



The process can take many different turns, but here's a general overview.



GA Eminent Domain
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A Timeline of the Eminent Domain Process

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Once you become a client, we immediately start building your case.

Note: In Georgia, you have 30 days to respond after being notified of the government's intent to take your property.

We notify the condemning agency that we represent you, and request all records related to your property.
(plans, offer letters, title searches, and appraisals)

After receiving the condemning agency's appraisal, we review it in depth for mistakes that could result in a low offer.

We also look at:

- other potentially higher-value uses of your property
- the available comparable sales in your area
- and begin considering which experts may best help prove your case.

Once we complete our review of the appraisal and offer, we send you copies and schedule a strategy session with your attorney.

During this session, we go over the appraisal, discuss the offer, and determine how to proceed with your case.

If we convince the condemning agency to make an acceptable offer, the case can settle prior to condemnation and will proceed as a normal property sale.

The condemning agency creates the settlement documents, we review them, and then send to you to sign.

Once you return the paperwork, we continue to follow up with the condemning agency, but it can take 30 days for the right of way agent to receive and process your check.

If it is a larger settlement, the check will likely then be sent to a closing attorney hired by the condemning agency who will have about another 30 days to schedule a closing.

If the condemning agency has not made an acceptable offer at this point, they will file a condemnation lawsuit and deposit their initial offer with the court. They then own your land.

If you have to relocate, you will generally have at least three months from first contact to move.

We withdraw the deposit for you, so you can use the money without officially settling the case.

Then we file an "Answer" in your case, which is a formal statement to the court that you disagree with the government's offer.

Then we will usually hire an independent appraiser to inspect your property. For most businesses or potential commercial properties, we'll use the income approach to calculate the income an investor could earn. Then we'll continue compiling evidence — using depositions, interrogatories, and motions as needed to help strengthen your position.

Once the trial date is set, if your case still hasn't settled, the court may order a mediation.

During this mediation, your attorney will present evidence and speak on your behalf.

If no settlement can be reached during mediation, the case moves forward to trial by jury.

At the trial, attorneys for both sides will present evidence to the court to support their position. It is then up to the jury to decide the award.

At trial, you are usually not required to testify. But we find it often helps your case to add a face to your story, and show the jury who the condemning agency is actually harming.

Once a settlement or jury verdict is reached, the condemning agency prepares a Consent Judgment that all parties must sign.

It is then signed by the judge and filed at the clerk of court's office.

Any additional money awarded will be deposited in the clerk's office, and the clerk will then send the deposit to our office for disbursement.

After being held in our trust account as required by the State Bar of Georgia, we will send the funds to you.

PHASE 1: BUILDING EVIDENCE

PHASE 2: DEMAND AND NEGOTIATION

PHASE 3: PRE-CONDEMNATION SETTLEMENTS

PHASE 4: CONDEMNATION

PHASE 5: MEDIATION/TRIAL (OPTIONAL)

PHASE 6: CLOSING