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Council Votes to Move Ahead with Condemnation Project

By [Shawn Daley](#), editor

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Whenever Esther Duke looks at the trees lining her front yard she can't help but think of her late husband, John.

In the time leading up to his death in 1993, John often told her not to cut those old trees down.

Unfortunately for Duke, she doesn't have to worry about keeping that promise to her late husband anymore.

Following a closed session to discuss the matter town council voted 4-1 last week to move ahead with a condemnation project that will tear up the yards of nearly a dozen property owners along old U.S. 1 in New Hill.

The town is installing water and electric lines along the road despite the plea from property owners to seek an alternate route.

Duke, who has lived in her home near Boscoe Road since 1965, said it was sad the town had so much power over her property.

"I hate to see it," said Duke. "My husband told me never to cut those trees down because they acted as a borderline for our land. It's not right that they can come here and do this."

Duke's neighbor, Dan Brubaker, said residents have asked the town to consider putting the utility lines on the other side of the road, which is void of houses.

"There is nothing at all on the other side of the road but railroad tracks," said Brubaker. "(The land) isn't being used for anything. It would make a lot of sense to put the utilities over there where it is not going to impact anybody's house but they won't do that."

Brubaker, who works for the City of Raleigh Public Works Department, said he was frustrated by the town's attitude.

"I know how this kind of stuff works," said Brubaker, who is losing 11 trees on his property. "I know how hard, at least in the stormwater division, we try to recognize and accommodate the needs and issues we have with the property owners who are impacted.

"What amazes me is how aloof the entire town staff is towards the needs and values of the people out here."

In discussing their vote for the project town leaders praised the town staff and said they trusted their judgement.

"I know it's not the best alternative for some but it's the best alternative put before us," said Councilman Mike Jones. "I trust our staff."

"I don't like it one bit," said Councilman Gene Schulze. "But you have to look at all the facts and this is the best thing for the situation."

Bryan Gossage and Bill Sutton also voted in favor of the project while Bill Jensen cast the only negative vote.

"I think we are rushing into it," said Jensen. "I'd like to see the maps, what the costs are and (plans for) future development. I think we should put it off two weeks or a month. Then if we have to do it we'll do it."

Mayor Keith Weatherly said the town has a history of using its condemnation power "only when absolutely necessary" and that "it's always for the public good."

"I have full confidence in our staff and this (decision) is based on sound judgement and reasoning," said Weatherly.

Standing in front of several large piles of pipes stacked in her front yard, Duke shook her head in disgust at the entire situation.

"It's just not right that those folks in Apex can come down here and do this," said Duke. "It's just not right."