



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Pursuant to a Call by the Mayor, notice is hereby given that the Savannah City Council will hold a Special Meeting on Thursday, December 20, 2018 in the Council Chambers of Savannah City Hall. The meeting will commence at 6:00 p.m. The purpose of the meeting will be to consider the adoption of a Resolution to proceed with eminent domain pursuant to O.C.G.A. § 22-1-1 et seq. to condemn the following properties:

- 218 Cumming Street, Savannah, Georgia 31415 (PIN: 2-0019-17-034)
- 220 Cumming Street, Savannah, Georgia 31415 (PIN: 2-0019-17-033)
- 231 Cumming Street, Savannah, Georgia 31415 (PIN: 2-0019-18-012)
- 236 Cumming Street, Savannah, Georgia 31415 (PIN: 2-0019-17-028)
- 238 Cumming Street, Savannah, Georgia 31415 (PIN: 2-0019-17-027)
- 242 Cumming Street, Savannah, Georgia 31415 (PIN: 2-0019-17-026)

Your presence is appreciated.

Sincerely,

Luciana M. Spracher
Acting Clerk of Council

PRESENT: Mayor Eddie W. DeLoach
Mayor Pro-Tem Carolyn H. Bell
Alderman Brian Foster, Vice-Chairman of Council
Van R. Johnson, II, Tony Thomas, Estella E. Shabazz, Bill Durrence, John Hall

City Manager Rob Hernandez
Assistant to the City Manager Bret Bell
Deputy City Attorney Jen Herman
Assistant City Attorney Denise Cooper
Housing & Neighborhood Services Director Martin Fretty

ABSENT: Alderman Julian Miller, Chairman of Council

Mayor DeLoach called the meeting to order and briefly discussed the purpose of the meeting.

[A summary is being provided for the beginning of the meeting due to a malfunction with the video]

Deputy City Attorney Jen Herman stated this meeting is to get authorization from Council to begin the process, the issues will be addressed in Superior Court at a later date.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Denise Cooper, Assistant City Attorney, stated all six properties will be heard individually. This is the beginning of the process. We will then file a petition with Superior Court. The Court will determine the fair market value down the road. The judge will determine if three or more blighted conditions exist with the properties. Typical characteristics include vacancy, code violations, City maintenance, cloudy title, the property continues to contribute to low value in neighborhood. Why Cumming Street, we want to take a block and continue to clean up the City.

Item 1: MOTION TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO INITIATE CONDEMNATION PROCEEDINGS TO REMEDY BLIGHT THROUGH ACQUISITION OF A PARCEL OF LAND AT 218 CUMMING STREET

Martin Fretty, Housing & Neighborhood Services Director, stated in this one block street between Augusta Avenue and Love Street, there are 37 properties, 21 are blighted, 57% are abandoned and blighted properties, 12 abandoned houses and 12 abandoned lots.

[Transcription begins based on available recording]

Mr. Fretty: I just covered the first one, I need to go through each of these bullets because there's a lot of information there. The second bullet, the property has had repeated illegal activity known to the property owner. Since 2004, there have been 27 property maintenance ordinance violations on this property, and those ordinances are City laws that have been violated. The property has been maintained below code for at least one year as Denise mentioned. In this case, the property has been below code for seven years and you can see the number of years or the years in which it's been below, including most recently, 2016 and 2018. In terms of crime and proximity to the property, which is another one of the indicators of blight that we have to prove or demonstrate. There have been 112 crimes that have been committed in and around this property.

Alderman Bell: What does that mean in proximity?

Mr. Fretty: It means it doesn't have to be on the lot itself, but it has to be within a block or two block areas, that's what we looked at. We actually looked at the whole block, we really didn't go beyond that. The idea is if you've got abandoned and blighted property, bad things happen on it, and crime spills up and down the street. So, that's reflective of not just this property but all the abandoned properties on the street, that's what the law is looking at first.

Alderman Bell: But you limited it to one block.

Mr. Fretty: Yes ma'am, we went from Augusta Avenue to Love Street. The other one is a property conducive to ill health or transmission of disease. Properties that are regularly overgrown and have trash or debris on them contribute to the presence of a mosquitoes, vermin, and snakes. So, those are the types of things we're looking at as we're looking to prove each one of these five



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

cases. Now if you go on to the second side. This demonstrates the roof is worn out and it's probably causing a leakage into the building in places. Because of the worn out, you see trash and debris on top of the roof. You can see where the rafter overhangs are rotten in places. And you can see in the backyard where the two trails that run through the backyard from Cumming Street go over, the pedestrian traffic is just rampant through there. Somebody didn't get the message on the shopping cart ordinance, there's a shopping cart in the backyard. And you can also see people just have a tendency to dump stuff when nobody's there and there's a pile of tires back there at the time this was taken. So, that was all I had for my part on 218.

Assistant City Attorney Denise Cooper: Now we have staff from Real Property to identify about making notice with the property owners.

Alderman Durrence: I didn't know if you were moving on from 218 to the next. But just to educate me a little bit, that \$630 assessment since 2005, does that include accumulated interest or do we charge interest on those assessments?

Mr. Fretty: I don't know that we actually charge interest on it. Perhaps Kevin Milton can...

Attorney Cooper: We have Kevin Milton, Director of Code Compliance, here who can answer that question.

Alderman Durrence: The second part of my question is at whatever point this is settled and a figure is named by the court as the value for the place, does this money owed come out of that? Do we recapture those fees out of that money?

Mr. Fretty: Yes, we can make a claim for that money.

Mr. Milton: There's no interest associated with those special assessment fees.

Eric Chin, Real Estate Officer: Good evening everyone my name is Eric Chin, I am the Real Estate Officer for the City, and standing next to me are Chip Colley and Cealan Clifford, Real Estate Coordinators. So, I'm here to speak about the contacts that we have made to all owners and/or heirs that we could possibly locate. So, 218 Cumming Street the first property, the listed owner on record is Mr. Joe Black. It was also determined by the title search that possibly there might be some interest held in the property from Ms. Rosa Dupree and John Dupree. The letter of intent was initially sent by staff October 4, 2018. Subsequently we had an appraisal performed on the property on October 26th and we moved on to sending an official offer letter on November 7th. As notice for this particular hearing there's a variety of means of notice that we are required to do: placing a sign on the right of way just adjacent to the property, that was done on November 28th; we officially served all three parties and that was completed on December 6th; and notice



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

advertisement in the *Savannah Morning News* was done four times November 26th, December 3rd, December 10th and December 17th.

Mayor DeLoach: I'm going to clarify, this is for every property. So, if you tell me this on this particular property, I can assume that the same is the case for every one passed like this. Is that right? Did you put it in the paper on those same dates dealing with these other properties that we have on this list?

Mr. Chin: Absolutely.

Mayor DeLoach: So, you won't have to tell me that again.

Mr. Chin: Correct.

Mayor DeLoach: I'm just tightening this up because we don't need 35 minutes on each one.

Attorney Herman: Just to clarify, I don't think all the dates would line up for each particular property. But your question to Mr. Chin was did we follow the same process and the answer to that is yes.

Mr. Chin: Correct, responses were of course on different dates, service was occasionally on different days depending on when they were able to actually serve them.

Alderman Johnson: Mr. Chin, what was the appraised value for the property?

Mr. Chin: The appraised value of this property was \$19,500.

Alderman Johnson: And you mentioned the repeated attempts to contact the person identified as the owner and the two that have interests in the property. Did you receive any response at all?

Mr. Chin: We received response from Mr. Joe Black not too long ago, and he does express interest in selling.

Alderwoman Bell: So, let me ask a question about process. If in the process of contacting the owners and they agree, can you negotiate a sale price and avoid this process?

Attorney Herman: You can but usually the issue is cloudy titles. Even if they're willing to sell, they don't have all the interested parties...

Alderwoman Bell: If it's not a clear title you can't?



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mr. Chin: Exactly, and that will be the case in all the properties that we speak about today.

Alderman Johnson: Mr. Chin, just to clarify the other two parties you did not hear from?

Mr. Chin: No we did not.

Alderman Hall: Mr. Chin, who's the owner of the property?

Mr. Chin: The owner on record is Mr. Joe Black.

Alderman Hall: And he expressed interest, what kind of interest?

Mr. Chin: He did acknowledge the letters and he did state that he has interest in selling. At this point I believe he wants to move forward with the eminent domain process. He's not objecting to it.

Alderman Johnson: And he was advised of the hearing today.

Mr. Chin: Yes, everyone was.

Alderwoman Shabazz: Just for a point of clarity for me, Mr. Black is the owner of the property, and the title is clouded. Does that mean that there are other people involved with this?

Mr. Chin: So, for specific title issues, I might defer to Ms. Cooper.

Attorney Cooper: Mr. Black actually purchased it at a tax sale. He did in fact file a bar redemption, that is my understanding from the title search. However it still has the repeated violations and he has made no attempts to clear it or do anything with regard to removing the blight. So, that's why we're here today.

Alderwoman Shabazz: So, with the bar of redemption and this question will be asked from several so I won't have to ask it anymore.

Attorney Cooper: For clarity on that yes, he filed the bar of redemption but he did not do the quiet title action, to officially put it in his name. So, technically it's still stuck in the previous owners, it's in limbo. So, there's an additional step that he needs to do that he has not done. So, that's why we have to go through this process because he could not actually do the sale directly. So, he has one more step that he needs to do, but he hasn't done that.

Alderwoman Bell: When did he acquire the property?



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Attorney Cooper: 2001, I believe was the tax sale and then the bar redemption he actually went ahead and filed that in 2003.

Mayor DeLoach: And nothing has happened with the property since?

Attorney Cooper: He waited for a time period, it's been sitting there. If he was here, he could probably explain why he waited...

Mayor DeLoach: 15 years.

Alderwoman Shabazz: Does this person or would he have the opportunity to move forward with the bar redemption to the next step.

Attorney Cooper: Yes, he can do all those things today. We are just here asking so that we can move forward with the eminent domain process. However, if we are able to move forward, we will file the petition in Superior Court. He still has every opportunity to come in and we can still negotiate a settlement at that time if he would like to sell. So, this is just the beginning step he still has control.

Alderman Thomas: You mentioned Mr. Chin that he purchased these at a tax sale?

Mr. Chin: Yes.

Alderman Thomas: What was the purchase price of these properties?

Mr. Chin: If you'll give me just a moment, we can verify it.

Alderman Thomas: I think that's key because I want to find out something else here. Now, does he own all of these properties?

Mayor DeLoach: No, just 218.

Mr. Chin: So, the purchase price was \$2,550?

Alderman Thomas: Well, you said that he did acknowledge receipt of what you sent?

Mr. Chin: Yes sir.

Alderman Thomas: And was there any response back to that acknowledgement?

Mr. Chin: He has expressed interest in selling.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Alderman Thomas: Did we try to negotiate with him.

Mr. Chin: Yes, but at this point he has a non-marketable title, so even if we wanted to and I can let Ms. Cooper elaborate.

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

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 56, 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 56, 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 Joe Black; however, John A. Dupree and Rosa L. Dupree may have certain rights 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



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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.

EXHIBIT "A"
PROPERTY DESCRIPTION

All that certain lot, tract or parcel of land situate, lying and being in Mitchell Ward, in the City of Savannah, Chatham County, Georgia, and known and described upon a plat prepared by Percy Sugden, C.E. on the 11th day of November, 1913, which plat is recorded in the Clerk's Office of the Superior Court of Chatham County, Georgia, in Deed Book 11P's, Folio 118, to which plat



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

specific reference is hereby made, as Lot Number Fifty-six (56) in Broady Place, said Lot Number Fifty-six (56) being bounded on the North by Lot Number Fifty-seven (57), Broady Place, Mitchell Ward, on the East by Lots Eleven (11), Mitchell Ward, on the South by Lot fifty-five (55), Broady Place, Mitchell Ward, and on the West by Cummings Street.

Said property being known according to the present numbering system of Savannah, Chatham County, Georgia as 218 Cumming Street, Savannah, Georgia 31415 and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-17-034.

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

Item 2: MOTION TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO INITIATE CONDEMNATION PROCEEDINGS TO REMEDY BLIGHT THROUGH ACQUISITION OF A PARCEL OF LAND AT 220 CUMMING STREET

Mayor DeLoach: Anything any different than the other one earlier? I see all four checks, and there's a fifth one too. Any reason we need to hear that again?

Mr. Fretty: The only thing to add on this one is that the amount of special assessments to the City are \$2,285. I also just want to point out generally as you're thinking about all these blighted properties that we're bringing before you, that I did just a quick study of properties on the block that are in decent condition. According to the tax records in 2013, and then looking at the assessed value in 2018, those property owners that are out there trying to do the right thing and maintain their property, in fact, we've got two new home owners at the top of the street, they've lost on average 40 percent of the value of their property and that is largely related to the blighted property that we're bringing before you.

Mayor DeLoach: And again, I'm not in y'all's business but I'm very concerned that we got a dollar figure on that property of \$19,000 or so, and then the person down the street with a very nice home has lost a tremendous value. I'll let y'all deal with it, that's not my ball of wax.

Alderman Hall: What's the assessed value on 220 Cumming?

Mr. Fretty: The assessed value according to my records is \$4,100. The assessed value in 2013 had been \$72,500. So, you can see when you collect your property and let it become blighted...

Alderman Johnson: How much?

Mr. Fretty: \$72,500 was the assessed value in 2013, and in 2018 it's showing as \$4,100.

Alderman Hall: And they have \$2,285 in unpaid assessments?



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mr. Fretty: Correct.

Alderman Thomas: Who owns this property?

Mr. Chin: So, for 220, the owner on record is Constance Williams. We've determined from our resources that she is deceased. There may be interest held by Jewell Williams, Etolier Garvin and Deondre Williams. We have made contact with Deondre Williams, we actually met with him earlier this week and he is supportive in selling this property.

Mayor DeLoach: And what are her thoughts on selling the property, is she interested in selling or interested in...

Mr. Chin: The owner on record is deceased.

Mayor DeLoach: The owner is dead but the person you... didn't you say you contacted somebody earlier this week?

Mr. Chin: Yes, earlier this week, Deondre Williams.

Mayor DeLoach: Okay, where are we there?

Mr. Chin: They are interested in selling, but again...

Mayor DeLoach: Are they interested in selling or are they interested in fixing it up?

Mr. Chin: They are interested in selling to us.

Ms. Cooper: Mayor, if I just may state, they may be interested in selling but as we stated before, they have cloudy titles so there hasn't been a probate action. So, unfortunately even if they wanted to make repairs, they can't secure funding for it or anything. So, this process would allow the title to be cleared. So, when they say they're willing to sell, they're willing to let the City go forward with the steps to clear it so then they could potentially have ownership.

Alderman Foster: What's the appraised value?

Mr. Chin: The appraised value on this property is \$22,000.

Hearing closed upon motion of Alderman Johnson, seconded by Alderwoman Shabazz, and unanimously carried.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

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 55, 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 55, 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 Jewell Williams and Constance Williams; however, Etolier Garvin, 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



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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.

EXHIBIT "A"
PROPERTY DESCRIPTION

All that certain lot, tract or parcel of land situate, lying and being in Mitchell Ward, in the City of Savannah, Chatham County, Georgia, and known and described upon a plat prepared by Percy Sugden, C.E. on the 11th day of November, 1913, which plat is recorded in the Clerk's Office of the Superior Court of Chatham County, Georgia, in Deed Book 11P's, Folio 118, to which plat specific reference is hereby made, as Lot Number Fifty-five (55) in Broady Place, said Lot Number Fifty-five (55) being bounded on the North by Lot Number Fifty-six (56), Broady Place, Mitchell Ward, on the East by Lots No. Ten (10) and Eleven (11), Mitchell Ward, on the South by Lot fifty-four (54), Broady Place, Mitchell Ward, and on the West by Cummings Street.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Said property being known according to the present numbering system of Savannah, Chatham County, Georgia as 220 Cumming Street, Savannah, Georgia 31415 and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-17-033.

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

Item 3: MOTION TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO INITIATE CONDEMNATION PROCEEDINGS TO REMEDY BLIGHT THROUGH ACQUISITION OF A PARCEL OF LAND AT 231 CUMMING STREET

Mr. Fretty: On this one I would just like to run through the items fairly quickly. But again, uninhabitable, unsafe and abandoned. Condemned, regularly abandoned and boarded since 2004. There's been six citations for being vacant that have been open since 2004. A condemned, unfit for human habitation placard was placed on the property in August of this year. There has been no water meter, or water service on this property since November 2005 according to the City records, and no electric service. This one also has \$1,045 in back unpaid special assessments, and 51 property maintenance violations.

Mayor DeLoach: What is the value of the property?

Mr. Chin: The appraised value on this property is \$22,000.

Alderman Thomas: And the owner?

Mr. Chin: So, the owner on record is Mamie Floyd and the only address that we had on file was a P.O. Box, which unfortunately, we were unsuccessful in getting in contact with anyone. But we have recently learned that there are folks that have an interest in the property.

Attorney Cooper: And just for clarity, Mr. Chin, did we make contact with those individuals once we were notified of those heirs?

Mr. Chin: Very recently.

Attorney Cooper: We made contact with them once we received the information that there were heirs to the property. They received notice and that's how they are here today.

Alderman Johnson: Do you have any idea of how many heirs?

Attorney Cooper: They will have to share that with you...



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Alderman Johnson: No, I mean in terms of what we found on record.

Attorney Cooper: Two that we were aware of.

[Melba Screven and Yvonne Barnes came to the podium]

Melba Screven: Ms. Barnes, and my mother and Beverly Smith are sisters, they are the heirs to the property. So, I was just coming up because some of them are afraid to speak so I just came up to help them because they are my two aunts. The deceased is my mother, which were their sister.

Mayor DeLoach: So, do you want to further this negotiations with them down the road a little further on this one here since you just contacted them or have you all had an understanding that they're interested in keeping the property, selling the property or what are your feelings? I see that you wrote here that you say you are cleaning it up, can you verify that? And the taxes will be cleared and everything can go off no hitch? So, that'll be your job to negotiate that and make sure everybody's happy. Is that right? Is that how that works?

Attorney Cooper: So, there is a probate issue again with regards to this property. For transparency this property actually was in Recorder's Court. In attempting to work out a plan with Ms. Barnes and her sister with regards to them probating the estate and getting it in their name and working through the code violations that did not take place. At the time the Cumming Street process came along and was offered that this may be a better route to go since there was in fact cloudy title and they had not sought legal counsel to be able to clean up the property.

Mayor DeLoach: Okay, so at the present time we have a cloudy title. So, what we have to do and I need y'all to feel good about this okay, we have to clean up the title before y'all could do anything. Now to do that, we have to go to court at no cost to you, but we have to go to court. As a City to get this title cleaned up before we can sit down and actually talk to you about you wanting to get something done to that property because you have some value in that property, you can borrow against that property and you can fix this thing back up if you want to or you can sell it or you can do whatever you want to do with it. But the first thing we have to do is clean up the title so that we've got an individual that...

Alderman Thomas: No sir, we're off course a little bit.

Attorney Herman: The issue here is they don't have title so they can't convey the property to us. There are two ways they can clean up the title, they can go back to probate, identify the heirs and follow that process through. It appears from our records and the information presented by staff today that that for whatever reason hasn't occurred and it hasn't been anywhere near on an expedited track. The other alternative is for you to authorize staff to take it down the blight



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

route. In other words, find that the three of the four at conditions of blight have been met and then we go to court. They can present their case to the judge, but it's not an opportunity for us to do the title work for them

Mayor DeLoach: My point is we can take it to court with them and get it cleaned up. Whether it's right or wrong it will get cleaned up and they can determine what they want to do after that. Is that correct?

Attorney Herman: No, once we begin the process, it's considered blighted. We'll ask the Superior Court for a finding that it would be blighted and then we are in the condemnation proceedings.

Alderman Thomas: But I also think that we're taking them down a road that we will sit down after that and negotiate with them on the process.

Mayor DeLoach: At the end of the process, do they have an opportunity to get this property? That's all I need to understand.

Attorney Herman: No, they don't have a right of redemption. The route for them, if they want to hold on to it would've been to go through the probate process to clean up the title. The task before you all today is to determine whether or not it's a blighted property, so there's two different issues. So, the blight allows the City to clean up the title, but it won't clean up the title for the property owners.

Alderman Johnson: The probate issues for them will remain.

Attorney Cooper: Yes.

Alderman Thomas: if I may ask a couple of questions. Ma'am, are you Ms. Barnes?

Ms. Barnes: Yes.

Alderman Thomas: Ms. Floyd was your mother on the left?

Ms. Screven: Mamie Floyd was my grandmother, which was my mother.

Alderman Thomas: So, did she reside in this house until her passing?

Ms. Screven and Ms. Barnes: Yes.

Alderman Thomas: And that was in 2005, when she passed.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Ms. Screven and Ms. Barnes: Yes.

Alderman Thomas: Now just for some clarity for me, why has it been 13 years to get into shape and get where we are today?

Ms. Screven: Well, the thing is the house needed repairs and everything. When my mother lived there, there is a program that the City had that you can contact and they did do some work on it while she was living there. But even though knowing that the City have property that they build and property that you can buy through the City, it was never known that if you still lived in the house and needed work, you could still, you know, could have gotten that loan under the City which would have the property up to standard. So, it was never known, you know, it's many things out there to say, okay, this is what the City is doing. You can take this course and you can buy this home or that home. But it's not anything to say if your home is in this condition and you want to remain in your home, you can take these steps. So, that's what happened and I believe what happened with a lot of people on Cumming Street and that's why they are not there.

Alderman Thomas: Well, I don't want to mislead anyone and I want you to understand that this proceeding here is not to clear up the title so that you can come back and do repairs and all that. This is an actual we're taking these properties. So, I don't want you to be thinking that we're going to clear it up and then the City's going to sit down with you and say, okay, y'all have to pay \$1,045 for the back and you got to fix it up. I mean, this is the taking of this property.

Ms. Screven: That's not what I'm saying... I'm just saying back then, up to today, it probably would have not been to this, but we do want to keep the property and we think we do still have the deed to tear the property down and rebuild.

Alderman Johnson: So, your mom died intestate, she died without a will?

Ms. Barnes: Yes.

Alderman Johnson: And that's hence why we have the title issues which would have to be resolved in court, and even if we did that, the issue still remains. Mr. Fretty, what are the special unpaid assessments on his property?

Mr. Fretty: \$1,045. So, obviously during those times the City has performed services there and sent letters. Were y'all receiving those letters?

Ms. Screven: No, it was always a P.O. Box listed from the time that my grandmother, Mamie Floyd, that all the taxes went there, but for some reason they stopped coming there. So, I don't know if it was to be rerouted to one of the other family members or anything, but we have not seen it.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Alderman Johnson: But you understand now what this process is really all about right?

Ms. Screven: Kind of, sort of.

Mayor DeLoach: This right now we're going through the process of condemning this property and paying whoever it belongs to at the end the funds that go with that. Is that correct?

Attorney Herman: That's correct, and there will be an appraisal process that takes place in Superior Court and the judge will actually determine the value.

Alderwoman Shabazz: With a family... with you all coming here today, there was a thought and conversation with the family members. What is your idea on why you are here today?

Ms. Screven: We're here today because we want to keep our property. Even if we have to tear the house down and rebuild, we would do that, but we don't want to give up our property.

Alderwoman Shabazz: Okay, and you understand all of these other negative legalities that have taken place on the property for such a long time. Do you all understand that?

Ms. Screven: Well, I mean, I know some of it, but not the whole issue of it. Like I said, the address where the bills would normally be forwarded to which is that P.O. Box. But I was talking to my aunt, who is back there, which is my mother's sister, and she said that she didn't get any of the mail it was supposed to be going into.

Alderwoman Shabazz: So, you all came here wanting to keep the property. Now my question is directed to the attorneys, to try to help this family understand all of the proper terminology, just bring it down some notches so they can understand what's going on.

Attorney Cooper: Just for a point of clarity, as I stated before, this property has been in Recorder's, I've had discussions with Ms. Smith and her sister with regards to probating the State. We've been in there for three months. We've had the discussion to assist, lawyers, whatever they needed explaining to them that we understood that repairs would be costly. At one point they did want a demo the property, but of course that required funds and then they wanted to repair the property, but that required funds which they cannot secure. Again, as we stated that you must have a plan for probate. So at this time we released that case. That case was in fact dismissed and we proceeded with this proceeding.

Mayor DeLoach: I think we need to go forward with it based on nobody taking anything and doing something with the property over the last 13 years. Is that what you're saying? And the fact that you went to court and have spoken...



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Attorney Cooper: I encouraged them to seek counsel to assist them.

Alderman Johnson: The quickest way to address this is this way. The probate process is messy and it's long. So, if you have this title here and even if we had the power to say, go work it out, you would still have to probate it, which means you have to go through court and all of these heirs. In this case, we're moving to clear the title, once the title is cleared that's another process. If you really want to recover it then that's a whole different process, but as it is right now, the way we see it, we don't know who owns the property because it's what is called a cloudy title. You understand that? So, this is a way to be able to address the fact that this property for many years has been in this condition for many years, and it hasn't gotten any better and we've done all we can. Do you understand in that case?

Attorney Herman: Can I just make one point for everyone's clarification. This is not the government coming in and taking a piece of property. This is condemnation proceedings where the property will be valued at a fair market value and that money will be paid to the owners.

Alderman Johnson: Into the court, in which they would have to go through the probate process to work it out anyway.

Attorney Herman: And the probate judge will be appointed to confer anybody that's not identified here.

Alderman Thomas: That money will be paid to the courts, less fees that have been assessed.

Alderwoman Bell: Before we close it though, I want to make sure that they understand what the attorneys are saying and what the Alderman said. You don't have a clear title. So, really for all practical purposes, you can't do anything with the property now anyway. So, through this process, if we go through the courts and get the title cleared, then you would have an opportunity to acquire the property legally and do something with them.

Ms. Screven: That's what we're here for, that's what we want to do.

Alderman Johnson: Let's make sure we have their addresses so they're informed of the Superior Court process.

Attorney Cooper: We do and they will also have another opportunity to speak to the court. This is just a first step, when we're in Superior Court, they will be notified again of that hearing.

Hearing closed upon motion of Alderman Hall, seconded by Alderman Johnson, and unanimously carried.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Approved upon motion of Alderman Johnson, seconded by Alderman Hall, and carried with the following voting in favor: Mayor DeLoach, Aldermen Bell, Foster, Durrence, Johnson, Thomas, and Hall. Alderwoman Shabazz voted against the motion.

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 35, 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 35, 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 Mamie Floyd; however, 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



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

- 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.

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 known upon the map and in the plan of said City as Lot Number Thirty-five (35), Mitchell Ward, in the Subdivision known as the Broady Tract; said lot having and Eastern frontage on Cummings Street of Thirty (30) feet, and a rectangular depth Westwardly of Ninety (90) feet to a lane, and being bounded as follows: On the North by Lot Number Thirty-four (34) said Ward and Subdivision; on the East by Cummings Street; on the South by Lot Number Thirty-six (36) said Ward and Subdivision, and on the West by a lane; containing improvements thereon known according to the present system of number of the City of Savannah as 229-231 Cummings Street, Savannah, Georgia and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-18-012.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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

Item 4: MOTION TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO INITIATE CONDEMNATION PROCEEDINGS TO REMEDY BLIGHT THROUGH ACQUISITION OF A PARCEL OF LAND AT 236 CUMMING STREET

Mr. Fretty: It meets again all the criteria that we've covered before in different stages. There was a major fire at this property in 2016. There are huge holes in the roof of the property. It's burnt beyond habitation, it's been condemned as unfit for human habitation as a result of that.

Alderwoman Bell: So, do we have an owner of record?

Mr. Fretty: I'll let Eric speak to the contact with the owner. We have \$815 of special assessments on this property.

Mr. Chin: So, this particular property is owned by Korey Singleton and we have made contact with him. He does express interest in selling to the City. He made contact with his attorney to figure out how to clear his title, but has decided that he would like to proceed with the eminent domain process.

Alderman Foster: What's the appraised value on the property?

Mr. Chin: The appraised value is \$25,000.

Mr. Fretty: The assessed value in 2018 is \$16,200, but how they get the numbers we don't know. In almost all cases where we're offering the appraised value, the appraisals are significantly higher than the assessed values.

Alderman Foster: Well, in this case it's just the value of the lot since the house has been burned down.

Hearing closed upon motion of Alderman Hall, seconded by Alderman Johnson, and unanimously carried.

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

**RESOLUTION
A RESOLUTION BY THE MAYOR AND ALDERMEN OF THE CITY
OF SAVANNAH, GEORGIA, AUTHORIZING THE ACQUISITION OF A**



**SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018**

CERTAIN PARCEL OF LAND LOCATED IN LAND LOTS 49 AND 50, 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 Lots 49 and 50, 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 Korey Singleton; however, the estates of William George Jackson and Dorothy Jackson Kitchen, deceased, may have certain rights 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



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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.

EXHIBIT "A"
PROPERTY DESCRIPTION

All those two certain lots, tracts, or parcels of land situate, lying and being in said State and County, and in the City of Savannah, and being known and designated upon a map or plat made by Percy Sugden, Civil Engineer, dated November 11, 1913 and recorded in the office of the Clerk of the Superior Court of said County in Book 11 P's, folio 118 as Lot Nos. 49 and 50, and on the map or plan of the City of Savannah as Lots Nos. 49 and 50, Mitchell Ward, said lots being contiguous and having an aggregate front of sixty (60') feet on Cummings Street with a rectangular depth of ninety (90') feet, and being bounded as a whole as follows: On the north by Lot No. 51, said Ward, on the east by Lots Nos. 7 and 8, said Ward, on the east by Lots Nos. 7 and 8, said Ward, on the south by Lot No. 48, said Ward, and on the west by Cummings Street. Said property being known according to the present numbering system of Savannah, Chatham County, Georgia as 236 Cumming Street, Savannah, Georgia 31415 and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-17-028. Subject, however, to all easements, restrictions and/or rights-of-way of record affecting subject property, if any.



Item 5: MOTION TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO INITIATE CONDEMNATION PROCEEDINGS TO REMEDY BLIGHT THROUGH ACQUISITION OF A PARCEL OF LAND AT 238 CUMMING STREET

Mr. Fretty: Again, in this process of eminent domain where the State law clearly says we have to go out and get our private market appraisal on it. The property owners are given a chance to do the same and that's all taken into court on the second hearing and a judge determines what the value is. 238 Cumming is a little bit different than the previous four. This is a property that is largely a vacant lot, there's remnants of a property on it. But again, you can see the same criteria have been met, except we're not maintaining this property as abandoned and uninhabitable because it doesn't really, well, you'll see from the next slide. You see the remains of the front porch about 10 feet off the road, when I was out there looking at the property, the weeds were knee high or higher. Mosquitoes are as thick as fog and again, with West Nile and other things that you have to be concerned with for health purposes, that's an issue. The back of the lot was being used as a dumping ground, you know, perhaps that first picture up in the upper left shows it best, but there are tires, bags of garbage, there was a litter, there's construction material, and that's oftentimes what we find on vacant lots that had been just left to be abandoned. Now, the other interesting thing on this one is that we've actually spent \$5,971 in work, taking care of code violations that the property owners have not done. So, we have \$5,971 in special assessments on this property.

Alderman Johnson: How many heirs?

Mr. Chin: So, the owner on record for this property is Warren Withers and in fact they are very supportive of proceeding with eminent domain, for the purposes of clearing the title and liquidating the property.

Alderman Foster: And the appraised value?

Mr. Chin: \$7,500.

Attorney Cooper: Eric, just for clarity, how did Mr. Withers acquire the property?

Mr. Chin: He purchased it via tax deed.

Attorney Cooper: And has he filed the bar of redemption or quiet title action?

Mr. Chin: Neither.

Alderman Johnson: How much did he purchase it for?



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mr. Chin: He purchased it for \$988 in 2006.

Hearing closed upon motion of Alderman Johnson, seconded by Alderwoman Shabazz, and unanimously carried.

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

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:



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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.

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 CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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.

Item 6: MOTION TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO INITIATE CONDEMNATION PROCEEDINGS TO REMEDY BLIGHT THROUGH ACQUISITION OF A PARCEL OF LAND AT 242 CUMMING STREET

Mr. Fretty: This property has had repeated illegal activity on the premises. There have been 44 property maintenance ordinance violations dating back to 2005. There's overgrown weeds and vegetation, illegal dumping of similar nature where you've got a trash or garbage and construction materials, tires that the City, again, when it has to go out and cut this property and remove all that stuff is a burden to the taxpayer. There were signs of again paths that were being cut diagonally through the property from people that were trying to use it as a short cut to get from one place to another. This property has been below code for 12 years, not just the one year that is required by law. Again, it has some of the same general characteristics of a contributor to the 112 Part One and Part Two crimes. And also the problems we have with mosquitoes, trash, vermin, and stuff like that. This one has \$6,813 in special assessments. So, the taxpayers have been maintaining this property since 2008.

Mayor DeLoach: So, they would need to pay us \$6,813 to clear that, is that what you're saying?

Mr. Fretty: That's how much the special assessments are. When we continue with this process in the court, the court will determine how much we are to pay them for the property and we can file a petition for the \$6,813.

Mayor DeLoach: But I do want to understand, we've got \$6,813 in it in now, right, over the last how many years?

Mr. Fretty: Since 2008, so ten years.

Mayor DeLoach: So, we've been basically cleaning it up for ten years.

Mr. Fretty: We've been the property management company... well the taxpayers have.

Alderman Hall: How much is it worth now?

Mr. Chin: So, the property is appraised at \$10,000. Again, in this case there was unclear ownership. There are a few parties that we believe may have interest and just for the record



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

those folks are: William Smith, Kenneth Bowers, Barbara Reddick, Carrie Jackson, and Spencer Bowers, Jr.

Kenneth Bowers: This property was willed to us by our grandparents and they wanted it to stay in the family. Now what had happened was one of my sisters, Willie Ann Smith, was living on the property and all of us were up in New York at the time, so she was the only one down here taking care of it, you know, living on the property.

Mayor DeLoach: She wasn't taking care of it, let's be clear.

Mr. Bowers: Well, she was here.

Mayor DeLoach: She's gone now?

Mr. Bowers: She's passed away. So, what happened was I took over the taxes.

Mayor DeLoach: Are they up to date?

Mr. Bowers: Yes, they are.

Mayor DeLoach: That's awesome.

Mr. Bowers: But nobody wanted to come down and live on the property because of the neighborhood. Now the building she was living in was condemned. We were told about it and spent \$4,000 to clear it. As far as the maintenance goes I understand it. I spoke to my living siblings that's on the deed and we're ready to pay whatever we owe the City for the maintenance because we want to keep the property. Nobody wanted to come down because of the neighborhood. I make visits down here and look at it and say, wow, this is crazy.

Mayor DeLoach: Your property is one of the reasons why it looked crazy.

Mr. Bowers: We want to keep it in the family. We have some family members here, but we want to keep it in the family. My siblings and I have discussed and are planning to put a building on the property for someone down here to live in so we can keep it in the family. This is what our grandparents wanted and we're trying our best and this is what we want to do. I started already as far as cleaning it, I hired someone to keep going over there checking on it, and keep clearing it. Whatever he has to do to keep it up. The picture you have, I have a recent one.

Alderman Johnson: Well, thank you for coming first. I think you have a unique opportunity in this because you have an idea of who all the heirs might be. It's Christmastime and heirs get together around Christmastime. This is just an action to go to Superior Court and you have another



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

opportunity to go before a Superior Court judge. I think if you're able to show that you've made substantial progress in terms of unclearing that title, then that might be something the judge can decide.

Mr. Bowers: Yes, I can do that.

Attorney Cooper: And just for clarity, it can take place prior to that as well, even the filing. We will not be filing this for about 30 days. So, if you all get together and start working something out, we can actually arrive at an agreement before filing or even after filing. So, this is not the end. This would help begin now that we have contact with you all.

Mr. Bowers: So, what you are saying is that...

Mayor DeLoach: Hey, we don't want the property. I want you to know we are not in the property business. But we are also not going to allow blighted properties be around the people that live there either. So, we want you to take it and we want you to fix it up. I want you to build the Taj Mahal there, I mean it would be great. We really care about that. But we just want to have somebody responsible and that gets it done so it doesn't get talked about. So, whatever we can do with you to work it out with the attorney and the Superior Court, y'all go to court and get it cleared up.

Alderman Johnson: I think it will require us still to take the action. But I think in the meantime, you can work with your family members and stuff to work all of that out. And again, you have some time. So, even before that process, you can get back with the City if you're able to clear the title and this might be able to be resolved either before court or once you get to court.

Attorney Herman: I would encourage you to move this process forward quickly, if that's what you want to do.

Mayor DeLoach: What does that mean exactly?

Attorney Herman: If the heirs have been identified and y'all want to hold the property, you need to move quickly. Get with a lawyer and figure out how to get the title cleaned up and make sure everything's wrapped up.

Mayor DeLoach: What's my timeline on that?

Attorney Cooper: The intent is to file these actions within about 30 days, but if we've got some dialogue going on and you all are making some steps, then we have time. So, we wouldn't file it before the 30 days.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mayor DeLoach: Are you going to be down here in 30 days?

Mr. Bowers: Yes, I've moved down here matter of fact a couple of years ago.

Alderman Hall: I'm a little concerned. Did I hear you say the property is assessed at \$10,000 and we have \$6,800, almost \$7,000 that's owed to us?

Mr. Bowers: And we intend on taking care of that.

Alderman Hall: I can appreciate you wanting to keep the property that your grandparents left you, but you're going to have to satisfy us with almost \$7,000 and your property is assessed at \$10,000. I'm not understanding your math here. Is anybody else understanding?

Mr. Bowers: What you're saying is why would I give up \$6,000 for a \$10,000 value?

Mayor DeLoach: It's his family property, I think that's...

Alderman Hall: And I applaud him for wanting to hold on to it.

Alderman Johnson: I mean, I guess, what I got from him, I think he's a stand-up guy. It's more important to them to keep it in their family and so they'll pay what it takes to resolve it, but in the end they still want it in their family. So, yes they'll take less money from it, but they'll have it resolved, the City will be satisfied, the title will be clear, and then we all go live happily ever after.

Mr. Bowers: I'm sorry, there's something you said that I didn't understand. You said that we're willing to take less money for it.

Alderman Johnson: Ultimately the City has money into it. So, in the end the City's lien, special assessment, has to be satisfied. So, that's worked out at the court level. We have nothing to do with that. Today, all we're doing right now is approving a resolution to take it to court. The attorneys have indicated that if you all are able to work that out in the meantime, you have some time, but you need to move quickly. So, get with all of the heirs and do the legal processes. You need to see an attorney to get that all cleared up.

Mayor DeLoach: Here's what I would suggest we still do. We turn the clock on today. You have around 30 days, the alarms going off, and it's all over with until you work it out with the attorneys. But in the meantime you have 30 days and you can work it out with the courts because we have no control over it. We just start the process so they'll work with you on that.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mr. Bowers: I really want to know what your intentions are. Yes, we are going to clear the title and everything at that point when we talk to you, is it still going to be your intention to take it regardless?

Attorney Cooper: No, if we enter an agreement or negotiate an agreement, then we would honor that. So, if you all clear the title, you're going to pay the back assessment, continue to clean the property because it has to be maintained, free and clean of debris ongoing without code violations. We're not seeking to come back and take the property, we're willing to work with you, so if we enter an agreement we would honor that.

Mr. Bowers: Okay, so we clear the title and then we talked to you.

Attorney Cooper: Right, you would need to start that process, yes.

Alderman Johnson: Clear title quickly.

Alderwoman Shabazz: I need to make a statement and ask some questions in the process, maybe. Now the reason I'm voting no on these properties, the ones that I do vote no on, is because the property family members are expressing that they want to keep the property. Now you all have expressed that you are going to keep this property. Once the action has been taken place today in City Council that means, like the Mayor just said, the clock starts today to move forward. If you cannot get anything done within as I heard the attorney state in the 30 day process that means they're going to move forward with this eminent domain process that they're going through today. Now I am probably going to vote against what the rest of City Council is going to vote for, but I just wanted to make this statement, and this is not so pointed at you, but also pointed at you all. But what is happening in, and I can speak for my district, properties that have been left blighted for so long and property owners are not looking back and if they are looking back, they're not doing anything about them. So, it makes this process, this painful process for folks who want to keep their property. But like you all, you've been doing some things on it but it hasn't been a look back strong enough, because if it was you all would not be in here today. So, with the City having to go and clean up properties because of neighbors wanting to have a better quality of life, that is left up to the property owners and when that is not done we have to make decisions up here to make the quality of life of people who are living in the City better and we are spending money to do so. I'm going to go against my Council like I did on the other property, but this is for you and it's also a message that has to go forward in the City to property owners that the City Council is not taking any small punches with these blighted property, they're coming to get it to make our City better, and that's what's happening.

Mr. Bowers: Well, I'm all for making the City better and especially the neighborhood. But like I said, we would like to keep it and we'd like to be a part of that.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mayor DeLoach: Do you know Ronald Williams? He is the head of West Savannah. If you want to find out something Van and Ronald can point you in the right direction. If you're new here or hadn't been here in a long time, they can make it happen. If you'll just meet with them, they will set you straight as far as that neighborhood is concerned. Ronald Williams will set you straight in that neighborhood and he will get you flying right, I can promise you that. He has no ax to grind, he just tries to help folks.

Mr. Bowers: I'll speak to him in a while, but you know, that's fine. Like I said, great and if we can keep it and we can keep things going to keep it in our family we will. We will be looking for them and work with them.

Alderman Foster: Mr. Mayor and City Attorney, I want to clarify something for me and for these folks. Let's make sure that you understand what I believe the process is. We go to Superior Court and they determine the value and determine what the City is owed, right?

Attorney Herman: The first step is actually the determination of whether the property constitutes a blighted property.

Alderman Foster: Okay, so we're pretty sure that it's going to constitute that. So, assuming that's the case and if it's worth \$10,000, which is the appraised value for the lot and there's \$6,900 owed. So, there's a net value, let's just say the judge says that. Then whatever the net positive value is would be paid to you. If you would like to buy the property at that point with a clear title, because it's gone through eminent domain, then you can pay the assessed value, less the fees. I mean you will get the difference let's say it's \$2,500, that's yours. So, you could pay whatever the fees are determined to be and you own it free and clear, with a clear title at that point. So, I'm not so sure that this process isn't better for you and easier for you to own that lot if that's what you truly want to do. You will have that opportunity because the judge will determine that. Now, am I wrong here?

Attorney Cooper: That is correct.

Alderman Foster: I'm just trying to make it easier for you.

Mr. Bowers: Okay, I'm trying to grasp all of this. So, what you are saying is if it goes through the eminent domain process and it's determined, let's say \$10,000 is how much it goes for, out of that \$10,000 it would pay the City back what is owed to them in maintenance, and then the net value we could use to buy the property?

Attorney Herman: Let me suggest this, your best bet right now is to hire an attorney. Because we can't give you legal advice and I don't want this process to get confused. So, you need somebody that you can speak to and if you need referrals.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

Mr. Bowers: Well, I'm just trying to understand what he's saying. I'm not asking for legal advice and I'm just trying to understand what is being said to me.

Alderman Foster: You say that to me because I'm asking you as my attorney.

Attorney Cooper: Alderman Foster, yes with regards to clearing the title, they could come in and purchase the property, but it doesn't mean they will get it because there may be other buyers. So, we may have to publicize. So, we can't say that it's definitely this individual. That's why it's time for them to get an attorney, because then the title will be clear and it will be open for any buyer. They surely will be on notice, because they will be noticed about everything. They would have been in the loop so they will be right there.

Hearing closed upon motion of Alderman Hall, seconded by Alderman Johnson, and unanimously carried.

Approved upon motion of Alderman Johnson, seconded by Alderman Hall, and carried with the following voting in favor: Mayor DeLoach, Aldermen Bell, Foster, Durrence, Johnson, Thomas, and Hall. Alderwoman Shabazz voted against the motion.

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 LOTS 46 AND 47, 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 Lots 46 and 47, 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



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

WHEREAS, the property to be acquired is owned by Willie Ann Smith, Barbara Reddick, Carrie Jackson, Kenneth Bowers and Spencer Bowers, Jr.; however, 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.



SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018

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

EXHIBIT "A"
PROPERTY DESCRIPTION

All those two certain lots, tracts, or parcels of land situate, lying and being in the City of Savannah, County of Chatham, and State of Georgia, in Mitchell Ward, and known and designated on the map or plan of the subdivision of "Broady Place", prepared by Percy Sugden, C. E., on November 11, 1913, of recorded in the office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Book 11 P's, folio 119, as lots numbers Forty-six (46) and Forty-seven (47); said lots lying contiguous, having a combined frontage of Sixty (60) feet on Cumming Street with a rectangular depth Eastwardly of Ninety-three (93) feet, more or less, and as one body of land being bounded as follows: On the North by lot Number Forty-eight (48), said subdivision and ward; on the East by Lots Numbers Five (5) and Six (6) of subdivision of the Roach Tract; on the South by land now or formerly of Rachel Rubin; and on the West by Cumming Street, and having improvements thereon known under the present system of numbering houses as 242 Cumming Street; Savannah, Georgia and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-17-026.

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

Attorney Herman: One matter of housekeeping before you close the meeting. There was a series of slides presented up here that Mr. Fretty relied upon, I would respectfully suggest that they be formally entered into the record and attached to the minutes as factual and supportive of everything that he testified.

Ronald Williams, President of West Savannah Community Organization: A couple years ago we had an effort to clean up West Savannah. Cumming Street is not the only street with blight in West Savannah. You can't ride down any streets in West Savannah without seeing boarded up and blighted houses. My suggestion, if we can, if you can put in play some of these people want to keep their property and there should be a time limit on how long it takes them to do something on their property, because they don't build on the property, nothing. After they acquire the property they can sit on the property for another ten years or whatever. But it should be a time limit on putting something on that property. So, is there anything that can be put in place with that?

Mayor DeLoach: I think Van and Tony were right when they said you need to go through this process. At least go through the process and then you can determine what you want to do to it. That way it puts a clock on it.

Mr. Williams: Because we have a vision, they, people, have asked me to speak for them. We have a vision of maybe parts of West Savannah looking like Savannah Gardens.



Mayor DeLoach and Council wished everyone a Merry Christmas.

There being no further business, Mayor DeLoach declared this meeting of City Council adjourned.

Luciana M. Spracher

Luciana M. Spracher
Acting Clerk of Council

PowerPoint Presentation slides presented during the meeting.

Purpose of Eminent Domain Special City Council Meeting

1. Request that City Council adopt Resolutions authorizing the purchase of six blighted properties on Cumming Street In West Savannah for fair market appraised value using, if necessary, eminent domain in accordance with State law.
2. These Resolutions are required as part of the eminent domain process.
3. Adopting the Resolutions does **NOT** mean that the City will be able to use eminent domain to purchase the properties.
4. The Resolutions permit the City to request a Superior Court hearing where a Judge will hear evidence from interested parties and determine if the City may use eminent domain to purchase the properties and, if so, the Court will establish fair market value for the properties.



Eminent Domain Superior Court Blight Ruling Next Step

Following City Council Resolution adoption a Superior Court Judge must hear evidence from interested parties and determine if a property meets State law definition of blight and can be purchased using eminent domain.

The Judge must determine if three or more of the following blight conditions exist.

1. The property includes an uninhabitable, unsafe or abandoned structure.
2. The property is the site of repeated illegal activity of which the owner knew about or should have known about.
3. The property has been maintained below state, county or municipal property maintenance codes for at least one year.
4. The property is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property.

Eminent Domain Typical characteristics of blighted properties that the City may seek to acquire using eminent domain

1. A property that Superior Court determines is blighted according to State law.
2. A blighted property that is unoccupied, vacant or abandoned.
3. A blighted property that has repeated property maintenance code violations.
4. A blighted property in which the City and its tax payers have had to expend funds to correct property maintenance code violations that have been neglected or ignored.
5. A blighted property that has cloudy title, including "heirs" property, that prevents those with an ownership interest from borrowing funds to remedy the blight, improve the property, rent the property or sell the property.
6. A blighted property that contributes to crime, ill health and/or transmission of disease.
7. A blighted property that lowers values of nearby properties and makes it difficult for responsible property owners to maintain, improve, rent or sell their properties.

Eminent Domain Why Cumming Street Blighted Property?

1. The City is pursuing the acquisition of blighted, abandoned properties on Cumming Street in the West Savannah neighborhood.
2. Cumming Street is one block long located between Augusta Avenue and Love Street.
3. Cumming Street has a large number of blighted, abandoned, properties that contribute to crime, fire, ordinance and code violations, devaluation of nearby property, and a lower quality of life for persons living on or near Cumming Street and in West Savannah.
4. The West Savannah Community Organization leadership brought Cumming Street and its problems to the attention of City officials and asked for help resolving these problems including acquiring blighted, abandoned, property using eminent domain where necessary.

Cumming Street Property Conditions

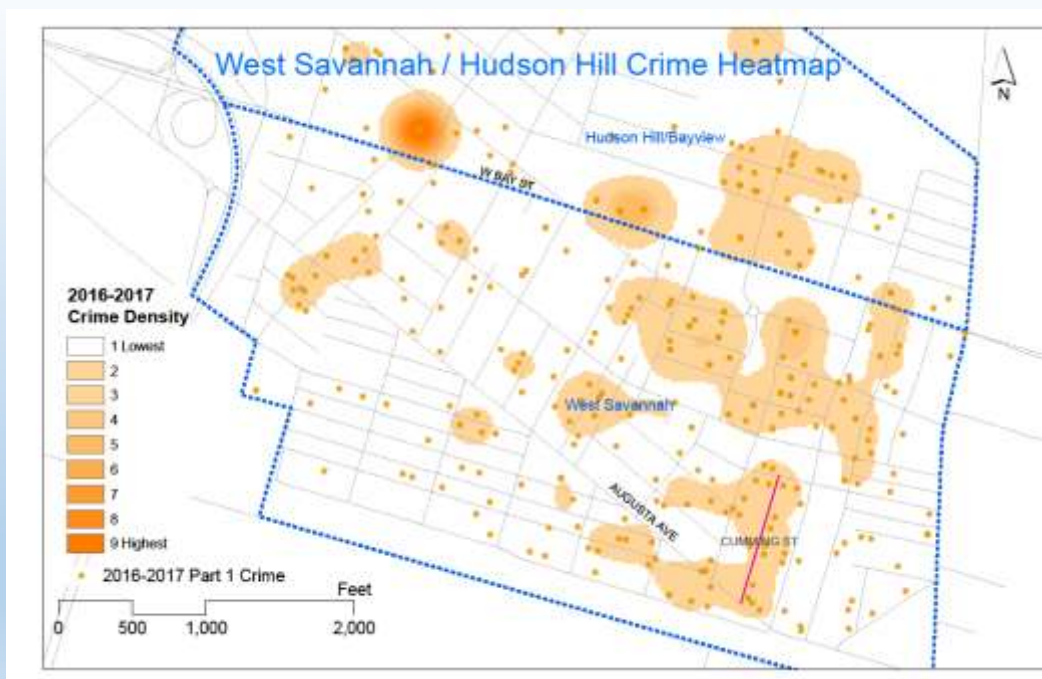
Property Type	Number	%
Occupied Properties	16	43%
Blighted/Abandoned Properties	21	57%
Total Properties	37	100%

Blighted Property Type	Number	%
Abandoned Houses	12	57%
Abandoned Lots	9	43%
Total Properties	21	100%



Cumming Street Area 10 Year Crime History

Crime Type	Number	%
Part 1 Crimes	36	32%
Part 2 Crimes	76	68%
Total Crimes	112	100%





SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018



218 Cumming Street
Blight Conditions

- ✓ Uninhabitable, unsafe and abandoned property
 - Regularly abandoned and boarded dating back to 2004
- ✓ Repeated illegal activity known to property owner
 - 27 property maintenance ordinance violations dating back to 2004
- ✓ Maintained below code for at least one year
 - Below code for multiple years 2004, 09, 12, 13, 14, 16 and 18
- ✓ Conducive to crime in proximity of the property
 - 112 Crimes in vicinity of property over past 10 years
 - 36 Part 1 Crimes along Cumming Street
 - 76 Part 2 Crimes along Cumming Street
 - Cumming Street has high concentration of crimes in the neighborhood
- ✓ Conducive to ill health and transmission of disease
 - Regular overgrowth, trash and resulting moisture on the property can contribute to the presence of mosquitos, vermin, snakes, etc.

Other Information
 Property Type: Tax sale deed 2001
 Property Title: Cloudy
 Unpaid Special Assessments: \$630 dating back to 2005



218 Cumming Street
Blight Conditions
Additional Images





220 Cumming Street Blight Conditions

- ✓ Uninhabitable, unsafe and abandoned property
 - Condemned, regularly abandoned and boarded dating back to 2010
- ✓ Repeated illegal activity known to property owner
 - 47 property maintenance ordinance violations dating back to 2004
- ✓ Maintained below code for at least one year
 - Below code for multiple years 2004, 10, 12, 13, 14, 15, 16, 17 and 18
- ✓ Conducive to crime in proximity of the property
 - 112 Crimes in vicinity of property over past 10 years
 - Burglary on property in February 2011
 - 36 Part 1 Crimes along Cumming Street
 - 76 Part 2 Crimes along Cumming Street
 - Cumming Street has high concentration of crimes in the neighborhood
- ✓ Conducive to ill health and transmission of disease
 - Regular overgrowth, trash and resulting moisture on the property can contribute to the presence of mosquitos, vermin, snakes, etc.

Other Information
 Property Type: Gift deed in 2013
 Property Title: Cloudy
 Unpaid Special Assessments: \$2,285 dating back to 2014



220 Cumming Street Blight Conditions Additional Images





SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018



231 Cumming Street
Blight Conditions

- ✓ Uninhabitable, unsafe and abandoned property
 - Condemned, regularly abandoned and boarded dating back to 2004
- ✓ Repeated illegal activity known to property owner
 - 51 property maintenance ordinance violations dating back to 2004
- ✓ Maintained below code for at least one year
 - Below code for multiple years 2004, 09, 12, 14, 15, 16, 17 and 18
- ✓ Conducive to crime in proximity of the property
 - 112 Crimes in vicinity of property over past 10 years
 - Aggravated assault on property in December 2016
 - 36 Part 1 Crimes along Cumming Street
 - 76 Part 2 Crimes along Cumming Street
 - Cumming Street has high concentration of crimes in the neighborhood
- ✓ Conducive to ill health and transmission of disease
 - Regular overgrowth, trash and resulting moisture on the property can contribute to the presence of mosquitos, vermin, snakes, etc.

Other Information
 Property Type: Executor's deed
 Property Title: Cloudy
 Unpaid Special Assessments: \$1,045 dating back to 2007



231 Cumming Street
Blight Conditions
Additional Images





SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018



236 Cumming Street
Blight Conditions

- ✓ Uninhabitable, unsafe and abandoned property
 - Condemned, major fire, abandoned and boarded dating back to 2016
- ✓ Repeated illegal activity known to property owner
 - 30 property maintenance ordinance violations dating back to 2016
- ✓ Maintained below code for at least one year
 - Below code for multiple years 2016, 17 and 18
- ✓ Conducive to crime in proximity of the property
 - 112 Crimes in vicinity of property over past 10 years
 - Auto theft on property in October 2013
 - Aggravated assault on property in November 2014
 - 36 Part 1 Crimes along Cumming Street
 - 76 Part 2 Crimes along Cumming Street
 - Cumming Street has high concentration of crimes in the neighborhood
- ✓ Conducive to ill health and transmission of disease
 - Regular overgrowth, trash and resulting moisture on the property can contribute to the presence of mosquitos, vermin, snakes, etc.

Other Information
 Property Type: Tax sale deed 2016
 Property Title: Cloudy
 Unpaid Special Assessments: \$815 in 2018



236 Cumming Street
Blight Conditions
Additional Images





238 Cumming Street Blight Conditions

- ✓ Repeated illegal activity known to property owner
 - 32 property maintenance ordinance violations dating back to 1999
- ✓ Maintained below code for at least one year
 - Below code for multiple years 1999, 2004, 05, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17 and 18
- ✓ Conducive to crime in proximity of the property
 - 112 Crimes in vicinity of property over past 10 years
 - 36 Part 1 Crimes along Cumming Street
 - 76 Part 2 Crimes along Cumming Street
 - Cumming Street has high concentration of crimes in the neighborhood
- ✓ Conducive to ill health and transmission of disease
 - Regular overgrowth, trash and resulting moisture on the property can contribute to the presence of mosquitos, vermin, snakes, etc.

Other Information

Property Type: Tax sale deed 2016

Property Title: Cloudy

Unpaid Special Assessments: \$5,971 dating back to 2005



238 Cumming Street Blight Conditions Additional Images





SAVANNAH CITY COUNCIL
SPECIAL MEETING MINUTES
December 20, 2018



242 Cumming Street
Blight Conditions

- ✓ Repeated illegal activity known to property owner
 - 44 property maintenance ordinance violations dating back to 2005
- ✓ Maintained below code for at least one year
 - Below code for multiple years 2005, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17 and 18
- ✓ Conducive to crime in proximity of the property
 - 112 Crimes in vicinity of property over past 10 years
 - Trespassing on property in May 2008
 - 16 Part 1 & 2 Crimes at adjoining property
 - 36 Part 1 Crimes along Cumming Street
 - 76 Part 2 Crimes along Cumming Street
 - Cumming Street has high concentration of crimes in the neighborhood
- ✓ Conducive to ill health and transmission of disease
 - Regular overgrowth, trash and resulting moisture on the property can contribute to the presence of mosquitos, vermin, snakes, etc.

Other Information
 Property Type: Gift deed
 Property Title: Cloudy
 Unpaid Special Assessments: \$6,813 dating back to 2008



242 Cumming Street
Blight Conditions
Additional Images

