

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION ACTION FOR THE SIDEWALK EASEMENT NEEDED FOR THE OWEN DRIVE SIDEWALK 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 certain property for the following public purpose:

Roadway and Sidewalk Improvements

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

WHEREAS, the acquisition of said easement is for the purpose of constructing ADA sidewalk which is considered a quick-take as defined by G.S. 40A-42(a); and

WHEREAS, the acquisition of the property is consistent with the City's development plans and commitments; and

WHEREAS, the City of Fayetteville shall acquire by condemnation, for the purpose stated above, the property and interest as described below:

BEGINNING at the southeast corner of a tract of which this is a part and described as Lot 1, according to a plat entitled "RECOMBINATION SURVEY OF LOTS 3, 4, 29, 30, 31, & 32 VICTORY HEIGHTS SUBDIVISION," duly recorded in Book of Plats 108, Page 8 Cumberland County Registry and running thence South 74 degrees 40 minutes 56 seconds West 30.00 feet, thence North 14 degrees 32 minutes 19 seconds West 3.00 feet to a point, thence North 74 degrees 40 minutes 56 seconds East 30.00 feet to a point, thence South 14 degrees 32 minutes 19 seconds East 3.00 feet TO THE POINT OF BEGINNING, and containing approximately 90.00 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 14th day of May, 2018; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

By: _____
MITCH COLVIN, Mayor

ATTEST:

PAMELA MEGILL, City Clerk