



Legislation Text

File #: 18-372, Version: 1

TO: Mayor and Members of City Council

THRU: Kristoff T. Bauer, Deputy City Manager

FROM: Kecia N. Parker, NCCP, Real Estate Manager

DATE: August 13, 2018

RE: Authorization of Condemnation of Properties Needed for Downtown Parking Project

COUNCIL DISTRICT(S):

2

Relationship To Strategic Plan:

Desirable Place to Live, Work and Recreate

Executive Summary:

The City of Fayetteville has approved a Capital Improvement Plan (CIP) on June 11, 2018 which included \$125,000 of funding to acquire and improve land to create needed parking spaces to replace parking spaces lost to the stadium project. On June 25, 2018 City Council approved the acquisition of four parcels at the corner of Winslow and Russell Streets. Currently staff has not been able to reach an agreement for the purchase of these properties. One parcel has IRS tax liens that will require condemnation for clear title. Two parcels have an owner that cannot be found and that would require condemnation. The partial owner the City was able to contact did not express an interest in selling, and one owner is not interested in selling at this time. On August 6, 2018 the City Council decided to pursue these purchases by filing condemnation action.

Background:

In June of 2018, Real Estate staff was given the direction to acquire four parcels for downtown parking. Staff did all research and found that one parcel had IRS liens that would require condemnation for clear title. One owner was contacted by staff and was informed that the parking lot was currently being leased by an adjacent restaurant and they were not interested in selling at this time. The other two parcels are owned by several people. Real Estate staff tried to contact the owners, but received no response. Staff had previously called one of the owners last year to determine if they were interested in selling and were informed that one of the owners was unable to be found which would also require condemnation. At that time they were not interested in selling the property. On August 6, 2018 the City Council decided to pursue these purchases by filing

condemnation action.

Issues/Analysis:

- One of the parcels has IRS liens that require condemnation for clear title.
- Two of the parcels are owned by several individuals, one of which is not able to be found which would require condemnation.
- One of the parcels the owners are not interested in selling at this time.

Budget Impact:

The budget has been allocated for this project through the CIP.

Options:

- Approve the Resolution Authorizing the Condemnation Action for the Purchase of Lots for Downtown Parking
- Reject the Resolution Authorizing the Condemnation Action for the Purchase of Lots for Downtown Parking

Recommended Action:

Staff recommends approval of the Resolution Authorizing the Condemnation Action for the Purchase of Lots for Downtown Parking to complete the proposed CIP project.

Attachments:

Map
Resolution