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 SALLY G. WELLS

on behalf of the Property Owner Respondents

August 25, 2023

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Georgia Bar No. 109812
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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 Sally G. Wells, and I am 67 years old. My home address 140 Dunn Road, Sparta, Georgia 31087.

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

A. I am testifying on behalf of myself and my siblings: Donna N. Garrett, Verne Kennedy Hollis, and Herus Ellison Garrett.

Q. WHY ARE YOU TESTIFYING?

A. My siblings and I are equal co-owners of property that is in the path of the proposed Hanson Spur. Sandersville Railroad is attempting to take part of our property from us against our will using eminent domain. My siblings and I do not want to sell, and we do not think that Sandersville Railroad has the right to take our land. I am testifying against the railroad's attempt to take our property by eminent domain to build the Hanson Spur.

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

A. 268 Garrett Road, Sparta, Georgia 31087. It is Hancock County Tax Parcel No. 186014 and is approximately 80 acres.

Q. DO YOU OWN 100% OF THE PROPERTY YOURSELF?

A. No. My siblings (Donna, Verne, and Ellison) and I each own 25% of the property.

Q. FOR HOW LONG HAVE YOU OWNED THIS PROPERTY?

A. Since 2008. Our father passed away in 2009, and he gave the property to us before he

died.

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

A. The property has been in the Garrett family since just after the Civil War.

Q. HOW DO YOU CURRENTLY USE YOUR PROPERTY?

A. We visit our property for the peace, quiet, and solitude. We want to get away from the business and noise of town. To that end, we use the property for family gatherings, recreation, and gardening. The Garretts celebrate holidays and special occasions at the property. We visit our cousin, Don Garrett, Jr., whose property is located within our parcel (landlocked). The Garrett historic "home house," where our grandparents lived, is on his property. Ellison maintains our property and is there almost every weekend. Each of us currently lives in other locations nearby, but we consider our property home. We maintain our parents' house, where my siblings and I grew up, which is on our property. It is fully furnished so that we can reside there when we get together or when we each want to spend time there, which is frequently. Our children and grandchildren enjoy hunting, hiking, and riding four wheelers on the property.

We once grew and sold timber on the property, but there are not currently any trees planted for timber sales.

Q. ARE THERE STRUCTURES ON THE PROPERTY?

A. Yes. Our home and some deer stands. Don, Jr.'s home (the historic Garrett home house) is also within our parcel, but on land that belongs to Don, Jr. Verne's daughter, Taylor Kennedy, also owns a house on property within our parcel. We each gave equal parts of our land to her in 2021 (Hancock County Tax Parcel No. 186014A, totaling about 1.5 acres). Taylor invested in a small mobile home which she placed on her property, and it is her home. Just a month or two after she moved in, we began receiving letters from Sandersville Railroad about a train coming through.

The railroad will pass about 600 feet from Taylor's home.

Q. HOW DO YOU USE THOSE STRUCTURES?

A. We reside in our parents' home when we visit and use it for family gatherings. We use the deer stands to hunt. Don, Jr., lives in the Garrett home house as a second home and is there several times a year, and Taylor lives in her house full time.

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. We will keep it in the family just as it is now. We'll continue to maintain our home and gather there. We'll continue using the land for hunting and recreation. We are all considering building homes on the property. Donna is especially looking forward to building a home on the property to retire. Donna's son has expressed an interest in building a home on the property. We might even grow timber for sale again.

Q. WHAT DOES YOUR PROPERTY MEAN TO YOU?

A. The property means peace and family. The property is where we grew up and is all we have in terms of family heritage. It's really all we will have to pass along to our children and grandchildren. Our property holds our memories, and we do not want to have it taken or disturbed by other people who think they have a right to it. Our property is a source of peace for all of us. Walking the woods and even sitting alone there is good for our mental health. We need a peaceful place in our life, and our property is it.

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

A. When I received a letter from Sandersville Railroad in April 2022.

Q. DID YOU RECEIVE MORE THAN ONE LETTER FROM SANDERSVILLE

RAILROAD?

A. Yes, I received approximately five letters:

1. Letter dated April 4, 2022, signed by Benjamin Tarbutton, saying he "required" our property for a new railroad he wanted to build to the Hanson Quarry, and that it would lead to "new jobs and economic activity." That letter is attached as Exhibit A.

2. Letter dated April 19, 2022, signed by Benjamin Tarbutton, saying Sandersville Railroad was "requesting" our cooperation in its "effort to build a new railroad track" to "serve" the Hanson Quarry. But it did not seem like they were requesting anything. They said they had the right of eminent domain and the right to go on private property to survey it. The letter was telling us what they were going to come onto our land to survey it, whether we gave them permission or not. That letter is attached as Exhibit B.

3. Letter dated June 13, 2022, signed by a property appraiser named Lisa Ward with Telfair Appraisal Company. That letter is attached as Exhibit C.

4. Letter dated August 2, 2022, signed by Benjamin Tarbutton, inviting me to a "community meeting" to get more information about the Hanson Spur. Included with the letter was a "fact sheet" with more information about the spur. The letter and the fact sheet are attached as Exhibit D.

5. Letter dated January 25, 2023, from Laura Norcraft, along with an "offer packet" that included an offer for the acres Sandersville Railroads requires. The letter and the included documents making up the "offer packet" are attached as Exhibit E.

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

A. We were furious at Sandersville Railroad. We thought, who do they think they are? They are a private company; they cannot take our property. Our uncle, Donald Garrett, Sr., also received a letter from Sandersville around this time, and we were afraid he was going to have a

heart attack.

Q. DID YOU EVER SPEAK TO BENJAMIN TARBUTTON OR ANYONE FROM SANDERSVILLE RAILROAD?

A. Yes.

Q. WHAT WAS THE NATURE OF THOSE CONVERSATIONS?

A. After we received the letters and did not respond, someone from Sandersville Railroad's "acquisitions team" called me. She asked if I had received the letters offering to purchase the property, and I told her I had but that we didn't want to sell. I spoke with her twice, and then I never heard from Sandersville Railroad again except for communications during this proceeding at the Commission.

My siblings and I also attended the public meeting about the Hanson Spur that Sandersville Railroad hosted in August 2022. At that meeting, we spoke to Mr. Tarbutton. My sister Verne knows Mr. Tarbutton from decorating the inside of Tarbutton family homes. We expressed skepticism about what the railroad was doing and asked if Sandersville Railroad had plans to ensure that the tracks were secure from trespassers. Mr. Tarbutton did not address our concerns.

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. The final letter we received from Sandersville, Exhibit E, was an offer to acquire our property. Then, like I said, we received a call from the "acquisitions" lady.

Q. WHAT WAS YOUR RESPONSE TO THE JANUARY 2023 LETTER WITH THE FINAL OFFER?

A. When the "acquisitions" lady called to follow up about the offer, I told her that we would not sell our property. I think I had two calls with her.

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

A. The January 2023 letter with the offer and the phone calls with the "acquisitions" lady.

Q. DID ANYONE CONDUCT A SURVEY OF YOUR PROPERTY?

A. Yes.

Q. DID YOU SPEAK WITH THEM?

A. No, we received a letter that stated that a contractor for Sandersville Railroad would survey the property.

Q. DID THEY ASK PERMISSION TO COME ON YOUR PROPERTY?

A. Not really. Mr. Tarbutton just asserted they would be doing it, saying they had a right to do it under Georgia law whether we to it agreed or not. We did not respond.

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. The Hanson Spur will take part of our property and make access to the remaining acres a lot more difficult. The railroad will cut our parcel in half and greatly diminish the value of the property overall. It will also make building homes for our family more difficult because we will have to plan around the railroad.

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

A. We are very concerned about safety. Between the four of us, my siblings and I have seven children and seven grandchildren. Our kids and grandkids are there a lot, and we use the

property fully. The youngest grandkids are twin boys who love to go four-wheeling all over the property. We want our kids and grandkids to be able to enjoy the property like we always have, without the risk of being hit by a train.

The railroad will also destroy the peace and quiet on the property for us and for the wildlife. Our property has beautiful wetlands full of wildlife. We deeply care about the peacefulness of the place, and the railroad will seriously disturb that naturalness and peace. We are very worried about how the railroad is going to affect this special place that we want to leave for our children just as it is.

Q. PRIOR TO SANDERSVILLE RAILROAD FILING ITS FIRST PETITION IN THIS PROCEEDING, WHAT WAS YOUR UNDERSTANDING OF WHY SANDERSVILLE RAILROAD WAS BUILDING THE HANSON SPUR?

A. To help the Hanson Quarry move more rocks.

Q. WHY DID YOU THINK THAT?

A. The letters Mr. Tarbutton and Sandersville Railroad sent to my siblings and me explained why the Hanson Spur was being built—to help the Hanson Quarry. He also talked about it at the public meeting he put on. There, all he talked about was the quarry. He even had people from the quarry there to answer questions. At the meeting Sandersville Railroad distributed a flier about the Hanson Spur. That flier is attached as Exhibit D. That flier just talked about the Hanson Quarry. Sandersville Railroad even named the spur the "Hanson Spur," after the Hanson Quarry. So, I understood the Hanson Spur was for the Hanson Quarry.

Q. BASED ON WHAT YOU HAVE READ SINCE SANDERSVILLE RAILROAD FILED ITS FIRST PETITION IN THIS PROCEEDING, WHAT DO YOU THINK IS THE CURRENT PURPOSE OF THE HANSON SPUR?

A. I still think it's pretty much for the Hanson Quarry. I just don't believe there would be

a plan for a spur if the Hanson Quarry weren't there.

Q. BEFORE SANDERSVILLE RAILROAD FILED ITS FIRST PETITION IN THIS PROCEEDING, DID ANYONE FROM SANDERSVILLE RAILROAD EVER MENTION OTHER CUSTOMERS FOR THE HANSON SPUR BESIDES THE HANSON QUARRY?

A. No. I never heard them mention any other customers.

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. ARE YOU RELATED TO ANY OF THE OTHER PROPERTY OWNERS WHOSE LAND IS IN OR NEAR THE PATH OF THE HANSON SPUR?

A. Yes. Donald Garrett, Sr. is our uncle. Don Garrett, Jr. is our cousin. Taylor Kennedy is Verne's daughter.

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. The property is our family heritage. We want our children and grandchildren to enjoy the place in the same way that we enjoyed it growing up. We're skeptical that any of the benefits the railroad talked about will ever come to be. And anyway, we should not have to sell! A private company should not be able to take our property away from us.

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 Sally G. Wells* 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):

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Sparta, GA 31087

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Sparta, GA 31087

Herus Ellison Garrett
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Eatonton, GA 31024

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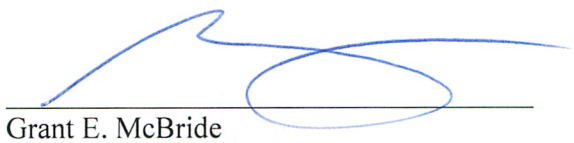
Executive Secretary of the Public Service Commission

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DATED this 25th day of August, 2023.



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Counsel for Property Owner Respondents

EXHIBIT A

Sandersv
P.O. Box
Sandersv

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

April 4, 2022

Ms. Sally Wells
140 Dunn Road
Sparta, GA 31087

Dear Ms. Wells,

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

EXHIBIT B

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

April 19, 2022

Dear Ms. Sally G. Wells,

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

EXHIBIT C

Telfair Appraisal Company
315 Commercial Drive, Suite D-4
Savannah, GA 31406
Lisa Ward 912.663.8820 or Carol Mouchet 912.224.8959
www.telfaircompany.com

June 13, 2022

SENT VIA US MAIL- CERTIFIED

Sally G. Wells, et al
140 Dunn Road
Sparta, GA 31087

RE: Sandersville Railroad, Shoals Road Project, Parcel 14, Sparta, Hancock County, GA

Dear Property Owner,

As you may be aware, the Sandersville Railroad is planning construction of the above referenced project and has requested an appraisal of the real estate at the above location. This letter has been sent to you to 1) explain the appraisal process and our relationship with the railroad, 2) encourage you to provide property information that will aid in our appraisal, and 3) encourage you to contact us.

The purpose of the appraisal is to estimate the fair market value of the portion of property needed for the right of way at this particular location, plus any consequential damages, less any special benefits that may be caused by the widening. The appraisal will meet all of the reporting requirements set forth by the Georgia Department of Transportation (GDOT) and will be performed according to the laws of the State of Georgia. The appraisal will meet or exceed the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice. Although the railroad is our client, we have a legal obligation to provide a fair, competent, and unbiased analysis of the property in question and the impact, if any, the acquisition has on the property.

You are encouraged to provide any pertinent information relating to your property, the area, and/or the local real estate market, e.g., sale or lease contracts, surveys, building plans, location of septic lines, tanks, well(s) etc., which will help us in completing the appraisal assignment. If you have any of this information available, please mail it to the address below and we will copy and return all information to you as soon as possible. Your information will be given thorough consideration, but as the appraisers, we will have to arrive at our own independent estimate of value.

We will be able to answer questions falling within the area of our expertise. If you have any such questions, please contact Lisa Ward at 912-663-8820.

Sincerely,

Lisa S. Ward
GA Certified General Real Property Appraiser #248364

If you do not wish to speak with me at this time, please sign below and return to me via mail to the address above or email to lisa@telfaircompany.com

Name: _____ **Signature:** _____ **Date:** _____

EXHIBIT D

SANDERSVILLE RAILROAD COMPANY

POST OFFICE BOX 269
SANDERSVILLE, GEORGIA 31082

BEN J. TARBUTTON, III
PRESIDENT

August 2, 2022

Ms. Sally Wells
140 Dunn Road
Sparta, GA 31087

Dear Ms. Wells,

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 25, 2023

RE: Sparta Railroad Spur – Parcel 14 (Garrett)

Hello Sally,

Attached you will find the **REVISED** (acreage change) offer packet for the Sparta Railroad Spur project for your review. Please feel free to contact me at your convenience for questions. I'll reach out to you next week to follow up as well. Thank you for your time.

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: 1/25/2023 REVISED

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

RE: PROJECT: Hanson Railroad Spur COUNTY: Hancock
PARCEL: 14

Dear Sally G. Wells, Verne Kennedy Hollis, Ellison Garrett, and Donna Garrett:

The Sandersville Railroad Company is in the process of purchasing property to improve the railroad designated above. In order to make this project possible, 3.11 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 $ 11,000.00 . 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

Right of Way Consultant

Attachment(s)
cc:

REVISED

Summary Statement Basis For Just and Adequate Compensation

1. PROJECT: Hanson Railroad Spur	County: Hancock	Parcel: 14
2. OWNER NAME/MAILING ADDRESS:	Sally G. Wells, Verne Kennedy Hollis, Ellison Garrett, and Donna Garrett 140 Dunn Road Sparta, GA 31087	
3. PROPERTY ADDRESS: 268 Garrett Road		
4. FAIR MARKET VALUE (see attached Market Data Information):		

Right of Way; 3.11 AC/SF X $ 3,500.00 AC/SF =		$11,000.00 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
Sally G. Wells, Verne Kennedy Hollis, Ellison Garrett, and Donna Garrett	Fee	$11,000.00 rd.
Total Estimated Fair Market Value:		$11,000.00 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: 1/25/2023 PREPARED BY: Laura Northcraft
Staff Negotiator

AGREEMENT TO PURCHASE REAL ESTATE

Map #186 Parcel # 014

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 # 014, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by reference.

For the sum of $11,000.00, 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.

   4.00 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)
Sally G. Wells

_____(Seal)
Verne Kennedy Hollis

_____(Seal)
Ellison Garrett

_____(Seal)
Donna Garrett

ACCEPTED BY:

_____
Sandersville Railroad

_____
Date

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.

Availability of Incidental Payments: Claim Form

		PROJECT #	Hanson Railroad Spur		
		COUNTY	Hancock	PARCEL	14
OWNER NAME/MAILING ADDRESS	Sally G. Wells, Verne Kennedy Hollis, Ellison Garrett, and Donna Garrett 140 Dunn Road Sparta, GA 31087			DATE:	
PHONE #:		SOCIAL SECURITY # OR FEI# (include SSN for each property owner)			
PROPERTY ADDRESS:					

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.