

RELEASED AT THE COUNCIL MEETING ON TUESDAY, NOVEMBER 8, 2016

PORTION ON THE STATUS OF NORTH 7<sup>TH</sup> STREET LAWSUIT RELEASED AT THE  
TUESDAY, AUGUST 11, 2009, TOWN COUNCIL MEETING

APPROVED AND TO REMAIN SEALED AT THE TOWN COUNCIL MEETING HELD  
ON TUESDAY, SEPTEMBER 9, 2008 TOWN COUNCIL MEETING

CLOSED SESSION MINUTES  
MOREHEAD CITY, N.C.

TUESDAY, AUGUST 12, 2008

The Council met in CLOSED SESSION in the Municipal Chambers at 202 South 8<sup>th</sup> Street, Morehead City, N.C., following the Regular Meeting of the Town Council held on Tuesday, August 12, 2008, at 5:30 p.m. Those in attendance were: Mayor Gerald A. Jones, Jr., Councilmen George W. Ballou, Paul W. Cordova, David Horton, John F. Nelson, Demus L. Thompson, City Manager R. Randy Martin, City Attorneys Nelson W. Taylor, III, Derek Taylor and Mike Thomas, and City Clerk Jeanne M. Giblin.

**Acquisition of Property near O'Neal Field [Alton Davis Property]**

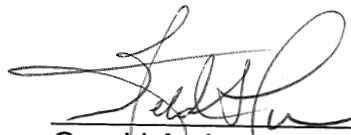
Manager Martin advised the Council that Alton Davis does not have clear title to the back piece of property which the City intended to acquire. He only owns the 60 foot strip of property which the City wishes to purchase. The back piece is landlocked, but the City intended to use both pieces of property together with the adjoining Avery property for a future re-use water tank site in addition to the re-use water and regular water and sewer service line placement to the ballfield park properties.

City Attorney Derek Taylor advised the Council to purchase the 60 foot strip of property along Mayberry Loop Road and to file a suit of an adverse possession claim for the back piece of property because the City needs the property for water/sewer access and improvements. The value of the entire Davis property was appraised at approximately \$50,000 with a purchase price of \$40,000 negotiated.

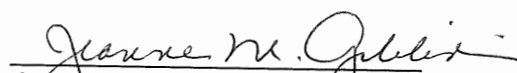
City Attorney Derek Taylor also requested that if the Council could provide addresses for the various unknown spouses and heirs listed in the suit it would be most helpful as the law requires that every attempt be made to contact any and all potential owners and heirs of the property.

City Attorney Derek Taylor requested that the Council adopt a resolution authorizing the condemnation procedures to acquire the property.

***Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to return to OPEN SESSION.***

  
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Gerald A. Jones, Jr., Mayor

Attest:

  
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Jeanne M. Giblin, City Clerk