

CITY OF HAMPTON

RESOLUTION NO. 2021-10

A RESOLUTION AUTHORIZING THE EXERCISE OF THE CITY OF HAMPTON'S POWER OF EMINENT DOMAIN IN ACCORDANCE WITH THE PROVISIONS OF GEORGIA LAWS FOR THE PURPOSE OF ACQUIRING CERTAIN INTERESTS IN PROPERTY SITUATED IN CITY OF HAMPTON, HENRY COUNTY, GEORGIA, FOR CONSTRUCTION/IMPROVEMENT OF A CITY INTERSECTION AND/OR OTHER PUBLIC TRANSPORTATION PURPOSES; TO AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS RELATING THERETO; TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Hampton (hereinafter "City") is governed by the Mayor and Council; and

WHEREAS, pursuant to Article 9, Section 2, Paragraph 5 of the Georgia Constitution, O.C.G.A. § 32-3-1 *et seq.*, and Section 2.17 of the City Charter, municipalities may acquire property in fee simple or in any lesser interest by eminent domain for public purposes; and

WHEREAS, the City desires to exercise its powers of eminent domain in accordance with the provisions of Georgia Law for the purpose of acquiring 0.545 acres of 0 Hampton-Locust Grove Road (particularly described in Exhibit "A") for use by the City for the Hampton-Locust Grove Road and McDonough Street Intersection Improvement TSPLOST Project (the "Project"); and

WHEREAS, the City made a reasonable offer based on the appraisal of a real estate appraiser licensed in the State of Georgia; and

WHEREAS, the City initially intended to purchase the property outright but a title search uncovered a missing link in chain of title that would have made it difficult for the City to obtain title insurance and ensure all parties were divested of their interest. Then, we discussed pursuing a quiet title action; however, that process proved to be long and arduous. Therefore, the City is electing to pursue the eminent domain option to acquire the property; and

WHEREAS, the governing authority of the City of Hampton, Georgia, a municipal corporation of the State of Georgia, has determined that the circumstances of this matter are such that there is a necessity and it is in the best interest of the City and the City will be best served for acquiring the right-of-way for the Project by exercising the City's powers of eminent domain pursuant to O.C.G.A. § 32-3-1, *et seq.* in the acquisition of certain interests in the property for city street and/or other public transportation purposes.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the City Attorney, or her designee, is ordered and directed to institute proceedings *in rem* pursuant to O.C.G.A. § 32-3-1, *et seq.* in the Henry County Superior Court in order to condemn that certain property and interests therein more particularly described in Exhibit "A" which is attached hereto and made a part hereof by reference as though fully set forth at this point, all to the use of the City of Hampton for the purposes of a right-of-way, public transportation project at 0 Hampton-Locust Grove Road, and that the Mayor may sign any documents and/or pleadings required for proper filing under the aforementioned Code sections including a Declaration of Taking and Order of Mayor and Council.

SO RESOLVED, this 8 day of March, 2022.

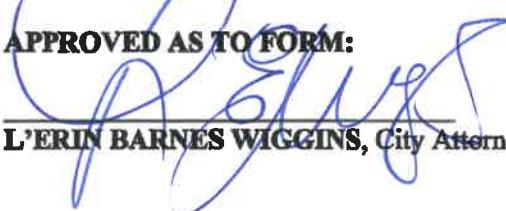
CITY OF HAMPTON, GEORGIA


ANN N. TARPLEY, Mayor

ATTEST:


RASHIDA FAIRLEY, City Clerk

APPROVED AS TO FORM:


L'ERIN BARNES WIGGINS, City Attorney

**ORDER OF THE HAMPTON MAYOR AND COUNCIL TO CONDEMN PROPERTY
FOR PURPOSES OF CONSTRUCTING AND IMPROVING A PUBLIC
TRANSPORTATION PROJECT**

WHEREAS, the Hampton Mayor and Council have laid out and determined to construct a city street or other transportation facility for the City at that certain parcel identified for tax purposes as parcel identification number H09-04001000 by the Henry County Board of Tax Assessors; the same being more fully described and shown in the description and attached as Appendix B to the Declaration of Taking (Exhibit "A" to the Petition for Condemnation).

WHEREAS, the tract of property and other rights as herein described and as listed below shown of record as owned by the persons named herein, all as described and shown in Appendix B to the Declaration of Taking (Exhibit "A" to the Petition for Condemnation) incorporated herein by reference and made a part of this Order are essential for the construction of said project:

Property/Rights: fee simple ownership of 0.545 acre parcel

Owner: Renea Hutchins

Potentially Interested Parties: Person(s) in possession of the property.

NOW THEREFORE, in accordance with O.C.G.A. § 32-3-6(b)(6) and (c), it is hereby found by the Hampton Mayor and Council that the circumstances are such that it is necessary that the property as described in Appendix B to Exhibit "A" of the Declaration of Taking be acquired by condemnation under the provisions of O.C.G.A. § 32-3-1 *et seq.* for public road purposes or other transportation purposes.

IT IS ORDERED that the City of Hampton proceed to acquire the title, estate or interest in the lands hereinafter described in Appendix B of the Declaration of Taking (Exhibit "A" to the Petition for Condemnation) by condemnation under the provisions of said Code, and the City Attorney or her designees are authorized and directed to file condemnation proceedings, including a Declaration of Taking, to acquire said title, estate, or interest in said lands and to deposit in the Court the sum estimated as just compensation all in accordance with the provisions of said law.

SO ORDERED, this 8 day of March, 2022.

CITY OF HAMPTON, GEORGIA


ANN N. TARPLEY, Mayor

ATTEST:


RASHIDA FAIRLEY, City Clerk

APPROVED AS TO FORM:

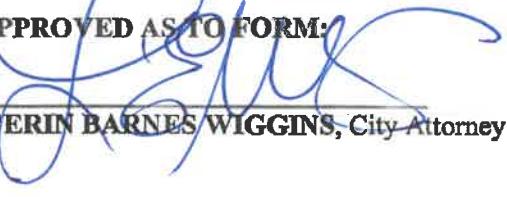

L'ERIN BARNES WIGGINS, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION OR REQUIRED RIGHT-OF-WAY

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 144 OF THE 3RD DISTRICT, HENRY COUNTY, GEORGIA, BEING 0.545 ACRES, AND BEING MORE PARTICULARLY SHOWN ON A PLAT OR SURVEY PREPARED FOR ALAN OAKLEY BY JOE ROWAN, JR., REGISTERED LAND SURVEYOR NO. 2404, DATED 10/03/60, AND BY REFERENCE TO SAID PLAT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING A POINT LOCATED AT THE INTERSECTION ON THE SOUTHERN RIGHT-OF-WAY LINE OF MCDONOUGH STREET A/K/A STATE ROUTE 20 (60-FOOT RIGHT-OF-WAY) WITH THE NORTHEASTERN RIGHT- OF-WAY LINE OF HAMPTON LOCUST GROVE ROAD (60-FOOT RIGHT-OF- WAY);

THENCE PROCEEDING ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF MCDONOUGH STREET A/K/A STATE ROUTE 20 NORTH 80 DEGREES 52 MINUTES 04 SECONDS EAST 290.64 FEET TO AN IRON PIN;

THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 18 DEGREES 39 MINUTES 57 SECONDS WEST 170.32 FEET TO AN IRON PIN LOCATED ON THE NORTHEASTERN RIGHT-OF-WAY LINE OF HAMPTON-LOCUST GROVE ROAD;

THENCE PROCEEDING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 07 DEGREES 57 MINUTES 55 SECONDS WEST 146.76 FEET TO A POINT; NORTH 62 DEGREES 59 MINUTES 34 SECONDS WEST 57.94 FEET TO A POINT; NORTH 57 DEGREES 01 MINUTES 01 SECONDS WEST 60.45 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING **0.545 ACRES (23,740.2 SQUARE FEET)**.

EXHIBIT "A"

DECLARATION OF TAKING

WHEREAS, the City of Hampton, Georgia, has made and passed a Resolution finding that the circumstances in connection with acquiring certain interests in property and for public right-of-way or other public transportation purposes are such that it is necessary to acquire title, estate, or interest in the lands fully described in said order to condemn contained in the Resolution, a certified copy/duplicate original of which is attached to this Declaration as Appendix A to Exhibit "A," and made a part hereof, under O.C.G.A. § 32-3-1, *et seq.*; and

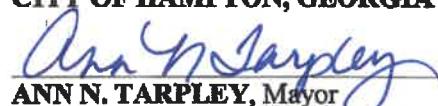
WHEREAS, said interests in property are for public purposes upon, across, and over the tract of land in Hampton, Henry County, Georgia, as fully described in the attachment hereto identified as Appendix B to Exhibit "A," and made a part hereof; and

WHEREAS, the City of Hampton, Georgia, has caused an investigation and report to be made by a competent land appraiser upon which to estimate the sum of money to be deposited in the Court as just and adequate compensation for the right-of-way above-referred to, a copy of the appraiser's sworn statement being attached hereto identified as Appendix C to Exhibit "A," and made a part hereof; and

WHEREAS, in consequence of the sworn statement, Appendix C to Exhibit "A," the City of Hampton, Georgia estimates of THIRTY-THREE THOUSAND Dollars (\$33,000.00) as just and adequate compensation to be paid for said right-of-way, as fully described in Appendix B to Exhibit "A" which is attached hereto and made a part hereof and will deposit said sum in the Court to the use of the persons entitled thereto.

NOW THEREFORE, the premises considered, the City of Hampton, Georgia, under authority of O.C.G.A. § 32-3-1, *et seq.* and O.C.G.A. § 22-3-140 hereby declares that the property and interests as described in Appendix B to Exhibit "A," which is attached hereto and made a part hereof of this Declaration, is taken for purposes of locating, constructing, maintaining, repairing, replacing, extending, expanding, and/or installing infrastructure for intersection improvements or other transportation purposes.

CITY OF HAMPTON, GEORGIA


ANN N. TARPLEY, Mayor

ATTEST:


RASHIDA FAIRLEY, City Clerk

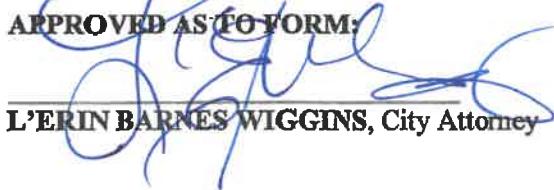

APPROVED AS TO FORM:
L'ERIN BARNES WIGGINS, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION OR REQUIRED RIGHT-OF-WAY

RIGHT-OF-WAY DEDICATION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 144 OF THE 3RD DISTRICT, HENRY COUNTY, GEORGIA, BEING 0.545 ACRES, AND BEING MORE PARTICULARLY SHOWN ON A PLAT OR SURVEY PREPARED FOR ALAN OAKLEY BY JOE ROWAN, JR., REGISTERED LAND SURVEYOR NO. 2404, DATED 10/03/60, AND BY REFERENCE TO SAID PLAT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID TRACT OR PARCEL CONTAINING 0.545 ACRES (23,740.2 SQUARE FEET).

CITY OF HAMPTON

STATE OF GEORGIA

**A DECLARATION OF TAKING TO DECLARE THAT THE LAND DESCRIBED
HEREIN IS BEING TAKEN FOR THE USE OF THE CONDEMNOR CITY PURSUANT
TO O.C.G.A. § 32-3-6 FOR THE PURPOSE OF A ROAD IMPROVEMENT PROJECT;
AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

WHEREAS, the City of Hampton (hereinafter "City") is governed by the Mayor and Council; and

WHEREAS, the Mayor has been granted the authority to declare the taking pursuant to Resolution 2022-10; and

WHEREAS, pursuant to Article 9, Section 2, Paragraph 5 of the Georgia Constitution, O.C.G.A. § 32-3-1 *et seq.*, and Section 2.17 of the City Charter, municipalities may acquire property in fee simple or in any lesser interest by eminent domain for public purposes; and

WHEREAS, the City desires to exercise its powers of eminent domain in accordance with the provisions of Georgia Law for the purpose of acquiring 0.545 acres of 0 Hampton-Locust Grove Road (hereinafter "Property" particularly described in Exhibit "A"; plat of land attached hereto at Exhibit "B") for use by the Condemnor City for the Hampton-Locust Grove Road and McDonough Street Intersection Improvement TSPLOST Project (the "Project"); and

WHEREAS, the Project includes realignment of Hampton-Locust Grove Road at the skewed intersection of McDonough Street to address inadequate visibility and sight distance at said intersection, eliminate excessive intersection conflicts and poor operational performance, and provide improvements to increase crosswalk safety and; and

WHEREAS, the City has determined via tax records that Renea Hutchins is the record owner of the Property; and

WHEREAS, the record owner was offered \$33,000.00, the estimated value for the 0.545 acres to include any and all consequential damages as just and adequate compensation (letter attached to In Rem Petition at Exhibit "C"); and

WHEREAS, said estimation is based on the appraisal conducted on behalf of the City by M. H. Biggers and Associates on June 19, 2021 (attached to the In Rem Petition at Exhibit "D"); and

WHEREAS, Resolution 2022-10 is attached at Exhibit "E" evidencing the circumstances of said Project is such that it is necessary to proceed under O.C.G.A. 32-3-1 *et seq.*; and

WHEREAS, said same Resolution authorizes the initiation of this condemnation under O.C.G.A. 32-3-1 *et seq.*; and

WHEREAS, this Declaration of Taking is subject to the order of the court pursuant to O.C.G.A. 32-3-12.

SO DECLARED, this 8 day of March, 2022.

CITY OF HAMPTON, GEORGIA


ANN N. TARPLEY, Mayor

ATTEST:


RASHIDA FAIRLEY, City Clerk

APPROVED AS TO FORM:

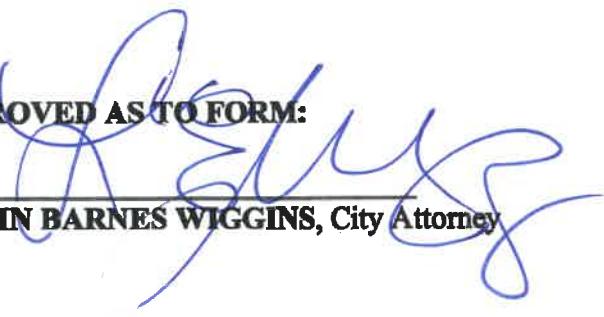

L'ERIN BARNES WIGGINS, City Attorney

EXHIBIT "A"
Legal Description

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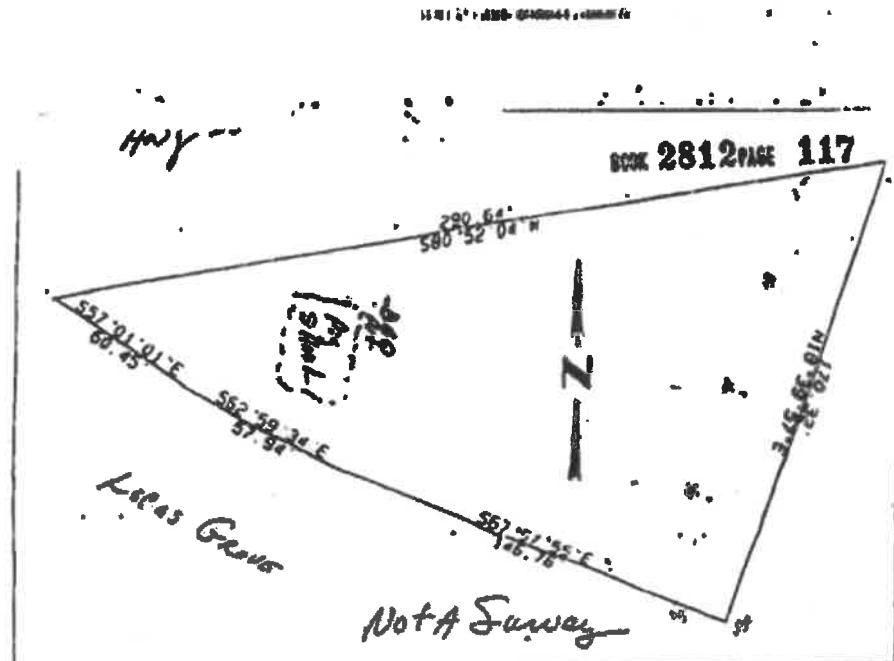
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SAID TRACT OR PARCEL CONTAINING **0.545 ACRES (23,740.2 SQUARE FEET)**.

EXHIBIT "B"

PLAT

02812
0117



All that tract or parcel of land, containing 0.245 acres, lying and being in Land lot 100 of the 3rd District of Henry County, Georgia, as shown on a plat of survey prepared for Alan Gahley by Joe Roven, Jr., Registered Land Surveyor No. 2666, dated 10/03/58, and by reference to said plat being more particularly described as follows:

Beginning at a point located at the intersection of the Southern right of way line of Linenough Street s/k/a State Route 20 (99 R/W) with the Northeastern right of way line of Hampton-Linenout Grove Road (99' R/W); thence proceeding along the Southern right of way line of Linenough Street s/k/a State Route 20 North 59 degrees 52 minutes 54 seconds East 290.64 feet to an iron pin; thence leaving said right of way line South 18 degrees 37 minutes 57 seconds West 179.32 feet to an iron pin located on the Northeastern right of way line of Hampton-Linenout Grove Road; thence proceeding along said right of way line the following courses and distances: North 57 degrees 57 minutes 25 seconds West 146.76 feet to a point; North 62 degrees 53 minutes 34 seconds West 57.74 feet to a point; North 51 degrees 41 minutes 51 seconds West 50.63 feet to a point, said point being the further of boundaries.



City of Hampton

Exhibit C

City Hall
17 East Main Street South
PO Box 400
Hampton, GA 30228

Phone: 770.948.4308
Fax: 770.948.4388
www.hamptonga.gov

MAYOR
ANN H. TARPLEY

MAYOR PRO-TEM
MARTY MEERS

CITY COUNCIL
SHEILA BARLOW
HENRY BYRD
DEVLIN CLEVELAND
MARY ANN MITCHAM
WILLIE TURNER

CITY MANAGER
ALEX S. COHLAS

February 16, 2022

VIA PERSONAL DELIVERY/STATUTORY OVERNIGHT/ELECTRONIC MAIL

Renea Hutchins
1921 Weaver Jones Rd
Rutledge, GA 30663

Re: Statutory Notice of City of Hampton's City Council Meeting

Dear Ms. Hutchins:

As you know per the City's appraisal dated June 19, 2020 that the City completed to develop an opinion of market value in order to acquire 0 Hampton-Locust Grove Road for the City's Intersection Improvement project at Hampton-Locust Grove Road and McDonough Street:

The City initially intended to purchase the property outright, but a title search uncovered a missing link in chain of title that would have made it difficult for the City to obtain title insurance and ensure all parties were divested of their interest. Then, we discussed pursuing a quiet title action; however, that process proved to be long and arduous. Therefore, the City is electing to pursue the eminent domain option to acquire the property.

The offer discussed per the fair market value of the 23,740 square feet (0.545 acres) remains at \$33,000.00, less the \$5,000.00 the City already advanced to secure its desire to purchase. Please respond with your intention to accept the \$28,000.00 and the City will move forward with the statutory process of eminent domain.

Also, please allow this letter to serve as notice that the City of Hampton will hold its regularly scheduled Mayor and City Council meeting on March 8th at 6:30 p.m. The meeting will be held at the Hampton Train Depot located at 20 East Main Street, Hampton, Georgia for the following purpose:

To consider a resolution approving the exercise of eminent domain in order to acquire 0.545 acres (23,740 square feet) at 0 Hampton-Locust Grove Road (Parcel No. H09-04001000), Hampton, GA 30228 for the purpose of the City's Hampton-Locust Grove Road and McDonough Street intersection improvement TSPLOST project.

I have enclosed your Statement of Rights as the property owner. Please do not hesitate to contact me with any questions.

Sincerely,



Wanda D. Moore, PLA

Director of Community Development

Enclosure

cc: Alex Cohlás, City Manager
L'Erin B. Wiggins, City Attorney



Our mission is to deliver high quality, responsive and effective municipal services to those who live, work, do business and visit our community.

STATEMENT OF RIGHTS

As indicated in the attached notice, a governmental entity is attempting to acquire property rights from you for a public use. In accordance with state law, this notice was prepared by the Georgia Department of Community Affairs to help ensure that you understand your rights in connection with this acquisition effort.

Georgia law requires the governmental entity to make reasonable efforts to negotiate with you to acquire these property rights. However, if you and the governmental entity are unable to reach mutually agreeable terms through good-faith negotiations, the governmental entity may file a condemnation action to acquire these property rights through the power of eminent domain.

Prior to Exercising the Power of Eminent Domain through Condemnation Proceedings

Prior to exercising the power of eminent domain, a governmental condemnor must take the following actions:

- Not less than 15 days before any meeting at which a resolution approving the exercise of eminent domain is to be considered, post a sign, if possible, in the right of way adjacent to each property that is subject to the proposed use of the eminent domain power stating the time, date, and place of such meeting;
- Attempt to serve the condemnee personally with notice of the meeting not less than 15 days before any meeting at which such resolution is to be considered, unless service is acknowledged or waived by the condemnee. If the attempted service is unsuccessful, service of notice may be satisfied by mail or statutory overnight delivery to the property owner at the address of record and, if different from the property owner, to the parties in possession of the property, return receipt requested;
- Ensure that any notice that is required by law to be published be placed in the county legal organ, but such notice shall not be published in the legal notices section of such newspaper; and,
- If you (condemnee) and the governmental entity are unable to reach mutually agreeable terms through good-faith negotiations, the governmental entity may file a condemnation action to acquire these property rights through the power of eminent domain.

The governmental entity must document, by an appropriate method, the time when it decided to condemn your property. The governmental entity may not file a condemnation action concerning your property until at least 30 days after that decision is made.

Condemnation

If a governmental entity brings a condemnation action to acquire property rights that you own, the governmental entity will file a condemnation petition in the Superior Court of the county where your property is located; and you will be served with a copy of the condemnation petition. The petition will inform you that unless waived by all parties, there will be a hearing in court, in the judge's chambers, or by telephone for the appointment of a special master to hear the condemnation matter. This appointment hearing must take place not less than 10 days nor more

than 30 days after the condemnation petition has been filed with the court. When the judge appoints a special master, the judge will then order that a condemnation hearing before the special master be held not less than 30 days nor more than 60 days after the appointment of the special master.

You have the right to hire an attorney to represent your interests in connection with the condemnation action. During the hearing before the special master, you will have the opportunity to challenge the governmental entity's evidence and, if you wish, to cross-examine the governmental entity's witnesses and call other witnesses to present evidence concerning your perspective of the case.

Our Georgia Constitution provides that private property may not be taken from you without just and adequate compensation being paid to you first. You are entitled to recover the fair market value of the property rights acquired by the governmental entity as just and adequate compensation. Where only part of a parcel of land is acquired, you may also be entitled to recover consequential damages for any reduction in the market value of the remaining property that results from the acquisition. In addition, if you are displaced from your property, you may be entitled to relocation costs.

Appeal

Once a special master hears the condemnation case, the special master will file an award with the court. The special master must mail a copy of this award to you or your attorney and all other parties in the case. If you are not satisfied with the award that the special master makes, you may file an appeal for a jury trial on value issues, exceptions on non-value issues for review by the court, or both a value appeal and non-value exceptions. Any value appeal and any non-value exceptions must be filed within 13 days after the award is mailed.

At any point before title to property rights in your property vests in the governmental entity, you may submit a motion asking the court to determine whether the governmental entity's exercise of the power of eminent domain is for a public use and whether the governmental entity has the legal authority to exercise the power of eminent domain. You must file the motion with the court. A sample of this kind of motion is attached to this Statement of Rights. In the court's decision on the motion, the governmental entity has the burden of proving public use and its legal authority to condemn.

APPRAISAL OF REAL PROPERTY

Exhibit D



LOCATED AT

0 Hampton Locust Grove Rd

Hampton, GA 30228

.545 Acres, more or less, LL 144, Dist 3

FOR

City of Hampton

17 E Main St

Hampton, GA 30228

AS OF

19 June 2020

BY

Mike Biggers

M. H. Biggers & Associates

275 N Mill Pkwy

Stockbridge, GA 30281

770-954-0011

mhbiggers@bellsouth.net

M. H. Biggers & Associates
275 N Mill Pkwy
Stockbridge, GA 30281
770-954-0011

6/19/2020

City of Hampton
17 E Main St
Hampton, GA 30228

Re: Property: 0 Hampton Locust Grove Rd
Hampton, GA 30228
Borrower: N/A
File No.:

Opinion of Value: \$ 55,900.00
Effective Date: 19 June 2020

In accordance with your request, we have appraised the above referenced property. The report of the appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



Mike Biggers
Appraiser
License or Certification #: 732
State: GA Expires: 03/31/2021
mhbiggers@bellsouth.net

LAND APPRAISAL REPORT

File No.:

Property Address: 0 Hampton Locust Grove Rd
County: HenryCity: Hampton
Legal Description: 545 Acres, more or less, LL 144, Dist 3

State: GA Zip Code: 30228

SUBJECT	Assessor's Parcel #: H009 0400100	Tax Year: 2020	R.E. Taxes: \$ 518.30	Special Assessments: \$ N/A
	Market Area Name: Hampton	Map Reference: 12060	Borrower (if applicable): N/A	Census Tract: 0705.02
Current Owner of Record: Julia & Renea Gilbert	HOA: \$ N/A			
Project Type (if applicable): <input type="checkbox"/> PUD <input type="checkbox"/> De Minimis PUD <input type="checkbox"/> Other (describe) Vacant Lot	<input type="checkbox"/> per year <input type="checkbox"/> per month			
Are there any existing improvements to the property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, indicate current occupancy:	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Not habitable			
If Yes, give a brief description: Vacant Corner Property.				

ASSIGNMENT	The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe)	<input type="checkbox"/> Retrospective	<input type="checkbox"/> Prospective
	This report reflects the following value (if not current, see comments): <input checked="" type="checkbox"/> Current (the inspection date is the effective date)		
Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)			
Intended Use: The appraisal is to establish market value of the subject for potential purchase.			

Intended User(s) (by name or type): City of Hampton and representatives. The report has been prepared according to the appraisal policies and guidelines of the client and the appropriate regulatory agencies. Any other use or user is prohibited.

Client: City of Hampton	Address: 17 E Main St, Hampton, GA 30226																																																																													
Appraiser: Mike Biggers	Address: 275 N Mill Pkwy, Stockbridge, GA 30281																																																																													
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MARKET AREA DESCRIPTION	Factors Affecting Marketability										
	Item	Good	Average	Fair	Poor	N/A	Item	Good	Average	Fair	Poor
Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Detrimental Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreational Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Market Area Comments: The market area is considered to be inside the city limits of Hampton. This area is a developed suburban area in a major metro Atlanta county. There is an active market for residential and commercial land in the area, and developers are actively seeking land to develop. Housing starts have increased steadily since 2014, and foreclosures are not a significant market factor.

LAND APPRAISAL REPORT

File No.:

.545 Acres

Dimensions: Various

Site Area:

Zoning Classification: Commercial

Description: Commercial

Uses allowed under current zoning:

Commercial

Do present improvements comply with existing zoning requirements?

Yes No No improvements

Are CC&Rs applicable?

Yes No Unknown

Have the documents been reviewed?

Yes No

Ground Rent (if applicable) \$

N/A

Comments: N/A

Highest & Best Use as improved:

Present use, or Other use (explain) Commercial use.

Actual Use as of Effective Date:

Vacant

Use as appraised in this report: Vacant Commercial

Summary of Highest & Best Use:

The long range zoning plans for the area call for continued commercial use.

SITE DESCRIPTION

Utilities	Public	Other	Provider/Description	Off-site Improvements	Type	Public	Private	Frontage	Topography	300' +/- along McDonough St.
Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EMC	Street	Paved City	<input type="checkbox"/>	<input type="checkbox"/>			Nearly Level
Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Width	40'					545 +/-
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal	Surface	Asphalt					Irregular
Sanitary Sewer	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Curb/Gutter	N/A	<input type="checkbox"/>	<input type="checkbox"/>			Adequate
Storm Sewer	<input type="checkbox"/>	<input type="checkbox"/>	N/A	Sidewalk	N/A	<input type="checkbox"/>	<input type="checkbox"/>			Urban
Telephones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Private	Street Lights	Yes	<input type="checkbox"/>	<input type="checkbox"/>			
Multimedia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Private	Alley	N/A	<input type="checkbox"/>	<input type="checkbox"/>			

Other site elements: Inside Lot Corner Lot Cul de Sac Underground Utilities Other (describe)

FEMA Spec'l Flood Hazard Area Yes No FEMA Flood Zone X FEMA Map # 13151C0144D

FEMA Map Date 10/06/2016

Site Comments: The subject is a vacant tract at the intersection of Hampton Locust Grove Rd and McDonough St. The land consists of vacant, developable land. The subject is irregular in shape and has frontage along both Hampton Locust Grove and McDonough St. The site is mostly level, and the soil types are typical of the area and assumed suitable for construction.

SALES COMPARISON APPROACH

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	0 Hampton Locust Grove Rd Hampton, GA 30228	6 Rosenwald Dr Hampton, GA 30228 1.16 miles W	Highway 81 W Hampton, GA 30228 3.43 miles NW	Jodeco Rd McDonough, GA 30253 7.66 miles NE
Proximity to Subject				
Sale Price	\$ N/A	\$ 225,000	\$ 42,400	\$ 70,000
Price/ Acre	\$ 102,599.18	\$ 66,250.00	\$ 95,890.41	
Data Source(s)				
Verification Source(s)				
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sales or Financing	N/A	Cash to Seller	Cash to Seller	Cash to Seller
Concessions				
Date of Sale/Time	N/A	10/29/2018	7/27/2018	9/19/2019
Rights Appraised	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Location	Avg	Good	Avg	Good
Site Area (In Acres)	0.545	2.193	0.64	0.73
Shape	Triangular	Irregular	Rectangular	Rectangular
Net Adjustment (Total, in \$)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -169,083	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 13,700	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -17,750
Adjusted Sale Price (In \$)		\$ 55,917	\$ 56,100	\$ 52,250

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3/2007

LAND APPRAISAL REPORT

File No.:

SALES COMPARISON APPROACH	<p>Summary of Sales Comparison Approach In analyzing area transactions, the subject has similarities to most of the above sales, and would compete with the subject if offered at the same time. Because of size, use, and location, the most emphasis is given to sales 1 & 2. Sale #1 is a corner lot, with multiple acreage. The prospective market value of the subject would lie toward the upper end of the range of values due to location. The prospective market value is \$102,568.00 per acre.</p>	

TRANSFER HISTORY	<p>My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.</p> <p>Data Source(s): Public Records</p> <table border="1" style="width: 100px; margin-left: auto; margin-right: 0;"> <tr> <td>1st Prior Subject Sale/Transfer</td> <td rowspan="2" style="font-size: small;">Analysis of sale/transfer history and/or any current agreement of sale/leasing:</td> </tr> <tr> <td>Date:</td> </tr> </table> <p>Date: Price: Source(s):</p> <table border="1" style="width: 100px; margin-left: auto; margin-right: 0;"> <tr> <td>2nd Prior Subject Sale/Transfer</td> </tr> <tr> <td>Date: N/A</td> </tr> <tr> <td>Price: Source(s):</td> </tr> </table>		1st Prior Subject Sale/Transfer	Analysis of sale/transfer history and/or any current agreement of sale/leasing:	Date:	2nd Prior Subject Sale/Transfer	Date: N/A	Price: Source(s):
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Date: N/A								
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PUD	<p>PROJECT INFORMATION FOR PUDs (if applicable) The Subject is part of a Planned Unit Development.</p> <p>Legal Name of Project: N/A</p> <p>Describe common elements and recreational facilities: N/A</p>	

RECONCILIATION	<p>Indicated Value by: Sales Comparison Approach \$ 55,900 or \$ 102,568.81 per Acre</p> <p>Final Reconciliation The Sales Comparison Approach was used in estimating the market value of the subject, and is considered to be the most relevant approach when valuing a small land tract.</p>	

ATTACH.	<p>This appraisal is made <input checked="" type="checkbox"/> "as is", or <input type="checkbox"/> subject to the following conditions:</p> <p><input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.</p> <p>Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 55,900.00 as of: 19 June 2020, which is the effective date of this appraisal.</p> <p>As indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.</p>	

SIGNATURES	<p>A true and complete copy of this report contains 9 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report, which contains the following attached exhibits:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;"><input checked="" type="checkbox"/> Limiting cond./Certifications</td> <td style="width: 25%;"><input type="checkbox"/> Narrative Addendum</td> <td style="width: 25%;"><input checked="" type="checkbox"/> Location Map(s)</td> <td style="width: 25%;"><input type="checkbox"/> Flood Addendum</td> </tr> <tr> <td><input checked="" type="checkbox"/> Photo Addenda</td> <td><input type="checkbox"/> Parcel Map</td> <td><input type="checkbox"/> Hypothetical Conditions</td> <td><input type="checkbox"/> Extraordinary Assumptions</td> </tr> </table>		<input checked="" type="checkbox"/> Limiting cond./Certifications	<input type="checkbox"/> Narrative Addendum	<input checked="" type="checkbox"/> Location Map(s)	<input type="checkbox"/> Flood Addendum	<input checked="" type="checkbox"/> Photo Addenda	<input type="checkbox"/> Parcel Map	<input type="checkbox"/> Hypothetical Conditions	<input type="checkbox"/> Extraordinary Assumptions
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SIGNATURES	<p>Client Contact: Client Name: City of Hampton</p> <p>E-Mail: Address: 17 E Main St. Hampton, GA 30228</p> <p>APPRAISER</p> <p></p> <p>Appraiser Name: Mike Biggers Company: M. H. Biggers & Associates Phone: 770-954-0011 Fax: E-Mail: mhbiggers@bellsouth.net Date of Report (Signature): 6/19/2020 License or Certification #: 732 State: GA Designation: Appraiser Expiration Date of License or Certification: 03/31/2021 Inspection of Subject: <input checked="" type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect (Desktop) Date of Inspection: 19 June 2020</p>	
SIGNATURES	<p>SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)</p> <p>Supervisory or Co-Appraiser Name: Company: Phone: Fax: E-Mail: Date of Report (Signature): License or Certification #: State: Designation: Expiration Date of License or Certification: Inspection of Subject: <input type="checkbox"/> Did Inspect <input checked="" type="checkbox"/> Did Not Inspect Date of Inspection:</p>	

Subject Land Photo Page

Borrower	N/A
Property Address	0 Hampton Locust Grove Rd
City	Hampton
Lender/Client	N/A
County	Henry
State	GA
Zip Code	30228

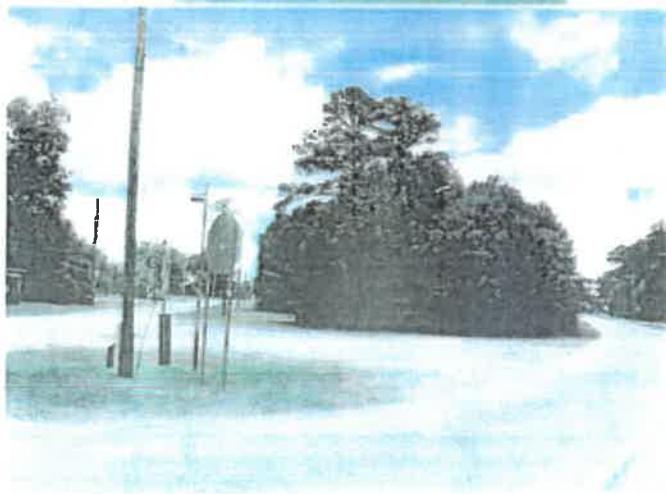


Subject Frontage

0 Hampton Locust Grove Rd
Sales Price N/A
Date of Sale N/A
Site Area 0.545
Location Avg
Shape Triangular



Subject



Subject

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Legal ■

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44-18 STATE OF GEORGIA COUNTY OF CLAYTON

THIS INSTRUMENT, made this 9 day of May, in the year One thousand Nine Hundred Ninety-Five, between JULIA FREDERICKA SCHAFFER, a single woman, of 37, A. G., the Estate of JAMES A. WILSON, as party to the first part, hereinafter called Grantor, and JULIA EVERING GILBERT and HENRY GILBERT, as parties to the second part, hereinafter called Grantees, (the word "wife" and "husband" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Ammon, as per Letters Testamentary of the Last Will and Testament of JAMES A. MOON for and in Consideration of LOVE AND AFFECTION AND OTHER GOOD AND VALUABLE CONSIDERATION, it is now paid by Ammon the residue and remainder of these Legacies, the same left whether it is heretofore mentioned, and granted, bequeathed, paid and converted into these premises does grant, bequeath, sell and convey unto the said Grantee.

AN UNTRACTED PARCEL OF LAND LYING AND BEING IN
LAND LOT 14 OF THE 3RD DISTRICT, HENRY COUNTY, GEORGIA,
BEING 1.545 ACRES, AND BEING MORE PARTICULARLY SHOWN ON A
PLAT OR SURVEY PREPARED FOR ALAN GALEY BY JOE ROSEN, JR.,
REGISTERED LAND SURVEYOR NO. 14004, DATED 10/03/80, AND BY
REFERENCE TO SAID PLAT BEING MORE PARTICULARLY DESCRIBED AS

COMMENCING at a point located at the intersection on the southern right-of-way line of McDonough Street and a due South 20' 00" foot right-of-way line, the northeastern right-of-way line of Hampton-Bogart Grove Road, 60' foot right-of-way, thence proceeding along the southern right-of-way line of McDonough Street, a 1/4 mile, Route 10, 120' 00" degrees 57' minutes 00" seconds East 230' 00" feet to a point on the same, thence leaving said right-of-way line, South 18 degrees 49' minutes 51" seconds West 170' 00" feet to an iron rail located on the northeastern right-of-way line of Hampton-Bogart Grove Road, thence proceeding along said right-of-way line the following courses and distances: North 07 degrees 53' minutes 55" seconds West 146' 76" feet to a point, North 62 degrees 59' minutes 39" seconds West 31' 90" feet to a point, North 27 degrees 01' minutes 91" seconds West 50' 45" feet to a point, said point being the POINT OF BEGINNING.

WE HAVE AND DO HOLD the said tract or parcel of land, with all and singular the rights, easements and appurtenances thereto, to the same being, belonging, or in anywise appertaining, for the only present use, benefit and service of the said Grantees, their heirs and assigns, forever in the following manner:

0245054

Location Map

Borrower	N/A	County	Henry	State	GA	Zip Code	30228
Property Address	0 Hampton Locust Grove Rd						
City	Hampton						
Lender/Client	N/A						

