05 LC 18 4152

House Resolution 239

By: Representatives Manning of the 32nd, Ehrhart of the 36th, Tumlin of the 38th, Cooper of the 41st, Teilhet of the 40th, and others

A RESOLUTION

- 1 Authorizing the conveyance of certain State owned real property located in Cobb County,
- 2 Georgia; to repeal conflicting laws; and for other purposes.
- 3 WHEREAS, the State of Georgia is the owner of certain parcels of real property located in
- 4 Cobb County, Georgia; and
- 5 WHEREAS, said real property are all those tracts or parcels of land lying and being in the
- 6 63rd land lot, 20th district, 2nd section of Cobb County and containing approximately 2.7
- 7 acres and shown as parcel 4 and parcel 6 on Western and Atlantic Railroad valuation map
- 8 page V2/13 depicting the right of way from approximately milepost 30 to milepost 32, and
- 9 on file in the offices of the State Properties Commission, and may be more particularly
- described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented
- 11 to the State Properties Commission for approval; and
- 12 WHEREAS, said property is under the custody of the State Properties Commission and is
- 13 a portion of the Western and Atlantic Railroad right of way leased to CSX Transportation;
- 14 and
- 15 WHEREAS, it has been determined by the State Properties Commission that one or more
- 16 entities may have encroached and built structures on the above described State owned
- 17 property; and
- 18 WHEREAS, pursuant to the above mentioned lease agreement, CSX Transportation is to
- 19 work jointly with the State Properties Commission to resolve the above-mentioned
- 20 encroachment.
- 21 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
- 22 ASSEMBLY OF GEORGIA:

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SECTION 1.

2 That the State of Georgia is the owner of the above described Cobb County real property and

- 3 that in all matters relating to the resolving of an encroachment or encroachments on the real
- 4 property the State of Georgia is acting by and through its State Properties Commission.
- 5 SECTION 2.
- 6 That the above mentioned encroachment or encroachments to the real property have been
- 7 conveyed to individual citizen homeowners and said encroachment or encroachments may
- 8 be appropriately resolved by the conveyance of the property to an individual or individuals,
- 9 entity or entities, or their successors and assigns upon terms, conditions, and consideration
- 10 as determined by the State Properties Commission to be in the best interest of the State of
- 11 Georgia.
- SECTION 3.
- 13 That the authorization in this resolution to resolve the above described property
- 14 encroachment shall expire five years after the date that this resolution becomes effective.
- SECTION 4.
- 16 That the State Properties Commission is authorized and empowered to do all acts and things
- 17 necessary and proper to effect the resolving of the encroachment or encroachments.
- 18 SECTION 5.
- 19 That any deeds of conveyance relative to resolving the encroachment or encroachments shall
- 20 be recorded by the Grantee or Grantees in the Superior Court of Cobb County and a recorded
- 21 copy shall be forwarded to the State Properties Commission.
- SECTION 6.
- 23 That all laws and parts of laws in conflict with this resolution are repealed.