

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION ACTION ON REMAINING PARCELS FOR NEEDED STORMWATER EASEMENTS FOR SUNBURY DRAINAGE PROJECT

WHEREAS, the City of Fayetteville, NC, is a municipal corporation existing under and by virtue of the Constitution, statutes and laws of the State of North Carolina; and

WHEREAS, the governing body of the City of Fayetteville hereby determines that it is necessary and in the public interest to acquire easements on certain properties for the following public purpose:

Easement Interest for Stormwater Drainage for the Sunbury Drainage Project

WHEREAS, North Carolina General Statute §160A-240.1 authorizes the City to acquire property by condemnation procedures; and

WHEREAS, the acquisition of easements in said parcels is consistent with strategic planning goal of a Diverse and Viable Economy and Desirable Place to Live, Work and Recreate; and

WHEREAS, the acquisition of the easements in said properties is consistent with the City's commitments; and

WHEREAS, the City of Fayetteville shall acquire by condemnation, for the purpose stated above, the property and easement interests as listed below:

0429-99-6750 Permanent Drainage Easement:

BEGINNING at an existing rebar being the northwestern corner of Lot 24 of the subdivision known as "PLEASANT ACRES, SECTION TWO" as depicted in Plat Book 58, Page 44 of the Cumberland County Registry, said point also being in the eastern right-of-way margin of Pleasant Loop and continuing thence North 27 degrees 44 minutes 52 seconds West 21.83 feet thence North 27 degrees 44 minutes 52 seconds West 28.74 feet to a point to the **TRUE POINT AND PLACE OF BEGINNING**, thence North 27 degrees 44 minutes 52 seconds West 45.77 feet to a point, thence North 46 degrees 29 minutes 24 seconds East 74.19 feet to a point, thence, North 41 degrees 02 minutes 55 seconds East 131.63 feet to a point, thence North 37 degrees 47 minutes 43 seconds East 96.76 feet to a point, thence North 35 degrees 56 minutes 17 seconds East 5.71 feet to a point, thence South 53 degrees 20 minutes 06 seconds East 33.34 feet to a point, thence South 39 degrees 34 minutes 37 seconds West 326.99 feet to the **TRUE POINT AND PLACE OF BEGINNING**, containing 10,571.08 square feet more or less.

Temporary Construction Easement:

BEGINNING at an existing iron rebar being the northwestern corner of Lot 24 of the subdivision known as "PLEASANT ACRES, SECTION TWO" as depicted in Plat Book 58, Page 44 of the Cumberland County Registry, said point also being in the eastern right-of-way margin of Pleasant Loop and continuing thence North 27 degrees 44 minutes 52 seconds West 21.83 feet to the **TRUE POINT AND PLACE OF BEGINNING**, thence North 27 degrees 44 minutes 52 seconds West 28.74 feet to a point, thence North 39

degrees 34 minutes 37 seconds East 326.99 feet to a point, thence North 53 degrees 20 minutes 06 seconds West 33.34 feet to a point, thence North 35 degrees 56 minutes 17 seconds East 55.99 feet to a point, thence South 50 degrees 10 minutes 35 seconds East 136.53 feet to a point, thence South 39 degrees 17 minutes 54 seconds West 105.12 feet to a point, thence North 51 degrees 27 minutes 07 seconds West 92.04 feet to a point, thence South 40 degrees 26 minutes 22 seconds West 125.60 feet to a point, thence South 50 degrees 19 minutes 51 seconds East 27.45 feet to a point, South 42 degrees 10 minutes 10 seconds West 159.42 feet to the **TRUE POINT AND PLACE OF BEGINNING**, containing 18,103 square feet more or less.

0439-09-1025 Permanent Drainage Easement:

BEGINNING at a point in the eastern right-of-way margin of Pleasant Loop said point also being the southeast corner of Lot 21 in a subdivision known as PLEASANT ACRES, SECTION TWO as depicted in Plat Book 58, Page 44 the Cumberland County Registry and running thence North 56 degrees 57 minutes 08 seconds East 7.41 feet to point, thence South 25 degrees 10 minutes 20 seconds East 33.71 feet to point, thence South 56 degrees 57 minutes 08 seconds West 5.84 feet to a point, thence North 27 degrees 49 minutes 28 seconds West 33.53 feet, to the **TRUE POINT AND PLACE OF BEGINNING**, containing 221.17 square feet more or less.

0439-09-9137 Permanent Drainage Easement:

BEGINNING at a point in the eastern right-of-way of Pleasant Loop said point being the northernmost corner of Lot 28 of the subdivision known as "Plesant Acres" as depicted in Plat Book 27, Page 39 of the Cumberland County Registry and running thence North 37 degrees 49 minutes 56 seconds West 5.34 feet to a point, thence North 56 degrees 57 minutes 08 seconds East 5.84 feet to a point, thence South 25 degrees 10 minutes 20 seconds East 4.53 feet to a point, thence South 25 degrees 10 minutes 20 seconds East 13.36 feet to a point, thence South 62 degrees 46 minutes 41 seconds East 12.98 feet to a point, thence South 31 degrees 08 minutes 39 seconds East 50.42 feet to a point, thence South 58 degrees 51 minutes 21 seconds West 14.11 feet to a point, thence North 28 degrees 04 minutes 56 seconds West 73.88 feet to the point of **BEGINNING**, containing 810.23 square feet more or less.

Temporary Construction Easement:

BEGINNING at a point in the eastern right-of-way of Pleasant Loop said point being the northernmost corner of Lot 28 of the subdivision known as "Plesant Acres" as depicted in Plat Book 27, Page 39 of the Cumberland County Registry and running thence North 37 degrees 49 minutes 56 seconds West 5.34 feet to a point thence North 56 degrees 57 minutes 08 seconds East 5.84 feet to the **TRUE POINT AND PLACE OF BEGINNING** and running thence South 55 degrees 44 minutes 40 seconds East 30.61 feet to a point thence South 32 degrees 08 minutes 03 seconds East 50.45 feet to a point thence South 39 degrees 55 minutes 24 seconds West 24.22 feet to a point, thence North 28 degrees 04 minutes 56 seconds West 11.38 feet to a point, thence North 58 degrees 51 minutes 21 seconds East 14.11 feet to a point, thence North 31 degrees 08 minutes 39 seconds West 50.42 feet to a point, thence North 62 degrees 46 minutes 41 seconds West 12.98 feet to a point thence North 25 degrees 10 minutes 20 seconds West 13.36 feet to the **TRUE POINT AND PLACE OF BEGINNING**, containing 674.78 square feet more or less.

NOW THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, the City Council directs the City Attorney to institute the necessary proceeding under Article 1 of Chapter 40A of the North Carolina General Statutes.

IN WITNESS WHEREOF, the City of Fayetteville has caused this instrument to be signed in its name by its Mayor, attested by its City Clerk, and its corporate seal hereto affixed, all by order of its City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 9th day of January, 2023; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

(SEAL)

By: _____
MITCH COLVIN, Mayor

ATTEST:

PAMELA MEGILL, City Clerk