

## 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

**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, 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.**

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

**SECTION 7.**

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

**SECTION 8.**

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. 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 area.

**SECTION 9.**

That the easement granted to Alltel Communications shall contain such other reasonable 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.

Said easement area is located in land lot 227 of the 10th district of Banks 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 June 29, 2000, prepared by Samuel L. Duvald 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 16.**

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

#### **SECTION 17.**

That Victor M. Corral 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 ingress and egress.

#### **SECTION 18.**

That, after Victor M. Corral has put into use the ingress and egress 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, Victor M. Corral, or his successors and assigns, shall have the option of removing his facilities from the easement area or leaving the same in place, in which event the easement shall become the property of the State of Georgia or its successors and assigns.

#### **SECTION 19.**

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

#### **SECTION 20.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the 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.**

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 construction, operation, and maintenance of said electrical distribution line.

**SECTION 31.**

That, after Georgia Power Company has put into use the electrical distribution 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, Georgia Power Company, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

**SECTION 32.**

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

**SECTION 33.**

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

**ARTICLE IV****SECTION 40.**

That the State of Georgia is the owner of the hereinafter described real property in Chatham County, and the property is in the custody of the Department of Human 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 41.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Chatham County, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a drainage facility on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a drainage facility 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 6th GMD of Chatham County, Georgia, and is more particularly described as follows:

"Those portions and those portions only as shown in yellow on a Department of Transportation right of way map being sheets 11, 11a and 16 of project NH-171-1(4) prepared by Jordan, Jones and Goulding, dated January 7, 2000 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 42.**

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

**SECTION 43.**

That Chatham 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 drainage facility.

**SECTION 44.**

That, after Chatham County puts into use the drainage facility 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, Chatham County, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

#### **SECTION 45.**

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

#### **SECTION 46.**

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. 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 area.

#### **SECTION 47.**

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

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Savannah, 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 purposes 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 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 8th GMD of Chatham County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown highlighted in yellow on a plat of survey dated April 12, 2004 and revised May 12, 2004 prepared by Steve R. Waters 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 55.**

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

**SECTION 56.**

That the City of Savannah 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 sanitary sewer line.

**SECTION 57.**

That, after the City of Savannah 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, the City of Savannah, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

**SECTION 58.**

That no title shall be conveyed to the City of Savannah, and, except as herein specifically 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.**

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

**SECTION 82.**

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 construction, operation, and maintenance of said overhead transmission line.

**SECTION 83.**

That, after Georgia Power Company has put into use the overhead transmission 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, Georgia Power Company, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

**SECTION 84.**

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

**SECTION 85.**

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system of a county with respect to the county road system, or of a municipality with respect to the city street system. 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 area.

**SECTION 86.**

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

**SECTION 87.**

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

**SECTION 88.**

That the consideration for such easement shall be for the fair market value 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 89.**

That this grant of easement 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 90.**

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 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.**

That 1998 Augustus Partners, L. P., 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 storm drain.

**SECTION 96.**

That, after 1998 Augustus Partners, L. P., has put into use the storm drain 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, 1998 Augustus Partners, L. P., or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

**SECTION 97.**

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

**SECTION 98.**

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. 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 area.

**SECTION 99.**

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

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

#### **SECTION 100.**

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

#### **SECTION 101.**

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 interests of the State of Georgia.

#### **SECTION 102.**

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

#### **SECTION 103.**

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

#### **SECTION 104.**

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.

1

ARTICLE XI

2

SECTION 105.

3

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