

COPY

IN THE SUPERIOR COURT OF BARTOW COUNTY

STATE OF GEORGIA

DEPARTMENT OF TRANSPORTATION)
)
) Condemnor,)
 VS.)
)
) 6.537 acres of land; and certain easement rights;)
) and Paul R. Battles, as Trustee of the Collins)
) Charitable Remainder UniTrust, individually)
)
) Condemnee.)

DOCKET NO. 11-CV-2207

FILED

SEP 16 2011

CLERK OF SUPERIOR COURT
BARTOW CO., GA.

FINAL CONSENT ORDER AND JUDGMENT

WHEREAS, the sum of \$2,211,465.00 has heretofore been paid into the registry of this Court by the Condemnor as just and adequate compensation for the taking of all interests of Condemnees in the property which is the subject of this action; and

WHEREAS, the Condemnor and the Condemnee desire to reach a full and final settlement of the within action, including a final determination of all issues in the case; and

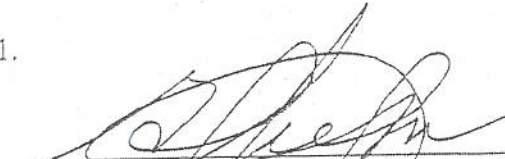
WHEREAS, the Condemnor and Condemnee are in agreement that the total sum of \$2,211,465.00 is just and adequate compensation to Condemnee for all property and rights taken in this action and in full satisfaction of any and all claims Condemnee have in this case. Said sum representing total just and adequate compensation due to Condemnee for all property and rights acquired from them, as well as any and all damages sustained by Condemnee because of the subject condemnation.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED THAT all issues in the case, including those of consequential damages, just and adequate compensation and other damages, are concluded and Condemnee shall have no further claim against Condemnor with

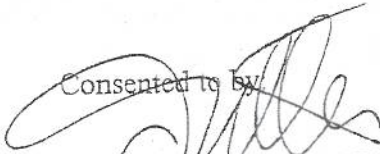
respect to this action; and that all appeals previously filed in this action be, and are hereby, ordered dismissed "WITH PREJUDICE".

The Clerk is directed to make payment of \$2,211,465.00 to Paul R. Battles, as Trustee of the Collins Charitable Remainder UniTrust c/o Jeffrey A. Watkins, White, Choate, Watkins & Mroczko, LLC, 100 West Cherokee Avenue, Cartersville, Georgia 30120.

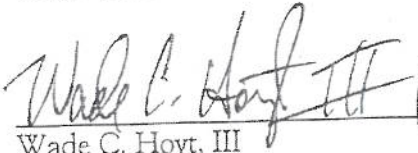
This 16th day of September, 2011.



Judge, Superior Court of Bartow County
Cherokee Judicial Circuit *NELSON*

Consented to by 

Jeffrey A. Watkins
GA Bar Number: 740465
Attorney for Paul R. Battles, as Trustee
of the Collins Charitable Remainder UniTrust



Wade C. Hoyt, III
GA Bar Number 373200
Attorney for Department of Transportation
(By Jeffrey A. Watkins w/ express permission)