

**RESOLUTION
(Parcel No. 56)**

A RESOLUTION TO AUTHORIZE STEWART, MELVIN & FROST, LLP, AS SPECIAL COUNSEL TO HALL COUNTY, TO PROCEED WITH THE ACQUISITION BY DEED OR BY CONDEMNATION OF THAT CERTAIN PROPERTY OWNED BY ANGELA A. HIERS FOR PUBLIC ROAD PURPOSES; TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF COMMISSIONERS TO EXECUTE ANY DOCUMENTS NECESSARY AND PROPER FOR THE ACQUISITION OF SAID PROPERTY, SUBJECT TO THE REVIEW OF THE COUNTY ATTORNEY; AND FOR SUCH OTHER PURPOSES.

WHEREAS, Article IX, Section II, Paragraph V of the Georgia Constitution of 1983 authorizes counties to exercise the right of eminent domain; and

WHEREAS, O.C.G.A. § 32-3-1 *et seq.* provides for acquisition of property for public road purposes; and

WHEREAS, on January 2, 2020, the location and design of the Sardis Road Connector Project (Federal Aid Project STP00-0003-00(626)) were approved by the Georgia Department of Transportation; and

WHEREAS, said Sardis Road Connector Project (the “Project”) is located in Land Districts 9 and 10 and G.M.D. 570 of Hall County, Georgia, and consists of the widening, realignment, and reconstruction of existing roadways and the construction of new roadways to provide a connector roadway between Georgia State Route 53 to the South and Georgia State Route 60 to the North; and

WHEREAS, the Project will begin at the Sardis Road and Chestatee Road intersection and will extend northward approximately 3.55 miles to Georgia State Route 60 ending near the intersection of State Route 60 and Mount Vernon Road; and

WHEREAS, the proposed roadway will consist of a four-lane curb and gutter divided roadway, having 2 lanes in each direction that will be separated by a 20-foot wide, 6 inch high curb and gutter median and sidewalks will be provided on both sides of the road having a design speed limit of 45 mph; and

WHEREAS, the Hall County Board of Commissioners (the “Board of Commissioners”) has determined that the Project is a public road purpose permitted by law; and

WHEREAS, the Board of Commissioners has further determined that in order to construct the Project it must acquire, by deed or by condemnation proceedings, certain rights of way and easements along certain properties along the proposed Sardis Road Connector; and

WHEREAS, a portion of the property necessary to be acquired is owned by ANGELA A. HIERS (hereinafter referred to collectively as “Owner”); and

WHEREAS, a description of the entirety of the property owned by Owner is attached hereto as Attachment 1 and by reference made a part hereof (said property being hereinafter sometimes referred to as “Parcel 56”); and

WHEREAS, the property described on Attachment 1 is designated as tax map number 10082 000084 by the taxing authorities of Hall County; and

WHEREAS, Board of Commissioners has further determined that the portions of Parcel 56 necessary to be acquired in connection with the construction of the Project are as follows:

- (1) A right of way easement for the purpose of acquiring, constructing, and maintaining a right of way along the portion of the Project consisting of newly constructed roadway, said right of way consisting of 0.036 acre, more or less. A metes and bounds description of said right of way is attached hereto as Attachment 2, and by reference made a part hereof;
- (2) A permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, consisting of 0.053 acre, more or less. A metes and bounds description of said easement is attached hereto as Attachment 3, and by reference made a part hereof; and

WHEREAS, plans for the Project were prepared by WSP USA, Inc. for the Georgia Department of Transportation, are entitled “Right of Way of Proposed Sardis Road Connector from East of Chestatee Road to West of S.R. 60 along S.R. 283, STP00-0003-00(626),” and have an approval date of January 2, 2020 and a last revised date of December 8, 2022 (the “Project Plans”), which Project Plans are on file in the Board of Commissioner’s Office; and

WHEREAS, attached hereto as Attachment 4 is a copy of the section of the Project Plans showing the right of way and easements proposed to be acquired by deed or by condemnation proceedings through, over, and across said Parcel 56 (the “Parcel 56 Property Rights”); and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, in regular session, that authority is hereby delegated to the Chairman of the Board of Commissioners, through his duly constituted nominees, and the law firm of Stewart, Melvin & Frost, LLP, to proceed with the acquisition of the Parcel 56 Property Rights in such manner as in the discretion of said Chairman of the Board may be necessary or proper for the construction of the Project, including by purchase, contract, or condemnation, and said Chairman of the Board is hereby authorized and directed to initiate such proceedings, perform such acts, and execute such papers as they may deem reasonably proper and necessary to carry out the intent of this Resolution.

RESOLVED FURTHER that the Board hereby authorizes and directs that the Owner shall be paid just compensation for the above described acquisition in the amount of \$11,000.00, which amount is the fair market value of the Parcel 56 Property Rights as determined by independent appraisal.

RESOLVED FURTHER that the Board hereby ratifies and approves the acquisition of any interests in property necessary and proper for the construction of the Project which may have been acquired prior to the effective date of this resolution.

RESOLVED FURTHER that if any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Resolution as applied to any particular situation or

set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid. It is hereby declared to be the intent of the Board of Commissioners to provide for separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

This Resolution is adopted in regular session of the Board of Commissioners, this 10th day of May, 2023, to become effective immediately upon its execution, the public health, safety, and general welfare demanding it.

**HALL COUNTY BOARD OF
COMMISSIONERS**

Richard Higgins, Chairman

Commissioner, District 1
Kathy Cooper

Commissioner, District 2
Billy Powell

Commissioner, District 3
Gregg Poole

Commissioner, District 4
Jeff Stowe

ATTEST:

Jennifer Rivera, County Clerk

(SEAL)

Hall County Attorney
William Linkous, III

Attachment 1
(Legal Description of the Entirety of Owner's Property)

STATE OF GEORGIA	PROJECT #: STP00-0003-00(626)
COUNTY OF HALL	P.I. #: 0003626, PARCEL 56
	TAX MAP #: 10082 000084
OWNER: ANGELA A. HIERS	4016 LEDAN EXTENSION

All that tract or parcel of land lying and being in Land Lot 82 of the 10th Land District of Hall County, Georgia and being described as 2.0 acres according to a plat prepared by Henry Grady Garrard, Georgia Registered Land Surveyor, dated March 27, 1998, this plat is recorded at Plat Slide 710, Page 186 B, Hall County, Georgia plat records and is incorporated by reference.

Less and Except Right of Way, dated July 23, 2021, from Angela A. Heir to Hall County, Georgia, recorded in Deed Book 8889, Pages 186-198, Hall County, Georgia Deed Records.

Attachment 2
(Legal Description of Right of Way)

STATE OF GEORGIA	PROJECT #: STP00-0003-00(626)
COUNTY OF HALL	P.I. #: 0003626, PARCEL 56
OWNER:	TAX MAP #: 10082 000084
ANGELA A. HIERS	4016 LEDAN EXTENSION

GRANTED IS A REQUIRED RIGHT OF WAY, IN FEE SIMPLE, IN THE PROPERTY DESCRIBED BELOW, based on right of way plans prepared by WSP USA, Inc. for Georgia Department of Transportation, Sardis Road Connector, approved January 2, 2020, and last revised December 8, 2022 (the "Project Plans").

All that tract or parcel of land lying and being in Land Lot 82 of the 10th District, Hall County, Georgia and being more particularly described as follows:

Beginning at a point 49.00 feet left of station 93+00.00 per right of way plans prepared by WSP USA, Inc. for Georgia Department of Transportation, Sardis Road Connector, approved January 2, 2020 and having a latest revision date of 12/08/2022;

Thence proceeding thru the property now or formerly of Angela A. Hiers North 60 degrees 33 minutes 15.8 seconds East a distance of 192.92 feet to a point 115.85 feet left of station 94+72.95;

Thence South 51 degrees 50 minutes 52.9 seconds West a distance of 107.40 feet to a point 61.00 feet left of station 93+80.61;

Thence South 71 degrees 10 minutes 06.2 seconds West a distance of 88.26 feet to the POINT OF BEGINNING.

Said tract contains 1,568.19 square feet or 0.036 acre per the aforementioned right of way plans, also attached hereto.

The above described land being a permanent right of way easement which is necessary for the acquisition, construction, and maintenance of the Sardis Road Connector Project, as described in the above-referenced Project Plans.

Attachment 3
(Legal Description of Permanent Slopes/Utility Relocation Easement)

STATE OF GEORGIA	PROJECT #: STP00-0003-00(626)
COUNTY OF HALL	P.I. #: 0003626, PARCEL 56
OWNER:	TAX MAP #: 10082 000084
ANGELA A. HIERS	4016 LEDAN EXTENSION

GRANTED IS A PERMANENT EASEMENT IN THE PROPERTY DESCRIBED BELOW FOR THE CONSTRUCTION AND MAINTENANCE OF SLOPES AND UTILITY RELOCATION, based on right of way plans prepared by WSP USA, Inc. for Georgia Department of Transportation, Sardis Road Connector, approved January 2, 2020, and last revised December 8, 2022 (the "Project Plans").

All that tract or parcel of land lying and being in Land Lot 82 of the 10th District, Hall County, Georgia and being more particularly described as follows:

Beginning at a point 73.41 feet left of station 93+49.71 per right of way plans prepared by WSP USA, Inc. for Georgia Department of Transportation, Sardis Road Connector, approved January 2, 2020 and having a latest revision date of 12/08/2022;

Thence proceeding thru the property now or formerly of Angela A. Hiers North 53 degrees 56 minutes 49.8 seconds East a distance of 167.01 feet to a point 152.56 feet left if station 94+92.81;

Thence South 20 degrees 58 minutes 34.7 seconds West a distance of 41.74 feet to a point 115.85 feet left if station 94+72.95

Thence South 60 degrees 33 minutes 15.8 seconds West a distance of 113.66 feet to a point 73.38 feet left of station 93+68.90;

Thence South 80 degrees 43 minutes 53.8 seconds West a distance of 21.38 feet to the POINT OF BEGINNING.

Said tract contains 2,315.95 square feet or 0.053 acre per the aforementioned right of way plans, also attached hereto.

Said described land being a permanent easement for the construction and maintenance of slopes and utility relocation as depicted in the Project Plans referenced above. The property owner(s) may place various items at its discretion (e.g., fences, signs, and landscaping, etc.) on the permanent easement so long as the functionality of the easement and/or utility is not compromised and such items are not in violation of federal or state laws, or county or city ordinances. In the event any improvement blocks required accessibility within the permanent easement, the same may be removed without any compensation to the property owner.

Attachment 4
(Section of Project Plans Depicting Parcel 56 and Call Sheet for Parcel 56)

PARCEL 56 REQ'D R/W KC3109		PARCEL 56 EXISTING R/W KC3120		PARCEL 58 EXISTING R/W KC3122				
PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST			
STATION/ BEARING		STATION/ BEARING		STATION/ BEARING				
KC110390	49.00 L	91+00.00	SARDIS RD CONNECTOR	KC110399	38.50 L	6+02.50	SARDIS RD	
KC110392	115.85 L	192.92 W 60°33'15.8° E	SARDIS RD CONNECTOR	ARC LENGTH : 132.90	CHORD LENGTH : 263.460	CHORD BEAR : N 54°48.0° W		
KC110391	107.40 L	94°12'.35 S 51°50'.9° W	SARDIS RD CONNECTOR	LNTH CHORD : 132.866	LNTH CHORD : 263.049	DEGREE : 4°12'.29°		
KC110390	61.00 L	93°80'.6° S 71°10'.06.2° W	SARDIS RD CONNECTOR	RADIUS : 692.000	DEGREE : 8°16'.41°	KC110400	38.50 L	
KC110390	49.00 L	93°00.00	SARDIS RD CONNECTOR	93°00.00	N 71°10'.06.2° E	KC110401	24.31 L	
REQ'D R/W :	0.036 ACRES	REQ'D R/W :	1.190 ACRES	93°80.61	SARDIS RD	SYA1065	23.80 L	
REMAINDER :	/- 1.190 ACRES	REMAINDER :	/- 1.190 ACRES	94°72.95	SARDIS RD	ARC LENGTH : 108.277		
PARCEL 56 REQ'D PERM. ESW T. KC3100		PARCEL 56 REQ'D PERM. ESW T. KC3141		PARCEL 58 EXISTING PERM. ESW T. KC3145		PARCEL 58 EXISTING PERM. ESW T. KC3145		
PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	
STATION/ BEARING		STATION/ BEARING		STATION/ BEARING		STATION/ BEARING		
KC110397	73.41 L	93°49.71	SARDIS RD CONNECTOR	KC110399	38.50 L	6+02.50	SARDIS RD	
KC110403	152.56 L	93°56.49.8° E	SARDIS RD CONNECTOR	SYK0966	24.15 L	7+32.56		
KC110392	115.85 L	94°92.81 S 51°56.49.8° E	SARDIS RD CONNECTOR	ARC LENGTH : 114.978	CHORD LENGTH : 24.15	CHORD BEAR : S 0°14'.39.6° W		
KC110391	73.38 L	93°68.90 S 60°33'.5° W	SARDIS RD CONNECTOR	LNTH CHORD : 114.909	DEGREE : 4°28'.29°	KC110294	30.99 L	
KC110397	73.41 L	93°00.53.8° W	SARDIS RD CONNECTOR	RADIUS : 128.410	KC110399	19.11 L	6+15.52	
REQ'D EASMT :	231.95 SF	REQ'D EASMT :	0.053 ACRES	REQ'D R/W :	S 30°06'.09.5° W	SARDIS RD	SYK0935	38.50 L
REQ'D EASMT :	0.053 ACRES	REQ'D EASMT :	/- 1.790 ACRES	REQ'D R/W :	6+02.50	SARDIS RD	9+05.68	
PARCEL 56 EXISTING PERM. ESW T. KC3121		PARCEL 56 REQ'D TEMP. ESW T. KC3110		PARCEL 57 REQ'D TEMP. ESW T. KC3125		PARCEL 57 REQ'D TEMP. ESW T. KC3125		
PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	
STATION/ BEARING		STATION/ BEARING		STATION/ BEARING		STATION/ BEARING		
KC110393	73.67 L	91°38.79	SARDIS RD CONNECTOR	KC110406	49.75 L	6+31.72	SARDIS RD	
KC110394	69.90 L	W 66°54'.51.8° E	SARDIS RD CONNECTOR	KC111329	60.40 L	W 2°57.05.3° W		
KC110395	56.42 L	91°99.01	SARDIS RD CONNECTOR	ARC LENGTH : 45.00 L	CHORD LENGTH : 173.643	CHORD BEAR : N 7°39'.08.4° W		
KC110396	70.64 L	92°49.88	SARDIS RD CONNECTOR	LNTH CHORD : 173.524	DEGREE : 4°13'.42°	KC110405	45.00 L	
KC110397	71.26 L	W 72°29.24.1° E	SARDIS RD CONNECTOR	RADIUS : 173.504	KC110422	44.51 R	25.05 R	
KC110390	73.41 L	92°99.75	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110424	24.67 R	8+73.41	
ARC LENGTH :	132.890	W 80°43'.53.8° E	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110425	25.05 R	W 78°40'.35.2° E	
CHORD BEAR :	S 69°32'.26.1° W	93°00.00	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110427	31.15 R	SARDIS RD	
LNTH CHORD : 132.666	DEGREE : 8°16'.47°	REQ'D EASMT :	0.097 ACRES	REQ'D EASMT :	KC110428	44.51 R	8+73.41 SF	
KC110389	49.00 L	91°76.52	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110429	24.67 R	SARDIS RD	
SYK0962	54.13 L	91°46.95	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110430	38.50 L	8+06.52	
KC110393	73.67 L	W 85°28.27.6° W	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110431	15.99 L	S 35°55'.16.3° E	
REQ'D EASMT :	424.33 SF	91°38.79	SARDIS RD CONNECTOR	REQ'D EASMT :	KC110432	42.38 L	6+49.97	
REQ'D EASMT :	0.097 ACRES	REQ'D EASMT :	/- 1.190 ACRES	REQ'D EASMT :	KC110433	49.75 L	S 20°51'.01.7° W	
PARCEL 56 REVISED REQ'D DRWY. ESW T. KC3022		PARCEL 56 REVISED REQ'D DRWY. ESW T. KC3022		PARCEL 56 REVISED REQ'D DRWY. ESW T. KC3022		PARCEL 56 REVISED REQ'D DRWY. ESW T. KC3022		
PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	PNT	OFFSET/ DIST	
STATION/ BEARING		STATION/ BEARING		STATION/ BEARING		STATION/ BEARING		
KC10034	110.53 L	90°49.53	SARDIS ROAD CONNECTOR	KC10034	110.53 L	90°49.53	SARDIS ROAD CONNECTOR	
KC10033	102.73 L	9°36.23	SARDIS ROAD CONNECTOR	KC10033	102.73 L	9°36.23	SARDIS ROAD CONNECTOR	
KC110703	71.08 L	92°46.42	SARDIS ROAD CONNECTOR	KC110703	71.08 L	92°46.42	SARDIS ROAD CONNECTOR	
KC110395	70.64 L	92°49.88	SARDIS ROAD CONNECTOR	KC110395	70.64 L	92°49.88	SARDIS ROAD CONNECTOR	
KC110394	69.90 L	91°49.01	SARDIS ROAD CONNECTOR	KC110394	69.90 L	91°49.01	SARDIS ROAD CONNECTOR	
KC110393	73.67 L	91°48.79	SARDIS ROAD CONNECTOR	KC110393	73.67 L	91°48.79	SARDIS ROAD CONNECTOR	
KC10034	110.53 L	90°49.53	SARDIS ROAD CONNECTOR	KC10034	110.53 L	90°49.53	SARDIS ROAD CONNECTOR	

STATE OF GEORGIA		DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY TABLES			
PROJECT NO: 0003626	06/05/2022	PAR 58 PERM KC3123 UPDATED	08/22/2022
PROJECT NO: 0003626	06/05/2020	PAR 58 INNSW KC3124 RELOCATED TO 60-031	12/08/2022
PROJECT NO: 0003626	11/02/2020	PAR 55 TOTAL TAKE REVIEWED EASEMENTS	
LAND LOT NO.:	10/05/2022	PAR 56 KC3120 RECD. KC3121 PERM REVISED	
LAND DISTRICT:	10/05/2021	PAR 58 KC3123 PERM REVISED	
DATE: 10/8/19 SH 30 OF 59	08/22/2022	REVISED PAR 56 TABLES ADDITIONAL TAKES	08/22/2022
DRAWING NO: 60-0030			

GEORGIA, HALL COUNTY.

I, JENNIFER RIVERA, do hereby certify that I am the Clerk of the Board of Commissioners of Hall County, Georgia.

I further certify that the foregoing pages constitute a true, correct, and exact copy of a Resolution passed by the Board of Commissioners on _____, 2023, and that the original of said Resolution is on file in the Hall County Commission Office, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia 30504.

Given under my hand and seal of Hall County, Georgia this _____ day of _____, 2023.

JENNIFER RIVERA
Clerk of the Board of Commissioners of
Hall County, Georgia.

(SEAL OF HALL COUNTY)

4857-8906-7105, v. 1