

**IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA**

FILED IN OFFICE
CLERK OF SUPERIOR COURT
HALL COUNTY, GEORGIA
2026CV000260
CLINT G. BEARDEN
FEB 11, 2026 12:18 PM

Mark Pettitt
Mark Pettitt, Clerk
Hall County, Georgia

CIVIL ACTION NUMBER 2026CV000260
Georgia Power Company

PLAINTIFF

VS.

Gainesville Vision, LLC, DBA c/o CT
Corporation System
FRS-GA, L.L.C., DBA c/o Barbara Goodson
Gainesville Township Partners, LLC, DBA
Busch Mills Slomka LLP, Registered Agent
Parcel No. 027; Tax Parcel Identification No.:
15033 000001; 0.23 acres, more or less, lying
and being in GMD 411 of Hall County,
Georgia
Darla Eden, Hall County Tax Commissioner
Patty Walters Laine, Hall County Chief
Probate Court Judge
And any and all others who hold or who claim
any interests in the property described in this
Petition

DEFENDANTS

SUMMONS

TO: GAINESVILLE VISION, LLC

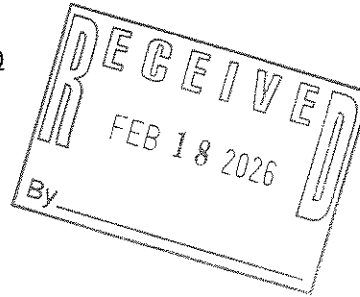
You are hereby required to file with the Clerk of said court and serve upon the plaintiff or plaintiff's attorney, whose name, address and email address are:

**Shepard Smith
James Bates Brannon & Groover, LLP
One Press Place
Suite 200
Athens, Georgia 30601
ssmith@jamesbatesllp.com**

an answer to the complaint which is herewith served upon you. You must make your answer within 30 days after service of this summons upon you. This time excludes the day of service. If you fail to answer, the court will issue a default judgment against you for the relief sought in the complaint.

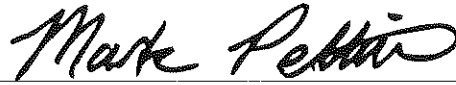
If this action pertains to a Protective Order, the answer is to be filed and served on or before the scheduled hearing date attached.

This 11th day of February, 2026.



**IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA**

Clerk of Superior Court

A handwritten signature in black ink, reading "Mark Pettitt". The signature is written in a cursive, flowing style. The first name "Mark" is written in a larger, more prominent script, and the last name "Pettitt" follows in a similar but slightly smaller script. The signature is positioned above a horizontal line.

Mark Pettitt, Clerk
Hall County, Georgia

General Civil and Domestic Relations Case Filing Information Form

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☒ Superior or ☐ State Court of Hall County

For Clerk Use Only

Date Filed 02-11-2026
MM-DD-YYYY

Case Number 2026CV000260

Mark Pettit
Mark Pettit, Clerk
Hall County, Georgia

Plaintiff(s)

Georgia Power Company

Last	First	Middle I.	Suffix	Prefix

Defendant(s)

Gainesville Vision, LLC

Last	First	Middle I.	Suffix	Prefix

FRS-GA, L.L.C.

Gainesville Township Partners, LLC

Parcel No. 027; Tax Parcel Identification No.:

Plaintiff's Attorney Smith, Shepard

Bar Number 202617

Self-Represented ☐

Check one case type and, if applicable, one sub-type in one box.

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Contempt/Modification/Other Post-Judgment
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☒ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Contempt
 - ☐ Non-payment of child support, medical support, or alimony
- ☐ Dissolution/Divorce/Separate Maintenance/Alimony
- ☐ Family Violence Petition
- ☐ Modification
 - ☐ Custody/Parenting Time/Visitation
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

Mark Pettitt
Mark Pettitt, Clerk
Hall County, Georgia

Petitioner-Condennor Georgia Power Company (“Petitioner”) in the exercise of its power of eminent domain, brings this proceeding in rem for condemnation in accordance with the applicable provisions of the laws of the State of Georgia, pursuant to proper corporate authority, and in compliance with the provisions set forth in Title 22 of the Official Code of Georgia Annotated (“O.C.G.A.”) and other applicable law, respectfully shows the Court:

1.

Petitioner is filing this condemnation action to acquire property rights to construct, operate, and maintain the Georgia Power Company Clermont Junction – Gainesville # 1 115kV Transmission Line crossing the property of Gainesville Vision, LLC and FRS-GA, LLC, located at SE Old Cornelia Highway, Gainesville, Hall County, Georgia. The construction of this electrical transmission line is necessary to provide and maintain safe and reliable electricity to the citizens of Georgia.

2.

Petitioner is a public utility as defined in O.C.G.A. § 22-1-1(10). Petitioner is a Georgia corporation operating, constructing, and preparing to construct plants for generating electricity. Under O.C.G.A. § 22-3-20, Petitioner has the right to exercise the power of eminent domain.

3.

This petition in rem is brought to acquire by condemnation an easement for a right-of-way to construct, operate, and maintain electric transmission lines with towers, frames, poles, and other necessary facilities in connection therewith, which will become part of Petitioner's network of transmission and distribution systems and will be for the public purpose of transmitting electricity to the public generally.

4.

Petitioner shows that the easement for right-of-way sought is required in order to transmit and distribute electric power and current for the aforesaid purposes and is more fully described as follows:

All that tract or parcel of land lying and being in GMD 411, Hall County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found (1/2 inch rebar) on the Southwest right of way of Georgia Highway 23 A/K/A Old Cornelia Highway (60 foot right-of-way), said pin is also on the

dividing line of properties now or formerly Zackary A Mooney and Estefania Fernandez to the West and Gainesville Vision, LLC and FRS-GA, LLC to the East; having a coordinate value of Northing 1568752.41 and Easting 2411586.99 according to the Georgia State Plane Coordinate System, NAD83(2011), U.S. Survey Feet, Georgia West Zone; thence proceeding along said road Right of Way in a curve right with a radius of 4184.57 feet and arc distance of 279.02 feet and cord bearing of North 48 degrees 26 minutes 58 seconds East a distance of 278.97 feet to a point; Thence leaving said Right of Way South 18 degrees 12 minutes 17 seconds West a distance of 78.42 feet to a point; Thence proceeding South 47 degrees 57 minutes 50 seconds West a distance of 202.23 feet to a point on the property line between Mooney / Fernandez and Gainesville Vision, LLC / FRS-GA, LLC. Thence proceeding along the property line North 53 degrees 51 minutes 46 seconds West a distance of 42.18 feet to the Point of Beginning.

Said tract containing 0.23 acres, more or less, and identified on Georgia Power Company Map File Number P508-19 (sheet 3 of 3).

The property rights set forth above are more particularly shown in the drawing attached and designated as **Exhibit A**, which is incorporated into this Petition by reference.

5.

Petitioner stands ready to pay just and adequate compensation for the permanent easement for right-of-way and damages, if any. Petitioner has complied with all provisions of Title 22 applicable to this project.

6.

The interests sought to be condemned include the following: (a) an easement for a right-of-way as described and defined in this Petition across, above, under, and over said property, including without limitation the continuous right from time to time to go in, under, above, and upon said right-of-way and to construct, erect, install, operate, maintain, inspect, reconstruct, repair, rebuild, renew, substitute, or replace thereon towers, poles, frames, anchors, guy wires, supports, conductors, electrical wires, communication lines, transformers, service pedestals, equipment, or other apparatus, fixtures, or appliances ("Lines and Equipment"); (b) the right of ingress and egress to and from said right-of-way for the purpose of constructing, erecting,

installing, operating, maintaining, inspecting, reconstructing, repairing, rebuilding, renewing, substituting, or replacing Lines and Equipment; (c) the right to clear, keep clear, remove, and dispose of all undergrowth, trees, obstructions, objects, structures, and improvements on said right-of-way, which are inconsistent with the rights sought to be condemned and which may, in Petitioner's judgment, interfere with or endanger the construction, operation, or maintenance of Lines and Equipment; and (d) the right to conduct studies, including without limitation environmental, geotechnical, archeological, and cultural studies, above, on, or under the ground surface. The owners of said land shall be permitted to use the land encumbered by the right-of-way as described and defined in this Petition, provided that such use does not interfere with or endanger said Lines and Equipment and provided that such use is not inconsistent with the rights sought to be condemned.

7.

The owners, lienholders, and any other persons known and unknown claiming any right, title, power, interest, ownership, equity, claim or demand in and to said land, and all occupants, tenants, lessees and licensees are made parties condemnee to this action to the end that they may come into Court and make claim to such interest or ownership, or other right as they have in the same and to the proceeds arising therefrom.

8.

Petitioner shows that the Property, out of which said easement for said right-of-way is sought to be condemned, was conveyed as follows:

Gainesville Vision, LLC and FRS-GA, LLC, by virtue of that certain Limited Warranty Deed from Donald H. Morgan and J.W. Equities, LLC, dated January 24, 2008, and recorded on January 29, 2008, in Deed Book 6258, Pages 85-110 of the Hall County Deed Records.

9.

Petitioner further shows that the above-described lands are subject to the following liens, leases, easements, and other encumbrances:

1. **Gainesville Township Partners, LLC** - by virtue of an Easement from Gainesville Vision, LLC and FRS-GA, LLC, and recorded on September 22, 2023, in Deed Book 9381, Page 696 in the Hall County Deed Records.

10.

Insofar as Petitioner has been able to ascertain, the names and addresses of all persons who have or claim some right, title, or interest in the Property or may be affected hereby are:

- a) Gainesville Vision, LLC and FRS-GA, LLC
c/o CT Corporation System
3162 Johnson Ferry Road, Suite 260-123
Marietta, Georgia 30062
- b) Gainesville Vision, LLC and FRS-GA, LLC
c/o Barbara Goodson
3100 Brentwood Drive
Baton Rouge, Louisiana 70809
- c) Hall County Tax Commissioner Darla Eden
2875 Browns Bridge Road-1st Floor
Gainesville, Georgia 30504
- d) Hall County Probate Court Judge Patty Walters Laine
116 Spring Street SE
1st Floor
Gainesville, Georgia 30501

11.

Petitioner contends that for reasons enumerated in the Official Code of Georgia Annotated, Title 22, Chapter 2 and other applicable law, it is desirable to have a judicial ascertainment of any question connected with the acquisition by Petitioner of such lands by the exercise of the power of eminent domain. Petitioner brings this Petition in this Court, having jurisdiction of this action, for a judgment in rem against the above-described property, condemning the same to the use of

Petitioner, upon payment of just and adequate compensation therefor to the person or persons who may be found to be entitled to such payment.

12.

Given the importance of this electrical transmission line, Petitioner requests the appointment of a Special Master for further proceedings pursuant to O.C.G.A. § 22-2-100 *et seq.* In accordance with O.C.G.A. §§ 22-2-101 to 22-2-102.1, Petitioner further requests a judicial ascertainment of any question connected with Petitioner's acquisition of the easement for right-of-way through the exercise of the power of eminent domain.

WHEREFORE, Petitioner prays as follows:

(a) For an Order of this Court referring the issues herein made to a Special Master, and for the appointment of such Special Master;

(b) For an Order of this Court requiring the Condemnees named herein and all persons, known and unknown, who may claim or have an interest in said land, to appear before such Special Master at a time and place to be named by the Court, to make known their right, ownership and interest in said land, and their claims as to the value of said easement for said right-of-way;

(c) That the Order provide for a copy of this Petition and of the Order to be served in the manner provided for in the Official Code of Georgia Annotated, Title 22, and applicable law upon the following:

- (1) The person in possession of the property described herein, if such person exists;
- (2) Each resident in the State of Georgia who is named in the Petition as having a possible interest in said described property;
- (3) Each non-resident of the State of Georgia, if any, named in the Petition as having a possible interest in said described property. The Sheriff or any lawful deputy of

said County shall serve said non-residents by posting a copy of the Petition, together with a copy of the Order, on the bulletin board at the courthouse door of said County for not less than five (5) days prior to the time of the hearing before the Special Master, and by the insertion of a notice, identifying the property sought to be condemned, as well as the date and place of the hearing before the Special Master, in the newspaper having general circulation in said County and being the same newspaper in which the sheriff's advertisements are published, such publication to be made in at least one (1) issue of such newspaper after the date of the Order, and not less than four (4) nor more than seven (7) days before such hearing before the Special Master; and where the address of such non-residents is known, by mailing to them by registered or certified mail or statutory overnight delivery, a copy of this Petition and a copy of the Order;

(d) That such Order require the Special Master to make an award and findings as provided by the aforesaid statute, and to make a return of rulings and actions in connection therewith to this Court and further provide that, upon payment of such award into the Registry of the Court, the Court decree and adjudge the absolute title in and to said easement for said right-of-way as set out in this Petition, free and clear of any lien or encumbrance, to vest in Petitioner; and

(e) That the Court grant Petitioner such further relief as is just and proper.

Respectfully submitted, this 11th day of February, 2026.

JAMES-BATES-BRANNAN-GROOVER, LLP

/s/ Shepard R. Smith

Duke R. Groover

Georgia Bar No.: 313255

W. Donald Handberry, Jr.

Georgia Bar No.: 323829

Shepard R. Smith

Georgia Bar No.: 202617

Attorneys for Petitioner-Condennor

Georgia Power Company

**IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA**

GEORGIA POWER COMPANY,	:	
	:	
Petitioner-Condemnor,	:	
v.	:	
	:	
Parcel No. 027; Tax Parcel Identification	:	
No.: 15033 000001; 0.23 acres, more or less,	:	
lying and being in GMD 411 of Hall County,	:	
Georgia;	:	
	:	
Gainesville Vision, LLC;	:	
	:	
FRS-GA, L.L.C.;	:	Civil Action No. _____
	:	In Rem Condemnation Proceeding
Gainesville Township Partners, L.L.C.;	:	
	:	
Darla Eden, Hall County Tax Commissioner;	:	
	:	
The Honorable Patty Walters Laine, Hall	:	
County Chief Probate Judge;	:	
	:	
and;	:	
	:	
And any and all others who hold or who claim	:	
any interests in the property described in this	:	
Petition,	:	
	:	
Respondents-Condemnees.	:	

VERIFICATION

Before the undersigned officer, duly authorized by law to administer oaths, comes Wiggins E. Singletary, Jr., as authorized agent for Georgia Power Company, who, after first being duly sworn according to law on oath, deposes and states that the facts contained in ***Petitioner Georgia Power Company's Verified Petition for Condemnation*** are true and correct and within his personal knowledge.

[signature to follow]

Wiggins E. Singletary, Jr.
Wiggins E. Singletary, Jr.
Land Acquisition & Compliance Manager

Sworn to and subscribed before me,
This 10 day of Feb, 2026.

Brian Smith
Notary Public My Commission Expires: 7/5/2026

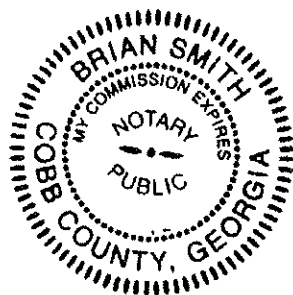
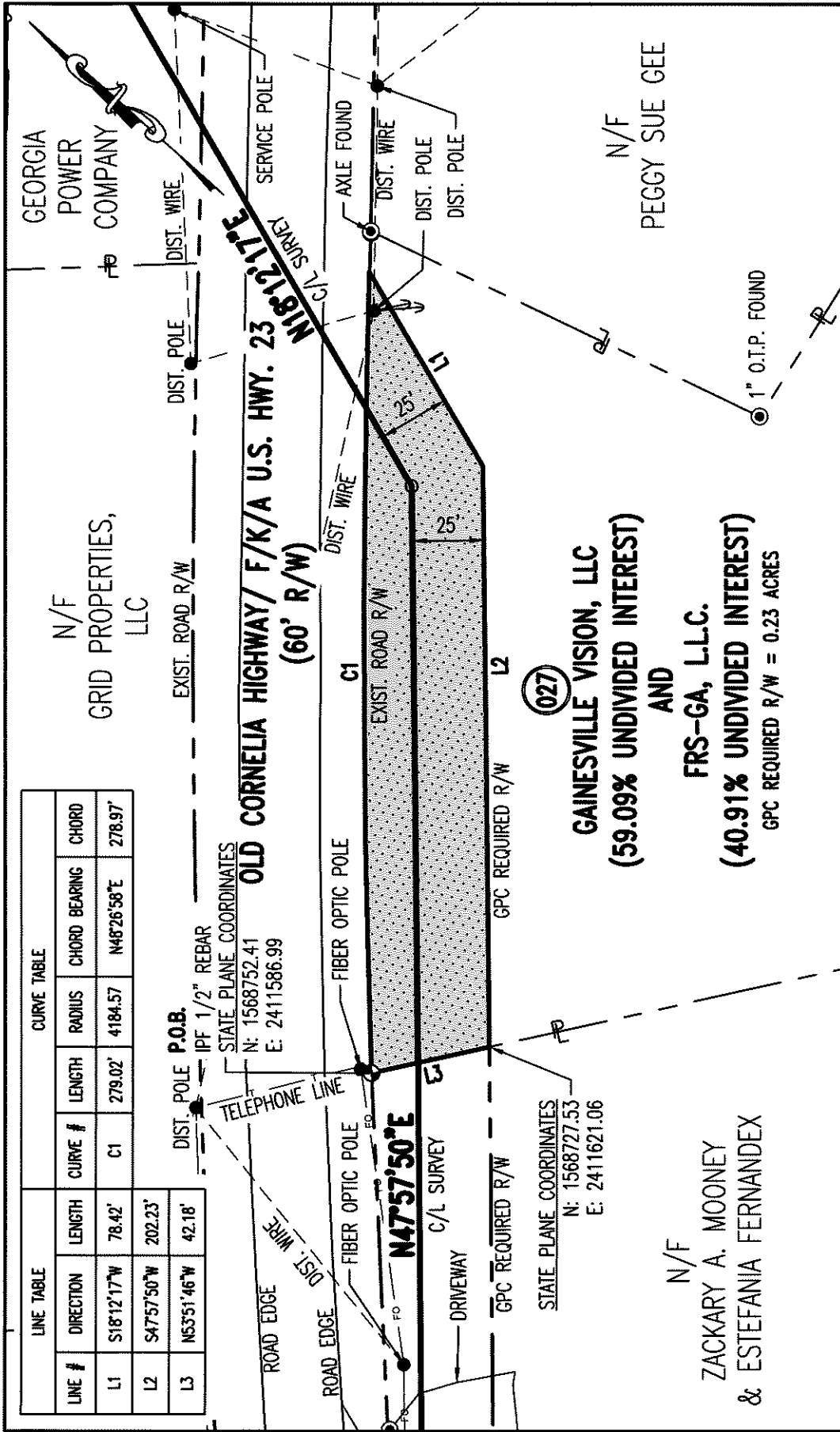


Exhibit A:

Parcel 027 Map



REFERENCE: M.F. #P508-19 SHT. 3 OF 3

SYMBOL LEGEND

- IRON PIN SET
- EXISTING POLE
- ⊗ IRON PIN FOUND
- ⊗ POINT OF BEGINNING (POB)
- ⊗ ROW MARKER
- ⊗ POC= POINT OF COMMENCEMENT
- ⊗ GPC R/W MONUMENT
- ⊗ GPC REQUIRED R/W
- ⊗ QUITCLAIMED R/W
- ⊗ GPC EXISTING R/W

DATE: 11/04/2025

SCALE: 1" = 50'

DRAWN BY: SNA/ALC

EXHIBIT A

SHT 01 OF 01

CLERMONT JUNCTION - GAINESVILLE #1

115kV TAP TO NEW RABBITTOWN SUBSTATION (ASBUILT)

CROSSING THE PROPERTY OF

GAINESVILLE VISION, LLC (59.09% UNDIVIDED INTEREST)

AND FRS-GA, L.L.C. (40.91% UNDIVIDED INTEREST)

GMD 411, HALL COUNTY, GEORGIA

PARCEL No. 027