



AGENDA ITEM

Other Business - Public Works and Utilities

REPORT TO: Work Session (01/08/24)

REPORT TO: Voting Meeting (01/11/24)

ITEM NO: 706/2023

SUBJECT: Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Cagle Road Improvement Project parcels 28 & 29, Tax Parcel 09094 000001, also known as 4401 Cagle Road, presently owned by Aerospace Science Foundation, Inc. for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney. Commission District 3.

Meetings:

Work Session Date: 01/08/24

Voting Meeting Date: 01/11/24

Executive Summary:

Presenter: BN
Recommendation: Approve

Purpose of Request:

Approval and authorization for the Chairman to execute a Resolution authorizing the exercise of the power of eminent domain with regard to the Cagle Road Improvement Project, Parcels 28/29, Hall County tax parcel number 09094 000001 for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

History:

The County's land acquisition agent made multiple attempts to engage in good faith negotiations with the current property owner to arrive at just and adequate compensation for the portion of the property to be acquired. Counsel for the County discovered title issues, which call into question the fee interest of the current property owner. Counsel for the County recommends condemnation to clear title and acquire necessary property.

Facts and Issues:

The Resolution authorizes acquisition of the property by negotiated settlement or, in the event that negotiations fail, condemnation.

Options:

Funding Requested

\$ 25,875.00

Are funds within current budget?

Yes

Source of Funds

SPLOST VII

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG
Attorney	Administration		Clerk
WLI	CR		AO

Attachments:

- Financial Supplement
- Declaration - Parcel 28
- Resolution - Parcel 28
- Declaration - Parcel 29
- Resolution - Parcel 29



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 706/2023

Funds Requested: \$ 25,875.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

SPLOST VII

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	323-SPLOST VII	4971-ENGINEERING	541100-LAND	\$25,875.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BN

Phone: 770-531-6800