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BY: JANE SCHULTZ
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2016017072
GUILFORD COUNTY, NC
JEFF L. THIGPEN
REGISTER OF DEEDS

NC FEE \$26.00

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1612 / 16-13

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 21st DAY OF MARCH, 2016, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment (Closure) Case 16-01
(portion of the Indian Drive right-of-way)

A request by West Mountain Funding, LLC to abandon a portion (approximately 252.46± feet) of the unimproved Indian Drive right-of-way.

WHEREAS, West Mountain Funding, LLC has petitioned the City Council of the City of High Point to permanently abandon (close) a portion of the Indian Drive right-of-way that is lying east of St. Johns Street, which is more specifically escribed as follows:

BEGINNING at a point in the eastern right-of-way of St. John's Street as recorded in Plat Book 173, Page 2 and the western right-of-way of Indian Drive (not open) as recorded in Plat Book 36, page 51, said point being the southwest corner of Parcel Number 0216326, Joshua B. Comer and Laura A. Comer as recorded in Deed Book 7492, Page 2160 and Plat 173, Page 2; thence with the northern right-of-way of Indian Drive N. 64°40' E. 242.55' to a point; thence crossing said Indian Drive S. 33°38'00" E. 60.63' to a point in the southern right-of-way of said Indian Drive and the northeast corner of Parcel Number 169447 Henry Clay Williams, Jr. and wife Josephine Williams as recorded in Deed Book 7673, Page 2271 and Plat Book 36, Page 51; thence with the southern

right-of-way of said Indian Drive S. 64°40'00" W. 252.49' to a point in said St. John's Street; thence on a curve to the right (having a radius of 275') a chord bearing and distance of N. 24°12'08" W. 60.01' to the place of BEGINNING and containing 14,916 Sq. Ft./0.34 Acres more or less.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 15th day of February, 2016, at 5:30 p.m. setting the 21st day of March, 2016 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning February 19 & 26, 2016 and March 4 & 11, 2016; and,

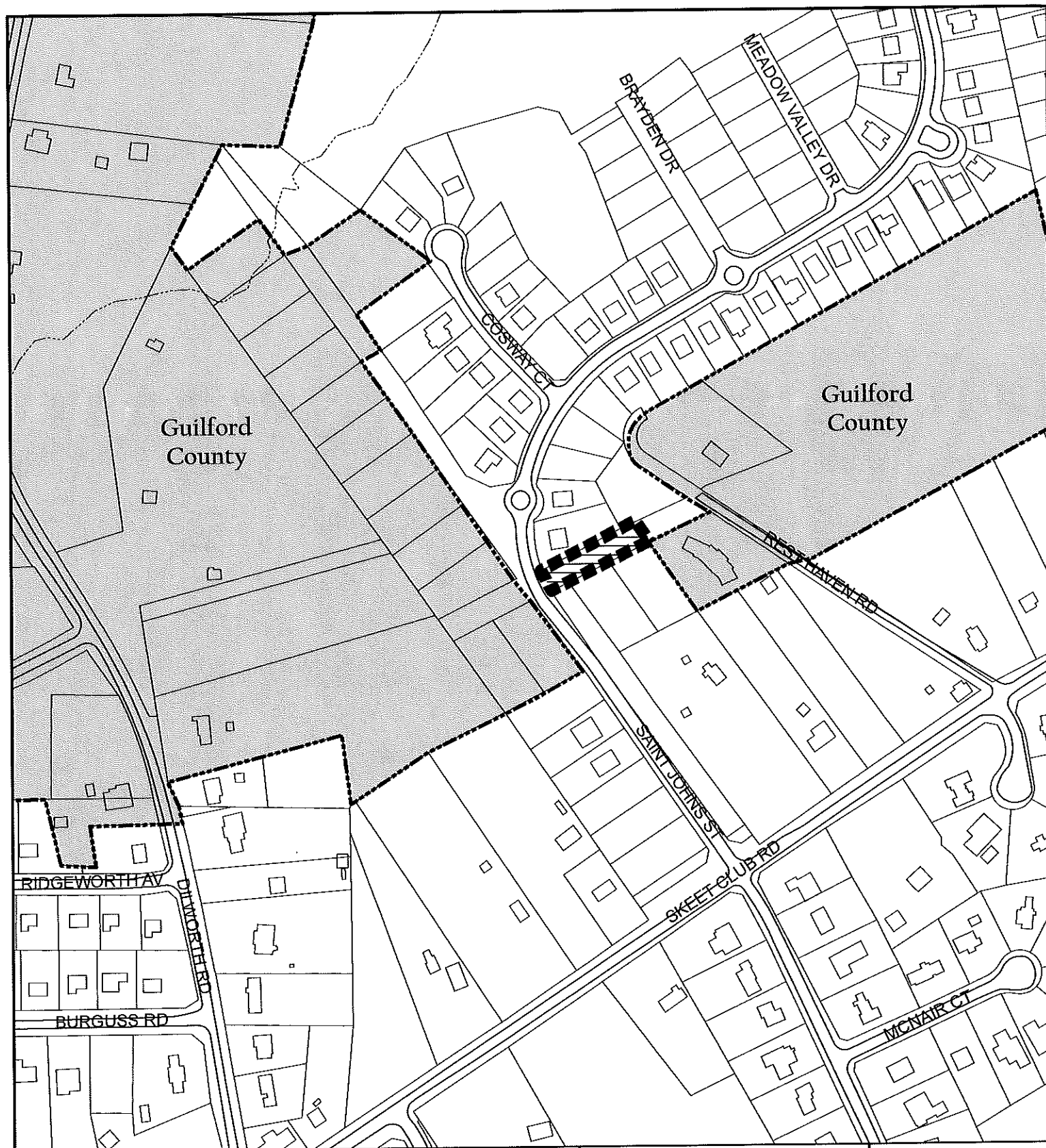
WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) a portion of the Indian Road right-of-way, lying east of St. John's Street; and

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right-of-way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. That the portion of the Indian Drive right-of-way, lying east of St. Johns Street (approximately 252± feet), as described above, be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a 30-foot wide Duke Power utility easement, which also includes Time Warner Cable lines and NorthState Communication lines, centered over all existing electric lines within and crossing the right-of-way; and
3. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 21st day of March, 2016
Lisa B. Vierling, City Clerk



STREET ABANDONMENT SA16-01

Applicant: West Mountain Funding, LLC

Area: 0.30 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date: March 24, 2016



Scale: 1"=300'

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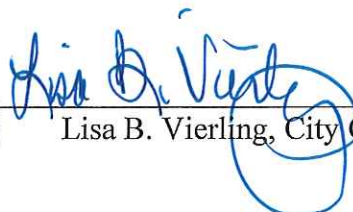
City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Resolution adopted by the City Council in official Session on March 21, 2016 and upon approval by City Council will be recorded in Book 91 of the Official Minute Books and Resolution Book XIX of this City, under my care, custody and control. As of this date, action to adopt said Resolution has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, this 4th day of April, 2016.





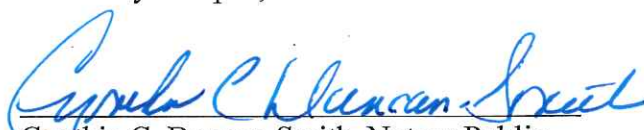
Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of April, 2016.

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC



Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2020