

House Resolution 1259 (AS PASSED HOUSE AND SENATE)

By: Representative Barnard of the 166th

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 Bryan, Camden, Charlton, Chatham, Clarke,
4 Coweta, Douglas, Glynn, Grady, Muscogee, and Whitfield counties, Georgia; to repeal
5 conflicting laws; and for other purposes.

6 WHEREAS, the State of Georgia is the owner of certain real property located in Bryan,
7 Camden, Charlton, Chatham, Clarke, Coweta, Douglas, Glynn, Grady, Muscogee, and
8 Whitfield counties, Georgia; and

9 WHEREAS, Terry L. Hall, the Unified Government of Athens-Clarke County, Georgia
10 Power Company, Greystone Power Corporation, the City of Cairo, the Columbus
11 Consolidated Government, Southern Natural Gas Company, and North Georgia Electric
12 Membership Corporation desire to operate and maintain facilities, utilities, and ingress and
13 egress in, on, over, under, upon, across, or through a portion of said property; and

14 WHEREAS, these facilities, utilities, and ingress and egress in, on, over, under, upon, across,
15 or through the above-described state property have been requested and/or approved by the
16 Department of Natural Resources, Department of Agriculture, Department of Technical and
17 Adult Education, and State Properties Commission with respect to the property under the
18 jurisdiction of their respective departments.

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

1 the option of removing their facilities from the easement area or leaving the same in place,
2 in which event the ingress and egress shall become the property of the State of Georgia, or
3 its successors and assigns.

4 **SECTION 6.**

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

9 **SECTION 7.**

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

26 **SECTION 8.**

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

SECTION 9.

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

SECTION 10.

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8 That the consideration for such easement shall be for the fair market value, but not less than
9 \$650.00 and such further consideration and provisions as the State Properties Commission
10 may determine to be in the best interests of the State of Georgia.

SECTION 11.

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

SECTION 12.

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15 That the authorization in this resolution to grant the above-described easement to Terry L.
16 Hall shall expire three years after the date that this resolution becomes effective.

SECTION 13.

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

ARTICLE II

20

SECTION 14.

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

SECTION 15.

26

27 That the State of Georgia, acting by and through its State Properties Commission, may grant
28 to the Unified Government of Athens-Clarke County, Georgia, or its successors and assigns,
29 a nonexclusive easement for the operation and maintenance of ingress and egress in, on,
30 over, under, upon, across, or through the easement area for the purpose of ingress and egress

1 together with the right of ingress and egress over adjacent land of the State of Georgia as
2 may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is
3 located at 2188 W. Broad Street, Athens-Clarke County, Georgia, and is more particularly
4 described as follows:

5 "That portion and that portion only as shown in yellow on a plat of survey dated January
6 18, 2006, prepared by J. R. Holland and on file in the offices of the State Properties
7 Commission, and may be more particularly described by a plat of survey prepared by a
8 Georgia Registered Land Surveyor and presented to the State Properties Commission for
9 approval."

10 **SECTION 16.**

11 That the above-described premises shall be used solely for the purpose of ingress and egress.

12 **SECTION 17.**

13 That the Unified Government of Athens-Clarke County, Georgia shall have the right to
14 remove or cause to be removed from said easement area only such trees and bushes as may
15 be reasonably necessary for the proper operation and maintenance of said ingress and egress.

16 **SECTION 18.**

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

25 **SECTION 19.**

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

SECTION 20.

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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 the Unified
9 Government of Athens-Clarke County, Georgia shall remove or relocate its facilities to the
10 alternate easement area at its sole cost and expense, unless the State Properties Commission
11 determines that the requested removal or relocation is to be for the sole benefit of the State
12 of Georgia and approves payment by the State of Georgia of all or a portion of such actual
13 cost and expense, not to exceed by 20 percent the amount of a written estimate provided by
14 the Unified Government of Athens-Clarke County, Georgia. Upon written request, the State
15 Properties Commission, in its sole discretion, may permit the relocation of the facilities to
16 an alternate site on state owned land so long as the removal and relocation is paid by the
17 party or parties requesting such removal and at no cost and expense to the State of Georgia.

SECTION 21.

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

SECTION 22.

26
27 That the easement granted to the Unified Government of Athens-Clarke County, Georgia
28 shall contain such other reasonable terms, conditions, and covenants as the State Properties
29 Commission shall deem in the best interests of the State of Georgia and that the State
30 Properties Commission is authorized to use a more accurate description of the easement area,
31 so long as the description utilized by the State Properties Commission describes the same
32 easement area herein granted.

SECTION 23.

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 24.

That this grant of easement shall be recorded by the grantee in the Superior Court of Clarke 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 the Unified Government of Athens-Clarke County, Georgia 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 Coweta County, and is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area," and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 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 purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating an electrical distribution line together with the right of ingress or 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 112, 113, 116, 117, 132, 133, 139, 140, 155, 156, 161, and 176 of the 4th District, Coweta County, Georgia, and is more particularly described as follows:

1 "That portion and that portion only as shown marked in yellow on a drawing prepared by
2 Georgia Power Company and being titled "Plant Yates Transmission Line", additional
3 easement to be acquired crossing the property of Georgia Department of Natural
4 Resources, and on file in the offices of the State Properties Commission and may be more
5 particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor
6 and presented to the State Properties Commission for approval."

7 **SECTION 29.**

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

11 **SECTION 30.**

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

15 **SECTION 31.**

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

23 **SECTION 32.**

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

29 **SECTION 33.**

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

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

14 **SECTION 34.**

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

22 **SECTION 35.**

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

28 **SECTION 36.**

29 That the consideration for such easement shall be for \$10.00 and the acknowledgment that
30 Georgia Power Company conveyed 564 acres to the State of Georgia for a consideration of
31 \$10.00, a portion of which the herein described easement traverses, and such further
32 consideration and provisions as the State Properties Commission may determine to be in the
33 best interests of the State of Georgia.

SECTION 37.

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

SECTION 38.

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 39.

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 IV**SECTION 40.**

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

SECTION 41.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Greystone Power Corporation, 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 lot 882, 13th District, 2nd Section, Douglas 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 Greystone Power Corporation, and attached as EXHIBIT "A" to that certain revocable license agreement dated June 15, 2005 and designated as real property record #10115, 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 42.

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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 electrical distribution line.

SECTION 43.

5
6 That Greystone Power Corporation shall have the right to remove or cause to be removed
7 from said easement area only such trees and bushes as may be reasonably necessary for the
8 proper construction, operation, and maintenance of said electrical distribution line.

SECTION 44.

9
10 That after the Greystone Power Corporation has put into use the electrical distribution line
11 for which this easement is granted, a subsequent abandonment of the use thereof shall cause
12 a 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, Greystone Power
14 Corporation, or its successors and assigns, shall have the option of removing its facilities
15 from the easement area or leaving the same in place, in which event the facility shall be the
16 property of the State of Georgia, or its successors and assigns.

SECTION 45.

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

SECTION 46.

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

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

7 **SECTION 47.**

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

15 **SECTION 48.**

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

21 **SECTION 49.**

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

25 **SECTION 50.**

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

28 **SECTION 51.**

29 That the authorization in this resolution to grant the above-described easement to Greystone
30 Power Corporation shall expire three years after the date that this resolution becomes
31 effective.

SECTION 52.

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

ARTICLE V**SECTION 53.**

That the State of Georgia is the owner of the hereinafter described real property in Grady 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 54.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Cairo, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of utilities on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating utilities 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 381 and 20, 17th and 18th Land District, Grady County, Georgia, and are more particularly described as follows:

"That portion and that portion only as shown highlighted in yellow on a plat of survey dated October 1, 2003 prepared by Larry W. Grogan 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 utilities.

SECTION 56.

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

SECTION 57.

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

SECTION 58.

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

SECTION 59.

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

SECTION 60.

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

SECTION 61.

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

SECTION 62.

15

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

SECTION 63.

19

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

SECTION 64.

22

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

SECTION 65.

25

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

SECTION 70.

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

SECTION 71.

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

SECTION 72.

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

SECTION 73.

32
33 That this resolution does not affect and is not intended to affect any rights, powers, interest,
34 or liability of the Department of Transportation with respect to the state highway system, a

1 county with respect to the county road system, or a municipality with respect to the city street
2 system. Grantee shall obtain any and all other required permits from the appropriate
3 governmental agencies as are necessary for its lawful use of the easement area or public
4 highway right of way and comply with all applicable state and federal environmental statutes
5 in its use of the easement area.

6 **SECTION 74.**

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

13 **SECTION 75.**

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

17 **SECTION 76.**

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

21 **SECTION 77.**

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

25 **SECTION 78.**

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

1 ARTICLE VII

2 SECTION 79.

3 That the State of Georgia is the owner of the hereinafter described real property in Bryan,
4 Camden, Charlton, Chatham, and Glynn counties, and is in the custody of the Department
5 of Natural Resources, hereinafter referred to as the "easement area," and that, in all matters
6 relating to the easement area, the State of Georgia is acting by and through its State
7 Properties Commission.

8 SECTION 80.

9 That the State of Georgia, acting by and through its State Properties Commission, may grant
10 to Southern Natural Gas Company, or its successors and assigns, a nonexclusive easement
11 for the construction, operation, and maintenance of a natural gas pipeline in, on, over, under,
12 upon, across, or through the easement area for the purposes of constructing, erecting,
13 installing, maintaining, repairing, replacing, inspecting, and operating a natural gas pipeline
14 together with the right of ingress or egress over adjacent land of the State of Georgia as may
15 be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located
16 on state property known as creek or river bottoms of St. Augustine Creek and the Ogeechee,
17 Little Satilla, St. Marys, and Satilla Rivers and/or tidally influenced lands near these waters
18 and manages a state owned scenic easement along the Altamaha River in Glynn County,
19 Georgia, and is more particularly described as outlined in yellow on a drawing prepared by
20 Southern Natural Gas Company and being titled "Proposed Cypress Pipeline Crossings Over
21 State Lands and Tidal Areas", and on file in the offices of the State Properties Commission
22 and may be more particularly described by a plat of survey prepared by a Georgia Registered
23 Land Surveyor and presented to the State Properties Commission for approval.

24 SECTION 81.

25 That the above-described premises shall be used solely for the purposes of constructing,
26 erecting, installing, maintaining, repairing, replacing, inspecting, and operating said natural
27 gas pipeline.

28 SECTION 82.

29 That Southern Natural Gas Company shall have the right to remove or cause to be removed
30 from said easement area only such trees and bushes as may be reasonably necessary for the
31 proper construction, operation, and maintenance of said natural gas pipe line.

SECTION 83.

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

SECTION 84.

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

SECTION 85.

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

SECTION 86.

32
33 That this resolution does not affect and is not intended to affect any rights, powers, interests,
34 or liability of the Department of Transportation with respect to the state highway system, a

1 county with respect to the county road system, or a municipality with respect to the city street
2 system. Grantee shall obtain any and all other required permits from the appropriate
3 governmental agencies as are necessary for its lawful use of the easement area or public
4 highway right of way and comply with all applicable state and federal environmental statutes
5 in its use of the easement area.

6 **SECTION 87.**

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

12 **SECTION 88.**

13 That the consideration for such easement shall be for not less than the fair market value and
14 such further consideration and provisions as the State Properties Commission may determine
15 to be in the best interests of the State of Georgia.

16 **SECTION 89.**

17 That this grant of easement shall be recorded by the grantee in the Superior Courts of Bryan,
18 Camden, Charlton, Chatham, and Glynn counties and a recorded copy shall be forwarded to
19 the State Properties Commission.

20 **SECTION 90.**

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

24 **SECTION 91.**

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

27 **ARTICLE VIII**

28 **SECTION 92.**

29 That the State of Georgia is the owner of the hereinafter described real property in Whitfield
30 County, and the property is in the custody of the State Properties Commission, 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 the State Properties Commission.

3 **SECTION 93.**

4 That the State of Georgia, acting by and through its State Properties Commission, may grant
5 to North Georgia Electric Membership Corporation, or its successors and assigns, a
6 nonexclusive easement for the construction, operation, and maintenance of an electrical
7 distribution line in, on, over, under, upon, across, or through the easement area for the
8 purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting,
9 and operating an electrical distribution line together with the right of ingress and egress over
10 adjacent land of the State of Georgia as may be reasonably necessary to accomplish the
11 aforesaid purposes. Said easement area is located in land lot 230, 13th District, 3rd Section,
12 Whitfield County, Georgia, and is more particularly described as follows:

13 "That portion and that portion only as shown marked in yellow on a drawing prepared by
14 North Georgia Electric Membership Corporation, and being on file in the offices of the
15 State Properties Commission, and may be more particularly described by a plat of survey
16 prepared by a Georgia Registered Land Surveyor and presented to the State Properties
17 Commission for approval."

18 **SECTION 94.**

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

22 **SECTION 95.**

23 That North Georgia Electric Membership Corporation shall have the right to remove or cause
24 to be removed from said easement area only such trees and bushes as may be reasonably
25 necessary for the proper construction, operation, and maintenance of said electrical
26 distribution line.

27 **SECTION 96.**

28 That, after North Georgia Electric Membership Corporation has put into use the electrical
29 distribution line for which this easement is granted, a subsequent abandonment of the use
30 thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the
31 rights, title, privileges, powers, and easement granted herein. Upon abandonment, North
32 Georgia Electric Membership Corporation, or its successors and assigns, shall have the
33 option of removing its facilities from the easement area or leaving the same in place, in

1 which event the facility shall be the property of the State of Georgia, or its successors and
2 assigns.

3 **SECTION 97.**

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

9 **SECTION 98.**

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

26 **SECTION 99.**

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

SECTION 100.

1

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

SECTION 101.

8

9 That the consideration for such easement shall be the fair market value, but not less than
10 \$650.00, and such further consideration and provisions as the State Properties Commission
11 may determine to be in the best interests of the State of Georgia.

SECTION 102.

12

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

SECTION 103.

16

17 That the authorization in this resolution to grant the above-described easement to North
18 Georgia Electric Membership Corporation shall expire three years after the date that this
19 resolution becomes effective.

SECTION 104.

20

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

ARTICLE IX

23

SECTION 105.

24

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