

Former NCDOT Attorneys Hosting Seminar for Leicester Property Owners Impacted by Road Widening

A former NCDOT attorney, who is now with the NC Eminent Domain Law Firm, will host a public meeting for property owners on Thursday, June 23rd in Asheville to explain property owners' rights and negotiating strategies.

Asheville, NC ([PRWEB](#)) June 20, 2016 -- The Leicester Highway (N.C. 63) road widening project, a \$35 million project affecting more than 100 property owners, is on schedule to move forward after more than five years of planning and discussions. The North Carolina Department of Transportation (NCDOT) has reserved \$9,500,000 for right of way purchases.

Attorney [Stan Abrams](#), a former NCDOT attorney who now practices at the [NC Eminent Domain Law Firm](#), is concerned that some property owners will receive offers that may be far less than what their property is worth.

Abrams is hosting a seminar for affected property owners to explain that, rather than accepting these initial offers outright, property owners can and should exercise their often misunderstood eminent domain rights in an effort to obtain a potentially better offer.

The seminar is on Thursday evening, June 23rd, at 7 p.m. at the Holiday Inn Asheville Biltmore West, and is no cost to participants.

Importance of Knowing What an Easement Can Mean

NC Eminent Domain Law Firm Attorney [Kenneth Bryan](#), who has been evaluating the plans for the Leicester Road project, explained that it will be an amended [superstreet](#) design. Bryan and Abrams believe that many business owners are likely to be worried about how potential customers will access their businesses and how the [easements](#) will affect parking lots. While the NCDOT is not liable for loss of business, they certainly can be held responsible for damages caused by easements.

Bryan said, "Homeowners sometimes tend to think that an easement of 'just a few feet' onto their property is benign. What most don't realize is that many easements come with the right to make additional changes to the property at any time in the future. And the state does not have to pay additional compensation to the owner – even if that road comes to within a few feet of their home."

This seminar helps underscore, among other things, the importance of understanding the fine print and negotiation approaches, such as the 'Second Check' negotiation approach.

'Second Check' Negotiation Approach

Abrams said, "Property owners might receive an official-looking offer and think that is the 'law' for what they are able to receive. On the contrary. Just like any other property buyer, there may be a more complete and satisfactory offer to be gained through reappraisal and negotiations."

A negotiation approach Abrams has used is something he calls the Second Check method. By North Carolina law, property owners whose land or businesses are targeted for acquisition ultimately receive an offer from the state. If the owner chooses not to accept the offer and takes no further steps, the state will still acquire the land and deposit the amount of the original offer with the county clerk on behalf of the owner.



This is where the NC Eminent Domain Law Firm's Second Check approach comes in. In most cases, the property owner is then free to pursue a better, fairer arrangement, without losing the first offer.

If continued negotiations do not change the offer, the owner can still pocket the first check. But if continued negotiations are successful, the property owner will receive a 'second' check in addition to the first one.

"This approach is not as straightforward as it may seem and it is best handled by a qualified eminent domain lawyer," Abrams said.

Other Topics the Leicester Road Widening Eminent Domain Seminar will Cover

This free informational session is intended to help answer property and business owners' questions, which can typically include:

- * [How will the value of my property be calculated?](#)
- * [Can I assume the offer for my property is fair?](#)
- * How is fair market value determined?
- * What if I lease space? Will there be allowances to move my business?
- * Should I get my own appraisal?

Property Areas the Leicester Road Widening Will Impact

The project will affect a 4.3-mile section of Leicester Road from Jones Road to about 600 feet past the Newfound Road/Dix Creek Chapel Road intersection.

Seminar Date, Time, Location

Date: Thursday, June 23rd

Time: 7 p.m.

Place: Holiday Inn Asheville Biltmore West

435 Smokey Park Hwy,

Asheville, NC 28806

For more information about the meeting, please call the NC Eminent Domain Law Firm at 1-877-393-4990.

ABOUT THE NC EMINENT DOMAIN LAW FIRM:

A division of the Law Offices of James Scott Farrin, the NC Eminent Domain Law Firm is dedicated solely to representing property owners throughout North Carolina, who may be impacted by eminent domain law. The NC Eminent Domain Law Firm is led by attorneys Stan Abrams and Jason Campbell, both of whom previously worked as Assistant Attorneys General for the North Carolina Department of Justice in the Transportation Section, where they litigated condemnation cases for the NCDOT. They have over 25 years of combined experience working exclusively on eminent domain cases. The Law Offices of James Scott Farrin has the legal resources of 38 attorneys and is based in Durham, North Carolina, with offices throughout the state to serve its clients.

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