

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