

**RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE
PROCEEDINGS TO CONDEMN A PORTION OF CERTAIN PROPERTY IN
CONNECTION WITH THE TANGLEBROOK SEWER OUTFALL PROJECT**

WHEREAS, the City of High Point (City”) is authorized under Article 16 of N.C.G.S. 160A to acquire, construct, establish, enlarge, improve, maintain, own, operate, and contract for the operation of any or all of the public enterprises as defined in this Article to furnish services to the City and its citizens. N.C.G.S. §40A-3(b)(2) grants to the City the power of eminent domain and the right to acquire by condemnation, any property for establishing, extending, enlarging, or improving any of the public enterprises listed in N.C.G.S. §160A-311; and

WHEREAS, the City Council of the City of High Point hereby determines that it is necessary and in the public interest to acquire permanent easement and a temporary construction easement across a portion of the real property located at 3933 Tanglebrook Road, High Point, in Guilford and Forsyth County, North Carolina required for the Tanglebrook Sewer Outfall; and

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 give a thirty (30) day Notice of Condemnation to the affected property owner, and any other persons having an interest in the property and to institute civil proceedings to condemn said property at the end of the thirty day notice period, 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 \$4,600.00;

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

1. The City Attorney of the City of High Point is hereby directed to give a thirty (30) day Notice of Condemnation to the affected property owner, and any other persons or entities having an interest in the property, of the intent to file the condemnation action and at the end of the thirty day notice period the City Attorney is directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the needed easements across the said portion of property known as:

title to a portion of that certain property located 3933 Tanglebrook Road, High Point, described in Deed Book 2592, Page 2839 of the Forsyth County Registry and Deed Book 6378, Page 970 of the Guilford County Registry

2. The Director of Finance is hereby authorized to issue a draft in the amount of \$4,600.00 to the Clerk of Superior Court as just compensation to said owners.

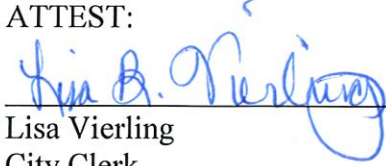
3. In the event the continued negotiations result in agreement as to the compensation and terms of the acquisition of the above-described property, the City Manager and the City Attorney are hereby authorized to execute all documents necessary to complete the acquisition, so long as the compensation does not exceed the appraised value, and said amount is within the budget of the project, as attested to by the City Finance Director.

Adopted this the 6th day of May, 2019.



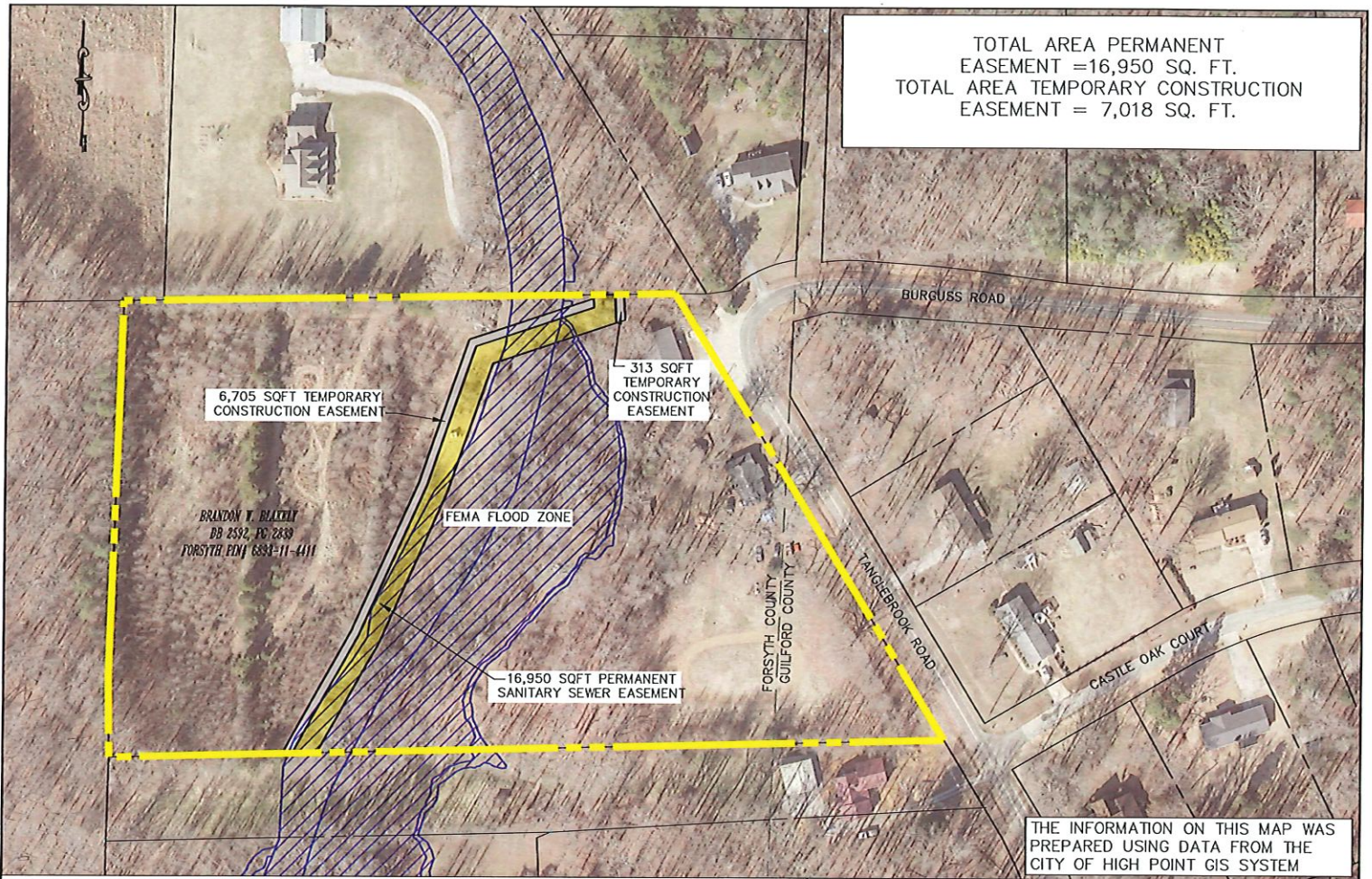
Mayor Jay W. Wagner

ATTEST:



Lisa Vierling
City Clerk





TOTAL AREA PERMANENT
EASEMENT =16,950 SQ. FT.
TOTAL AREA TEMPORARY CONSTRUCTION
EASEMENT = 7,018 SQ. FT.

BRANDON W. BLAKELY
DB 2532, PG 2839
FORSYTH, NC 6834-11-4411

THE INFORMATION ON THIS MAP WAS
PREPARED USING DATA FROM THE
CITY OF HIGH POINT GIS SYSTEM

CITY OF HIGH POINT NORTH CAROLINA ENGINEERING SERVICES DEPARTMENT			EXHIBIT DRAWING FOR CONDEMNATION ON THE LANDS OF BRANDON W. BLAKELY FORSYTH COUNTY 3933 TANGLEBROOK ROAD
SCALE — 1"= 150'	DATE: MARCH 2019	DRAWN: JKF	PROJECT: 2535