

RESOLUTION CLOSING AN UNOPENED RIGHT-OF-WAY OFF OF MINGUS CABIN LANE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close an unopened right-of-way off of Mingus Cabin Lane, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an unopened right-of-way off of Mingus Cabin Lane to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S.160A-299; and

WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S.160A-299; and

WHEREAS, the public hearing was held on the 23rd day of April, 2018, and City Council determined that the closing of an unopened right-of-way off of Mingus Cabin Lane is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of April 23, 2018, that the Council hereby orders the closing of an unopened right-of-way off of Mingus Cabin Lane in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A Sheets 1 and Sheet 2", and is more particularly described by metes and bounds in the document marked "Exhibit B", all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

Interstate Hwy. 485
 Class I Freeway-Expressway
 variable width Public R/W
 Sheet No. 47 Project #R-2248BB;
 see also D.B. 10248 Pg. 593

CONTROLLED ACCESS D.O.T. woven wire R/W fence
 Southern Land Investments, LLC
 D.B. 31713 Pg. 391
 Lot 19 Block B
 M.B. 12 Pg. 281
 Tax ID #031-054-13
 M.B. 4-81 (1924)

CONTROLLED ACCESS
 $N19^{\circ}55'46''E$ 27.09' tie
 $N55^{\circ}30'00''E$ -25.00'
 Lot 19

N.C. Dept. of Transportation
 Deed Book 9857 Pg. 369

$N23^{\circ}41'00''W$ -136.67' tie
 Lot 66

Southern Land Investments, LLC
 D.B. 30304 Pg. 955
 Tax ID #031-054-11
 Lot 67
 Lot 68

New Road
 25' R/W (M.B. 4 Page 81)
 $N34^{\circ}30'00''W$ -150.00'

$S34^{\circ}30'00''E$ -150.00'

Southern Land Investments, LLC
 D.B. 30304 Pg. 955
 Tax ID #031-054-12
 Lot 69
 Lot 70
 Lot 71
 Lot 72

IRF
 $S55^{\circ}30'00''W$ -64.08' tie
 $S55^{\circ}30'00''W$ -25.00'
 $N55^{\circ}30'00''E$ -200.00' tie to IRF
 at corner of W'ly margin of Marita Dr.
 20' pavement edge
 CL
 20' pavement edge
Mingus Cabin Lane
 40' R/W (M.B. 4 Page 81)
 Permanent Easement per D.B.27464 Pg. 867

approx. R/W limit I-485

possible R/W limit
 (not surveyed)

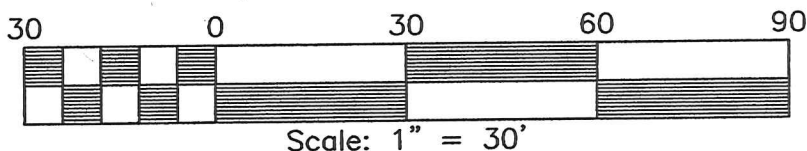
A.G. ZOUTEWELLE
SURVEYORS
 1418 East Fifth St. Charlotte, NC 28204
 Phone: 704-372-9444 Fax: 704-372-9555
 Firm Licensure Number C-1054

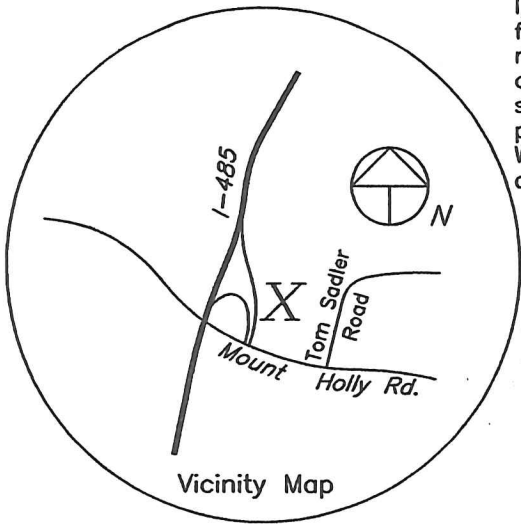


AGZ 11/24/17

ABANDONMENT SURVEY EXHIBIT A Sheet 1
New Road

Charlotte, Mecklenburg County, N.C.
 SOUTHERN LAND INVESTMENTS, LLC (petitioner)
 Date of Survey: November 24, 2017





I, Andrew G. Zoutewelle, certify that this plat was drawn under my supervision from an actual field survey made under my supervision (deed descriptions recorded in deeds books noted hereon); that the boundaries not surveyed are clearly indicated as dashed lines drawn from adjoining deed sources as shown hereon; that the ratio of precision as calculated is 1:15,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 24th day of November, 2017.

Andrew G. Zoutewelle
 Andrew G. Zoutewelle, N.C. PLS No. L-3098



GENERAL NOTES:

1.) The purpose of this survey exhibit is to describe the area to be abandoned of that certain roadway known as "New Road" as shown on that certain plat recorded in Map Book 4 Page 281 of the Mecklenburg County Registry.

L E G E N D	
s.f.	square feet (by coordinates)
IRF	iron pin found
IPF	iron pipe found
MB, DB	record map and deed references

***** CAUTION *****

THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN HEREON. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
 1-800-632-4949

A.G. ZOUTEWELLE
SURVEYORS

1418 East Fifth St. Charlotte, NC 28204
 Phone: 704-372-9444 Fax: 704-372-9555
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ABANDONMENT SURVEY

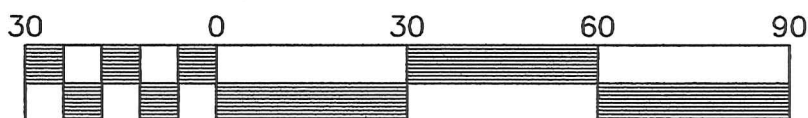
EXHIBIT A Sheet 2

New Road

Charlotte, Mecklenburg County, N.C.

SOUTHERN LAND INVESTMENTS, LLC (petitioner)

Date of Survey: November 24, 2017



Scale: 1" = 30'

EXHIBIT B
Legal Description
New Road

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as "New Road" as shown on that certain plat entitled "Geo. W. Wilson Property" recorded in Map Book 4 Page 81 of the Mecklenburg County Registry, said tract or parcel land being more particularly described as follows:

BEGINNING at an existing iron rebar ("Beginning Point") located in the northerly or northwesterly right-of-way margin of Mingus Cabin Lane, said right-of-way being approximately 40 feet in width as shown on that certain plat entitled "Geo. W. Wilson Property" recorded in Map Book 4 Page 81 of the Mecklenburg County Registry as said right-of-way may have been widened as depicted on North Carolina Department of Transportation Project #R-2248BB (Sheet No. 47), said existing iron rebar Beginning Point being also located at the southerly or southwesterly corner of Lot 69 as shown on said plat, said existing iron rebar Beginning Point being also located South 55-30-00 West 200.00 feet from an existing iron rebar located at the intersection of the northerly or northwesterly right-of-way margin of the said Mingus Cabin Lane with the westerly right-of-way margin of Marita Drive, said right-of-way having a width of 60 feet as shown on that certain plat entitled "Woodlea" recorded in Map Book 12 Page 281 of the Mecklenburg County Registry, and running thence from said POINT AND PLACE OF BEGINNING along the northerly or northwesterly right-of-way margin of the said Mingus Cabin Lane South 55-30-00 West 25.00 feet to an existing iron rebar; thence along the easterly line of Lot 68 as shown on the aforesaid plat entitled "Geo. W. Wilson Property" North 34-30-00 West 150.00 feet to an existing iron rebar; thence along the southerly line of Lot 19 in Block B of the said plat entitled "Woodlea" North 55-30-00 East 25.00 feet to an existing iron rebar; thence along the westerly line of the said Lot 69 South 34-30-00 East 150.00 feet to the point and place of BEGINNING, containing 3,750 square feet, more or less, as shown on a survey prepared by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated November 24, 2017.