

House Resolution 97

By: Representatives Greene of the 154th, Dunahoo of the 31st, Smith of the 41st, Werkheiser of the 157th, and Hilton of the 48th

A RESOLUTION

1 Authorizing the conveyance of certain state owned property located in Bryan County;
2 authorizing the lease of certain state owned property located in Cherokee County; authorizing
3 the exchange of certain state owned property located in Clarke County; authorizing the
4 conveyance of certain state owned property located in Colquitt County; authorizing the lease
5 amendment of certain state owned property located in Effingham County; authorizing the
6 conveyance of certain state owned property located in Fulton County; authorizing the
7 conveyance of certain state owned property located in Glynn County; authorizing the
8 conveyance of certain state owned properties located in Habersham County; authorizing the
9 conveyance of certain state owned property located in Hall County; authorizing the lease of
10 certain state owned property located in Hall County; authorizing the conveyance of certain
11 state owned property located in Henry County; authorizing the lease of certain state owned
12 property located in Miller County; authorizing the lease of certain state leased property
13 located in Sumter County; authorizing the lease of certain state owned property located in
14 Tattnall County; to provide an effective date; to provide for related matters; to repeal
15 conflicting laws; and for other purposes.

16 WHEREAS:

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

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- 19 (2) Said real property is approximately 0.162 of an acre, being in the 20th G.M. District,
20 Bryan County, Georgia, and more particularly described in that Warranty Deed, dated
21 August 18, 1953, from International Paper Company being recorded in Deed Book 3-E,
22 Page 532, in the office of the Clerk of Superior Court of Bryan County, and on file with
23 the State Properties Commission Real Property Records as RPR 000131; and
- 24 (3) Said real property is commonly known as the Bryan County Forest Fire Tower and
25 under the custody of the Georgia Forestry Commission; and
- 26 (4) Bryan County is desirous of acquiring a right of way over approximately 0.132 of an
27 acre and a driveway easement over approximately 0.030 of an acre for the construction
28 of a roundabout road project; and
- 29 (5) By official action dated February 10, 2025, the Georgia Forestry Commission
30 requested the conveyance to Bryan County; and

31 WHEREAS:

- 32 (1) The State of Georgia is the owner of certain real property located in Cherokee
33 County, Georgia; and
- 34 (2) Said real property is approximately 0.03 of an acre, being in Land Lot 278, 22nd
35 District, 2nd Section, Cherokee County, Georgia, and more particularly described in that
36 Warranty Deed, dated February 5, 1954, from H. Grady Jones being recorded in Deed
37 Book 30, Pages 10-11, in the office of the Clerk of Superior Court of Cherokee County,
38 and on file with the State Properties Commission Real Property Records as RPR 00259;
39 and
- 40 (3) Said real property is commonly known as Pine Log Mountain and under the custody
41 of the Georgia Forestry Commission; and
- 42 (4) The Cherokee County Board of Commissioners is desirous of leasing approximately
43 0.03 of an acre for a radio tower and associated equipment; and

44 (5) By official action dated January 9, 2025, the Georgia Forestry Commission requested
45 to enter a lease with the Cherokee County Board of Commissioners; and

46 WHEREAS:

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

49 (2) Said real property is approximately 2.957 acres, being in 216th G.M. District,
50 Athens-Clarke County, Georgia, and more particularly described in that Warranty Deed,
51 dated August 31, 1948, from W. L. Florence, Jr. and Marie Florence being recorded in
52 Deed Book 111, Page 310, in the office of the Clerk of Superior Court of Clarke County,
53 and on file with the State Properties Commission Real Property Records as RPR 000262,
54 and that Warranty Deed, dated August 31, 1948, from R. B. Well, W. D. Beacham, B. B.
55 Meyer, and B. L. Adams being recorded in Deed Book 111, Page 309, in the office of the
56 Clerk of Superior Court of Clarke County, and on file with the State Properties
57 Commission Real Property Records as RPR 000262; and

58 (3) Said real property is commonly known as the Athens Field Office and under the
59 custody of the Department of Community Supervision; and

60 (4) Mallory and Evans Development, LLC is desirous of exchanging the property with
61 the Department of Community Supervision; and

62 (5) By official action dated January 14, 2025, the Department of Community Supervision
63 requested the exchange with Mallory and Evans Development, LLC; and

64 WHEREAS:

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

67 (2) Said real property is approximately 5.468 acres, being in Land Lot 259, 9th Land
68 District, City of Moultrie, Colquitt County, Georgia, and more particularly described in

69 that Warranty Deed, dated September 15, 1993, from GTE South Incorporated f/k/a
70 General Telephone Company of Georgia being recorded in Deed Book 486, Pages 31-32,
71 in the office of the Clerk of Superior Court of Colquitt County, and on file with the State
72 Properties Commission Real Property Records as RPR 008513; and
73 (3) Said real property is commonly known as Southern Regional Technical College and
74 under the custody of the Technical College System of Georgia; and
75 (4) The Moultrie-Colquitt County Development Authority is desirous of acquiring the
76 property for fair market value; and
77 (5) By official action dated December 5, 2024, the Technical College System of Georgia
78 requested to surplus the property; and

79 WHEREAS:

80 (1) The State of Georgia is the owner of certain real property located in Effingham
81 County, Georgia; and
82 (2) Said real property is approximately 1.6 acres being in 9th G.M. District, Effingham
83 County, Georgia, and more particularly described in that Quitclaim Deed, dated July 19,
84 2004, from the Department of Technical and Adult Education, being recorded in Deed
85 Book 1142, Pages 285-286, in the office of the Clerk of Superior Court of Effingham
86 County and on file with the State Properties Commission Real Property Records as RPR
87 010009.02; and
88 (3) Said real property is commonly known as the Savannah Technical College and
89 Career Academy and under the custody of the Technical College System of Georgia; and
90 (4) The State of Georgia entered into a 30 year ground lease with Effingham County
91 Board of Education in 2013 over approximately 6.92 acres for a Career Academy; and
92 (5) The Effingham County Board of Education is desirous of amending the ground lease
93 to include an additional 1.6 acres for additional parking space; and

94 (6) By official action dated May 29, 2024, the Technical College System of Georgia
95 requested to amend the ground lease; and

96 WHEREAS:

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

99 (2) Said real property is approximately 0.006 of an acre, being in Land Lot 83, 14th Land
100 District, Fulton County, Georgia, and more particularly described in that Warranty Deed,
101 dated January 12, 1990, from Richard Garrett Wortham, Sr. being recorded in Deed Book
102 13135, Pages 236-238, in the office of the Clerk of Superior Court of Fulton County, and
103 on file with the State Properties Commission Real Property Records as RPR 007895, that
104 Quitclaim Deed dated November 2, 1990, from the City of Atlanta being recorded in
105 Deed Book 13840, Pages 221-227, in the office of the Clerk of Superior Court of Fulton
106 County, and on file with the State Properties Commission Real Property Records as RPR
107 008039, that Fee Deed, dated February 27, 1990, from the City of Atlanta, being recorded
108 in Deed Book 13314, Pages 115-120, in the office of the Clerk of Superior Court of
109 Fulton County, and on file with the State Properties Commission Real Property Records
110 as RPR 007912, and that Consent Order and Judgment, dated February 6, 1990 being
111 recorded in Deed Book 13016, Pages 61-64 and on file with the State Properties
112 Commission Real Property Records as RPR 007922; and

113 (3) Said real property is commonly known as the Georgia World Congress Center and
114 under the custody of the Department of Economic Development; and

115 (4) The Georgia Department of Transportation is desirous of acquiring a right of way,
116 for the benefit of the Georgia World Congress Center, over approximately 0.006 of an
117 acre for the extension of the right turn lane; and

118 (5) By official action, the Department of Economic Development requested the
119 conveyance to the Georgia Department of Transportation; and

120 WHEREAS:

121 (1) The State of Georgia is the owner by presumption of law of certain marshlands
122 consisting of approximately 4,086.07 acres located in the 26th Georgia Militia District,
123 Glynn County, Georgia, such marshlands being regulated by the Department of Natural
124 Resources pursuant to the Coastal Marshlands Protection Act, O.C.G.A. § 12-5-280, et
125 seq., and the Governor's powers to regulate public property, O.C.G.A. § 50-16-61; and

126 (2) Glynn New Hope 1043, LLC claims to own the above-referenced marshlands,
127 including approximately 432.70 acres of wetlands, 3,426.07 acres of estuarine intertidal
128 wetlands, and 227.30 acres of open water habitat, in fee simple based upon its
129 predecessors' claim of title and pursuant to the statutory merger of Glynn 3300, LLC into
130 Glynn New Hope 1043, LLC and pursuant to warranty deeds from the predecessors in
131 title recorded in Deed Book 4380, Page 280; Deed Book 4563, Page 126; and Deed Book
132 3684, Page 300 of the Glynn County Clerk of Superior Court and described on an aerial
133 drawing of approximately 4,086.07 acres, which may be more particularly described on
134 a plat of survey prepared by a Georgia registered land surveyor and presented to the State
135 Properties Commission for approval; and

136 (3) Glynn New Hope, pursuant to United States Army Corps of Engineers Permit
137 Application #SAS-2021-00779, desires to establish, construct, operate, maintain, and
138 monitor a proposed mitigation bank or banks on the approximately 4,086.07 acre property
139 described on that drawing titled "Wally's Leg Mitigation Bank" by Aquatics Restoration,
140 Inc. contained in the Draft Prospectus for the Project dated September 11, 2024, which
141 may be further described by a survey to be submitted to the State Properties Commission,
142 and Glynn New Hope desires to commercially sell mitigation credits from such bank or
143 banks in accordance with a mitigation banking instrument or instruments approved by the
144 United States Army Corps of Engineers and the compensatory mitigation rules and
145 regulations of the United States Army Corps of Engineers (33 C.F.R. Part 325 and 33
146 C.F.R. Part 332) and the Environmental Protection Agency (40 C.F.R. Part 230); and

147 (4) To resolve all disputes as to ownership of the above-referenced marshlands, the state,
148 as part of a settlement, seeks authorization to quitclaim to Glynn New Hope the state's
149 interest in the property, of which title to the approximately 4,086.07 acres of marshland
150 shall be held in escrow for not more than ten years, unless extended by the State
151 Properties Commission, until such time as any mitigation bank or banks is approved by
152 the United States Army Corps of Engineers, after which time Glynn New Hope shall
153 promptly cause the quitclaim deed to be recorded, under such terms and conditions as the
154 State Properties Commission may stipulate; and

155 (5) In exchange for and in consideration of the above-referenced quitclaim from the state
156 and in order to resolve all disputes as to ownership of the above-referenced marshlands,
157 Glynn New Hope, as part of a settlement, shall:

158 (A) Transfer to the state 20 percent of each credit release granted from the approved
159 mitigation bank or banks and generated from the property; and

160 (B) Return the entire 4,086.07 acres of marshland subject to the various terms of the
161 settlement agreement for conveyance of property back to the state by quitclaim to
162 include either the exhaustion of Glynn New Hope 1043, LLC seeking approval of a
163 permit or permits for a mitigation bank or banks on either the entire or portions of the
164 4,086.07 acres of marshland during the ten-year timeframe, no credit releases after ten
165 years have occurred for any approved mitigation bank or banks, exhaustion of all
166 credits from any approved mitigation banks or banks, or after 25 years from any
167 approved mitigation bank or banks for which not all mitigation credits have been
168 generated or released, whichever is earlier; and

169 WHEREAS:

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

172 (2) Said real property is approximately 4.75 acres, being in Land Lots 192, 193, 196, and
173 197, Habersham County, Georgia, and more particularly described in various deeds,
174 recorded in the office of the Clerk of Superior Court of Habersham County, and on file
175 with the State Properties Commission Real Property Records; and

176 (3) Said real property is commonly known as Lee Arrendale Correctional Institute and
177 under the custody of the Department of Corrections; and

178 (4) The Town of Alto is desirous of acquiring the property for a water tower; and

179 (5) By official action, the Department of Corrections requested the conveyance to the
180 Town of Alto; and

181 WHEREAS:

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

184 (2) Said real property is approximately 20.0 acres, being in Land Lots 192, 193, 196, and
185 197, Habersham County, Georgia, and more particularly described in various deeds,
186 recorded in the office of the Clerk of Superior Court of Habersham County, and on file
187 with the State Properties Commission Real Property Records; and

188 (3) Said real property is commonly known as Lee Arrendale Correctional Institute and
189 under the custody of the Department of Corrections; and

190 (4) Habersham County is desirous of acquiring the property for public purpose; and

191 (5) By official action, the Department of Corrections requested the conveyance to
192 Habersham County; and

193 WHEREAS:

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

- 196 (2) Said real property is approximately 192.0 acres, being in Land Lots 192, 193, 196,
197 and 197, Habersham County, Georgia, and more particularly described in various deeds,
198 recorded in the office of the Clerk of Superior Court of Habersham County, and on file
199 with the State Properties Commission Real Property Records; and
- 200 (3) Said real property is commonly known as Lee Arrendale Correctional Institute and
201 under the custody of the Department of Corrections; and
- 202 (4) Habersham County is desirous of acquiring the property for fair market value; and
- 203 (5) By official action, the Department of Corrections requested the conveyance to
204 Habersham County; and

205 WHEREAS:

- 206 (1) The State of Georgia is the owner of certain real property located in Hall County,
207 Georgia; and
- 208 (2) Said real property is approximately 3.707 acres, being in 411th G.M.D., Hall County,
209 Georgia, and more particularly described in that Limited Warranty Deed, dated January
210 5, 2016, from Gainesville Howard Road, LLC, a Georgia Limited Liability Company
211 being recorded in Deed Book 7650, Pages 695-704, in the office of the Clerk of Superior
212 Court of Hall County, and on file with the State Properties Commission Real Property
213 Records as RPR 011792; and
- 214 (3) Said real property is commonly known as Lanier Technical College and under the
215 custody of the Technical College System of Georgia; and
- 216 (4) The Georgia Department of Transportation is desirous of acquiring a right of way
217 over approximately 0.530 of an acre and easement over approximately 3.177 acres for the
218 construction of a new interchange and roundabout (PI0016074); and
- 219 (5) By official action dated October 2, 2024, the Technical College System of Georgia
220 requested the conveyance to the Georgia Department of Transportation; and

221 WHEREAS:

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

224 (2) Said real property is a communication tower, being in Land Lots 135 and 138, 10th
225 District, Hall County, Georgia, and more particularly described in that Warranty Deed,
226 dated January 21, 1958, from the Board of Commissioners of Roads and Revenues of
227 Hall County, Georgia being recorded in Deed Book IX, Pages 27-28, in the office of the
228 Clerk of Superior Court of Hall County, and on file with the State Properties Commission
229 Real Property Records as RPR 02422; and

230 (3) Said real property is commonly known as State Patrol Post 6 and under the custody
231 of the Department of Public Safety; and

232 (4) Southern Linc is desirous of leasing tower space; and

233 (5) By official action, the Department of Public Safety requested to enter a lease with
234 Southern Linc; and

235 WHEREAS:

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

238 (2) Said real property is approximately 0.339 of an acre, being in Land Lot 135, 7th
239 District, Henry County, Georgia, and more particularly described in that Limited
240 Warranty Deed, dated March 10, 2021, from One Henry, Inc. being recorded in Deed
241 Book 17931, Pages 292-294, in the office of the Clerk of Superior Court of Henry
242 County, and on file with the State Properties Commission Real Property Records as RPR
243 012522; and

244 (3) Said real property is commonly known as the Henry County Campus of Southern
245 Crescent Technical College and under the custody of the Technical College System of
246 Georgia; and

247 (4) Henry County is desirous of acquiring a right of way over approximately 0.252 of an
248 acre and a slope easement over approximately 0.087 of an acre for a road-widening
249 project (PI0015089); and

250 (5) By official action dated September 5, 2024, the Technical College System of Georgia
251 requested the conveyance to Henry County; and

252 WHEREAS:

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

255 (2) Said real property is a communication tower, being in the 13th District, Miller
256 County, Georgia, and more particularly described in that General Warranty Deed With
257 Right of Reversion, dated February 27, 2015, from the City of Colquitt being recorded
258 in Deed Book 235, Pages 690-692, in the office of the Clerk of Superior Court of Miller
259 County, and on file with the State Properties Commission Real Property Records as RPR
260 011606; and

261 (3) Said real property is commonly known as State Patrol Post 14 and under the custody
262 of the Department of Public Safety; and

263 (4) Southern Linc is desirous of leasing tower space; and

264 (5) By official action, the Department of Public Safety requested to enter a lease with
265 Southern Linc; and

266 WHEREAS:

267 (1) The State of Georgia is the lessee of certain real property located in Sumter County,
268 Georgia; and

269 (2) Said real property is a communication tower, being in Land Lot 184, 27th Land
270 District, Sumter County, Georgia, and more particularly described in that Lease
271 Agreement, commencing on January 1, 2023, with Sumter County, Georgia, as Lessor

272 and on file with the State Properties Commission Real Property Records as RPR 012787;
273 and
274 (3) Said real property is commonly known as State Patrol Post 10 and under the custody
275 of the Department of Public Safety; and
276 (4) Southern Linc is desirous of leasing tower space; and
277 (5) By official action, the Department of Public Safety requested to enter a lease with
278 Southern Linc; and

279 WHEREAS:

280 (1) The State of Georgia is the owner of certain real property located in Tattnall County,
281 Georgia; and
282 (2) Said real property is a communication tower, being in 41st G.M. District, Tattnall
283 County, Georgia, and more particularly described in that General Warranty Deed, dated
284 January 3, 2023, from Tattnall County being recorded in Deed Book 738, Pages 178-180,
285 in the office of the Clerk of Superior Court of Tattnall County, and on file with the State
286 Properties Commission Real Property Records as RPR 012798; and
287 (3) Said real property is commonly known as State Patrol Post 18 and under the custody
288 of the Department of Public Safety; and
289 (4) Southern Linc is desirous of leasing tower space; and
290 (5) By official action, the Department of Public Safety requested to enter a lease with
291 Southern Linc.

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

316 **SECTION 6.**

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

319 **ARTICLE II**

320 **SECTION 7.**

321 The State of Georgia is the owner of the above-described property located in Cherokee
322 County, containing approximately 0.03 of an acre, and that in all matters relating to the lease
323 of said real property the State of Georgia is acting by and through its State Properties
324 Commission.

325 **SECTION 8.**

326 That the State of Georgia, acting by and through the State Properties Commission, is
327 authorized to lease to the Cherokee County Board of Commissioners for a term of six years
328 for the consideration of \$10.00 and the requirement that the Georgia Forestry Commission
329 have access to tower space, generator, and shed on the premises, and for such further terms
330 and conditions as determined by the State Properties Commission to be in the best interest
331 of the State of Georgia.

332 **SECTION 9.**

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

336 **SECTION 10.**

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

339 **SECTION 11.**

340 That the lease documents shall be recorded by the Lessee in the Superior Court of Cherokee
341 County, Georgia, and a recorded copy shall be forwarded to the State Properties
342 Commission.

343 **SECTION 12.**

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

346 **ARTICLE III**

347 **SECTION 13.**

348 The State of Georgia is the owner of the above-described improved property located in
349 Clarke County, containing approximately 2.957 acres, and that in all matters relating to the
350 exchange of said real property the State of Georgia is acting by and through its State
351 Properties Commission.

352 **SECTION 14.**

353 That the State of Georgia, acting by and through the State Properties Commission, is
354 authorized to convey by appropriate instrument for a consideration of an exchange to the
355 State of Georgia with Mallory and Evans Development, LLC of a like or better property; and
356 such further consideration and provisions as the State Properties Commission shall in its
357 discretion determine to be in the best interest of the State of Georgia.

358 **SECTION 15.**

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

362 **SECTION 16.**

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

365 **SECTION 17.**

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

369 **SECTION 18.**

370 That the above-described real property shall remain in the custody of the Department of
371 Community Supervision until the property is conveyed.

372 **ARTICLE IV**

373 **SECTION 19.**

374 The State of Georgia is the owner of the above-described property located in Colquitt
375 County, containing approximately 5.468 acres, and that in all matters relating to the
376 conveyance of said real property the State of Georgia is acting by and through its State
377 Properties Commission.

378 **SECTION 20.**

379 That the State of Georgia, acting by and through the State Properties Commission, is
380 authorized to convey to the Moultrie-Colquitt County Development Authority for fair market
381 value; or by competitive bid for fair market value; or to a local government or state entity for
382 fair market value or to a local government or state entity for a consideration of \$10.00 so
383 long as the property is used for public purpose in perpetuity; and for such further terms and
384 conditions as determined by the State Properties Commission to be in the best interest of the
385 State of Georgia.

386 **SECTION 21.**

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

390 **SECTION 22.**

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

393 **SECTION 23.**

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

397 **SECTION 24.**

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

400

ARTICLE V

401

SECTION 25.

402 The State of Georgia is the owner of the above-described improved property located in
403 Effingham County, containing approximately 1.6 acres, and that in all matters relating to the
404 lease amendment of said real property the State of Georgia is acting by and through its State
405 Properties Commission.

406

SECTION 26.

407 That the above-described ground lease may be amended by appropriate instrument by the
408 State of Georgia, acting by and through its State Properties Commission, with the Effingham
409 County Board of Education for a consideration of \$10.00 annually, and such further
410 consideration and provisions as the State Properties Commission shall in its discretion
411 determine to be in the best interest of the State of Georgia.

412

SECTION 27.

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

416

SECTION 28.

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

419 **SECTION 29.**

420 That the amendment to the ground lease shall be recorded by the Lessee in the Superior
421 Court of Effingham County, Georgia, and a recorded copy shall be forwarded to the State
422 Properties Commission.

423 **SECTION 30.**

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

426 **ARTICLE VI**

427 **SECTION 31.**

428 The State of Georgia is the owner of the above-described property located in Fulton County,
429 containing approximately 0.006 of an acre, and that in all matters relating to the conveyance
430 of said real property the State of Georgia is acting by and through its State Properties
431 Commission.

432 **SECTION 32.**

433 That the State of Georgia, acting by and through the State Properties Commission, is
434 authorized to convey to the Georgia Department of Transportation for the consideration of
435 \$10.00, and for such further terms and conditions as determined by the State Properties
436 Commission to be in the best interest of the State of Georgia.

437 **SECTION 33.**

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

441 **SECTION 34.**

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

444 **SECTION 35.**

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

448 **SECTION 36.**

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

451 **ARTICLE VII**452 **SECTION 37.**

453 That the State of Georgia is the presumptive owner of certain marshlands located in Glynn
454 County, Georgia, as described above, consisting of approximately 4,086.07 acres, which may
455 be more particularly described by a plat of survey prepared by a Georgia registered land
456 surveyor and presented to the State Properties Commission for approval.

457 **SECTION 38.**

458 That the Georgia General Assembly has declared that activities in the State's coastal
459 marshlands must be regulated to ensure that the values and functions of the coastal
460 marshlands are not impaired and that the Georgia General Assembly has authorized the
461 Department of Natural Resources to administer and enforce the Coastal Marshlands
462 Protection Act, O.C.G.A. § 12-5-280, et seq. Furthermore, the Governor has authorized the

463 Department of Natural Resources to act on his behalf on all requests to utilize state owned
464 water bottoms covered by tidal waters which are in the Governor's custody and control,
465 O.C.G.A. § 50-16-61.

466 **SECTION 39.**

467 That Glynn New Hope, LLC desires to, at its sole cost and expense, establish, construct,
468 operate, maintain, and monitor a tidal marsh wetland mitigation bank on the Mitigation Bank
469 Property in accordance with a mitigation banking instrument or instruments approved by the
470 United States Army Corps of Engineers and the compensatory mitigation rules and
471 regulations of the United States Army Corps of Engineers (33 C.F.R. Part 325 and 33 C.F.R.
472 Part 332) and the Environmental Protection Agency (40 C.F.R. Part 230).

473 **SECTION 40.**

474 That to resolve all disputes as to ownership of the above-referenced approximately 4,086.07
475 acres of marshland, the State Properties Commission is authorized to:

476 (1) Convey by quitclaim deed to Glynn New Hope the state's interest in the property, of
477 which title to the approximately 4,086.07 acres of marshland shall be held in escrow for
478 not more than ten years, unless extended by the State Properties Commission, until such
479 time as any mitigation bank or banks is approved by the United States Army Corps of
480 Engineers, after which time Glynn New Hope shall promptly cause the quitclaim deed
481 to be recorded, under such terms and conditions as the State Properties Commission may
482 stipulate; and

483 (2) In exchange for and in consideration of the above-referenced quitclaim from the state
484 and in order to resolve all disputes as to ownership of the above-referenced marshlands,
485 Glynn New Hope, as part of a settlement, shall:

486 (A) Transfer to the state 20 percent of each credit release granted from the approved
487 mitigation bank or banks and generated from the property; and

488 (B) Return the entire 4,086.07 acres of marshland by way of various terms of the
489 settlement agreement for conveyance of property back to the state via quitclaim to
490 include either at the exhaustion of Glynn New Hope 1043, LLC seeking approval of a
491 permit or permits for a mitigation bank or banks on either the entire or portions of the
492 4,086.07 acres of marshland during the ten-year timeframe, no credit releases after ten
493 years have occurred for any approved mitigation bank or banks, exhaustion of all
494 credits from any approved mitigation banks or banks, or after 25 years from any
495 approved mitigation bank or banks for which not all mitigation credits have been
496 generated or released, whichever is earlier.

497 **SECTION 41.**

498 That the State Properties Commission is authorized to place restrictions on any of the
499 property to be quitclaimed to Glynn New Hope and to require a more particular description
500 of the property that is to be so restricted.

501 **SECTION 42.**

502 That all quitclaim deeds executed in connection with this resolution, whether conveying
503 property to or from the State, shall be recorded by Glynn New Hope in the office of the Clerk
504 of the Superior Court of Glynn County, and Glynn New Hope shall provide a copy of the
505 recorded deeds promptly to the State Properties Commission to be inventoried and retained
506 by the State Properties Commission.

507 **SECTION 43.**

508 That the authorization in this resolution shall expire three years after the date that this
509 resolution becomes effective.

510 ARTICLE VIII

511 SECTION 44.

512 The State of Georgia is the owner of the above-described property located in Habersham
513 County, containing approximately 4.75 acres, and that in all matters relating to the
514 conveyance of said real property the State of Georgia is acting by and through its State
515 Properties Commission.

516 SECTION 45.

517 That the State of Georgia, acting by and through the State Properties Commission, is
518 authorized to convey to the Town of Alto for \$10.00 so long as the property is used for
519 public purpose in perpetuity, and for such further terms and conditions as determined by the
520 State Properties Commission to be in the best interest of the State of Georgia.

521 SECTION 46.

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

525 SECTION 47.

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

528 SECTION 48.

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

532 **SECTION 49.**

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

535 **ARTICLE IX**

536 **SECTION 50.**

537 The State of Georgia is the owner of the above-described property located in Habersham
538 County, containing approximately 20.0 acres, and that in all matters relating to the
539 conveyance of said real property the State of Georgia is acting by and through its State
540 Properties Commission.

541 **SECTION 51.**

542 That the State of Georgia, acting by and through the State Properties Commission, is
543 authorized to convey to Habersham County for a consideration of \$10.00 so long as the
544 property is used for public purpose in perpetuity; or by competitive bid for fair market value;
545 or to a local government or state entity for fair market value or to a local government or state
546 entity for a consideration of \$10.00 so long as the property is used for public purpose in
547 perpetuity; and for such further terms and conditions as determined by the State Properties
548 Commission to be in the best interest of the State of Georgia.

549 **SECTION 52.**

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

553 **SECTION 53.**

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

556 **SECTION 54.**

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

560 **SECTION 55.**

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

563 **ARTICLE X**

564 **SECTION 56.**

565 The State of Georgia is the owner of the above-described property located in Habersham
566 County, containing approximately 192.0 acres, and that in all matters relating to the
567 conveyance of said real property the State of Georgia is acting by and through its State
568 Properties Commission.

569 **SECTION 57.**

570 That the State of Georgia, acting by and through the State Properties Commission, is
571 authorized to convey to Habersham County up to 180.0 acres for fair market value; or by
572 competitive bid for fair market value; or to a local government or state entity for fair market
573 value or to a local government or state entity for a consideration of \$10.00 so long as the
574 property is used for public purpose in perpetuity; and for such further terms and conditions

575 as determined by the State Properties Commission to be in the best interest of the State of
576 Georgia.

577 **SECTION 58.**

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

581 **SECTION 59.**

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

584 **SECTION 60.**

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

588 **SECTION 61.**

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

591 **ARTICLE XI**

592 **SECTION 62.**

593 The State of Georgia is the owner of the above-described property located in Hall County,
594 containing approximately 3.707 acres, and that in all matters relating to the conveyance and

595 easement of said real property the State of Georgia is acting by and through its State
596 Properties Commission.

597 **SECTION 63.**

598 That the State of Georgia, acting by and through the State Properties Commission, is
599 authorized to convey to the Georgia Department of Transportation for a total consideration
600 of \$229,180.00, being composed of \$21,200.00 in value for the fee, \$98,030.00 for granting
601 of the permanent easement, and \$109,950.00 in value for the damages to the fixtures, signs,
602 irrigation, and landscaping; and for such further terms and conditions as determined by the
603 State Properties Commission to be in the best interest of the State of Georgia.

604 **SECTION 64.**

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

608 **SECTION 65.**

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

611 **SECTION 66.**

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

615 **SECTION 67.**

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

618 **ARTICLE XII**

619 **SECTION 68.**

620 The State of Georgia is the owner of the above-described communication tower located in
621 Hall County, and that in all matters relating to the lease of said communication tower space
622 the State of Georgia is acting by and through its State Properties Commission.

623 **SECTION 69.**

624 That the State of Georgia, acting by and through the State Properties Commission, is
625 authorized to lease to Southern Linc for a term of 25 years for fair market value and for such
626 further terms and conditions as determined by the State Properties Commission to be in the
627 best interest of the State of Georgia.

628 **SECTION 70.**

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

632 **SECTION 71.**

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

635 **SECTION 72.**

636 That the lease documents shall be recorded by the Lessee in the Superior Court of Hall
637 County, Georgia, and a recorded copy shall be forwarded to the State Properties
638 Commission.

639 **SECTION 73.**

640 That the above-described real property shall remain in the custody of the Department of
641 Public Safety until the property is conveyed.

642 **ARTICLE XIII**

643 **SECTION 74.**

644 The State of Georgia is the owner of the above-described property located in Henry County,
645 containing approximately 0.339 of an acre, and that in all matters relating to the conveyance
646 and easement of said real property the State of Georgia is acting by and through its State
647 Properties Commission.

648 **SECTION 75.**

649 That the State of Georgia, acting by and through the State Properties Commission, is
650 authorized to convey to Henry County for a total consideration of \$67,107.00, being
651 composed of \$57,245.00 in value for the fee and \$9,862.00 for granting of the permanent
652 easement; and for such further terms and conditions as determined by the State Properties
653 Commission to be in the best interest of the State of Georgia.

654 **SECTION 76.**

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

658 **SECTION 77.**

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

661 **SECTION 78.**

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

665 **SECTION 79.**

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

668 **ARTICLE XIV**

669 **SECTION 80.**

670 The State of Georgia is the owner of the above-described communication tower located in
671 Miller County, and that in all matters relating to the lease of said communication tower space
672 the State of Georgia is acting by and through its State Properties Commission.

673 **SECTION 81.**

674 That the State of Georgia, acting by and through the State Properties Commission, is
675 authorized to lease to Southern Linc for a term of 25 years for fair market value and for such
676 further terms and conditions as determined by the State Properties Commission to be in the
677 best interest of the State of Georgia.

678 **SECTION 82.**

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

682 **SECTION 83.**

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

685 **SECTION 84.**

686 That the lease documents shall be recorded by the Lessee in the Superior Court of Miller
687 County, Georgia, and a recorded copy shall be forwarded to the State Properties
688 Commission.

689 **SECTION 85.**

690 That the above-described real property shall remain in the custody of the Department of
691 Public Safety until the property is conveyed.

692 ARTICLE XV

693 SECTION 86.

694 The State of Georgia is the lessee of the above-described communication tower located in
695 Sumter County, and that in all matters relating to the lease of said communication tower
696 space the State of Georgia is acting by and through its State Properties Commission.

697 SECTION 87.

698 That the State of Georgia, acting by and through the State Properties Commission, is
699 authorized to lease to Southern Linc for a term of 25 years for fair market value and for such
700 further terms and conditions as determined by the State Properties Commission to be in the
701 best interest of the State of Georgia.

702 SECTION 88.

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

706 SECTION 89.

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

709 SECTION 90.

710 That the lease documents shall be recorded by the Lessee in the Superior Court of Sumter
711 County, Georgia, and a recorded copy shall be forwarded to the State Properties
712 Commission.

713 **SECTION 91.**

714 That the above-described real property shall remain in the custody of the Department of
715 Public Safety until the property is conveyed.

716 **ARTICLE XVI**

717 **SECTION 92.**

718 The State of Georgia is the owner of the above-described communication tower located in
719 Tattnall County, and that in all matters relating to the lease of said communication tower
720 space the State of Georgia is acting by and through its State Properties Commission.

721 **SECTION 93.**

722 That the State of Georgia, acting by and through the State Properties Commission, is
723 authorized to lease to Southern Linc for a term of 25 years for fair market value and for such
724 further terms and conditions as determined by the State Properties Commission to be in the
725 best interest of the State of Georgia.

726 **SECTION 94.**

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

730 **SECTION 95.**

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

733 **SECTION 96.**

734 That the lease documents shall be recorded by the Lessee in the Superior Court of Tattnall
735 County, Georgia, and a recorded copy shall be forwarded to the State Properties
736 Commission.

737 **SECTION 97.**

738 That the above-described real property shall remain in the custody of the Department of
739 Public Safety until the property is conveyed.

740 **ARTICLE XVII**

741 **SECTION 98.**

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

744 **SECTION 99.**

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