

L. Craig Dowdy
Direct (404) 640-5958
cdowdy@taylorenghish.com

March 8, 2023

Via Alternative Electronic Filing

Ms. Sallie Tanner
Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334
stanner@psc.ga.gov

Re: *In re: Sandersville Railroad Company; Hancock County, Georgia Acquisition*

Dear Ms. Tanner:

For filing in the above-styled docket, please find the enclosed *Petition for Approval to Acquire Real Estate by Condemnation* on behalf of Sandersville Railroad Company. As required by the electronic filing procedures, a physical copy of this filing will be mailed to the Commission. Thank you for your attention to this matter.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,



L. Craig Dowdy
For TAYLOR ENGLISH DUMA LLP

Enclosures

**BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION**

**In re: Sandersville Railroad Company;
Hancock County, Georgia Acquisition**

Docket No.: _____

**PETITION FOR APPROVAL TO ACQUIRE
REAL ESTATE BY CONDEMNATION**

Sandersville Railroad Company (“**Sandersville Railroad**”), a corporation owning and operating a railroad in the State of Georgia, files this Petition for Approval to Acquire Real Estate by Condemnation (this “**Petition**”) under O.C.G.A. §§ 46-8-120 and 46-8-121. In support of this Petition, Sandersville Railroad shows the following:

1.

Sandersville Railroad was chartered in 1893 and has been serving local industries for one hundred and thirty (130) years. A short line railroad, Sandersville Railroad has an interchange with Norfolk Southern Railway. It has been a major provider of train service for Georgia’s kaolin industry and serves a variety of customers most of which are located in its hometown of Sandersville, Georgia.

2.

Sandersville Railroad proposes to build an industrial spur (the “**Hanson Spur**”) between the CSX rail line near Sparta, GA and industries located at and along the spur line, which terminates near a property known as the Hanson Quarry. The Hanson Spur’s customers will include (a) Heidelberg Materials,

an aggregates mining company with operations at the Hanson Quarry; (b) Pittman Construction Company, a producer of asphalt and concrete, with a production facility located at the Hanson Quarry; (c) wood chip and other timber product producers, including, Southern Chips LLC, which will use the Hanson Quarry to transload timber products to rail; and (d) any other shipper on property adjacent to the Hanson Spur that wants to use Sandersville Railroad's contract switching services on agreed terms and rates based on the nature – such as risk – of the switching service requested.

3.

The new 4.5-mile spur connecting the CSX rail line that runs along State Route Highway 16 in Hancock County to the Hanson Quarry will permit (a) Heidelberg Materials to ship entirely by rail approximately five hundred thousand (500,000) additional tons per year from the Hanson Quarry; (b) Pittman Construction to ship materials by rail directly to its production facility located at the Hanson Quarry; and (c) timber product producers to load products directly to rail. Each such movement by rail will reduce the number of trucks that would otherwise be required to move these products on Hancock County roads.

4.

The train providing Sandersville Railroad's switching service will make approximately one round trip daily between CSX and the Hanson Quarry during normal business hours. Regarding just the Heidelberg Materials quarry operation, the spur and this one round trip serve a public purpose by, among other things,

providing a service much more efficiently than can be provided by trucks and thereby eliminating one hundred and fifty (150) additional trucks per day traveling to and from the quarry and, with respect to other users of the spur, further reducing the number of trucks traveling on local roads. That train will travel at less than twenty miles per hours (20 mph), a relatively low rate of speed for a locomotive.

5.

The spur will also serve a public purpose by creating at least one and a half million dollars (\$1,500,000.00) in annual direct economic impact in Hancock County.

6.

A memorandum by Sandersville Railroad, outlining the business necessity for the Project, is attached to and incorporated in this Petition as **Exhibit “A.”**

7.

A map showing the proposed route of the spur is attached to and incorporated in this Petition as **Exhibit “B.”**

8.

The Hanson Spur will require eighteen (18) parcels (each a “**Project Parcel**”) of right of way for the spur. Sandersville Railroad will construct an at-grade crossing for any landowner who retains land on both sides of the spur’s right of way. The table on **Exhibit “B”** hereto lists each Project Parcel by project parcel number (i.e., 1-18)¹

¹ After the route originally planned for the Hanson Spur was realigned in response to community input and engineering constraints, one parcel was deleted from the original plan and other parcels were added. Project Parcels therefore have either 1) the project parcel number assigned in the original plan; or 2) the project parcel number assigned in the realignment plan.

and the current owner of the parcel.

9.

The Sandersville Railroad has acquired or has written or verbal agreement to acquire a number of the Project Parcels.

10.

A list of mailing addresses for the owners of, and other holders of interest in, each Project Parcel required for the Hanson Spur who have not already granted to Sandersville Railroad the right of way necessary is attached to and incorporated in this Petition as **Exhibit “C.”**

11.

Mr. R. Donald Garrett, Sr. owns a tract or parcel of land (the “**Garrett Parent Tract**”) identified as Hancock County Tax Parcel Number 186 013 and consisting of approximately 80.40 acres. The Garrett Parent Tract is labeled as Parcel Number 13 on **Exhibit “B”** hereto. Mr. Garrett’s mailing address is set out on **Exhibit “C”** hereto.

12.

To construct the spur, Sandersville Railroad must acquire 2.11 acres of right of way (the “**Parcel 13 ROW**”) in the Garrett Parent Tract. The Parcel 13 ROW is labeled as “PROPOSED 200’ RAIL R/W” on **Exhibit “B”** hereto.

13.

The Parcel 13 ROW is more particularly shown on the plat map attached to and incorporated in this Petition as **Exhibit “D”** and more particularly described in

Exhibit “E” attached to and incorporated in this Petition.

14.

Despite its best efforts to acquire by negotiated sale the Parcel 13 ROW, Sandersville Railroad has been unable to acquire it through good faith negotiations.

15.

By letter dated, January 17, 2023, and delivered January 18, 2023 via FedEx (the “**10-Day Letter**”), and consistent with the Georgia Department of Transportation’s practice in acquiring property for right of way, Sandersville Railroad notified Mr. Garrett that it had not been able to acquire the Parcel 13 ROW through negotiations and informed him that he could appeal the appraised just and adequate compensation for the Parcel 13 ROW to the President of Sandersville Railroad within 10 days of the 10-Day Letter. A copy of the 10-Day Letter is attached to and incorporated in this Petition as **Exhibit “F.”**

16.

After Mr. Garrett did not respond to the 10-Day Letter, and consistent with the Georgia Department of Transportation’s practice in acquiring property for right of way, Sandersville Railroad notified Mr. Garrett, by letter dated February 13, 2023 and delivered February 14, 2023 (the “**Regrets Letter**”), of its intent to acquire by condemnation the Parcel 13 ROW under O.C.G.A. § 46-8-121 if Sandersville Railroad and Mr. Garrett remained unable to reach a negotiated agreement regarding the sale of the Parcel 13 ROW. A copy of the Regrets Letter is attached to and incorporated in this Petition as **Exhibit “G.”**

17.

Despite Sandersville Railroad's good-faith efforts, as of the date of this Petition, Mr. Garret has not engaged in any negotiations with Sandersville Railroad regarding its acquisition of the Parcel 13 ROW.

18.

While Sandersville Railroad will continue to try to reach agreement with other property owners, because Mr. Garrett has refused to sell, or discuss or negotiate the sale of, the Parcel 13 ROW, Sandersville Railroad is filing this Petition.

19.

Sandersville Railroad has authority under the Georgia Code to construct the proposed spur. O.C.G.A. § 46-8-120. To the extent Sandersville Railroad cannot acquire the real estate necessary for the project by gift or purchase, the Georgia Public Service Commission may approve the acquisition of the property by condemnation, pursuant to O.C.G.A. § 46-8-121.

WHEREFORE, Sandersville Railroad prays that this Petition be considered and that it be granted, thereby approving of the acquisition by condemnation of the real estate identified on the plat map attached hereto as **Exhibit "D"** and described in **Exhibit "E"** hereto.

[SIGNATURES ON NEXT PAGE]

This 8th day of March 2023.



L. Craig Dowdy
Georgia Bar No. 227810
Steven L. Jones
Georgia Bar No. 639038

TAYLOR ENGLISH DUMA, LLP
1600 Parkwood Circle Suite 200
Atlanta, Georgia 30339
Telephone: (770) 434-6868
Facsimile: (770) 434-7376
cdowdy@taylorenghish.com
sjones@taylorenghish.com

/s/ Robert S. Highsmith, Jr.

Robert S. Highsmith, Jr.
Georgia Bar No. 352777
Laura E. Flint
Georgia Bar No. 635203

HOLLAND & KNIGHT LLP
1180 West Peachtree Street NW
Suite 1800
Atlanta, Georgia 30309
Telephone: (404) 817-8500
Facsimile: (404) 881-0470
robert.highsmith@hklaw.com
laura.flint@hklaw.com

*Counsel for Petitioner Sandersville
Railroad Company*

Exhibit “A”

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

Wednesday, March 8, 2023

MEMORANDUM

Via Alternative Electronic Filing

Sallie Tanner
Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334
stanner@psc.ga.gov

Re: In re: Sandersville Railroad Company; Hancock County, Georgia Acquisition.

Dear Ms. Tanner:

This memorandum explains why the industrial spur (the “Hanson Spur”) Sandersville Railroad Company (“Sandersville Railroad”) proposes to build between the CSX rail line near Sparta, GA and industries located at and along the spur line is necessary to properly accommodate the business of Sandersville Railroad. The Hanson Spur will be utilized by (a) Heidelberg Materials, an aggregates mining company, with mining operations at the Hanson Quarry; (b) Pittman Construction Company, a producer of asphalt and concrete, with a production facility located at the Hanson Quarry; (c) wood chip and other timber product producers, including, Southern Chips LLC; and (d) any other shipper on property adjacent to the Hanson Spur that wants to use Sandersville Railroad’s contract switching services on agreed terms and rates based on the nature – such as risk – of the requested switching service.

The new 4.5-mile spur connecting the CSX rail line that runs along State Route (i.e., Highway 16) in Hancock County to the Hanson Quarry will make it possible for (a) Heidelberg Materials to ship approximately 500,000 additional tons per year from the Hanson Quarry by rail, thereby avoiding any increase of truck traffic to and from the quarry on local roads; (b) Pittman Construction to ship materials directly to its production facility located at the Hanson Quarry; and (c)

WASHINGTON COUNTY, GEORGIA, CONTAINS SOME OF THE FINEST WHITE CLAY IN THE WORLD

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Ms. Sallie Tanner

March 8, 2023

Page 2 of 2

timber product producers to load products directly to rail and, as a result, reduce the number of trucks traveling to and from the quarry on Hancock County roads.

Sandersville Railroad selected the route for the proposed spur because it conforms with railroad design standards, minimizes impacts to wetlands and streams, avoids environmentally sensitive areas near tributaries of the Ogeechee River northeast of the planned route, and stays away from homes. After extensive surveying of the land between CSX and the Hanson Quarry and after considering public comments on the original route plan, the proposed, realigned route was determined to best accomplish these goals.

Sandersville Railroad expects to make one round trip daily between CSX and the Hanson Quarry during normal business hours. With respect to just the Heidelberg Materials quarry operation, that one round trip will eliminate 150 trucks per day that with the quarry expansion would otherwise be traveling to and from the Hanson Quarry on Hancock County roads. With respect to the other users of the spur, the one round trip will further reduce the number of trucks that would otherwise travel to and from the Hanson Quarry area.

To mitigate any negative impact to owners of residential property adjacent to the spur, berms 130-foot-wide and 20-foot-tall will be constructed and planted with trees along the spur where it runs in proximity to residential properties. Additionally, given the short length of the spur, the train will operate at a relatively low speed for locomotives, below twenty miles per hours (20 mph).

In short, the Hanson Spur is necessary to serve the public interest because it will allow companies operating at or near the Hanson Quarry and future companies that may operate along the Hanson Spur to transport products and materials, increase production and job opportunities for residents, and eliminate or reduce truck traffic on Hancock County roads.

Sincerely,



Benjamin ("Ben") J. Tarbutton, III

Exhibit "B"

Exhibit "C"

Exhibit "C" - Project Parcel Addresses

Parcel 1:

CSX Transportation Inc.
Tax Department J-910
500 Water Street
Jacksonville, FL 32202

Parcel 4:

Verizon Real Estate
C/O Kelly Cantey
P.O. Box 2549
Addison, Texas 75001

Verizon Wireless of the East, L.P.,
C/O Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921

Parcel 6:

Leo J. and Georgia A. Briggs
4500 Hidden Stream Drive
Loganville, GA 30052

Parcel 7:

Marvin Smith, Jr.
15500 Avery Road
Deerwood, MD 20855

Parcel 8/10/11:

William B. and Helen D. Smith
823 Chatsworth Drive
Accokeek, MD 20607

Georgia Power Company (Easement Holder)
Attn: ROW Services
241 Ralph McGill Blvd.
BIN ROW2000
Atlanta, Georgia 30308

Parcel 12:

Joel Reed
5 Dogwood Lane
Chatsworth, GA 30705

Parcel 13:

R. Donald Garrett, Sr.
1335 Shoals Road
Sparta, GA 31087

Parcel 14:

Sally G. Wells, Verne Kennedy Hollis, Ellison Garrett and Donna Garrett
140 Dunn Road
Sparta, GA 31087

Parcel 15/16/19:

McEver Family LLLP.
145 Corral Road NE
Milledgeville, GA 31061

Davidson Mineral Properties (Easement Holder)
P.O. Box 468
Lithonia, Georgia 30058-0468

Parcel 17:

H. Ray Moss, Trustee of the H. Ray Moss Irrevocable Trust Dated Nov. 10, 2015
349 Ivey Gate Ridge, Suite 1
Dalton, GA 30720

Georgia-Alabama Land Trust, Inc. (Easement Holder)
Attn: Executive Director
226 Old Ladiga Road
Piedmont, AL 36272

Jolly Partnership, LLLP (Easement Holder)
349 Ivey Gate Ridge, Suite 2
Dalton, GA 30720

Parcel 18:

Thomas A. Lee
8201 Brookriver Drive, Suite 246
Dallas, TX 75247

William B. and Helen D. Smith (Easement Holder)
823 Chatsworth Drive
Accokeek, MD 20607

Georgia Power Company (Easement Holder)
Attn: ROW Services
241 Ralph McGill Blvd.
BIN ROW2000
Atlanta, Georgia 30308

Exhibit "D"

OVERHEAD ELECTRICAL LINE ——— OHE

FENCE ——— X ——— X

ADJOINER PROPERTY LINE ———

POWER POLE ———

SIGN ———

PROPERTY CORNER FOUND ———

CONCRETE R/W MONUMENT FOUND ———

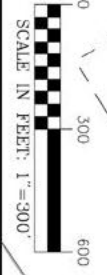
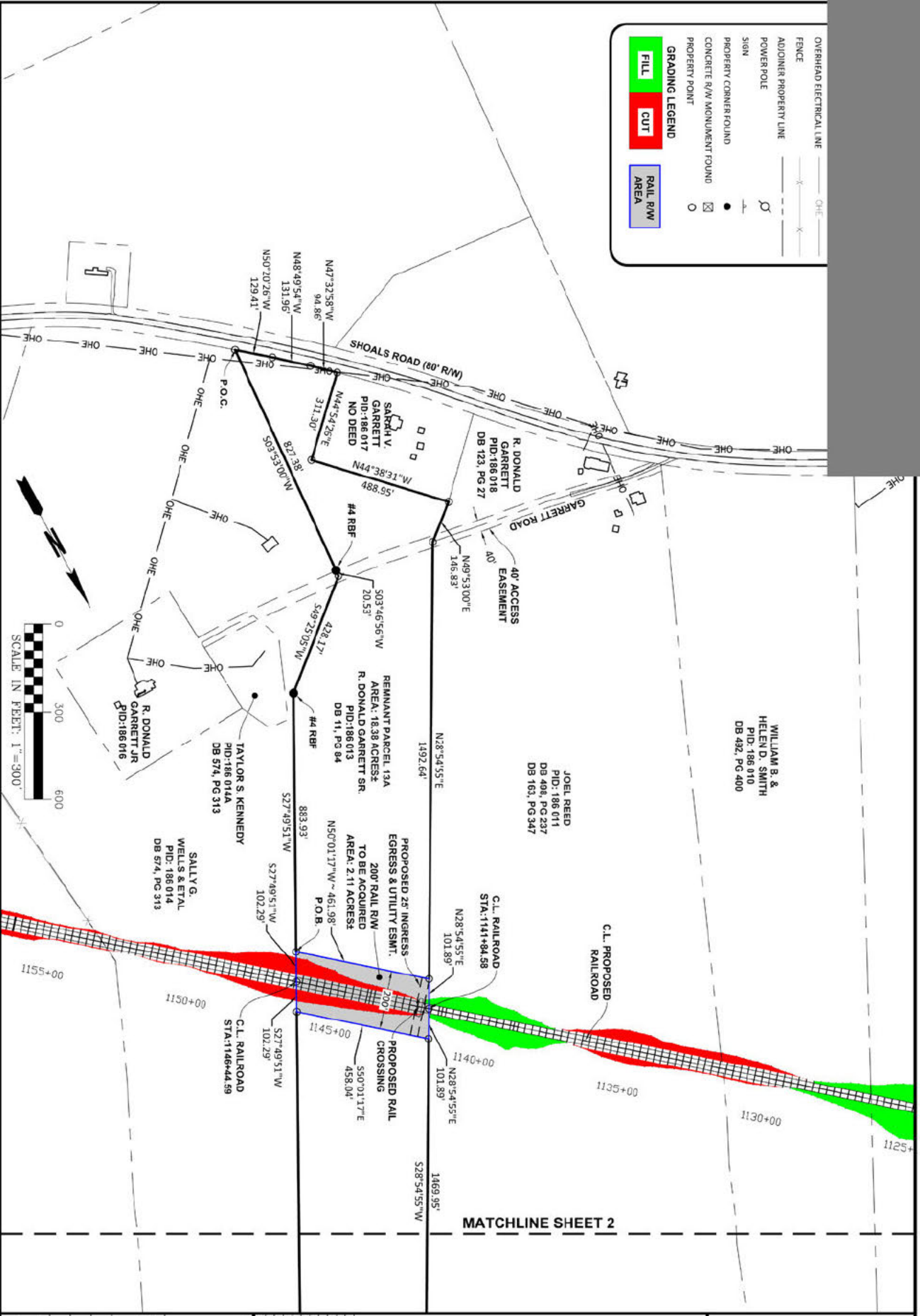
PROPERTY POINT ———

GRADING LEGEND

FILL

CUT

RAIL R/W AREA



EXH.13
SHEET 1 of 2

NO.	DESCRIPTION	DATE
1	PRELIMINARY	
2	FINAL	
3	AS BUILT	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	
11	REVISION	
12	REVISION	
13	REVISION	
14	REVISION	
15	REVISION	
16	REVISION	
17	REVISION	
18	REVISION	
19	REVISION	
20	REVISION	

DATE: 9/30/2022
SCALE: 1"=300'

RIGHT-OF-WAY EXHIBIT PARCEL #13

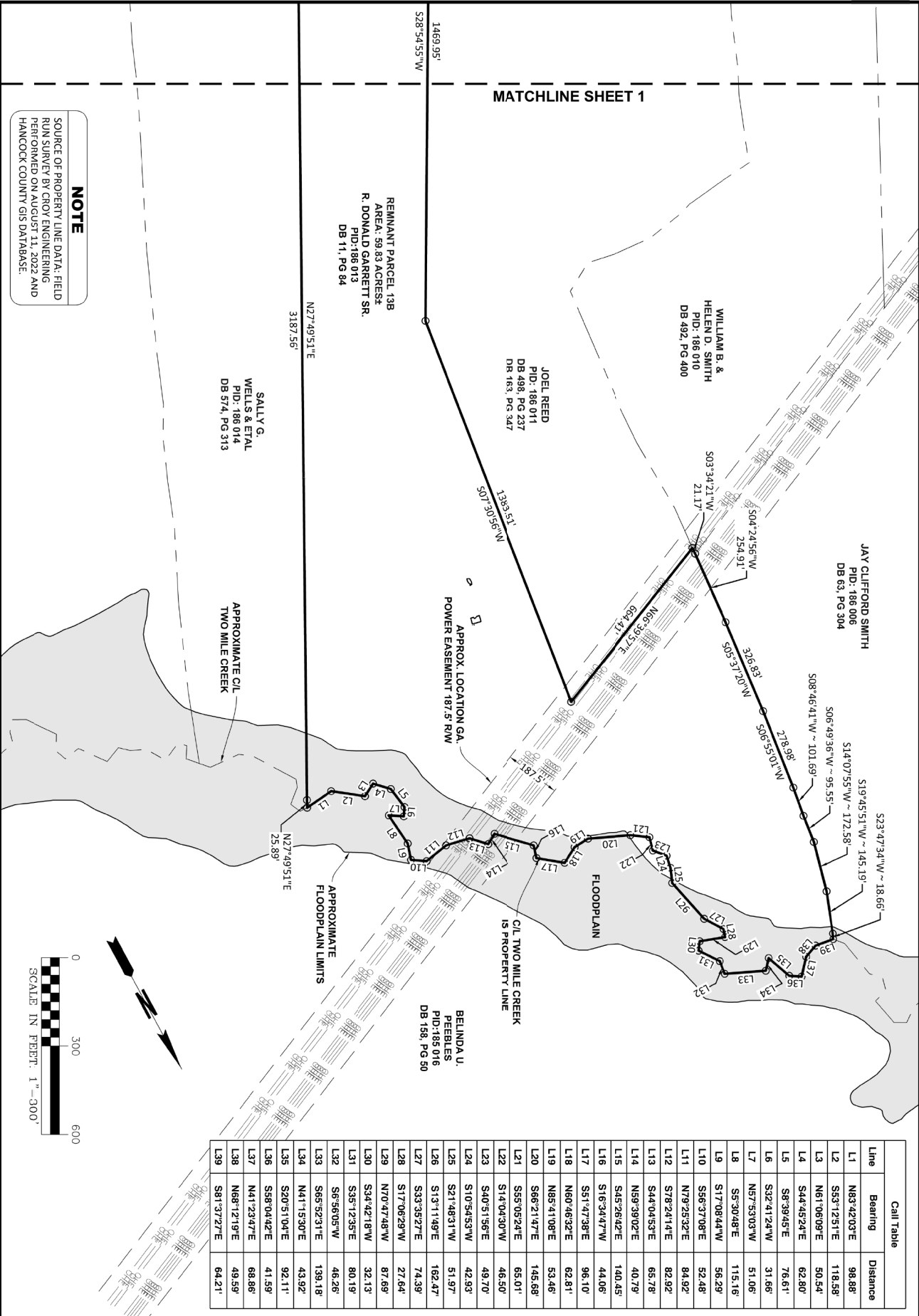
113th G.M.D.
HANCOCK COUNTY, GEORGIA

CROY

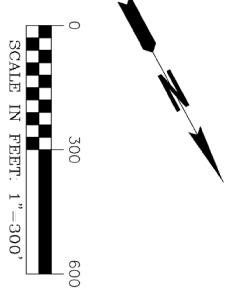
1270 MARKET STREET
CHATTANOOGA, TN 37402
PHONE: (423) 708-5858

THIS PLAN AND CONTAINED HEREON THE REPRESENTATIONS, STATEMENTS AND OPINIONS MADE BY THE ENGINEER OR SURVEYOR ARE BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE ENGINEER OR SURVEYOR HAS NO LIABILITY TO THE CLIENT OR ANY OTHER PARTY FOR ANY LOSS OR DAMAGE CAUSED BY THE USE OF THIS PLAN OR CONTAINED HEREON THE REPRESENTATIONS AND OPINIONS.

Printed by: 11/11/2022 on 11/11/2022 10:00 AM



NOTE
 SOURCE OF PROPERTY LINE DATA: FIELD
 RAIN SURVEY BY CROY ENGINEERING
 PERFORMED ON AUGUST 11, 2022 AND
 HANCOCK COUNTY GIS DATABASE.



Line	Bearing	Distance
L1	N83°42'03"E	98.88'
L2	S53°12'51"E	118.58'
L3	N61°06'09"E	50.54'
L4	S44°45'24"E	62.80'
L5	S8°39'45"E	76.61'
L6	N57°30'33"W	51.06'
L7	N57°30'48"E	115.16'
L8	S53°04'48"W	56.29'
L9	S66°37'08"E	52.48'
L10	N79°25'32"E	84.92'
L11	S78°24'14"E	82.92'
L12	S44°04'59"E	65.78'
L13	N59°39'02"E	40.79'
L14	S45°26'42"E	140.45'
L15	S16°34'47"W	44.06'
L16	S51°47'38"E	96.10'
L17	N60°46'32"E	62.81'
L18	N85°41'08"E	53.46'
L19	S66°21'47"E	145.68'
L20	S55°05'24"E	65.01'
L21	S14°04'30"W	46.50'
L22	S40°51'56"E	49.70'
L23	S21°48'31"W	51.97'
L24	S13°11'49"E	162.47'
L25	S33°35'27"E	74.39'
L26	S17°06'29"W	27.64'
L27	N70°47'48"W	87.69'
L28	S34°42'18"W	32.13'
L29	S65°12'35"E	80.19'
L30	S6°56'05"W	46.26'
L31	S65°52'31"E	139.18'
L32	S20°51'04"E	92.11'
L33	S58°04'42"E	41.59'
L34	N41°23'47"E	68.86'
L35	N68°12'19"E	49.59'
L36	S81°37'27"E	64.21'

**RIGHT-OF-WAY
 EXHIBIT PARCEL #13**

113th G.M.D.
 HANCOCK COUNTY, GEORGIA

CROY

1270 MARKET STREET
 CHATTANOOGA, TN 37402
 PHONE: (423) 708-5858

THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, COPIED OR CONVEYED IN ANY FORM OR MANNER WITHOUT THE WRITTEN PERMISSION OF CROY ENGINEERING, INC. PERMISSION AND CREDIT OF CROY ENGINEERING, INC. MUST BE OBTAINED BY ANY PARTY WHOSE INTERESTS ARE AFFECTED BY THESE PLANS AND DRAWINGS.

EXH. 13
 SHEET 2 of 2

PROJECT NUMBER: 1322.000
DATE: 9/30/2022

DRAWN BY: TBA
CHECKED BY: RDM

SCALE: 1"=300'
DATE: 9/30/2022

SHEET TITLE: RIGHT-OF-WAY EXHIBIT #13

Exhibit "E"

State of Georgia
County of Hancock

Parcel 13 Rail Right-of-way

The following described lot or parcel, situated and being in the 113th Georgia Militia District of Hancock County, Georgia, bounded and described as follows:

Commencing at a point on the north margin of Shoals Road, 40.0 feet from its centerline, at the southwest corner of the Sally G. Wells property, ref. D.B. 574 Pg. 313, same being the southeast corner of the parent property, ref. D.B. 11 Pg. 84.

Thence, from the point of commencement leaving the north margin of road and with west boundary of said Sally G. Wells property, North 03°53'00" East, a distance of 827.38 feet to a #4 rebar found, North 03°46'56" East, a distance of 20.53 feet to a point, North 49°25'05" East, a distance of 428.17 feet to a #4 rebar found, and North 27°49'51" East, a distance of 883.93 feet to the point of beginning, same being the southeast corner of the property herein described.

Thence, from the point of beginning, leaving said west boundary and with a new division line, North 50°01'17" West, a distance of 461.98 feet to a point in the east boundary of the Joel Reed property, ref. D.B. 498 Pg. 237 and D.B. 163 Pg. 347, same being the southwest corner of the property herein described.

Thence, with the east boundary of said Joel Reed property, North 28°54'55" East, a distance of 101.89 feet to a point in the centerline of the proposed railroad and North 28°54'55" East, a distance of 101.89 feet to a point in said east boundary at the northwest corner of the property herein described.

Thence, leaving said east boundary and with a new division line, South 50°01'17" East, a distance of 458.04 feet to a point in the west boundary of the previously mentioned Sally G. Wells property, same being the northeast corner of the property herein described.

Thence, with the west boundary of said Sally G. Wells property, South 27°49'51" West, a distance of 102.29 feet to the centerline of the proposed railroad and South 27°49'51" West, a distance of 102.29 feet to the point of beginning and containing 2.11 acres, more or less.

The above described 2.11 acre tract is subject to a 25.0 foot wide ingress-egress and utility easement across the proposed Sandersville Rail spur line and lying 12.50 feet on each side of a proposed centerline crossing of the proposed rail to be constructed at or near the same time as the proposed rail and extending from the southern boundary along the proposed rail line right of way to the northern boundary line of the proposed rail right of way of said 2.11 acre tract as shown on that certain plat titled "RIGHT-OF-WAY EXHIBIT PARCEL #13" prepared by Croy Engineering and dated September 30, 2022.

Exhibit "F"

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

Tuesday, January 17, 2023

VIA FEDEX

R. Donald Garrett, Sr.
1335 Shoals Road
Sparta, Georgia 31087

**Re: Hancock County Tax Parcel Number 186 013
Hanson Industrial Spur (the "Project");
Project Parcel Number 13 (the "Property").**

Dear Mr. Garrett:

As you know, Sandersville Railroad Company's ("SRR") is constructing an industrial rail spur to serve industry southeast of Sparta, Georgia. SRR must acquire a portion of your property for the construction of that industrial rail spur which is named after the end user at the terminus of that spur—Hanson Aggregates Quarry.

The property rights required for the Project have been explained to you by our negotiator and are shown in color on the plat attached to the option agreement previously furnished to you and which is enclosed with this letter for your convenience. Based on an appraisal prepared by an expert real estate appraiser, we believe that the Fair Market Value/just and adequate compensation for the portion of your property that is required for the Project is \$7,400.00.

SRR prefers to purchase the property needed for the Project; however, if it is not able to do so, SRR is authorized by law to acquire property by condemnation. As litigation is costly to both SRR and the landowner, it is our sincere desire that upon reconsideration of our offer, a settlement agreement can be reached, hopefully avoiding litigation. Since negotiations for the required property rights have concluded, SRR (just like the State of Georgia does when it acquires property for transportation projects) provides an administrative review process as a final opportunity toward reaching an amicable settlement.

Should you elect to submit an administrative review, your request must be made, by mail or email, directly to me, Ben J. Tarbutton, III, within ten (10) days of this letter. Ideally, this review should be submitted by email to bjtiii@sandersvillerrailroad.com. If needed, you may

02480633-1

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TELEPHONE (478) 552-3141 FAX (478) 552-8655

R. Donald Garrett, Sr.
January 17, 2023
Page 2 of 2

mail the attached form to me at the following address "Sandersville Railroad, Attn: Ben J. Tarbutton, III, P.O. Box 269, Sandersville, Georgia 31082". It must include the lowest monetary amount acceptable to you for sale of the portion of your property required for the Project along with any documentation you believe supports that monetary amount.

Upon receipt of your request for an administrative review, an authorized representative of the SRR will contact you to arrange a meeting to discuss your views and your supporting documentation of the value of your property. With this being the final effort for settlement, please be prepared to furnish any supporting documentation in your response to this letter, if you chose to appeal, and in your meeting with the SRR representative. You are not required to be represented by an attorney; however, anyone you deem necessary may accompany you in your meeting with the SRR representative. Should this final review fail to produce an agreement, SRR will pursue condemnation of the portion of your property required for the Project.

If we have not received an executed option, a request for an administrative review, or some other form of satisfactory reply from you by **Monday, January 30, 2023**, SRR will pursue condemnation of the portion of your property required for the Project. We regret that such action may become necessary, but we must proceed with acquisition of the property required for the Project in order to complete the Project, drive economic development in Hancock County, and meet the Project milestone dates.

Sincerely,



Benjamin ("Ben") J. Tarbutton, III

DATE: _____

Sandersville Railroad Company
Attn: Ben J. Tarbutton, III
Post Office Box 269
Sandersville, Georgia 31082

SUBJECT: ADMINISTRATIVE REVIEW OF FAIR MARKET VALUE
Hanson Industrial Spur
Parcel #: _____
Fair Market Value: _____

Dear Mr. Tarbutton:

I am requesting the review of my settlement proposal as a final effort to avoid legal proceedings.

After having considered Sandersville Railroad Company's offer, I am of the opinion that the least I can settle this matter for is \$_____ in view of the following support of my estimate of value. (A settlement amount must be specified for consideration and documentation or information supporting that settlement amount must be included)

Name: _____

Address: _____

Phone #: _____

Email Address: _____

Signature: _____

Exhibit "G"

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

Monday, February 13, 2023

VIA FEDEX

R. Donald Garrett, Sr.
1335 Shoals Road
Sparta, Georgia 31087

**Re: Hancock County Tax Parcel Number 186 013;
Hanson Industrial Spur (the "Project");
Project Parcel Number 13 (the "Property").**

Mr. Garrett:

This is to confirm that you did not appeal to me Sandersville Railroad Company's ("SRR") determination of just and adequate compensation, based on an appraisal by a qualified, independent appraiser, for the portion of the Property required for the Project. Since we were not able to reach a settlement with you regarding SRR's acquisition of the portion of the Property required for the Project, by copy of this letter I am requesting our attorneys proceed with the filing of a proceeding to acquire that portion of the Property by condemnation. All offers of settlement SRR previously made to you to acquire such property remain open but will automatically be revoked when the condemnation proceeding is commenced.

I regret that we were unable to reach an agreement with you for SRR's acquisition of that portion of the Property; however, when a property owner will not negotiate at all, we have no other alternative but to acquire the necessary property through condemnation.

Sincerely,



Benjamin ("Ben") J. Tarbutton, III

cc: SRR Project Attorneys

WASHINGTON COUNTY, GEORGIA, CONTAINS SOME OF THE FINEST WHITE CLAY IN THE WORLD

TELEPHONE (478) 552-3141 FAX (478) 552-8655