

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 54, 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

WHEREAS, the Mayor and Aldermen of the City of Savannah, Georgia 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 as more fully described herein 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 Mayor and Aldermen of the City of Savannah, Georgia desire to acquire the real property to remedy blight which is located in Land Lot 54, Mitchell Ward, City of Savannah, Chatham County, Georgia, as described in the legal description attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, it is necessary that the land described herein and other rights, if any, to remedy blight be acquired without delay; and

WHEREAS, it will be necessary to institute condemnation proceedings in Chatham County Superior Court to acquire the property in Exhibit “A” as the owner is unwilling to sell such property rights through negotiation at the appraised value; and

WHEREAS, the property to be acquired is owned by the Estate of Janie Mae Holmes, deceased and the Estate of Juanita Holmes, deceased; however, there may be other parties, known or unknown, who have an interest in the property; and

WHEREAS, an appraiser familiar with real estate values in Chatham County, Georgia, was employed to appraise the parcel at issue and has estimated just and adequate compensation for said parcel and for any consequential damages or benefits considered, is Seventeen Thousand Five Hundred Dollars and 00/100 Dollars (\$17,500); and

WHEREAS, the owner of the parcel referenced herein have been given written notice of the City’s offer of payment, has refused the City’s offer, and the City’s intention to consider this Resolution as reflected in the correspondence attached hereto as Exhibit “B” and incorporated

herein by reference;

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”;
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 _____ day of _____, 2018.

EDDIE DELOACH, Mayor

**LUCIANA SPRACHER,
ACTING CLERK OF COUNCIL**

EXHIBIT “A”
PROPERTY DESCRIPTION

All that certain lot, tract or parcel of land situate, lying and being in Mitchell Ward, in the City of Savannah, Chatham County, Georgia, being known and delineated 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 Record Book 11 P’s, folio 118, to which special reference is hereby made, as Lot Number Fifty-Four (54) in Broady Place. Said lot being bounded on the North by Lot Number fifty-five (55) Broady Place, on the East by Lot Number Ten (10) Mitchell Ward, on the South by Lot Number Fifty-three (53) Broady Place and on the West by Cummings Street, and having such measurements as are fully shown on said map hereinbefore referred to.

Said property being known according to the present numbering system of Savannah, Chatham County, Georgia as 226 Cumming Street, Savannah, Georgia 31415 and is designated by the Chatham County Board of Assessors as Property Identification Number: 2-0019-17-032.

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

EXHIBIT “B”

CORRESPONDENCE

May 8, 2018 Letter of Intent from Eric Chin to Owner/Occupant, Jermaine Beasley, Elisia Pointer, James K. Kelly making known intentions to purchase property for appraised value;

June 8, 2018 Final Offer Letters from Eric Chin to Owner/Occupant, offering to purchase property for appraised value;

June 25, 2018 Using process servers, Final Offer Letters were sent from Eric Chin to Owner/Occupant, Jermaine Beasley, Elisia Pointer, & James K. Kelly offering to purchase property for appraised value. Jermaine & Elisia were served.

[See attached]



LETTER OF INTENT

May 8, 2018

All Occupants / Owners
226 Cumming Street
Savannah, GA 31415

Jermaine Beasley (a/k/a Dartangon Beasley)
58 POWERS LNDG
BRUNSWICK, GA 31525

Jermaine Beasley (a/k/a Dartangon Beasley)
60 HORNET DR.
BRUNSWICK, GA 31525-1980

Jermaine Beasley (a/k/a Dartangnon Beasley)
26 SUPERIOR DR.
BRUNSWICK, GA 31523-7570

Elisia Pointer
1427 NE 22ND ST
OKLAHOMA CITY, OK 73111-2207

Elisia Pointer
2512 N KELLEY AVE APT A
OKLAHOMA CITY, OK 73111-2704

Elisia Pointer
3309 SW 19TH ST.
OKLAHOMA CITY, OK 73108-4011

Elisia Pointer
1313 AUGUSTA AVE
SAVANNAH, GA 31415-2012

Elisia Pointer
1707 AUGUSTA AVE
SAVANNAH, GA 31415-1941

James K. Kelly
103 MAPLE ST.
METTER, GA 30439-5434

RE: 226 Cumming Street, Savannah, GA 31415, being part of Property Identification Number

2-0019-17-032.

Dear All Parties:

The reason I'm contacting you is because the City of Savannah ("City") intends on acquiring the property located at 226 Cumming Street, Savannah, GA 31415 due to its blighted condition and extensive history of Property Maintenance Code Violations/Citations that have not been cured to date. Chatham County tax records show the owners as being Janie Mae Holmes and Juanita Holmes. It is our understanding that both owners have since passed and you may be an heir to one or both of their estates.

The City is prepared to offer just compensation for the property in the amount of appraised value, contingent upon signed acceptance of offer by all rightful heirs and proof of clear title. As a part of the acquisition process, the City will retain a well-qualified state certified general real estate appraiser to estimate the market value of the property. You are invited to be present at which time the appraiser performs his or her required site visit.

Please note this letter is non-binding and any obligation of the City to proceed is subject to the execution of a mutually agreeable contract and subject to the approval by the Mayor and Aldermen of the City of Savannah. Additionally, the City reserves the right to use any and all legal methods of acquisition available, up to and including eminent domain.

Please contact me within 15 days the receipt of this letter at (912) 651-6524. If we do not hear from you within 15 days, we will proceed with the appraisal and assume you do not wish to be present at the property when the appraiser appraises the property.

Even if you do not wish to be present for the appraisal, we would greatly appreciate it if you would contact us so that we can get a better understanding of all the heirs at laws of Janie Mae Holmes and Juanita Holmes. Particularly we are interested to know if there are any other children of Juanita Holmes other than those addressed on this letter or if Juanita Holmes was married at the time of her death. We are also interested to know if Janie Mae Holmes had a spouse or any children at the time of her death.

Thank you and I look forward to speaking with you soon.

Sincerely,



Eric C. Chin
Real Estate Officer, Real Estate Services

Cc: David M. Keating, Director of Real Estate Services



Martin Fretty, Director of Housing and Neighborhood Services
Stuart Halpern, Attorney at Weiner, Shearouse, Weitz, Greenburg & Shawe, LLP



OFFER LETTER

June 8, 2018

All Occupants / Owners
226 Cumming Street
Savannah, GA 31415

RE: 226 Cumming Street, Savannah, GA 31415, being part of Property Identification Number 2-0019-17-032.

Dear All Parties:

I am following up on my previous correspondence, to which we have not received a response. To reiterate, the City of Savannah's ("City") intends on acquiring the property located at 226 Cumming Street, Savannah, GA 31415 due to its blighted condition and extensive history of Property Maintenance Code Violations/Citations that have not been cured to date. Chatham County tax records show the owners as being Janie Mae Holmes and Juanita Holmes. It is our understanding that both owners have since passed and you may be an heir to one or both of their estates.

The City is prepared to offer just compensation for the property in the amount of appraised value, contingent upon signed acceptance of offer by all rightful heirs and proof of clear title. Certified appraiser, Edwin D. Cooper, has performed an appraisal on the property located at 226 Cumming Street and concluded the fair market value to be \$17,500.00 (Seventeen thousand five hundred dollars.) Please accept this letter as offer of said value.

Please note this letter is non-binding and any obligation of the City to proceed is subject to the execution of a mutually agreeable contract and subject to the approval by the Mayor and Aldermen of the City of Savannah. Additionally, the City reserves the right to use any and all legal methods of acquisition available, up to and including eminent domain.

Please contact me within 15 days the receipt of this letter at (912) 651-6524. If we do not hear from you within 15 days, the City intends to progress with eminent domain proceedings.

We would greatly appreciate it if you would contact us so that we can get a better understanding of all the heirs at laws of Janie Mae Holmes and Juanita Holmes. Particularly we are interested to know if there are any other children of Juanita Holmes other than those addressed on this letter or if Juanita Holmes was married at the time of her death. We are also interested to know if Janie Mae Holmes had a spouse or any children at the time of her death.

Thank you and I look forward to speaking with you soon.

Sincerely,



Eric C. Chin
Real Estate Officer, Real Estate Services

Cc: David M. Keating, Director of Real Estate Services
Martin Fretty, Director of Housing and Neighborhood Services
Stuart Halpern, Attorney at Weiner, Shearouse, Weitz, Greenburg & Shawe, LLP