

STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION DECLARING CERTAIN REAL PROPERTY TO BE UNSERVICEABLE, ABANDONING ANY COUNTY INTEREST THEREIN, AND APPROVING THE CONVEYANCE OF SUCH PROPERTY BY QUITCLAIM DEED TO PATRICIA HORTMAN PURSUANT TO A CONSENT ORDER OF THE SUPERIOR COURT OF HALL COUNTY

WHEREAS, the State of Georgia, through its Department of Transportation (“GDOT”) previously acquired certain right-of-way and related interests from Patricia Hortman in connection with improvements to Spout Springs Road; and

WHEREAS, following completion of such improvements, GDOT conveyed to Hall County, Georgia (the “County”) certain remnant real property located adjacent to the property of Patricia Hortman, which remnant property is more particularly described in Exhibits “A” and “B” attached hereto and incorporated herein by reference (the “Remnant Property”); and

WHEREAS, the County and Patricia Hortman were parties to a condemnation action styled *Hall County, Georgia v. A Certain Parcel of Land Lying and Being in 1270 GMD of Hall County, Georgia, et al.*, Civil Action File No. 2019-CV-000265, Superior Court of Hall County, Georgia; and

WHEREAS, the parties entered into a Joint Stipulation and Consent Order to Disburse Registry Funds, entered or about August 17, 2020, and recorded in Deed Book 8687, Pages 607-640, in the Office of the Clerk of Superior Court of Hall County, Georgia (the "Consent Order"), attached hereto as Exhibit “C” and incorporated herein by reference, pursuant to which the County

agreed, upon satisfaction of certain conditions, to take the necessary steps to abandon and convey any interest it may have in the Remnant Property to Patricia Hortman; and

WHEREAS, the Hall County Board of Commissioners (the “Board”) finds that the conditions contemplated by the Consent Order have been satisfied and that execution of the conveyance contemplated therein is appropriate and in the best interests of the County; and

WHEREAS, the Board has further determined that the Remnant Property constitutes unserviceable property as contemplated by Section 3.10.180 of the Hall County Code of Ordinances, that it cannot be advantageously utilized by the County for a public purpose, and that it is incapable of practical independent use under applicable zoning, subdivision, and land development regulations; and

WHEREAS, the Board desires to dispose of the Remnant Property in accordance with Section 3.10.180 of the Hall County Code of Ordinances, applicable provisions of Georgia law, and the terms of the Consent Order;

NOW, THEREFORE, BE IT RESOLVED by the Board that the Remnant Property described in Exhibits "A" and "B" is hereby declared to be unserviceable property pursuant to Section 3.10.180 of the Hall County Code of Ordinances.

BE IT FURTHER RESOLVED that any right, title, interest, claim, or demand of the County in and to the Remnant Property is hereby abandoned to the extent necessary to effectuate the conveyance contemplated herein.

BE IT FURTHER RESOLVED that the conveyance of the Remnant Property to Patricia Hortman by Quitclaim Deed is hereby approved pursuant to the Consent Order and applicable law.

BE IT FURTHER RESOLVED that the Chairman of the Board is authorized and directed to execute the Quitclaim Deed and any other documents reasonably necessary to effectuate the

conveyance of the Remnant Property to Patricia Hortman, subject to the review and approval of the County Attorney.

SO RESOLVED this the 11th day of, June, 2026

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
David Gibbs, Chairman

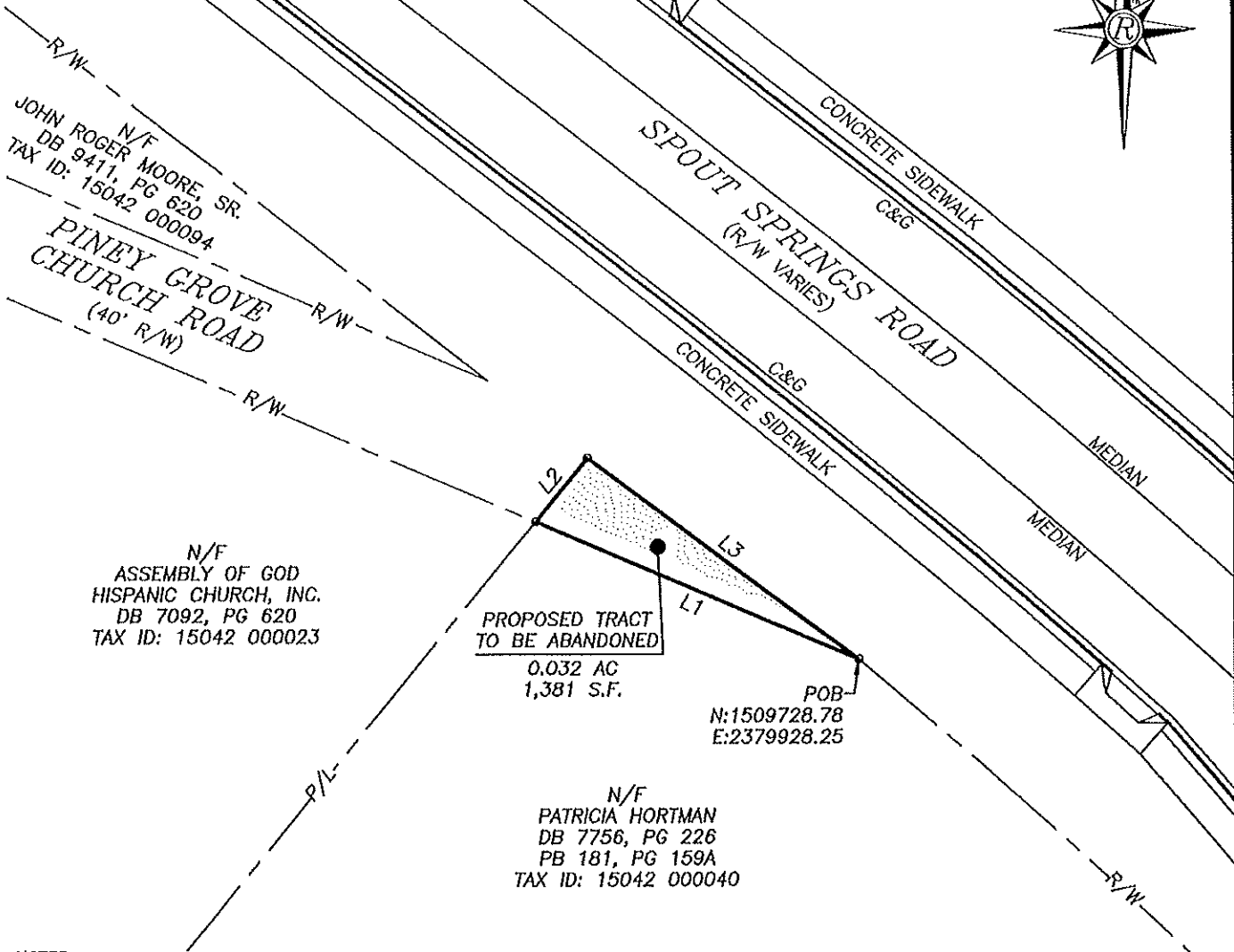
ATTEST:

Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

Justin Lawhon, County Attorney

EXHIBIT A



NOTES:

- BOUNDARY INFORMATION TAKEN FROM FIELD DATA COLLECTED AND REFERENCE DEED BOOKS AND/OR PLAT BOOKS SHOWN HEREON.
- THIS SURVEY IS INTENDED FOR RIGHT OF WAY ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY.
- THIS PLAN IS NOT INTENDED TO CONFORM TO A LAND TITLE SURVEY AS DEFINED IN RULE 180-7-.02 OF THE TECHNICAL STANDARDS OF THE STATE OF GEORGIA.
- THIS PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS NOT OBSERVED.
- THIS MAP HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
- BEARINGS AND DISTANCES (U.S. SURVEY FEET) ARE REFERENCED TO GEORGIA STATE PLANE (WEST ZONE, NAD 83).

CALL TABLE		
LINE #	BEARING	DISTANCE
L1	N67° 01' 30"W	111.33
L2	N39° 33' 40"E	25.89
L3	S53° 36' 00"E	106.86

SHEET OF
1 1

DATE: 3/16/2026
SCALE: 1"=50'
JOB NO.: G20507B.STV
DRAWN BY: MSA
FILE NO.: HORTMAN

ABANDONMENT EXHIBIT
HORTMAN TRACT

LOCATED IN:
GMD 1419
HALL COUNTY, GEORGIA

DCCM

DCCM Infrastructure, Inc.
425 Oak Street NW, Gainesville, GA 30501
770.718.0600 | DCCM.com

EXHIBIT B

LEGAL DESCRIPTION – PATRICIA HORTMAN
(ABANDONMENT)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN G.M.D 1419, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF SPOUT SPRINGS ROAD (RIGHT OF WAY VARIES) WITH THE SOUTH RIGHT OF WAY OF PINEY GROVE CHURCH ROAD (40' RIGHT OF WAY) HAVING A GEORGIA WEST STATE PLANE COORDINATE OF NORTHING: 1509728.78, EASTING: 2379928.25; THENCE ALONG THE SOUTH RIGHT OF WAY OF PINEY GROVE CHURCH ROAD (40' RIGHT OF WAY) NORTH 67°01'30" WEST, A DISTANCE OF 111.33 FEET TO A POINT; THENCE THROUGH THE RIGHT OF WAY OF PINEY GROVE CHURCH ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 39°33'40" EAST, A DISTANCE 25.89 FEET TO A POINT; THENCE SOUTH 53°36'00" EAST, A DISTANCE OF 106.86 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.032 ACRES OR 1,381 SQUARE FEET.

V 180918/20 CR1129

EXHIBIT C

ORIGINAL

FILED IN OFFICE
CLERK OF SUPERIOR COURT
HALL COUNTY, GEORGIA

2019CV265B

JUDGE KATHLENE F. GOSSEL
AUG 17, 2020 02:51 PM

Charles Baker
Charles Baker, Clerk
Hall County, Georgia

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

*WJ
Case*

HALL COUNTY, GEORGIA

Petitioner

CIVIL ACTION

VS.

FILE NO. 2019-CV-265-B

A CERTAIN PARCEL OF LAND LYING AND BEING IN 1270 GMD OF HALL COUNTY, GEORGIA, being a portion of the property owned by PATRICIA HORTMAN designated as Hall County Georgia, Map And Parcel No. 15042 0000040 and being a Portion Of PARCEL 128 as shown on the Plans For Department of Transportation, State of Georgia, Right of Way of Proposed Widening and Reconstruction, Spout Springs Road (CR 1287), Operational Improvements Between I-985 Southbound On/Off Ramps, and East of Union Circle, Phase I" dated April 17, 2015 With final revision date of September 24, 2018. Said plans are prepared by STV, Inc., and Referenced as JOB NO. 0009679, PARCEL 128 consisting of the following:

FILED & RECORDED 09/09/2020 8:16 AM
DEED BOOK 8687 PAGES 607 - 640
FILING FEES: \$0.00
RECORDED BY: NB
CLERK: Charles Baker, C.S.C Hall County, GA

That certain RIGHT OF WAY shown on said Plans consisting of 0.104 acres, more or less;

That certain TEMPORARY EASEMENT FOR DEMOLITION OF EXISTING STRUCTURE consisting of 0.114 acres, more or less,

That certain TEMPORARY DRIVEWAY EASEMENT consisting of 0.055 acres, more Or less

HONORABLE PATTY WALTERS LAINE
Judge, Probate court of Hall County, Georgia

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 PARCEL OF LAND.

Condemnees,



JOINT STIPULATION AND CONSENT ORDER TO DISBURSE REGISTRY FUNDS

WHEREAS, the parties have participated in mediation where they resolved all issues presented in this action, subject to approval and further action by the Hall County Board of Commissioners, but the implementation of the settlement terms will take some time as it involves the necessary approval of non-parties. Because of such circumstance, both parties agree and fully intend to be bound by the terms of this Order after the administrative closing of the Order by the Clerk of Court.

The Parties have agreed and this Court orders as follows:

1.

Within 30 days of the entry of this Consent Final Disbursement Order, Condemnor shall pay the additional sum of \$6,400.00 into the Registry of the Court, which together with the \$35,900.00 already paid into the Court's registry, shall provide \$42,300.00 as just and adequate compensation as agreed upon by the parties. Subject to full implementation of the settlement terms, Condemnee Hortman agrees to accept this sum of \$42,300.00, in compromise and settlement of this action.

2.

At such time as GDOT transfers to Hall County its ownership interest in Spout Springs Road upon the completion of current improvements to said road, Condemnor agrees to take such steps as are necessary to abandon its interest in that portion of Piney Grove Road which abuts Condemnee Hortman's property designated as Tracts 1 and 2 as per that plat recorded at Plat /Slide Book 181, Page 159-A, Hall County records. See attached as Exhibit A hereof. Condemnor shall execute a quitclaim deed conveying its title to such property to Condemnee Hortman as a part of the abandonment process.

3.

Upon the completion of current construction improvements by GDOT, Condemnor agrees to take such steps as are necessary to insure that Condemnee Hortman is granted a residential curb cut on to Spout Springs Road to serve her real property designated as Tract 2 as per Exhibit "A" hereto.

4.

At such time as GDOT conveys title to Spout Springs Road to the Condemnor, Condemnor agrees to reconfigure the Right of Way of Spout Springs Road in the area that adjoins Condemnee Hortman's property (and/or convey title to such real property in that area) to insure that Tracts 1 and 2 of Hortman's property as per Exhibit "A", fronts on Spout Springs Road.

5.

As set forth in paragraph 2, Condemnor shall execute a quitclaim deed conveying its title to such property to Condemnee Hortman so that she receives the aforementioned Spout Springs Road frontage.

6.

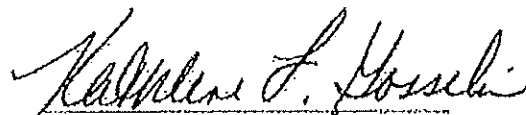
The Parties agree and understand that Condemnor must seek and receive approval of the settlement terms from the Hall County Board of Commissioners, and Hall County must receive from the Georgia Department of Transportation title to Spout Springs Road. Condemnor agrees to consider such approval(s) and seek title to Spout Springs Road at its earliest opportunity.

WHEREFORE, there being no additional Condemnees making a claim for the funds so deposited into the Registry of the Court, the total sum of \$42,300.00 shall be distributed to the Condemnee, Patricia Hortman, and shall be made payable to Patricia Hortman and sent to her attorney of record, James P. Blum, Jr., Blum & Campbell, 3000 Langford Road, Building 100,

Peachtree Corners, Georgia 30092, upon the Petitioner's payment of the additional funds referred in Paragraph No. 1 above.

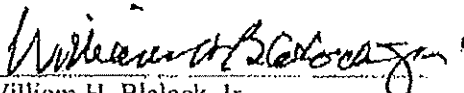
IT IS FURTHER ORDERED that a copy of this Order, along with a copy of the Petition herein be filed in the Deed Records of Hall County, Georgia, after which time the Clerk may close the file.

SO ORDERED this 8th day of August, 2020.

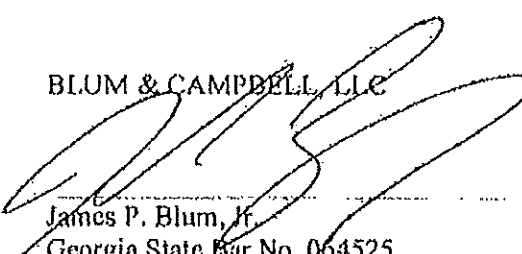

Kathleen S. Yosselin
Judge, Superior Court of Hall County

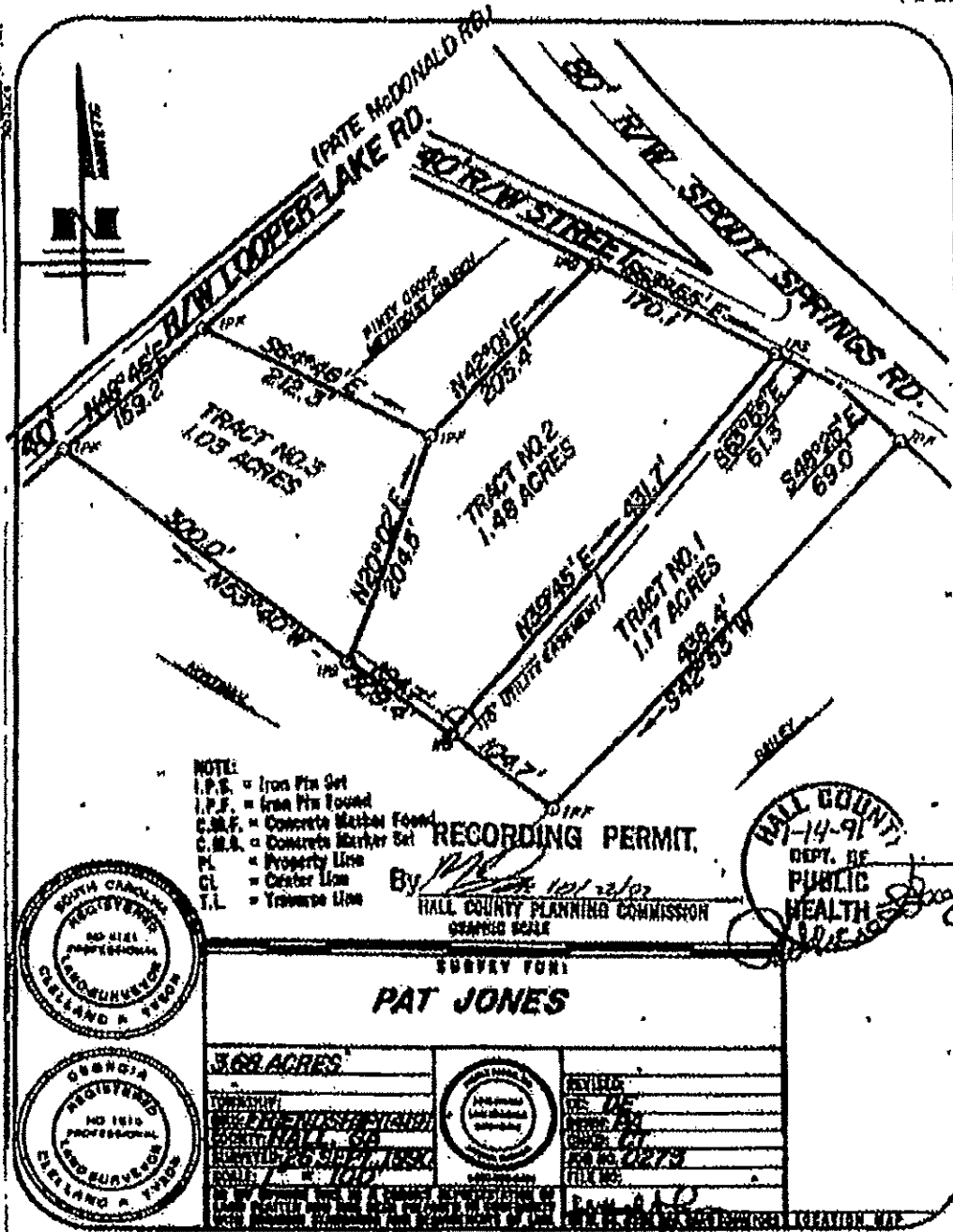
CONSENTED TO AND AGREED TO:

STEWART, MELVIN & FROST, LLP


William H. Blalock, Jr.
Georgia State Bar No. 061900
Attorney for Plaintiff-Condennor
P. O. Box 3280
Gainesville, GA 30503
770-536-0101

BLUM & CAMPBELL, LLC


James P. Blum, Jr.
Georgia State Bar No. 064525
Attorney for Patricia Hortman
3000 Langford Rd., Bldg. 100
Peachtree Corners, GA 30092
470-365-2890
jim@blumcampbell.com



Georgia, Hall County Clerk Superior Court
 Filed in office this 14th day of Oct
 1991 at _____ Recorded in Book 181
 Page 159A
Dwight S. Clark
 DWIGHT S. CLARK
 EXHIBIT A

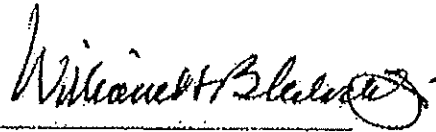
EXHIBIT
 A

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing *JOINT STIPULATION AND CONSENT ORDER TO DISBURSE REGISTRY FUNDS* upon opposing counsel by depositing a copy of same in the United States Mail with adequate postage affixed thereto addressed to the following:

James P. Blum, Jr.
Blum & Campbell, LLC
3000 Langford Road, Building 100
Peachtree Corners, GA 30071

This 17th day of August, 2020.



William H. Blalock, Jr.
Georgia Bar No. 061900
Attorney for Condemnor

STEWART, MELVIN & FROST, LLP
P. O. Box 3280
Gainesville, GA 30503
(770) 536-0101