

House Resolution 165 (AS PASSED HOUSE AND SENATE)

By: Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Watson of the 172nd, Smith of the 41st, and others

A RESOLUTION

1 Authorizing the conveyance of certain state owned real property located in Baldwin County;
 2 Authorizing the conveyance of certain state owned real property located in Chatham County;
 3 Authorizing the conveyance of certain state owned real property located in Clayton County;
 4 Authorizing the conveyance of certain state owned real property located in Colquitt County;
 5 Authorizing the ground lease of certain state owned real property located in Forsyth County;
 6 Authorizing the ground lease of certain state owned real property located in Fulton County;
 7 Authorizing the conveyance of certain state owned real property located in Hall County;
 8 Authorizing the lease of certain state owned real property located in Monroe County;
 9 Authorizing the ground lease of certain state owned real property located in Rabun County;
 10 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for
 11 other purposes.

12 WHEREAS:

13 (1) The State of Georgia is the owner of unimproved real property located in Baldwin
 14 County; and
 15 (2) Said real property is approximately 9.46 acres, being a portion of all of that improved
 16 parcel or tract totaling approximately 1,901 acres lying and being in the 319th & 321st
 17 G.M. District of Baldwin County, Georgia, and more particularly described in a General
 18 Warranty Deed dated January 3rd, 1899, from T.F. Newell, being recorded in deed
 19 Book Z, Page 37 in the office of the Clerk of Superior Court of Baldwin County and
 20 which is in the State Properties Commission inventory as Real Property Record 00042;
 21 and said property is more particularly described on a plat of survey entitled "Survey of
 22 Property Owned by the State of Georgia" dated May 17, 1997 prepared by Byron L.
 23 Farmer, Georgia Registered Land Surveyor #1679, and on file in the offices of the State
 24 Properties Commission; and
 25 (3) Said real property is under the custody of the Georgia Forestry Commission; and
 26 (4) By official action dated February 11, 2019, the Board of Regents of the University
 27 System of Georgia requested approximately 9.46 acres of said real property from the
 28 State of Georgia; and

29 (5) By official action dated February 13, 2019, the Georgia Forestry Commission
30 resolved to surplus and convey the approximately 9.46 acres of real property to the Board
31 of Regents of the University System of Georgia; and

32 WHEREAS:

33 (1) The State of Georgia is the presumptive owner of those certain marshlands lying and
34 being in the 2nd Georgia Militia District of Lamar Ward, City of Savannah, Chatham
35 County, Georgia, and bounded north by a line running along the south face of a sheetpile
36 bulkhead on the south side of the Savannah River containing approximately 1.165 acres
37 identified as "Fill Area West" on a plat of survey prepared by Thomas & Hutton
38 Engineering, dated August 27, 2017, a copy of which is recorded in Plat Book 51, Page
39 146 in the office of the Clerk of Superior Court of Chatham County and presented to the
40 State Properties Commission for approval, said marshlands being subject to regulation
41 pursuant to the Coastal Marshlands Protection Act, O.C.G.A. § 12-5-280, et. seq., and the
42 Governor's powers to regulate State owned property O.C.G.A. § 50-16-61, hereinafter
43 referred to as the "Property" and adjoining water bottoms; and

44 (2) The Property consists of State owned marshlands that have been previously filled
45 pursuant to the Coastal Marshlands Protection Act; and

46 (3) SRL Land Venture II, LLC ("SRL") claims to own in fee simple the Property
47 pursuant to a deed from SRL Land Venture LLC, dated February 5, 2019, and recorded
48 in Deed Book 1546, Pages 159-163 of the Chatham County Clerk of Superior Court
49 ("Deeded Property"), which may be more particularly described on a plat of survey
50 prepared by a Georgia Registered Land Surveyor and presented to the State Properties
51 Commission for approval; and also all riparian, wharf, and other rights in, to, and over
52 the adjoining water bottoms, which tract of land and rights in, to, and over the adjoining
53 water bottoms is claimed to include the Property; and

54 (4) SRL desires to, at its sole cost and expense, establish, construct, and develop property
55 adjacent to the Savannah River which is claimed to include the Property; and

56 (5) To resolve any and all disputes as to the ownership of the Property and all present
57 and former littoral, wharfing, and other rights, interests, and privileges in and to the
58 Property and adjoining tidally influenced water bottoms and tidal waters, the State
59 Properties Commission seeks authorization to convey a portion of the State's interest in
60 the Property to SRL in exchange for the conveyance of property from SRL, which
61 property shall include a strip of land measuring not less than three feet in width adjoining
62 the south face of the sheetpile bulkhead described herein for the length of the Deeded
63 Property along the Savannah River, adjoining water bottoms, related rights, and the
64 receipt of payment in an amount sufficient for the State to receive fair market value for

65 any real property it may convey, and such other consideration and provisions as the
66 State Properties Commission shall in its discretion determine to be in the best interests
67 of the State of Georgia; provided nothing herein shall affect any rights, interests, or
68 privileges in the Property and adjoining waters claimed by the City of Savannah; and

69 WHEREAS:

70 (1) The State of Georgia is the presumptive owner of those certain marshlands lying and
71 being in the 2nd Georgia Militia District of Lamar Ward, City of Savannah, Chatham
72 County, Georgia, and bounded north by a line running along the south face of a sheetpile
73 bulkhead on the south side of the Savannah River containing approximately 0.745 of an
74 acre identified as "Fill Area East" on a plat of survey prepared by Thomas & Hutton
75 Engineering, dated August 27, 2017, a copy of which is recorded in Plat Book 51, Page
76 146 in the office of the Clerk of Superior Court of Chatham County and presented to the
77 State Properties Commission for approval, said marshlands being subject to regulation
78 pursuant to the Coastal Marshlands Protection Act, O.C.G.A. § 12-5-280, et. seq., and the
79 Governor's powers to regulate State owned property O.C.G.A. § 50-16-61, hereinafter
80 referred to as the "Property" and adjoining water bottoms; and

81 (2) The Property consists of State owned marshlands that have been previously filled
82 pursuant to the Coastal Marshlands Protection Act; and

83 (3) Savannah River Front, LLC ("SRF") claims to own in fee simple the Property
84 pursuant to a deed from PMC-SRL, LLC, dated February 5, 2019, and recorded in Deed
85 Book 1546, Pages 164-168 of the Chatham County Clerk of Superior Court ("Deeded
86 Property"), which may be more particularly described on a plat of survey prepared by a
87 Georgia Registered Land Surveyor and presented to the State Properties Commission for
88 approval; and also all riparian, wharf, and other rights in, to, and over the adjoining water
89 bottoms, which tract of land and rights in, to, and over the adjoining water bottoms is
90 claimed to include the Property; and

91 (4) SRF desires to, at its sole cost and expense, establish, construct, and develop property
92 adjacent to the Savannah River which is claimed to include the Property; and

93 (5) To resolve any and all disputes as to the ownership of the Property and all present
94 and former littoral, wharfing, and other rights, interests, and privileges in and to the
95 Property and adjoining tidally influenced water bottoms and tidal waters, the State
96 Properties Commission seeks authorization to convey a portion of the State's interest in
97 the Property to SRF in exchange for the conveyance of property from SRF, which
98 property shall include a strip of land measuring not less than three feet in width adjoining
99 the south face of the sheetpile bulkhead described herein for the length of the Deeded
100 Property along the Savannah River, adjoining water bottoms, related rights, and the

101 receipt of payment in an amount sufficient for the State to receive fair market value for
102 any real property it may convey, and such other consideration and provisions as the
103 State Properties Commission shall in its discretion determine to be in the best interests
104 of the State of Georgia; provided nothing herein shall affect any rights, interests, or
105 privileges in the Property and adjoining waters claimed by the City of Savannah; and

106 WHEREAS:

107 (1) The State of Georgia is the owner of a certain parcel of real property located in
108 Chatham County; and

109 (2) Said real property is approximately 0.062 of an acre, being a portion of Parcel 1 of
110 Savannah Harbor Subdivision lying and being in the 8th G.M.D. of Chatham County,
111 Georgia, and more particularly described in a General Warranty Deed dated January 16,
112 2002, being recorded in deed Book 231E, pages 157-163 in the office of the Clerk of
113 Superior Court of Chatham County and on file with the State Properties Commission
114 Real Property Records as RPR 10250 and more particularly described on a preliminary
115 plat of survey entitled "Proposed Right of Way, Hutchinson Island Savannah
116 International Trade and Convention Center," dated October 15, 2018 prepared by Wright
117 C. Powers, Jr., Georgia Registered Land Surveyor #2612, and on file in the offices of the
118 State Properties Commission; and

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

121 (4) The City of Savannah requested approximately 0.062 of an acre of said real property
122 from the State of Georgia; and

123 (5) By official action November 27, 2018, the Georgia Department of Economic
124 Development resolved to surplus and convey the approximately 0.062 of an acre of real
125 property to the City of Savannah; and

126 WHEREAS:

127 (1) The State of Georgia is the owner of real property located in Clayton County; and

128 (2) Said real property is 2.642 acres of a portion of all of that improved parcel or tract
129 being approximately 146 acres lying and being in Land Lots 52 and 53 of the 13th Land
130 District of Clayton County, Georgia, and more particularly described in that Quitclaim
131 Deed, dated June 23, 2009, from Georgia Building Authority, being recorded in Deed
132 Book 9694, Pages 597-603 in the office of the Clerk of Superior Court of Clayton County
133 and on file with the State Properties Commission Real Property Records as RPR 010655,
134 and more particularly described on a plat of survey entitled "State Farmers Market," dated
135 January 25, 1956 prepared by A. W. Browning, Georgia Registered Land Surveyor #490,

136 and on file in the offices of the State Properties Commission, and may be more
137 particularly described on a plat of survey prepared by a Georgia Registered Land
138 Surveyor and presented to the State Properties Commission for approval; and

139 (3) Said real property is under the custody of the Georgia Department of Agriculture and
140 is a portion of property utilized as the Atlanta State Farmers Market; and

141 (4) By letter dated February 22, 2018, the Georgia Department of Transportation
142 requested acquiring the approximately 1.398 acres of fee and 1.244 acres of permanent
143 easement of said real property for the purpose of the development of a C-D roadway
144 adjacent to northbound I-75 that would service the I-75 and I-285 interchange (P.I.
145 713210) for a total consideration of \$529,976.00, being comprised of \$290,693.00 for the
146 total value of the improved property being conveyed in fee, \$81,298.00 for the
147 conveyance of the permanent easement, \$135,000.00 in cost to cure, and \$22,935.00 in
148 damage to trade fixtures; and

149 (5) By official action dated December 4, 2018, the Georgia Department of Agriculture
150 requested to surplus and convey the approximately 1.398 acres of fee and 1.244 acres of
151 permanent easement to the Georgia Department of Transportation; and

152 WHEREAS:

153 (1) The State of Georgia is the owner of improved real property located in Colquitt
154 County; and

155 (2) Said real property is approximately 15.005 acres of all of that improved parcel or
156 tract lying and being in Land Lot 349 of the 8th Land District of Colquitt County,
157 Georgia, and more particularly described in that Fee Deed Without Warranty, dated
158 January 15, 1988, being recorded in Deed Book 414, Pages 355-357 in the office of the
159 Clerk of Superior Court of Colquitt County and on file with the State Properties
160 Commission Real Property Records as RPR 007524, and more particularly described on
161 a plat of survey entitled "Proposed Acquisition by the State of Georgia, Custody in the
162 Department of Corrections," dated August 12, 1987 prepared by H.J. Griffin, Georgia
163 Registered Land Surveyor #1024; and

164 (3) Said real property is under the custody of the Georgia Department of Corrections and
165 utilized as the Southwest Probation Center; and

166 (4) Colquitt County is desirous of acquiring the above-described property for a public
167 purpose and acknowledges that Colquitt County shall not take, nor fail to take, any action
168 which would cause any outstanding tax exempt bonds to be deemed private activity
169 bonds or arbitrage bonds under the tax code and shall not use the above-described
170 property for any nongovernmental purpose, or any purpose that would give rise to private
171 business use, within the meaning of the tax code; and

172 (5) By official action, the Georgia Department of Corrections requested to surplus and
173 convey the above-described improved property to Colquitt County; and

174 WHEREAS:

175 (1) The State of Georgia is the owner of a certain parcel of improved real property
176 located in Forsyth County; and

177 (2) Said real property is approximately 0.68 of an acre being a portion of all of that
178 improved parcel or tract being approximately 8.38 acres lying and being in Land Lot 226
179 of the 2nd District of the 1st Section, Forsyth County, Georgia, and more particularly
180 described in that General Warranty Deed, dated July 23, 2004, from Melvin Hugh
181 Howard, Randall C. Howard, Brenda H. Wallace, Charlotte H. Satterfield, and Vera H.
182 Green, being recorded in Deed Book 3434, Pages 433-435 in the office of the Clerk of
183 Superior Court of Forsyth County and on file with the State Properties Commission Real
184 Property Records as RPR 010017 and more particularly described on a plat of survey
185 entitled "Plan and Profile of Proposed Cumming Park and Ride Lot," dated February 18,
186 2008, prepared by URS Corporation, and on file in the offices of the State Properties
187 Commission; and

188 (3) Said real property is under the custody of the Georgia State Road and Tollway
189 Authority and is located at 163 Old Atlanta Road, Cumming, Georgia; and

190 (4) By letter dated May 24, 2018, the City of Cumming sought to enter into a ground
191 lease over approximately 0.68 of an acre for the purpose of constructing and maintaining
192 a water tank and a detention pond; and

193 (5) By official action dated June 19, 2018, the State Road and Tollway Authority Board
194 resolved to seek legislation to enter into a ground lease over approximately 0.68 of an
195 acre with the City of Cumming for 50 years with a 25 year renewal option for an annual
196 lease of \$10,600.00 and the requirements the City of Cumming to maintain the storm
197 water detention pond in accordance to law and said water tank shall be removed upon
198 termination of the lease; and

199 WHEREAS:

200 (1) The State of Georgia is the owner of real property rights located in Fulton County;
201 and

202 (2) Said real property rights are located in Land Lots 77 and 78 of the 14th District of
203 Fulton County, Georgia and include approximately 2.303 acres in fee simple and
204 approximately 0.83 of an acre of air rights commencing on a plane located twenty-three
205 (23) feet from the top of any rail of the Western and Atlantic Railroad as it existed on
206 January 12, 1960 or twenty-three (23) feet from ground level as it existed on January 12,

207 1960, together with so much of the land level as is necessary for supports and
208 appurtenances for the structures to have been constructed, hereinafter referred to as the
209 "Property", subject to encumbrances including certain uses, leases, easements, grants and
210 rights, said Property being further detailed and identified on Exhibits A and B of that
211 existing lease by and between the State of Georgia and Omni International, Inc. dated
212 April 9, 1973 as recorded in the State Properties Commission inventory as Real Property
213 Record 006534, as amended by that amendment dated August 3, 1978 as recorded in the
214 State Properties Commission inventory as Real Property Record 006535; and
215 (3) Said Property may be more particularly described on a plat of survey prepared by a
216 Georgia Registered Land Surveyor and presented to the State Properties Commission for
217 approval; and
218 (4) CNN Center Ventures is desirous of leasing the Property for a new term up to
219 seventy-five (75) years; and
220 (5) With regard to the Property, the State is desirous of seeking authorization to enter
221 into a new lease agreement with CNN Center Ventures for a term not to exceed
222 seventy-five (75) years for the consideration of fair market value and for such other
223 considerations as determined by the State Properties Commission to be in the best
224 interests of the State of Georgia; and

225 WHEREAS:

226 (1) The State of Georgia is the owner of improved real property located in Hall County;
227 and
228 (2) Said real property is approximately 41.188 acres lying and being in Land Lot 29 of
229 the 8th District of Hall County, Georgia, and more particularly described in the
230 following: General Warranty Deed dated February 28, 2002 from M. Darius Vohman,
231 being recorded in Deed Book 414D, Pages 293-295 in the office of the Clerk of Superior
232 Court of Hall County and on file with the State Properties Commission Real Property
233 Records as RPR 009740; Quitclaim Deed dated September 8, 1995 from the Board of
234 Regents of the University System of Georgia, being recorded in Deed Book 2464, Pages
235 276-279 in the office of the Clerk of Superior Court of Hall County and on file with the
236 State Properties Commission Real Property Records as RPR 008985; Warranty Deed
237 dated August 30, 2001 from Geraldine L. Reed, being recorded in Deed Book 3977,
238 Pages 610-611 in the office of the Clerk of Superior Court of Hall County and on file
239 with the State Properties Commission Real Property Records as RPR 009830; Warranty
240 Deed dated January 27, 1989 from Hall County Area Board of Education, as Successor
241 in Law to Gainesville-Hall County Area Vocational Trade School Board, being recorded
242 in Deed Book 1345, Pages 103-104 in the office of the Clerk of Superior Court of Hall

243 County and on file with the State Properties Commission Real Property Records as RPR
244 007794; and said real property is more particularly described on a preliminary plat of
245 survey and on file in the offices of the State Properties Commission; and
246 (3) Said real property is under the custody of the Technical College System of Georgia;
247 and
248 (4) The Board of Regents of the University System of Georgia requested the
249 approximately 41.188 acres of said real property from the State of Georgia; and
250 (5) By official action dated December 6, 2018, the Board of Technical College System
251 of Georgia resolved to surplus and convey the approximately 41.188 acres of real
252 property to the Board of Regents of the University System of Georgia; and

253 WHEREAS:

254 (1) The State of Georgia is the owner of a certain parcel of improved real property
255 located in Monroe County; and
256 (2) Said real property is approximately 276 square feet of office space located in the
257 Georgia Public Safety Training Facility, being a portion of that parcel or tract being
258 approximately 877.908 acres lying and being in Land Lots 104, 105, 120, 121, 135, 136,
259 137 of the 6th Land District of Monroe County, Georgia, and more particularly described
260 in that Warranty Deed, dated September 2, 1982, from Forest Farms, Inc., being recorded
261 in Deed Book 147, Pages 15-21 in the office of the Clerk of Superior Court of Monroe
262 County and on file with the State Properties Commission Real Property Records as RPR
263 007087 and more particularly described on a plat of survey entitled, "Project Site of
264 Project No. GBA -46 (Public Safety Training Center)," dated August 17, 1982, prepared
265 by Tribble B. Richardson, Inc. Consulting Engineers, more particularly, Tommie M.
266 Donaldson, Jr., Georgia Registered Land Surveyor #1617, and on file in the offices of the
267 State Properties Commission; and
268 (3) Said real property is under the custody of the Georgia Public Safety Training Center;
269 and
270 (4) By letter dated December 20, 2018, the Justice Federal Credit Union sought to enter
271 into a long-term lease for the purpose of providing financial services to the employees of
272 Georgia Public Safety Training Center; and
273 (5) Said property has been leased since July 1, 2016, by Justice Federal Credit Union and
274 said lease expires on June 30, 2019; and
275 (6) By official action dated November 7, 2018, the Board of Public Safety resolved to
276 request a long-term lease be entered into with Justice Federal Credit Union for ten years
277 with two five-year renewal options for the initial annual rent of \$5,000.00, to be increased
278 annually at a compounded rate of 3 percent; and

279 WHEREAS:

280 (1) The State of Georgia is the owner of improved real property located in Rabun
281 County; and

282 (2) Said real property is approximately 0.015 of an acre, being a portion of that parcel
283 or tract lying and being in Land Lot 66 of the 2nd District of Rabun County, Georgia
284 commonly known as Black Rock Mountain State Park, and more particularly described
285 on a revised plat of survey dated April 29, 1995, prepared by William F. Rolader,
286 Georgia Registered Land Surveyor #2042, and being on file in the offices of the State
287 Properties Commission; and

288 (3) Said real property is under the custody of the Georgia Department of Natural
289 Resources; and

290 (4) Said property has been ground leased since 1995 to Currahee Paging, Inc., with the
291 current lease term expiring December 31, 2019; and

292 (5) Currahee Paging, Inc., is desirous of leasing the above described property for a new
293 term of ten (10) years; and

294 (6) By official action dated February 14, 2019, the Georgia Department of Natural
295 Resources requests leasing of the above described property to Currahee Paging, Inc., for
296 a term of ten (10) years for fair market value and other considerations as determined by
297 the State Properties Commission to be in the best interests of the State of Georgia; and

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

300 **ARTICLE I**

301 **SECTION 1.**

302 The State of Georgia is the owner of the above-described property located in Baldwin
303 County, containing approximately 9.46 acres, and that in all matters relating to the
304 conveyance of said real property the State of Georgia is acting by and through its State
305 Properties Commission.

306 **SECTION 2.**

307 That the above-described unimproved real property may be conveyed by appropriate
308 instrument by the State of Georgia, acting by and through its State Properties Commission,
309 to the Board of Regents of the University Systems of Georgia for a consideration of \$10.00
310 so long as the property is used for public purpose in perpetuity; to a local government or
311 State entity for a consideration of \$10.00 so long as the property is used for public purpose

312 in perpetuity; or to a local government or State entity for fair market value; or by competitive
313 bid for fair market value and other consideration and provisions as the State Properties
314 Commission shall in its discretion determine to be in the best interest of the State of Georgia.

315 **SECTION 3.**

316 That the State Properties Commission is authorized and empowered to do all acts and things
317 necessary and proper to effect such conveyance.

318 **SECTION 4.**

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

321 **SECTION 5.**

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

325 **SECTION 6.**

326 That custody of the above-described real property shall remain in the custody of the Georgia
327 Forestry Commission until the property is conveyed.

328 **ARTICLE II**

329 **SECTION 7.**

330 That the State is the presumptive owner of certain marshlands consisting of 1.165 acres lying
331 and being in Chatham County, Georgia, described and referred to as the Property, defined
332 hereinabove, and shown on a plat of survey prepared by Thomas & Hutton Engineering, a
333 copy of which is annexed hereto and incorporated herein, and may be more particularly
334 described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented
335 to the State Properties Commission for approval.

336 **SECTION 8.**

337 SRL Land Venture II, LLC ("SRL") also claims to own the Property in fee simple, pursuant
338 to a quitclaim deed from SRL Land Venture LLC, dated February 5, 2019, and recorded in
339 Deed Book 1546, Pages 159-163 of the Chatham County Clerk of Superior Court, and
340 riparian, wharf and other rights in the adjoining water bottoms, which 1.165 acre tract and
341 rights in the adjoining water bottom is claimed to include the Property, and may be more

342 particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor
343 and presented to the State Properties Commission for approval.

344 **SECTION 9.**

345 That SRL desires to, at its sole cost and expense, establish, construct, and develop this 1.165
346 acre tract of property adjacent to the Savannah River, which is claimed to include the
347 Property.

348 **SECTION 10.**

349 That to resolve any and all disputes as to the ownership of the Property and all present and
350 former littoral, wharfing, and other rights, interests, and privileges in and to the Property and
351 adjoining tidally influenced water bottoms and tidal waters, the State Properties Commission
352 is authorized to convey a portion of the State's interest in the Property to SRL in exchange
353 for the conveyance by SRL of a strip of land measuring not less than three feet in width
354 adjoining the south face of the sheetpile bulkhead described herein for the length of the
355 Deeded Property along the Savannah River, adjoining water bottoms, related rights, and the
356 receipt of payment in an amount sufficient for the State to receive fair market value for any
357 real property it may convey, and such other consideration and provisions as the State
358 Properties Commission shall in its discretion determine to be in the best interests of the State
359 of Georgia; provided nothing herein shall affect any rights, interests, or privileges in the
360 Property and adjoining waters claimed by the City of Savannah.

361 **SECTION 11.**

362 That the State Properties Commission is authorized to require a more particular description
363 of present and former property, rights, interests, and privileges that comprise all or part of
364 the exchange authorized by this resolution.

365 **SECTION 12.**

366 That any quitclaim deed or documents executed in connection with the sale, or exchange, or
367 combination thereof contemplated by this resolution shall be recorded by SRL in the office
368 of the Clerk of Superior Court of Chatham County, and that SRL shall provide a copy of the
369 recorded deed or documents promptly to the State Properties Commission to be inventoried
370 and retained by the State Properties Commission.

371 **SECTION 13.**

372 That the authorization provided by this resolution shall expire three years after the date that
373 this resolution becomes effective.

374

ARTICLE III

375

SECTION 14.

376 That the State is the presumptive owner of certain marshlands consisting of 0.745 of an acre
377 lying and being in Chatham County, Georgia, described and referred to as the Property,
378 defined hereinabove, and shown on a plat of survey prepared by Thomas & Hutton
379 Engineering, a copy of which is annexed hereto and incorporated herein, and may be more
380 particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor
381 and presented to the State Properties Commission for approval.

382

SECTION 15.

383 Savannah River Front, LLC ("SRF") also claims to own the Property in fee simple, pursuant
384 to a quitclaim deed from PMC-SRL, LLC, dated February 5, 2019, and recorded in Deed
385 Book 1546, Pages 164-168 of the Chatham County Clerk of Superior Court, and riparian,
386 wharf and other rights in the adjoining water bottoms, which 0.745 of an acre tract and rights
387 in the adjoining water bottom is claimed to include the Property, and may be more
388 particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor
389 and presented to the State Properties Commission for approval.

390

SECTION 16.

391 That SRF desires to, at its sole cost and expense, establish, construct, and develop this 0.745
392 of an acre tract of property adjacent to the Savannah River, which is claimed to include the
393 Property.

394

SECTION 17.

395 That to resolve any and all disputes as to the ownership of the Property and all present and
396 former littoral, wharfing, and other rights, interests, and privileges in and to the Property and
397 adjoining tidally influenced water bottoms and tidal waters, the State Properties Commission
398 is authorized to convey a portion of the State's interest in the Property to SRF in exchange
399 for the conveyance by SRF of a strip of land measuring not less than three feet in width
400 adjoining the south face of the sheetpile bulkhead described herein for the length of the
401 Deeded Property along the Savannah River, adjoining water bottoms, related rights, and the
402 receipt of payment in an amount sufficient for the State to receive fair market value for any
403 real property it may convey, and such other consideration and provisions as the State
404 Properties Commission shall in its discretion determine to be in the best interests of the State
405 of Georgia; provided nothing herein shall affect any rights, interests, or privileges in the
406 Property and adjoining waters claimed by the City of Savannah.

407 **SECTION 18.**

408 That the State Properties Commission is authorized to require a more particular description
409 of present and former property, rights, interests, and privileges that comprise all or part of
410 the exchange authorized by this resolution.

411 **SECTION 19.**

412 That any quitclaim deed or documents executed in connection with the sale, or exchange, or
413 combination thereof contemplated by this resolution shall be recorded by SRF in the office
414 of the Clerk of Superior Court of Chatham County, and that SRF shall provide a copy of the
415 recorded deed or documents promptly to the State Properties Commission to be inventoried
416 and retained by the State Properties Commission.

417 **SECTION 20.**

418 That the authorization provided by this resolution shall expire three years after the date that
419 this resolution becomes effective.

420 **ARTICLE IV**

421 **SECTION 21.**

422 The State of Georgia is the owner of the above-described property located in Chatham
423 County, containing approximately 0.062 of an acre, and that in all matters relating to the
424 conveyance of said real property the State of Georgia is acting by and through its State
425 Properties Commission.

426 **SECTION 22.**

427 That the above-described improved real property may be conveyed by appropriate instrument
428 by the State of Georgia, acting by and through its State Properties Commission, to the City
429 of Savannah, Georgia for \$10.00 so long as the property is used for a public purpose in
430 perpetuity; or to a local government or State entity for a consideration of \$10.00 so long as
431 the property is used for a public purpose in perpetuity; and other consideration and provisions
432 as the State Properties Commission shall in its discretion determine to be in the best interest
433 of the State of Georgia.

434 **SECTION 23.**

435 That the State Properties Commission is authorized and empowered to do all acts and things
436 necessary and proper to effect such conveyance.

437 **SECTION 24.**

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

440 **SECTION 25.**

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

444 **SECTION 26.**

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

447 **ARTICLE V**

448 **SECTION 27.**

449 The State of Georgia is the owner of the above-described property located in Clayton
450 County, containing approximately 1.398 acres of fee and 1.244 acres of permanent easement,
451 and that in all matters relating to the conveyance of said real property the State of Georgia
452 is acting by and through its State Properties Commission.

453 **SECTION 28.**

454 That the State of Georgia, acting by and through the State Properties Commission, is
455 authorized to convey to the Georgia Department of Transportation the above-described
456 property for a total consideration of \$529,976.00, of which the total consideration is
457 comprised of \$290,693.00 for the total value of the property being conveyed in fee,
458 \$81,298.00 for the conveyance of a permanent easement, \$135,000.00 in cost to cure, and
459 \$22,935.00 in damage to trade fixtures, and for such further terms and conditions as
460 determined by the State Properties Commission to be in the best interest of the State of
461 Georgia.

462 **SECTION 29.**

463 That the State Properties Commission is authorized and empowered to do all acts and things
464 necessary and proper to effect such conveyance.

465 **SECTION 30.**

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

468 **SECTION 31.**

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

472 **SECTION 32.**

473 That custody of the above-described real property shall remain in the custody of the Georgia
474 Department of Agriculture until the property is conveyed.

475 **ARTICLE VI**

476 **SECTION 33.**

477 The State of Georgia is the owner of the above-described property located in Colquitt
478 County, containing approximately 15.005 acres, and that in all matters relating to the
479 conveyance of said real property the State of Georgia is acting by and through its State
480 Properties Commission.

481 **SECTION 34.**

482 That the above-described improved real property may be conveyed by appropriate instrument
483 by the State of Georgia, acting by and through its State Properties Commission, to Colquitt
484 County, Georgia, for \$10.00 so long as the property is used for a public purpose in perpetuity
485 and that Colquitt County shall not take, nor fail to take, any action which would cause any
486 outstanding tax exempt bonds to be deemed private activity bonds or arbitrage bonds under
487 the tax code and shall not use the above-described property for any nongovernmental
488 purpose, or any purpose that would give rise to private business use within the meaning of
489 the tax code, which shall cause a reversion to the State of Georgia, or its successors and
490 assigns, of all the rights, title, privileges, powers, and easement granted herein; or to a local
491 government or State entity for fair market value; or by competitive bid for fair market value
492 and other consideration and provisions as the State Properties Commission shall in its
493 discretion determine to be in the best interest of the State of Georgia.

494 **SECTION 35.**

495 That the State Properties Commission is authorized and empowered to do all acts and things
496 necessary and proper to effect such conveyance.

497 **SECTION 36.**

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

500 **SECTION 37.**

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

504 **SECTION 38.**

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

507 **ARTICLE VII**

508 **SECTION 39.**

509 The State of Georgia is the owner of the above-described property located in Forsyth County,
510 containing approximately 0.68 of an acre, and that in all matters relating to the conveyance
511 of said real property the State of Georgia is acting by and through its State Properties
512 Commission.

513 **SECTION 40.**

514 That the State of Georgia, acting by and through the State Properties Commission, is
515 authorized to ground lease the above-described property to the City of Cumming for a term
516 of 50 years with a 25 year renewal option at an annual amount of \$10,600.00, and the
517 requirements the City of Cumming to maintain the storm water detention pond in accordance
518 to law and removal of the water tank upon termination of the lease, and for such further terms
519 and conditions as determined by the State Properties Commission to be in the best interest
520 of the State of Georgia.

521 **SECTION 41.**

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

525 **SECTION 42.**

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

528 **SECTION 43.**

529 That the ground lease shall be recorded by the City of Cumming in the Superior Court of
530 Forsyth County, Georgia, and a recorded copy shall be forwarded to the State Properties
531 Commission.

532 **SECTION 44.**

533 That custody of the above-described real property shall remain in the custody of the Georgia
534 State Road and Tollway Authority until the property is leased.

535 **ARTICLE VIII**

536 **SECTION 45.**

537 That the State of Georgia is the owner of the above-described Property located in Fulton
538 County, and that in all matters relating to leasing of the real property rights, the State of
539 Georgia is acting by and through its State Properties Commission.

540 **SECTION 46.**

541 That the State of Georgia, acting by and through its State Properties Commission, is
542 authorized to enter into a new lease of the above-described Property with CNN Center
543 Ventures for a term up to 75 years for a consideration of fair market value, and such further
544 terms and conditions as determined by the State Properties Commission to be in the best
545 interest of the State of Georgia.

546 **SECTION 47.**

547 That the State Properties Commission is authorized and empowered to do all acts and things
548 necessary and proper to effect such lease.

549 **SECTION 48.**

550 That the authorization to lease the above-described Property shall expire three years after the
551 date this resolution becomes effective.

552 **SECTION 49.**

553 That the lease shall be recorded by the Lessee in the Superior Court of Fulton County,
554 Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

555 **SECTION 50.**

556 That custody of the above-described Property shall remain in the State Properties
557 Commission during the term of the lease.

558 **ARTICLE IX**

559 **SECTION 51.**

560 The State of Georgia is the owner of the above-described improved real property located in
561 Hall County, containing approximately 41.188 acres, and that in all matters relating to the
562 conveyance of said real property the State of Georgia is acting by and through its State
563 Properties Commission.

564 **SECTION 52.**

565 That the above-described improved real property may be conveyed by appropriate instrument
566 by the State of Georgia, acting by and through its State Properties Commission, to the Board
567 of Regents of the University System of Georgia for \$10.00 so long as the property is used for
568 a public purpose in perpetuity; or to a local government or State entity for a consideration of
569 \$10.00 so long as the property is used for a public purpose in perpetuity; and other
570 consideration and provisions as the State Properties Commission shall in its discretion
571 determine to be in the best interest of the State of Georgia.

572 **SECTION 53.**

573 That the State Properties Commission is authorized and empowered to do all acts and things
574 necessary and proper to effect such conveyance.

575 **SECTION 54.**

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

578 **SECTION 55.**

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

582 **SECTION 56.**

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

585 **ARTICLE X**

586 **SECTION 57.**

587 The State of Georgia is the owner of the above-described property located in Monroe
588 County, containing approximately 276 square feet of office space, and that in all matters
589 relating to the leasing of the property the State of Georgia is acting by and through its State
590 Properties Commission.

591 **SECTION 58.**

592 That the State of Georgia, acting by and through the State Properties Commission, is
593 authorized to lease the above-described property to the Justice Federal Credit Union for a
594 term of ten years with two five-year renewal options at an annual rental amount of \$5,000.00,
595 to be increased annually at a compounded rate of 3 percent, and such further terms and
596 conditions as determined by the State Properties Commission as to be in the best interest of
597 the State of Georgia.

598 **SECTION 59.**

599 That the State Properties Commission is authorized and empowered to do all acts and things
600 necessary and proper to effect such conveyance.

601 **SECTION 60.**

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

604 **SECTION 61.**

605 That custody of the above-described real property shall remain in the custody of the Georgia
606 Public Safety Training Center during the term of the lease.

607 ARTICLE XI

608 SECTION 62.

609 The State of Georgia is the owner of the above-described property located in Rabun County,
610 containing approximately 0.015 of an acre, and that in all matters relating to conveyance of
611 said real property the State of Georgia is acting by and through its State Properties
612 Commission.

613 SECTION 63.

614 That the State of Georgia, acting by and through the State Properties Commission, is
615 authorized to ground lease the above-described property to Currahee Paging, Inc., for a term
616 of ten years for fair market value, and such further terms and conditions as determined by the
617 State Properties Commission to be in the best interest of the State of Georgia.

618 SECTION 64.

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

622 SECTION 65.

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

625 SECTION 66.

626 That the ground lease shall be recorded by the Lessee in the Superior Court of Rabun
627 County, Georgia, and a recorded copy shall be forwarded to the State Properties
628 Commission.

629 SECTION 67.

630 That custody of the above-described real property shall remain in the custody of the Georgia
631 Department of Natural Resources during the term of the lease.

632 ARTICLE XII

633 SECTION 68.

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

636

SECTION 69.

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