

geary-thomas: dooly, the living man  
c/o Post Office Box 3326  
Spartanburg, South Carolina 29304  
Phone: 864 978-3426

January 3, 2017

South Carolina Department Of Transportation (DOT)  
Meredith McKey, Right of Way Agent  
252 South Pleasantburg Drive  
Greenville, South Carolina 29607

Subject: Project at the intersection of Zion Hill Rd with Clifton-Glendale Rd -  
Project ID: 0041116. Reply re: Recent Appraisal & and Offer for land.

Attn: Meredith McKey, Right of Way Agent

Purposes of this letter:

1. To reject your offer as inadequate and unacceptable.
2. Establish a basis for evaluation and acceptable price.
3. To make three (3) counter offers from which you may select.

1. The recent offer for a right of way across the North side of subject land for approximately 243 feet long and 37.5 feet wide amounting to about 0.159 acre (6,929 SF) is both inadequate with far too little compensation, and unacceptable, in that, it is far more land than is reasonable for the very small amount of widening of Zion Hill Road (current lane of pavement is 9 feet, to be widened to 12 feet plus a 2 foot paved shoulder, which extends the pavement only 5 feet on both sides of Zion Hill Road.) Note that you are wanting 37.5 feet of right of way on each side for this 5 foot expansion which is an additional 26.5 feet more than the minimum needed.

Therefore, your offer is declined.

2.) To establish the basis for evaluation, the following factors are considered:



a.) The land you are seeking is NOT real estate, in that it is not listed for sale by any agent, or the living man, geary-thomas:dooly. It IS, in fact, land that I cultivate, live on, and keep according to Genesis 2:15 "Then the Lord God took the man and put him into the garden of Eden to cultivate it and keep it." I, geary-thomas:dooly, the living man, "cultivate it and keep it".

b.) I have kept and cultivated this land for over 40 years, growing a very large portion of my food from the land. In fact, this very morning, I had cabbage leaves, broccoli leaves, collard leaves, onion & chives, and garlic grown from this very land and harvested this date, and made into an omelet for breakfast. There are blueberries growing only a few feet beyond the proposed R/W. My wife and I eat blueberries every week. We live on, and keep the land provided by God. This is private land within the State of South Carolina, and not owned or controlled by the Corporate State of South Carolina. It is, of course, my option to transfer the rights to all or part of the land for any, or no value that I am willing to accept.

c.) To put it into perspective, the land is "part of me", and I might ask, "If I wanted to buy an arm and leg from you, which one of each, right or left, are you willing to sell, AND what is the price? Of course, NOT for sale except for a very, very attractive price, IF for any price. Thus, the land I live on can only be sold for a price I am willing to accept.

### THREE OPTIONS THAT I WILL EITHER CONSIDER OR ACCEPT:

1. This FIRST option is: Leave everything as shown on your plan with DOT taking possession of the said 6929 square feet, at a price of \$2,800,000. With this option, I reserve the right to decline, but would be likely to accept upon a valid offer in writing.

2. This SECOND option would REDUCE the width of the right of way from 37.5 feet to 20 feet which allows for 12 foot lane with 2 foot apron, and 6 foot additional, and at a price of \$90,000. With this option, I would accept upon a valid offer in writing with payment by United States Postal money orders in increments not to exceed \$900 each.

3. This THIRD option would leave the existing right of way on the South side AS IS, and make all pavement widening on the North side of Zion Hill which does not affect land on the South side in any way. Of course this option has ZERO cost, thus saving tax dollars while accomplishing your



objective, namely, widening Zion Hill Road. There are several substantuating points relative to option #3:

i.) Per your drawings, you plan to have the 37.5 foot right of way on the North side of Zion Hill Road which is adequate to widen Zion Hill Road on the North side by a total of 10 feet ( 3 foot of pavement + 2 foot of apron on each of 2 lanes). Actually, it is less than a total of 10 feet, in that, it is tapered per drawing. This leaves 8.5+ feet of the proposed right of way on the North side beyond the pavement.

ii.) This option encroaches the property on the North side by an additional 5 feet, and falls well within proposed R/W, but seems to leave enough to be serviceable for families in the duplex which NEVER utilize the front yard for any activity, and, in fact, do not even cut the grass.

III.) The only residence on the North side of Zion Hill Road IS that duplex mentioned above. In fact, there are NO residences on that North side near Zion Hill Road for approximately 1.0 miles from Clifton-Glendale Road to 521 Zion Hill Road. In the event that traffic utilization, at some time, presents a need to widen Zion Hill Road all the way to Highway 29 (East Main Street, 2 miles), then it would only be logical to widen only to the North since there are 3 Triplexes on the South side that are VERY close to the existing pavement. To widen, with this project, to the South, would only complicate future widening by having to curve onto the proposed widening to the South. Logic prevails, saying "do NOT widen to the South when it would complicate any future widening of Zion Hill Road".

This 3rd option, obviously, is the preferred choice since it does not involve (1) the sacrifice of land that I live on, or; (2) loss of 26, 40 foot tall cedar trees, or (3) moving the utility poles on the South side, and; (4) allows for logical future widening of Zion Hill Road, and; (5) is a reduction in the cost of the project for the DOT, and the State of South Carolina.

Sincerely,

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South Carolina DOT, District 3

Attn: Randall Young, P.E., Acting Chief Engineer for Project Delivery

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State Senator Shane R. Martin

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Penny Phillips DOT Program Manager

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The Honorable Nikki R. Haley

Office of the Governor

1205 Pendleton Street

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