

Staff Report

Subject: Condemnation of Parcel along Earl Lain Road

Author: Jonathan Hulme, PE County Engineer

Department: Engineering

Meeting Date: 12/16/2025

Item Description: Resolution

Summary Recommendation:

Effingham County must acquire a portion(roughly 0.08 acres) of parcel 04350023 in conjunction with the construction of the paving of Earl Lain Road. Property rights required have been explained by our negotiator and are shown in color on the plat attached to the option previously furnished to the property owner. Through a process of thorough review of expert appraisals, we believe that the fair market value of the property is \$5,200. In order to settle, Effingham County was willing to pay \$12,000 plus present to the Board of Commissioners for a variance on setback requirements with the new right-of-way limits to allow the property owners to ability to rebuild on the existing foundation located on above-mentioned property. The county prefers to, and do, purchase most of the property needed for rights of way; however, the county is authorized by law to acquire property by condemnation. As litigation is costly to Effingham County and landowners, it is our sincere desire that, upon reconsideration of the county's offer to purchase, the property owner will enter into an agreement to sell. Legal proceedings will be instituted after December 16, 2025, if we have not received an executed option. The county regrets that such action may become necessary, but the county must proceed with the acquisition in order to meet the scheduled construction dates.

Alternatives for Commission to Consider

1. Approval of the Condemnation (Recommended)
2. No Action

Recommended Alternative: 1 Approval of Condemnation

Other Alternatives: 2 No Action

Department Review: *Engineering, County Attorney*

Funding Source: NA

Attachments: Resolution