

**IN THE CIRCUIT COURT OF WASHINGTON COUNTY, TENNESSEE**

STATE OF TENNESSEE, ON RELATION  
OF THE COMMISSIONER OF THE  
DEPARTMENT OF TRANSPORTATION,  
FOR AND ON BEHALF OF SAID  
DEPARTMENT,

**PETITIONER,**

**VS.**

BY NECESSITY, ANY AND ALL  
PERSONS OR ENTITIES, KNOWN AND  
UNKNOWN, THAT MAY HAVE AN  
INTEREST IN AND TO THE LAND TO BE  
CONDEMNED IN THIS CAUSE AND  
BEING A STRIP OF LAND LOCATED IN  
UNICOI AND WASHINGTON COUNTIES,  
TENNESSEE BETWEEN INTERSTATE 26  
AND EMBREEVILLE, TENNESSEE,  
ALONG AND PARALLEL WITH THE  
CENTERLINE OF STATE ROUTE  
81/STATE ROUTE 107 FROM  
APPROXIMATE LOG MILE 1.5 (IN  
UNICOI COUNTY) TO THE  
UNICOI/WASHINGTON COUNTY LINE  
THEN EXTENDING INTO WASHINGTON  
COUNTY TO APPROXIMATE LOG MILE  
1.38, JUST NORTH OF EMBREEVILLE  
CHURCH ROAD WITH A WIDTH OF 100  
FEET EACH SIDE OF CENTERLINE,

**RESPONDENTS.**

**DOCKET NO.** 43051

**PROJECT NO.** R1S081-M2-002

**TAX MAP:** See Attached Exhibit A-2

**JURY DEMAND/12 Persons**

Filed 11 day of  
Oct 24 at  
4:05 o'clock p m  
Brenda Downes, Clerk

**EMERGENCY ORDER OF POSSESSION**

ENTERED  
MINUTE BK 425 PAGE 218  
CIR. CT. CLK

This cause came on to be heard before this Honorable Court upon the entire record of this cause, including the *In Rem Petition For Condemnation* previously filed herein, which petition was filed for the purpose of acquiring by the exercise of the power of eminent domain certain property and property rights for use in Tennessee Department of Transportation Project No. R1S081-M2-002 which property and property rights are owned by the Respondents herein, both known and unknown, and described in said petition as well as in Exhibits A-1 and A-2 to this order;

And it appearing to the Court that under the applicable laws of the State of Tennessee, and under the extraordinary circumstances described in said petition, the Petitioner in this cause has the right to condemn the property and property rights described in said petition for the public purposes set forth therein, that the Petitioner is entitled to immediate possession of said property and property rights by the exercise of the power of eminent domain, and that writs of possession should issue if necessary.

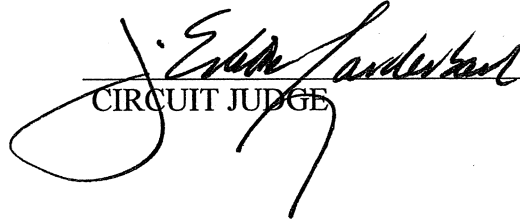
IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the property and property rights described in said petition (which property and property rights are also described in Exhibits A-1 and A-2 attached to this order) are hereby appropriated to the use of the Petitioner for the purposes set forth in said petition.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that the Petitioner shall have immediate legal possession of the property and property rights described in said petition (which property and property rights are described in Exhibits A-1 and A-2 attached hereto) and that a writ of possession issue upon request of the Petitioner.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that this cause be retained in Court in order that all further and future proceedings, orders, and


decrees may be made according to law.

ENTERED this 11<sup>th</sup> day of October 2024.

  
CIRCUIT JUDGE

**APPROVED FOR ENTRY:**

**JONATHAN SKRMETTI  
ATTORNEY GENERAL & REPORTER  
FOR THE STATE OF TENNESSEE**

BY:   
CYNTHIA L. PADUCH, BPR #012200  
Senior Assistant Attorney General  
First Floor, Historic Post Office Building  
561 W. Main Street  
Knoxville, Tennessee 37902  
(865) 594-6222  
Fax: (865) 594-6565  
Email: [cindy.paduch@ag.tn.gov](mailto:cindy.paduch@ag.tn.gov)

**COLLECTIVE  
EXHIBIT A**

**A-1**

**EMERGENCY CONSTRUCTION EASEMENT**

Being a strip of land located in Unicoi and Washington Counties, between Interstate 26 and Embreeville, Tennessee, along and parallel with the centerline of State Route 81/State Route 107 from approximate Log Mile 1.5 (in Unicoi County) to the Unicoi/Washington County line then extending into Washington County to approximate Log Mile 1.38, just north of Embreeville Church Road with a width of 100 feet each side of centerline.

The above-described property may be further identified by reference to the following Exhibit A-2 presented in the form of a list of the Tax Map/Parcel numbers of record on the rolls of the local tax assessor(s) and the names that are currently associated with those parcels on the said rolls.

The above-described property is conveyed as an easement for the repair and restoration of state and local transportation facilities damaged as a result of severe weather connected with Hurricane Helene, including but not limited to the reconstruction of roadways, repairing drainage ditches and culverts, and buttressing and anchoring of walls or slopes.

The title to the above-described land remains vested in the Respondents and is to be used by the State of Tennessee, its contractors or assigns for a period of 2 years, from and after the commencement of construction.

COLLECTIVE  
EXHIBIT AA-2

<b>Owners</b>	<b>Tax Map / Parcel</b>
Cherokee National Forest	098 / 005.00
Thomas William Surig	104 / 001.00
Harry E Hayes Jr.	104 / 001.05 & 001.06
Burnis Wilson	098 / 004.00
Lee H. Brown and Denise H. Brown	103 / 013.00
Mallard Family Trust	103 / 012.00
Brenda White and Jerry White	104 / 001.02
Jerry Wayne White and Jennifer White	104 / 001.01
Sam Kite	103 / 011.00
Benny B. Whitson, Jacquelin K. and Jeffrey D. Hawkins	103 / 010.00, 009.00, 008.00, & 007.00
Jack M. Bailey	097 / 091.00
E. Gail Raione	097 / 043.00, 043.06, 043.05, 043.04, 043.03, 043.02, 043.01
Michael W. Hollifield & Jennifer M. Hollifield	097 / 089.00 & 088.00
Emily Danielle Simmons	097 / 087.05, 087.04
Janice Jones & Bryan Coffie Steven	097 / 087.00
James Christopher Tipton	097 / 087.01
Sue Ellen Banner Tipton	097 / 087.02
John L Young Jr. & Robin M. Young	097 / 043.07
Benjamin M. Thomas	097L C / 001.00
Karen M. Berry	097L C / 003.00
James Haynes	097L C / 004.00, 005.00
David & Judith L Bacon, Brandi Nichole Parsons ETAL	097 / 044.00
Kenneth and Linda Harris	097 / 085.00
Jennifer Nicole and Christopher Dean Wilson	097 / 85.02
Kenny and Linda Harris	097 / 085.01
Billy Yates and Tammy Johnson	097 / 045.00
Earl J Beals Jr. and June Gail	097 / 084.04
Connie M. Roberson and Joseph Richard	097 / 084.00

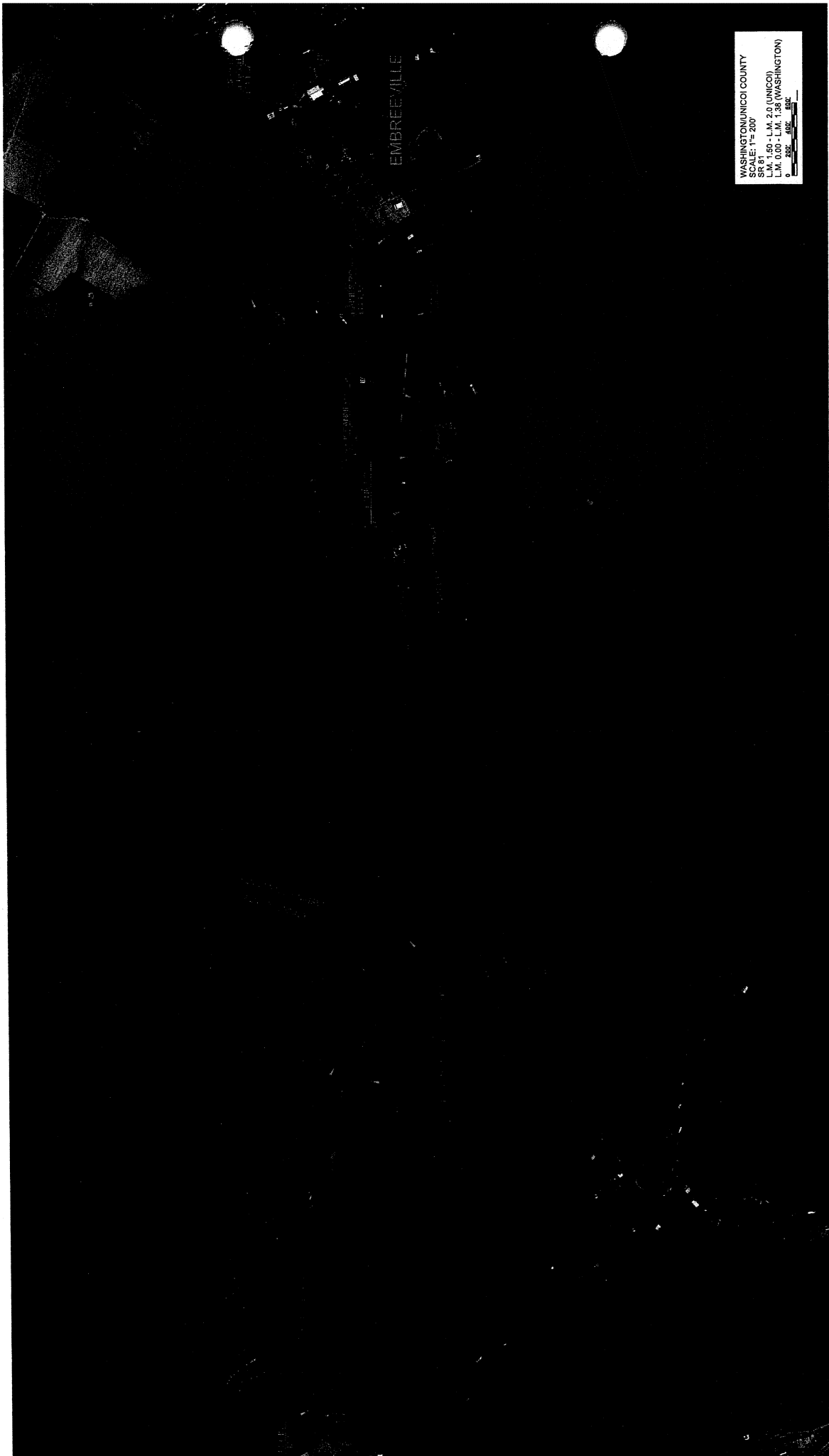
<b>Anthony Davis and Anna Palmer</b>	<b>097 / 046.00</b>
<b>Bobby E. Tittle</b>	<b>097 / 048.00</b>
<b>Scott Jackson Phillips</b>	<b>097 / 083.00</b>
<b>Charles B. and Veronica A. Shaw</b>	<b>097 / 084.08, 083.01, 083.02</b>
<b>Lydia Marie Tittle and Joshua J. and Jessica M. Berry</b>	<b>097 / 049.00</b>
<b>Conrad F. and Jean A. Smith</b>	<b>097 / 050.01</b>
<b>David Yates</b>	<b>097L B / 001.00</b>
<b>David and Queenie Yates</b>	<b>097L B / 002.00</b>
<b>Robert H. Tester and Whitney L. Tester</b>	<b>097 / 050.00</b>
<b>Embreville Church of Christ</b>	<b>097L B / 003.00</b>

**Unicoi/Washington County SR 81 Pin:135866.26, Row number:  
R1S081-M2-002**

Owner Name

Map/Parcel

Charles Danny Duncan Jr & Leslie Shane Hawkins	23/25
April Marie Hawkins (not listed on the ROE approval memo)	23/25.08
Charles Danny Duncan Jr.	23/25.07
Scharfstein Investments	23/54.03,54.04,54.01,54.05,54.06, 54.07, 54.08, 54.09
Bobby Pate and Ruth Ann	23/54.02
Unicoi County	23/54.12
United States of America	37/1



WASHINGTON UNICOI COUNTY  
SCALE: 1"= 200'  
SN 81  
L.M. 50 - L.M. 20 (UNICOI)  
L.M. 000 - L.M. 138 (WASHINGTON)  
0 200 400 600 800

ED  
K  
CIP  
255