

Right-of-Way Acquisition Update Road Widening Projects: 1) Gwinnett Street 2) Delesseps Avenue

City Council Workshop
March 14, 2019



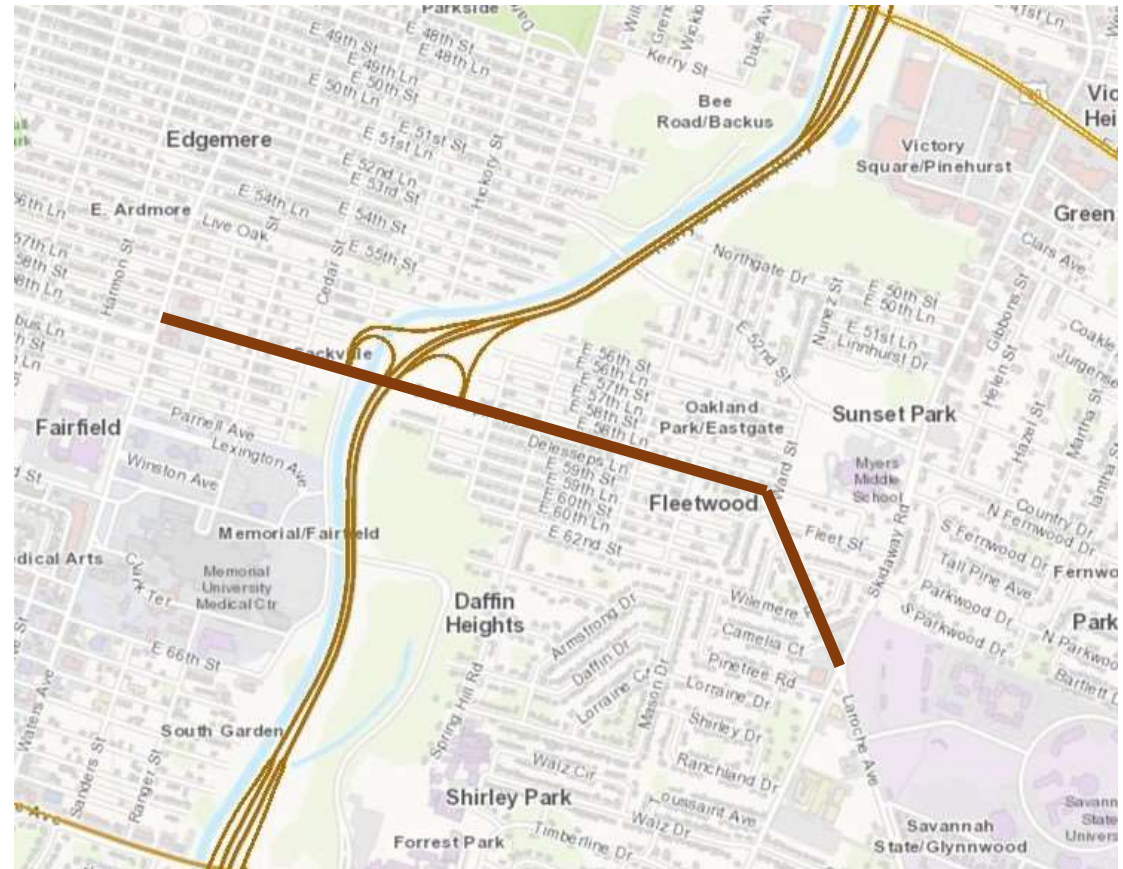
Project: West Gwinnett Street Widening

- Necessary to handle traffic at City's new Arena development
- Widens road to 4 lanes, elevates road out of flood plane, and adds bridge across canal
- Fee simple and permanent easements across 8 parcels
 - No Relocations
 - No total acquisitions



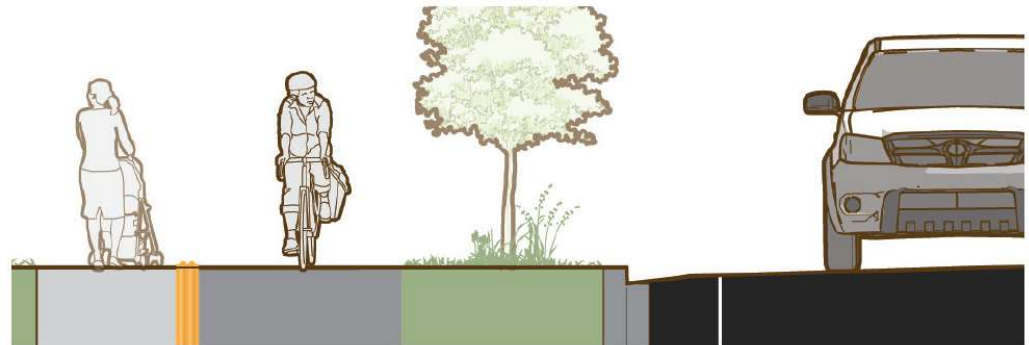
Project: DeLesseps Avenue Widening

- From Waters Avenue to Skidaway Road (+/- 1.4 Miles)
- Adds:
 - Curb and gutter
 - 5-foot sidewalk
 - 4-foot bicycle lane
 - Improved drainage
- Fee Simple and Easements across 120 parcels
 - No relocations
 - No total acquisition



Public Benefits associated with Projects

1. More accessibility / safer modes of transportation
2. Enhanced drainage
3. Delesseps Project
 - a) Bike lanes
 - b) Sidewalks
 - c) Leverages Savannah Shine initiatives / projects





Highly Regulated Activity



ACQUISITION PROCESS (summary)

- Contact property owners
- Appraisal of fair market value
- Offer Process: Personal contact (when possible)
- Negotiate
- Reach deal if reasonably possible within 40 days
- Last resort: Eminent domain
 - If title issues or can't reach reasonable deal.
- Close on acquisitions, generate deeds, closing docs.
- Turn over to Public Works to clear and certify ROW, start project



View East Along Delesseps at Costa Rica



U.S. Constitution

- Provides authority of governments to acquire private property for public projects, subject to conditions:
 - Article 5: “...nor shall private property be taken for public use without just compensation.”
 - Just compensation established by 3rd party professional appraisal

Eminent Domain by COS

- Requires authorization by Council
- Once authorized, City Attorney (or designee) files Petition at Superior Court and deposits appraised value funds with Court
- Court determines legality and issuance of Order of Taking
- Owner can contest value, get separate appraisal, and argue their position in court at a later date, if so desired.

Questions?