

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

HALL COUNTY, GEORGIA,)
)
Petitioner-Condennor,)

VS.)

CIVIL ACTION
FILE NO. 2024CV000648

That certain rights of way and certain)
easements over, across, and through certain)
property owned by DANJI, LLC, said Property)
being located in Hall County, Georgia, being)
designated as tax map numbers 15020A000012,)
15020A000012A, and 15020A000010 by the)
taxing authorities of Hall County, said)
Properties being known as 2862 White Sulphur)
Road, 2894 White Sulphur Road, and 3323)
Seymour Road, respectively, and being the)
properties shown as PARCELS 1, 3, and 7 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 NOS. 1, 3, and 7)

That certain Right of Way shown on the Project)
Plans for Parcel 1, containing 0.482 acre, more)
or less;)

CONSENT ORDER AND
FINAL JUDGMENT

That certain Right of Way shown on the Project)
Plans for Parcel 1, containing 0.031 acre, more)
or less;)

That certain Right of Way shown on the Project)
Plans for Parcel 3, containing 3.476 acres, more)
or less;)

That certain Right of Way shown on the Project)
Plans for Parcel 7, containing 1.108 acres, more)
or less;)

That certain Permanent Easement, as shown on)
the Project Plans for Parcel 1, for the purpose)

of drainage, consisting of 0.353 acre, more or less;)
)
That certain Permanent Easement, as shown on the Project Plans for Parcel 1, for the purpose of drainage, consisting of 0.090 acre, more or less;)
)
)
That certain Permanent Easement, as shown on the Project Plans for Parcel 3, for the purpose of drainage, consisting of 0.053 acre, more or less;)
)
)
That certain Permanent Easement, as shown on the Project Plans for Parcel 3, for the purpose of drainage, consisting of 0.075 acre, more or less;)
)
)
That certain Permanent Easement, as shown on the Project Plans for Parcel 3, for the purpose of drainage, consisting of 1.148 acres, more or less;)
)
)
That certain Permanent Easement, as shown on the Project Plans for Parcel 7, for the purpose of drainage, consisting of 0.044 acre, more or less;)
)
)
That certain Permanent Easement, as shown on the Project Plans for Parcel 7, for the purpose of drainage, consisting of 0.299 acre, more or less;)
)
)
That certain Temporary Construction Easement, as shown on the Project Plans for Parcel 1, for the purpose of constructing slopes, consisting of 1.261 acres, more or less;)
)
)
That certain Temporary Construction Easement, as shown on the Project Plans for Parcel 3, for the purpose of constructing slopes, consisting of 0.006 acre, more or less;)
)
)
That certain Temporary Construction Easement, as shown on the Project Plans for)
)

Parcel 3, for the purpose of constructing slopes,)
 consisting of 2.136 acres, more or less;)
)
 That certain Temporary Construction)
Easement, as shown on the Project Plans for)
 Parcel 3, for the purpose of constructing slopes,)
 consisting of 0.063 acre, more or less;)
)
 That certain Temporary Construction)
Easement, as shown on the Project Plans for)
 Parcel 3, for the purpose of constructing slopes,)
 consisting of 2.031 acre, more or less;)
)
 That certain Temporary Construction)
Easement, as shown on the Project Plans for)
 Parcel 7, for the purpose of constructing slopes,)
 consisting of 0.927 acre, more or less;)
)
 That certain Temporary Construction)
Easement, as shown on the Project Plans for)
 Parcel 7, for the purpose of constructing slopes,)
 consisting of 0.906 acre, more or less;)
)
 DANJI, LLC;)
)
 PHOENIX FINANCIAL HOLDINGS, INC.;)
)
)
 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-Condemnees.)

CONSENT ORDER AND FINAL JUDGMENT

WHEREAS, Hall County, Georgia (“Condemnor”) filed a Petition in rem, condemning certain rights of way and temporary easements across a tract of property owned by DANJI, LLC,

for public road purposes in connection with the White Sulphur Road Realignment Project, located in Hall County, Georgia, Purchase Order Number 1162100, with an approval date of February 14, 2023 (the “Project”); and

WHEREAS, the property subject to the condemnation is located on map and parcel nos. 15020 000012, 15020A000012A, and 15020A000010 in Hall County, Georgia, and further identified as Parcels 1, 3, and 7 of the Project (“Subject Property”); and

WHEREAS, all Condemnees named in the Petition as shown in the case style above hereof have been properly served with a copy of the Petition; and

WHEREAS, Condemnee the Honorable Patty Walters Laine, Hall County Probate Judge, has filed no response to the Petition; and

WHEREAS, Condemnee the Honorable Darla Eden, Hall County Tax Commissioner, has filed no response to the Petition; and

WHEREAS, upon filing of the Petition for Condemnation, \$1,023,300.00 was deposited into the Court Registry; and

WHEREAS, the parties agree that the total sum of \$1,350,000.00 is just and adequate compensation to DANJI, LLC and Phoenix Financial Holdings, Inc. for all property and rights taken in the above-styled action; and

WHEREAS, the parties have reached a full and final settlement of the above-styled action, including a final determination of all issues in this case; and

WHEREAS, the parties acknowledge that the Honorable Patty Walters Laine, Judge of the Probate Court of Hall County, Georgia is named as a party to this action, which may create a potential ethical issue for all judges of the courts of Hall County pursuant to JQC Opinion 220, the parties hereby waive any and all ethical issues resulting therefrom and consent to the Honorable

Bonnie Chessher Oliver, Judge of the Superior Court of Hall County, the judge to whom this matter was assigned, approving and executing this Consent Order and Final Judgment; and

WHEREAS, in accordance with Uniform Superior Court Rule 23, the undersigned counsel for the DANJI, LLC certifies that this Consent Order and Final Judgment is done with written consent of all parties, or their counsel, who have filed claims of record in this case, and whose interest has not previously been foreclosed by judicial decree. The undersigned counsel for DANJI, LLC further certifies that provisions have been made for the payment of all local, state, and federal government taxes, or assessments of record. The undersigned counsel for DANJI, LLC understands and affirms that the truth of the statements contained herein are a condition precedent to the issuance of a valid order to pay the funds from the Court Registry.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. Condemnor shall deposit the additional sum of \$326,700.00 into the Court Registry, which when added to the \$1,023,300.00 previously deposited into the Court Registry, shall equal the sum of \$1,350,000.00, said sum being the total just and adequate compensation in this action for all issues in this case, including those of consequential damages.
2. Final Judgment in favor of DANJI, LLC and against the Condemnor in the amount of \$1,350,000.00 is hereby entered.
3. Upon the Condemnor's payment into the Court Registry of the additional sum set forth above, the Clerk shall pay instanter and issue a check to DANJI, LLC made payable to "DANJI, LLC" in the amount of \$1,350,000.00, and send the check via overnight pre-paid Fed-Ex/UPS envelope provided by Counsel for Condemnor.
4. Upon Condemnor's payment into the Court Registry of the additional sum set forth above, DANJI, LLC and Phoenix Financial Holdings, Inc. (as successor to JIMCO Insurance

Company of Georgia, LTD) shall have no further claim against Condemnor with respect to this action and upon disbursement of the funds in the Court Registry, any appeals previously filed by Condemnees in this action be, and are hereby, ordered dismissed "With Prejudice."

5. Upon payment of the \$1,350,000.00 plus interest, if any, the Clerk shall mark this Judgment satisfied and transfer this case to the Closed Docket.

IT IS FURTHER ORDERED that Condemnor shall cause a copy of this Order to be filed in the Deed Records of Hall County, Georgia.

SO ORDERED this ___ day of _____, 2024.

HON. BONNIE CHESSHER OLIVER
JUDGE OF THE SUPERIOR COURT OF
HALL COUNTY, GEORGIA

Consented to and Agreed to by:

/s/ Eric P. Wilborn
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Phoenix Financial Holdings, Inc.*