

# Reflector

## Property owners' options detailed

Property owners along Greenville's pending 10th Street Connector traffic corridor have several available options for seeking fair compensation when N.C. Department of Transportation officials make offers for properties, an expert in eminent domain law, said.

Stan Abrams, a lawyer with the N.C. Eminent Domain law firm of Durham, a division of the Law Offices of James Scott Farrin, explained the basics of the law Thursday night to a group of about 30 Greenville property owners about to be affected by the state's approaching property acquisitions.

The first group of fair-market appraisals in the \$27 million property acquisition was presented in September.

Construction, estimated to cost \$19.6 million, is expected to begin in October.

The state's property acquisitions — allowing the project to directly connect the west medical campus of East Carolina University with the east campus through downtown Greenville — cannot be prevented, Abrams said.

Beginning at Memorial Drive, with improvements ending at 10th and Evans streets, the proposed four-lane connector will widen symmetrically down Farmville Boulevard before crossing through a neighborhood and rising into a bridge over the railroad tracks at Dickinson Avenue.

The connector project is expected to displace about 30 residences and 24 businesses and potentially affect dozens more.

Abrams said the appraisal process has been completed, and some property owners already have been made offers by DOT for their properties, while others are still awaiting an offer.

If a property owner legally finalizes a DOT claim and accepts the price offered, it cannot be revoked or undone, Abrams said.

But the compensation awarded by DOT-contracted appraisers need not be accepted and can be challenged through various legal actions under Fifth Amendment rights to due process for just compensation of seized property, he said.

"The project is going to continue whether you accept the offer or not, but many people believe, incorrectly, that you have to take the DOT's last offer," Abrams said.

"You can take it, but you're not backed into a corner and don't have to accept something you don't believe is fair."

An owner can take the initial DOT appraisal offer and still go to court and try to get more, Abrams said. DOT will acquire and take ownership of the property through a condemnation process through the civil courts.

The DOT will deposit to the County Clerk's Office the initial appraised amount it offered, Abrams said.

"That's the beginning of the process, but you have a right to file a motion to gain access to the deposited amount, and continue on through the legal process to seek more compensation, with certain caveats, such as mortgage considerations, being applicable," he said.

Abrams cautioned the attendees that navigation through the legal process can be complicated and advised those interested in pursuing such actions to seek expert legal advice to understand all the available options for seeking fair and just compensation.



Abrams fielded some general questions from the audience and arranged to address questions about specific properties with inquiring individuals privately.

Abrams said he now is representing at least two individuals related to the 10th Street Connector project.

Abrams spent three years working in Pitt County for the State Attorney General's Office representing DOT in land condemnation cases, he said.

He now uses that experience to help property owners, he said.

Abrams said that he also worked with Pitt County in the attorney's office for a year and a half.

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