

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION ACTION FOR THE PURCHASE OF LOTS FOR DOWNTOWN PARKING

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:

Public Enterprise of Off Street Parking Facilities and Systems

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:

TRACT ONE AND TWO: PARCEL ID NUMBERS 0437-44-1283 AND 0437-44-1228

That certain town or city lot on the east side of Winslow Street, bounded on the north by lots of Mrs. Minnie W. Cook and W. Leighton Bunce (formerly Sandrock), on the east by lots of P.H. Todd and B. L. Langdon, on the south by B.L. Langdon & Stephen Rodgers and on the west by Winslow Street, same having a frontage of approximately 122 feet on Winslow Street and having situate thereon a frame tenant dwelling. For further description see Item 4 of the Will of the late Maggie P. Blount recorded in Will Book J, page 357, Office of the Clerk of Superior Court of Cumberland County, NC.

TRACT THREE: PARCEL ID NUMBER 0437-44-1283-NAD

BEGINNING at a stake at a point 8 feet Eastward from the East edge of the curb stone of Winslow Street and 29.7 feet Northward from the North edge of the curb stone of Mumford Street, same being the beginning corner of the tract of which this is a part and running thence North 22 degrees 30 minutes East 38.7 feet to a stake at a point 8 feet Eastward from the East edge of the curb stone of the said Winslow Street; thence South 68 degrees 22 minutes East 76.7 feet to a stake; thence South 22 degrees, 30 minutes West 38.7 feet to a stake at a point 29.7 feet Northward from the curb stone of Mumford Street; thence North 68 degrees, 22 minutes West 67.7 feet to the BEGINNING.

TRACT FOUR: PARCEL ID NUMBER 0437-44-2254

BEGINNING at a p.k. nail set in the Northern margin of West Russell Street, 80' R/W, said nail being the Southwest corner of the Third Tract conveyed to CTGM Enterprises, as recorded in Deed Book 4194, Page 872, Cumberland County, North Carolina Registry, said nail, also being located North 29 degrees 10 minutes West 135.22 feet from the Northeast corner of the First Tract of CTGM Enterprises, Inc. (see Deed Book 4194, Page 872); and runs thence as the Western line of the Third Tract to and with the Western wall of the existing building, North 25 degrees 21 minutes East 110.46 feet to a point along the Western wall of the building and being the Northwest corner of the Third Tract of the aforesaid CTGM Enterprises, Inc.; thence continuing along the Western wall, North 25 degrees 21 minutes East 9.50 feet to an iron rod set at the Northwest corner of the existing building; thence as the Northern wall of said building, South 65 degrees 16 minutes East 56.30 feet to an iron rod set at the Northeast corner of the building; thence as the Eastern wall of said building, South 25 degrees 21 minutes West 9.30 feet to a point, the Northeast corner of the Third Tract (see Deed Book 4194, Page 872); thence continuing as the Eastern wall and the Eastern line of CTGM Enterprise's Third Tract, (see Deed Book 4194, page 872), South 25 degrees 21 minutes West, 110.46 feet to a p.k. nail set in the Northern margin of West Russell Street, 80' R/W, the Southeast corner of said tract; thence as the Northern margin of West Russell Street North 65 degrees 28 minutes West 56.30 feet to the BEGINNING, and containing 0.155 acres.

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 13th day of August, 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