

STATE OF NORTH CAROLINA
COUNTY OF GRANVILLE
CITY OF CREEDMOOR

**RESOLUTION AUTHORIZING ACTION PURSUANT
TO NCGS 40A-41**

WHEREAS, by the City of Creedmoor has previously approved the engineered design plans by A. Morton Thomas & Associates, Inc., (AMT) for the acquisition of permanent and temporary easements for construction of certain greenway and sidewalk system improvements throughout the City known as the Cross-City Trail project; and

WHEREAS, the City further authorized and directed its engineers and surveyors to complete analysis of the properties affected and survey the areas proposed for the necessary easements; and

WHEREAS, the surveys have been prepared by AMT, designating the location of the necessary improvements and describing the interests in land affected thereby; and

WHEREAS, the City has sent out Notices of its intent to take the property interests described pursuant to NCGS 40A-40 as required by law; and

WHEREAS, the City has negotiated with each of the property owners whose properties will be affected by the project and has acquired so many of those interests that can be settled prior to filing eminent domain actions; and

WHEREAS, the City has reviewed the surveys and has determined that permanent and temporary construction easements described below are necessary for construction of the project and that the same have not been acquired by negotiation; and

WHEREAS, the City has authority as a local public condemnor to acquire by the power of eminent domain such property, inside or outside its boundaries for the purpose of opening, widening, extending or improving roads, streets, alley and sidewalks pursuant to N.C.G.S. 40A-3(b)(1).

NOW THEREFORE BE IT RESOLVED THAT the surveys by AMT for the properties listed below are hereby approved as the surveys and descriptions for the property interests to be taken pursuant to N.C.G.S. 40A-41 for the greenway and sidewalk improvements as designated on the engineered plans dated 10-01-2015 by A. Morton Thomas & Associates, Inc.

BE IT FURTHER RESOLVED that the relevant permanent easement areas on the surveys for the properties listed above shall be taken by action pursuant to NCGS 40A-41 by the City for the placement of permanent sidewalk improvements.

BE IT FURTHER RESOLVED that the relevant temporary construction easement areas shown upon the surveys for the properties listed above shall be taken by action pursuant to NCGS 40A-41 by the City for use as construction areas and access to the construction areas for the period

of construction of the project and shall terminate one year after completion of the project.

BE IT FURTHER RESOLVED that the law firm of Currin & Dutra, LLP is designated as the attorneys for the City for the actions necessary and said attorneys shall use said survey and descriptions in their notices and other documents necessary to proceed with the condemnation of the property interests as previously authorized by this Board. The attorneys for the City are further authorized to continue negotiations with the owners for any interests herein.

BE IT FURTHER RESOLVED that upon filing of the actions in eminent domain, the attorneys for the City shall deposit the amounts listed in Exhibit A to this Resolution as just compensation for the takings and the Clerk and Mayor are authorized to advance said amount to the law firm of Currin & Dutra, LLP for such purpose.

Upon motion duly made by Commissioner Wilkins and duly seconded by Commissioner Anderson, the above resolution was duly adopted by the Board of Commissioners of the City of Creedmoor on the 21st day of June, 2016.

Upon a call for a vote the following Commissioners voted in the affirmative:

Anderson
Jackson
Wilkerson
Wilkins

And the following voted in the negative:

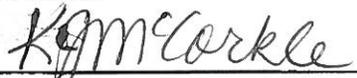
Mims

This the 21 day of June, 2016.



Mayor

ATTEST:



City Clerk



EXHIBIT A TO RESOLUTION
AUTHORIZING ACTION PURSUANT TO NCGS 40A-41

<u>INTEREST OWNER</u>	<u>AMOUNT OF DEPOSIT</u>
Johnnie Leon Peace and Gertrude Peace	\$ 517.15
PC Highland, LLC	\$ 10,271.71
PNC Bank, National Association	\$ 1,278.58
E.L. Aiken Heirs, LLC	\$ 100.00
Total	\$ 12,167.44

