

The Senate State Institutions and Properties Committee offered the following substitute to SR 873:

#### A RESOLUTION

1 Authorizing the granting of restrictive easements, nonexclusive easements for operation and  
2 maintenance of facilities, utilities, and ingress and egress in, on, over, under, upon, across,  
3 or through property owned by the State of Georgia in Bartow, Bibb, Butts, Chatham, Clinch,  
4 Douglas, Gordon, Hall, Houston, McDuffie, Newton, Tattnall, and Ware County; to provide  
5 for an effective date; to repeal conflicting laws; and for other purposes.

6 WHEREAS, the State of Georgia is the owner of certain real property located in Bartow,  
7 Bibb, Butts, Chatham, Clinch, Douglas, Gordon, Hall, Houston, McDuffie, Newton, Tattnall,  
8 and Ware County; and

9 WHEREAS, Central Georgia Joint Development Authority, Georgia Department of  
10 Transportation, Greystone Power Corporation, Flint EMC, Georgia Department of Natural  
11 Resources, Georgia Department of Transportation, Georgia Power Company, Jackson EMC,  
12 John S. Braddy and L & M Farms, Inc. desire to operate and maintain facilities, utilities, and  
13 ingress and egress in, on, over, under, upon, across, or through a portion of said property, and  
14 restrictive easements; and

15 WHEREAS, these restrictive easements, facilities, utilities, and ingress and egress in, on,  
16 over, under, upon, across, or through the above-described state property have been requested  
17 or approved by the Department of Corrections, Department of Natural Resources, Georgia  
18 Bureau of Investigation, Georgia Forestry Commission, State Properties Commission, and  
19 the Technical College System of Georgia.

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

**ARTICLE I****SECTION 1.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 321 of District 23, Section 2, Bartow County, Georgia, and that the property is in the custody of the Georgia Forestry Commission which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 2.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement area for the installation, operation, and maintenance of an electrical power line. Said easement area is located at 3700 Hwy. 140, Rydal, Georgia and is more particularly described as follows:

That approximately 0.301 of an acre easement area and that portion only as shown highlighted in yellow on a drawing prepared by Rhodes Engineering Services (Paul R. Rogers, RLS) and being Job Title- Survey for State of Georgia, Department of The Georgia Forestry Commission.

and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 3.**

That the above-described premises shall be used solely for the purpose of installing, maintaining, and operating said electrical power line and associated equipment.

**SECTION 4.**

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

**SECTION 5.**

That, after Georgia Power Company has put into use the electrical power line this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Georgia Power Company, or its successors

and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the electrical power line shall become the property of the State of Georgia or its successors and assigns.

#### **SECTION 6.**

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

#### **SECTION 7.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 8.**

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

#### **SECTION 9.**

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

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

#### **SECTION 10.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

#### **SECTION 11.**

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

#### **SECTION 12.**

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

#### **SECTION 13.**

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

### **ARTICLE II**

#### **SECTION 14.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 205, 206, 211, and 212, 5th. Land District, Bibb County and in Land Lots 250, 255, 265, 266, and 272, 5th. Land District, Houston County, Georgia, and the property is in the custody of the Georgia Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 15.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Central Georgia Joint Development Authority (a State entity serving Bibb, Crawford, Houston, Jones, Monroe and Twiggs Counties), or its successors and assigns, a nonexclusive easement for the purpose of a restrictive easement to eliminate incompatible land use around Robins Air Force Base ("the Base") in Bibb and Houston Counties, Georgia together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement is near or adjacent to the Base at Echeconnee Creek Natural Area in Bibb and Houston Counties, Georgia, and is more particularly described as follows:

That approximately 527.5 acres portion and that portion only as shown on a drawing prepared by Department of Natural Resources stamped Exhibit "A" showing the 367.924 acres in Houston County and the 159.576 acres in Bibb County highlighted in black outline, and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 16.**

That the above-described premises shall be used solely for the purpose of a restrictive easement.

**SECTION 17.**

That, after the Central Georgia Joint Development Authority completes the restrictive easement for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Central Georgia Joint Development Authority, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

**SECTION 18.**

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

**SECTION 19.**

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

**SECTION 20.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 21.**

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

**SECTION 22.**

That the consideration for such easement shall be future conveyance by the Central Georgia Joint Development Authority to the State of Georgia of additional properties to be used as buffer for the Base, such properties to be subject to the same easement restrictions, and any

other consideration as the State Properties Commission may determine to be in the best interest of the State of Georgia.

### **SECTION 23.**

That this grant of easement shall be recorded by the grantee in the Superior Courts of Bibb and Houston Counties and a recorded copy shall be forwarded to the State Properties Commission.

### **SECTION 24.**

That the authorization in this resolution to grant the above-described restrictive easement to the Central Georgia Joint Development Authority shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

### **SECTION 25.**

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

## **ARTICLE III**

### **SECTION 26.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 245, 3rd. Land District, Butts County, Georgia, and the property is in the custody of the Georgia Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

### **SECTION 27.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Georgia Department of Transportation, or its successors and assigns, a nonexclusive easement for the purpose of widening SR 36 at Towaliga River in Butts County, Georgia together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Butts County, Georgia, and is more particularly described as follows:

That approximately 0.13 of an acre portion and that portion only as shown in yellow on a drawing prepared by Lowe Engineers and being Project No. BRSTO-0054-01(064), and being on file in the offices of the State Properties Commission,

and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

#### **SECTION 28.**

That the above-described premises shall be used solely for the purpose of widening SR 36 at Towaliga River.

#### **SECTION 29.**

That the Georgia Department of Transportation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said road widening.

#### **SECTION 30.**

That, after the Georgia Department of Transportation completes the road widening project for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Georgia Department of Transportation, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

#### **SECTION 31.**

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

#### **SECTION 32.**

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



**SECTION 33.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 34.**

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

**SECTION 35.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

**SECTION 36.**

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

**SECTION 37.**

That the authorization in this resolution to grant the above-described easement to the Georgia Department of Transportation shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 38.**

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

**ARTICLE IV****SECTION 39.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in 5th. GMD, City of Savannah, Chatham County, Georgia, and that the property is in the custody of the Georgia Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 40.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement area for the purpose of replacing and upgrading an old utility line. Said easement area is located at Skidaway Island State Park, Chatham County, Georgia and is more particularly described as follows:

That approximately 2.9 acre easement area and that portion only as shown highlighted in orange on a drawing marked Exhibit "A" and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 41.**

That the above-described premises shall be used solely for the purpose of replacing and upgrading the old utility line.

**SECTION 42.**

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

**SECTION 43.**

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

**SECTION 44.**

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

**SECTION 45.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 46.**

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use

a more accurate description of the easement area so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

#### **SECTION 47.**

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

#### **SECTION 48.**

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

#### **SECTION 49.**

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

#### **SECTION 50.**

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

#### **SECTION 51.**

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

### **ARTICLE V**

#### **SECTION 52.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in 6th. GMD, City of Savannah, Chatham County, Georgia, and that the property is in the custody of the Georgia Bureau of Investigation, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to

the easement area, the State of Georgia is acting by and through its State Properties Commission.

### **SECTION 53.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement area for the installation, operation and maintenance of an electrical power line. Said easement area is located at the Coastal Regional Crime Lab, Savannah Regional Drug Office, and the Bomb Truck Garage in Savannah, Georgia and is more particularly described as follows:

That approximately 0.027 and 0.10 of an acre easement areas and that portion only as shown highlighted in purple on two drawings prepared by Harmon A. Vedder and being Job Title Little Ogeechee-New Dutchtown 115V Transmission Line Parcel 177 (0.10 Acre) and Parcel 178 (0.27 Acre).

and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

### **SECTION 54.**

That the above-described premises shall be used solely for the purpose of installing, maintaining, and operating said electrical power line and associated equipment.

### **SECTION 55.**

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

### **SECTION 56.**

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

**SECTION 57.**

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

**SECTION 58.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 59.**

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

**SECTION 60.**

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area

or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

#### **SECTION 61.**

That the consideration for such easement shall be \$46,500 and Georgia Power Company has agreed to provide as in-kind-cost-to-cure to GBI for the removal of existing trees, the planting of 29 Japanese Ligustrum trees and centipede sod, the installation of an irrigation system, and a two year maintenance and guarantee, to be installed upon completion of the transmission line, and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

#### **SECTION 62.**

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

#### **SECTION 63.**

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

#### **SECTION 64.**

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

### **ARTICLE VI**

#### **SECTION 65.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 470, Seventh Land District, Clinch County, Georgia, and the property is in the custody of the Georgia Forestry Commission, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

#### **SECTION 66.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Georgia Department of Transportation, or its successors and assigns, a nonexclusive

easement for the purpose of construction of a road widening project for US Hwy 441 Widening Project No. EDS-441(46) Clinch County, Georgia together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Clinch County, Georgia, and is more particularly described as follows:

Those approximately 0.045 of an acre portion and that portion only as shown in yellow on a drawing prepared by Georgia Department of Transportation and being Job Title "US Hwy 441 Widening Project, and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

#### **SECTION 67.**

That the above-described premises shall be used solely for the purpose of constructing the road widening project.

#### **SECTION 68.**

That the Georgia Department of Transportation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said road widening.

#### **SECTION 69.**

That, after the Georgia Department of Transportation completes the road widening project for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Georgia Department of Transportation, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

#### **SECTION 70.**

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



**SECTION 71.**

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

**SECTION 72.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 73.**

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

**SECTION 74.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

**SECTION 75.**

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

**SECTION 76.**

That the authorization in this resolution to grant the above-described easement to the Georgia Department of Transportation shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 77.**

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

**ARTICLE VII****SECTION 78.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 176 and 180, 1st. District, 5th. Section, Douglas County, Georgia, and that the property is in the custody of the Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 79.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Greystone Power Corporation, or its successors and assigns, a nonexclusive easement area for the construction, operation and maintenance of an electrical power line. Said easement area is located at the Sweetwater Creek State Park, Riverside Parkway in Douglas County and is more particularly described as follows:

That approximately 2.74 acres easement area and that portion only as shown highlighted in blue on that drawing prepared by Greystone Power Corporation, and being Job "Exhibit A" Riverside Parkway Double Circuit Land Lot 176, 1st.District, 5th. Section, Douglas County, and being on file in the offices of the State Properties Commission;" and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 80.**

That the above-described premises shall be used solely for the purpose of installing, maintaining, and operating said electrical power line and associated equipment.

**SECTION 81.**

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

**SECTION 82.**

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

**SECTION 83.**

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

**SECTION 84.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from

Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 85.**

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

#### **SECTION 86.**

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

#### **SECTION 87.**

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

#### **SECTION 88.**

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

#### **SECTION 89.**

That the authorization in this resolution to grant the above-described easement to Greystone Power Corporation shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

#### **SECTION 90.**

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

**ARTICLE VIII****SECTION 91.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 26 of the 14th. Land District, 3rd. Section, Gordon County, Georgia, and that the property is in the custody of the Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 92.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Department of Transportation or its successors and assigns, a nonexclusive easement area to reconstruct the Interchange Improvement at I-75 Interchange located on the Northwest corner side of SR 136 and I-75 in Resaca, Gordon County and is more particularly described as follows:

That approximately 0.030 acre easement area and that portion only as shown highlighted in Orange and an area shown colored in Pink for the reconstruction of a driveway on that drawing prepared by Briendley Pieters & Associates, Inc, and being Job Title "STPIM-0075-03(210) Gordon County P.I. # 610930, and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 93.**

That the above-described premises shall be used solely for the purpose of reconstructing the Interchange Improvement at I-75 Interchange @SR 136 in Gordon County, Georgia.

**SECTION 94.**

That Georgia Department of Transportation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the construction of the road reconstruction.

**SECTION 95.**

That, after Georgia Department of Transportation has constructed the road reconstruction this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges,

powers, and easement granted herein. Upon abandonment, the Georgia Department of Transportation, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the road reconstruction shall become the property of the State of Georgia, or its successors and assigns.

#### **SECTION 96.**

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

#### **SECTION 97.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 98.**

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

**SECTION 99.**

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

**SECTION 100.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

**SECTION 101.**

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

**SECTION 102.**

That the authorization in this resolution to grant the above-described easement to Georgia Department of Transportation shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 103.**

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

**ARTICLE IX****SECTION 104.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 13 of the 14th. Land District, Gordon County, Georgia, and that the property is in the custody of the State Properties Commission, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 105.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Department of Transportation or its successors and assigns, a nonexclusive easement area for the construction of a road widening at SR3/US41/SR136 at SR136 in Gordon County and is more particularly described as follows:

That approximately 0.121 acre easement area and that portion only as shown highlighted in Orange on that drawing prepared by Briendley Pieters & Associates, Inc, and being Job Title "STPIM-0075-03(210) Gordon County P.I. # 610930., and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 106.**

That the above-described premises shall be used solely for the purpose of constructing a road widening at SR3/US41/SR136 at SR136 in Gordon County, Georgia.

**SECTION 107.**

That Georgia Department of Transportation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the construction of the road widening.

**SECTION 108.**

That, after Georgia Department of Transportation has constructed the road widening this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Georgia Department of Transportation, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the road widening shall become the property of the State of Georgia, or its successors and assigns.

**SECTION 109.**

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



**SECTION 110.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 111.**

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

**SECTION 112.**

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

**SECTION 113.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

**SECTION 114.**

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

**SECTION 115.**

That the authorization in this resolution to grant the above-described easement to Georgia Department of Transportation shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 116.**

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

**ARTICLE X****SECTION 117.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 169, 171, 10th. Land District, Hall County, Georgia, and the property is in the custody of the Georgia Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 118.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Hall County, or its successors and assigns, a nonexclusive easement for the purpose of constructing, maintaining, and operating county roads in Hall County, Georgia together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Hall County, Georgia, and is more particularly described as follows:

That approximate total .407 of an acre consisting of three parcels of 0.007, 0.12, and 0.28 acres and that portion only as shown in red on an Exhibit "A" labeled Don Carter State Park Road Easements, Hall County and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

809 **SECTION 119.**

810 That the above-described premises shall be used solely for the purpose of constructing,  
811 maintaining, and operating county roads at Don Carter State Park.

812 **SECTION 120.**

813 That Hall County shall have the right to remove or cause to be removed from said easement  
814 area only such trees and bushes as may be reasonably necessary for the proper construction,  
815 operation, and maintenance of said roads.

816 **SECTION 121.**

817 That after Hall County completes the road construction project for which this easement is  
818 granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of  
819 Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement  
820 granted herein. Upon abandonment, Hall County, or its successors and assigns, shall have  
821 the option of removing its facilities from the easement area or leaving the same in place, in  
822 which event the facility shall become the property of the State of Georgia, or its successors  
823 and assigns.

824 **SECTION 122.**

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

829 **SECTION 123.**

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

837 **SECTION 124.**

838 That if the State of Georgia, acting by and through its State Properties Commission,  
839 determines that in order to avoid interference with the state's use or intended use of the  
840 easement area, the easement area should be relocated to an alternate site within the property,

it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 125.**

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

#### **SECTION 126.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

#### **SECTION 127.**

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

#### **SECTION 128.**

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

#### **SECTION 129.**

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

**ARTICLE XI****SECTION 130.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 165, 166, 168-172, 10th. Land District and Land Lots 96, 97, 120, 12th. Land District, GMD 1695, Hall County, Georgia, and the property is in the custody of the Georgia Department of Natural Resources, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 131.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Jackson EMC, or its successors and assigns, a nonexclusive easement for the purpose of installing, maintaining, and operating overhead power lines in Hall County, Georgia together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Hall County, Georgia, and is more particularly described as follows:

That approximate area shown (engineered drawings to follow for approximate area and as built surveys to be provided upon completion of installation) and that portion only as shown in blue on an Exhibit "A" labeled Don Carter State Park Power Lines, Hall County and being on file in the offices of the State Properties Commission; and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 132.**

That the above-described premises shall be used solely for the purpose of constructing, maintaining, and operating power lines at Don Carter State Park.

**SECTION 133.**

That Jackson EMC shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said power lines.

**SECTION 134.**

That after Jackson EMC completes the utility lines project for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement

granted herein. Upon abandonment Jackson EMC, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

#### **SECTION 135.**

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

#### **SECTION 136.**

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

#### **SECTION 137.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 138.**

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

**SECTION 139.**

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

**SECTION 140.**

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

**SECTION 141.**

That the authorization in this resolution to grant the above-described easement to Jackson EMC shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 142.**

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

**ARTICLE XII****SECTION 143.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 165 and 166, 10th. District, Houston County, Georgia, and that the property is in the custody of the Technical College System of Georgia, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 144.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Flint EMC, or its successors and assigns, a nonexclusive easement area for the installation, operation and maintenance of an electrical power line. Said easement area is located at the Middle Georgia Technical College, Main Campus, Houston County and is more particularly described as follows:

That approximately 0.774 of an acre easement areas (two areas comprised of 0.104 and 0.162 acres) and that portion only as shown highlighted in yellow on that survey prepared by Christopher A. Branscom, Georgia Registered Surveyor No. 3164 and being Job Title Easement Plats for Flint Energies, Waddell & Company and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 145.**

That the above-described premises shall be used solely for the purpose of installing, maintaining, and operating said electrical power line and associated equipment.

**SECTION 146.**

Flint EMC shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper installation, operation and maintenance of said electrical power line.

**SECTION 147.**

That, after Flint EMC has put into use the electrical power line this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment Flint EMC, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the electrical power line shall become the property of the State of Georgia, or its successors and assigns.

**SECTION 148.**

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



**SECTION 149.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 150.**

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

**SECTION 151.**

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

**SECTION 152.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

**SECTION 153.**

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

**SECTION 154.**

That the authorization in this resolution to grant the above-described easement to Flint EMC shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 155.**

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

**ARTICLE XIII****SECTION 156.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 134th. GMD, McDuffie County, Georgia, and that the property is in the custody of the Technical College System of Georgia, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 157.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement area for the installation, operation and maintenance of an underground electrical power line. Said easement area is located at the Thompson campus of Augusta Technical College in McDuffie County and is more particularly described as follows:

That approximately 0.101 of an acre easement area and that portion only as shown highlighted in yellow on that drawing prepared by WK Dickson and being Job Title "Utility Plan Augusta Technical College Aircraft Technology Building Project #DTAE-147" and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 158.**

That the above-described premises shall be used solely for the purpose of installing, maintaining, and operating said electrical power line and associated equipment.

**SECTION 159.**

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

**SECTION 160.**

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

**SECTION 161.**

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

**SECTION 162.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from

Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

**SECTION 163.**

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

**SECTION 164.**

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

**SECTION 165.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

**SECTION 166.**

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

**SECTION 167.**

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

1121 **SECTION 168.**

1122 That the State Properties Commission is authorized and empowered to do all acts and things  
1123 necessary and proper to effect the grant of the easement area.

1124 **ARTICLE XIV**

1125 **SECTION 169.**

1126 That the State of Georgia is the owner of the hereinafter described real property lying and  
1127 being in Land Lot 295, 9th. District, Newton County, Georgia, and the property is in the  
1128 custody of the Technical College System of Georgia which does not object to the granting  
1129 of this easement, hereinafter referred to as the easement area and that, in all matters relating  
1130 to the easement area, the State of Georgia is acting by and through its State Properties  
1131 Commission.

1132 **SECTION 170.**

1133 That the State of Georgia, acting by and through its State Properties Commission, may grant  
1134 to the Georgia Department of Transportation, or its successors and assigns, a nonexclusive  
1135 easement for the reconstruction of SR 142 under DOT Project  
1136 Number-STP-00-1418-00(003) in Newton County, Georgia together with the right of ingress  
1137 and egress over adjacent land of the State of Georgia as may be reasonably necessary to  
1138 accomplish the aforesaid purposes. Said easement area is located in Newton County,  
1139 Georgia, and is more particularly described as follows:

1140 That approximately 0.0107 acre easement area and that portion only as shown in orange  
1141 on a drawing prepared by Georgia Department of Transportation and being Job Title  
1142 Project No. STP-00-1418-00(003), and being on file in the offices of the State Properties  
1143 Commission,  
1144 and may be more particularly described by a plat of survey prepared by a Georgia registered  
1145 land surveyor and presented to the State Properties Commission for approval.

1146 **SECTION 171.**

1147 That the above-described premises shall be used solely for the purpose of the road  
1148 reconstruction project.

1149 **SECTION 172.**

1150 That the Georgia Department of Transportation shall have the right to remove or cause to be  
1151 removed from said easement area only such trees and bushes as may be reasonably necessary  
1152 for the road reconstruction project.

**SECTION 173.**

That, after the Georgia Department of Transportation completes the road reconstruction project for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Georgia Department of Transportation, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

**SECTION 174.**

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

**SECTION 175.**

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

**SECTION 176.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from

Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 177.**

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

#### **SECTION 178.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

#### **SECTION 179.**

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

#### **SECTION 180.**

That the authorization in this resolution to grant the above-described easement to the Georgia Department of Transportation shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

#### **SECTION 181.**

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

### **ARTICLE XV**

#### **SECTION 182.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 1645th. GMD, Tattnall County, Georgia, and that the property is in the custody of the Georgia Department of Corrections, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 183.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement area for an early warning system associated with the power generation plant known as Plant Hatch in compliance with the Federal Nuclear Energy Regulatory Commission regulations. Said easement area is located at the Department of Corrections' Georgia State Prison Property in Tattnall County, Reidsville, Georgia and is more particularly described as follows:

That approximately 0.0574 of an acre easement area and that portion only as shown highlighted in Gold on that drawing prepared by Georgia Power Company Land Department and being Job Title "Plant Hatch Alert Notification (Siren) System Exhibit "A" Map, Siren #045" and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 184.**

That the above-described premises shall be used solely for the purpose of installing, maintaining, and operating said siren system and associated equipment.

**SECTION 185.**

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

**SECTION 186.**

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

**SECTION 187.**

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



inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

#### **SECTION 188.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 189.**

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

#### **SECTION 190.**

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

**SECTION 191.**

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

**SECTION 192.**

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

**SECTION 193.**

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

**SECTION 194.**

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

**ARTICLE XVI****SECTION 195.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in original Land Lot 32, 9th. District, Ware County, Georgia, and the property is in the custody of the Georgia Forestry Commission, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 196.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to John S. Braddy a nonexclusive easement for a permanent access easement together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. The easement will terminate at the time that John S. Braddy transfers property title or at the time John S. Braddy is deceased. Said easement area is located at 4333 Okefenokee Swamp Road, Waycross, Ga. 31503 in Ware County, Georgia, and is more particularly described as follows:

That 0.207 of an acre portion and that portion only as shown highlighted in yellow on a drawing prepared by D Lavone Herrin and being Job Title "Resurvey of 0.813 Acre

including 25' Easement", and all being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

**SECTION 197.**

That the above-described premises shall be used solely for the purpose of a permanent access easement.

**SECTION 198.**

That John S. Braddy shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the permanent access easement.

**SECTION 199.**

That, after John S. Braddy has put into use the permanent access easement for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, John S. Braddy, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

**SECTION 200.**

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

**SECTION 201.**

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area

or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

#### **SECTION 202.**

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of the easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 203.**

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

#### **SECTION 204.**

That the consideration for such easement shall be \$10 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

#### **SECTION 205.**

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

**SECTION 206.**

That the authorization in this resolution to grant the above-described easement to John S. Braddy shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

**SECTION 207.**

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

**ARTICLE XVII****SECTION 208.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 12, 9th. District, Ware County, Georgia, and the property is in the custody of the Georgia Forestry Commission, which does not object to the granting of this easement, hereinafter referred to as the easement area and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

**SECTION 209.**

That the State of Georgia, acting by and through its State Properties Commission, may grant to Steve and Julie Mullis/L & S Mullis Farms, Inc. a nonexclusive easement for a permanent access easement and installation of a power line/pole at Dixon Memorial State Forest together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement will be for a total of 45' in width (30' for the road and 15' for the power line/pole). The easement will be for farm access only and if the land is converted or rezoned for other than agriculture purposes the easement is terminated and reverts back to the Georgia Forestry Commission. Said easement area is located on Lloyd Strickland Road in the Dixon Memorial State Forest in Ware County, Georgia, and is more particularly described as follows:

That 0.944 of an acre portion and that portion only as shown highlighted in yellow on a survey prepared by Registered Surveyor, Charles H. Tomberlin and being titled Survey for L & S Mullis Farms, Inc., and being on file in the offices of the State Properties Commission,  
and more particularly described in said plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

1403 **SECTION 210.**

1404 That the above-described premises shall be used solely for the purpose of a permanent access  
1405 easement and power line/pole installation.

1406 **SECTION 211.**

1407 That L & S Mullis Farms, Inc. shall have the right to remove or cause to be removed from  
1408 said easement area only such trees and bushes as may be reasonably necessary for the  
1409 permanent access easement.

1410 **SECTION 212.**

1411 That, after L & S Mullis Farms, Inc. has put into use the permanent access easement for  
1412 which this easement is granted, a subsequent abandonment of the use thereof shall cause a  
1413 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,  
1414 privileges, powers, and easement granted herein. Upon abandonment, L & S Mullis Farms,  
1415 Inc. or its successors and assigns, shall have the option of removing its facilities from the  
1416 easement area or leaving the same in place, in which event the facility shall become the  
1417 property of the State of Georgia, or its successors and assigns.

1418 **SECTION 213.**

1419 That no title shall be conveyed to L & S Mullis Farms, Inc., and except as herein specifically  
1420 granted to L & S Mullis Farms, Inc., all rights, title, and interest in and to said easement area  
1421 is reserved in the State of Georgia, which may make any use of said easement area not  
1422 inconsistent with or detrimental to the rights, privileges, and interest granted to L & S Mullis  
1423 Farms, Inc.

1424 **SECTION 214.**

1425 That this resolution does not affect and is not intended to affect any rights, powers, interest,  
1426 or liability of the Department of Transportation with respect to the state highway system, of  
1427 a county with respect to the county road system, or of a municipality with respect to the city  
1428 street system. The grantee shall obtain any and all other required permits from the  
1429 appropriate governmental agencies as are necessary for its lawful use of the easement area  
1430 or public highway right of way and comply with all applicable state and federal  
1431 environmental statutes in its use of the easement area.

1432 **SECTION 215.**

1433 That if the State of Georgia, acting by and through its State Properties Commission,  
1434 determines that in order to avoid interference with the state's use or intended use of the

easement area, the easement area should be relocated to an alternate site within the property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The Grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and Grantee provides, and the State Properties Commission receives and approves, in advance of any construction being commenced a written estimate for the cost of such removal and relocation. Upon written request from Grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

#### **SECTION 216.**

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

#### **SECTION 217.**

That the consideration for such easement shall be \$650.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

#### **SECTION 218.**

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

#### **SECTION 219.**

That the authorization in this resolution to grant the above-described easement to L & S Mullis Farms, Inc. shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

#### **SECTION 220.**

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

1467 ARTICLE XVIII

1468 SECTION 221.

1469 That this resolution shall become effective as law upon its approval by the Governor or upon  
1470 its becoming law without such approval.

1471 ARTICLE XIX

1472 SECTION 222.

1473 That all laws or parts of laws in conflict with this resolution are repealed.