

RESOLUTION TO AUTHORIZE THE CONDEMNATION OF EASEMENTS AND THE DELEGATION OF AUTHORITY TO THE GENERAL MANAGER IN ACCORDANCE WITH N.C.G.S. 160A-12

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 condemner 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 twelve (12) 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 and permanent utility easements of various widths and lengths 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:

9495-21-4187	9494-19-1848	9495-01-0726
9495-10-9789	9494-19-0796	9485-91-9971
9495-10-5082	9494-09-9677	9485-92-9110
9495-10-2006	9495-02-0327	9495-11-5715

2. 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 12 day of February 2025.

FAYETTEVILLE PUBLIC WORKS COMMISSION

Christopher Davis, Chair

ATTEST:

Ronna Rowe Garrett, Secretary