



**Date:** October 16, 2014

**To:** Thomas J. Bonfield, City Manager  
**Through:** W. Bowman Ferguson, Deputy City Manager  
**From:** Joel V. Reitzer, Director, General Services Department  
**Subject:** Dedication of drainage easements on city-owned parcel #206562 to North Carolina Department of Transportation via plat

### **Executive Summary**

The North Carolina Department of Transportation (NCDOT) widened NC Hwy 751 at Massey Chapel Road several years ago to accommodate construction of a turn lane at St. Barbara's Greek Orthodox Church. As part of the construction, NCDOT extended drainage pipes located under the road. NCDOT requires nominal drainage easements from the City so it can maintain and repair those pipes as needed.

NCDOT has requested that the City dedicate two drainage easements to it by executing a plat. The first drainage easement consists of approximately 64 square feet, and the second drainage easement consists of approximately 282 square feet for a total of 346 square feet. The City would receive no compensation from NCDOT for these easements.

The City is authorized to dedicate these drainage easements to NCDOT by N.C.G.S. §160A-274, which states in part that "any governmental unit may...with or without consideration...sell to...any other governmental unit any interest in real or personal property."

### **Recommendation**

The General Services Department recommends that City Council authorize:

The City Manager to execute a plat dedicating drainage easements on city-owned parcel #206562 to North Carolina Department of Transportation.

### **Background**

Construction of St. Barbara's Greek Orthodox Church, located at 8306 NC Hwy 751, required that NC Hwy 751 be widened to include turn lanes into the Church property. NCDOT performed the road-widening work, which included extending the length of the existing drainage pipes located under the road. NCDOT now needs drainage easements across a parcel of city-owned property that borders the newly widened NC Hwy 751 so it can properly maintain and repair those pipes as needed.

NCDOT has requested that the City dedicate two drainage easements to it by executing a plat. The first drainage easement consists of approximately 64 square feet, and the second drainage easement consists of approximately 282 square feet for a total of 346 square feet. The City would receive no compensation from NCDOT for these easements.

The City is authorized to dedicate these drainage easements to NCDOT by N.C.G.S. §160A-274, which states in part that “any governmental unit may...with or without consideration...sell to...any other governmental unit any interest in real or personal property.” City Council has not previously granted specific authority to the City Manager to dedicate easements via plat without City Council approval.

**Issues/Analysis**

NCDOT’s project to widen NC Hwy 751 at this location has been constructed and completed. This matter before City Council completes conveyance of necessary property interests.

**Alternatives**

City Council may choose to not dedicate property as requested by NCDOT. This is not recommended as NCDOT would be required to exercise its power of eminent domain to acquire the necessary easements.

**Financial Impact**

None

**SDBD Summary**

This item does not require review by the Equal Opportunity/Equity Assurance Department.

Attachments: Plat, Property Location Map