

**RESOLUTION TO AUTHORIZE THE CONDEMNATION
OF EASEMENTS AND THE DELEGATION OF
AUTHORITY TO THE GENERAL MANAGER**

WHEREAS, Fayetteville Public Works Commission (PWC), as a public authority under North Carolina law, is entitled to exercise eminent domain rights as a local public condemnor to acquire real property interests that will be titled in the name of The City of Fayetteville and used to extend, enlarge, or improve the public enterprise comprised of PWC’s utility operations; and

WHEREAS, PWC has determined at this time that its water and wastewater utility operations should be extended, enlarged, and improved by the acquisition of easements across the six (6) properties specified hereinbelow, said easements being acquired in the name of The City of Fayetteville, by and through PWC, and such acquisition is necessary and in the public interest for the benefit and use of the public, specifically by and through the establishment, extension, enlargement, or improvement (to meet the need for expanded or upgraded service) of an adequate and sound system of distribution of water supply and distribution systems, and wastewater collection and disposal systems, consistent with G.S. 160A-311(2) and (3).

**THEREFORE, LET IT BE RESOLVED BY THE COMMISSIONERS OF
FAYETTEVILLE PUBLIC WORKS COMMISSION THAT:**

1. Fayetteville Public Works Commission, acting by and through its General Manager, is hereby authorized to acquire by condemnation, for the purposes stated above in the name of The City of Fayetteville, the property rights and interests described as follows:

a. Temporary construction easements ranging approximately 10-feet to 150-feet in width and permanent utility easements ranging approximately 10-feet to 37-feet in width across the following designated Parcel PINs for the purpose of establishing, extending, enlarging, or improving PWC’s existing and proposed system of distribution of water supply and distribution systems and wastewater collection and disposal systems:

- 9485-55-7246
- 9484-67-3318
- 9486-69-1537
- 9487-51-9177
- 9487-22-7261
- 9487-51-9602

2. The General Manager is authorized to direct the attorney(s) representing Fayetteville Public Works Commission to institute the necessary legal proceedings under Chapter 40A of the North Carolina General Statutes to acquire the easements described hereinabove.

ADOPTED this 13th day of July 2022.

FAYETTEVILLE PUBLIC WORKS COMMISSION

Evelyn O. Shaw, Chair

ATTEST:

Donald L. Porter, Secretary