House Resolution 157 (COMMITTEE SUBSTITUTE)

By: Representatives Greene of the 154th, Vance of the 133rd, Pirkle of the 169th, Dunahoo of the 31st, and Buckner of the 137th

A RESOLUTION

Authorizing the lease of certain state owned property located in Appling County; authorizing the conveyance of certain state owned property located in Bacon County; authorizing the lease of certain state owned property located in Bacon County; authorizing the conveyance of certain state owned property located in Effingham County; authorizing the conveyance of certain state owned property in Morgan, Newton, and Walton counties; authorizing the lease of certain state owned property located in Rabun County; authorizing the conveyance of certain state owned property in Taylor County; and authorizing the conveyance of certain state owned property in Walton County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

WHEREAS:

(1) The State of Georgia is the owner of certain real property located in Appling County, Georgia; and

(2) Said real property is approximately 4.16 acres located in the 2nd Land District of Appling County, Georgia, with 0.68 of an acre identified as the "Ground Lease Area," approximately 0.79 of an acre identified as "Ingress/Egress Access Easement," and approximately 2.69 acres identified as "Shared Parking," and more particularly described in that Deed, dated January 29, 1997, from Appling County, Georgia, being recorded in Deed Book 299, Page 460, in the office of the Clerk of Superior Court of Appling County

and on file with the State Properties Commission Real Property Records as RPR 008975; and

(3) Said real property is under the custody of the Technical College System of Georgia; and

(4) By official action dated September 13, 2022, the Appling County Board of Education requested to enter into a lease of the Property for a term of 25 years for the construction and operation of Southern Pines College and Career Academy at the Baxley Campus of Coastal Pines Technical College; and

(5) By official action dated October 6, 2022, the Technical College System of Georgia declared the Property surplus to its current and future need; and

(6) The Technical College System of Georgia has no objection to the leasing of the Property; and

WHEREAS:

(1) The State of Georgia is the owner of certain real property located in Bacon County, Georgia; and

(2) Said real property is approximately 0.26 of an acre located in the 5th Land District of Bacon County, Georgia, and more particularly described in that General Warranty Deed, dated December 19, 2001, from the Downtown Development Authority of Alma, being recorded in Deed Book 311, Pages 265-267, in the office of the Clerk of Superior Court of Bacon County and on file with the State Properties Commission Real Property Records as RPR 009566.01; and

(3) Said real property is under the custody of the Department of Human Services and is located at 426 and 428 W. 12th Street, Alma, Georgia; and

(4) By official action dated August 17, 2022, the Department of Human Services resolved to seek legislation to surplus and convey the approximately 0.26 of an acre of

real property by competitive bid for fair market value, or to a local government or state entity for fair market value; and

WHEREAS:

(1) The State of Georgia is the owner of certain real property located in Bacon County, Georgia; and

(2) Said real property is approximately 11,520 square feet being in part of the Alma Campus of Coastal Pines Technical College, being in Land Lot 282 of the 5th District, City of Alma, Bacon County, Georgia, and more particularly described in that General Warranty Deed, dated December 28, 2006, from the City of Alma, Bacon County, Georgia, being recorded in Deed Book 400, Page 259, in the office of the Clerk of Superior Court of Bacon County and on file with the State Properties Commission Real Property Records as RPR 010866; and

(3) Said real property is under the custody of the Technical College System of Georgia and is located at 203 W. 16th Street, Alma, Georgia; and

(4) Satilla Rural Electric Membership Corporation is currently leasing the Property; and

(5) Satilla Rural Electric Membership Corporation is desirous of entering into a new lease of the Property for a term of two years; and

(6) By official action, the Technical College System of Georgia has no objection to the leasing of the Property; and

WHEREAS:

(1) The State of Georgia is the owner of certain real property located in Effingham County, Georgia; and

(2) Said real property is a portion of the property being approximately 16.0 acres located in the 9th G.M.D., Effingham County, Georgia, commonly known as the Savannah Technical College and Career Academy, and more particularly described in that Quit

Claim Deed, dated July 19, 2004, from the Department of Technical and Adult Education, being recorded in Deed Book 1142, Pages 285-286 in the office of the Clerk of Superior Court of Effingham County and on file with the State Properties Commission Real Property Record as RPR 010009.02; and

(3) Said real property is under the custody of the Technical College System of Georgia; and

(4) The Effingham County Board of Education is desirous of acquiring up to 16.0 acres; and

(5) The Technical College System of Georgia has no objection to the conveyance of the above-described property to the Effingham County Board of Education; and

WHEREAS:

(1) The State of Georgia is the owner of certain improved real property located in Morgan County, Newton County, and Walton County, Georgia; and

(2) Said real property is approximately 93.9 acres of fee, 1.868 acres of permanent easement for construction and drainage maintenance, and 0.542 of an acre of permanent driveway easement, located in Land Lots 2, 3, 30, 31, 33, 34, 102, 105, 106, and 108 of the 1st and 19th Land District, Morgan County, Newton County, and Walton County, Georgia, and more particularly described in that Limited Warranty Deed, dated September 2, 2002, from the Joint Development Authority of Jasper County, Morgan County, Newton County, and Walton County, being recorded in Deed Book 5204, Pages 170-216, in the office of the Clerk of Superior Court of Walton County and on file with the State Properties Commission Real Property Records as RPR 012780.01; and

(3) Said real property is under the custody of the Department of Economic Development Authority; and

(4) By official action dated December 8, 2022, the Department of Economic Development resolved to seek legislation to surplus and convey the approximately 93.9

acres of fee, 1.868 acres of permanent easement for construction and drainage maintenance, and 0.542 of an acre of permanent driveway easement by competitive bid for fair market value, or to a local government or state entity for fair market value; and

WHEREAS:

(1) The State of Georgia is the owner of certain real property located in Rabun County, Georgia; and

(2) Said real property is approximately 1.12 acres located in Land Lot 162 of the 2nd District, 556th GMD, commonly known as the Dillard State Farmers' Market, and more particularly described in those Warranty Deeds, dated October 17, 1950, and September 30, 1954 from the Rabun Home Industries Co-Operative, Inc., being recorded in Deed Book Y-2, Page 61, and Deed Book E-4, Pages 147-148 in the office of the Clerk of Superior Court of Rabun County and on file with the State Properties Commission Real Property Records as RPR 001089 and 004487, respectively; and

(3) Said real property is under the custody of the Department of Agriculture and is located at 6500 Hwy 441 North, Dillard, Georgia; and

(4) The City of Dillard, Georgia, is currently leasing the Property; and

(5) By official action dated October 11, 2022, the City of Dillard is desirous of entering into a new lease of the Property for a term of 20 years for the continued operation of the local farmers' market and agritourism; and

(6) By official action, the Department of Agriculture has no objection to the leasing of the Property; and

WHEREAS:

(1) The State of Georgia is the owner of certain improved real property located in Taylor County, Georgia; and

(2) Said real property is approximately 10.01 acres located in Land Lot 2 of the 15th Land District of Taylor County, Georgia, commonly known as the Taylor Detention Center and more particularly described in that Fee Simple Deed, dated July 1, 1987, from Taylor County Development Authority, being recorded in Deed Book 60, Pages 406-410, in the office of the Clerk of Superior Court of Taylor County and on file with the State Properties Commission Real Property Records as RPR 007467; and

(3) Said real property is under the custody of the Department of Corrections and is located on Industrial Park Road; and

(4) By official action dated February 8, 2023, the Department of Corrections requested authorization to surplus and convey the approximately 10.01 acre of real property by competitive bid for fair market value, or to a local government or state entity for fair market value; and

WHEREAS:

(1) The State of Georgia is the owner of certain improved real property located in Walton County, Georgia; and

(2) Said real property is approximately 7.233 acres of fee, 4,750 square feet of easement for construction and drainage maintenance, and 938.492 of linear feet for access, located in Land Lots 106 and 108 of the 1st Land District, Walton County, Georgia, and more particularly described in that Limited Warranty Deed, dated September 2, 2002, from the Joint Development Authority of Jasper County, Morgan County, Newton County, and Walton County, being recorded in Deed Book 5204, Pages 170-216, in the office of the Clerk of Superior Court of Walton County and on file with the State Properties Commission Real Property Records as RPR 012780.01; and

(3) Said real property is under the custody of the Department of Economic Development Authority; and

(4) The Department of Transportation is desirous of acquiring a portion totaling approximately 7.233 acres of fee, 4,750 square feet of easement for construction and drainage maintenance, and 938.492 of linear feet for access; and

(5) By official action dated December 8, 2022, the Board of the Economic Development resolved to seek legislation to surplus and convey the approximately 7.233 acres of fee, 4,750 square feet of easement for construction and drainage maintenance, and 938.492 of linear feet for access by competitive bid for fair market value, or to a local government or state entity for fair market value.

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

ARTICLE I

SECTION 1.

That the State of Georgia is the owner of the above-described property located in Appling County, containing approximately 4.16 acres, and that in all matters relating to the leasing of said real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to lease the above-described property with the Appling County Board of Education for a term of 25 years for the consideration of $10.00 annually so long as the property is used for public purpose, and such further terms and conditions as determined by the State Properties Commission as to be in the best interest of the State of Georgia.

SECTION 3.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 4.

That the authorization to lease the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 5.

That the ground lease shall be recorded by the Grantor in the Superior Court of Appling County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 6.

That the above-described real property shall remain in the custody of the Technical College System of Georgia during the term of the lease.

ARTICLE II

SECTION 7.

That the State of Georgia is the owner of the above-described property located in Bacon County, containing approximately 0.26 of an acre, and that in all matters relating to the conveyance of said real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 8.

That the above-described real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission by competitive bid for fair market value or to a local government entity or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of $10.00 so long as the property is used for public purpose, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 9.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance, including the execution of all necessary documents.

SECTION 10.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 11.

That the deed or deed and plat or plats of the conveyance shall be recorded by the Grantee in the Superior Court of Bacon County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 12.

That the above-described real property shall remain in the custody of the Department of Human Services until the property is conveyed.

ARTICLE III

SECTION 13.

That the State of Georgia is the owner of the above-described property located in Bacon County, containing approximately 11,520 square feet, and that in all matters relating to the leasing of said real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 14.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to lease the above-described real property to Satilla Rural Electric Membership Corporation for a term of two years for the consideration of $33,293.00 per annum, and such further terms and conditions as determined by the State Properties Commission as to be in the best interest of the State of Georgia.

SECTION 15.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance, including the execution of all necessary documents.

SECTION 16.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 17.

That the deed or deeds and plat or plats of the conveyance shall be recorded by the Lessee in the Superior Court of Bacon County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 18.

That the above-described real property shall remain in the custody of the Technical College System of Georgia during the term of the lease.

ARTICLE IV

SECTION 19.

That the State of Georgia is the owner of the above-described property located in Effingham County, containing approximately 16.0 acres, and that in all matters relating to the conveyance of said real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 20.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission to the Effingham County Board of Education for fair market value or for a consideration of $10.00 so long as the property is used for public purpose in perpetuity; to a local government entity or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of $10.00 so long as the property is used for public purpose, and other consideration and provisions as the State

Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 21.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance, including the execution of all necessary documents.

SECTION 22.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 23.

That the deed or deed and plat or plats of the conveyance shall be recorded by the Grantee in the Superior Court of Effingham County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 24.

That the above-described real property shall remain in the custody of the Technical College System of Georgia until the property is conveyed.

ARTICLE V

SECTION 25.

That the State of Georgia is the owner of the above-described improved property located in Morgan County, Newton County, and Walton County, containing approximately 93.9 acres of fee, 1.868 acres of permanent easement for construction and maintenance of drainage, and

0.542 of an acre of driveway easement, and that in all matters relating to the conveyance of said real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 26.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission to the Joint Development Authority of Jasper County, Morgan County, Newton County, and Walton County for fair market value or for a consideration of $10.00 so long as the property is used for public purpose in perpetuity; to a local government entity or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of $10.00 so long as the property is used for public purpose, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 27.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance, including the execution of all necessary documents.

SECTION 28.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 29.

That the deed or deeds and plat or plats of the conveyance and easement documents shall be recorded by the Grantee in the Superior Court of Walton County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 30.

That the above-described real property shall remain in the custody of the Department of Economic Development until the property is conveyed.

ARTICLE VI

SECTION 31.

The State of Georgia is the owner of the above-described property located in Rabun County, containing approximately 1.12 acres, and that in all matters relating to the leasing of said real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 32.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to lease the above-described Property with the City of Dillard, for a term of 20 years for the continual operation of a local farmers' market and agritourism, for the consideration of $10.00 annually so long as the property is used for public purpose, and such further terms and conditions as determined by the State Properties Commission as to be in the best interest of the State of Georgia.

SECTION 33.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 34.

That the authorization to lease the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 35.

That the above-described real property shall remain in the custody of the Department of Agriculture during the term of the lease.

ARTICLE VII

SECTION 36.

The State of Georgia is the owner of the above-described improved property located in Taylor County, containing approximately 10.01 acres, and that in all matters relating to the conveyance of said real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 37.

That the above-described real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission by competitive bid for fair market value, or to a local government entity or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state

entity for a consideration of $10.00 so long as the property is used for public purpose, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 38.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance, including the execution of all necessary documents.

SECTION 39.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 40.

That the deed or deeds and plat or plats of the conveyance shall be recorded by the Grantee in the Superior Court of Taylor County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 41.

That the above-described real property shall remain in the custody of the Department of Corrections until the property is conveyed.

ARTICLE VIII

SECTION 42.

The State of Georgia is the owner of the above-described improved property located in Walton County, containing approximately 7.233 acres in fee, 4,750 square feet easement for

construction and maintenance of drainage, and 938.492 linear feet for access, and that in all matters relating to the conveyance of said real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 43.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Georgia Department of Transportation for a consideration of $547,300.00 and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; to a local government entity or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of $10.00 so long as the property is used for public purpose, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 44.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance, including the execution of all necessary documents.

SECTION 45.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 46.

That the deed or deeds and plat or plats of the conveyance and easement documents shall be recorded by the Grantee in the Superior Court of Walton County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 47.

That the above-described real property shall remain in the custody of the Department of Economic Development until the property is conveyed.

ARTICLE IX

SECTION 48.

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

SECTION 49.

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