

**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 98, 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 Coastal Property Development, LLC, 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**

\_\_\_\_\_  
**MARK MASSEY,  
CLERK OF COUNCIL**

**EXHIBIT A**  
**Legal Description and Plat**

PROJECT: Delesseps/LaRoche Avenue from Waters Avenue to Skidaway Road  
PARCEL: 98  
REQ'D R/W: 0.003 Acres  
NAME: Coastal Property Development, LLC

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 34.26 feet left of and opposite the Delesseps Avenue Project Construction Centerline Station 158+01.38, said point being also located at the intersection of the Grantor's southwest and west property lines; thence, N 16° 37' 37.0" E along said west property line a distance of 13.70 feet to a point; thence, S 67° 11' 42.3" E a distance of 7.04 feet to a point; thence, S 16° 37' 37.0" W a distance of 3.11 feet to a point; thence, S 16° 37' 37.0" W a distance of 17.95 feet to a point located on the Grantor's southwest property line; thence, N 24° 10' 31.6" W along said southwest property line a distance of 10.71 feet back to said POINT OF BEGINNING. Said area described consists of 0.003 acres and is shown in yellow on plat (Dated August 12, 2016; revised November 13, 2018) attached hereto and made part of this description.

PROJECT: Delesseps/LaRoche Avenue from Waters Avenue to Skidaway Road  
PARCEL: 98  
REQ'D EASMT.: 675.60  
NAME: Coastal Property Development, LLC

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

**EASEMENT FOR THE CONSTRUCTION & MAINTENANCE OF SLOPES**

BEGINNING at a point located 34.23 left of and opposite the Delesseps Avenue Project Construction Centerline Station 158+12.09, said point being also located on the Grantor's southwest property line; thence, N 16° 37' 37" E a distance of 17.95 feet to a point; thence, S 24° 20' 40.9" E a distance of 30.27 feet to a point; thence, S 74° 08' 23.9" E a distance of 45.12 feet to a point located on the Grantor's east property line; thence, S 15° 51' 36.0" W along said east property line a distance of 8.00 feet to a point located at the intersection of the Grantor's east and south property lines; thence, N 74° 08' 23.9" W along said south property line a distance of 53.83 feet to a point located at the intersection of the Grantor's south and southwest property lines; thence, N 24° 10' 31.6" W along said southwest property line a distance of 17.21 feet back to said POINT OF BEGINNING. Said area described consists of 675.60 square feet and is shown in orange on plat (Dated August 12, 2016; revised November 13, 2018) attached hereto and made part of this description.



Yellow shaded area is proposed right of way.

Orange shaded area indicates the proposed permanent easement for construction and maintenance of slopes.

REQ'D R/W PARB/SV-103				REQ'D R/W DE295			
PRT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	PRT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
15284	34.26 L	158+01.38	C/L DELESSEPS	15284	34.26 L	158+01.38	C/L DELESSEPS
	13.70	N 16°37'37.0" E			13.70	N 16°37'37.0" E	
DE11101	43.25 L	157+91.03	C/L DELESSEPS	DE11101	43.25 L	157+91.03	C/L DELESSEPS
	7.04	S 67°11'42.3" E			7.04	S 67°11'42.3" E	
DE11102	48.04 L	157+96.19	C/L DELESSEPS	DE11102	48.04 L	157+96.19	C/L DELESSEPS
	3.11	S 16°37'37.0" W			3.11	S 16°37'37.0" W	
DE11104	46.00 L	157+96.54	C/L DELESSEPS	DE11104	46.00 L	157+96.54	C/L DELESSEPS
	17.95	S 16°37'37.0" W			17.95	S 16°37'37.0" W	
DE11103	34.23 L	158+12.09	C/L DELESSEPS	DE11103	34.23 L	158+12.09	C/L DELESSEPS
	10.71	N 24°10'31.6" W			10.71	N 24°10'31.6" W	
15284	34.26 L	158+01.38	C/L DELESSEPS	15284	34.26 L	158+01.38	C/L DELESSEPS
REQ'D R/W	121.64	SF		REQ'D R/W	121.64	SF	
REQ'D R/W	0.003	ACRES		REQ'D R/W	0.003	ACRES	
REMAINDER	7.019	ACRES		REMAINDER	7.019	ACRES	

REQ'D PERM. PARB/SV-103				REQ'D PERM. EASMT. DE296			
PRT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	PRT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE11103	34.23 L	158+12.09	C/L DELESSEPS	DE11103	34.23 L	158+12.09	C/L DELESSEPS
	17.95	N 16°37'37.0" E			17.95	N 16°37'37.0" E	
DE11104	46.00 L	157+96.54	C/L DELESSEPS	DE11104	46.00 L	157+96.54	C/L DELESSEPS
	30.27	S 24°20'40.9" E			30.27	S 24°20'40.9" E	
DE11105	46.00 L	158+28.81	C/L DELESSEPS	DE11105	46.00 L	158+28.81	C/L DELESSEPS
	45.12	S 74°08'23.9" E			45.12	S 74°08'23.9" E	
DE11106	37.67 R	1400+40.14	C/L FLEET ST	DE11106	37.67 R	1400+40.14	C/L FLEET ST
	8.00	S 15°51'36.0" W			8.00	S 15°51'36.0" W	
15282	29.67 R	1400+40.15	C/L FLEET ST	15282	29.67 R	1400+40.15	C/L FLEET ST
	53.83	N 74°08'23.9" W			53.83	N 74°08'23.9" W	
15283	34.18 L	158+29.30	C/L DELESSEPS	15283	34.18 L	158+29.30	C/L DELESSEPS
	17.21	N 24°10'31.6" W			17.21	N 24°10'31.6" W	
DE11103	34.23 L	158+12.09	C/L DELESSEPS	DE11103	34.23 L	158+12.09	C/L DELESSEPS
REQ'D EASMT	675.60	SF		REQ'D EASMT	675.60	SF	
REQ'D EASMT	0.016	ACRES		REQ'D EASMT	0.016	ACRES	