



Added Value

Serving Landowners in the Interstate 75 South Corridor

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IRS Tax Break

With all the growth in Atlanta's southern suburbs, it seems that road construction is everywhere we drive. However, did you know that this widening offers you an opportunity to sell your land and avoid paying taxes on your sale for up to four years?

A little known provision of the Internal Revenue Code (Section 1034) is known as the "Involuntary Sale" clause. This means that if you are threatened with eminent domain taking even a small part of your land, you can sell the entire parcel and take your capital gains and keep them in your pocket for up to four years without having to reinvest them. This gives you time to find the best way of reinvesting your money in another real estate

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Conservation Subdivision Design

Protecting The Environment Through Design

Developers, consumers, and environmentalists are finding Conservation Subdivision Design (CSD) to be a market-oriented approach to environmental protection. CSD is a twist on the conventional subdivision in which all the developable land within a tract is divided first into streets followed by house lots, encompassing every square foot of ground. Any open space typically consists only of the undevelopable land within the tract, such as wetlands and steep slopes.

CSD starts with the organizing principle of land conservation. A full-density development is laid out where all the significant natural and cultural features are preserved. Land is identified which should be permanently protected. The developer performs a detailed site analysis in order to precisely locate features to be conserved. The developer first identifies all constrained lands (wet, floodprone, and steep), called Primary Conservation Areas. He then identifies Secondary Conservation Areas which comprise noteworthy features of the property such as mature woodlands, greenways and trails,

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Bits & Pieces

People who face a shifting environment have three options: they can inspire change and lead, accept change and follow, or deny change and be left behind.

To be protected from Super fund liability, landowners whose property is contaminated by a release from a neighboring site must not only prove they did not cause the pollution but also take steps to stop continuing releases, according to guidance released Jan. 22 by the Environmental Protection Agency. The guide explains the criteria that “contiguous property owners” must meet to be protected from liability under the Comprehensive Environmental Response, Compensation, and Liability Act. For more info, Go To: <http://www.epa.gov/brownfields/liab.htm>

Planting Reminder: Very hardy vegetables can be planted 4 to 6 weeks before our average last frost date of April 15. We can plant seeds of cabbage, kale, lettuce, peas, rutabaga, spinach, and turnips, provided the soil is ready. Onion sets or seeds can be planted, and transplants of broccoli, cabbage, cauliflower, collards, kale and parsley can go in after hardening off. Warm season crops such as

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Local Development News

Clayton County – At their January meeting, the Clayton County Board of Commissioners voted to not issue any new zoning permits for residential or commercial development for six months. They decided to approve this moratorium so the county would have time to revise its Comprehensive Plan. The state mandates that all counties revise their plans every 10 years, and Clayton’s plan has to meet new state standards by October. Lee Walton of the consulting firm Robert and Company has been working on revising the county’s comprehensive plan. He says that in the southern part of the county open space preservation will be important. Additionally, the Plan will look at the county’s policy toward housing density and the location of new developments, as well as community facilities, economic development and natural resources.

Henry County – Wastewater treatment is a big concern in any growing county. The Henry County Water and Sewerage Authority has a master plan project to construct the Walnut Creek Wastewater Treatment Facility, Land Application System and interceptor sewer line. It will provide sewer services for existing and future customers in the Walnut Creek basin and will help alleviate capacity limits currently in place at the Springdale Treatment Facility. Significant progress is being made; the project is on schedule and within budget.

Progress is also being made on several projects funded by the Special Projects Local Option Sales Tax (SPLOST). Of interest to developers are plans for paving dirt roads: Sowell Road, Farmer Drive, Pleasant Grove Road, Sims Drive, Unity Grove Road, Pates Creek Road, Turner Church Road, North Ola Road, and Fort Drive.

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investment property. If the government had not interfered with any part of your land, you might have continued to own and enjoy it as it was. Since the government did, or may, change the circumstances surrounding your land, they “cut you a break” in adjusting your use of the money you’ve invested.

If you’d like a copy of this section of the IRS Code to take to your tax consultant to see what impact it could have on your financial picture, please call or e-mail me at your convenience. I’ll mail it right to you.

By the way, as I’m writing, I’m just about through with redesigning my WoodHughes.com website. It should be live by the time you read this. Please drop by and let us know what you think. We’ve studied over 100 of what we feel are the best land brokerage websites in the nation to put our new site together and look forward to your comments and suggestions.

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river and stream corridors, prime farmland, freestanding trees or tree groups, wildlife habitats and travel corridors, and historic sites and structures, etc. After greenlining these conservation elements, the remaining part of the property becomes the Potential Development Area. Sites of individual houses are located within this area so that their views of the open space are maximized. The number of houses is a function of the density permitted within the zoning district. Streets and trails are added. Lot lines are put in.

Usually, the open space in a conservation subdivision is permanently preserved via easement or dedication and managed through a homeowners association, land trust or other conservation organization, or local government agency. From the developers' perspective, CSD offers lower development-related expenses with a high-quality product as the end result. Having homes clustered on smaller lots reduces development costs since there are fewer trees to clear, less land to grade, and less road, water, and sewer infrastructure needed to serve the development.

Conservation subdivisions also target the consumer market for homes in natural settings with less property to maintain. Even with smaller lots, housing prices and resale values in conservation subdivisions compare favorably to those in traditional subdivisions. Many people will gladly trade lot size for proximity to natural scenery.

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tomato, eggplant, pepper, and squash should be planted in the northern half of Georgia around April 15.

Gloria's Pecan Drop Cookies: Preheat oven to 300. Coarsely chop one cup of pecans. Cream ½ cup or butter and ½ plus 1 tablespoon of Crisco until smooth. Beat in 1 cup of confectioners' sugar gradually. Stir in 2 1/2 cups of sifted cake flour thoroughly. Add 2 teaspoons vanilla and the pecans. Mix. Drop by teaspoons onto ungreased baking sheet. Bake 15 to 20 minutes. Yield = 4-dozen. Freeze well.

Recent Sales

Representative land sales closed December 2003 through January 2004. All information is from the Georgia Multiple Listing Service and is believed to be accurate, but not warranted.

Str#	Street Name	City	County	Mkt Time	Close Date	Sales Price	Acres	Per Acre	Zoning	Utilities
188	EVANS ROAD	JACKSON	BUTTS	293	123103	\$154,900	9	\$17,211	A/R	SPT, WELL
0	STARK ROAD	JACKSON	BUTTS	260	20604	\$630,949	235	\$2,685	A/R	E, T
3012	3028 MOUNT ZION	STOCKBRIDGE	CLAYTON	47	121803	\$436,240	7	\$62,320	A/R	E, NG, WTR, CATV, T
5796	HEARN ROAD	ELLENWOOD	HENRY	2	120903	\$500,000	30	\$16,667	A/R	E, SPT, SWR, WTR
0	HIGHWAY 42	LOCUST GROV	HENRY	19	10504	\$2,227,860	106	\$21,018	A/R	E, NG, WTR
208	KNIGHT LANE	MCDONOUGH	HENRY	103	20604	\$48,000	5	\$9,600	A/R	E, NG, SPT, WTR, CATV, T
388	MCCULLOUGH RD	STOCKBRIDGE	HENRY	1	120303	\$425,000	29	\$14,655	A/R	E, WELL, T
0	RIVER ROAD	MCDONOUGH	HENRY	52	10504	\$1,401,888	128	\$10,952	A/R	E, WTR, T
0	SOUTH OLA ROAD	LOCUST GROV	HENRY	145	123003	\$92,500	10	\$9,250	A/R	E, NG, SPT, WTR, CATV, T, RAIL
0	LOCUST ROAD	LOCUST GROV	HENRY	244	121503	\$1,045,000	38	\$27,500	A/R	E, SPT, WTR
273	AERODROME WAY	GRIFFIN	SPALDING	752	120103	\$96,500	15	\$6,433	A/R	E, SPT
LOT 1	FUTRAL RD.	GRIFFIN	SPALDING	2	120503	\$52,900	12	\$4,408	A/R	E, SPT
0	HIGH FALLS RD	GRIFFIN	SPALDING	184	12104	\$187,500	25	\$7,500	A/R	E, PRO, SPT, WELL, T
341	JORDAN HILL ROAD	GRIFFIN	SPALDING	3	123103	\$100,000	49	\$2,041	A/R	E, WTR

For Further Information on any articles in this or past newsletters, please go to the noted link or
www.WoodHughes.com

Featured Transaction

8300 Hynds Springs Road, Jonesboro, GA 30236

Three acres at 8300 Hynds Springs Road were a problem for the owners. Residential, single family, multi family, and commercial properties locked the land. A split residential and commercial future use land plan further complicated the situation.

They had inherited it from their parents, and now were trying to sell it. Not only had the county taken with no compensation land for a road that was never built or improved or even went anywhere, there was an abandoned piece of property that had been sold for taxes that only had access to this non-road. We had to locate the owner of the tax lien property and purchase it, negotiate with the county for a fair price to release the road they had never paid for, and locate a buyer for the combined property who would pay what the owners needed to settle their parents estates.

We found the owner of the tax lien, but after negotiating a fair purchase price, found he had never filed for clear title to the property. We referred him to an attorney who was able to obtain a marketable title and after the government required time; we were able to close on the purchase of his property.

In the meantime, we regained the family rightful ownership of the road right of way, and located a developer who would pay the asking price for the property. After over a year, the family closed on all the parcels making up this 6-acre assemblage and was able to divide the proceeds among the surviving family members.

Andy Shuping of Shuping, Morse, & Ross, LLP, Attorneys said, "I've never seen an agent go to these lengths to put a deal together."



8+ Acres Residential

Clayton County. Available utilities include sewer, water, electricity, natural gas & telephone. County road frontage. Close to schools. Possible medium density residential zoning available.
\$100,000

**For further details, contact:
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6.4+/- Acres Commercial

Flint River Road being widened to three lanes, 663 feet frontage. 14,454 daily traffic units (2000). Available utilities include sewer, water, electricity, natural gas, & DSL.
Currently zoned GB.
\$275,000

**For further details, contact:
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5+/- Acre Commercial

Henry County. 600+ feet frontage. Available utilities include sewer, sidewalks, water, electricity, natural gas & DSL. 38,000+ daily traffic units. Possible C-2 zoning available inside city limits of Stockbridge.
\$500,000 per acre

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