

**RESOLUTION AUTHORIZING A NEGOTIATED SETTLEMENT WITH
MILLER CROSSING MARKET, LLC FOR ACQUISITIONS
RELATED TO THE MILLER STREET
SIDEWALK PROJECT**

WHEREAS, on November 20, 2017, the City Council authorized acquisition of fee simple, temporary construction easements (TCE), and improvements for the Miller Street Sidewalk Project; and

WHEREAS, offers were made to Miller Crossing Market, LLC, totaling \$14,125; and

WHEREAS, the offer included \$8,625 for fee simple and TCE and \$5,500 for improvements outside the existing right-of-way; and

WHEREAS, the owner is agreeable to the \$8,625 offer made for the fee simple and TCE, but they supplied a cost estimate from the original landscaping company for \$15,420 for landscaping improvements, including landscaping taken inside the right-of-way; and

WHEREAS, a settlement has been negotiated which would pay the owner \$8,625, the appraised amount for the fee simple and TCE, and the owner's actual landscaping cost estimate of \$15,420, for a grand total of \$24,045, or a \$9,920 increase above the original offer; and

WHEREAS, this settlement would avoid condemnation and a potential jury trial with an unknown outcome; and

WHEREAS, the property owner has agreed to the negotiated settlement and City staff is also supportive of this settlement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Council of the City of Winston-Salem, hereby authorize a negotiated settlement with Miller Crossing Market, LLC for the total sum of \$24,045 or a \$9,920 increase above the original offer for acquisitions related to the Miller Street Sidewalk Project.

BE IT FURTHER RESOLVED that the appropriate City officials are hereby authorized to execute instruments required to complete the settlement herein set forth.