

Memorandum
Finance Committee Report

Date: February 24, 2012
To: Finance Committee
Via: Lauren Bradley, Finance Director
From: Cathy Ball, PE, Public Works Director
RE: Right-of-Way Acquisition Policy

The City of Asheville is committed to infrastructure improvements including sidewalk installation, roadway improvements, water and storm water infrastructure upgrades. Often easements or rights-of-way are needed in order to accomplish these infrastructure improvements. Many times staff is successful in obtaining easements through negotiations with property owner in which property owners will often donate the easements. Other times, it is difficult to obtain easements in a fiscally and timely manner without utilizing the City's legal ability to pursue eminent domain.

In order to utilize this tool as a last resort, staff has prepared a policy to obtain easements that may result in eminent domain to ensure the public safety. The Metropolitan Sewerage District utilizes a similar policy to acquire easements for sewer installation and rehabilitation.

We have attached a draft of the policy and a flow chart detailing the process. Staff will be available for questions at the meeting.