

Warren County Board of Supervisors

RESOLUTION NO. 155 OF 2014

Resolution introduced by Supervisors Merlino, Conover, Wood, Taylor, Frasier, Dickinson, Simpson, Sokol and Vanselow

AMENDING RESOLUTION NOS. 87 OF 2007 AND 603 OF 2008 - INCREASING JUST COMPENSATION AMOUNT FOR AREC 10 LLC FOR LAND ACQUISITION RELATED TO THE CORINTH ROAD/ MAIN STREET/BROAD STREET (CR 28) RECONSTRUCTION PROJECT (PIN #1753.80)

WHEREAS, Resolution 87 of 2007, authorized the Chairman of the Board of Supervisors to execute correspondence from R.K. Hite & Company, Inc. acknowledging the just compensation amounts for properties, among others, for AREC 10 LLC - Map No. 10 in an amount of Thirty-Four Thousand Five Hundred Dollars (\$34,500), and

WHEREAS, Resolution No. 603 of 2008 authorized an additional just compensation amount of Two Thousand Dollars (\$2,000), which increased the total just compensation to Thirty-Six Thousand Five Hundred Dollars (\$36,500), and

WHEREAS, the property was the subject of further negotiations in accordance with the Eminent Domain Procedures Law and AREC 10 LLC has agreed to settle the Eminent Domain proceeding in the total amount of Sixty Thousand Dollars (\$60,000); wherein based upon negotiations and review of competitive appraisals and cost to further litigate the additional just compensation for AREC 10 LLC has been agreed to in the amount of Twenty-Three Thousand Five Hundred Dollars (\$23,500), and

WHEREAS, the Superintendent of the Department of Public Works is requesting to amend Resolution Nos. 87 of 2007 and 603 of 2008 as they pertain to the AREC 10 LLC property to increase the just compensation in an amount of Twenty-Three Thousand Five Hundred Dollars (\$23,500), now, therefore, be it

RESOLVED, that Resolution Nos. 87 of 2007 and 603 of 2008 are hereby amended to increase the amount of the just compensation to AREC 10 LLC in the amount of Twenty-Three Thousand Five Hundred

RESOLUTION No. 155 OF 2014

PAGE 2 OF 2

Dollars (\$23,500), and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the settlement of the Eminent Domain proceeding with AREC 10 LLC relative to the Corinth Road/Main Street/Broad Street (CR 28) Reconstruction project for the additional sum of Twenty-Three Thousand Five Hundred Dollars (\$23,500) making the total just compensation Sixty Thousand Dollars (\$60,000), the sum of Thirty-Six Thousand Five Hundred Dollars (\$36,500) being previously deposited with the Court and authorizing Special Counsel Robert Hite to execute and file all settlement documents on behalf of Warren County, and be it further

RESOLVED, that other than the aforescribed amendment, Resolution Nos. 87 of 2007 and 603 of 2008 shall remain in full force and effect.