

SAMPLE MOTION

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____)	
_____)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	FILE NO. _____
)	
_____)	In Rem Condemnation Proceeding
_____)	
)	
Defendant.)	

DEFENDANT'S MOTION PURSUANT TO O.C.G.A. § 22-1-11

Comes now _____, Defendant in the above-styled
condemnation proceeding, and files this motion before the vesting of title and in accordance with
O.C.G.A. § 22-1-11 to:

[Check Where Appropriate]

_____ Challenge whether the exercise of the power of eminent domain by Plaintiff is for a
public use.

_____ Challenge whether Plaintiff has the legal authority to exercise the power of eminent
domain.

Defendant requests that a hearing on this motion be set at the first possible instance and
that a copy be served by mail on all parties to this action.

This _____ day of _____, 20__.

Defendant
Address: _____

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing motion on other parties to this action or their counsel by mailing a copy to each of the following:

This _____ day of _____, 20__.

Defendant

SAMPLE MOTION

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____)	
_____)	
Plaintiff,)	CIVIL ACTION
)	
v.)	FILE NO. _____
)	
_____)	In Rem Condemnation Proceeding
_____)	
Defendant.)	

RULE NISI

Defendant has filed a motion pursuant to O.C.G.A. § 22-1-11 in this condemnation proceeding and has asked the Court to set a hearing on the motion. Notice is hereby given that the Court will hold a hearing on the motion on _____, 2006, at _____ .m. in Courtroom _____ of the _____ County Courthouse.

This _____ day of _____, 20__.

Judge [or Clerk or Deputy Clerk]
Superior Court of _____ County