THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: July 27, 2021

Subject: Approval for Easement Purchase for 1296 & 1340 Patton Ave (Parcels 8 & 9)

Staff Resource(s): David Melton, Water Resources Director
Chad Pierce, Water Engineering Services Manager

Action Requested: Approval from Council authorizing the City Manager to sign and approve payment for the purchase of the easement across the property of 1296 and 1340 Patton Avenue (parcels 8 & 9).

Background:

- The Water Resources Department has a planned project to install a 24-inch waterline along Patton Avenue from Haywood Road to Florida Avenue.
- As part of this project, temporary construction and permanent easements are being purchased for the installation of sections of the planned waterline that must be installed outside existing public rights of way.
- As part of the professional services design contract for the project, the Water Resources Department utilized O.R. Colan Associates to appraise the needed easement values and negotiate the price and conditions with the property owners.
- The negotiated price of the easement across the subject parcels is $230,075.
- Because the easement value is above the $100,000 threshold, we are requesting approval from Council to authorize the City Manager to sign and approve payment for this easement purchase of $230,075.
- This project is being coordinated and in partnership with the N.C. Dept. of Transportation.

Vendor Outreach Efforts:

- Not Applicable

Council Goal(s):

- A Financially Resilient City
- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- The approval for the purchase of this easement will provide the necessary easement to construct the upcoming water distribution project as designed without modification.

Con(s):

- Denial of the purchase of the easement would require modification of the planned waterline route and may delay or prevent construction of this critical project.

Fiscal Impact:

- Funds for the purchase of easements are already budgeted in the Small Waterline Replacement Projects within the Water Resources Capital Improvement Fund.

Suggested Motion:

- Move to adopt a resolution authorizing the City Manager to sign and approve payment for the purchase of an easement across the property of 1296 and 1340 Patton Avenue (parcels 8 & 9).

Attachment(s)

- Resolution

RESOLUTION NO. 21-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AND APPROVE PAYMENT FOR THE PURCHASE OF AN EASEMENT ACROSS THE PROPERTY OF 1296 AND 1340 PATTON AVE (PARCELS 7 & 8)

WHEREAS, the City of Asheville is authorized pursuant to G.S. 160A-240.1 to acquire the fee or any lesser interest in real property by gift, grant, bequest or any other lawful method; and

WHEREAS, Park Terrace Properties, LLC (67%) and R&T Enterprises, Inc, (33%) hereinafter the Property Owners, are the owners of properties located 1296 -1340 Patton Ave being identified with PINs as follows: 9628-96-1547 and 9628-97-3037; and

WHEREAS, the City of Asheville, hereinafter City, has requested a Permanent Easements containing approximately 19,207.8 square feet or 0.441 acres and a Temporary Construction Easement containing approximately 9,499.2 square feet or 0.218 acres over a portion of said properties; and

WHEREAS, the proposed waterline easements will be required to construct the proposed Water System Distribution Project 2 – Patton Ave Water Distribution Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute any and all documents, approved by the City Attorney, to accept and sign a permanent easement over a portion of property located at 1296 -1340 Patton Ave being identified with PINs as follows: 9628-96-1547 and 9628-97-3037 with Park Terrace Properties, LLC (67%) and R&T Enterprises, Inc, (33%).

Read, approved, and adopted this 27nd day of July 2021.

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CITY CLERK MAYOR

Approved as to form:

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CITY ATTORNEY