plat of survey dated March  
11 7, 1997, and prepared by Lamar O. Reddick, Georgia Registered Land Surveyor #1387,  
12 and being on file in the offices of the State Properties Commission, and may be more  
13 particularly described on a plat of survey prepared by a Georgia Registered Land  
14 Surveyor and presented to the State Properties Commission for approval;

15 (3) Said property is under the custody of the Department of Technical and Adult  
16 Education and has been the location of the Quick Start program;

17 (4) The Department of Technical and Adult Education has relocated its Savannah Quick  
18 Start program to the Savannah Tech Crossroads Building and no longer has a need for the  
19 above-described property;

20 (5) It would be in the best interest of the State of Georgia to sell the above-described  
21 property by competitive bid; and

22 WHEREAS:

23 (1) The State of Georgia is the owner of a certain parcel of real property located in  
24 Cherokee County, Georgia;

25 (2) Said real property is all that tract or parcel of land lying and being in land lot 159 of  
26 the 14th district, 2nd section of Cherokee County, containing approximately 1.50 acres  
27 as described on that certain deed of conveyance to the State of Georgia being recorded  
28 as real property record number 004616 and being on file in the offices of the State  
29 Properties Commission and may be more particularly described on a plat of survey  
30 prepared by a Georgia Registered Land Surveyor and presented to the State Properties  
31 Commission for approval;

32 (3) Said property is under the custody of the Department of Public Safety and was used  
33 as a state patrol post;

34 (4) The Department of Public Safety has relocated the activities performed on the  
35 above-described property and has declared the property surplus;

1 (5) The above-described property was conveyed to the state in 1962 by Cherokee County  
2 for the consideration of \$10.00 with the provision that if the property ever ceased being  
3 used as a state patrol post the property would revert;

4 (6) Cherokee County is desirous of having the state convey its interest in the property  
5 back to the county; and

6 WHEREAS:

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

9 (2) Said real property is all that tract or parcel of land lying and being in land lot 22 of  
10 the 14th district of Fulton County, Georgia and containing 0.51 of one acre and is more  
11 particularly described on a plat of survey identified as tract "B" dated September 13,  
12 2004, and prepared by Scott L. Reece, Georgia, registered land surveyor #2648 and being  
13 on file in the offices of the State Properties Commission, and may be more particularly  
14 described on a plat of survey prepared by a Georgia Registered Land Surveyor and  
15 presented to the State Properties Commission for approval;

16 (3) Said property is under the custody of the Department of Defense and is a portion of  
17 the parking lot of the National Guard Armory located at Charlie Brown Airport;

18 (4) Brown Jet Center, Inc., a subsidiary of Home Depot, Inc., is located adjacent to the  
19 above-mentioned National Guard Armory;

20 (5) Brown Jet Center, Inc. is desirous of leasing the above-described 0.51 of one acre  
21 parcel of property in order to expand its facilities;

22 (6) The Department of Defense has reviewed the proposal by Brown Jet Center, Inc., and  
23 has declared the above-described property surplus to the needs of the department; and

24 WHEREAS:

25 (1) The State of Georgia is the owner of a certain parcel of real property located in  
26 Fulton County, Georgia;

27 (2) Said real property is all that tract or parcel of land lying and being in land lot 75 of  
28 the 14th District of Fulton County, Georgia containing 0.354 of one acre and being more  
29 particularly described on a plat of survey prepared by Perry E. McClung, Georgia  
30 Registered Land Surveyor #1541 dated June 1, 2000, and being on file in the offices of  
31 the State Properties Commission and may be more particularly described on a plat of  
32 survey prepared by a Georgia Registered Land Surveyor and presented to the State  
33 Properties Commission for approval;

34 (3) Said property was conveyed in error to the State of Georgia rather than the Georgia  
35 Department of Transportation by the City of Atlanta in 1982 for use in a highway project;

1 (4) Said property was sold by the Department of Transportation in 1993 to Habitat for  
2 Humanity for a consideration of \$7,000.00;

3 (5) Habitat for Humanity is desirous of acquiring the State of Georgia's interest in the  
4 above-described property in order to remove the cloud from the title;

5 (6) The Department of Transportation endorses the conveyance of the State of Georgia's  
6 interest in the above-described property to Habitat for Humanity; and

7 WHEREAS:

8 (1) The State of Georgia is the owner of a certain parcel of real property located in  
9 Jackson County, Georgia;

10 (2) Said real property is all that tract or parcel of land lying and being in the 245th GMD  
11 of Jackson County, Georgia and containing approximately 1 acre as described on that  
12 certain deed of conveyance from Jackson County to the State of Georgia being real  
13 property record #004448, and being on file in the offices of the State Properties  
14 Commission and may be more particularly described on a plat of survey prepared by a  
15 Georgia Registered Land Surveyor and presented to the State Properties Commission for  
16 approval;

17 (3) Said property is the former location of the Georgia Forestry Commission Jackson  
18 County unit office;

19 (4) The Georgia Forestry Commission has consolidated the activities of the above  
20 mentioned Jackson County unit office with the Barrow, Clarke, and Oconee County units  
21 and has declared the above-described property surplus to the needs of the commission;

22 (5) The above-described property was conveyed to the state in 1956 by Jackson County  
23 for a consideration of \$1.00;

24 (6) The above-described property is surrounded on three sides by property owned by the  
25 Jackson County Board of Education and said Board of Education is desirous of acquiring  
26 the above-described property for public purpose; and

27 WHEREAS:

28 (1) The State of Georgia is the owner of a certain parcel of real property located in  
29 Meriwether County, Georgia;

30 (2) Said real property is all those tracts or parcels of land lying and being in land lot 243  
31 of the 2nd district of Meriwether County and containing approximately 1.39 acres as  
32 shown on a plat of survey prepared by J. H. Smith, Georgia Registered Land Surveyor  
33 #777, dated June 2, 1955, and also containing approximately 1 acre as shown on a plat  
34 of survey prepared by Clarence O. Kilby, Georgia Registered Land Surveyor #1472,  
35 dated July 20, 1978, all being on file in the offices of the State Properties Commission,

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

4 (3) Said property is the former location of the Department of Natural Resources  
5 Meriwether County regional office;

6 (4) The Department of Natural Resources has consolidated certain of its locations and  
7 activities and has now closed the Meriwether County site and has declared the property  
8 surplus to the needs of the department;

9 (5) The City of Manchester conveyed the above-described property to the state in 1973  
10 for a consideration of \$1.00;

11 (6) The City of Manchester is desirous of acquiring the above-described property for  
12 public purposes; and

13 WHEREAS:

14 (1) The State of Georgia is the owner of certain parcels of real property located in  
15 Taliaferro County, Georgia;

16 (2) Said real property is all that tract or parcel of land lying and being in the 601st GMD  
17 of Taliaferro County and containing approximately 1.15 acres as shown on a plat of  
18 survey entitled "Georgia Forestry Commission" as prepared by T. Larry Rachels, Georgia  
19 Registered Land Surveyor #1730, dated April 9, 1981, and being on file in the offices of  
20 the State Properties Commission and may be more particularly described on a plat of  
21 survey prepared by a Georgia Registered Land Surveyor and presented to the State  
22 Properties Commission for approval;

23 (3) Said property is the location of the Georgia Forestry Commission Taliaferro County  
24 unit;

25 (4) The Georgia Forestry Commission no longer has a need for the office unit at this  
26 location but will still require a tower site;

27 (5) The Georgia Forestry Commission acquired the above-described property in 1982  
28 from Melissa G. Walker and Lucy G. Hughes for a consideration of \$1.00;

29 (6) Taliaferro County is desirous of acquiring the above-described property for public  
30 purpose; and

31 WHEREAS:

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

34 (2) Said real property is all that tract or parcel of land lying and being in land lots 201  
35 and 202 of the 6th district of Troup County and containing approximately 2.62 acres as

1 shown on a plat of survey prepared by J. Hugh Camp, Georgia Registered Land Surveyor  
2 # 939, and dated December 27, 2004, and being on file in the offices of the State  
3 Properties Commission, and may be more particularly described on a plat of survey  
4 prepared by a Georgia Registered Land Surveyor and presented to the State Properties  
5 Commission for approval;

6 (3) Said property is a portion of Georgia State Patrol Post 2 located in the City of  
7 LaGrange which was acquired in 1973 from Troup County for a consideration of \$1.00;

8 (4) Said property contains a partially developed firing range which is currently unusable  
9 and abandoned;

10 (5) Troup County is desirous of acquiring the above-described property in order to  
11 construct a firing range and training area to be used by both local and state law  
12 enforcement officers;

13 (6) The Board of Public Safety at its December 9, 2004, meeting recommended the  
14 conveyance of the above-described property to Troup County for the construction of a  
15 firing range and training area; and

16 WHEREAS:

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

19 (2) Said real property is all that tract or parcel of land lying and being in land lot 302 of  
20 the 9th district 1st section of Union County and containing approximately 0.114 acres as  
21 shown on a plat of survey prepared by James L. Alexander, Georgia Registered Land  
22 Surveyor #2653, dated February 16, 1999, and being on file in the offices of the State  
23 Properties Commission, and may be more particularly described on a plat of survey  
24 prepared by a Georgia Registered Land Surveyor and presented to the State Properties  
25 Commission for approval;

26 (3) Said property is a portion of the campus of the Union County Satellite Center of  
27 North Georgia Technical College;

28 (4) The Department of Technical and Adult Education placed a 500 gallon,  
29 above-ground propane tank and pad at a location on the campus too close to the adjoining  
30 property owner, Union County, in violation of state code;

31 (5) Union County has agreed to convey a 0.114 acre parcel adequate enough to bring the  
32 above-mentioned propane tank and pad within state code in exchange for the  
33 above-described state owned property;

34 (6) The Department of Technical and Adult Education at its January 7, 1999, meeting  
35 approved the above-mentioned exchange; and

1 WHEREAS:

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

4 (2) Said real property is all that tract or parcel of land lying and being in the City of  
5 Chattanooga, Tennessee, and being a portion the Western and Atlantic Railroad right of  
6 way and consists of parcel 1 and parcel 7 as shown on Western and Atlantic Railroad  
7 Valuation map V3/3 and V/4 and being on file in the offices of the State Properties  
8 Commission, and may be more particularly described on a plat of survey prepared by a  
9 Georgia Registered Land Surveyor and presented to the State Properties Commission for  
10 approval;

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

12 (4) It has been determined that the above-described property is no longer needed for the  
13 operation of the Western and Atlantic Railroad and is therefore surplus to the needs of  
14 the State.

15 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL  
16 ASSEMBLY OF GEORGIA:

17 **ARTICLE I**

18 **SECTION 1.**

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

22 **SECTION 2.**

23 That the above-described 137.08 acre tracts of real property may be conveyed to Axson  
24 Timber Company by the State of Georgia, acting by and through its State Properties  
25 Commission, in exchange for five parcels containing a total of 102.87 owned by Axson  
26 Timber Company with the difference in values of the respective properties to be paid to the  
27 state by Axson Timber Company and such further consideration and provisions as the State  
28 Properties Commission shall in its discretion determine to be in the best interest of the State  
29 of Georgia.

30 **SECTION 3.**

31 That the authorization in this resolution to exchange the above-described properties shall  
32 expire five years after the date that this resolution becomes effective.



**SECTION 11.**

That the deed of conveyance 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 12.**

That custody of the above-described property shall remain in the Department of Technical and Adult Education until the property is sold.

**ARTICLE III****SECTION 13.**

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

**SECTION 14.**

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

**SECTION 15.**

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

**SECTION 16.**

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

**SECTION 17.**

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

**SECTION 18.**

That custody of the above-described property shall remain in the Department of Public Safety until the property is conveyed.

**ARTICLE IV****SECTION 19.**

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

**SECTION 20.**

That the above-described 0.51 of one acre parcel of property may be leased to Brown Jet Center, Inc. by the State of Georgia, acting by and through its State Properties Commission, for a consideration of the fair market value and for a term of ten years with four extensions of ten years each at lessee's option and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

**SECTION 21.**

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

**SECTION 22.**

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

**SECTION 23.**

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

**SECTION 24.**

That custody of the above-described property shall remain in the Department of Defense until the property is leased.



1 purpose and such further consideration and provisions as the State Properties Commission  
2 shall in its discretion determine to be in the best interest of the State of Georgia.

3 **SECTION 32.**

4 That the authorization in this resolution to convey the above-described property to the  
5 Jackson County Board of Education shall expire three years after the date that this resolution  
6 becomes effective.

7 **SECTION 33.**

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

10 **SECTION 34.**

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

13 **SECTION 35.**

14 That custody of the property will remain in the Georgia Forestry Commission until the  
15 property is conveyed.

16 **ARTICLE VII**

17 **SECTION 36.**

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

21 **SECTION 37.**

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

27 **SECTION 38.**

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

**SECTION 39.**

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

**SECTION 40.**

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

**SECTION 41.**

That custody of the above-described property shall remain in the Department of Natural Resources until the property is conveyed to the City of Manchester.

**ARTICLE VIII****SECTION 42.**

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

**SECTION 43.**

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

**SECTION 44.**

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

**SECTION 45.**

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

**SECTION 46.**

1

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

**SECTION 47.**

5

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

**ARTICLE IX**

8

**SECTION 48.**

9

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

**SECTION 49.**

13

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

**SECTION 50.**

19

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

**SECTION 51.**

22

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

**SECTION 52.**

25

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

**SECTION 53.**

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

**ARTICLE X****SECTION 54.**

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

**SECTION 55.**

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

**SECTION 56.**

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

**SECTION 57.**

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

**SECTION 58.**

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

**SECTION 59.**

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

