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EDITOR'S PICK

Georgia Supreme Court hears oral arguments on Marietta park land lawsuit

Megan Reed Jun 20, 2017



In this 2014 file photo, Ray Summerour stands in front of the property he owned before the city of Marietta condemned it for the expansion of Elizabeth Porter Park. Summerour filed suit over the condemnation of the property, which has not yet been razed, and now the Georgia Supreme Court will hear the case this week.

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The Georgia Supreme Court heard oral arguments Tuesday for a case involving a man who says the city of Marietta wrongfully condemned his property to build Elizabeth Porter Park.

The court will likely decide the case within four to six months. All nine justices heard the arguments Tuesday, said Jane Hansen, a spokeswoman for the court.



The case involves Ray Summerour, who owned Brenda's Grocery on Allgood Road. The city identified his property as one of nine it would need to acquire to build Elizabeth Porter Park. The city and Summerour negotiated a price for the property for several years but never settled, and in 2014, the city moved to condemn the property.

Summerour and his attorney argue that the city did not follow Georgia code by initially failing to give him a copy of the appraisal of his property. The city's attorneys, however, say that part of the Georgia code is not a mandate, but a suggestion for procedure.



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Donald Evans, Jr., Summerour's attorney, confirmed that each side were allotted about 20 minutes to argue their case before the justices Tuesday.

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