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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. 1650/16-50

RESOLUTION

Am
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 3rd DAY OF OCTOBER, 2016, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment (Closure) Case 16-04

(portion of the Staton Drive right-of-way)

A request by West Mountain Funding, LLC to abandon a portion (approximately 8,276-square-foot triangular segment) of the unimproved Staton 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 Staton Drive right-of-way that is lying west of St. Johns Street, which is more specifically escribed as follows:

BEGINNING at an existing 1-1/4" iron in the southern right-of-way of Staton Drive (not open) said iron being the northeast corner of Lot 8 Staton Park as recorded in Plat Book 36, Page 51, Parcel number 0169453, West Mountain Funding, LLC as recorded in Deed Book 7832, Page 1716; thence on a new line and crossing said Staton Drive the two (2) following courses and distances: 1) N. 54°33'33" E. 13.41' to a 7/8" iron placed; thence 2) S. 63°18'15" E. 98.15' to a 7/8" iron placed in the northern right-of-way of said Staton Drive and in the southern line of area dedicated as right-of-way in Meadow Valley Phase 1B as recorded in Plat Book 173, Page 21; thence with the northern right-of-way of said Staton Drive S. 35°33'23" E. 22.57' to a 7/8" iron placed in the western right-of-way of St. Johns Street; thence with the right-of-way of said St. Johns Street the three (3) following courses and

distance: 1) S. 00°47'23" W. 0.18' to a 7/8" iron placed 2) on a curve to the left (having a radius of 325') a chord bearing and distance of S. 16°20'19" E. 169.12' to a 7/8" iron placed; thence 3) S. 62°44'32" W. 3.81' to 7/8" iron placed in the southern right-of-way of said Staton Drive; thence with said right-of-way N. 35°27'44" W. crossing a 7/8" iron placed at 29.96' and continuing 29.96' to a 7/8" iron placed, the southeast corner of Lot 7 of said Staton Park and continuing 208.83 for a total distance of 268.75' to the point and place of BEGINNING and containing 0.190 acres more or less.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 6th day of September, 2016, at 5:30 p.m. setting the 3rd day of October, 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 September 9, 16, 23 & 30, 2016; and,

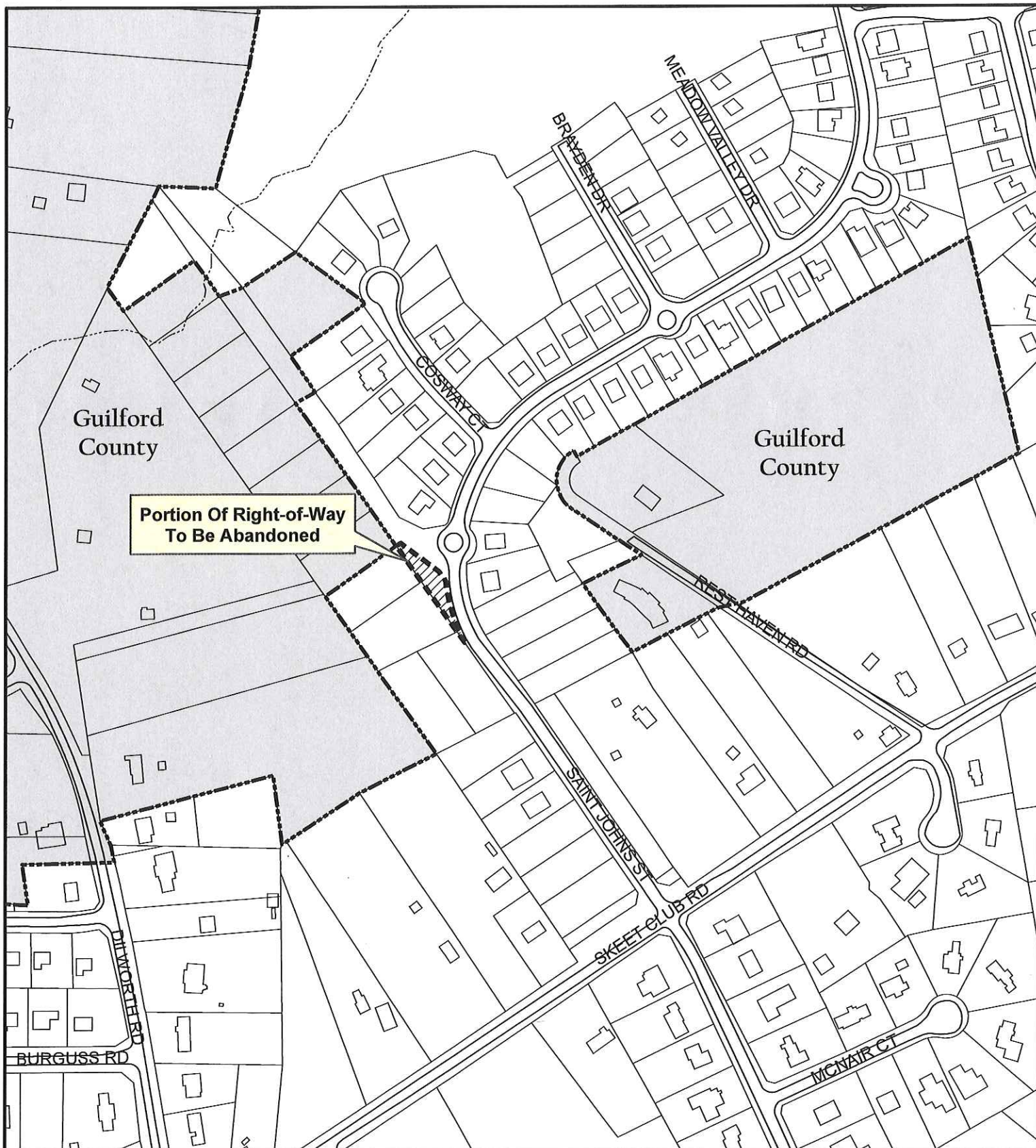
WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) a portion of the Staton Drive right-of-way, lying east of St. Johns 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 Staton Drive right-of-way, lying west of St. Johns Street (approximately 0.19 acres±), as described above, be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a 20-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 3rd day of October, 2016
Lisa B. Vierling, City Clerk



STREET ABANDONMENT SA-16-04

Applicant: West Mountain Funding, LLC
Area: 0.190 acres

 Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: October 12, 2016



Scale: 1"=300'

G:/Planning/Secure/ba-pz/
2016/pz/sa16-04.mxd

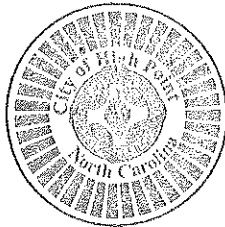


City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

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 October 3, 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 10th day of October, 2016.

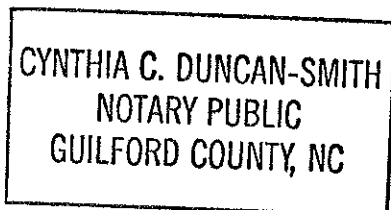


Lisa B. Vierling
Lisa B. Vierling, City Clerk

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 10th day of October, 2016.



Cynthia C. Duncan-Smith
Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2020