



# Town of Southern Shores

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Resolution 2007-02-01

## Resolution Authorizing the Acquisition of a Property Interest in Certain Property of Chicahawk Property Owners Association, Inc.

**Whereas**, in the course of designing and preparing for the dredging and improvements of the canal system within the Town of Southern Shores, the Southern Shores Civic Association and the Chicahawk Property Owners Association, Inc. conveyed their respective canals to the Town of Southern Shores; and

**Whereas**, the Town of Southern Shores is responsible for maintaining the canal system and associated waterways for the safe and efficient use by those navigating and recreating within the canal system; to insure a healthy canal system and waterway through natural flushing and movement of otherwise stagnant waters; and the enhancement of storm water management;

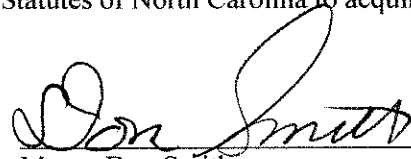
**Whereas**, after investigating numerous options to dewater or dispose of dredge spoil material the Town of Southern Shores entered into negotiation with the Board of Directors for Chicahawk Property Owners Association, Inc. for the dewatering and temporary placement of dredge spoil material on property belonging to that entity but the town has been unable to acquire the needed property interest by negotiated conveyance; and

**Whereas**, the governing body for the Town of Southern Shores has determined that it is necessary and in the public interest to acquire an easement over certain property owned by Chicahawk Property Owners Association, Inc. for the purpose of establishing, improving or upgrading recreational facilities (the canal system) and improving drainage facilities.

**Now, Therefore, Be it Resolved**, by the Town Council for the Town of Southern Shores that:

1. The Town of Southern Shores shall acquire by the exercise of its eminent domain authority, for the purposes set forth above, an easement over property of Chicahawk Property Owners Association, Inc. more particularly identified as Dare County Parcel Identification Number 986715740376.
2. The Town Manager and Town Attorney are authorized and directed to institute the necessary proceedings under Chapter 40A of the General Statutes of North Carolina to acquire the property interest herein described.

Adopted this 6<sup>th</sup> day of February 2007.

  
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Mayor Don Smith

ATTEST:

  
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Carrie Gordin, Town Clerk

