

House Resolution 279

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

## 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 Candler, Cobb, Dawson, Douglas, Fulton, Grady,  
 4 and Muscogee 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 Candler,  
 6 Cobb, Dawson, Douglas, Fulton, Grady, and Muscogee counties, Georgia; and

7 WHEREAS, the City of Metter, Cobb County, City of Smyrna, Georgia Transmission  
 8 Corporation, Connexion Technologies, Inc., Georgia Power Company, CNN Center  
 9 Ventures, City of Atlanta, City of Cairo, and City of Columbus desire to operate and  
 10 maintain facilities, utilities, and ingress and egress in, on, over, under, upon, across, or  
 11 through a portion of said property; and

12 WHEREAS, these facilities, utilities, and ingress and egress in, on, over, under, upon, across,  
 13 or through the above-described state property have been requested, approved, or both, by the  
 14 Georgia Department of Defense, State Properties Commission, Georgia Forestry  
 15 Commission, Department of Natural Resources, and the Department of Economic  
 16 Development on behalf of the Georgia World Congress Center Authority.

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

19 ARTICLE I

20 SECTION 1.

21 That the State of Georgia is the owner of the hereinafter described real property in Candler  
 22 County, and the property is in the custody of the Georgia Department of Defense, hereinafter

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

25 **SECTION 2.**

26 That the State of Georgia, acting by and through its State Properties Commission, may grant  
27 to the City of Metter, or its successors and assigns, a nonexclusive easement for the  
28 construction, operation, and maintenance of a sanitary sewer line in, on, over, under, upon,  
29 across, or through the easement area for the purpose of constructing, erecting, installing,  
30 maintaining, repairing, replacing, inspecting, and operating a sanitary sewer line together  
31 with the right of ingress and egress over adjacent land of the State of Georgia as may be  
32 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located  
33 in the City of Metter, Candler County, Georgia, and is more particularly described as  
34 follows:

35 "That 0.275 acre portion and that portion only as shown highlighted in yellow on a  
36 plat of survey dated April 16, 2008, prepared by Donald Marsh and Associates  
37 surveyor, and all being on file in the offices of the State Properties Commission,"  
38 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
39 Land Surveyor and presented to the State Properties Commission for approval.

40 **SECTION 3.**

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

44 **SECTION 4.**

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

48 **SECTION 5.**

49 That, after the City of Metter has put into use the sanitary sewer line for which this easement  
50 is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State  
51 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
52 easement granted herein. Upon abandonment, the City of Metter, or its successors and  
53 assigns, shall have the option of removing its facilities from the easement area or leaving the  
54 same in place, in which event the facility shall become the property of the State of Georgia,  
55 or its successors and assigns.

56

**SECTION 6.**

57 That no title shall be conveyed to the City of Metter, and, except as herein specifically  
58 granted to the City of Metter, all rights, title, and interest in and to said easement area is  
59 reserved in the State of Georgia, which may make any use of said easement area not  
60 inconsistent with or detrimental to the rights, privileges, and interest granted to the City of  
61 Metter.

62

**SECTION 7.**

63 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
64 or liability of the Department of Transportation with respect to the state highway system or  
65 of a county with respect to the county road system or of a municipality with respect to the  
66 city street system. The grantee shall obtain any and all other required permits from the  
67 appropriate governmental agencies as are necessary for its lawful use of the easement area  
68 or public highway right of way and comply with all applicable state and federal  
69 environmental statutes in its use of the easement area.

70

**SECTION 8.**

71 That if the State of Georgia, acting by and through its State Properties Commission,  
72 determines that any or all of the facilities placed on the easement area should be removed or  
73 relocated to an alternate site on state owned land in order to avoid interference with the state's  
74 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
75 easement to allow placement of the removed or relocated facilities across the alternate site,  
76 under such terms and conditions as the State Properties Commission shall in its discretion  
77 determine to be in the best interests of the State of Georgia, and the City of Metter shall  
78 remove or relocate its facilities to the alternate easement area at its sole cost and expense,  
79 unless the State Properties Commission determines that the requested removal or relocation  
80 is to be for the sole benefit of the State of Georgia and approves payment by the State of  
81 Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the  
82 amount of a written estimate provided by the City of Metter. Upon written request, the State  
83 Properties Commission, in its sole discretion, may permit the relocation of the facilities to  
84 an alternate site on state owned land so long as the removal and relocation is paid by the  
85 party or parties requesting such removal and at no cost and expense to the State of Georgia.  
86 If an easement is relocated for any reason, the State Properties Commission is authorized to  
87 convey by quitclaim deed the state's interest in the former easement area.

88 **SECTION 9.**

89 That the easement granted to the City of Metter shall contain such other reasonable terms,  
90 conditions, and covenants as the State Properties Commission shall deem in the best interest  
91 of the State of Georgia and that the State Properties Commission is authorized to use a more  
92 accurate description of the easement area so long as the description utilized by the State  
93 Properties Commission describes the same easement area herein granted.

94 **SECTION 10.**

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

98 **SECTION 11.**

99 That this grant of easement shall be recorded by the Grantee in the Superior Court of Candler  
100 County and a recorded copy shall be forwarded to the State Properties Commission.

101 **SECTION 12.**

102 That the authorization in this resolution to grant the above-described easement to the City of  
103 Metter shall expire three years after the date that this resolution is enacted into law and  
104 approved by the State Properties Commission.

105 **SECTION 13.**

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

108 **ARTICLE II**109 **SECTION 14.**

110 That the State of Georgia is the owner of the hereinafter described real property in Cobb  
111 County, Georgia, and that the property is in the custody of the State Properties Commission,  
112 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
113 area, the State of Georgia is acting by and through its State Properties Commission.

114 **SECTION 15.**

115 That the State of Georgia, acting by and through its State Properties Commission, may grant  
116 to Cobb County or its successors and assigns, a nonexclusive easement area above and across  
117 the property which is leased to CSX Corporation as successor to the Seaboard System

118 Railroad, Inc., for the operation and maintenance of a new pedestrian path or trail and bridge.  
119 Said easement area is located south of Marietta, Georgia, in Cobb County, and is more  
120 particularly described as follows:

121 "That approximately 0.37 of an acre permanent easement and approximately 0.546  
122 of an acre of temporary construction easement air-rights portion and that portion only  
123 as shown on that drawing titled Georgia Cobb County Right of Way of Proposed  
124 Spring Road Enhanced Sidewalk Project CSCMQ-0006-00 (876) dated August 14,  
125 2006, Sheets 1, 2, 18 and 21 of 21 as last revised on November 17, 2008, prepared  
126 by Arcadis, on file in the offices of the State Properties Commission,"

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

129 **SECTION 16.**

130 That the above-described premises shall be used solely for the purpose of installing,  
131 maintaining, and operating said pedestrian path or trail and bridge, and that the design and  
132 construction plans for the easement area must be approved by the CSX Corporation as lessee  
133 prior to initiation of construction.

134 **SECTION 17.**

135 That Cobb County shall have the right to remove or cause to be removed from said easement  
136 area only such trees and bushes as may be reasonably necessary for the proper operation and  
137 maintenance of said path or trail and bridge.

138 **SECTION 18.**

139 That, after Cobb County has put into use the pedestrian path or trail and bridge this easement  
140 is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the  
141 State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
142 easement granted herein. Upon abandonment, Cobb County, or its successors and assigns,  
143 shall have the option of removing its facilities from the easement area or leaving the same  
144 in place, in which event the path or trail and bridge shall become the property of the State of  
145 Georgia, or its successors and assigns.

146 **SECTION 19.**

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

151 **SECTION 20.**

152 That if the State of Georgia, acting by and through its State Properties Commission,  
153 determines that any or all of the facilities placed on the easement area should be removed or  
154 relocated to an alternate site on state owned land in order to avoid interference with the state's  
155 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
156 easement to allow placement of the removed or relocated facilities across the alternate site  
157 under such terms and conditions as the State Properties Commission shall in its discretion  
158 determine to be in the best interests of the State of Georgia, and Cobb County shall remove  
159 or relocate its facilities to the alternate easement area at its sole cost and expense, unless the  
160 State Properties Commission determines that the requested removal or relocation is to be for  
161 the sole benefit of the State of Georgia and approves payment by the State of Georgia of all  
162 or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a  
163 written estimate provided by Cobb County. Upon written request, the State Properties  
164 Commission, in its sole discretion, may permit the relocation of the facilities to an alternate  
165 site on state owned land so long as the removal and relocation is paid by the party or parties  
166 requesting such removal and at no cost and expense to the State of Georgia. If an easement  
167 is relocated for any reason, the State Properties Commission is authorized to convey by  
168 quitclaim deed the state's interest in the former easement area.

169 **SECTION 21.**

170 That the easement granted to Cobb County shall contain such other reasonable terms,  
171 conditions, and covenants as the State Properties Commission shall deem in the best interest  
172 of the State of Georgia and that the State Properties Commission is authorized to use a more  
173 accurate description of the easement area, so long as the description utilized by the State  
174 Properties Commission describes the same easement area herein granted.

175 **SECTION 22.**

176 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
177 or liability of the Department of Transportation with respect to the state highway system or  
178 of a county with respect to the county road system or of a municipality with respect to the  
179 city street system. The grantee shall obtain any and all other required permits from the  
180 appropriate governmental agencies as are necessary for its lawful use of the easement area  
181 or public highway right of way and comply with all applicable state and federal  
182 environmental statutes in its use of the easement area.

183 **SECTION 23.**

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

187 **SECTION 24.**

188 That this grant of easement shall be recorded by the Grantee in the Superior Court of Cobb  
189 County and a recorded copy shall be forwarded to the State Properties Commission.

190 **SECTION 25.**

191 That the authorization in this resolution to grant the above-described easement to Cobb  
192 County shall expire three years after the date that this resolution is enacted into law and  
193 approved by the State Properties Commission.

194 **SECTION 26.**

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

197 **ARTICLE III**

198 **SECTION 27.**

199 That the State of Georgia is the owner of the hereinafter described real property in Cobb  
200 County, Georgia, and that the property is in the custody of the State Properties Commission,  
201 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
202 area, the State of Georgia is acting by and through its State Properties Commission.

203 **SECTION 28.**

204 That the State of Georgia, acting by and through its State Properties Commission, may grant  
205 to Cobb County, or its successors and assigns, a nonexclusive easement area above and  
206 across the property which is leased to CSX Corporation as successor to the Seaboard System  
207 Railroad, Inc., for the operation and maintenance of a new pedestrian path or trail and bridge.  
208 Said easement area is located south of Marietta, Georgia, in Cobb County, and is more  
209 particularly described as follows:

210 "That approximately 0.45 of an acre temporary easement and 0.09 of an acre  
211 permanent easement air-rights portion and that portion only as shown on that drawing  
212 titled Cobb County Department of Transportation, Mainline Plan Old 41 Highway  
213 Drawing 13-02 not dated, on file in the offices of the State Properties Commission,"

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

216 **SECTION 29.**

217 That the above-described premises shall be used solely for the purpose of installing,  
218 maintaining, and operating said pedestrian path or trail and bridge, and that the design and  
219 construction plans for the easement area must be approved by the CSX Corporation as lessee  
220 prior to initiation of construction.

221 **SECTION 30.**

222 That Cobb County shall have the right to remove or cause to be removed from said easement  
223 area only such trees and bushes as may be reasonably necessary for the proper operation and  
224 maintenance of said path or trail and bridge.

225 **SECTION 31.**

226 That, after Cobb County has put into use the pedestrian path or trail and bridge this easement  
227 is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the  
228 State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
229 easement granted herein. Upon abandonment, the Cobb County, or its successors and assigns,  
230 shall have the option of removing its facilities from the easement area or leaving the same  
231 in place, in which event the path or trail and bridge shall become the property of the State of  
232 Georgia, or its successors and assigns.

233 **SECTION 32.**

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

238 **SECTION 33.**

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



246 or relocate its facilities to the alternate easement area at its sole cost and expense, unless the  
247 State Properties Commission determines that the requested removal or relocation is to be for  
248 the sole benefit of the State of Georgia and approves payment by the State of Georgia of all  
249 or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a  
250 written estimate provided by Cobb County. Upon written request, the State Properties  
251 Commission, in its sole discretion, may permit the relocation of the facilities to an alternate  
252 site on state owned land so long as the removal and relocation is paid by the party or parties  
253 requesting such removal and at no cost and expense to the State of Georgia. If an easement  
254 is relocated for any reason, the State Properties Commission is authorized to convey by  
255 quitclaim deed the state's interest in the former easement area.

256 **SECTION 34.**

257 That the easement granted to Cobb County shall contain such other reasonable terms,  
258 conditions, and covenants as the State Properties Commission shall deem in the best interest  
259 of the State of Georgia and that the State Properties Commission is authorized to use a more  
260 accurate description of the easement area, so long as the description utilized by the State  
261 Properties Commission describes the same easement area herein granted.

262 **SECTION 35.**

263 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
264 or liability of the Department of Transportation with respect to the state highway system or  
265 of a county with respect to the county road system or of a municipality with respect to the  
266 city street system. The grantee shall obtain any and all other required permits from the  
267 appropriate governmental agencies as are necessary for its lawful use of the easement area  
268 or public highway right of way and comply with all applicable state and federal  
269 environmental statutes in its use of the easement area.

270 **SECTION 36.**

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

274 **SECTION 37.**

275 That this grant of easement shall be recorded by the Grantee in the Superior Court of Cobb  
276 County and a recorded copy shall be forwarded to the State Properties Commission.

277 **SECTION 38.**

278 That the authorization in this resolution to grant the above-described easement to Cobb  
279 County shall expire three years after the date that this resolution is enacted into law and  
280 approved by the State Properties Commission.

281 **SECTION 39.**

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

284 **ARTICLE IV**

285 **SECTION 40.**

286 That the State of Georgia is the owner of the hereinafter described real property in Cobb  
287 County, Georgia, and that the property is in the custody of the State Properties Commission,  
288 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
289 area, the State of Georgia is acting by and through its State Properties Commission.

290 **SECTION 41.**

291 That the State of Georgia, acting by and through its State Properties Commission, may grant  
292 to City of Smyrna or its successors and assigns, a nonexclusive easement area above and  
293 across the property which is leased to CSX Corporation as successor to the Seaboard System  
294 Railroad, Inc., for the operation and maintenance of a new highway bridge with improved  
295 pedestrian safety at Campbell Road. Said easement area is located south of Smyrna,  
296 Georgia, in Cobb County, and is more particularly described as follows:

297 "That 0.1 of an acre portion of air-rights temporary easement and 0.1 of an acre of  
298 air-rights permanent easement and that portion only as shown on that drawing titled  
299 City of Smyrna Department of Public Works Right of Way Map, Campbell Road over  
300 CSX Railroad, Project No. 31-6056 on file in the offices of the State Properties  
301 Commission,"

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

304 **SECTION 42.**

305 That the above-described premises shall be used solely for the purpose of installing,  
306 maintaining, and operating said highway and pedestrian bridge, and that the design and  
307 construction plans for the easement area must be approved by the CSX Corporation as lessee  
308 prior to initiation of construction.

309 **SECTION 43.**

310 That City of Smyrna shall have the right to remove or cause to be removed from said  
311 easement area only such trees and bushes as may be reasonably necessary for the proper  
312 operation and maintenance of said bridge.

313 **SECTION 44.**

314 That, after City of Smyrna has put into use the highway and pedestrian bridge this easement  
315 is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the  
316 State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
317 easement granted herein. Upon abandonment, the City of Smyrna, or its successors and  
318 assigns, shall have the option of removing its facilities from the easement area or leaving the  
319 same in place, in which event the highway and pedestrian bridge shall become the property  
320 of the State of Georgia, or its successors and assigns.

321 **SECTION 45.**

322 That no title shall be conveyed to City of Smyrna and, except as herein specifically granted  
323 to City of Smyrna all rights, title, and interest in and to said easement area is reserved in the  
324 State of Georgia, which may make any use of said easement area not inconsistent with or  
325 detrimental to the rights, privileges, and interest granted to City of Smyrna.

326 **SECTION 46.**

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

342 is relocated for any reason, the State Properties Commission is authorized to convey by  
343 quitclaim deed the state's interest in the former easement area.

344 **SECTION 47.**

345 That the easement granted to City of Smyrna shall contain such other reasonable terms,  
346 conditions, and covenants as the State Properties Commission shall deem in the best interest  
347 of the State of Georgia and that the State Properties Commission is authorized to use a more  
348 accurate description of the easement area, so long as the description utilized by the State  
349 Properties Commission describes the same easement area herein granted.

350 **SECTION 48.**

351 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
352 or liability of the Department of Transportation with respect to the state highway system or  
353 of a county with respect to the county road system or of a municipality with respect to the  
354 city street system. The grantee shall obtain any and all other required permits from the  
355 appropriate governmental agencies as are necessary for its lawful use of the easement area  
356 or public highway right of way and comply with all applicable state and federal  
357 environmental statutes in its use of the easement area.

358 **SECTION 49.**

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

362 **SECTION 50.**

363 That this grant of easement shall be recorded by the Grantee in the Superior Court of Cobb  
364 County and a recorded copy shall be forwarded to the State Properties Commission.

365 **SECTION 51.**

366 That the authorization in this resolution to grant the above-described easement to Cobb  
367 County shall expire three years after the date that this resolution is enacted into law and  
368 approved by the State Properties Commission.

369 **SECTION 52.**

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

372

**ARTICLE V**

373

**SECTION 53.**

374 That the State of Georgia is the owner of the hereinafter described real property in Cobb  
375 County, Georgia, and that the property is in the custody of the State Properties Commission,  
376 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
377 area, the State of Georgia is acting by and through its State Properties Commission.

378

**SECTION 54.**

379 That the State of Georgia, acting by and through its State Properties Commission, may grant  
380 to Cobb County or its successors and assigns, a nonexclusive easement area above and across  
381 the property which is leased to CSX Corporation as successor to the Seaboard System  
382 Railroad, Inc., for the operation and maintenance of a new pedestrian path or trail and bridge.  
383 Said easement area is located south of Smyrna, Georgia, in Cobb County, and is more  
384 particularly described as follows:

385 "That approximately 0.07 of an acre air-rights portion and that portion only as shown  
386 on that drawing titled Spring Road, Smyrna, GA., Easement Plat for Spring Road  
387 CSX Pedestrian Bridge of 0.07 of an acre, by CROY Engineering, dated  
388 November 24, 2008, on file in the offices of the State Properties Commission,"  
389 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
390 Land Surveyor and presented to the State Properties Commission for approval.

391

**SECTION 55.**

392 That the above-described premises shall be used solely for the purpose of installing,  
393 maintaining, and operating said pedestrian path or trail and bridge, and that the design and  
394 construction plans for the easement area must be approved by the CSX Corporation as lessee  
395 prior to initiation of construction.

396

**SECTION 56.**

397 That Cobb County shall have the right to remove or cause to be removed from said easement  
398 area only such trees and bushes as may be reasonably necessary for the proper operation and  
399 maintenance of said path or trail and bridge.

400

**SECTION 57.**

401 That, after Cobb County has put into use the pedestrian path or trail and bridge this easement  
402 is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the  
403 State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and

404 easement granted herein. Upon abandonment, the Cobb County, or its successors and assigns,  
405 shall have the option of removing its facilities from the easement area or leaving the same  
406 in place, in which event the path or trail and bridge shall become the property of the State of  
407 Georgia, or its successors and assigns.

408 **SECTION 58.**

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

413 **SECTION 59.**

414 That if the State of Georgia, acting by and through its State Properties Commission,  
415 determines that any or all of the facilities placed on the easement area should be removed or  
416 relocated to an alternate site on state owned land in order to avoid interference with the state's  
417 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
418 easement to allow placement of the removed or relocated facilities across the alternate site  
419 under such terms and conditions as the State Properties Commission shall in its discretion  
420 determine to be in the best interests of the State of Georgia, and Cobb County shall remove  
421 or relocate its facilities to the alternate easement area at its sole cost and expense, unless the  
422 State Properties Commission determines that the requested removal or relocation is to be for  
423 the sole benefit of the State of Georgia and approves payment by the State of Georgia of all  
424 or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a  
425 written estimate provided by Cobb County. Upon written request, the State Properties  
426 Commission, in its sole discretion, may permit the relocation of the facilities to an alternate  
427 site on state owned land so long as the removal and relocation is paid by the party or parties  
428 requesting such removal and at no cost and expense to the State of Georgia. If an easement  
429 is relocated for any reason, the State Properties Commission is authorized to convey by  
430 quitclaim deed the state's interest in the former easement area.

431 **SECTION 60.**

432 That the easement granted to Cobb County shall contain such other reasonable terms,  
433 conditions, and covenants as the State Properties Commission shall deem in the best interest  
434 of the State of Georgia and that the State Properties Commission is authorized to use a more  
435 accurate description of the easement area, so long as the description utilized by the State  
436 Properties Commission describes the same easement area herein granted.

437 **SECTION 61.**

438 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
439 or liability of the Department of Transportation with respect to the state highway system or  
440 of a county with respect to the county road system or of a municipality with respect to the  
441 city street system. The grantee shall obtain any and all other required permits from the  
442 appropriate governmental agencies as are necessary for its lawful use of the easement area  
443 or public highway right of way and comply with all applicable state and federal  
444 environmental statutes in its use of the easement area.

445 **SECTION 62.**

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

449 **SECTION 63.**

450 That this grant of easement shall be recorded by the Grantee in the Superior Court of Cobb  
451 County and a recorded copy shall be forwarded to the State Properties Commission.

452 **SECTION 64.**

453 That the authorization in this resolution to grant the above-described easement to Cobb  
454 County shall expire three years after the date that this resolution is enacted into law and  
455 approved by the State Properties Commission.

456 **SECTION 65.**

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

459 **ARTICLE VI**

460 **SECTION 66.**

461 That the State of Georgia is the owner of the hereinafter described real property in Dawson  
462 County, and the property is in the custody of the Georgia Forestry Commission, hereinafter  
463 referred to as the "easement area" and that, in all matters relating to the easement area, the  
464 State of Georgia is acting by and through its State Properties Commission.

465 **SECTION 67.**

466 That the State of Georgia, acting by and through its State Properties Commission, may grant  
467 to Georgia Transmission Corporation, or its successors and assigns, a nonexclusive easement  
468 for the construction, operation, and maintenance of a transmission line on, over, under, upon,  
469 across, or through the easement area for the purpose of constructing, erecting, installing,  
470 maintaining, repairing, replacing, inspecting, and operating a transmission line together with  
471 the right of ingress and egress over adjacent land of the State of Georgia as may be  
472 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located  
473 in Dawson County, Georgia, and is more particularly described as follows:

474 "That approximately 0.38 of an acre portion and that portion only as shown on a  
475 Jordan Jones and Goulding survey titled Dawson Crossing – Juno 115kV  
476 Transmission Line, dated February 14, 2007, for the Georgia Transmission  
477 Corporation and on file in the offices of the State Properties Commission,"

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

480 **SECTION 68.**

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

484 **SECTION 69.**

485 That Georgia Transmission Corporation shall have the right to remove or cause to be  
486 removed from said easement area only such trees and bushes as may be reasonably necessary  
487 for the proper construction, operation, and maintenance of said transmission line.

488 **SECTION 70.**

489 That, after the Georgia Transmission Corporation puts into use the transmission line for  
490 which this easement is granted, a subsequent abandonment of the use thereof shall cause a  
491 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,  
492 privileges, powers, and easement granted herein. Upon abandonment, Georgia Transmission  
493 Corporation, or its successors and assigns, shall have the option of removing its facilities  
494 from the easement area or leaving the same in place, in which event the facility shall become  
495 the property of the State of Georgia, or its successors and assigns.



496

**SECTION 71.**

497 That no title shall be conveyed to Georgia Transmission Corporation and, except as herein  
498 specifically granted to Georgia Transmission Corporation, all rights, title, and interest in and  
499 to said easement area is reserved in the State of Georgia, which may make any use of said  
500 easement area not inconsistent with or detrimental to the rights, privileges, and interest  
501 granted to Georgia Transmission Corporation.

502

**SECTION 72.**

503 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
504 or liability of the Department of Transportation with respect to the state highway system or  
505 of a county with respect to the county road system or of a municipality with respect to the  
506 city street system. The grantee shall obtain any and all other required permits from the  
507 appropriate governmental agencies as are necessary for its lawful use of the easement area  
508 or public highway right of way and comply with all applicable state and federal  
509 environmental statutes in its use of the easement area.

510

**SECTION 73.**

511 That if the State of Georgia, acting by and through its State Properties Commission,  
512 determines that any or all of the facilities placed on the easement area should be removed or  
513 relocated to an alternate site on state owned land in order to avoid interference with the state's  
514 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
515 easement to allow placement of the removed or relocated facilities across the alternate site,  
516 under such terms and conditions as the State Properties Commission shall in its discretion  
517 determine to be in the best interests of the State of Georgia, and Georgia Transmission  
518 Corporation shall remove or relocate its facilities to the alternate easement area at its sole  
519 cost and expense, unless the State Properties Commission determines that the requested  
520 removal or relocation is to be for the sole benefit of the State of Georgia and approves  
521 payment by the State of Georgia of all or a portion of such actual cost and expense, not to  
522 exceed by 20 percent the amount of a written estimate provided by Georgia Transmission  
523 Corporation. Upon written request, the State Properties Commission, in its sole discretion,  
524 may permit the relocation of the facilities to an alternate site on state owned land so long as  
525 the removal and relocation is paid by the party or parties requesting such removal and at no  
526 cost and expense to the State of Georgia. If an easement is relocated for any reason, the State  
527 Properties Commission is authorized to convey by quitclaim deed the state's interest in the  
528 former easement area.

529 **SECTION 74.**

530 That the easement granted to Georgia Transmission Corporation shall contain such other  
531 reasonable terms, conditions, and covenants as the State Properties Commission shall deem  
532 in the best interest of the State of Georgia and that the State Properties Commission is  
533 authorized to use a more accurate description of the easement area, so long as the description  
534 utilized by the State Properties Commission describes the same easement area herein granted.

535 **SECTION 75.**

536 That the consideration for such easement shall be fair market value but not less than \$650.00  
537 and such further consideration and provisions as the State Properties Commission may  
538 determine to be in the best interest of the State of Georgia.

539 **SECTION 76.**

540 That this grant of easement shall be recorded by the Grantee in the Superior Court of Dawson  
541 County and a recorded copy shall be forwarded to the State Properties Commission.

542 **SECTION 77.**

543 That the authorization in this resolution to grant the above-described easement to Georgia  
544 Transmission Corporation shall expire three years after the date that this resolution is enacted  
545 into law and approved by the State Properties Commission.

546 **SECTION 78.**

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

549 **ARTICLE VII**

550 **SECTION 79.**

551 That the State of Georgia is the owner of the hereinafter described real property in Douglas  
552 County, and the property is in the custody of the Department of Natural Resources,  
553 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
554 area, the State of Georgia is acting by and through its State Properties Commission.

555 **SECTION 80.**

556 That the State of Georgia, acting by and through its State Properties Commission, may grant  
557 to Connexion Technologies, Inc., or its successors and assigns, a nonexclusive easement for  
558 the construction, operation, and maintenance of fiber optic, telephone, cable television, and

559 high speed data line in, on, over, under, upon, across, or through the easement area for the  
560 purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting,  
561 and operating such line and services together with the right of ingress and egress over  
562 adjacent land of the State of Georgia as may be reasonably necessary to accomplish the  
563 aforesaid purposes. Said easement area is located in Douglas County, Georgia, and is more  
564 particularly described as follows:

565 "Those 0.115 of an acre portions and those portions only as shown on a GeoSurvey,  
566 Ltd. survey for Connexion Technologies last revised on May 5, 2007, prepared by  
567 Joseph T. Baker and on file in the offices of the State Properties Commission,"  
568 and may be more particularly described by a plats of survey prepared by a Georgia  
569 Registered Land Surveyor and presented to the State Properties Commission for approval.

570

571

#### **SECTION 81.**

572 That the above-described premises shall be used solely for the purpose of planning,  
573 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating  
574 said fiber optic, telephone, cable television, and high speed data line.

575

#### **SECTION 82.**

576 That Connexion Technologies, Inc., shall have the right to remove or cause to be removed  
577 from said easement area only such trees and bushes as may be reasonably necessary for the  
578 proper construction, operation, and maintenance of said line.

579

#### **SECTION 83.**

580 That, after Connexion Technologies, Inc., has put into use the line for which this easement  
581 is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State  
582 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
583 easement granted herein. Upon abandonment, Connexion Technologies, Inc., or its  
584 successors and assigns, shall have the option of removing its facilities from the easement area  
585 or leaving the same in place, in which event the facility shall become the property of the  
586 State of Georgia, or its successors and assigns.

587

#### **SECTION 84.**

588 That no title shall be conveyed to Connexion Technologies, Inc., and, except as herein  
589 specifically granted to Connexion Technologies, Inc., all rights, title, and interest in and to  
590 said easement area is reserved in the State of Georgia, which may make any use of said  
591 easement area not inconsistent with or detrimental to the rights, privileges, and interest  
592 granted to Connexion Technologies, Inc.

593

**SECTION 85.**

594 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
595 or liability of the Department of Transportation with respect to the state highway system or  
596 of a county with respect to the county road system or of a municipality with respect to the  
597 city street system. The grantee shall obtain any and all other required permits from the  
598 appropriate governmental agencies as are necessary for its lawful use of the easement area  
599 or public highway right of way and comply with all applicable state and federal  
600 environmental statutes in its use of the easement area.

601

**SECTION 86.**

602 That if the State of Georgia, acting by and through its State Properties Commission,  
603 determines that any or all of the facilities placed on the easement area should be removed or  
604 relocated to an alternate site on state owned land in order to avoid interference with the state's  
605 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
606 easement to allow placement of the removed or relocated facilities across the alternate site,  
607 under such terms and conditions as the State Properties Commission shall in its discretion  
608 determine to be in the best interests of the State of Georgia, and Connexion Technologies,  
609 Inc., shall remove or relocate its facilities to the alternate easement area at its sole cost and  
610 expense, unless the State Properties Commission determines that the requested removal or  
611 relocation is to be for the sole benefit of the State of Georgia and approves payment by the  
612 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20  
613 percent the amount of a written estimate provided by Connexion Technologies, Inc. Upon  
614 written request, the State Properties Commission, in its sole discretion, may permit the  
615 relocation of the facilities to an alternate site on state owned land so long as the removal and  
616 relocation is paid by the party or parties requesting such removal and at no cost and expense  
617 to the State of Georgia. If an easement is relocated for any reason, the State Properties  
618 Commission is authorized to convey by quitclaim deed the state's interest in the former  
619 easement area.

620

**SECTION 87.**

621 That the easement granted to Connexion Technologies, Inc., shall contain such other  
622 reasonable terms, conditions, and covenants as the State Properties Commission shall deem  
623 in the best interest of the State of Georgia and that the State Properties Commission is  
624 authorized to use a more accurate description of the easement area, so long as the description  
625 utilized by the State Properties Commission describes the same easement area herein granted.

626 **SECTION 88.**

627 That the consideration for such easement shall be for fair market value but not less than  
628 \$650.00, and such further consideration and provisions as the State Properties Commission  
629 may determine to be in the best interest of the State of Georgia.

630 **SECTION 89.**

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

633 **SECTION 90.**

634 That the authorization in this resolution to grant the above-described easement to Connexion  
635 Technologies, Inc., shall expire three years after the date that this resolution is enacted into  
636 law and approved by the State Properties Commission.

637 **SECTION 91.**

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

640 **ARTICLE VIII**

641 **SECTION 92.**

642 That the State of Georgia is the owner of the hereinafter described real property in Fulton  
643 County, and the property is in the custody of the Department of Economic Development at  
644 the Georgia World Congress Center, hereinafter referred to as the "easement area" and that,  
645 in all matters relating to the easement area, the State of Georgia is acting by and through its  
646 State Properties Commission.

647 **SECTION 93.**

648 That the State of Georgia, acting by and through its State Properties Commission, may grant  
649 to Georgia Power Company or its successors and assigns, a nonexclusive easement for the  
650 construction, operation, and maintenance of a transmission line on, over, under, upon, across,  
651 or through the easement area for the purpose of constructing, erecting, installing,  
652 maintaining, repairing, replacing, inspecting, and operating a transmission line together with  
653 the right of ingress and egress over adjacent land of the State of Georgia as may be  
654 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located  
655 in Fulton County, Georgia, and is more particularly described as follows:

656 "Those approximately 0.591 of one acre portions and those portions only as shown  
657 on a Georgia Power Company drawing titled Fowler Street-Jefferson Street 115KV  
658 Transmission Line (Reference Alexander Street DOT Project) in Atlanta, Fulton  
659 County, Georgia, dated October 15, 2008, and on file in the offices of the State  
660 Properties Commission,"  
661 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
662 Land Surveyor and presented to the State Properties Commission for approval.

663 **SECTION 94.**

664 That the above-described premises shall be used solely for the purpose of planning,  
665 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating  
666 said transmission lines, and that the Executive Director of the Georgia World Congress  
667 Center shall approve the design, construction, and operation plans for the easement area.

668 **SECTION 95.**

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

672 **SECTION 96.**

673 That, after the Georgia Power Company puts into use the transmission line for which this  
674 easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to  
675 the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,  
676 and easement granted herein. Upon abandonment, Georgia Power Company, or its successors  
677 and assigns, shall have the option of removing its facilities from the easement area or leaving  
678 the same in place, in which event the facility shall become the property of the State of  
679 Georgia, or its successors and assigns.

680 **SECTION 97.**

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

686

**SECTION 98.**

687 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
688 or liability of the Department of Transportation with respect to the state highway system or  
689 of a county with respect to the county road system or of a municipality with respect to the  
690 city street system. The grantee shall obtain any and all other required permits from the  
691 appropriate governmental agencies as are necessary for its lawful use of the easement area  
692 or public highway right of way and comply with all applicable state and federal  
693 environmental statutes in its use of the easement area.

694

**SECTION 99.**

695 That if the State of Georgia, acting by and through its State Properties Commission,  
696 determines that any or all of the facilities placed on the easement area should be removed or  
697 relocated to an alternate site on state owned land in order to avoid interference with the state's  
698 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
699 easement to allow placement of the removed or relocated facilities across the alternate site,  
700 under such terms and conditions as the State Properties Commission shall in its discretion  
701 determine to be in the best interests of the State of Georgia, and Georgia Power Company  
702 shall remove or relocate its facilities to the alternate easement area at its sole cost and  
703 expense, unless the State Properties Commission determines that the requested removal or  
704 relocation is to be for the sole benefit of the State of Georgia and approves payment by the  
705 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20  
706 percent the amount of a written estimate provided by Georgia Power Company. Upon  
707 written request, the State Properties Commission, in its sole discretion, may permit the  
708 relocation of the facilities to an alternate site on state owned land so long as the removal and  
709 relocation is paid by the party or parties requesting such removal and at no cost and expense  
710 to the State of Georgia. If an easement is relocated for any reason, the State Properties  
711 Commission is authorized to convey by quitclaim deed the state's interest in the former  
712 easement area.

713

**SECTION 100.**

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

719 **SECTION 101.**

720 That the consideration for such easement shall be fair market value but not less than \$650.00  
721 and such further consideration and provisions as the State Properties Commission may  
722 determine to be in the best interest of the State of Georgia.

723 **SECTION 102.**

724 That this grant of easement shall be recorded by the Grantee in the Superior Court of Fulton  
725 County and a recorded copy shall be forwarded to the State Properties Commission.

726 **SECTION 103.**

727 That the authorization in this resolution to grant the above-described easement to Georgia  
728 Power Company shall expire three years after the date that this resolution is enacted into law  
729 and approved by the State Properties Commission.

730 **SECTION 104.**

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

733 **ARTICLE IX**

734 **SECTION 105.**

735 That the State of Georgia is the owner of the hereinafter described real property in Fulton  
736 County, Georgia, and that the property is in the custody of the State Properties Commission,  
737 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
738 area, the State of Georgia is acting by and through its State Properties Commission.

739 **SECTION 106.**

740 That the State of Georgia, acting by and through its State Properties Commission, may grant  
741 to Georgia Power Company, or its successors and assigns, a nonexclusive easement area  
742 above and across the property which is leased to CSX Corporation as successor to the  
743 Seaboard System Railroad, Inc., for the operation and maintenance of a new power  
744 transmission line. Said easement area is located in Atlanta, Fulton County, Georgia, and is  
745 more particularly described as follows:

746 "That approximately 0.178 of one acre air-rights portion and that portion only as  
747 shown on that drawing titled for Georgia Power Company, Easement survey for State  
748 of Georgia (Parcel 009A) Fowler Street-Jefferson Street 115KV Transmission Line



749 (Reference Alexander Street DOT Project) by surveyor David J. Williams, dated  
750 January 14, 2009, on file in the offices of the State Properties Commission,"  
751 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
752 Land Surveyor and presented to the State Properties Commission for approval.

753 **SECTION 107.**

754 That the above-described premises shall be used solely for the purpose of installing,  
755 maintaining, and operating said transmission line, and that the design and construction plans  
756 for the easement area must be approved by the CSX Corporation as lessee prior to initiation  
757 of construction.

758 **SECTION 108.**

759 That Georgia Power Company shall have the right to remove or cause to be removed from  
760 said easement area only such trees and bushes as may be reasonably necessary for the proper  
761 operation and maintenance of said transmission line.

762 **SECTION 109.**

763 That, after Georgia Power Company has put into use the transmission line this easement is  
764 granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State  
765 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
766 easement granted herein. Upon abandonment, the Georgia Power Company, or its successors  
767 and assigns, shall have the option of removing its facilities from the easement area or leaving  
768 the same in place, in which event the transmission line shall become the property of the State  
769 of Georgia, or its successors and assigns.

770 **SECTION 110.**

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

776 **SECTION 111.**

777 That if the State of Georgia, acting by and through its State Properties Commission,  
778 determines that any or all of the facilities placed on the easement area should be removed or  
779 relocated to an alternate site on state owned land in order to avoid interference with the state's  
780 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive

781 easement to allow placement of the removed or relocated facilities across the alternate site  
782 under such terms and conditions as the State Properties Commission shall in its discretion  
783 determine to be in the best interests of the State of Georgia, and Georgia Power Company  
784 shall remove or relocate its facilities to the alternate easement area at its sole cost and  
785 expense, unless the State Properties Commission determines that the requested removal or  
786 relocation is to be for the sole benefit of the State of Georgia and approves payment by the  
787 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20  
788 percent the amount of a written estimate provided by Georgia Power Company. Upon  
789 written request, the State Properties Commission, in its sole discretion, may permit the  
790 relocation of the facilities to an alternate site on state owned land so long as the removal and  
791 relocation is paid by the party or parties requesting such removal and at no cost and expense  
792 to the State of Georgia. If an easement is relocated for any reason, the State Properties  
793 Commission is authorized to convey by quitclaim deed the state's interest in the former  
794 easement area.

795 **SECTION 112.**

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

801 **SECTION 113.**

802 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
803 or liability of the Department of Transportation with respect to the state highway system or  
804 of a county with respect to the county road system or of a municipality with respect to the  
805 city street system. The grantee shall obtain any and all other required permits from the  
806 appropriate governmental agencies as are necessary for its lawful use of the easement area  
807 or public highway right of way and comply with all applicable state and federal  
808 environmental statutes in its use of the easement area.

809 **SECTION 114.**

810 That the consideration for such easement shall be the fair market value but not less than  
811 \$650.00, and such further consideration and provisions as the State Properties Commission  
812 may determine to be in the best interest of the State of Georgia.

813 **SECTION 115.**

814 That this grant of easement shall be recorded by the Grantee in the Superior Court of Fulton  
815 County and a recorded copy shall be forwarded to the State Properties Commission.

816 **SECTION 116.**

817 That the authorization in this resolution to grant the above-described easement to Georgia  
818 Power Company shall expire three years after the date that this resolution is enacted into law  
819 and approved by the State Properties Commission.

820 **SECTION 117.**

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

823 **ARTICLE X**824 **SECTION 118.**

825 That the State of Georgia is the owner of the hereinafter described real property in Fulton  
826 County, and the property is in the custody of the Georgia World Congress Center Authority  
827 by virtue of that certain lease from the Department of Economic Development, hereinafter  
828 referred to as the "easement area" and that, in all matters relating to the easement area, the  
829 State of Georgia is acting by and through its State Properties Commission.

830 **SECTION 119.**

831 That the State of Georgia, acting by and through its State Properties Commission, may grant  
832 to CNN Center Ventures, or its successors and assigns, a nonexclusive easement for the  
833 operation and maintenance of a sewer line in, on, over, under, upon, across, or through the  
834 easement area for the purpose of maintaining, repairing, replacing, inspecting, and operating  
835 a sewer line together with the right of ingress and egress over adjacent land of the State of  
836 Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said  
837 easement area is located in Fulton County, Georgia, and is more particularly described as  
838 follows:

839 "That approximately 0.01 of one acre portion and that portion only as shown in  
840 yellow on drawing titled CNN Center Ventures, equates to 50 SY (i.e., 446 sq. ft.) =  
841 0.01 acres. and on file in the offices of the State Properties Commission,"  
842 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
843 Land Surveyor and presented to the State Properties Commission for approval.

844 **SECTION 120.**

845 That the above-described premises shall be used solely for the purpose of installing,  
846 maintaining, repairing, replacing, inspecting, and operating said sewer line, and that the  
847 Executive Director of the Georgia World Congress Center shall approve the design,  
848 construction, and operation plans for the easement area.

849 **SECTION 121.**

850 That CNN Center Ventures shall have the right to remove or cause to be removed from said  
851 easement area only such trees and bushes as may be reasonably necessary for the proper  
852 operation and maintenance of said sewer line.

853 **SECTION 122.**

854 That, after CNN Center Ventures has put into use the sewer line for which this easement is  
855 granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of  
856 Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement  
857 granted herein. Upon abandonment, CNN Center Ventures, or its successors and assigns,  
858 shall have the option of removing its facilities from the easement area or leaving the same  
859 in place, in which event the sewer line shall become the property of the State of Georgia, or  
860 its successors and assigns.

861 **SECTION 123.**

862 That no title shall be conveyed to CNN Center Ventures and, except as herein specifically  
863 granted to CNN Center Ventures, all rights, title, and interest in and to said easement area  
864 is reserved in the State of Georgia, which may make any use of said easement area not  
865 inconsistent with or detrimental to the rights, privileges, and interest granted to the CNN  
866 Center Ventures.

867 **SECTION 124.**

868 That if the State of Georgia, acting by and through its State Properties Commission,  
869 determines that any or all of the facilities placed on the easement area should be removed or  
870 relocated to an alternate site on state owned land in order to avoid interference with the state's  
871 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
872 easement to allow placement of the removed or relocated facilities across the alternate site,  
873 under such terms and conditions as the State Properties Commission shall in its discretion  
874 determine to be in the best interests of the State of Georgia, and CNN Center Ventures shall  
875 remove or relocate its facilities to the alternate easement area at its sole cost and expense,  
876 unless the State Properties Commission determines that the requested removal or relocation

877 is to be for the sole benefit of the State of Georgia and approves payment by the State of  
878 Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the  
879 amount of a written estimate provided by CNN Center Ventures. Upon written request, the  
880 State Properties Commission, in its sole discretion, may permit the relocation of the facilities  
881 to an alternate site on state owned land so long as the removal and relocation is paid by the  
882 party or parties requesting such removal and at no cost and expense to the State of Georgia  
883 If an easement is relocated for any reason, the State Properties Commission is authorized to  
884 convey by quitclaim deed the state's interest in the former easement area.

885 **SECTION 125.**

886 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
887 or liability of the Department of Transportation with respect to the state highway system or  
888 of a county with respect to the county road system or of a municipality with respect to the  
889 city street system. The grantee shall obtain any and all other required permits from the  
890 appropriate governmental agencies as are necessary for its lawful use of the easement area  
891 or public highway right of way and comply with all applicable state and federal  
892 environmental statutes in its use of the easement area.

893 **SECTION 126.**

894 That the easement granted to CNN Center Ventures shall contain such other reasonable  
895 terms, conditions, and covenants as the State Properties Commission shall deem in the best  
896 interest of the State of Georgia and that the State Properties Commission is authorized to use  
897 a more accurate description of the easement area, so long as the description utilized by the  
898 State Properties Commission describes the same easement area herein granted.

899 **SECTION 127.**

900 That the consideration for such easement shall be fair market value but not less than \$650.00  
901 and such further consideration and provisions as the State Properties Commission may  
902 determine to be in the best interest of the State of Georgia.

903 **SECTION 128.**

904 That this grant of easement shall be recorded by the Grantee in the Superior Court of Fulton  
905 County and a recorded copy shall be forwarded to the State Properties Commission.

906 **SECTION 129.**

907 That the authorization in this resolution to grant the above-described easement to CNN  
908 Center Ventures shall expire three years after the date that this resolution is enacted into law  
909 and approved by the State Properties Commission.

910 **SECTION 130.**

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

913 **ARTICLE XI**

914 **SECTION 131.**

915 That the State of Georgia is the owner of the hereinafter described real property in Fulton  
916 County, Georgia, and that the property is in the custody of the State Properties Commission,  
917 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
918 area, the State of Georgia is acting by and through its State Properties Commission.

919 **SECTION 132.**

920 That the State of Georgia, acting by and through its State Properties Commission, may grant  
921 to the City of Atlanta, or its successors and assigns, a nonexclusive easement area above and  
922 across the property which is leased to CSX Corporation as successor to the Seaboard System  
923 Railroad, Inc., for the operation and maintenance of a new pedestrian path and trail under a  
924 tunnel. Said easement area is located near Bolton Road in Atlanta, Fulton County, Georgia,  
925 and is more particularly described as follows:

926 "That 0.052 of an acres air-rights portion and that portion only as shown on that  
927 engineered drawing titled Permanent Easement CSX Railroad for the PATH  
928 Foundation, Chattahoochee 2 Trail, dated January 21, 2009, prepared by Moreland  
929 Altobelli Associates Inc., on file in the offices of the State Properties Commission,"  
930 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
931 Land Surveyor and presented to the State Properties Commission for approval.

932 **SECTION 133.**

933 That the above-described premises shall be used solely for the purpose of installing,  
934 maintaining, and operating said pedestrian path and trail, and that the design, construction  
935 and operation plans for the easement area must be approved by the CSX Corporation as  
936 lessee prior to initiation of construction.

937 **SECTION 134.**

938 That the City of Atlanta shall have the right to remove or cause to be removed from said  
939 easement area only such trees and bushes as may be reasonably necessary for the proper  
940 operation and maintenance of said pedestrian path and trail.

941 **SECTION 135.**

942 That, after the City of Atlanta has put into use the pedestrian path and trail this easement is  
943 granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State  
944 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
945 easement granted herein. Upon abandonment, the City of Atlanta, or its successors and  
946 assigns, shall have the option of removing its facilities from the easement area or leaving the  
947 same in place, in which event the pedestrian path and trail shall become the property of the  
948 State of Georgia, or its successors and assigns.

949 **SECTION 136.**

950 That no title shall be conveyed to the City of Atlanta and, except as herein specifically  
951 granted to the City of Atlanta, all rights, title, and interest in and to said easement area is  
952 reserved in the State of Georgia, which may make any use of said easement area not  
953 inconsistent with or detrimental to the rights, privileges, and interest granted to the City of  
954 Atlanta.

955 **SECTION 137.**

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

971 If an easement is relocated for any reason, the State Properties Commission is authorized to  
972 convey by quitclaim deed the state's interest in the former easement area.

973 **SECTION 138.**

974 That the easement granted to the City of Atlanta shall contain such other reasonable terms,  
975 conditions, and covenants as the State Properties Commission shall deem in the best interest  
976 of the State of Georgia and that the State Properties Commission is authorized to use a more  
977 accurate description of the easement area, so long as the description utilized by the State  
978 Properties Commission describes the same easement area herein granted.

979 **SECTION 139.**

980 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
981 or liability of the Department of Transportation with respect to the state highway system or  
982 of a county with respect to the county road system or of a municipality with respect to the  
983 city street system. The grantee shall obtain any and all other required permits from the  
984 appropriate governmental agencies as are necessary for its lawful use of the easement area  
985 or public highway right of way and comply with all applicable state and federal  
986 environmental statutes in its use of the easement area.

987 **SECTION 140.**

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

991 **SECTION 141.**

992 That this grant of easement shall be recorded by the Grantee in the Superior Court of Fulton  
993 County and a recorded copy shall be forwarded to the State Properties Commission.

994 **SECTION 142.**

995 That the authorization in this resolution to grant the above-described easement to the City of  
996 Atlanta shall expire three years after the date that this resolution is enacted into law and  
997 approved by the State Properties Commission.

998 **SECTION 143.**

999 That the State Properties Commission is authorized and empowered to do all acts and things  
1000 necessary and proper to effect the grant of the easement area.



## ARTICLE XII

**SECTION 144.**

1001  
1002  
1003 That the State of Georgia is the owner of the hereinafter described real property in Grady  
1004 County, and the property is in the custody of the Technical College System of Georgia,  
1005 hereinafter referred to as the "easement area" and that, in all matters relating to the easement  
1006 area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 145.**

1007  
1008 That the State of Georgia, acting by and through its State Properties Commission, may grant  
1009 to the City of Cairo, or its successors and assigns, a nonexclusive easement for the  
1010 construction, operation, and maintenance of an electrical power line on, over, under, upon,  
1011 across, or through the easement area for the purpose of constructing, erecting, installing,  
1012 maintaining, repairing, replacing, inspecting, and operating an electrical power line together  
1013 with the right of ingress and egress over adjacent land of the State of Georgia as may be  
1014 reasonably necessary to accomplish the aforesaid purposes. Said easement area is located  
1015 in Grady County, Georgia, and is more particularly described as follows:

1016 "Those approximately 0.14 of one acre portions and those portions only as shown for  
1017 a 20-foot utility easement on a survey prepared by Larry Grogan & Associates, Inc.,  
1018 dated October 1, 2003, and last revised December 19, 2007, and on file in the offices  
1019 of the State Properties Commission,"

1020 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
1021 Land Surveyor and presented to the State Properties Commission for approval.

**SECTION 146.**

1022  
1023 That the above-described premises shall be used solely for the purpose of planning,  
1024 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating  
1025 said electrical power line.

**SECTION 147.**

1026  
1027 That the City of Cairo shall have the right to remove or cause to be removed from said  
1028 easement area only such trees and bushes as may be reasonably necessary for the proper  
1029 construction, operation, and maintenance of said electrical power line.

**SECTION 148.**

1030  
1031 That, after the City of Cairo puts into use the electrical power line for which this easement  
1032 is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State

1033 of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and  
1034 easement granted herein. Upon abandonment, the City of Cairo, or its successors and assigns,  
1035 shall have the option of removing its facilities from the easement area or leaving the same  
1036 in place, in which event the facility shall become the property of the State of Georgia, or its  
1037 successors and assigns.

1038 **SECTION 149.**

1039 That no title shall be conveyed to the City of Cairo and, except as herein specifically granted  
1040 to the City of Cairo, all rights, title, and interest in and to said easement area is reserved in  
1041 the State of Georgia, which may make any use of said easement area not inconsistent with  
1042 or detrimental to the rights, privileges, and interest granted to the City of Cairo.

1043 **SECTION 150.**

1044 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
1045 or liability of the Department of Transportation with respect to the state highway system or  
1046 of a county with respect to the county road system or of a municipality with respect to the  
1047 city street system. The grantee shall obtain any and all other required permits from the  
1048 appropriate governmental agencies as are necessary for its lawful use of the easement area  
1049 or public highway right of way and comply with all applicable state and federal  
1050 environmental statutes in its use of the easement area.

1051 **SECTION 151.**

1052 That if the State of Georgia, acting by and through its State Properties Commission,  
1053 determines that any or all of the facilities placed on the easement area should be removed or  
1054 relocated to an alternate site on state owned land in order to avoid interference with the state's  
1055 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
1056 easement to allow placement of the removed or relocated facilities across the alternate site,  
1057 under such terms and conditions as the State Properties Commission shall in its discretion  
1058 determine to be in the best interests of the State of Georgia, and the City of Cairo shall  
1059 remove or relocate its facilities to the alternate easement area at its sole cost and expense,  
1060 unless the State Properties Commission determines that the requested removal or relocation  
1061 is to be for the sole benefit of the State of Georgia and approves payment by the State of  
1062 Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the  
1063 amount of a written estimate provided by the City of Cairo. Upon written request, the State  
1064 Properties Commission, in its sole discretion, may permit the relocation of the facilities to  
1065 an alternate site on state owned land so long as the removal and relocation is paid by the  
1066 party or parties requesting such removal and at no cost and expense to the State of Georgia.

1067 If an easement is relocated for any reason, the State Properties Commission is authorized to  
1068 convey by quitclaim deed the state's interest in the former easement area.

1069 **SECTION 152.**

1070 That the easement granted to the City of Cairo shall contain such other reasonable terms,  
1071 conditions, and covenants as the State Properties Commission shall deem in the best interest  
1072 of the State of Georgia and that the State Properties Commission is authorized to use a more  
1073 accurate description of the easement area, so long as the description utilized by the State  
1074 Properties Commission describes the same easement area herein granted.

1075 **SECTION 153.**

1076 That the consideration for such easement shall be \$10.00 and such further consideration and  
1077 provisions as the State Properties Commission may determine to be in the best interest of the  
1078 State of Georgia.

1079 **SECTION 154.**

1080 That this grant of easement shall be recorded by the Grantee in the Superior Court of Grady  
1081 County and a recorded copy shall be forwarded to the State Properties Commission.

1082 **SECTION 155.**

1083 That the authorization in this resolution to grant the above-described easement to the City of  
1084 Cairo shall expire three years after the date that this resolution is enacted into law and  
1085 approved by the State Properties Commission.

1086 **SECTION 156.**

1087 That the State Properties Commission is authorized and empowered to do all acts and things  
1088 necessary and proper to effect the grant of the easement area.

1089 **ARTICLE XIII**

1090 **SECTION 157.**

1091 That the State of Georgia is the owner of the hereinafter described real property in Muscogee  
1092 County, and the property is in the custody of the Department of Defense, hereinafter referred  
1093 to as the "easement area" and that, in all matters relating to the easement area, the State of  
1094 Georgia is acting by and through its State Properties Commission.

**SECTION 158.**

1095

1096 That the State of Georgia, acting by and through its State Properties Commission, may grant  
1097 to the City of Columbus, or its successors and assigns, a nonexclusive easement for the  
1098 operation and maintenance of a storm sewer line in, on, over, under, upon, across, or through  
1099 the easement area for the purpose of maintaining, repairing, replacing, inspecting, and  
1100 operating a storm sewer line to prevent flooding, together with the right of ingress and egress  
1101 over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the  
1102 aforesaid purposes. Said easement area is located in the Muscogee County, Georgia, and is  
1103 more particularly described as follows:

1104 "That approximately 0.327 of an acre portion and that portion only as shown on a  
1105 drawing titled Proposed Drainage and Utility Easement, 25th Avenue Storm Sewer  
1106 Replacement, Columbus, Muscogee County, Georgia, and on file in the offices of the  
1107 State Properties Commission,"

1108 and may be more particularly described by a plat of survey prepared by a Georgia Registered  
1109 Land Surveyor and presented to the State Properties Commission for approval.

**SECTION 159.**

1110

1111 That the above-described premises shall be used solely for the purpose of installing,  
1112 maintaining, repairing, replacing, inspecting, and operating said storm sewer line.

**SECTION 160.**

1113

1114 That the City of Columbus shall have the right to remove or cause to be removed from said  
1115 easement area only such trees and bushes as may be reasonably necessary for the proper  
1116 operation and maintenance of said storm sewer line.

**SECTION 161.**

1117

1118 That, after the City of Columbus has put into use the storm sewer line for which this  
1119 easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to  
1120 the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,  
1121 and easement granted herein. Upon abandonment, the City of Columbus, or its successors  
1122 and assigns, shall have the option of removing its facilities from the easement area or leaving  
1123 the same in place, in which event the storm sewer line shall become the property of the State  
1124 of Georgia, or its successors and assigns.

**SECTION 162.**

1125

1126 That no title shall be conveyed to the City of Columbus and, except as herein specifically  
1127 granted to the City of Columbus, all rights, title, and interest in and to said easement area is

1128 reserved in the State of Georgia, which may make any use of said easement area not  
1129 inconsistent with or detrimental to the rights, privileges, and interest granted to the City of  
1130 Columbus.

1131 **SECTION 163.**

1132 That if the State of Georgia, acting by and through its State Properties Commission,  
1133 determines that any or all of the facilities placed on the easement area should be removed or  
1134 relocated to an alternate site on state owned land in order to avoid interference with the state's  
1135 use or intended use of the easement area, it may grant a substantially equivalent nonexclusive  
1136 easement to allow placement of the removed or relocated facilities across the alternate site,  
1137 under such terms and conditions as the State Properties Commission shall in its discretion  
1138 determine to be in the best interests of the State of Georgia, and the City of Columbus shall  
1139 remove or relocate its facilities to the alternate easement area at its sole cost and expense,  
1140 unless the State Properties Commission determines that the requested removal or relocation  
1141 is to be for the sole benefit of the State of Georgia and approves payment by the State of  
1142 Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the  
1143 amount of a written estimate provided by the City of Columbus. Upon written request, the  
1144 State Properties Commission, in its sole discretion, may permit the relocation of the facilities  
1145 to an alternate site on state owned land so long as the removal and relocation is paid by the  
1146 party or parties requesting such removal and at no cost and expense to the State of Georgia.  
1147 If an easement is relocated for any reason, the State Properties Commission is authorized to  
1148 convey by quitclaim deed the state's interest in the former easement area.

1149 **SECTION 164.**

1150 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
1151 or liability of the Department of Transportation with respect to the state highway system or  
1152 of a county with respect to the county road system or of a municipality with respect to the  
1153 city street system. The grantee shall obtain any and all other required permits from the  
1154 appropriate governmental agencies as are necessary for its lawful use of the easement area  
1155 or public highway right of way and comply with all applicable state and federal  
1156 environmental statutes in its use of the easement area.

1157 **SECTION 165.**

1158 That the easement granted to the City of Columbus shall contain such other reasonable terms,  
1159 conditions, and covenants as the State Properties Commission shall deem in the best interest  
1160 of the State of Georgia and that the State Properties Commission is authorized to use a more

1161 accurate description of the easement area, so long as the description utilized by the State  
1162 Properties Commission describes the same easement area herein granted.

1163 **SECTION 166.**

1164 That the consideration for such easement shall be \$10.00 and such further consideration and  
1165 provisions as the State Properties Commission may determine to be in the best interest of the  
1166 State of Georgia.

1167 **SECTION 167.**

1168 That this grant of easement shall be recorded by the Grantee in the Superior Court of  
1169 Muscogee County and a recorded copy shall be forwarded to the State Properties  
1170 Commission.

1171 **SECTION 168.**

1172 That the authorization in this resolution to grant the above-described easement to the City of  
1173 Columbus shall expire three years after the date that this resolution is enacted into law and  
1174 approved by the State Properties Commission.

1175 **SECTION 169.**

1176 That the State Properties Commission is authorized and empowered to do all acts and things  
1177 necessary and proper to effect the grant of the easement area.

1178 **ARTICLE XIV**

1179 **SECTION 170.**

1180 That all laws or parts of laws in conflict with this resolution are repealed.