

Georgia Department of Human ServicesOffice of Facilities and Support Services

Easements

Peach and Cherokee Counties

Frances L. Richards

Director



Property Acquisition and Easements

Property
Acquisition/Easements
by the State Properties
Commission

 The State Properties Commission (SPC) acts on behalf of the State to acquire land, buildings and easements.

Property is deeded and easements are with the State of Georgia

 The benefit is property is deeded to the State of Georgia (vs. a local government) for use by the state entity. The project is not subject to being sold, leased, or kept by the local governments in the future.

Custody of the
Property is Assigned
to a State Agency and
approvals of the
easements are
requested from the
State Agency

 The agencies who are assigned custody are in charge and control of the public building(s), grounds, and property and if an easement is requested, SPC will ask for the agency's approval as they are the custodians of the assigned property.



Role of the Custodian

The Custodian is responsible for the proper care and protection of state property from damage, intrusion, or improper use.

 The Custodian is more than just an occupant (tenant).

Therefore, the State Entity (assigned to a property) must be a party to any agreements limiting the rights and affecting the usage of buildings and lands assigned to its custody.

 In most instances, easements are needed for ingress and egress to properties. An easement is a nonpossessory right to use and/or enter onto the real property of another (property owner).

Easements are necessary for various reasons.

Easements can be required below the land (underground), on the surface of the land, and above the land (air rights).

 As this relates to the acquisition of the building in Peach, the easement is created for the shared usage of the surface parking areas. In Cherokee County, the easements were created for driveways, utilities, signage and drainage, which did not exist before the sale.



Peach County Parking Easement

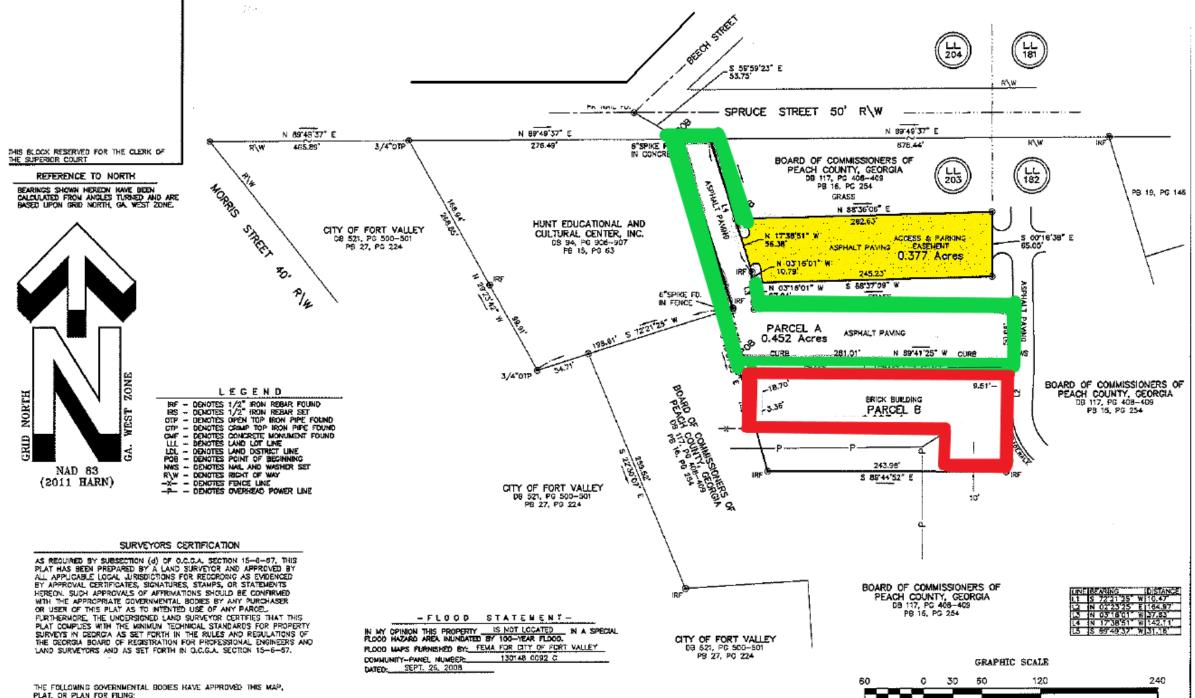
Previous actions:

- November 2017 The Board approved the acquisition of the Peach County building.
- Legislative Session 2018 Funding was approved for the acquisition and improvements of the building.
- May 2018 The Board approved the sale of bonds for the acquisition and improvements.
- June 2018 Bonds were sold in the amount of \$1.1 million.
- June 2019 The building acquisition was completed.

At this time, Peach County is asking for an easement pertaining to the two parking areas adjacent to the building to ensure this area remains a shared space. Parcel shaded in yellow is owned by the County; Parcel shaded in green is owned by the State.

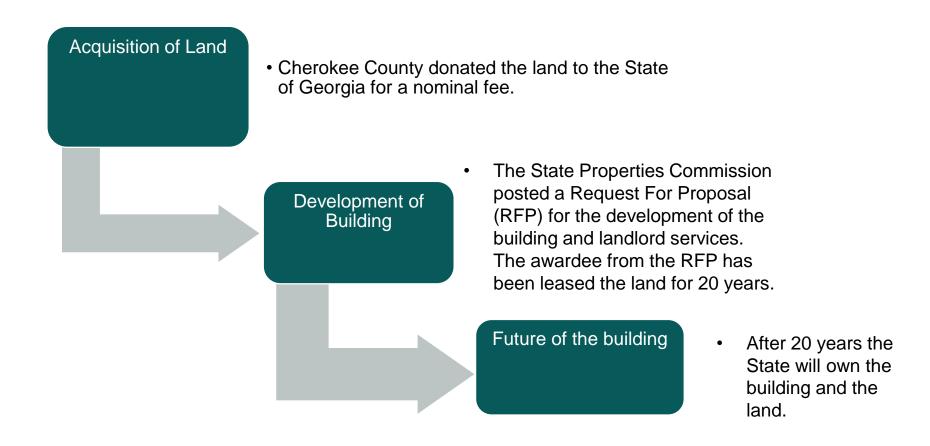
The State Properties Commission is requesting approval of the Parking Easement for shared usages of both parking lots.





PLAT, OR PLAN FOR FILING:

Cherokee County Easements





Cherokee County Utility Easements

The State Properties Commission is working with a Developer to build an office building that will house the Divisions of Child Support and Family and Children Services. As part of the construction, there are four easements that will need the approval of the Board.

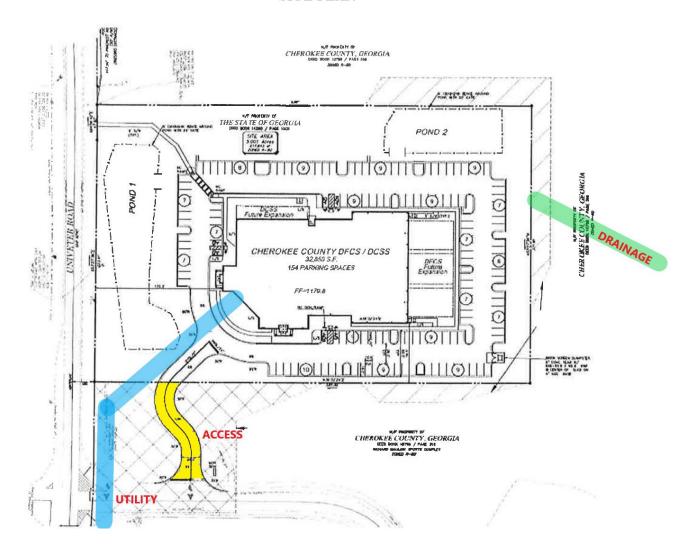
- 1. Easement 1 (Blue and Yellow) Access, Signage and Utility Easement, required for access for installing and maintaining power (gas and electric), phone, and cable lines, water and sewer from the street to the building. Shown on plan (blue).
- 2. Easement 2 (Green) Drainage Easement, onto the adjacent county owned property. Water drains down the slope of the property as shown on the plan (green).

The State Properties Commission is requesting the Custodian's approval of 2 Easements.



EXHIBIT D

SITE PLAN





Questions

Frances L. Richards

Director

Office of Facilities and Support Services

404-656-4427

Frances.Richards@dhs.ga.gov

