

CITY OF HIGH POINT

AGENDA ITEM



Title: Condemnation – 1303 Kersey Valley Road

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, August 15, 2016

Public Hearing: No

Advertising Date: NA

Advertised By: NA

Attachments: Resolution & Map

PURPOSE:

Consideration for the adoption a Resolution Authorizing Condemnation to aquire a portion of property in connection with the Kersey Valley Landfill Electric Lines.

BACKGROUND:

Representatives of the City of High Point have been unable to aquire the needed easement in this property by negotiated conveyance. Official notice was sent to the property owner by certified mail, return receipt requested on July 12, 2016 advising the property owner under Chapter 40A of the North Carolina General Statutes that the City intends to institute an action to acquire by condemnation a needed easement on the property for the purpose of the Kersey Valley Landfill Electric Lines.

BUDGET IMPACT:

The City has estimated the amount of \$80.00 to be just compensation for the property.

RECOMMENDATION / ACTION REQUESTED:

The City Attorney recommends adoption of the Resolution authorizing the Finance Director to issue a draft in the amount of \$80.00 to the Clerk of Superior Court and authorizing the City Attorney to file the necessary proceedings under Chapter 40A if the North Carolina General Statutes to acquire the needed easement.

**RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE A PORTION
OF CERTAIN PROPERTY IN CONNECTION WITH THE
KERSEY VALLEY LANDFILL ELECTRIC LINES**

WHEREAS, the City Council of the City of High Point hereby determines that it is necessary and in the public interest to acquire an easement across a portion of the real property at 1303 Kersey Valley Road, Guilford County, North Carolina.

WHEREAS, the proper officials or representatives of the City of High Point have been unable to acquire the needed easement in this property 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 property 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 \$80.00;

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

1. the City of High Point shall acquire an easement across a portion of the real property at issue;

title to a portion of that certain property located 1303 Kersey Valley Road, Guilford County, described in Deed Book 5298, Page 1424 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 an easement across the said portion of property;
3. the Director of Finance is hereby authorized to issue a draft in the amount of \$80.00 to the Clerk of Superior Court as just compensation to said owners.

Adopted by City Council,
this 15th day of August, 2016

Lisa Vierling
City Clerk



CITY OF HIGH POINT NORTH CAROLINA ENGINEERING SERVICES DEPARTMENT	CONDEMNATION MAP FOR 1303 KERSEY VALLEY ROAD
SCALE: 1"=40'	PROJECT: 2502
BY: JKF	DATE: JULY 2016