

**A RESOLUTION AUTHORIZING ITS ATTORNEY
TO EXERCISE THE MAYOR AND ALDERMEN'S POWERS OF
EMINENT DOMAIN IN THE ACQUISITION OF CERTAIN INTERESTS IN
PROPERTY SITUATED IN THE CITY OF SAVANNAH, GEORGIA
AND IN CHATHAM COUTNY, GEORGIA, FOR PUBLIC ROAD
AND/OR OTHER PUBLIC TRANSPORTATION PURPOSES**

WHEREAS, pursuant to Article 9, Section 2, Paragraph 5 of the Georgia Constitution, municipalities may acquire in fee simple or in any lesser interest by eminent domain for public purposes; and,

WHEREAS, certain real property is needed and necessary for municipal road and/or other transportation purposes to construct certain improvements and the widening of the existing public roads designated under the City of Savannah (the "City") road system as Delesseps Ave. and La Roche Ave., (hereinafter referred to as "the Project"), said Project being within the corporate limits of the City; and

WHEREAS, the Mayor and Aldermen of the City of Savannah, Georgia, a municipality of the State of Georgia, has determined that the circumstances of his matter are such that there is a necessity for exercising its power of eminent domain pursuant to O.C.G.A. §§ 32-3-1 *et seq.* in the acquisition of certain interests in property for the Project.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the circumstances are such that it is necessary to proceed with condemnation proceedings by use of the declaration of taking method of condemnation, as authorized by O.C.G.A. §§ 32-3-1 *et seq.*, and use of that method is hereby authorized to acquire and obtain certain interests in property designated as Parcel Number 20, as more particularly described and shown on **Exhibit "A"**, attached hereto (the "Property"). It is further resolved that the City Attorney and/or her designee are ordered and directed to institute proceedings *in rem* pursuant to O.C.G.A. §§ 32-3-1 *et seq.* in the Chatham County Superior Court in order to condemn that certain Property and interest therein, all to the use of the Mayor and Aldermen of the City of Savannah, said Property now or formerly vested in Delesseps Avenue Baptist Church, their successors and assigns. It is further resolved that payment of just and adequate compensation there for be made to the person or persons entitled to such payment. The City Manager and the City Attorney and/or her designee are authorized to deposit into the Registry of the Court the sum determined by finding of the Declaration of Taking method (O.C.G.A. §§ 32-3-1 *et seq.*) to be just and adequate compensation, all in accordance with the provisions of said Act. The City Manager is further authorized to sign a Declaration of Taking, Petition for Condemnation and any other documents deemed necessary by the City Attorney and/or her designee in connection with such condemnation.

ADOPTED by the Mayor and Aldermen of the City of Savannah, Georgia, this _____ day of _____, 2019.

EDDIE DELOACH, Mayor

**LUCIANA SPRACHER,
ACTING CLERK OF COUNCIL**

EXHIBIT A
Legal Description and Plat

Legal Description of Required Right-of-Way Tract #1 (0.006 Acres) -

All that land lying and being in the Fourth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 25.15 feet left of and opposite the Delesseps Avenue Project Construction Centerline Station 110+36.48, said point being also located at the intersection of the north existing right of way line of Delesseps Avenue and the Grantor's west property line; thence, N 15° 48' 25.3" E along said west property line a distance of 8.82 feet to a point; thence, S 74° 03' 15.3" E a distance of 28.54 feet to a point; thence, S 15° 56' 44.7" W a distance of 8.42 feet to a point located on the north existing right of way line of Delesseps Avenue; thence, N 74° 51' 20.8" W along said north existing right of way line a distance of 28.52 feet back to said POINT OF BEGINNING.

Legal Description of Required Right-of-Way Tract #2 (0.001 Acres) -

All that land lying and being in the Fourth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 23.69 feet left of and opposite the Delesseps Avenue Project Construction Centerline Station 113+06.00, said point being also located on the north existing right of way line of Delesseps Avenue; thence, N 61° 43' 36.0" E a distance of 14.95 feet to a point located on the west existing right of way line of Cedar Street; thence, S 15° 48' 25.8" W along said west existing right of way line a distance of 10.42 feet to a point located at the intersection of said west existing right of way line and north existing right of way line of Delesseps Avenue; thence, N 74° 04' 55.5" W along said north existing right of way line a distance of 10.74 feet back to said POINT OF BEGINNING. Said areas described consist of 0.007 acres and is shown in yellow on plat (Dated August 12, 2016; revised November 29, 2018) attached hereto and made part of this description.

Legal Description of Required Easement (0.1 Acres) -

All that land lying and being in the Fourth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

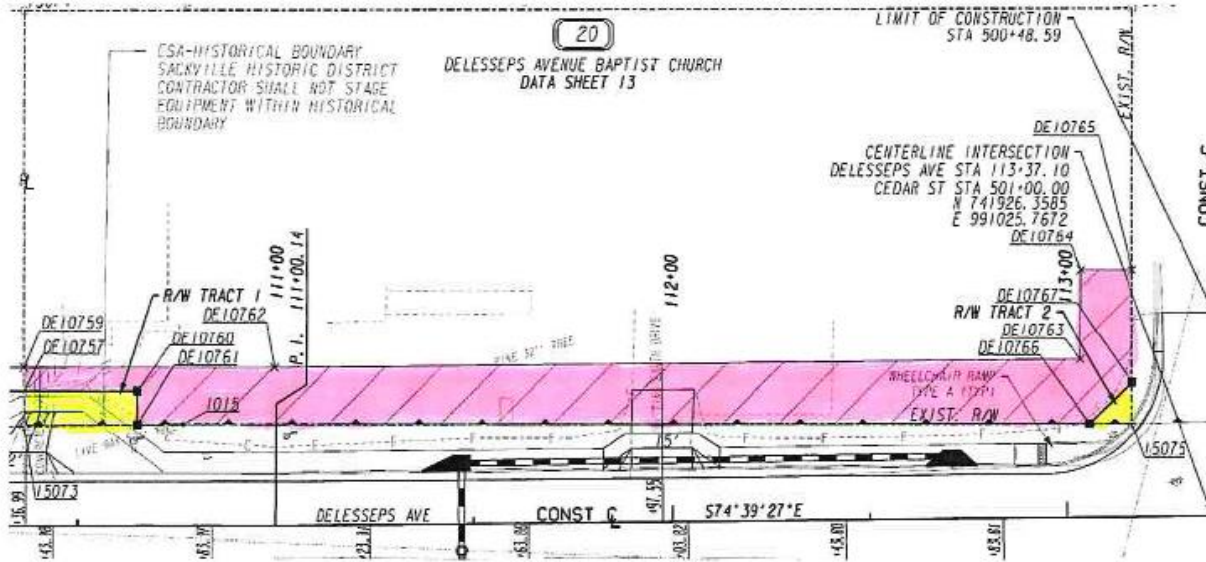
BEGINNING at a point located 25.58 feet left of and opposite the Delesseps Avenue Project Construction Centerline Station 110+65.00, said point being also located on the north existing right of way line of Delesseps Avenue; thence, N 15° 56' 44.7" E a distance of 8.42 feet to a point; thence, N 74° 03' 15.3" W a distance of 28.54 feet to a point located on the Grantor's west property line; thence, N 15° 48' 25.3" E along said west property line a distance of 6.00 feet to a point; thence, S 74° 03' 08.1" E a distance of 63.28 feet to a point; thence, S 74° 39' 27.5" E a distance of 203.61 feet to a point; thence, N 16° 17' 24.2" E a distance of 22.55 feet to a point; thence, S 73° 42' 35.8" E a distance of 12.93 feet to a point located on the west existing right of way line of Cedar Street; thence, S 15° 48' 25.8" W along said west existing right of way line a distance of 28.34 feet to a point; S 61° 43' 36.0" W a distance of 14.95 feet to a point located on

the north existing right of way line of Delesseps Avenue; thence, N 74° 04' 55.5" W along said north existing right of way line a distance of 229.16 feet to a point; thence, N 74° 51' 20.8" W continuing along said north existing right of way line a distance of 11.58 feet back to said POINT OF BEGINNING. Said area described consists of 4226.50 square feet and is shown in orange on plat (Dated August 12, 2016; revised November 29, 2018) attached hereto and made part of this description.

1310 Delesseps Avenue – Parcel 20 – Delesseps Avenue Baptist Church

Parcel 20

Delesseps Avenue Baptist Church



Yellow shaded area is the proposed right of way

Pink shaded area is the proposed permanent easement for construction and maintenance of slopes.

REQ'D R/W - PAR 20/SV-031 - TRACT 1 REQ'D R/W DE119

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
15073	25.18 L	110+36.48	C/L DELESSEPS
	8.82	N 15°48'25.3" E	
DE10757	34.00 L	110+36.46	C/L DELESSEPS
	28.54	S 74°03'15.3" E	
DE10760	34.00 L	110+65.00	C/L DELESSEPS
	8.42	S 15°56'44.7" W	
DE10761	25.58 L	110+65.00	C/L DELESSEPS
	28.52	N 74°51'20.8" W	
15073	25.18 L	110+36.48	C/L DELESSEPS
REQ'D R/W	= 245.91	SF	
REQ'D R/W	= 0.006	ACRES	

REQ'D R/W - PAR 20/SV-031 - TRACT 2 REQ'D R/W DE121

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE10766	23.69 L	113+06.00	C/L DELESSEPS
	14.95	N 61°43'36.0" E	
DE10767	34.00 L	113+16.82	C/L DELESSEPS
	10.42	S 15°48'25.8" W	
15075	23.58 L	113+16.74	C/L DELESSEPS
	10.74	N 74°04'55.5" W	
DE10766	23.69 L	113+06.00	C/L DELESSEPS
REQ'D R/W	= 55.95	SF	
REQ'D R/W	= 0.001	ACRES	

TOTAL REQ'D R/W (TRACTS 1 & 2) = 301.86 SF
 TOTAL REQ'D R/W (TRACTS 1 & 2) = 0.007 ACRES
 REMAINDER = +/- 0.67 ACRES

REQ'D - PAR 20/SV-031 REQ'D EASMT. DE120

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE10761	25.58 L	110+65.00	C/L DELESSEPS
	8.42	N 15°56'44.7" E	
DE10760	34.00 L	110+65.00	C/L DELESSEPS
	28.54	N 74°03'15.3" W	
DE10757	34.00 L	110+36.46	C/L DELESSEPS
	6.00	N 15°48'25.3" E	
DE10759	40.00 L	110+36.44	C/L DELESSEPS
	63.28	S 74°03'08.1" E	
DE10762	40.00 L	110+99.72	C/L DELESSEPS
	203.61	S 74°39'27.5" E	
DE10763	40.00 L	113+03.75	C/L DELESSEPS
	22.55	N 16°17'24.2" E	
DE10764	34.00 R	500+38.00	C/L CEDAR ST
	12.93	S 73°42'35.8" E	
DE10765	21.07 R	500+38.00	C/L CEDAR ST
	28.34	S 15°48'25.8" W	
DE10767	34.00 L	113+16.82	C/L DELESSEPS
	14.95	S 61°43'36.0" W	
DE10766	23.69 L	113+06.00	C/L DELESSEPS
	229.16	N 74°04'55.5" W	
1015	25.74 L	110+76.57	C/L DELESSEPS
	11.58	N 74°51'20.8" W	
DE10761	25.58 L	110+65.00	C/L DELESSEPS
REQ'D EASMT	= 4226.50	SF	
REQ'D EASMT	= 0.097	ACRES	