



**RESOLUTION TITLE: TO AUTHORIZE CONDEMNATION PROCEEDINGS TO ACQUIRE PERMANENT UTILITY EASEMENTS FOR THE DALLAS HIGH SHOALS INFRASTRUCTURE PROJECT**

WHEREAS, in September 2022, the NC Division of Water Infrastructure awarded Gaston County \$5,478,000 in federal grant funds to meet urgent community needs in the wake of COVID-19. On September 27, 2022, Board Resolution 2022-294 approved and appropriated funds for the Dallas High Shoals Infrastructure Project (hereinafter, the "Project"). On March 28, 2023, Resolution 2023-114 appropriated an additional \$2,375,000 of gap funding from the Division of Water Infrastructure to cover a funding shortfall in the Project; and,

WHEREAS, on January 23, 2024, Resolution 2024-035 authorized the execution of interlocal agreements with the City of High Shoals and the Town of Dallas to set the terms and conditions by which the County will construct, and High Shoals and Dallas will operate and maintain the infrastructure; and,

WHEREAS, all the necessary easements have been acquired to construct the Project with the exception of 15 properties, as identified in attached Exhibit A; and,

WHEREAS, County staff will continue to work with the remaining property owners to reach an agreement as to the total compensation and terms of the easement agreements; and,

WHEREAS, if the County and the property owners are unable to reach agreements, the County may initiate proceedings to acquire the such easements through its power of eminent domain.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners authorizes the County Manager and County Attorney, or their designees, to initiate condemnation proceedings, deposit the estimated fair market values of the properties with the Gaston County Clerk of Superior Court, and take other actions necessary to allow the County's acquisition of the necessary easements.

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	JBailey	CBrown	CCloninger	AFrale	BHovis	TKeigher	SShehan	Vote
2025-096	03/25/2025	BH	TK	A	N	A	A	A	A	A	6 - 1

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**EXHIBIT A**

	TAX PARCEL ID	PROPERTY ADDRESS	MAILING ADDRESS	VALUATION
<b>WATER INTERCONNECT</b>				
Christopher Bumgarner and April Bumgarner	227617	4711 Dallas High Shoals Hwy	4711 Dallas High Shoals Hwy	\$ 200.00
Stephen Wright and Melinda Wright	219574	106 Miles Rd	106 Miles Rd	\$ 1,500.00
Nollie Clemmer	199130	4665 Dallas High Shoals Hwy	4665 Dallas High Shoals Hwy	\$ 2,050.00
Vernon Clemmer and Wanda Clemmer	307556	Dallas High Shoals Hwy	853 Ashebrook Park Rd. Dallas, NC 28034	\$ 725.00
Richard Cloninger and Loretta Cloninger Life Estate	307555	Dallas High Shoals Hwy	4609 Dallas High Shoals Rd. Dallas, NC 28034	\$ 800.00
Richard Cloninger Life Estate and Mark Cloninger Life Estate	202969	4601 Dallas High Shoals Hwy	4603 Dallas High Shoals Rd. Dallas, NC 28034	\$ 925.00
Nathan Slentz and Anna Slentz	168497	4603 Dallas High Shoals Hwy	4603 Dallas High Shoals Rd. Dallas, NC 28034	\$ 1,750.00
Teresa Rhyne	213512	Dallas High Shoals Hwy	142 Old Tram St. Lincolnton, NC 28092	\$ 2,570.00
Hamam LLC	215535	5030 Dallas High Shoals Hwy	9015 Wing Pointe Dr. Belmont, NC 28012	\$ 1,975.00
Mark Brown and Audrea Lynn-Brown	305982	5034 Dallas High Shoals Hwy	5034 Dallas High Shoals Hwy	\$ 2,125.00
<b>SEWER</b>				
Hardin Community Baptist Church	165493	548 Hardin Rd. Dallas, NC 28034	1127 Hardin Rd. Dallas, NC 28034	
Hardin Community Baptist Church	165964	Hardin Rd. Dallas, NC 28034	1127 Hardin Rd. Dallas, NC 28034	
Hardin Community Baptist Church	217188	603 Hardin Rd. Dallas, NC 28034	1127 Hardin Rd. Dallas, NC 28034	\$ 12,927.00
Vulcan Lands Inc.	165480	405 Hardin Road	PO Box 4900 Scottsdale, AZ 85261	\$ 650.00
Natavarbhal Patel	165581	Dallas High Shoals Hwy	3562 Fieldstone Dr. Gastonia, NC 28056	\$ 2,150.00



# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## Public Works

## Board Action

File #: 25-153

Commissioner Hovis - Public Works - To Authorize the Filing of Condemnation Proceedings for Acquisition of Easements for the Dallas High Shoals Infrastructure Project

### STAFF CONTACT

Ray Maxwell - Executive Director of Capital Projects - 704-863-7551

### BUDGET IMPACT

N/A

### BACKGROUND

The NC Division of Water Infrastructure awarded \$5,478,000 in American Rescue Plan Act funding from the State Fiscal Recovery Fund to Gaston County for the Dallas High Shoals Water Line Project (SRP-D-ARP-0075). On September 27, 2022, Board Resolution 2022-294 approved and appropriated the funds for the Dallas High Shoals Project, and on March 28, 2023, Resolution 2023-114 appropriated an additional \$2,375,000 of gap funding from the Division of Water Infrastructure to cover a funding shortfall in the Project. On June 28, 2022, Resolution 2022-203 authorized the execution of a professional services contract for the design of the waterline infrastructure. On January 23, 2024, Resolution 2024-035 authorized the County to enter into interlocal agreements with the City of High Shoals and the Town of Dallas to set the terms and conditions under which the County will construct, and High Shoals and Dallas will operate and maintain the infrastructure.

### POLICY IMPACT

County staff has made progress toward the voluntary acquisition of easements for the properties affected by the Project. Staff and the owners of the 15 parcels listed in the attached Claims Report have not yet been able to reach an agreement as to the total compensation and specific terms of the easement agreements necessary to complete the negotiations. Staff will continue to work with the property owners to resolve the claims, but if agreements cannot be reached in the near future, it will be necessary to file condemnation actions in order to timely obtain the property rights needed to complete the Project.

This Resolution authorizes the County Manager, County Attorney, or their designees to file condemnation actions and make all necessary deposits to the Gaston County Clerk of Court, as well as obtain appraisals, title opinions, and take any other actions necessary to allow the County's acquisition of the easements so that construction may proceed.

### ATTACHMENTS

Resolution; Claim Report

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS