

**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 95, 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 Evelyn P. Mediavilla, 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

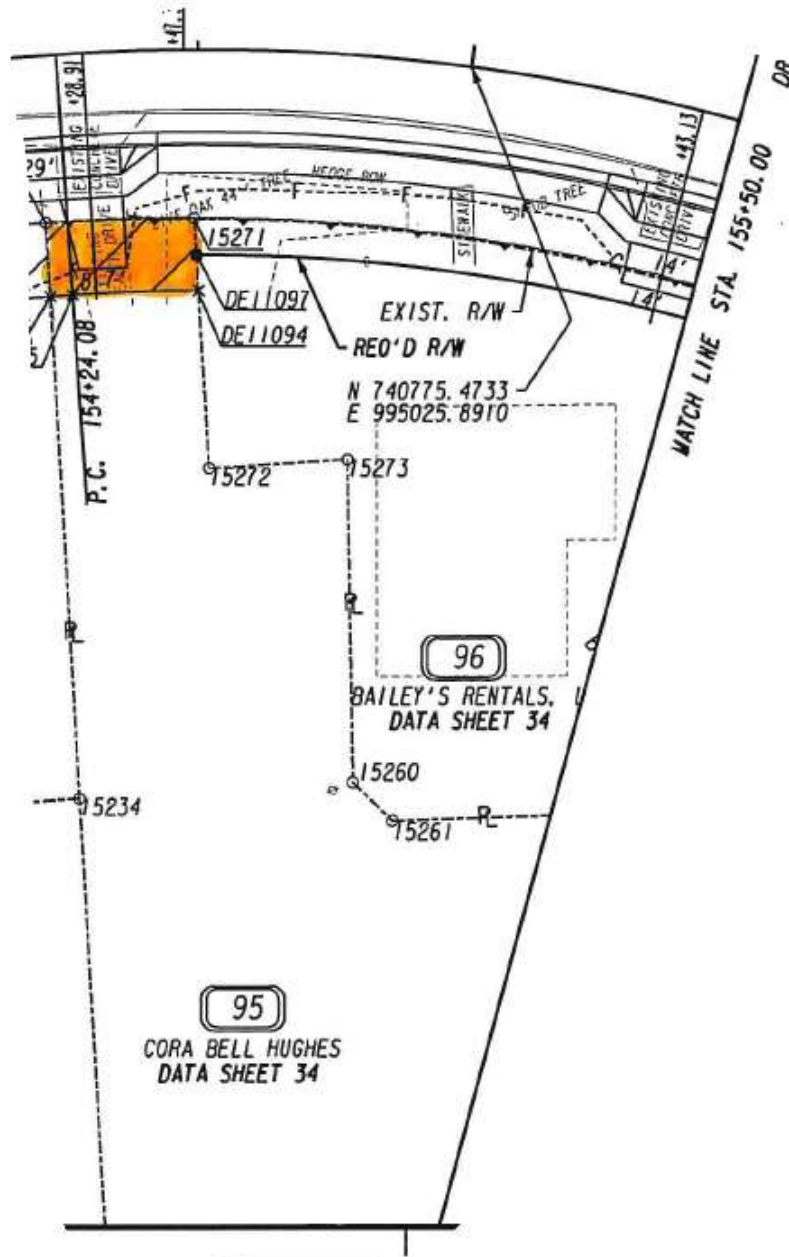
PROJECT: Delesseps/LaRoche Avenue from Waters Avenue to Skidaway Road
PARCEL: 95
REQ'D EASMT.: 360.76 Square Feet
NAME: Evelyn P. Mediavilla

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 30.51 feet right of and opposite the Delesseps Avenue Project Construction Centerline Station 154+20.15, said point being also located at the intersection of the Grantor's west property line and the south existing right of way line of Delesseps Avenue; thence, southeasterly along a curved line with a chord bearing of S 71° 48' 42.9" E along said south existing right of way line with a chord length of 27.01 feet and a radius of 350.00 feet and an arc length of 27.02 feet to a point located 30.79 feet right of and opposite said Construction Centerline Station 154+49.22; thence, S 16° 30' 01.9" W a distance of 6.72 feet to a point; thence, S 16° 30' 01.9" W a distance of 6.51 feet to a point; thence, northwesterly along a curved line with a chord bearing of N 72° 04' 03.9" W with a chord length of 22.95 feet and a radius of 331.00 feet and an arc length of 22.95 feet to a point located 44.00 feet right of and opposite said Construction Centerline Station 154+24.08; thence, N 74° 03' 15.3" W a distance of 4.06 feet to a point located on the Grantor's west property; thence, N 16° 30' 05.5" E along said west property line a distance of 13.49 feet back to said POINT OF BEGINNING. Said area described consists of 360.76 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.

Parcel 95 – 2224 E. 59th Street – Evelyn P. Mediavilla



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

REQD PAR95/SV-096 REQ'D EASMT. DE292

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
15270	30.51 R	154+20.15	C/L DELESSEPS
ARC LENGTH = 27.02			
CHORD BEAR = S 71°48'42.9" E			
LNTH CHORD = 27.01			
RADIUS = 350.00			
DEGREE = 16°22'12.8"			
15271	30.79 R	154+49.22	C/L DELESSEPS
	6.72	S 16°30'01.9" W	
DE11097	37.50 R	154+49.65	C/L DELESSEPS
	6.51	S 16°30'01.9" W	
DE11094	44.00 R	154+50.08	C/L DELESSEPS
ARC LENGTH = 22.95			
CHORD BEAR = N 72°04'03.9" W			
LNTH CHORD = 22.95			
RADIUS = 331.00			
DEGREE = 17°18'35.7"			
DE11095	44.00 R	154+24.08	C/L DELESSEPS
	4.06	N 74°03'15.3" W	
DE11091	44.00 R	154+20.02	C/L DELESSEPS
	13.49	N 16°30'05.5" E	
15270	30.51 R	154+20.15	C/L DELESSEPS
REQD EASMT	= 360.76	SF	
REQD EASMT	= 0.008	ACRES	