

**IN THE SUPERIOR COURT FOR THE COUNTY OF HALL
STATE OF GEORGIA**

HALL COUNTY, GEORGIA,)

Petitioner-Condempnor,)

VS.)

CIVIL ACTION
FILE NO. _____

That certain rights of way and certain)
easements over, across, and through certain)
property owned by Shirley Collins, said)
property being located in Hall County, Georgia,)
being designated as tax map number)
09108000066 by the taxing authorities of Hall)
County, said property being known as 3255)
White Sulphur Road, and being the property)
shown as PARCEL 10 on plans prepared by)
Volkert, Inc., entitled "White Sulphur Road)
Realignment Project," said plans having an)
approval date of February 14, 2023 (the)
"Project Plans"); said rights of way and)
easements consist of the following:)

(PARCEL NO. 10)

That certain Right of Way shown on the Project)
Plans for Parcel 10, containing 0.105 acre, more)
or less;)

DECLARATION OF TAKING

SHIRLEY COLLINS;)

Honorable Patty Walters Laine, Judge of the)
Probate Court of Hall County;)

Honorable Darla Eden, Tax Commissioner of)
Hall County, Georgia; and)

To any and all persons having or claiming any)
right or interest in and to said Property,)

Respondents-Condempnees.)

DECLARATION OF TAKING

WHEREAS, the Board of Commissioners of Hall County, Georgia (the "Board of Commissioners"), adopted a Resolution on March 14, 2024 (the "Authorizing Resolution"), authorizing and directing the Chairman of the Board of Commissioners and the law firm of

Stewart, Melvin & Frost, LLP to proceed with the condemnation of a portion of certain property located in Hall County, Georgia, for the purpose of acquiring, for public road purposes, certain rights of way and temporary easements for the purpose of constructing slopes in connection with roadway improvements for and the realignment of White Sulphur Road in Hall County, Georgia (the “Project”); and

WHEREAS, Project is located in Land District 19, G.M.D. 403 and 411, and Land Lot 111 of Hall County, Georgia, and consists of the realignment of White Sulphur Road to improve traffic flow in the vicinity as a result of the Blue Ridge Connector (Inland Port); and

WHEREAS, plans for the Project were designed by Volkert, Inc. and are entitled “White Sulphur Road Realignment Project,” Purchase Order Number 1162100, and have an approval date of February 14, 2023 (the “Project Plans”); and

WHEREAS, a certified copy of said Authorizing Resolution of the Board of Commissioners and its incorporated attachments is attached hereto as **Schedule 1**, and by reference made a part hereof; and

WHEREAS, said right of way and easements are being acquired for public road purposes upon, across, and over property owned by Shirley Collins, which property is described on **Schedule 1: Resolution, Attachment 1**, attached hereto and by reference made a part hereof (the “Property”), which Property is located at 3255 White Sulphur Road, Gainesville, Georgia 30501, said **Attachment 1** being a description of the entirety of the Property owned by said Condemnee; and

WHEREAS, the Board of Commissioners has found that it is necessary to acquire the title, estates, or interests in a portion of Property as provided in the Authorizing Resolution and that said taking is authorized by the provisions of the Official Code of Georgia Annotated Sections 32-3-4 through 32-3-19; and

WHEREAS, the property or interests necessary to be acquired by condemnation in connection with the construction of the Project (the “Acquired Interests”), are believed to be owned by Shirley Collins, whose address is 3255 White Sulphur Road, Gainesville, Georgia 30501; and

WHEREAS, the Acquired Interests are described as follows:

- (1) A right of way consisting of 0.105 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; and

WHEREAS, in order to estimate the sum of money to be deposited with the Court as just and adequate compensation for the Acquired Interests proposed to be condemned, Hall County has caused an investigation and report to be made by a competent land appraiser, a copy of the sworn statement of said appraiser being attached hereto as **Schedule 2: Appraiser’s Statement**, and by reference made a part hereof; and

WHEREAS, in reliance upon said Appraiser’s Statement, Petitioner estimates that the just compensation to be paid for the Acquired Interests (as described in **Schedule 1: Resolution, Attachments 2-5**, attached hereto) is **\$36,400.00**, and contemporaneously with the filing of this Declaration of Taking, Petitioner deposits said sum in the Court for the use of the persons entitled hereto.

NOW, THEREFORE, the premises considered, Hall County, Georgia, under authority of the Official Code of Georgia Annotated Sections 32-3-4 through 32-3-19, hereby declares that the Acquired Interests (as described in **Schedule 1: Resolution, Attachment 2**, attached hereto and made a part of this Declaration), are being taken for county road purposes.

This _____ day of _____, 2024.

**BOARD OF COMMISSIONERS OF
HALL COUNTY, GEORGIA**

By: _____
Chairman

ATTEST:
Jennifer Rivera, County Clerk
(SEAL)

Approved as to form:

County Attorney
William J. Linkous, III

Schedule 1 to Declaration of Taking
(Certified copy of Authoring Resolution adopted by the County)

*Schedule 2 to Declaration of Taking
(Copy of Appraiser's Statement)*