

IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA

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THE MAYOR AND ALDERMEN OF THE
CITY OF SAVANNAH,

Plaintiff,

vs.

ARDSLEY PARK SAVANNAH
PROPERTIES, LLC and MARK DEWITT,

Defendants.

Tammie Mosley

TAMMIE MOSLEY-CLERK
SUPERIOR COURT C.C. GA.

CIVIL ACTION NO. SPCV17-61215-BA

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND OTHER RELIEF

COMES NOW, the Mayor and Aldermen of the City of Savannah (sometimes hereinafter referred to as "Plaintiff" or "the City"), and files this verified complaint against Ardsley Park Savannah Properties, LLC (sometimes hereinafter referred to as "Ardsley") and Mark Dewitt (sometimes hereinafter referred to as "Dewitt") and shows as follows:

PRELIMINARY STATEMENT

1. This is a proceeding seeking to enjoin Ardsley and Dewitt (sometimes hereinafter referred to collectively as "Defendants") from continued violations of the Comprehensive Zoning Ordinance for the City of Savannah (sometimes hereinafter referred to as the "Zoning Ordinance"), as a result of their ownership and management of Short-Term Vacation Rental homes in zoning districts where the use is prohibited.
2. Defendants' violations of the Zoning Ordinance, if continued, would cause irreparable injury to the City, and its citizens.

PARTIES, JURISDICTION, AND VENUE

3. The City is a municipal corporation, situated in Chatham County, organized and existing under the laws of the State of Georgia.
4. Defendant Ardsley is a Georgia limited liability company, with a principal office address at PO Box 888633, Dunwoody, Georgia 30356.
5. Defendant Ardsley may be served by and through its registered agent, Mark Dewitt, at 32 Montgomery Crossroads, Savannah, Georgia 31406.
6. Defendants own several parcels of real property located within the City's corporate limits, on which Short-Term Vacation Rentals are operated in violation of the Zoning Ordinance.
7. Defendant Dewitt is a resident of Chatham County, Georgia.
8. This Court has jurisdiction over this controversy and venue is proper.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

Zoning Ordinance / Short-Term Vacation Rental Ordinance

9. Pursuant to Article IX, Section 2, Paragraph IV of the Constitution of the State of Georgia (1983), the City is authorized to adopt plans and exercise the power of zoning.
10. Consistent with the zoning powers bestowed upon it by the state constitution, the City enacted a Zoning Ordinance, which appears at Part 8, Chapter 3 of the Code of General Ordinances for the City.
11. Among the provisions of its Zoning Code are regulations lawfully and properly enacted by the Mayor and Aldermen regarding the land use referred to as Short-Term Vacation Rentals. *See* Part 8, Chapter 11 of the Code of General Ordinances.
12. "Short-Term Vacation Rental" is defined as "an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for a

period of time not to exceed 30 consecutive days. Such use may or may not include an on-site manager. For the purposes of this definition, a residential dwelling shall include all housing types and shall exclude group living or other lodging uses, as defined in division II, code of general ordinances, part 8, planning and regulation of development, chapter 3, zoning, as amended.” Savannah Code of Ordinances, Sec. 8-11011.

13. In pertinent part, the City Code confines short term vacation rentals to certain specified districts. More specifically, Section 8-3025(a) of the Zoning Ordinance prohibits Short-Term Vacation Rental in, among others, Zoning Districts R6 and R4. Section 8-3025(b) of the Zoning Ordinance allows Short-Term Vacation Rental in, among others, Zoning District BC. Unless otherwise specified, short term vacation rentals may not be operated outside of those districts.

14. The Ordinances of the City prohibit renting or leasing a Short-Term Vacation Rental without first obtaining a business tax certificate. Savannah Code of Ordinances, Sec. 8-11012.

15. Each required certificate is non-transferrable and non-assignable, and may only be used at the location for which it is issued. Savannah Code of Ordinances, Sec. 8-11012.

16. Where any building is “maintained in violation of [the Zoning Ordinance]...the mayor and aldermen or any owner of real estate within the district in which such building...is situated may...institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful...use in any court of competent jurisdiction.” Savannah Code of Ordinances, Sec. 8-3016.

Defendants’ Short-Term Vacation Rental Ownership

R6 Zoning

17. Defendant Ardsley is the owner of record of real property and improvements located at 624 E. 53rd Street, Savannah, Georgia, having the PIN 2-0086-19-010, as assigned by the

Chatham County Board of Assessors. Said property is situated within an R6 zone.

18. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental. See www.airbnb.com/rooms/15991975. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit A on the electronic materials submitted to the court contemporaneously with this filing.

19. Defendant Ardsley also owns real property and improvements located at 212 E. 57th Street, Savannah, Georgia, having the PIN 2-0095-02-013, as assigned by the Chatham County Board of Assessors. Said property is situated within an R6 zone.

20. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental. See www.Airbnb.com/rooms/16650191. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit B on the electronic materials submitted to the court contemporaneously with this filing.

21. Defendant Ardsley is record owner of real property and improvements located at 211 E. 57th Street, Savannah, Georgia, having the PIN 2-0095-05-006, as assigned by the Chatham County Board of Assessors. Said property is situated within an R6 zone.

22. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/14703449. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit C on the electronic materials submitted to the court contemporaneously with this filing.

23. Defendant Ardsley is the owner of record of real property and improvements located at 730 E. 58th Street, Savannah, Georgia, having the PIN 2-0096-11-008, as assigned by the Chatham County Board of Assessors. Said property is situated within an R6 zone.

24. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/16650241. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit D on the electronic materials submitted to the court contemporaneously with this filing.

25. Defendant Ardsley is record owner of real property and improvements located at 710 E. 60th Street, Savannah, Georgia, having the PIN 2-0096-19-008, as assigned by the Chatham County Board of Assessors. Said property is situated within an R6 zone.

26. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/15991538. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit E on the electronic materials submitted to the court contemporaneously with this filing.

27. Defendant Ardsley is record owner of real property and improvements located at 317 E. 65th Street, Savannah, Georgia, having the PIN 2-0106-19-001, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

28. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/16650297. A true and correct copy of the listing as of November 27,

2017 is included as Exhibit F on the electronic materials submitted to the court contemporaneously with this filing.

29. Defendant Ardsley is record owner of real property and improvements located at 1330 E. 39th Street, Savannah, Georgia, having the PIN 2-0062-27-026, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

30. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/16704838. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit G on the electronic materials submitted to the court contemporaneously with this filing.

31. Defendant Ardsley is record owner of real property and improvements located at 306 E. 58th Street, Savannah, Georgia, having the PIN 2-0095-04-018, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

32. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/16588850. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit H on the electronic materials submitted to the court contemporaneously with this filing.

33. Defendant Dewitt is record owner of real property and improvements located at 528 E. 52nd Street, Savannah, Georgia, having the PIN 2-0086-13-017, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

34. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at

www.Airbnb.com/rooms/15283607. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit I on the electronic materials submitted to the court contemporaneously with this filing.

35. Defendant Ardsley is record owner of real property and improvements located at 309 E. 58th Street, Savannah, Georgia, having the PIN 2-0095-08-005, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

36. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

37. Defendant Ardsley is record owner of real property and improvements located at 309 ½ E. 58th Street, Savannah, Georgia, having the PIN 2-0095-08-006, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

38. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

39. Defendant Ardsley is record owner of real property and improvements located at 705 E. 57th Street, Savannah, Georgia, having the PIN 2-0096-11-003, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

40. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

41. Defendant Ardsley is record owner of real property and improvements located at 507 E. 57th Street, Savannah, Georgia, having the PIN 2-0096-13-003, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

42. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

43. Defendant Ardsley is record owner of real property and improvements located at 1428 E. 52nd Street, Savannah, Georgia, having the PIN 2-0097-02-009, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

44. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

45. Defendant Ardsley is record owner of real property and improvements located at 418 E. 62nd Street, Savannah, Georgia, having the PIN 2-0106-02-019, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

46. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

47. Defendant Ardsley is record owner of real property and improvements located at 414 E. 61st Street, Savannah, Georgia, having the PIN 2-0106-01-003, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

48. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

49. Defendant Ardsley is record owner of real property and improvements located at 711 E. 56th Street, Savannah, Georgia, having the PIN 2-0096-10-004, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

50. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

51. Defendant Ardsley is record owner of real property and improvements located at 1212 Delesseps Avenue, Savannah, Georgia, having the PIN 2-0097-36-010, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

52. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

53. Defendant Ardsley is record owner of real property and improvements located at 203 E. 58th Street, Savannah, Georgia, having the PIN 2-0095-07-002, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

54. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

55. Defendant Ardsley is record owner of real property and improvements located at 304 E. 60th Street, Savannah, Georgia, having the PIN 2-0095-09-018, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

56. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

57. Defendant Ardsley is record owner of real property and improvements located at 208 E. 60th Street, Savannah, Georgia, having the PIN 2-0095-10-016, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

58. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

59. Defendant Ardsley is record owner of real property and improvements located at 1107 E. 41st Street, Savannah, Georgia, having the PIN 2-0076-03-003, as assigned by the Chatham County Board of Assessors. Said property is situated with an R6 zone.

60. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

R4 Zoning

61. Defendant Ardsley is record owner of real property and improvements located at 645 E. 37th Street, Savannah, Georgia, having the PIN 2-0064-37-007, as assigned by the Chatham County Board of Assessors. Said property is situated with an R4 zone.

62. Upon information and belief, Defendant Ardsley has the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental on the www.airbnb.com website.

63. Defendant Ardsley is record owner of real property and improvements located at 658 E. 38th Street, Savannah, Georgia, having the PIN 2-0075-01-014, as assigned by the Chatham County Board of Assessors. Said property is situated with an R4 zone.

64. Upon information and belief, the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/17854762. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit J on the electronic materials submitted to the court contemporaneously with this filing.

65. Defendant Ardsley is record owner of real property and improvements located at 1013 E. 33rd Street, Savannah, Georgia, having the PIN 2-0055-24-004, as assigned by the Chatham County Board of Assessors. Said property is situated with an R4 zone.

66. Upon information and belief, the main home portion of the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/17417802. A true and correct copy of the listing as of November 27, 2017 is included as Exhibit K on the electronic materials submitted to the court contemporaneously with this filing.

67. Upon information and belief, the garage apartment portion of the property identified in the preceding paragraph is actively marketed and listed as a Short-Term Vacation Rental at www.Airbnb.com/rooms/17445946. A true and correct copy of the listing as of November 27,

2017 is included as Exhibit L on the electronic materials submitted to the court contemporaneously with this filing.

Defendants' Short-Term Vacation Rental Listings With No Known Address

68. Defendants have listed numerous properties on the www.airbnb.com website without identifying the street address associated with those parcels.

69. Each of the specific Airbnb.com sites listed above is hosted by "Matt," with "Renovations by Mark Dewitt."

70. The following properties are listed by host "Matt," with "Renovations by Mark Dewitt."

71. Upon information and belief, each of the following listings in Paragraphs X through Y *infra* is located in a zoning district where Short-Term Vacation Rentals are prohibited.

72. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/16485517, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit M on the electronic materials submitted to the court contemporaneously with this filing.

73. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/16468272, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit N on the electronic materials submitted to the court contemporaneously with this filing.

74. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/16765945, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit O on the electronic materials submitted to the court contemporaneously with this filing.

75. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/16095508, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit P on the electronic materials submitted to the court contemporaneously with this filing.

76. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/16100771, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit Q on the electronic materials submitted to the court contemporaneously with this filing.

77. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/17807348, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit R on the electronic materials submitted to the court contemporaneously with this filing.

78. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/15656998, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit S on the electronic materials submitted to the court contemporaneously with this filing.

79. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/12816568, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit T on the electronic materials submitted to the court contemporaneously with this filing.

80. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/15992435, and a true and correct copy

of the listing as of November 27, 2017 is included as Exhibit U on the electronic materials submitted to the court contemporaneously with this filing.

81. Upon information and belief, the property owned by one or both Defendants is listed for Short-Term Vacation Rental at www.Airbnb.com/rooms/21525141, and a true and correct copy of the listing as of November 27, 2017 is included as Exhibit V on the electronic materials submitted to the court contemporaneously with this filing.

Complaints and City's Enforcement Actions

82. The City has received numerous complaints from its residents regarding Defendants' illegal operation of Short-Term Vacation Rentals.

83. Upon information and belief, Defendants are utilizing one of the properties zoned R6 in a commercial capacity, as the laundry facilities for the above-referenced Short-Term Vacation Rentals, an additional violation of the City's Zoning Code.

84. The City provided notice to Defendants, by and through their attorney, of violations at 10 of the properties listed above, including those properties located at (a) 1013 E. 33rd Street (main house), (b) 1013 E. 33rd Street (garage apartment), (c) 558 E. 38th Street, (d) 1330 E. 39th Street, (e) 624 E. 53rd Street, (f) 211 E. 57th Street, (g) 212 E. 57th Street, (h) 730 E. 58th Street, (i) 710 E. 60th Street, and (j) 217 E. 65th Street.

85. Defendants and the properties identified in the preceding paragraph were cited for violations of the Zoning Ordinance.

86. True and correct copies of the citations are collectively attached hereto and incorporated herein as Exhibit W.

87. Defendants have ignored the citations, and the lawful actions undertaken by the City to enforce said citations in Recorder's Court.

88. As a part of its investigation of the cited properties, the City discovered additional properties utilized by Defendants as Short-Term Vacation Rental properties.

COUNT I

Violation of Zoning Ordinance – Short-Term Vacation Rentals

Prohibited in Certain Zoning Districts

89. Plaintiff re-incorporates and re-alleges Paragraphs 1 through 88 of this Complaint, as if fully set forth herein.

90. Section 8-3025(a) of the Zoning Ordinance prohibits Short-Term Vacation Rental in Zoning District R6.

91. Section 8-3025(a) of the Zoning Ordinance prohibits Short-Term Vacation Rental in Zoning District R4.

92. Defendants are listing properties zoned R6 and R4 for short-term vacation rental on the www.airbnb.com website.

93. Defendants have violated Section 8-3025(a) of the Zoning Ordinance.

94. The City and its residents are harmed, and will continue to be harmed by Defendants' violations of the Zoning Ordinance.

95. The City is entitled to an Order enjoining Defendants from operating and listing properties owned in zoning districts where Short-Term Vacation Rentals are prohibited, including but not limited to Zoning Districts R6 and R4.

COUNT II

Violation of Zoning Ordinance and Short-Term Vacation Rental Ordinance -- Fines

96. Plaintiff re-incorporates and re-alleges Paragraphs 1 through 95 of this Complaint, as if fully set forth herein.

97. Section 8-3017 of the Zoning Ordinance allows for fines at the discretion of the court for violations of the Zoning Ordinance.

98. Section 8-11017 of the Short-Term Vacation Rental Ordinance allows for fines at the discretion of the court for violations of the Short-Term Vacation Rental Ordinance.

99. The City, upon a finding by the court that Defendants have violated the Zoning Ordinance and/or the Short-Term Vacation Rental Ordinance as alleged herein, is entitled to an imposition of fines against Defendants for said violations.

COUNT III

Attorneys' Fees And Expenses of Litigation Pursuant to O.C.G.A. § 13-6-11

100. Plaintiff re-incorporates and re-alleges Paragraphs 1 through 99 of this Complaint, as if fully set forth herein.

101. Defendants have acted in bad faith by refusing to comply with the Zoning Ordinance and Short-Term Vacation Rental Ordinance, after notice of violation.

102. Defendants' bad faith refusal has caused the City to endure the unnecessary trouble and expense of filing the instant Complaint.

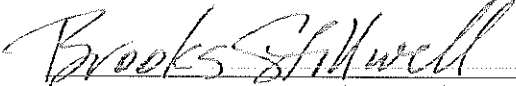
103. Because of Defendants' stubbornly litigious actions, the City should be awarded its attorneys' fees and expenses of litigation pursuant to O.C.G.A. § 13-6-11.


WHEREFORE, the City respectfully prays that:

- (a) Process issue and the Defendants be served as provided by law;
- (b) The Court find that Defendants have violated the Zoning Ordinance and the Short-Term Vacation Rental Ordinance;
- (c) The Court issue an interlocutory injunction prohibiting Defendants from listing and renting properties as Short-Term Vacation Rentals during the pendency of this action;

- (d) The Court hold a hearing and issue a permanent injunction prohibiting Defendants' Short-Term Vacations Rentals in zoning districts where Short-Term Vacation Rentals are prohibited by the Zoning Ordinance;
- (e) The Court impose fines at its discretion against Defendants for violations of the Zoning Ordinance and the Short-Term Vacation Rental Ordinance;
- (f) Attorneys' fees and expenses of litigation as provided by O.C.G.A. § 13-6-11;
- (g) Judgment be entered in favor of the City and against Defendants;
- (h) All costs of Court be cast upon Defendant; and
- (i) The City be awarded such other and further relief as this Court deems just, proper, and equitable.

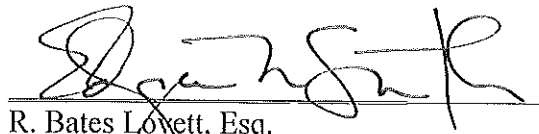
This 12th day of December, 2017.


W. BROOKS STILLWELL, ESQ. *w/express permission*
City Attorney
Georgia Bar No.: 682500


JENNIFER N. HERMAN, ESQ. *w/express permission*
Senior Assistant City Attorney
Georgia Bar No.: 327017

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bstillwell@savannahga.gov
jherman@savannahga.gov

FISHERBROYLES, LLP

A handwritten signature in black ink, appearing to read 'R. Bates Lovett', is written over a horizontal line.

R. Bates Lovett, Esq.

Georgia Bar Number 459568

Edgar M. Smith, Esq.

Georgia Bar Number 683836

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Email: edgar.smith@fisherbroyles.com

Office: (912) 335-4467

Fax: (912) 651-8290

*Attorneys for Plaintiff The Mayor and
Aldermen of the City of Savannah*

Exhibits A-V
are included on the enclosed CD

Exhibit W

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 211 East 57th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

- ☒ (1) First violation: \$500
- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$ 500 shall be paid to the City of Savannah by August 15, 2017. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name:

Mark DeWitt

Signature: _____

TOURISM
Code Case #

95050-17

Account #

N/A

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 212 East 5th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

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- ☐ (3) Third violation within the preceding 12 months: \$1,000

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SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND
RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 95020-17 Account # N/A

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 317 East 65th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

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- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$500 shall be paid to the City of Savannah by August 15, 2017. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 10619-17 Account # N/A

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 624 East 53rd St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

- ☒ (1) First violation: \$500
- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$ 500 shall be paid to the City of Savannah by August 15, 20 17. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 810190-17 Account # N/A

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 658 East 38th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

- ☒ (1) First violation: \$500
- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$500 shall be paid to the City of Savannah by August 15, 2017. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 75010-17 Account # _____

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 710 East 60th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

- ☒ (1) First violation: \$500
- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$500 shall be paid to the City of Savannah by August 15, 20 17. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 96190-17 Account # _____

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 730 East 58th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

- ☒ (1) First violation: \$500
- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$500 shall be paid to the City of Savannah by August 15, 2017. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code-Case # 96110-17 Account # N/A

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH

TOURISM MANAGEMENT & AMBASSADORSHIP

2 EAST BAY STREET, CITY HALL

912-525-1500

*GARAGE
APT*

Address: 1013 East 33rd St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

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SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code-Gase# 55242-17 Account # _____

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Main
House

Address: 1013 East 33rd St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

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- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$500 shall be paid to the City of Savannah by August 15, 2017. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 55241-17 Account # _____

SHORT-TERM RESIDENTIAL RENTAL CITATION

CITY OF SAVANNAH
TOURISM MANAGEMENT & AMBASSADORSHIP
2 EAST BAY STREET, CITY HALL
912-525-1500

Address: 1330 East 39th St. Date: 8/8/17

This structure is in violation of City Code section(s):

- ☐ Unpermitted Use: Short-term vacation rental
- ☐ 8-10011: Failure to obtain a Short-term Residential Rental Certificate
- ☐ 8-10016: Failure to comply with Short-term Residential Rental Regulations

According to City Code Section Sec. 8-10016, violations are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

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- ☐ (2) Second violation within the preceding 12 months: \$750
- ☐ (3) Third violation within the preceding 12 months: \$1,000

A total fee of \$500 shall be paid to the City of Savannah by August 15, 2017. Payment shall be made at the Tourism Management & Ambassadorship Department located at City Hall, 2 E. Bay Street. Failure to pay the fine will result in a subpoena to court and a penalty of up to an additional \$1,000 and 30 days in jail.

SIGNATURE ACKNOWLEDGES SERVICE OF THIS NOTICE AND RECEIPT OF COPY OF SAME.

Print Name: Mark DeWitt

Signature: _____

TOURISM
Code Case # 62270-17 Account # _____

IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA

THE MAYOR AND ALDERMEN OF THE
CITY OF SAVANNAH

Plaintiff,

vs.

ARDSLEY PARK SAVANNAH
PROPERTIES, LLC and MARK DEWITT,

Defendants.

CIVIL ACTION NO. SPCV17-01215-BA

VERIFICATION

I, Bridget Lida, duly authorized representative of Plaintiff herein, verify that the allegations contained in the foregoing Complaint are true and correct to the best of my knowledge.

This 6 day of December, 2017.

THE MAYOR AND ALDERMEN
OF THE CITY OF SAVANNAH

By: [Signature]
Its: Director of Tourism Management
and Ambassadorship

Sworn to and subscribed before me
this 8 day of December, 2017.

