

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

Hall County Attorney
William Linkous, III

(SEAL)

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
OWNER:	TAX MAP #: 10082 000084
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 of 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 of 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.

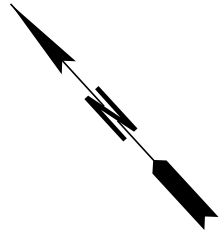
Said tract contains 2,315.95 square feet or 0.053 acre per the aforementioned right of way plans, also attached hereto.

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

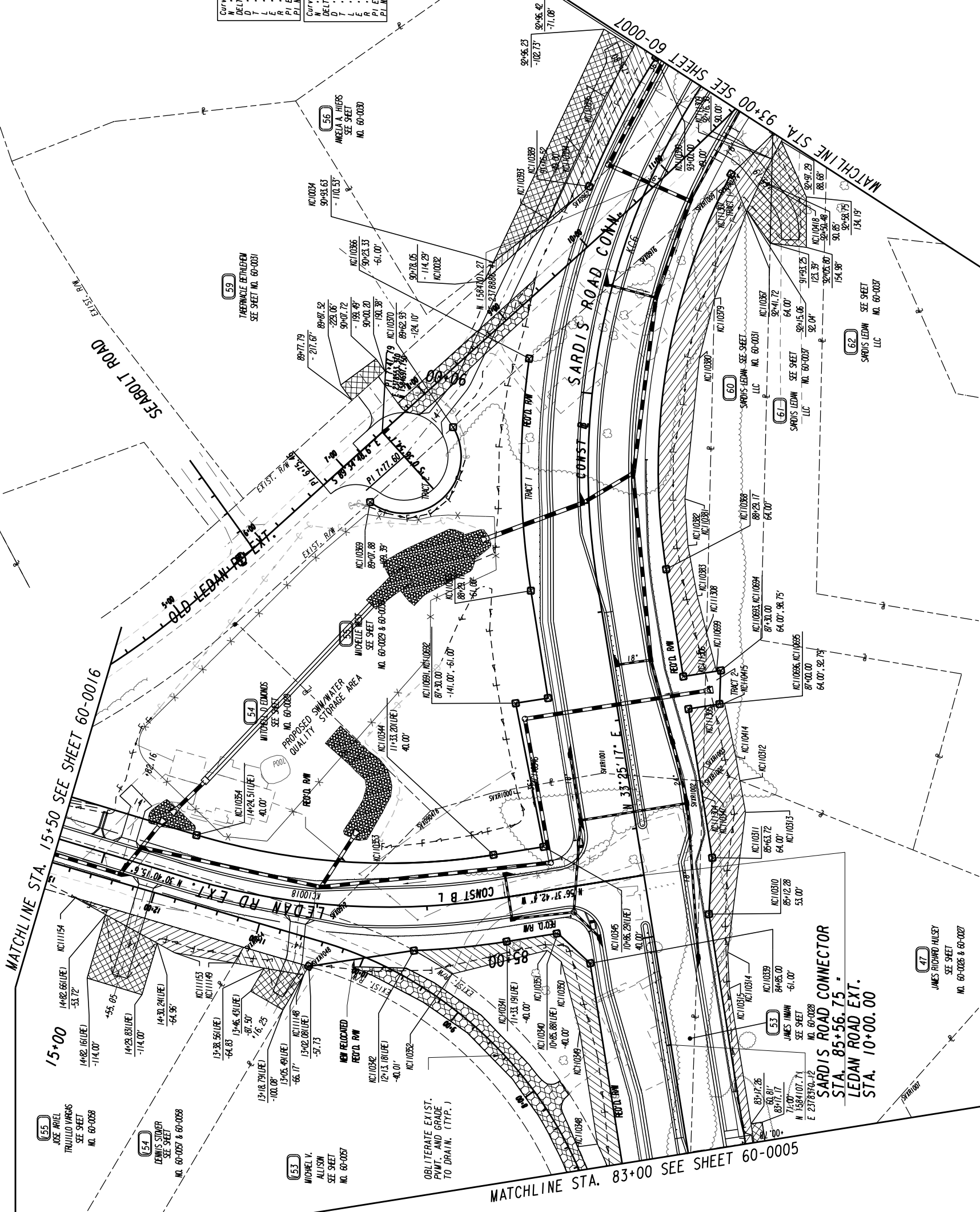
(Section of Project Plans Depicting Parcel 56 and Call Sheet for Parcel 56)

ATTACHMENT 4



Curve Data - PI STA: 91+23.13	
N	KC6 49+08.13 (RT)
DELTA	85.39
T	203.99
L	531.44
E	64.01
R	643.00, e = 6.0%
PI E	237668.40
PI N	158471.21

Curve Data - PI STA: 12+81.40	
N	KC10018 25+57.26 (RT)
DELTA	85.36
T	203.99
L	531.44
E	64.01
R	643.00, e = 6.0%
PI E	237668.40
PI N	158471.21



STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
PROJECT NO: 0003626 COUNTY: HALL LAND LOT NO.: 82 LAND DISTRICT: 10 GMD: 510 DATE: 10/18/19 SH 06 OF 59
DRAWING NO. 60-0006

DATE	REVISIONS	DATE	REVISIONS
8/04/2020	ALL PARCELS TOPO IMP LEVELS ON		
11/02/2020	PAR 54 AND 55 TOTAL TAKE REWME EASMTS		
9/22/2021	PAR 154 CHANGED PESMT TO TEST		
12/08/2022	PAR 59 ADDED PESMT, PAR 56 REVISED DRESMT		

PROPERTY AND EXISTING R/W LINE

REQUIRED R/W LINE

CONSTRUCTION LIMITS

EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES & UTILITY RELOCATION

EASEMENT FOR CONSTR OF SLOPES

EASEMENT FOR CONSTR OF DRIVES

BEGIN LIMIT OF ACCESS.....B/LA

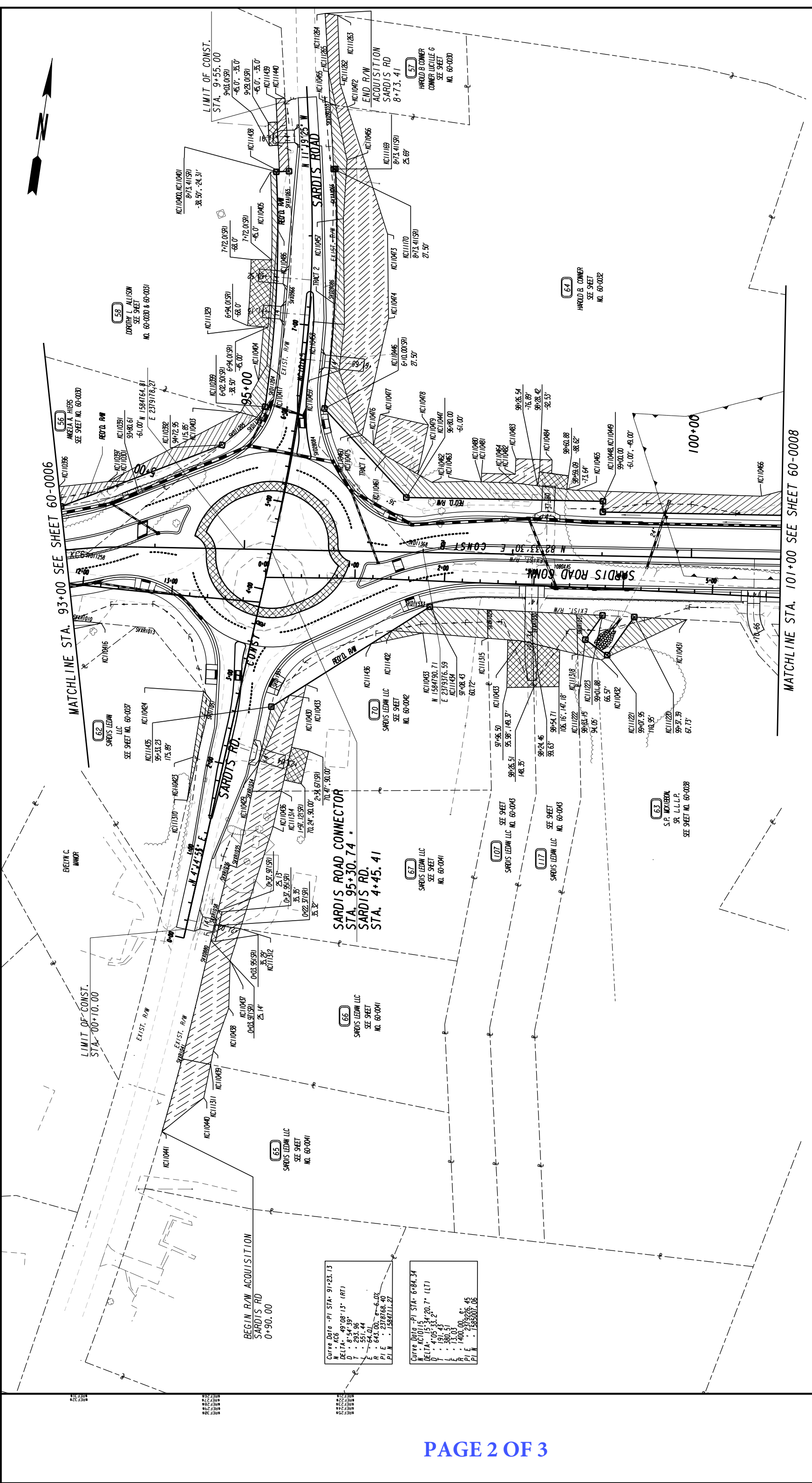
END LIMIT OF ACCESS.....E/LA

LIMIT OF ACCESS

R/W AND LIMIT OF ACCESS

EXISTING R/W LINE

SCALE IN FEET



STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY MAP

PROJECT NO.: 0003626
COUNTY: HALL
LAND LOT NO.: 82
LAND DISTRICT: 10
GMD: 570
DATE: 10/18/19 SH 07 OF 59

DRAWING NO.
60-0007

DATE	REVISIONS	DATE	REVISIONS
01/03/2020	PAR 64: TFSMT, DMSMT		
06/05/2020	PAR 58: PESMT, ADDED DMSMT		
06/05/2020	REMOVED PAR 60 LABEL		
8/04/2020	ALL PARCELS TOPO IMP LEVELS ON		
10/05/2021	REVISED PARCELS 56, 58, 70 ADDED TURBO RAB INT		
08/22/2022	REVISED PARCELS 56, 58, 67 TO ADDED POINTS		

PROPERTY AND EXISTING R/W LINE

REQUIRED R/W LINE

CONSTRUCTION LIMITS

EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES & UTILITY RELOCATION

EASEMENT FOR CONSTR OF SLOPES

EASEMENT FOR CONSTR OF DRIVES

BEGIN LIMIT OF ACCESS.....BIA

END LIMIT OF ACCESS.....ELA

LIMIT OF ACCESS

R/W AND LIMIT OF ACCESS

EXISTING R/W LINE

SCALE IN FEET

.....
 PARCEL 56 EXISTING R/W KC3109
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110390 49.00 L 93+00.00 SARDIS RD CONNECTOR
 192.92 N 60°33'15.8" E
 KC110392 115.85 L 94+72.95 SARDIS RD CONNECTOR
 107.40 S 51°50'52.9" W
 KC110391 61.00 L 93+80.61 SARDIS RD CONNECTOR
 88.26 S 71°10'06.2" W
 KC110390 49.00 L 93+00.00 SARDIS RD CONNECTOR
 1568.19 SF
 REOD R/W = 0.036 ACRES
 REMAINDER = +/- 1.790 ACRES

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 PARCEL 56 REO'D PERM. EASMT. KC3100
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110397 73.41 L 93+49.71 SARDIS RD CONNECTOR
 167.01 N 53°56'49.8" E
 KC110403 152.56 L 94+92.81 SARDIS RD CONNECTOR
 41.74 S 20°58'34.7" W
 KC110392 115.85 L 94+72.95 SARDIS RD CONNECTOR
 113.66 S 60°33'15.8" W
 KC110301 73.38 L 93+68.90 SARDIS RD CONNECTOR
 21.38 S 80°43'53.8" W
 KC110397 73.41 L 93+49.71 SARDIS RD CONNECTOR
 2315.95 SF
 REOD EASMT = 0.053 ACRES

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 PARCEL 56 EXISTING PERM. EASMT. KC3121
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110393 73.67 L 91+38.79 SARDIS RD CONNECTOR
 67.02 N 66°54'51.8" E
 KC110394 69.90 L 91+99.01 SARDIS RD CONNECTOR
 56.42 N 67°53'31.1" E
 KC110395 70.64 L 92+49.88 SARDIS RD CONNECTOR
 55.36 N 72°29'24.1" E
 KC110396 71.26 L 92+99.75 SARDIS RD CONNECTOR
 55.61 N 75°21'53.5" E
 KC110397 73.41 L 93+49.71 SARDIS RD CONNECTOR
 21.38 N 80°43'53.8" E
 KC110301 73.38 L 93+68.90 SARDIS RD CONNECTOR
 79.26 S 60°33'15.8" W
 KC110390 49.00 L 93+00.00 SARDIS RD CONNECTOR
 132.890 SF
 CHORD BEAR = S 69°52'26.1" W
 LNTH CHORD = 132.686
 RADIUS = 692.000
 DEGREE = 8°16'47"
 KC110389 49.00 L 91+76.52 SARDIS RD CONNECTOR
 11.54 N 89°40'51.0" W
 SVX0962 54.13 L 91+66.95 SARDIS RD CONNECTOR
 36.61 N 85°28'27.6" W
 KC110393 73.67 L 91+38.79 SARDIS RD CONNECTOR
 4241.33 SF
 REOD EASMT = 0.097 ACRES

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 PARCEL 56 REVISED REO'D DRWY. EASMT. KC3022
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC10034 110.53 L 90+93.63 SARDIS ROAD CONNECTOR
 KC10033 102.73 L 92+96.23 SARDIS ROAD CONNECTOR
 KC110703 71.08 L 92+96.42 SARDIS ROAD CONNECTOR
 KC110395 70.64 L 92+49.88 SARDIS ROAD CONNECTOR
 KC110394 69.90 L 91+99.01 SARDIS ROAD CONNECTOR
 KC110393 73.67 L 91+38.79 SARDIS ROAD CONNECTOR
 110.53 L 90+93.63 SARDIS ROAD CONNECTOR

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 PARCEL 56 EXISTING R/W KC3120
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110389 49.00 L 91+76.52 SARDIS RD CONNECTOR
 132.890 SF
 CHORD BEAR = N 69°52'26.1" E
 LNTH CHORD = 132.686
 RADIUS = 692.000
 DEGREE = 8°16'47"
 KC110390 49.00 L 93+00.00 SARDIS RD CONNECTOR
 88.26 N 71°10'06.2" E
 KC110391 61.00 L 93+80.61 SARDIS RD CONNECTOR
 107.40 N 51°50'52.9" E
 KC110392 115.85 L 94+72.95 SARDIS RD CONNECTOR
 192.11 S 42°42'31.3" W
 SVXD1258 4.86 R 93+24.97 SARDIS RD CONNECTOR
 162.28 N 89°45'43.8" W
 KC110389 49.00 L 91+76.52 SARDIS RD CONNECTOR
 8139.21 SF
 REOD R/W = 0.187 ACRES
 REMAINDER = +/- 1.790 ACRES

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 PARCEL 57 REO'D PERM. EASMT. KC3411
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110455 31.15 R 9+44.53 SARDIS RD
 38.62 N 20°24'53.1" W
 KC111265 25.05 R 9+82.67 SARDIS RD
 36.39 S 11°39'25.0" E
 SVX09355 25.26 R 9+45.68 SARDIS RD
 6.00 N 89°42'57.3" E
 KC110455 31.15 R 9+44.53 SARDIS RD
 108.75 SF
 REOD EASMT = 0.002 ACRES

.....
 PARCEL 57 REO'D TEMP. EASMT. KC3410
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING


 KC110472 44.51 R 9+41.63 SARDIS RD
 37.59 R 9+67.90 SARDIS RD
 KC111263 38.39 R 10+45.01 SARDIS RD
 KC111264 24.67 R 10+47.70 SARDIS RD
 25.05 R 9+82.67 SARDIS RD
 31.15 R 9+44.53 SARDIS RD
 44.51 R 9+41.63 SARDIS RD
 1294.68 SF
 REOD EASMT AREA =

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 PARCEL 58 EXISTING R/W KC3122
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110399 38.50 L 6+02.50 SARDIS RD
 263.460 SF
 CHORD BEAR = N 5°46'48.0" W
 LNTH CHORD = 263.049
 RADIUS = 1361.500
 DEGREE = 4°12'29"
 KC110400 38.50 L 8+73.41 SARDIS RD
 14.19 N 78°40'35.2" E
 KC110401 24.31 L 8+73.41 SARDIS RD
 30.25 S 11°39'06.0" E
 SVXA1065 23.80 L 8+42.63 SARDIS RD
 108.247 SF
 CHORD BEAR = S 7°37'35.5" E
 LNTH CHORD = 108.158
 RADIUS = 768.894
 DEGREE = 7°27'6"
 SVX0966 24.15 L 7+32.56 SARDIS RD
 114.948 SF
 CHORD BEAR = S 0°14'39.6" W
 LNTH CHORD = 114.909
 RADIUS = 1280.410
 DEGREE = 4°28'29"
 SVXD11204 30.99 L 6+15.52 SARDIS RD
 14.75 S 30°06'09.5" W
 KC110399 38.50 L 6+02.50 SARDIS RD
 3359.10 SF
 REOD R/W = 0.077 ACRES
 REMAINDER = +/- 6.439 ACRES

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 PARCEL 58 EXISTING PERM. EASMT. KC3145
 PNT OFFSET/ STATION/ ALIGNMENT
 DIST BEARING

 KC110404 49.75 L 6+31.72 SRADIS ROAD
 60.40 N 2°57'05.3" W
 KC111329 50.00 L 6+94.55 SRADIS ROAD
 5.02 N 89°54'38.8" E
 KC110406 45.00 L 6+94.00 SRADIS ROAD
 173.643 SF
 CHORD BEAR = N 7°39'08.4" W
 LNTH CHORD = 173.524
 RADIUS = 1355.014
 DEGREE = 4°13'42"
 KC110405 45.00 L 8+73.41 SRADIS ROAD
 6.50 N 78°40'35.2" E
 KC110400 38.50 L 8+73.41 SRADIS ROAD
 65.051 SF
 CHORD BEAR = S 9°57'16.4" E
 LNTH CHORD = 65.044
 RADIUS = 1361.500
 DEGREE = 4°12'29"
 KC110417 38.50 L 8+06.52 SRADIS ROAD
 151.99 S 3°55'16.3" E
 KC110486 42.38 L 6+49.87 SRADIS ROAD
 19.13 S 20°51'01.7" W
 KC110404 49.75 L 6+31.72 SRADIS ROAD
 1186.81 SF
 REOD EASMT = 0.027 ACRES



DATE		REVISIONS
06/05/2020	PAR 58 PESMT KC3123 UPDATED	
06/05/2020	PAR 58 DMSMT KC3124 RELOCATED TO 60-0031	
11/02/2020	PAR 55 TOTAL TAKE REMOVED EASMENTS	
10/05/2021	PAR 56 KC3120 REOD. KC3121 PESMT REVISED	
10/05/2021	PAR 58 KC3123 PESMT REVISED	
08/22/2022	REVISED PAR 56 TABLES ADDITIONAL TAKES	

DATE		REVISIONS
08/22/2022	REVISED PAR 58 TABLES ADDITIONAL TAKES	
12/08/2022	REVISED PAR 56 DMSMT	

STATE OF GEORGIA
 DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY TABLES

PROJECT NO.: 0003626
 COUNTY: HALL
 LAND LOT NO.:
 LAND DISTRICT:
 GMD: 570
 DATE: 10/18/19 SH 30 OF 59

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)