BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

Sandersville Railroad Company Hancock County, Georgia **In re: Sandersville Railroad Company's Petition for Approval to Acquire Real Estate by Condemnation**	Docket No.: 45045

PRE-FILED RESPONSIVE TESTIMONY OF JOEL BRADFORD REED

on behalf of the Property Owner Respondents

August 25, 2023

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**Pro hac vice* applications pending

Counsel for Property Owner Respondents

Q. PLEASE STATE YOUR NAME, ADDRESS, AND AGE.

A. My name is Joel Bradford Reed, and I am 63 years old. My home address is 5 Dogwood Lane, Chatsworth, Georgia 30705.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A. I am testifying on behalf of myself and my wife, Kathy Lynn Reed.

Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE COMMISSION?

A. No.

Q. DO YOU OWN PROPERTY IN THE PATH OF THE HANSON SPUR?

A. Yes.

Q. ARE YOU MARRIED?

A. Yes.

Q. WHO IS YOUR SPOUSE?

A. My wife is Kathy Lynn Reed.

Q. WHAT IS THE ADDRESS OF YOUR PROPERTY IN THE PATH OF THE HANSON SPUR?

A. 35 Garrett Road, Sparta, Georgia 31087. It is Hancock County Tax Parcel No. 186011 and is approximately 82.06 acres.

Q. FOR HOW LONG HAVE YOU OWNED YOUR PROPERTY IN SPARTA?

A. Seven years.

Q. WHAT IS YOUR FAMILY'S HISTORY RELATING TO YOUR PROPERTY IN THE PATH OF THE HANSON SPUR?

A. My father bought it for me and my brother in 1998, and in 2016 I bought my brother's interest out.

Q. HOW DO YOU CURRENTLY USE YOUR PROPERTY?

A. I reside there for about three months out of the year. I hope to live there full time in the future. My sons go down there, too, with the grandkids. We use the land for hunting, fishing, and hiking. We ride dirt bikes and have a side by side. It's like a four wheeler with an enclosed cab on it. I ride with Don Garrett, Jr. I also grow timber on the property. We sold some timber in 2013 and planted some in 2014 that is still growing.

Q. WHAT STRUCTURES ARE ON THE PROPERTY?

A. A home, a little pool cabana, a metal carport, one permanent deer stand, and three portable deer stands.

Q. HOW DO YOU USE THOSE STRUCTURES?

A. I stay at the home when I visit my property. I refurbished the inside. I use the carport and pool cabana for storage. I use the deer stands to hunt.

Q. DO YOU WANT TO SELL YOUR PROPERTY?

A. No.

Q. WHAT DO YOU PLAN TO DO WITH YOUR PROPERTY IF YOU ARE ABLE TO KEEP IT INTACT?

A. I would continue staying there, doing the same things I do now. I would hunt, fish, and hike; ride my bikes and side by side. I'd like to harvest the timber we planted in 2014. My sons and the grandkids will keep coming to the property, too, and I'd like to leave it to the next generation to enjoy, whole just the way it is.

Q. WHAT DOES YOUR PROPERTY MEAN TO YOU?

A. I really love it down there. It's not much, but it's home to me. When I'm there, I'm home. Especially as I get older, I need to have somewhere laid back to go. It's a peaceful, quiet place for me to escape.

Q. WHEN DID YOU FIRST HEAR ABOUT THE HANSON SPUR PROJECT?

A. Don Garrett, Jr., told me something about it in early 2022. I then received the first letter from Sandersville Railroad in June 2022.

Q. DID YOU RECEIVE MORE THAN ONE LETTER FROM SANDERSVILLE RAILROAD?

A. Yes, I received about six letters total:

1. Letter dated June 24, 2022, signed by Benjamin Tarbutton, saying he "required" my land for a new railroad he planned to build for the Hanson Quarry. That letter is attached as Exhibit A.

2. Letter also dated June 24, 2022, signed by Benjamin Tarbutton, saying "[a]s stated in an earlier letter" (sent the same day) the Hanson Spur project would affect my property and he was going to have some of his people go on my property to survey it, even though I had never heard from him before then, and even though I had never given him permission to come onto my land. That letter is attached as Exhibit B.

3. Letter dated July 7, 2022, from Steven L. Jones, a lawyer, with my name and address as the addressee but with a salutation to "Mr. Smith," saying I had not cooperated with Sandersville Railroad getting on my property. But I had never even had any interactions with Sandersville Railroad except for the two letters he had sent on the same day to me a couple of weeks prior. The letter also said Sandersville Railroad had eminent domain power, so they could go on my property anyway. That letter is attached as Exhibit C.

4. Letter dated August 2, 2022, signed by Benjamin Tarbutton, inviting me to a "community meeting" about the railroad project where people from Sandersville Railroad and the Hanson Quarry would be available to answer questions. Included with that letter was a fact sheet that said the Hanson Spur would help the quarry ship 500,000 more tons of rock per year. The letter and the fact sheet are attached as Exhibit D.

5. Letter dated January 4, 2023, signed by Sandersville Railroad's "Right of Way

Consultant" Laura Northcraft, offering me money for the acres Mr. Tarbutton requires for his railroad. The letter was accompanied by an "offer packet" that included a sale agreement and other documents. That letter and the contents of the offer packet are attached as Exhibit E.

6. Letter dated January 25, 2023, signed by Benjamin Tarbutton, saying the Hanson Spur was named after the end user of the spur, the Hanson Quarry, and saying that if I don't sell to him Sandersville Railroad is authorized to acquire my land by condemnation. The letter said negotiations were "concluded," and that I could request an "administrative review" with Sandersville Railroad, "just like the State of Georgia does when it acquires property." Mr. Tarbutton said I could contact Mr. Tarbutton himself for that administrative review. He included a form I could fill out for how much money I thought my property was worth. That letter and form are attached as Exhibit F.

Q. HOW DID YOU FEEL WHEN YOU READ THE LETTERS?

A. At first, I thought it was a joke. Then I became very upset. I could not believe it was possible for a private company to force me to sell my land. And the July letter to me said I hadn't cooperated with the surveying, that was not true. Sandersville Railroad hadn't even had any contact with me except for the two letters Mr. Tarbutton sent on the same day in June. It was all just out of the blue, and then they were suddenly threatening and intimidating me with these letters. And that is how I felt: threatened. I was amazed and confused that the folks at Sandersville Railroad were talking as though Sandersville Railroad was like the State of Georgia, and could do whatever the State of Georgia could do. That's news to me. I did not think that in Georgia private companies that just want to increase their business are allowed to take private property from private citizens.

Q. DID YOU EVER TALK TO ANYONE FROM SANDERSVILLE RAILROAD?

A. Yes, at the public meeting in Sparta in August 2022. Then later a lady called me to ask if I received an offer that was sent in the mail.

Q. WHAT WAS THE NATURE OF THOSE COMMUNICATIONS?

A. At the August meeting Mr. Tarbutton tried to convince us to sell. Later when the lady called me about the offer they sent, I told her I received the offer but did not want to sell.

Q. DID SANDERSVILLE RAILROAD TRY TO PURCHASE YOUR PROPERTY PRIOR TO PETITIONING THE COMMISSION TO TAKE IT USING EMINENT DOMAIN?

A. Yes.

Q. WHAT WAS THE NATURE OF THOSE DISCUSSIONS?

A. Around the time of the public meeting in Sparta, Mr. Tarbutton offered me money for the acres he wants. I told him no. I told him I was not interested in selling land to him for a railroad to come through and cut my property in half. I also received a letter offering me money.

Q. WHEN WAS THE LAST TIME YOU HEARD FROM SANDERSVILLE RAILROAD?

A. The offer letter I received in January 2023.

Q. DID ANYONE CONDUCT A SURVEY OF YOUR PROPERTY?

A. Yes.

Q. DID YOU SPEAK WITH THE SURVEYORS?

A. No. I learned about the survey the same day I heard for the first time from Sandersville Railroad, when Mr. Tarbutton sent me two letters on the same day in June 2022 informing me about the Hanson Spur project and that they were doing the survey.

Q. DID THE SURVEYORS ASK PERMISSION TO COME ON YOUR PROPERTY?

A. No.

Q. DID THE SURVEYORS DAMAGE YOUR PROPERTY?

A. Yes, they plowed through half a dozen trees and damaged them. I saw the damage and where the surveyors had tied up orange ribbons and planted stakes.

Q. HAVE YOU REVIEWED THE RAILROAD'S PLANS FOR YOUR PROPERTY?

A. Yes.

Q. WHAT EFFECT WILL THE HANSON SPUR HAVE ON YOUR PROPERTY?

A. I would lose acreage, and it would cut the parcel in half and cut off my access to the back half of my property. In addition to making it harder for me to access a large portion of my property, it's going to reduce my opportunities to enjoy the entire property because of the noise and disruption. And it's not just about the acres I will lose. It's also about the fact that the railroad will reduce the value of all of my property, forever.

Q. WHAT EFFECT WILL THE HANSON SPUR HAVE ON YOUR LIFE?

A. Who wants to be out in a deer stand hunting in the peace and quiet, and then hear a train go by? It will come close to my house and it's going to rattle the windows. It's going to destroy my ability to use the property to get away from it all for some peaceful solitude. My kids and grandkids will be less likely to go to Sparta with me, because they will not be as free and safe as they are now due to the train. This is very upsetting to me.

Q. DO YOU KNOW MANY OF YOUR NEIGHBORS IN SPARTA?

A. Yes.

Q. DO YOU KNOW MANY OF THE OTHER PROPERTY OWNERS IN THE PATH OF THE HANSON SPUR?

A. Yes.

Q. HAVE YOU TALKED TO YOUR NEIGHBORS OR OTHER SPARTA COMMUNITY MEMBERS ABOUT THE HANSON SPUR?

A. Yes.

Q. HAVE YOU READ MATERIALS ABOUT THE HANSON SPUR PROVIDED BY THE RAILROAD?

A. Yes.

Q. HAVE YOU READ ABOUT THE HANSON SPUR IN THE NEWS?

A. Yes.

Q. FROM YOUR PERSPECTIVE, WILL THE HANSON SPUR BENEFIT THE SPARTA COMMUNITY?

A. No.

Q. FROM YOUR PERSPECTIVE, WILL THE HANSON SPUR HARM THE SPARTA COMMUNITY?

A. Yes.

Q. WHY NOT JUST SELL?

A. I love the property, and I love my neighbors. I'm close to town but I'm far away from it all. This property is my personal retreat, and I'm not giving it up. The train would cut all the pleasure out of owning the property. I also want my sons and grandchildren to enjoy the property whole. Also, the railroad isn't going to bring any jobs or tax revenue to Sparta. Even if it did, it wouldn't matter. A private railroad shouldn't be able to take my property.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of August, 2023, a copy of the foregoing *Pre-Filed Responsive Testimony of Joel Bradford Reed* has been served via electronic mail and U.S. First-Class Mail on the following pursuant to GA. COMP. R. & REGS. 515-16-16-.02; 515-2-1-.04(4)(b), (3):

VIA Electronic Mail and U.S. First-Class Mail:

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Steven L. Jones
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Robert S. Highsmith, Jr.
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Kathy Lynn Reed
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Georgia Ann Briggs
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Donna N. Garrett
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Sparta, GA 31087

Verne G. Hollis
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Sparta, GA 31087

Herus Ellison Garrett
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Eatonton, GA 31024

Thomas Ahmad Lee
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Telephone: (404) 673-6523
jamie.rush@splcenter.org
malissa.williams@splcenter.org
miriam.gutman@splcenter.org

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E-mail: ngibson@psc.ga.gov

Designated Hearing Officer

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Georgia Public Service Commission
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E-mail: stanner@psc.ga.gov

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Director, Electric Unit of the Public Service Commission

Ray-Kelle Preston
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DATED this 25th day of August, 2023.



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Counsel for Property Owner Respondents

EXHIBIT A

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

June 24, 2022

Mr. Joel Reed
658 Bonneville Drive
Chatsworth, GA 30705

Dear Mr. Reed,

The Sandersville Railroad plans to build a new railroad track from near Sparta southward to the Hanson Aggregates Sparta Quarry. I am sending you this letter because some of your property will be required as right of way for this new project.

I want this process to be as minimally invasive to you as possible, and I ask that you work with us to accomplish this very important project for Hancock County. Cheryl Brewer with CHB Acquisition Services, LLC whose cell phone number is (706)832-1412 and email address is cherylbrewer@bellsouth.net will be leading this right of way acquisition effort. I have included a questionnaire with this letter, and I hope you will complete it and return the questionnaire in the self-addressed envelope.

Over the course of this project and in the years to follow, the Sandersville Railroad and Hanson Aggregates will be making significant capital investments in Hancock County. These investments will lead to new jobs and economic activity for Hancock County and the surrounding region.

I would be happy to meet with you to discuss this project. Please feel free to contact me or Cheryl Brewer with any questions.

Sincerely,

Ben J. Tarbutton III

Property Owner's Questionnaire

COUNTY	**Hancock**	MAP & PARCEL	**186 011**

1. Owner Name(s):	
2. Street Address:	
3. Mailing Address: *(If different than property Address)*	
Email Address:	
4. I can most easily be contacted between the hours of:	

5. Telephone Numbers:	Cell:		Home:		Work	

6. Date property was acquired:	7. Do you get water from: Well? ☐ Public Line? ☐
8. Is sewer available to your property? Yes ☐ No ☐	9. Do you use septic tank and drain field? Yes ☐ No ☐

10. Where are your septic tank and drain filed lines located? Front ☐ Back ☐ Side ☐

11. PLEASE LIST ALL MORTGAGE HOLDERS AND/OR INDIVIDUALS, INCLUDING TENANTS, WHO MAY HAVE AN INTEREST IN YOUR PROPERTY.

Name:		Name:	
Address:		Address:	
Phone #:		Phone #:	
Account #:		Account #:	
Name:		Name:	
Address:		Address:	
Phone #:		Phone #:	
Account #:		Account #:	

12. Comments concerning your property:

13. Please mail or email to the below contact

CHB Acquisition Services, LLC, ATTN Cheryl Brewer, P.O. Box 632, Warrenton, Ga. 30828
Email cherylbrewer@bellsouth.net Phone # (706)832-1412

EXHIBIT B

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

June 24, 2022

Dear Mr. Joel Reed,

The Sandersville Railroad Company is requesting your cooperation in our effort to build a new railroad track to serve the Hanson Aggregates Quarry near Sparta. As stated in an earlier letter to you, this project will effect your property.

Field surveys are scheduled to begin soon on your property for the purpose of gathering the information necessary to finalize the design and the amount of right of way needed for the new railroad track. The survey will also include the identification of streams, wetlands, and open waters. Aerial drones may be used to collect survey data. Geotechnical samples may be collected, and small brush, bush, or sapling cuttings may be necessary to collect the field survey data. The Sandersville Railroad has contracted with the Consultant firms listed below to provide professional services for this project.

During the course of our work, it may be necessary for our Consultant's personnel to enter upon your property to the extent necessary to conduct the survey. Georgia law provides a right of eminent domain for all public utilities, including railroads (see Official Code of Georgia Sections 46-8-124 and Title 22), and, in connection with that right, the further right to enter upon private property to conduct surveys, inspections and appraisals (see Bearden v. Ga. Power Co., 262 Ga. App. 550). Please be assured that we will perform all work in a professional manner with as little inconvenience to you as possible.

The following contact information should be used regarding any questions you have about the project and the work to be performed:

- Russell Moorehead – Croy Engineering (423) 708-5858 moorehead@croyeng.com
- Cheryl Brewer – CHB Acquisition Services (706) 832-1412 cherylbrewer@bellsouth.net

I sincerely appreciate your cooperation and regret any inconvenience this work may cause.

Sincerely,

Ben J. Tarbutton, III

Property Owner's Questionnaire

COUNTY	**Hancock**	MAP & PARCEL	**186 011**

1. Owner Name(s):	
2. Street Address:	
3. Mailing Address: *(If different than property Address)*	
Email Address:	
4. I can most easily be contacted between the hours of:	

5. Telephone Numbers:	Cell:		Home:		Work	

6. Date property was acquired:	7. Do you get water from: Well? ☐ Public Line? ☐
8. Is sewer available to your property? Yes ☐ No ☐	9. Do you use septic tank and drain field? Yes ☐ No ☐

10. Where are your septic tank and drain filed lines located? Front ☐ Back ☐ Side ☐

11. PLEASE LIST ALL MORTGAGE HOLDERS AND/OR INDIVIDUALS, INCLUDING TENANTS, WHO MAY HAVE AN INTEREST IN YOUR PROPERTY.

Name:		Name:	
Address:		Address:	
Phone #:		Phone #:	
Account #:		Account #:	
Name:		Name:	
Address:		Address:	
Phone #:		Phone #:	
Account #:		Account #:	

12. Comments concerning your property:

13. Please mail or email to the below contact

CHB Acquisition Services, LLC, ATTN Cheryl Brewer, P.O. Box 632, Warrenton, Ga. 30828
Email cherylbrewer@bellsouth.net Phone # (706)832-1412

EXHIBIT C

taylor | english

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July 7, 2022

VIA FEDEX OVERNIGHT DELIVERY
Mr. Joel Reed
658 Bonnieville Drive
Chatsworth, Georgia 30705

Re: Sandersville Railroad Company;
Proposed Railroad CSX to Hanson Quarry (the "Project");
Project Parcel Number 12; TPN 186 011 (the "Property").

Dear Mr. Smith:

As you know, the Sandersville Railroad Company (the "Railroad") intends to build a new railroad route, which will run through your real property (the "Property") which is identified as Hancock County Tax Parcel Identification Number 186 011 and Proposed Railroad CSX to Hanson Quarry (the "Project") Parcel Number 12.

As part of the project, the Railroad's consultants may need to come onto the Property, either in person and/or with aerial drones, as those consultants deem necessary, to conduct a field survey related to the Project. The Railroad has this right incident to its power of eminent domain. *See, e.g., Oglethorpe Power Co. v. Goss*, 253 Ga. 644, 644-45 (1984); *Walker v. Warner Robins*, 262 Ga. 551, 551 (1992); *Bearden v. Ga. Power Co.*, 262 Ga. App. 550, 551 (2003). Indeed, O.C.G.A. § 46-8-100(1) expressly lists among the powers of a Georgia railroad company the following:

> [The right to] cause such examinations and surveys to be made for the proposed railroad as shall be necessary for the selection of the most advantageous route, and, ***by its officers, agents, servants, or employees, to enter upon the land or water of any person for that purpose***, provided that the company shall be responsible for all damage done to such property . . . .

(Emphasis added).

The Railroad has attempted in good faith to work with you to schedule this field survey of the Property, but you have not cooperated with those attempts. As a result, the Railroad has no choice but to proceed with the field survey of the Property on a date and time that are convenient to its consultants. Therefore, the Railroad will do so on Tuesday, July 12, 2022 starting on or about 9:00 a.m. It does not expect the field survey to take more than one (1) calendar week.

EXHIBIT D

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

August 2, 2022

Mr. Joel Reed
658 Bonneville Drive
Chatsworth, GA 30705

Dear Mr. Reed,

As many of you know, the Sandersville Railroad is planning a new 4.5-mile spur connecting the CSX rail line that runs along Ga. Highway 16 in Hancock County to the Hanson Aggregates quarry off of Shoals Road.

We are sending this letter to invite you to a community meeting where project leaders will be available to answer questions. The meeting will be held at the **Hancock County Youth Center in Sparta, Georgia on August 11, 2022, from 6:30 p.m. to 8 p.m. The address is 12560 Augusta Highway.** The meeting will be a drop in format with project engineers and executives from Sandersville Railroad and Hanson Aggregates on site. We will also have detailed maps and other information available for review. Please feel free to join us at any time during the 90-minute window.

Included with this letter is a fact sheet with more information about the Hanson Spur. If you have any questions, we will be happy to answer them at the meeting. If you would like additional information or cannot attend, please visit sandersvillerailroad.com/hanson-spur-project/. On this page, you will find a feedback form you can fill out.

We look forward to meeting you and answering your questions.

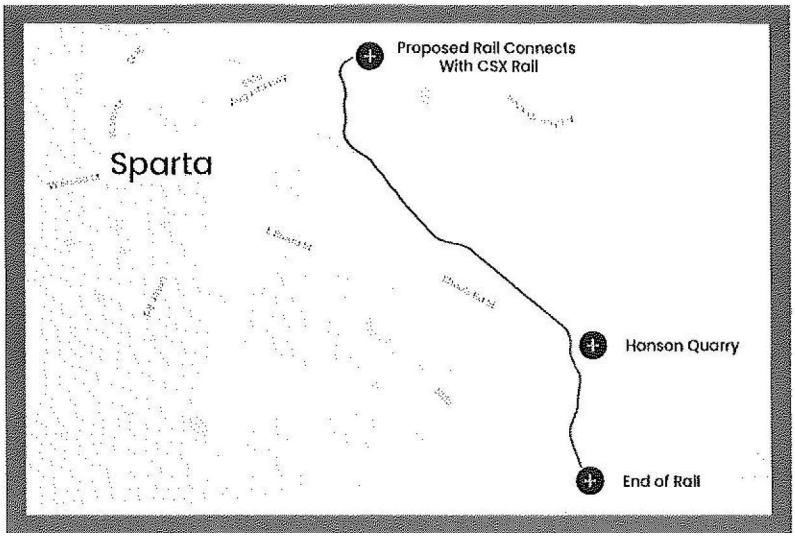
Sincerely,

Ben J. Tarbutton III

President

Sandersville Railroad Company

Hanson Spur



- Hanson and Sandersville Railroad will create 12 additional jobs, averaging $90,000 per year in salary and benefits
- 20 construction jobs to complete the project
- Over $1.5 million in annual direct economic impact to Hancock County
- Just one round trip per day to the Hanson Aggregate Quarry
- Nearly 150 fewer trucks per day on local roads by using rail
- Significant opportunities for local contractors and businesses

Sandersville Railroad has announced plans for a 4.5-mile spur that will connect the CSX rail line that runs along Ga. Highway 16 in Hancock County to the Hanson Aggregate quarry off of Shoals Road.

The Hanson Spur will run through rural pasture and timberlands and will allow Hanson to ship approximately 500,000 additional tons per year from the quarry.

Construction is expected to start in 2023 and take approximately 15 months to complete. All property owners affected will be compensated for any impact to their property, and crossings will be installed on any property traversed by the new spur.

This route was selected to avoid sensitive environmental areas near the upper Ogeechee River northeast of the planned route. This expansion of the quarry will provide hundreds of thousands of dollars of sales tax revenue to enhance the budget of Hancock County and its school system.

When: 6:30pm-8pm on August 11, 2022

Where: Hancock County Youth Center in Sparta, Georgia

Members of the Hancock County community are invited to attend an informational Hanson Spur Project meeting hosted by Sandersville Railroad Company.

EXHIBIT E

CHB
Acquisition Services, LLC

Cell: 843-409-3828

January 4, 2023

Joel Reed
5 Dogwood Lane
Chatsworth, GA 30705

RE: Sparta Railroad Spur – Parcel 12 (Reed)

Hello Mr. Reed,

I appreciate your time to speak with me on the phone. Attached you will find the offer packet for the Sparta Railroad Spur project for your review. Please feel free to contact me at your convenience for questions. Again, Thank you!

The packet includes the following:

Offer Letter
Summary Statement for Adequate Compensation
Market Data Information
Agreement to Purchase Real Estate
Availability of Incidental Payments: Claim Form
W-9
Plan Sheets

Sincerely,
Laura N. Northcraft

CHB
Acquisition Services, LLC

Phone: (843) 409.3828 cell/office
Address: 29 West Gibson Street
P.O. Box 632
Warrenton, Ga. 30828
E-mail: lnorthcraft-chb@att.net
Website: chbacquisitionservices.com

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

DATE: 1/4/2023

Joel Reed
5 Dogwood Lane
Chatsworth, GA 30705

RE: PROJECT: Hanson Railroad Spur COUNTY: Hancock
PARCEL: 12

Dear Mr. Reed:

The Sandersville Railroad Company is in the process of purchasing property to improve the railroad designated above. In order to make this project possible, 4.70 acres of your property in fee will be needed. This is more particularly shown on the plat attached to the agreement provided with this letter.

Your property has been valued by qualified appraisers who, after careful consideration, have found the Fair Market Value of the property and/or rights to be purchased, and damages to the remainder, if any, to be $ 16,500.00 . The attached form, entitled "Summary Statement Basis for Just and Adequate Compensation", separates certain elements comprising the above listed value.

Our Right of Way Specialist, Laura Northcraft located at 29 West Gibson Street, Warrenton, GA 30828 , Email: Lnorthcraft-chb@att.net Phone: 843-409-3828 , is authorized to explain this and discuss the full effect of the purchase and your rights as provided by law.

If you will agree to the terms expressed herein by signing the enclosed "Agreement to Purchase Real Estate" and returning it to the Right of Way Specialist, it will be promptly submitted for closing and payment.

Sincerely,

Cheryl H. Brewer
Railroad Rights of Way Manager

BY: Laura Northcraft
Laura Northcraft
Right of Way Consultant

Attachment(s)
cc:

AGREEMENT TO PURCHASE REAL ESTATE

Map #186 Parcel # 011

GEORGIA, HANCOCK COUNTY

For and in consideration of the sum of One Dollar ($1.00), receipt whereof being acknowledged, the undersigned grants to the Sandersville Railroad Company an option to acquire the following described real estate:

Right of Way rights through that tract or parcel of land located in Hancock County, Georgia, lying within Map # 186 Parcel # 011, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by reference.

For the sum of $16,500.00, the undersigned agrees to execute and deliver to the Sandersville Railroad Company fee simple title to the lands owned by the undersigned as reflected on the attached Exhibit "A".

Orphaned Acres that are adjacent to the Right of Way through the tract or parcel of land located in Hancock County, Georgia, lying within Map #N/A Parcel # N/A, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by reference.

For the sum of $0.00, the undersigned agrees to execute and deliver to the Sandersville Railroad Company fee simple title to the lands owned by the undersigned as reflected on the attached Exhibit "A". The sum may change pending a property survey to develop a plat, which will yield the exact acres to be used at closing.

* * * * * * * * * * * * * * * * * * *

The following conditions are imposed upon the grant of this option:

1) This option shall extend for 180 days from this date.

2) The consideration recited is full payment for the rights conveyed.

   4.70 Acres of Right of Way

   N/A Acres of Orphaned Acres

3) The undersigned shall obtain all quit claim deeds or releases from any tenant now in possession and any other parties having a claim or interest in the property described above.

4) Special Provisions, if applicable, are listed on Exhibit "B", which is attached hereto and incorporated herein by reference.

Witness my hand and seal this _____ day of _____, _____.

Signed, Sealed and Delivered
in the presence of:

_____
Witness

_____
Notary Public

_____(Seal)
Joel Reed

_____(Seal)

ACCEPTED BY:

_____
Sandersville Railroad

_____
Date

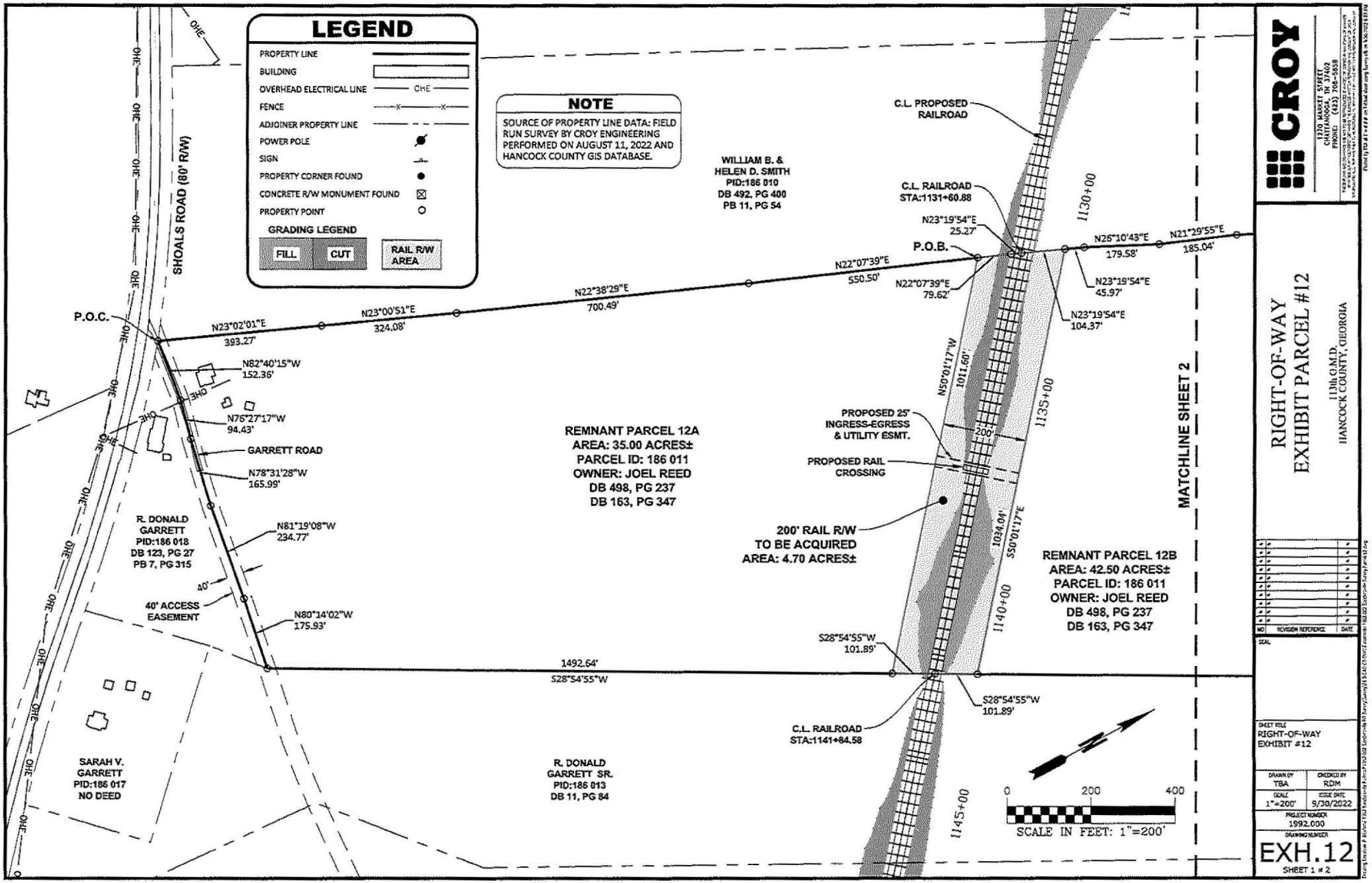
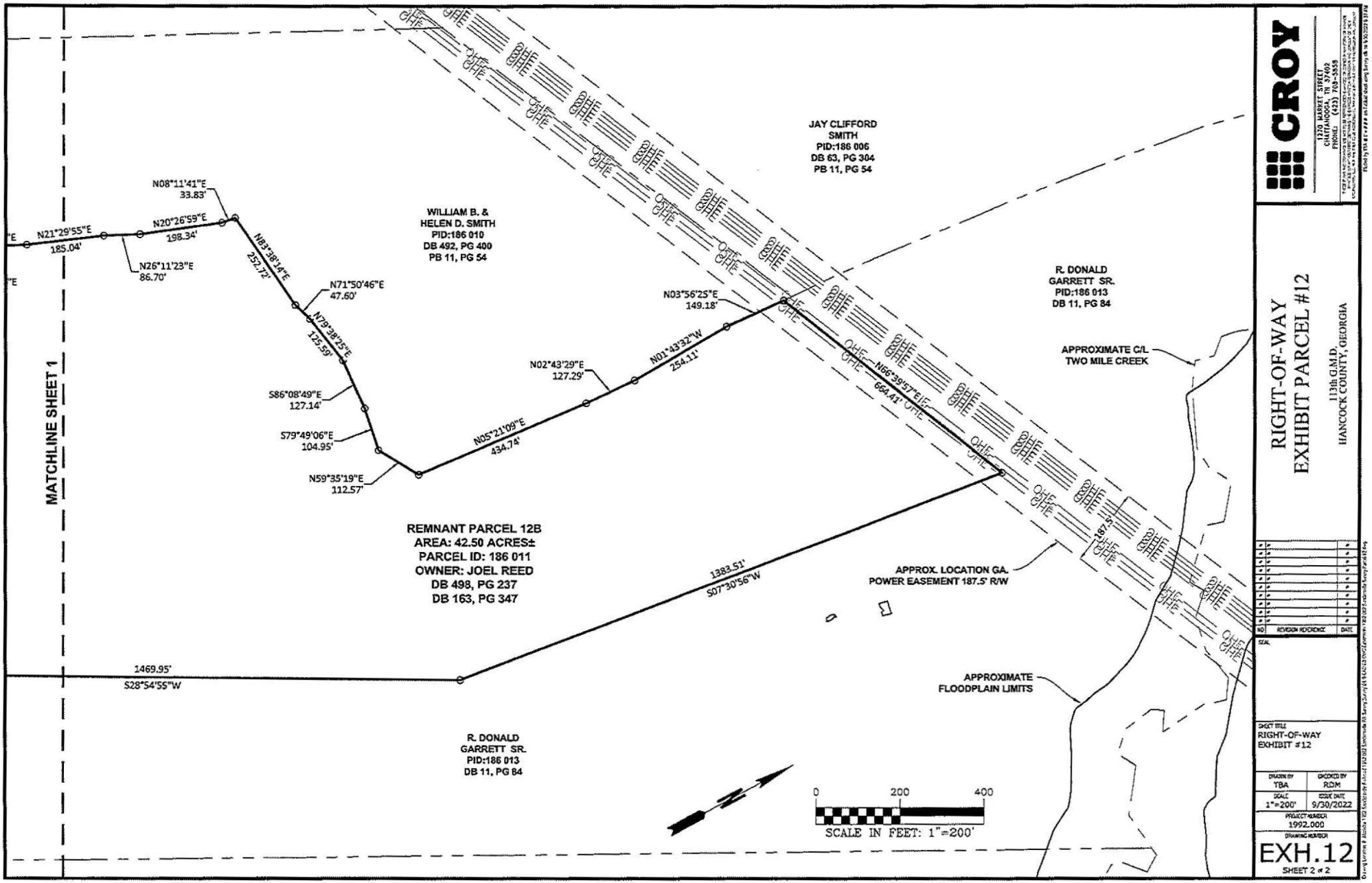

LEGEND
PROPERTY LINE
BUILDING
OVERHEAD ELECTRICAL LINE
FENCE
ADJOINER PROPERTY LINE
POWER POLE
SIGN
PROPERTY CORNER FOUND
CONCRETE R/W MONUMENT FOUND
PROPERTY POINT
GRADING LEGEND
FILL
CUT
RAIL R/W AREA
NOTE
SOURCE OF PROPERTY LINE DATA: FIELD RUN SURVEY BY CROY ENGINEERING PERFORMED ON AUGUST 11, 2022 AND HANCOCK COUNTY GIS DATABASE.
SHOALS ROAD (80' R/W)
OHE
P.O.C.
N23°02'01"E
393.27'
N23°00'51"E
324.08'
N22°38'29"E
700.49'
N22°07'39"E
550.50'
P.O.B.
N22°07'39"E
79.62'
N23°19'54"E
25.27'
C.L. PROPOSED RAILROAD
C.L. RAILROAD
STA:1131+60.88
N26°10'43"E
179.58'
N21°29'55"E
185.04'
N23°19'54"E
45.97'
N23°19'54"E
104.37'
WILLIAM B. & HELEN D. SMITH
PID:186 010
DB 492, PG 400
PB 11, PG 54
1130+00
1135+00
1140+00
1145+00
N50°01'17"W
1011.60'
S50°01'17"E
1034.04'
N82°40'15"W
152.36'
N76°27'17"W
94.43'
GARRETT ROAD
N78°31'28"W
165.99'
N81°19'08"W
234.77'
40'
40' ACCESS EASEMENT
N80°14'02"W
175.93'
R. DONALD GARRETT
PID:186 018
DB 123, PG 27
PB 7, PG 315
REMNANT PARCEL 12A
AREA: 35.00 ACRES±
PARCEL ID: 186 011
OWNER: JOEL REED
DB 498, PG 237
DB 163, PG 347
PROPOSED 25' INGRESS-EGRESS & UTILITY ESMT.
200'
PROPOSED RAIL CROSSING
200' RAIL R/W TO BE ACQUIRED
AREA: 4.70 ACRES±
MATCHLINE SHEET 2
REMNANT PARCEL 12B
AREA: 42.50 ACRES±
PARCEL ID: 186 011
OWNER: JOEL REED
DB 498, PG 237
DB 163, PG 347
S28°54'55"W
101.89'
1492.64'
S28°54'55"W
S28°54'55"W
101.89'
C.L. RAILROAD
STA:1141+84.58
SARAH V. GARRETT
PID:186 017
NO DEED
R. DONALD GARRETT SR.
PID:186 013
DB 11, PG 84
0
200
400
SCALE IN FEET: 1"=200'
CROY
1170 MARKET STREET
CHATTANOOGA, TN 37402
PHONE (423) 702-8558
RIGHT-OF-WAY
EXHIBIT PARCEL #12
113th G.M.D.
HANCOCK COUNTY, GEORGIA
NO
REVISION REFERENCE
DATE
SEAL
SHEET TITLE
RIGHT-OF-WAY
EXHIBIT #12
DRAWN BY
TBA
CHECKED BY
RDM
SCALE
1"=200'
ISSUE DATE
9/30/2022
PROJECT NUMBER
1992.000
DRAWING NUMBER
EXH.12
SHEET 1 of 2

EXHIBIT "A"



CROY

RIGHT-OF-WAY
EXHIBIT PARCEL #12

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

NO	REVISION REFERENCE	DATE

SEAL

SHEET TITLE
RIGHT-OF-WAY
EXHIBIT #12

DRAWN BY	CHECKED BY
YBA	RDM
SCALE	ISSUE DATE
1"=200'	9/30/2022

PROJECT NUMBER
1992.000

DRAWING NUMBER
EXH.12
SHEET 2 of 2

EXHIBIT "A"

Exhibit B

Special Provisions

- During the 180 day due diligence period the following actions will occur:
  - Title Search
  - Geotechnical work to evaluate soil types.
  - Any other work necessary to consummate closing.
- At Grade Railroad Crossing
  - In the case the Sandersville Railroad Company crosses the property where the landowner will own both side of the Right of Way, the Sandersville Railroad Company will work with Owner to locate an at grade railroad crossing that is suitable for both parties.
  - The location of the grade crossing will take into consideration engineering, safety and the topography of the approaches.
  - The crossing will be 12 feet in width and will be of a rock gravel material.
  - The Sandersville Railroad Company will maintain the crossing at no expense to Owner.

Summary Statement Basis For Just and Adequate Compensation

1. PROJECT: Hanson Railroad Spur	County: Hancock	Parcel: 12
2. OWNER NAME/MAILING ADDRESS:	Joel Reed 5 Dogwood Lane Chatsworth, GA 30705	
3. PROPERTY ADDRESS: 25 Garrett Road		
4. FAIR MARKET VALUE (see attached Market Data Information):		

Right of Way; 4.70 AC/SF X $ 3,500.00 AC/SF =	$16,500.00 rd.	
Permanent Easement: N/A AC/SF X $ 0.00 AC/SF X N/A % =	$0.00	
Temporary Easement: N/A AC/SF X $ 0.00 AC/SF X N/A % =	$0.00	
Estimated Value of Improvement(s):	$0.00	
Cost to Cure:	$0.00	
Damage to Trade Fixtures:	$0.00	
Estimated Value of all consequential or severance damages:	$0.00	
Estimated Value of REMAINDER:		$ 0.00
TOTAL ESTIMATED FAIR MARKET VALUE: Without the Remainder		$ 0.00
Including the Remainder		$ 0.00

(This value is the amount approved by the Sandersville Railroad for the purchase of the required property and does not contain conjectural decreases or increases in value caused by this project).

5. Division of Interests

NAME	KIND OF INTEREST	ESTIMATED VALUE
Joel Reed	Fee	$16,500.00 rd.
Total Estimated Fair Market Value:		$16,500.00 rd.

6. If you wish to retain and remove the items listed in the Special/Other Provision section on the Option for Right of Way Sandersville Railroad will:

(a) Deduct at Closing $_____ (Retention Value)

(b) Deduct at Closing $_____ (Performance Bond)

Total Withheld at Closing $ _____

DATE: 1/4/2023 PREPARED BY: Laura Northcraft
Staff Negotiator

Market Data Information

Vacant Land Sales

Address	DB	Page
Pine Bloom Road	577	419
Highway 15	531	471
6087 Springfield Road	574	397
132 Monument Road	536	151
Off of Fort Creek Road	584	279

Improved Land Sales (If Applicable)

Address	DB	Page

Rentals (If Applicable)

Address

Other Sales (If Applicable)

Address	DB	Page

Availability of Incidental Payments: Claim Form

	PROJECT #	Hanson Railroad Spur	
	COUNTY	Hancock	PARCEL 12
OWNER NAME/MAILING ADDRESS	Joel Reed 5 Dogwood Lane Chatsworth, GA 30705	DATE:	
PHONE #:		SOCIAL SECURITY # OR FEI# (include SSN for each property owner)	
PROPERTY ADDRESS:	35 Garrett Road		

This is to advise you that due to the acquisition of the above project and parcel, you are eligible for reimbursement for expenses you may have incurred due to the Sandersville Railroad purchasing your property. These expenses may include: 1. Pro-rata portion of taxes, and 2. Survey work. Pro-rata tax deductions are normally handled at closing on a total acquisition situation. However, if they are not, or in the event of condemnation, it will be **your** responsibility to provide to the Sandersville Railroad copies of your paid receipt(s) as described in Property Tax Payments section below.

1. Property Tax Payments are handled as follows:

A. **For Total Acquisition of your property (by Sandersville Railroad),** a deduction for your pro-rata share of the taxes will be withheld at closing. Then, upon your receipt of your property tax bill for the current year of acquisition, you should immediately forward the property tax bill to the Railroad (at the address below) along with this letter for the Railroad's proper payment to the tax authority.

B. **For Partial Acquisition of your property (by Sandersville Railroad),** the Railroad will reimburse you for the pro-rata share of taxes on the portion of property acquired by the Railroad. To apply for this reimbursement, you will need to send a copy of your paid tax bill receipt to the Railroad, along with this letter and a completed W9 to the address below.

Sandersville Railroad
C/O Ben J. Tarbutton, III
Post Office Box 269
Sandersville, Ga. 31082

2. Survey Work Reimbursement is handled as follows:
You may be eligible for reimbursement for **reasonable** survey fees to re-establish **existing** property corner pins that were removed as a result of construction of the project. Please note that it is your responsibility to obtain pre-approval from your assigned Right of Way Agent and to confirm construction completion prior to going forward with affected pin replacement. Your assigned Right of Way Agent for survey incidental benefits is:

Right of Way Agent: Laura Northcraft Phone: 843-409-3828 Email: Lnorthcraft-chb@att.net

(1) Contact your Right of Way Agent before proceeding with survey; send estimate and obtain pre-approval.
(2) Your Right of Way Agent will need this completed claim form, approved survey estimate, and paid receipt in order to submit claim to the Sandersville Railroad Office for reimbursement.

Survey Pre-Approval: For Railroad Use Only
Survey Estimate Amt: $_____ Date of Estimate: _____ Survey Reimbursement Amt Approved: _____
Pre-approved Signature (for Reimbursement): _____, Sandersville Railroad, C/O Ben J. Tarbutton, III

In order to file claim for payment of the above expenses, you must have paid receipt(s) to support your claim and the attached W9 is required. You must file within eighteen (18) months of the date your property was acquired, except survey fees, which must be filed within six (6) months after construction on the project is completed.

Sincerely,

Cheryl H. Brewer
Railroad Rights of Way Manager

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	**Signature of U.S. person** ▶	**Date** ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

EXHIBIT F

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

Wednesday, January 25, 2023

Mr. Joel Reed
5 Dogwood Lane
Chatsworth, GA 30705

Re: Hancock County Tax Parcel Number 186 011;
Hanson Industrial Spur (the "Project");
Project Parcel Number 12 (the "Property").

Dear Mr. Reed:

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 $ 16,500.00.

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 summitted by email to bjtiii@sandersvillerailroad.com. If needed, you may 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, February 6, 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,

Ben J. Tarbutton III

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: _____

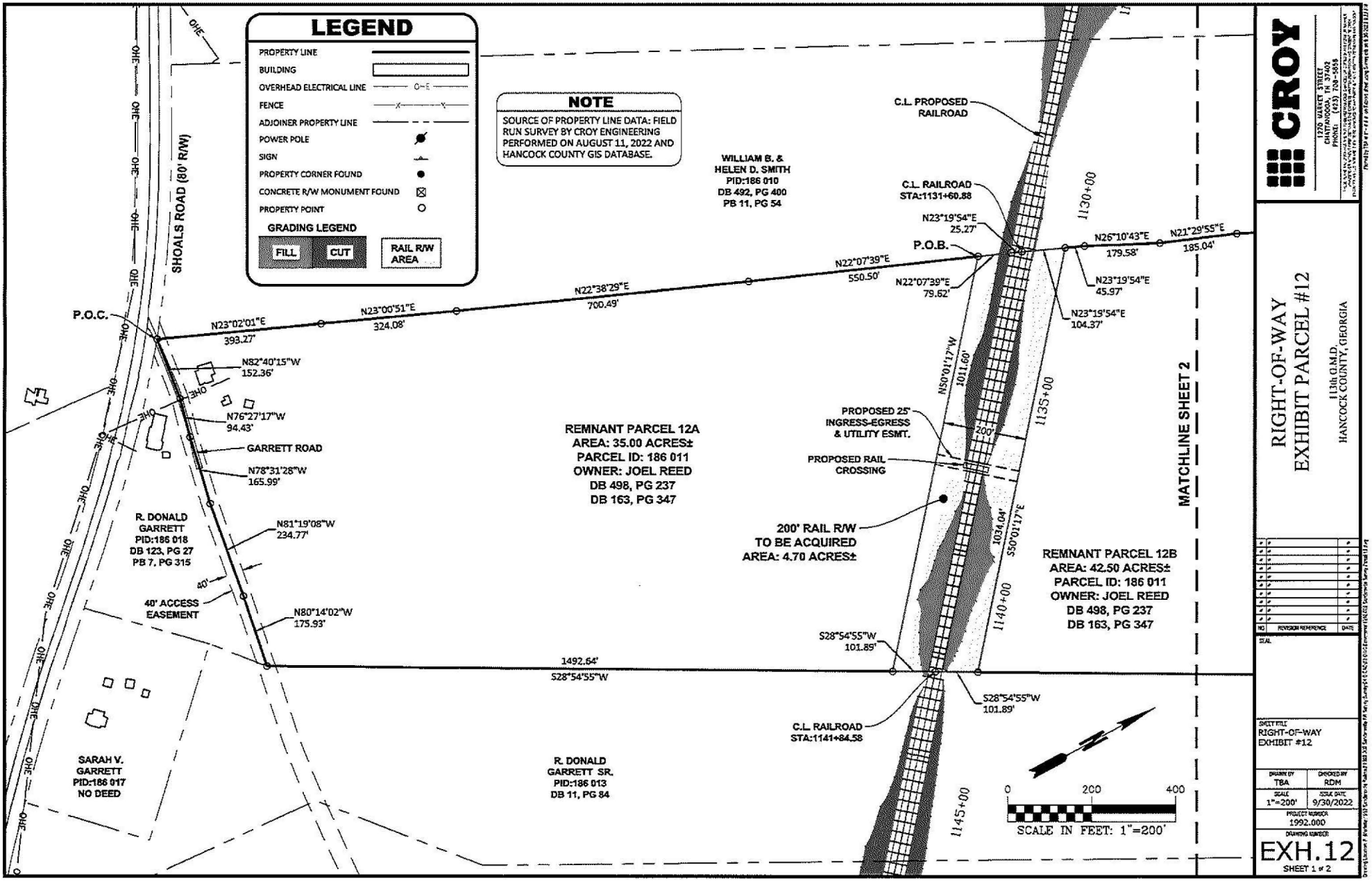
Address: _____

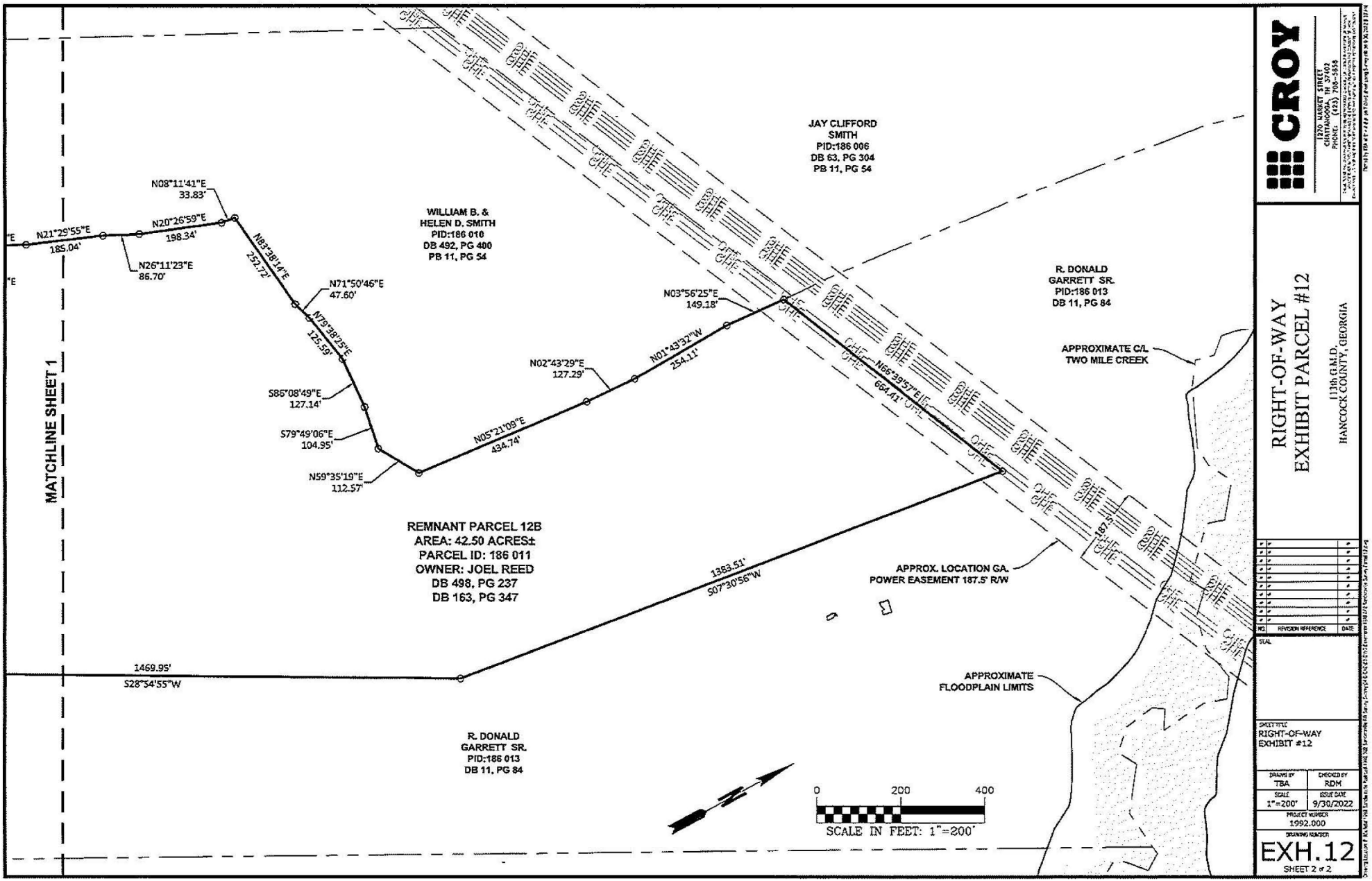
_____

Phone #: _____

Email Address: _____

Signature: _____


LEGEND
PROPERTY LINE
BUILDING
OVERHEAD ELECTRICAL LINE
FENCE
ADJOINER PROPERTY LINE
POWER POLE
SIGN
PROPERTY CORNER FOUND
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MATCHLINE SHEET 2
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CHATTANOOGA, TN 37402
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1"=200'
SCALE DATE
9/30/2022
PROJECT NUMBER
1992.000
DRAWING NUMBER
EXH.12
SHEET 1 of 2



CROY

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

RIGHT-OF-WAY
EXHIBIT PARCEL #12

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

NO.	REVISION REFERENCE	DATE

SEAL

SHEET TITLE
RIGHT-OF-WAY
EXHIBIT #12

DRAWN BY	CHECKED BY
TBA	RDM
SCALE	ISSUE DATE
1"=200'	9/30/2022

PROJECT NUMBER
1992.000

DRAWING NUMBER
EXH.12
SHEET 2 of 2