

JOINT APPLICATION
FOR
A DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS PERMIT,
STATE OF GEORGIA MARSHLAND PROTECTION PERMIT,
REVOCABLE LICENSE AGREEMENT
AND REQUEST FOR
WATER QUALITY CERTIFICATION
AS APPLICABLE

INSTRUCTIONS FOR SUBMITTING APPLICATION:

Every Applicant is Responsible to Complete The Permit Application and Submit as Follows: One copy each of application, location map, drawings, copy of deed and any other supporting information to addresses 1, 2, and 3 below. If water quality certification is required, send only application, location map and drawing to address No. 4.

1. For Department of the Army Permit, mail to: Commander, U.S. Army Engineer District, Savannah ATTN: CESAS-OP-F, P.O. Box 889, Savannah, Georgia 31402-0889. Phone (912)652-5347 and/or toll free, Nationwide 1-800-448-2402.
2. For State Permit - State of Georgia (six coastal counties only) mail to: Habitat Management Program, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.
3. For Revocable License - State of Georgia (six coastal counties plus Effingham, Long, Wayne, Brantley and Charlton counties only) - Request must have State of Georgia's assent or a waiver authorizing the use of State owned lands. All applications for dock permits in the coastal counties, or for docks located in tidally influenced waters in the counties listed above need to be submitted to Real Estate Unit. In addition to instructions above, you must send two signed form letters regarding revocable license agreement to: Ecological Services Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.
4. For Water Quality Certification State of Georgia, mail to: Water Protection Branch, Environmental Protection Division, Georgia Department of Natural Resources, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 (404) 675-1631.

The application must be signed by the person authorized to undertake the proposed activity. The applicant must be the owner of the property or be the lessee or have the authority to perform the activity requested. Evidence of the above may be furnished by copy of the deed or other instrument as may be appropriate. The application may be signed by a duly authorized agent if accompanied by a statement from the applicant designating the agent. See item 6, page 2.

1. Application No. _____ 2. Date _____ 3. For Official Use Only _____

4. Name and address of applicant.

East River Street, LLC
c/o Mr. Whip Triplett
411 West Bay Street
Savannah, Georgia 31401

(912) 790-4700

5. Location where the proposed activity exists or will occur. Lat. 32° 4.779' N Long. 81° 4.964' W

<u>Chatham</u> County	<u>N/A</u> Military District	<u>Savannah</u> In City or Town
<u>N/A</u> Near City or Town	<u>N/A</u> Subdivision	<u>N/A</u> Lot No.
<u>4 Acres</u> Lot Size	<u>+/- 10 Feet</u> Approximate Elevation of Lot	<u>Georgia</u> State

Savannah River
Name of Waterway
CESAS Form 19

Name of Nearest Creek, River, Sound, Bay or Hammock

6. Name, address, and title of applicant's authorized agent for permit application coordination.

Sligh Environmental Consultants, Inc.
Attn: Brandon W. Wall
31 Park of Commerce Way, Suite 200B
Savannah, GA 31405

phone (912) 232-0451
fax (912) 232-0453

Statement of Authorization: I Hereby designate and authorize the above named person to act in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of this application.

By: 
East River Street, LLC

12.12.2023
Date

7. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any to be erected on fills, piles, of float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance. If more space is needed, use remarks section on page 4 or add a supplemental sheet. (See Part III of the Guide for additional information required for certain activities.)

To construct a new floating dock to provide public access to a proposed hotel and commercial development at the River Street East site in Savannah, Georgia. See attached Project Description for details.

8. Proposed use: Private ___ Public X Commercial ___ Other ___ (Explain)

9. Names and addresses of adjoining property owners whose property also adjoins the waterway.

Columbia Properties Savannah, LLC
740 Centre View Blvd
Ft. Mitchell, KY 41017-5434

Mayor and Aldermen of Savannah
P.O. Box 1027
Savannah, GA 31402-1027

10. Date activity is proposed to commence. Upon receipt of authorization to proceed

Date activity is expected to be completed. Within five years of authorization

11. Is any portion of the activity for which authorization is sought now complete ___Y X N

- A. If answer is "Yes", give reasons in the remarks in the remarks section. Indicate the existing work on the drawings.
- B. If the fill or work is existing, indicate date of commencement and completion.
- C. If not completed, indicate percentage completed.

12. List of approvals or certifications required by other Federal, State or local agencies for any structures, construction discharges, deposits or other activities described in this application. Please show zoning approval or status of zoning for this project.

<u>Issuing Agency</u>	<u>Type Approval</u>	<u>Identification No.</u>	<u>Date/Application</u>	<u>Date/Approval</u>
GADNR-CRD	CMPA Permit	CMPA Permit# 696		Dec 12, 2014

13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? ___Yes X NO (If "yes", explain).

Note: Items 14 and 15 are to be completed if you want to bulkhead, dredge or fill.

14. Description of operation: (If feasible, this information should be shown on the drawing).

A. Purpose of excavation or fill to construct a new floating dock structure in support of the East River Street, LLC project.
No fill, dredge, or excavation of jurisdictional waters is proposed.

1. Access channel	length _____	depth _____	width _____
2. Boat basin	length _____	depth _____	width _____
3. Fill area	length _____	depth _____	width _____
4. Other	length _____	depth _____	width _____

(Note: If channel, give reasons for need of dimensions listed above.)

B. 1. If bulkhead, give dimensions _____

2. Type of bulkhead construction (material) _____

Backfill required: Yes _____ No X Cubic yards _____

Where obtained _____

C. Excavated material

1. Cubic yards N/A

2. Type of material N/A

15. Type of construction equipment to be used Waterborne barge and crane or upland crane

A. Does the area to be excavated include any wetland? Yes _____ No X

B. Does the disposal area contain any wetland? Yes _____ No X

C. Location of disposal area N/A

D. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized: N/A

E. Will dredged material be entrapped or encased? N/A

F. Will wetlands be crossed in transporting equipment to project site? No

G. Present rate of shoreline erosion (if known) N/A

16. WATER QUALITY CERTIFICATION: In some cases, Federal law requires that a Water Quality Certification from the State of Georgia be obtained prior to issuance of a Federal license or permit. Applicability of this requirement to any specific project is determined by the permitting Federal agency. The information requested below is generally sufficient for the Georgia Environmental Protection Division to issue such a certification if required. Any item which is not applicable to a specific project should be so marked. Additional information will be requested if needed.

A. Please submit the following:

1. A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generally on your property.

2. A plan of the existing or proposed project and your adjacent property for which permits are being requested.

3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any above-ground storage areas must be diked, and there should be no storm drain catch basins within the diked areas. All valving arrangements on any petro-chemical transfer lines should be shown.

4. A contingency plan delineating action to be taken by you in the event of spillage of petro-chemical products or other materials from your operation.

5. Plan and profile drawings showing limits of areas to be dredged, areas to be used for placement of spoil, locations of any dikes to be constructed showing locations of any weir(s), and typical cross sections of the dikes.

B. Please provide the following statements:

1. A statement that all activities will be performed in a manner to minimize turbidity in the stream.

2. A statement that there will be no oils or other pollutants released from the proposed activities which will reach the stream.

3. A statement that all work performed during construction will be done in a manner to prevent interference with any legitimate water uses.

17. Application is hereby made for a permit or permits to authorize the activities described herein, Water Quality Certification from the Georgia Environmental Protection Division is also requested if needed. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

By:  _____
Whip Triplett, East River Street, LLC

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

SUPPORTING REMARKS:

STATE OF GEORGIA

REQUEST FOR A REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): East River Street, LLC - Mr. Whip Triplett

MAILING ADDRESS: 411 West Bay Street Savannah GA 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: 620 River Street East, Savannah, GA 31401

COUNTY: Chatham WATERWAY: Savannah River

LOT, BLOCK & SUBDIVISION NAME FROM DEED: N/A

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or rights in, or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit, or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has executed a revocable license in accordance with this request.

Sincerely,

By: 
Signature of Applicant

Date: 5.20.24

Title, if applicable

By: _____
Signature of Applicant

Date: _____

Title, if applicable

Attachments

Clock#: 1480871
FILED FOR RECORD

1/15/2013 04:05pm

PAID: 24.00

Daniel W. Massey, Clerk
Superior Court of Chatham County
Chatham County, Georgia

After recording return to:

Real Estate Transfer Tax

PAID \$26000.00

PLEASE RETURN TO:
HUNTER, MACLEAN, EXLEY & DUNN, PC.
P.O. BOX 9848
SAVANNAH, GA 31412-0048
ATTN: Harold Yelling

LIMITED WARRANTY DEED
For Clerk of Superior Court

Made By

GEORGIA POWER COMPANY
TO

EAST RIVER STREET, LLC, a Georgia limited liability company

THIS LIMITED WARRANTY DEED is made as of the 14th day of January 2013 by and between GEORGIA POWER COMPANY, a Georgia corporation (hereinafter referred to as "Grantor"), and EAST RIVER STREET, LLC, a Georgia limited liability company (hereinafter referred to as "Grantee").

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the premises, the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, and for other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and transferred, and by these presents does grant, bargain, sell, alien, convey and transfer unto Grantee the "Property" (as that term is hereinafter defined). "Property" means the "Land" and "Improvements" (as those terms are hereinafter defined). "Land" means the real property more particularly described on Exhibit "A" attached hereto and by reference made a part hereof. "Improvements" means the buildings, structures and improvements situated on the Land, less and except any and all distribution facilities of Grantor and the right to operate, maintain, rebuild and renew such facilities.

TOGETHER WITH all and singular the rights, members and appurtenances in and to the Property anywise appertaining or belonging thereto.

The Property is conveyed by Grantor subject to the matters set forth on Exhibit "B" attached hereto and by reference made a part hereof (the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in fee simple, subject to the Permitted Exceptions.

AND Grantor shall warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor, excepting only those claims arising by reason of the Permitted Exceptions.

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AND GRANTOR, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged, has bargained and sold, and does by these presents bargain, sell, remise, release and forever quitclaim unto Grantee all right, title, interest, claim or demand which Grantor has or may have had in and to the "Quitclaim Property" (as hereinafter defined). "Quitclaim Property" means the Quitclaim Land, Resolution and Easement (as those terms are hereinafter defined), less and except any and all distribution facilities of Grantor and the right to operate, maintain, rebuild and renew such facilities. "Quitclaim Land" means that tract or parcel of land being more particularly described on Exhibit "C" attached hereto and by reference made a part hereof. "Resolution and Easement" means the rights of Grantor under that certain Resolution of The Mayor and Aldermen of the City of Savannah dated December 7, 1995 and recorded in Deed Book 176-C, Page 603, Chatham County records, and the Agreement by and between The Mayor and Aldermen of the City of Savannah and Savannah Electric and Power Company dated November 28, 1995, attached to such Resolution. To have and to hold the Quitclaim Property unto Grantee, so that neither Grantor nor any person claiming under Grantor shall at any time claim or demand any right, title or interest in or to the Quitclaim Property.

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This instrument shall inure to the benefit of, and shall be binding upon, Grantor and Grantee and their respective successors and assigns.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and its corporate seal to be affixed hereunto by its duly authorized officers as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Alan K. Witham
Witness

Jennifer M. Whitmire
Notary Public

My Commission expires: 3/27/16

Notarial Seal



"GRANTOR"

GEORGIA POWER COMPANY

By: P. M. Clute
Its: Vice President-Land

Attest: Lawrence O. Patton
Its: Assistant Corporate Secretary

(CORPORATE SEAL)

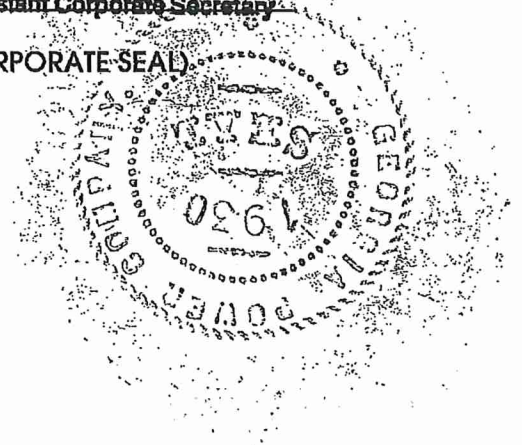


Exhibit "A"
Property Description

ALL THOSE TRACTS OR PARCELS OF LAND lying and being in the Second G.M. District, Savannah, Chatham County, Georgia, and being more particularly described as Parcel "A", containing 2.974 acres, more or less, and Parcel "B", containing 1.144 acres, more or less, all as shown on that certain survey entitled "ALTA/ACSM Land Title Survey, Portions of Front and Rear Wharf Lots 1, 2, 3, & 4, Portions of Wharf Lots 5 & 19, and Portions of the Former River and Reynolds Street Rights of Way, Trustees Garden Ward, Second G.M. District, Savannah, Chatham County, Georgia for Georgia Power Company", Field Survey Date: September 28, 2006, Plat Date: October 17, 2006, prepared by Hussey, Gay, Bell, & DeYoung, Inc., and certified by James M. Sims, recorded at Plat Record Book 47 P, pages 66 A and B, Chatham County, Georgia records, which survey is by this reference incorporated herein and made a part hereof as fully as if attached hereto.

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Exhibit "B"

Permitted Exceptions

1. Taxes for the year 2012 and subsequent years (provided, however, that Grantor shall pay the taxes for the year 2012 prior to delinquency, and from and after the date taxes for the year 2012 have been paid, this item 1. shall be automatically modified to refer to taxes for the year 2013 and subsequent years).
2. Riparian rights of owners of adjoining properties or upstream users, and the right and easement of Grantor to continue to drain the runoff from any adjoining property of Grantor in the manner currently drained.
3. General utility, roadway and other easement(s) in favor of any telephone, gas or other utility company, Chatham County, Georgia, or any other local, state or federal governmental agency or entity.
4. All matters disclosed by those certain plats recorded in Map Book 1, Page 30; Plat Record Book B, Page 275; Historical Map Book 3, Page 210; Historical Map Book 3, Page 262; Subdivision Map Book 30-S, Page 79; Subdivision Map Book 36-S, Page 82; Plat Record Book 32-P, Page 13; Subdivision Map Book 33-S, Page 4; Plat Record Book H, Page 163; Plat Record Book 14-P, Page 32; Plat Record Book O, Page 169; Plat Record Book T, Page 219; Plat Book 14-P, Page 81; Plat Book 15-P, Pages 1 and 2; and Plat Record Book 12-P, Page 122, all in Chatham County, Georgia Records.
5. Conveyance from Savannah Electric and Power Company to the Mayor and Aldermen of the City of Savannah dated July 29, 1963 and recorded in Deed Book 84-C, Page 200, Chatham County records.
6. Easement from Savannah Electric and Power Company to the Mayor and Aldermen of the City of Savannah dated October 6, 1992 and recorded in Deed Book 157-N, Page 17, Chatham County records.
7. Agreement by and between the Mayor and Aldermen of the City of Savannah and Savannah Electric and Power Company dated November 28, 1995, attached to Resolution of the Mayor and Aldermen of the City of Savannah dated December 7, 1995 and recorded in Deed Book 176-C, Page 603, Chatham County records.
8. Permanent Easement from Savannah Electric and Power Company to the Mayor and Aldermen of the City of Savannah dated November 28, 1995 and recorded in Deed Book 176-C, Page 608, Chatham County records.
9. Non-Exclusive Easement from the State of Georgia acting by and through the State Properties Commission to the Mayor and Aldermen of the City of Savannah dated April 14, 1997 and recorded in Deed Book 186-V, Page 463, Chatham County records.

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10. Declaration of Restrictive Covenant and Notice by Georgia Power Company dated September 14, 2007 and recorded in Deed Book 332-X, Page 635, Chatham County records.
11. Any claim that title to any portion of the present or former bed of any body of water, all or part of which is included within the Property, (a) is vested in the State of Georgia because said portion falls below what is either the natural ordinary high water mark or natural mean high water line of navigable water lying adjacent to or within the Property, or falls within what is or was the bed of a non-navigable body of water which is or was subject to the ebb and flow of the tide, or has been created by other than natural means, or has accreted to any such portions so created, or (b) is subject to the rights of the United States of America under its control of navigation and commerce as to any portion of the Property, or (c) is subject to riparian or littoral rights.
12. All matters disclosed by that certain survey entitled "Portions of Front and Rear Wharf Lots 1, 2, 3, & 4, Portions of Wharf Lots 5 and 19, and Portions of the Former River and Reynolds Street Rights of Way, Trustees Garden Ward, 2nd G.M. District, Savannah, Chatham County, Georgia", prepared by Sundial Land Surveying, P.C., dated June 25, 2012, last revised July 9, 2012, and certified by Michael A. Hussey, Georgia Registered Land Surveyor No. 2509.
13. All matters disclosed by that certain survey entitled "Plat of a Required Right of Way and Easement Through Properties of Georgia Power Company, Second G.M. District, Savannah, Chatham County, Georgia", dated January 28, 2004, last revised September 7, 2006, prepared by Hussey, Gay, Bell, & DeYoung, Inc., and certified by Steve R. Waters, Georgia Registered Land Surveyor No. 2748.
14. Any discrepancy between the description set forth on Exhibit "A" hereto and the description by which Grantor acquired the tract of which the Property constitutes all or a part.

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Exhibit "C"
Quitclaim Property

LEGAL DESCRIPTION PARCEL "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 2ND G.M. DISTRICT, SAVANNAH, CHATHAM COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN "X" IN THE CONCRETE CURB AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF RIVER STREET (A RIGHT OF WAY OF VARYING WIDTHS) AND THE EASTERN RIGHT-OF-WAY LINE OF EAST BROAD STREET (A 100 FOOT RIGHT OF WAY), SAID "X" IN THE CONCRETE CURB HAVING GEORGIA STATE PLANE COORDINATES EAST ZONE OF NORTH 758060.61 FEET AND EAST 991663.47 FEET;
EXTEND THENCE ALONG THE EASTERN RIGHT-OF-WAY LINE OF EAST BROAD STREET NORTH 17 DEGREES 26 MINUTES 10 SECONDS EAST
A DISTANCE OF 126.56 FEET TO A POINT ON THE U.S. ARMY CORPS OF ENGINEERS 1970 SAVANNAH RIVER HARBOR LINE;
THENCE SOUTH 67 DEGREES 43 MINUTES 50 SECONDS EAST ALONG SAID SAVANNAH RIVER HARBOR LINE A DISTANCE OF 321.96 FEET TO HARBOR LINE POINT P-89;
THENCE CONTINUING ALONG SAID HARBOR LINE SOUTH 69 DEGREES 32 MINUTES 37 SECONDS EAST A DISTANCE OF 276.11 FEET TO A POINT ON THE WESTERN PROPERTY LINE OF LANDS NOW OR FORMERLY OWNED BY COLUMBIA PROPERTIES SAVANNAH, LLC;
THENCE ALONG THE SAID PROPERTY LINE SOUTH 19 DEGREES 22 MINUTES 35 SECONDS WEST A DISTANCE OF 262.83 FEET TO AN IRON ROD FOUND;
CONTINUING ALONG THE SAID PROPERTY LINE SOUTH 18 DEGREES 40 MINUTES 31 SECONDS WEST A DISTANCE OF 72.95 FEET TO AN IRON ROD FOUND;
CONTINUING ALONG THE SAID PROPERTY LINE SOUTH 18 DEGREES 38 MINUTES 11 SECONDS WEST A DISTANCE OF 41.56 FEET TO A CONCRETE MONUMENT FOUND ON THE NORTHERN RIGHT-OF-WAY LINE OF GENERAL LACHLAN MCINTOSH BOULEVARD (A RIGHT OF WAY OF VARYING WIDTHS);
THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 72 DEGREES 51 MINUTES 35 SECONDS WEST A DISTANCE OF 17.26 FEET TO AN IRON ROD SET;
THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 472.50 FEET (AND BEING SUBTENDED BY A CHORD BEARING NORTH 45 DEGREES 43 MINUTES 17 SECONDS WEST A CHORD DISTANCE OF 119.58 FEET) A DISTANCE OF 119.90 FEET ALONG SAID CURVE TO AN IRON ROD FOUND ON THE NORTHEASTERN RIGHT-OF-WAY LINE OF RIVER STREET;
THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 35 DEGREES 50 MINUTES 20 SECONDS WEST A DISTANCE OF 31.61 FEET TO AN "X" IN A CONCRETE WALK;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 24 DEGREES 04 MINUTES 21 SECONDS WEST A DISTANCE OF 114.00 FEET TO AN IRON ROD FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 23 DEGREES 44 MINUTES 45 SECONDS WEST A DISTANCE OF 22.57 FEET TO A GALVANIZED NAIL FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 66 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE OF 3.40 FEET TO A GALVANIZED NAIL FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 535.67 FEET (AND BEING SUBTENDED BY A

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CHORD BEARING NORTH 53 DEGREES 08 MINUTES 18 SECONDS WEST A CHORD DISTANCE OF 351.03 FEET) A DISTANCE OF 357.64 FEET ALONG SAID CURVE TO A GALVANIZED NAIL FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 72 DEGREES 30 MINUTES 37 SECONDS WEST A DISTANCE OF 11.12 FEET TO THE POINT OF BEGINNING;

SAID TRACT DESIGNATED PARCEL A AND CONTAINING 2.97 ACRES, MORE OR LESS, ALL AS SHOWN ON SURVEY ENTITLED "PORTIONS OF FRONT AND REAR WHARF LOTS 1, 2, 3, & 4, PORTIONS OF WHARF LOTS 5 AND 19, AND PORTIONS OF THE FORMER RIVER AND REYNOLDS STREET RIGHTS OF WAY, TRUSTEES GARDEN WARD, 2ND G.M. DISTRICT, SAVANNAH, CHATHAM COUNTY, GEORGIA", PREPARED BY SUNDIAL LAND SURVEYING, P.C., DATED JUNE 25, 2012, LAST REVISED JANUARY 4, 2013, AND CERTIFIED BY MICHAEL A. HUSSEY, GEORGIA REGISTERED LAND SURVEYOR NO. 2509.

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LEGAL DESCRIPTION PARCEL "B"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 2ND G.M. DISTRICT, SAVANNAH, CHATHAM COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF BAY STREET (A RIGHT OF WAY OF VARYING WIDTHS) AND THE EASTERN RIGHT-OF-WAY LINE OF EAST BROAD STREET (A 100 FOOT RIGHT OF WAY), SAID IRON ROD FOUND HAVING GEORGIA STATE PLANE COORDINATES EAST ZONE OF NORTH 757855.70 FEET AND EAST 991557.46 FEET;
THENCE ALONG SAID RIGHT-OF-WAY NORTH 17 DEGREES 26 MINUTES 10 SECONDS EAST A DISTANCE OF 190.30 FEET TO AN "X" IN A CONCRETE WALK AT THE INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY LINE OF RIVER STREET (A RIGHT OF WAY OF VARYING WIDTHS) AND THE EASTERN RIGHT-OF-WAY LINE OF EAST BROAD STREET, SAID "X" IN THE CONCRETE WALK BEING LOCATED SOUTH 17 DEGREES 26 MINUTES 10 SECONDS WEST A DISTANCE OF 28.00 FEET FROM AN "X" IN CONCRETE CURB HAVING GEORGIA STATE PLANE COORDINATES EAST ZONE OF NORTH 758060.61 FEET AND EAST 991663.47 FEET;
EXTEND THENCE ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF RIVER STREET SOUTH 73 DEGREES 02 MINUTES 59 SECONDS EAST A DISTANCE OF 10.86 FEET TO AN "X" IN A CONCRETE WALK;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 507.67 FEET (AND BEING SUBTENDED BY A CHORD BEARING SOUTH 55 DEGREES 49 MINUTES 25 SECONDS EAST A CHORD DISTANCE OF 288.23 FEET) A DISTANCE OF 292.25 FEET ALONG SAID CURVE TO AN "X" IN A CONCRETE CURB;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 07 DEGREES 48 MINUTES 51 SECONDS EAST A DISTANCE OF 32.54 FEET TO AN IRON ROD FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 23 DEGREES 52 MINUTES 50 SECONDS EAST A DISTANCE OF 83.76 FEET TO AN IRON ROD FOUND ON THE NORTHERN RIGHT-OF-WAY LINE OF BAY STREET (A RIGHT OF WAY OF VARYING WIDTHS);
CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 62 DEGREES 44 MINUTES 37 SECONDS WEST A DISTANCE OF 10.76 FEET TO AN IRON ROD FOUND;

CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 475.00 FEET (AND BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 14 MINUTES 54 SECONDS WEST A CHORD DISTANCE OF 36.79 FEET) A DISTANCE OF 36.80 FEET ALONG SAID CURVE TO AN IRON FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 76 DEGREES 54 MINUTES 40 SECONDS WEST A DISTANCE OF 110.99 FEET TO AN IRON ROD FOUND;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 72 DEGREES 32 MINUTES 06 SECONDS WEST A DISTANCE OF 125.89 FEET TO AN "X" IN A METAL COVER;
CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 73 DEGREES 30 MINUTES 28 SECONDS WEST A DISTANCE OF 75.11 FEET TO AN IRON ROD FOUND ON THE EASTERN RIGHT-OF-WAY LINE OF EAST BROAD STREET AND THE POINT OF BEGINNING;

SAID TRACT DESIGNATED PARCEL B AND CONTAINING 1.14 ACRES, MORE OR LESS, ALL AS SHOWN ON SURVEY ENTITLED "PORTIONS OF FRONT AND REAR WHARF LOTS 1, 2, 3, & 4, PORTIONS OF WHARF LOTS 5 AND 19, AND PORTIONS OF THE FORMER RIVER AND REYNOLDS STREET RIGHTS OF WAY, TRUSTEES GARDEN WARD, 2ND G.M. DISTRICT, SAVANNAH, CHATHAM COUNTY, GEORGIA", PREPARED BY SUNDIAL LAND SURVEYING, P.C., DATED JUNE 25, 2012, LAST REVISED JANUARY 4, 2013, AND CERTIFIED BY MICHAEL A. HUSSEY, GEORGIA REGISTERED LAND SURVEYOR NO. 2509.

BOOK
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PAGE
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Return to: James B. Blackburn
City Attorney
240 West Broughton Street
Savannah, GA 31401

FILED FOR RECORD
REC. BK. 176 C
PG. 603

RESOLUTION

603

95 DEC -8 PM 12:49

WHEREAS ~~STEPHENS~~ ^{DEB} and Aldermen of the City of Savannah, as the Non-federal Sponsor, has approved a Project Cooperation Agreement with the Department of the Army represented by the District Engineer, U.S. Army Engineer District, Savannah, for the construction of the Savannah Riverwalk Extension Project, and

WHEREAS, a license agreement has been approved by the State Properties Commission to the City for the construction of said project which will in part be constructed adjacent to properties of Savannah Electric and Power Company, and

WHEREAS, Savannah Electric and Power Company has granted to the City a permanent easement and right of way in, on, over and across property of Savannah Electric and Power Company to further construct a portion of the Riverwalk Project and has executed additional easements necessary for construction and an agreement for permanent easements over and under said Riverwalk Project.

NOW, THEREFORE, Be It Resolved by the Mayor and Aldermen in regular meeting of Council assembled that the City Manager is authorized and directed to execute said Agreement dated November 28, 1995, granting the rights and easements as described therein to the Savannah Electric and Power Company and the Clerk of Council to attest and affix the seal of the City.

ADOPTED AND APPROVED:

December 7, 1995

I hereby certify that the above is a true and correct copy of the Resolution adopted and approved by the Mayor and Aldermen of the City of Savannah at regular meeting of Council assembled on December 7, 1995.


Dyanne C. Reese
DYANNE C. REESE, CLERK OF COUNCIL

18.00
54806EF001 12/08/95TOTAL

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STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

604 THIS INDENTURE made and entered into this 28th day of November, 1995, by and between the MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH, Savannah, Georgia, as Grantor, and SAVANNAH ELECTRIC AND POWER COMPANY, both being of Chatham County, Georgia, as Grantee;

WITNESSETH:

WHEREAS, in order to upgrade the river front area of the City of Savannah and to implement the construction of an improvement on the North side of the property of Grantee which is a portion of a project by the U.S. Corps of Engineers (the River Walk Project) the parties have reached certain agreements; and

WHEREAS, the parties hereto have agreed to the retention and control by Grantee of riparian and docking rights over and adjacent to the Project; and

WHEREAS, Grantee has conveyed certain easements to Grantor in connection with the Project.

NOW, THEREFORE, for and in consideration of ONE DOLLAR (\$1.00) and the agreements set forth herein, Grantor hereby grants and conveys to Grantee, its successors and assigns, the following rights and easements;

- (1) A permanent exclusive docking easement (including the right to install cleats, piling inserts, pilings, floating docks, boarding ramp platform and boarding ramps) along the northern side of the concrete wharf of bulkhead located at or near the Savannah river harbor line on or adjacent to that certain tract or parcel of land shown on Exhibit A annexed hereto; provided, however, that the top elevation of any pilings installed shall not exceed the top

surface elevation of the above referred to concrete bulkhead and further provided that the design of any docking facilities shall be subject to the prior written approval of Grantor and the U.S. Corps of Engineers.

(2) A permanent easement over and under the River Walk Project to be constructed on the North side of property of the Grantee for the purposes of access to and from the Savannah River and any docking facilities that may be erected on the North side of property of the Grantee, provided that such access shall not interfere with the utility of or use by the Grantor of the River Walk.

(3) Permanent utility easements to maintain at Grantee's expense, certain conduits, pipes, wires, lines and fittings for water, electrical, telephone and sewer service below deck grade across the concrete bulkhead located on or adjacent to the above referred to Parcel One; provided, however, that all costs of repair to any facilities installed by Grantee which arise not only by "wear and tear" but also by act of God or damage from any third party shall be that of the Grantee, and further provided that the Grantee shall not install any future facilities within any area of easement herein granted without first obtaining the prior written approval of the Grantor and complying with such specifications of the Grantor as to the location and manner of construction of the same.

As further consideration for the granting by Grantor of the above described easements, Grantee agrees to indemnify and hold harmless Grantor against any loss, damage, or liability arising out of any action by Grantee in its use and enjoyment of the above described easement rights.

As further consideration Grantor specifically disclaims any interest in or to any

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accreted property or filled in property adjacent to the River Walk Project and the property of Grantor.

TO HAVE AND TO HOLD the said rights and easements to the property for the use and benefit of the Grantee, its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused this indenture to be executed by its duly authorized officials and its corporate seal to become hereunto affixed and Grantee has hereunto set its hands and seals all as of the day and year first above written.

AS TO GRANTOR:

Signed, sealed and delivered in the presence of:

Arthur Dickerson

Mary Ann Mock
Notary Public, Chatham County, Georgia
MARY ANN MOCK
Notary Public, Chatham County, Ga.
My Commission Expires Jan. 10, 1997

AS TO GRANTEE:

Signed, sealed and delivered in the presence of:

William O. Rowland

William O. Rowland
Notary Public, Chatham County, Georgia
WILLIAM O. ROWLAND
Notary Public, Chatham County, Ga.
My Commission Expires Aug. 1, 1999

MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

By: *Michael B. Brown*
City Manager

Attest: *William B. Reese*
Clerk of Council

SAVANNAH ELECTRIC AND POWER COMPANY

By: *William B. Reese*
President

Attest: *L. J. ...*
Secretary

EXHIBIT A

ALL that certain tract or parcel of land known as Wharf Lots 1, 2, 3, 4 and 5 and a portion of Lot 19, Trustees Garden Ward, more fully described in deeds recorded in the records of the Clerk of the Superior Court of Chatham County, Georgia, at Deed Book 81-U, Page 318, on November 1, 1962; Deed Book 84-C, page 191, on August 9, 1963; and Deed Book 96-U, Page 493 on December 4, 1969, to which reference is made for all purposes.