

**RESOLUTION AUTHORIZING A SETTLEMENT OF A CONDEMNATION
ACTION WITH MELISSA RENEE COX**

WHEREAS, 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;

WHEREAS, 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;

WHEREAS, 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; and

WHEREAS, this settlement, which is agreeable to both parties, will avoid a potential jury trial and additional costs for easements which are no longer needed and is recommended by Staff, including the City Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Winston-Salem, hereby authorize the settlement of a condemnation action between the City of Winston-Salem and Melissa Renee Cox whereby the City of Winston-Salem shall pay the sum of \$3,000 to Melissa Renee Cox 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.

BE IT FURTHER RESOLVED, that upon installation of said drainage infrastructure, the City shall have no further responsibility to maintain, inspect, or repair the drainage infrastructure, and the City shall voluntarily dismiss the pending condemnation action upon execution of the settlement agreement and temporary construction easement.

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