

House Resolution 165

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

9 WHEREAS:

- 10 (1) The State of Georgia is the owner of a certain parcel of real property located in
 11 Chatham County; and
- 12 (2) Said real property is approximately 0.062 of an acre, being a portion of Parcel 1 of
 13 Savannah Harbor Subdivision lying and being in the 8th G.M.D. of Chatham County,
 14 Georgia, and more particularly described in a General Warranty Deed dated January 16,
 15 2002, being recorded in deed Book 231E, pages 157-163 in the office of the Clerk of
 16 Superior Court of Chatham County and on file with the State Properties Commission
 17 Real Property Records as RPR 10250 and more particularly described on a preliminary
 18 plat of survey entitled "Proposed Right of Way, Hutchinson Island Savannah
 19 International Trade and Convention Center," dated October 15, 2018 prepared by Wright
 20 C. Powers, Jr., Georgia Registered Land Surveyor #2612, and on file in the offices of the
 21 State Properties Commission; and
- 22 (3) Said real property is under the custody of the Georgia Department of Economic
 23 Development; and
- 24 (4) The City of Savannah requested approximately 0.062 of an acre of said real property
 25 from the State of Georgia; and
- 26 (5) By official action November 27, 2018, the Georgia Department of Economic
 27 Development resolved to surplus and convey the approximately 0.062 of an acre of real
 28 property to the City of Savannah; and

29 WHEREAS:

- 30 (1) The State of Georgia is the owner of real property located in Clayton County; and
- 31 (2) Said real property is 2.642 acres of a portion of all of that improved parcel or tract
32 being approximately 146 acres lying and being in Land Lots 52 and 53 of the 13th Land
33 District of Clayton County, Georgia, and more particularly described in that Quitclaim
34 Deed, dated June 23, 2009, from Georgia Building Authority, being recorded in Deed
35 Book 9694, Pages 597-603 in the office of the Clerk of Superior Court of Clayton County
36 and on file with the State Properties Commission Real Property Records as RPR 010655,
37 and more particularly described on a plat of survey entitled "State Farmers Market," dated
38 January 25, 1956 prepared by A. W. Browning, Georgia Registered Land Surveyor #490,
39 and on file in the offices of the State Properties Commission, and may be more
40 particularly described on a plat of survey prepared by a Georgia Registered Land
41 Surveyor and presented to the State Properties Commission for approval; and
- 42 (3) Said real property is under the custody of the Georgia Department of Agriculture and
43 is a portion of property utilized as the Atlanta State Farmers Market; and
- 44 (4) By letter dated February 22, 2018, the Georgia Department of Transportation
45 requested acquiring the approximately 1.398 acres of fee and 1.244 acres of permanent
46 easement of said real property for the purpose of the development of a C-D roadway
47 adjacent to northbound I-75 that would service the I-75 and I-285 interchange (P.I.
48 713210) for a total consideration of \$529,976.00, being comprised of \$290,693.00 for the
49 total value of the improved property being conveyed in fee, \$81,298.00 for the
50 conveyance of the permanent easement, \$135,000.00 in cost to cure, and \$22,935.00 in
51 damage to trade fixtures; and
- 52 (5) By official action dated December 4, 2018, the Georgia Department of Agriculture
53 requested to surplus and convey the approximately 1.398 acres of fee and 1.244 acres of
54 permanent easement to the Georgia Department of Transportation; and

55 WHEREAS:

- 56 (1) The State of Georgia is the owner of improved real property located in Colquitt
57 County; and
- 58 (2) Said real property is approximately 15.005 acres of all of that improved parcel or
59 tract lying and being in Land Lot 349 of the 8th Land District of Colquitt County,
60 Georgia, and more particularly described in that Fee Deed Without Warranty, dated
61 January 15, 1988, being recorded in Deed Book 414, Pages 355-357 in the office of the
62 Clerk of Superior Court of Colquitt County and on file with the State Properties
63 Commission Real Property Records as RPR 007524, and more particularly described on
64 a plat of survey entitled "Proposed Acquisition by the State of Georgia, Custody in the

- 65 Department of Corrections," dated August 12, 1987 prepared by H.J. Griffin, Georgia
66 Registered Land Surveyor #1024; and
- 67 (3) Said real property is under the custody of the Georgia Department of Corrections and
68 utilized as the Southwest Probation Center; and
- 69 (4) Colquitt County is desirous of acquiring the above-described property for a public
70 purpose and acknowledges that Colquitt County shall not take, nor fail to take, any action
71 which would cause any outstanding tax exempt bonds to be deemed private activity
72 bonds or arbitrage bonds under the tax code and shall not use the above-described
73 property for any nongovernmental purpose, or any purpose that would give rise to private
74 business use, within the meaning of the tax code; and
- 75 (5) By official action, the Georgia Department of Corrections requested to surplus and
76 convey the above-described improved property to Colquitt County; and

77 WHEREAS:

- 78 (1) The State of Georgia is the owner of a certain parcel of improved real property
79 located in Forsyth County; and
- 80 (2) Said real property is approximately 0.68 of an acre being a portion of all of that
81 improved parcel or tract being approximately 8.38 acres lying and being in Land Lot 226
82 of the 2nd District of the 1st Section, Forsyth County, Georgia, and more particularly
83 described in that General Warranty Deed, dated July 23, 2004, from Melvin Hugh
84 Howard, Randall C. Howard, Brenda H. Wallace, Charlotte H. Satterfield, and Vera H.
85 Green, being recorded in Deed Book 3434, Pages 433-435 in the office of the Clerk of
86 Superior Court of Forsyth County and on file with the State Properties Commission Real
87 Property Records as RPR 010017 and more particularly described on a plat of survey
88 entitled "Plan and Profile of Proposed Cumming Park and Ride Lot," dated February 18,
89 2008, prepared by URS Corporation, and on file in the offices of the State Properties
90 Commission; and
- 91 (3) Said real property is under the custody of the Georgia State Road and Tollway
92 Authority and is located at 163 Old Atlanta Road, Cumming, Georgia; and
- 93 (4) By letter dated May 24, 2018, the City of Cumming sought to enter into a ground
94 lease over approximately 0.68 of an acre for the purpose of constructing and maintaining
95 a water tank and a detention pond; and
- 96 (5) By official action dated June 19, 2018, the State Road and Tollway Authority Board
97 resolved to seek legislation to enter into a ground lease over approximately 0.68 of an
98 acre with the City of Cumming for 50 years with a 25 year renewal option for an annual
99 lease of \$10,600.00 and the requirements the City of Cumming to maintain the storm

100 water detention pond in accordance to law and said water tank shall be removed upon
101 termination of the lease; and

102 WHEREAS:

103 (1) The State of Georgia is the owner of improved real property located in Hall County;
104 and

105 (2) Said real property is approximately 41.188 acres lying and being in Land Lot 29 of
106 the 8th District of Hall County, Georgia, and more particularly described in the
107 following: General Warranty Deed dated February 28, 2002 from M. Darius Vohman,
108 being recorded in Deed Book 414D, Pages 293-295 in the office of the Clerk of Superior
109 Court of Hall County and on file with the State Properties Commission Real Property
110 Records as RPR 009740; Quitclaim Deed dated September 8, 1995 from the Board of
111 Regents of the University System of Georgia, being recorded in Deed Book 2464, Pages
112 276-279 in the office of the Clerk of Superior Court of Hall County and on file with the
113 State Properties Commission Real Property Records as RPR 008985; Warranty Deed
114 dated August 30, 2001 from Geraldine L. Reed, being recorded in Deed Book 3977,
115 Pages 610-611 in the office of the Clerk of Superior Court of Hall County and on file
116 with the State Properties Commission Real Property Records as RPR 009830; Warranty
117 Deed dated January 27, 1989 from Hall County Area Board of Education, as Successor
118 in Law to Gainesville-Hall County Area Vocational Trade School Board, being recorded
119 in Deed Book 1345, Pages 103-104 in the office of the Clerk of Superior Court of Hall
120 County and on file with the State Properties Commission Real Property Records as RPR
121 007794; and said real property is more particularly described on a preliminary plat of
122 survey and on file in the offices of the State Properties Commission; and

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

125 (4) The Board of Regents of the University System of Georgia requested the
126 approximately 41.188 acres of said real property from the State of Georgia; and

127 (5) By official action dated December 6, 2018, the Board of Technical College System
128 of Georgia resolved to surplus and convey the approximately 41.188 acres of real
129 property to the Board of Regents of the University System of Georgia; and

130 WHEREAS:

131 (1) The State of Georgia is the owner of a certain parcel of improved real property
132 located in Monroe County; and

133 (2) Said real property is approximately 276 square feet of office space located in the
134 Georgia Public Safety Training Facility, being a portion of that parcel or tract being

135 approximately 877.908 acres lying and being in Land Lots 104, 105, 120, 121, 135, 136,
 136 137 of the 6th Land District of Monroe County, Georgia, and more particularly described
 137 in that Warranty Deed, dated September 2, 1982, from Forest Farms, Inc., being recorded
 138 in Deed Book 147, Pages 15-21 in the office of the Clerk of Superior Court of Monroe
 139 County and on file with the State Properties Commission Real Property Records as RPR
 140 007087 and more particularly described on a plat of survey entitled, "Project Site of
 141 Project No. GBA -46 (Public Safety Training Center)," dated August 17, 1982, prepared
 142 by Tribble B. Richardson, Inc. Consulting Engineers, more particularly, Tommie M.
 143 Donaldson, Jr., Georgia Registered Land Surveyor #1617, and on file in the offices of the
 144 State Properties Commission; and
 145 (3) Said real property is under the custody of the Georgia Public Safety Training Center;
 146 and
 147 (4) By letter dated December 20, 2018, the Justice Federal Credit Union sought to enter
 148 into a long-term lease for the purpose of providing financial services to the employees of
 149 Georgia Public Safety Training Center; and
 150 (5) Said property has been leased since July 1, 2016, by Justice Federal Credit Union and
 151 said lease expires on June 30, 2019; and
 152 (6) By official action dated November 7, 2018, the Board of Public Safety resolved to
 153 request a long-term lease be entered into with Justice Federal Credit Union for ten years
 154 with two five-year renewal options for the initial annual rent of \$5,000.00, to be increased
 155 annually at a compounded rate of 3 percent; and

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

158 **ARTICLE I**
 159 **SECTION 1.**

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

164 **SECTION 2.**

165 That the above-described improved real property may be conveyed by appropriate instrument
 166 by the State of Georgia, acting by and through its State Properties Commission, to the City
 167 of Savannah, Georgia for \$10.00 so long as the property is used for a public purpose in

168 perpetuity; or to a local government or State entity for a consideration of \$10.00 so long as
169 the property is used for a public purpose in perpetuity; and other consideration and provisions
170 as the State Properties Commission shall in its discretion determine to be in the best interest
171 of the State of Georgia.

172 **SECTION 3.**

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

175 **SECTION 4.**

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

178 **SECTION 5.**

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

182 **SECTION 6.**

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

185 **ARTICLE II**

186 **SECTION 7.**

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

191 **SECTION 8.**

192 That the State of Georgia, acting by and through the State Properties Commission, is
193 authorized to convey to the Georgia Department of Transportation the above-described
194 property for a total consideration of \$529,976.00, of which the total consideration is
195 comprised of \$290,693.00 for the total value of the property being conveyed in fee,
196 \$81,298.00 for the conveyance of a permanent easement, \$135,000.00 in cost to cure, and
197 \$22,935.00 in damage to trade fixtures, and for such further terms and conditions as

198 determined by the State Properties Commission to be in the best interest of the State of
199 Georgia.

200 **SECTION 9.**

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

203 **SECTION 10.**

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

206 **SECTION 11.**

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

210 **SECTION 12.**

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

213 **ARTICLE III**

214 **SECTION 13.**

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

219 **SECTION 14.**

220 That the above-described improved real property may be conveyed by appropriate instrument
221 by the State of Georgia, acting by and through its State Properties Commission, to Colquitt
222 County, Georgia for \$10.00 so long as the property is used for a public purpose in perpetuity
223 and that Colquitt County shall not take, nor fail to take, any action which would cause any
224 outstanding tax exempt bonds to be deemed private activity bonds or arbitrage bonds under
225 the tax code and shall not use the above-described property for any nongovernmental
226 purpose, or any purpose that would give rise to private business use within the meaning of
227 the tax code, which shall cause a reversion to the State of Georgia, or its successors and

228 assigns, of all the rights, title, privileges, powers, and easement granted herein; or to a local
229 government or State entity for fair market value; or by competitive bid for fair market value
230 and other consideration and provisions as the State Properties Commission shall in its
231 discretion determine to be in the best interest of the State of Georgia.

232 **SECTION 15.**

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

235 **SECTION 16.**

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

238 **SECTION 17.**

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

242 **SECTION 18.**

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

245 **ARTICLE IV**

246 **SECTION 19.**

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

251 **SECTION 20.**

252 That the State of Georgia, acting by and through the State Properties Commission, is
253 authorized to ground lease the above-described property to the City of Cumming for a term
254 of 50 years with a 25 year renewal option at an annual amount of \$10,600.00, and the
255 requirements the City of Cumming to maintain the storm water detention pond in accordance
256 to law and removal of the water tank upon termination of the lease, and for such further terms

257 and conditions as determined by the State Properties Commission to be in the best interest
258 of the State of Georgia.

259 **SECTION 21.**

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

263 **SECTION 22.**

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

266 **SECTION 23.**

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

270 **SECTION 24.**

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

273 **ARTICLE V**

274 **SECTION 25.**

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

279 **SECTION 26.**

280 That the above-described improved real property may be conveyed by appropriate instrument
281 by the State of Georgia, acting by and through its State Properties Commission, to the Board
282 of Regents of the University System of Georgia for \$10.00 so long as the property is used for
283 a public purpose in perpetuity; or to a local government or State entity for a consideration of
284 \$10.00 so long as the property is used for a public purpose in perpetuity; and other
285 consideration and provisions as the State Properties Commission shall in its discretion
286 determine to be in the best interest of the State of Georgia.

287 **SECTION 27.**

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

290 **SECTION 28.**

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

293 **SECTION 29.**

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

297 **SECTION 30.**

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

300 **ARTICLE VI**

301 **SECTION 31.**

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

306 **SECTION 32.**

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

313 **SECTION 33.**

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

316 **SECTION 34.**

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

319 **SECTION 35.**

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

322 **ARTICLE VII**

323 **SECTION 36.**

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

326 **SECTION 37.**

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