

RESOLUTION
A RESOLUTION BY THE MAYOR AND ALDERMEN OF THE CITY
OF SAVANNAH, GEORGIA, AUTHORIZING THE ACQUISITION OF A
CERTAIN PARCEL OF LAND LOCATED IN LAND LOT 48, MITCHELL WARD,
CITY OF SAVANNAH, CHATHAM COUNTY, GEORGIA, TO REMEDY BLIGHT
WITHIN THE CITY LIMITS OF SAVANNAH, GEORGIA.

WHEREAS, the Mayor and Aldermen of the City of Savannah, Georgia possess the power of eminent domain as provided in O.C.G.A. § 22-1-1 *et seq.* and have determined that it is in the public interest and benefit to acquire real estate to remedy blight within the City of Savannah; and

WHEREAS, in order to remedy blight within the city limits of Savannah, it is necessary that certain interests in real property within the City limits of Savannah to be acquired; and

WHEREAS, the Mayor and Aldermen of the City of Savannah, Georgia hereby declare that the property located in Land Lot 48, Mitchell Ward, City of Savannah, Chatham County, Georgia, as described in the legal description attached hereto as Exhibit “A” and incorporated herein by reference, is to be acquired for a specific public purpose or use, which in this case is the acquisition of certain real property in fee simple necessary to remedy blight; and

WHEREAS, the property to be acquired is owned by Warren Withers; however, James Floyd may have a right of redemption and there may be other parties, known or unknown, who have an interest in the property; and

WHEREAS, it will be necessary to institute condemnation proceedings in Chatham County Superior Court to acquire the property described in Exhibit “A” since written notice of the City’s offer of payment has been provided to the owner to acquire such property for fair market appraised value and the owner has not accepted the offer made and/or cannot provide clear and marketable title; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Aldermen of the City of Savannah, Georgia as follows:

1. that the public necessity for immediately acquiring all of the property described in Exhibit “A” for the above stated purposes is hereby declared; and
2. further, a finding is hereby made that the circumstances are such that it is necessary to proceed with condemnation proceedings to remedy blight by use of a method of condemnation, as authorized by O.C.G.A. §§ 22-1-1 *et seq.* and use of that method is hereby authorized for the acquisition of property described in Exhibit “A”; and
3. that the City Attorney is authorized and directed by this Resolution to institute, pursuant to O.C.G.A. § 22-1-15, a petition in the name of the Mayor and Aldermen of the City of Savannah with the Superior Court of Chatham County for a judgment in rem against the property described in Exhibit “A” to seek a determination that such property is blighted property, and if deemed blighted by the Superior Court of Chatham County, then pursuant to O.C.G.A. § 22-1-15(i), the City Attorney is authorized and directed by this Resolution

to institute condemnation proceedings in the name of the Mayor and Aldermen of the City of Savannah for the quick and effective condemnation of the property described in Exhibit “A” and of every interest therein, to remedy blight, as provided by the Constitution of Georgia, and pursuant to the condemnation method described in O.C.G.A. §§ 22-1-130 *et seq.*; and

4. that the City Manager is hereby authorized and directed to expend all necessary and proper payments for the expenses incurred in carrying out the acquisition and condemnation of this property upon receipt of a requisition therefor from the City Attorney and to make all necessary and proper payments in connection with such acquisition, including but not limited to, title searches, appraisals, surveys, specialty reports, expert fees, closings and/or any other costs associated with any condemnation actions authorized by this Resolution.

ADOPTED by the Mayor and Aldermen of the City of Savannah, Georgia, this 20th day of December, 2018.

EDDIE DELOACH, Mayor

**LUCIANA SPRACHER,
ACTING CLERK OF COUNCIL**

EXHIBIT “A”
PROPERTY DESCRIPTION

All that certain lot, tract or parcel of land situate, lying and being in the City of Savannah, County of Chatham, and State of Georgia, and shown on the present map of said city as Lot 48, Mitchell Ward, and being a portion of the Broady Tract. Said lot being bounded on the North by Lot 49, said Ward, on the East by parts of lots 6 and 7, said Ward, on the South by Lot 47, said Ward, and on the West by Cumming Street, having improvements thereon known as 238 Cumming Street, Savannah, Georgia and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-17-027.

Subject, however, to all easements, restrictions and/or rights-of-way of record affecting subject property, if any.