

City Council – Action Request Form

Date: November 6, 2017
To: The City Manager
From: S. Kirk Bjorling, Real Estate Administrator

Council Action Requested:

Consideration of a Resolution Authorizing a Settlement of a Condemnation Action with Melissa Renee Cox (South Ward)

Strategic Focus Area: Quality Transportation
Strategic Objective: Expand Bike/Sidewalk/Greenway Network
Strategic Plan Action Item: No
Key Work Item: No



Summary of Information:

On October 17, 2016, the City Council authorized the acquisition by deed or condemnation of a temporary construction easement from Melissa Renee Cox, for the appraised value of \$700, relating to the Ardmore Road Sidewalk Project. It was later determined that the City also needed to acquire a permanent drainage easement, with an appraisal value of \$1,300, from Ms. Cox in order to install drainage infrastructure necessitated by the Ardmore Road Sidewalk Project. As a result of settlement negotiations, a mutual agreement has been reached whereby the City of Winston-Salem will pay Ms. Cox the sum of \$3,000 in return for the execution of a temporary construction easement which will give the City the right to build the necessary drainage infrastructure as part of the Ardmore Road Sidewalk Project. Upon installation of said drainage infrastructure, the City shall have no further responsibility to maintain, inspect, or repair the drainage infrastructure. The City shall voluntarily dismiss the pending condemnation action upon execution of the settlement agreement and temporary construction easement.

This settlement, which is agreeable to both parties, will avoid a potential jury trial and additional costs for an easement which will no longer be needed and is recommended by Staff, including

Committee Action:

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|------------------|-------|----------------|-------|
| Committee | _____ | Action | _____ |
| For | _____ | Against | _____ |
| Remarks: | _____ | | |

the City's Attorney's Office. The attached resolution authorizes the settlement of a condemnation action with Melissa Renee Cox.