

CITY OF HIGH POINT

AGENDA ITEM



Title: Condemnation – 315 N. Elm Street

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, November 18, 2019

Public Hearing: No

Advertising Date: NA

Advertised By: NA

Attachments: Resolution & Map

PURPOSE:

Consideration for the adoption of a Resolution Authorizing Condemnation to acquire the property located at 315 N. Elm Street in connection with the construction of an off-street parking facility.

BACKGROUND:

Representatives of the City of High Point have been unable to acquire the needed property by negotiated conveyance. If the 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 \$1,010,000 to be just compensation for the property.

RECOMMENDATION / ACTION REQUESTED:

The City Attorney recommends adoption of the Resolution authorizing the City Attorney to give a 30 day Notice of Condemnation to the property owner, to file the necessary proceedings under Chapter 40A of the North Carolina General Statutes, and to authorize the Finance Director to issue a draft in the amount of \$1,010,000 to the Clerk of Superior Court as just compensation to the property owner.

**RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE A CERTAIN
PROPERTY FOR AN OFF-STREET PARKING FACILITY**

WHEREAS, the City Council of the City of High Point hereby determines that it is necessary and in the public interest to acquire the real property located at 315 N. Elm Street, High Point, Guilford County, North Carolina.

WHEREAS, the representatives of the City of High Point have been unable to acquire the needed property by negotiated conveyance; and

WHEREAS, it is deemed in the best interest of the City that the City Attorney be authorized to provide necessary notice and institute civil proceedings to condemn said property under Chapter 40A, of the North Carolina General Statutes, 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 \$1,010,000.00;

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

1. the City of High Point shall take action to acquire the following property:

that certain property located 315 N. Elm Street, High Point,
Guilford County, described in Deed Book 7774, Page 1140
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 property; and
3. the Director of Finance is hereby authorized to issue a draft in the amount of \$1,010,000.00 to the Clerk of Superior Court as just compensation to said owners.

Adopted by City Council,

this 18th day of November, 2019.

Lisa Vierling
City Clerk



Stadium
location

315 N. Elm Street, High Point
Parcel # 186809