



# Metropolitan Sewerage District

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OF BUNCOMBE COUNTY, NORTH CAROLINA

## *Meeting Notice*

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The following meeting will be held on **Wednesday, August 28, 2024**, in the Boardroom of the W.H. Mull Building located at 2028 Riverside Drive, Asheville, North Carolina.

### Right-of-Way Committee – 9:00 am

Agenda is attached.

*~Protecting Our Natural Resources~*



Metropolitan Sewerage District  
of Buncombe County, NC

AGENDA FOR 8/28/2024  
9:00 A.M.

**ROW COMMITTEE**

	Agenda Item	Presenter
	01. Call to Order	Kelly
	02. Inquiry as to Conflict of Interest	Kelly
	03. Consideration of Condemnation – Sand Hill Road @ Baker Place - Radford	Banner
	04. Consideration of Condemnation – Sand Hill Road @ Baker Place - Stevens	Banner
	05. Consideration of Condemnation – Weaverville Pump Station Rehabilitation - McAlister	Banner
	06. Other business	Banner
	07. Adjourn	Kelly
	Date of next meeting: September 25, 2024 @ 9:00 a.m.	

Committee Members:

- Glenn Kelly, Chairman
- Matt Ashley
- Jackie Bryson
- Esther Manheimer
- Chris Pelly
- Nathan Pennington
- Al Whitesides

# Metropolitan Sewerage District of Buncombe County

## Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 8/28//2024

BOARD MEETING DATE: 9/18/2024

SUBMITTED BY: Tom Hartye, PE, General Manager  
PREPARED BY: Angel Banks, Right of Way Manager  
Wesley Banner, Right of Way Agent

REVIEWED BY: Hunter Carson, PE, Director of CIP

**SUBJECT: Consideration of Condemnation-  
Sand Hill Road @ Baker Place Sewer Replacement  
MSD Project No. 2015223**

**Owner Name: George A. & Joan S. Radford**  
**Parcel Number: 9628-81-2788**

The subject parcel is located along Sand Hill Road in West Asheville and is improved with a single-family residence, currently a rental. The proposed sewer is in the same alignment as the existing except for a small portion within the driveway. The standard compensation offer for the easement areas on this parcel is \$8,299. A site meeting was held with the owner in May and his concerns were addressed in a Special Provisions Detail Sheet. The owner no longer desires the alignment in his driveway. MSD agreed to increase the compensation offer to \$8,599 in good faith negotiations and the owner rejected.

The MSD Project Engineer revised the alignment to parallel the driveway. The alternate alignment was rejected, and the owner stated he does not desire to grant any permanent easement area to MSD on his property. We have reached an impasse with the property owner, and we must move forward.

Contacts: 9

**STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation, if necessary.**

**COMMITTEE RECOMMENDATION:**

# Metropolitan Sewerage District of Buncombe County

## Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 8/28//2024

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PREPARED BY: Angel Banks, Right of Way Manager  
Wesley Banner, Right of Way Agent

REVIEWED BY: Hunter Carson, PE, Director of CIP

**SUBJECT: Consideration of Condemnation-  
Sand Hill Road @ Baker Place Sewer Replacement  
MSD Project No. 2015223**

**Owner Name: Lief Stevens  
Parcel Number: 9628-82-3062**

Subject parcel is located along Baker Place Extension in West Asheville and is improved with a single-family residence. The existing sewer is located on the adjacent property to the east and runs under a dwelling. The proposed sewer is being shifted to run along the rear property line of both parcels to avoid this dwelling. Due to the shift in alignment, there will be new easement areas on the subject parcel. There will be no loss of buildable area since the proposed permanent easement is located within the setback of the rear property line. Compensation for the easement areas on this parcel is \$2188.

Staff began negotiations back in April. We have been unsuccessful in contacting the owner despite leaving numerous door hangers and mailing the owner a certified letter. This project is scheduled to go out to bid soon therefore we must move forward.

Contacts: 5

**STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation, if necessary.**

**COMMITTEE RECOMMENDATION:**

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## Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 8/28//2024

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Wesley Banner, Right of Way Agent

REVIEWED BY: Hunter Carson, PE, Director of CIP

**SUBJECT: Consideration of Condemnation-  
Weaverville Pump Station Rehabilitation  
MSD Project No. 2019080**

**Owner Name: Sabrina McAlister  
Parcel Number: 9722-80-7885**

Subject parcel is a flag lot located off of Wiley Drive and improved with a single-family home. An existing 12-inch force main will be upsized to 24 inches, providing for the increased growth in the Weaverville area. This existing force main and easement is located within the 60-foot road right of way of Wiley Drive. To accommodate both the larger pipe and a divergence in location, additional easement width is needed. All the additional width is located within the 60-foot road right of way. Neither the existing easement, nor the additional easement areas are in buildable areas of the property. This can be seen on the attached color map.

We began working with the owner in December 2023. At our initial meeting, the owner was agreeable to the project and the standard compensation offered of \$1,188. Since then, she has become evasive with limited return of our multiple contacts. In May, she did counter with \$7,300. However, she continues to be non-committal to grant the additional easement area needed, despite 18 contacts thus far. Construction is anticipated to start in October and we need to move forward.

Contacts: 19

**STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation, if necessary.**

**COMMITTEE RECOMMENDATION:**