

**RESOLUTION TO AUTHORIZE THE CONDEMNATION  
OF EASEMENTS AND THE DELEGATION OF REAL ESTATE  
ACQUISITION 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;

**WHEREAS**, PWC has determined at this time that its utility operations should be extended, enlarged, and improved by the acquisition of utility easements on and crossing the properties specified hereinbelow in the name of The City of Fayetteville, by and through PWC, and that such acquisitions are 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 transmission and distribution of electricity, water supply and distribution, and sanitary sewer lines and systems;

**WHEREAS**, PWC has the authority under Section 6A.8 of Chapter VIA of the Charter of The City of Fayetteville to delegate certain duties and responsibilities when necessary or convenient for its operations, including but not limited to the execution of contracts, settlement statements, instruments, and other legal documents necessary for the acquisition of interests in real property, which shall be titled in the name of the City of Fayetteville, by and through PWC; and

**WHEREAS**, PWC has deemed that the delegation of certain duties and responsibilities specified hereinbelow are consistent with PWC's authority and fiduciary responsibilities.

**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. **Phase V Annexation - Project Area 23 Section 02**; Permanent and Temporary utility easements ranging approximately 10-feet to 20-feet in width across the following Easement Parcels: Tax PIN(s) 9496-34-7504, 9496-35-1052, 9496-34-5649.

b. **Phase V Annexation - Project Area 25**; Permanent and Temporary utility easements ranging approximately 10-feet to 20-feet in width across the following Easement Parcels: Tax PIN(s) 9486-68-8229, 9487-50-1310, 9486-89-2606, 9487-62-5758, 9487-62-3464, 9487-71-4642, 9487-62-0765, 9487-52-8092.

c. **Phase V Annexation, Project Area 32 East, Section 01**; Permanent and Temporary utility easements ranging in width approximately 10-feet to 20-feet across the following Easement Parcels: Tax PIN(s) 9494-48-8337, 9494-48-6456, 9494-39-5076, 9494-48-7287, 9494-48-5393, 9496-48-1428.

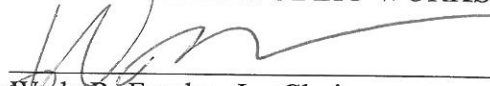
All being in Cumberland County, for the purpose of improving PWC's existing and proposed water and or sanitary sewer lines and systems necessary to extend and provide these services where practical and feasible to ensure an adequate and sound system of water and sanitary sewer lines.

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

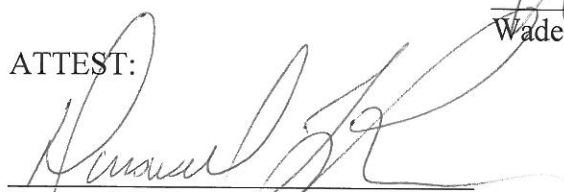
3. Pursuant to Section 6A.8 of Chapter VIA of the Charter of The City of Fayetteville, PWC delegates authority to the CEO and General Manager to award and execute contracts, settlement statements, instruments, and other legal documents necessary for the acquisition of interests in real property, which shall be titled in the name of the City of Fayetteville, by and through PWC. This delegation is subject to the requirements and limitations contained within PWC's approved policies.

ADOPTED this 14<sup>TH</sup> day of APRIL 2021

FAYETTEVILLE PUBLIC WORKS COMMISSION

  
Wade R. Fowler, Jr., Chairman

ATTEST:

  
Darsweil L. Rogers, Secretary