

CITY OF HIGH POINT

AGENDA ITEM



Title: Condemnation – 1113, 1115, 1119 Washington St., 114 Underhill St., and 103 N. Downing St.

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, March 21, 2022

Public Hearing: No

Advertising Date: NA

Advertised By: NA

Attachments: Resolution & Maps

PURPOSE:

Consideration for the adoption of a Resolution authorizing Condemnation to acquire temporary construction easements in connection with the Washington Street Realignment Project.

BACKGROUND:

Representatives of the City of High Point have been unable to acquire temporary construction easements by negotiated conveyance. If City Council adopts this Resolution, the City is required to give a thirty (30) day notice to the affected property owner and any other persons or entities having an “interest” in the property, of the intent to file condemnation action. At the end of the thirty (30) day notice period, the City can file the condemnation action and deposit its estimate of just compensation with the Guilford County Clerk of Superior Court.

BUDGET IMPACT:

The City has estimated the amount of \$3,368.00 to be just compensation for the easements.

RECOMMENDATION / ACTION REQUESTED:

The City Attorney recommends adoption of the Resolution authorizing the Finance Director to issue a draft in the amount of \$3,368.00 to the Clerk of Superior Court and authorizing the City Attorney to file the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the needed easements.

**RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE TEMPORARY
CONSTRUCTION EASEMENTS IN CONNECTION WITH THE WASHINGTON
STREET RE-ALIGNMENT PROJECT**

WHEREAS, the City Council of the City of High Point hereby determines that it is necessary and in the public interest to acquire temporary construction easements at properties located at 1113 Washington St., 1115 Washington St., 1119 Washington St., 114 Underhill St., and 103 N. Downing St., High Point, Guilford County, North Carolina.

WHEREAS, the proper officials or representatives of the City of High Point have been unable to acquire the needed easements by negotiated conveyance; and

WHEREAS, it is deemed in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said easements and that the Director of Finance issue a draft to the Clerk of Superior Court as just compensation to the owner in the amount of \$3,368.00;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF HIGH POINT THAT:**

1. the City of High Point shall acquire the easements at issue.

title to those certain properties located at 1113 Washington St., 1115 Washington St., 1119 Washington St., 114 Underhill St., and 103 N. Downing St., High Point, Guilford County, described in Deed Book 8357, Page 1188 of the Guilford County Registry.
2. the City Attorney of the City of High Point is hereby directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the said easements.
3. the Director of Finance is hereby authorized to issue a draft in the amount of \$3,368.00 to the Clerk of Superior Court as just compensation to said owners.

Adopted by City Council,







this 21st day of March, 2022

Mayor Jay W. Wagner

Lisa B. Vierling, City Clerk

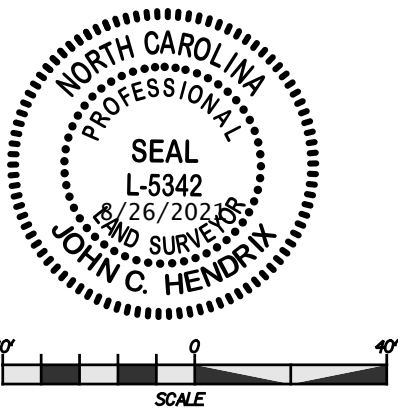
EXHIBIT A

LEGEND

- | | |
|---|-------------------------------------|
| — e — | TEMP. CONSTRUCTION
EASEMENT LINE |
| — PUE — | PERMANENT UTILITY
EASEMENT LINE |
| — E — | EXIST. EASEMENT
LINE |
| — — — — | EXIST. PROPERTY
LINE |
| — R/W — | EXIST. RIGHT OF WAY
LINE |
| — ROW — | NEW RIGHT OF WAY
LINE |
|  | TEMP. CONSTRUCTION
EASEMENT |
|  | PERMANENT UTILITY
EASEMENT |
|  | NEW RIGHT OF WAY |
|  | IRON PIN FOUND (IPF) |
|  | #5 REBAR SET |
|  | NAIL SET |

I, John C. Hendrix NCPLS L-5342, certify that this plat was drawn under my supervision from an actual survey made under my supervision, and was prepared for the purpose of Right-of-Way and/or Easement Acquisition only, and is not intended to be a boundary survey of property shown.

John C. Hendrix, NCPLS L-5342
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NOTES:

- 1) BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE BASED ON RECORDED MAP INFORMATION.
- 2) TOTAL AREA = 15,090 SQ.FT.
- 3) ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
- 4) TEMP. CONSTRUCTION EASEMENT AREA A = 499 SQ.FT.
- 5) TEMP. CONSTRUCTION EASEMENT AREA B = 255 SQ.FT.
- 6) TOTAL TEMP. CONSTRUCTION EASEMENT AREA = 754 SQ.FT.

JOHN N. BOHLS
LOUISE E. BOHLS
PIN # 7800-66-0997
107 N DOWNING ST.
DB 6940 PG 144

SUNRISE & SONS, LLC
PIN # 7800-56-9973
116 UNDERHILL ST.
DB 5926 PG 2091

LOVING CARE CREMATIONS, LLC
PIN # 7800-66-0832
PIN # 7800-56-9888
1113 WASHINGTON ST.
114 UNDERHILL ST.
DB 8357 PG 1188
TRACT 69, 70 & 71
PB 5 PG 243

**TEMP. CONSTRUCTION
EASEMENT AREA A
499 SQ. FT. (0.01 ACRES)**

**TEMP. CONSTRUCTION
EASEMENT AREA B
255 SQ. FT. (0.01 ACRES)**

LINE TABLE

	BEARING	DISTANCE
L1	N70°54'56"E	10.21'
L2	S19°05'04"E	35.00'
L3	S54°48'45"E	11.91'
L4	S65°44'54"W	17.08'
L5	N19°17'04"W	46.21'
L6	N03°49'09"E	10.53'
L7	N67°35'03"E	26.58'
L8	S18°31'57"E	8.48'
L9	S65°44'54"W	30.67'

LOVING CARE CREMATIONS, LLC
PIN # 7800-66-1924
PIN # 7800-66-1826
PIN # 7800-66-1868
103 N DOWNING ST.
1115 WASHINGTON ST.
1119 WASHINGTON ST.
DB 8357 PG 1188
TRACT 1, 2 & 3
PB 2 PG 89

PREPARED BY:

N | V | 5

7500 EAST INDEPENDENCE BOULEVARD, SUITE 100
CHARLOTTE, NC 28227
phone: 704.537.7300 NV5.com

NC License # F-1333

CITY OF HIGH POINT
CONTROL SHEET CHP 15-74
GRID N=806769.0040(FT)
GRID E=1706253.5281(FT)
COMBINED SCALE FACTOR=0.99991016
NAD 83 (CORS96)

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH THE RECORDING REQUIREMENTS FOR PLATS

**CITY OF HIGH POINT
ENGINEERING SERVICES DEPARTMENT
GUILFORD COUNTY - N.C.**

REVISIONS		TITLE OF PROJECT: E. WASHINGTON STREET RE-ALIGNMENT FOR RAILROAD SLOPE ROADWAY IMPROVEMENTS		PROJECT NO. P00369
				FILE NO.
SCALE 1" = 40'		EASEMENT ACQUISITION (Parcel 7) OWNER: LOVING CARE CREMATIONS, LLC CHARLOTTE, MECKLENBURG CO., NC		SHEET 1
				OF 1
DRAWN BY: CKD				
DATE: 8/26/21		CHECKED BY: JCH	SURVEY SUPVR.: JCH	




EXHIBIT A

PREPARED BY:
N|V|5

7500 EAST INDEPENDENCE BOULEVARD, SUITE 100
CHARLOTTE, NC 28227
phone: 704.537.7300 NV5.com

NC License # F-1333

LEGEND

- e — TEMP. CONSTRUCTION EASEMENT LINE
- PUE - PERMANENT UTILITY EASEMENT LINE
- E - EXIST. EASEMENT LINE
- - - EXIST. PROPERTY LINE
- R/W - EXIST. RIGHT OF WAY LINE
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- IRON PIN FOUND (IPF)
- ⊙ #5 REBAR SET
- ⊕ NAIL SET

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PIN # 7800-56-9973
116 UNDERHILL ST.
DB 5926 PG 2091

NAD 83/2011 GRID

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8 & 9

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103 N DOWNING ST.
1115 WASHINGTON ST.
1119 WASHINGTON ST.
DB 8357 PG 1188
TRACT 1, 2 & 3
PB 2 PG 89

TEMP. CONSTRUCTION
EASEMENT AREA B
2,053 SQ. FT. (0.05 ACRES)

RAILROAD
RIGHT-OF-WAY

E WASHINGTON STREET



SITE *

VICINITY MAP

NTS

LINE TABLE

	BEARING	DISTANCE
L1	S18°39'15"E	55.43'
L2	S65°44'54"W	140.76'
L3	N18°31'57"W	8.48'
L4	N67°35'03"E	81.49'
L5	N58°33'07"E	33.24'
L6	N05°01'59"W	49.05'
L7	N70°10'17"E	14.79'

I, John C. Hendrix NCPLS L-5342, certify that this plat was drawn under my supervision from an actual survey made under my supervision, and was prepared for the purpose of Right-of-Way and/or Easement Acquisition only, and is not intended to be a boundary survey of property shown.

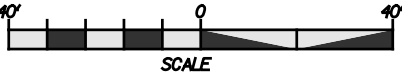
John C. Hendrix, NCPLS L-5342
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NOTES:

- 1) BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE BASED ON RECORDED MAP INFORMATION.
- 2) TOTAL AREA = 16,943 SQ.FT.
- 3) ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
- 4) TEMP. CONSTRUCTION EASEMENT AREA = 2,053 SQ.FT.

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CITY OF HIGH POINT ENGINEERING SERVICES DEPARTMENT GUILFORD COUNTY - N.C.

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				FILE NO.
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DRAWN BY: CKD				OF 1
DATE: 8/26/21		CHECKED BY: JCH	SURVEY SUPVR.: JCH	