

RESOLUTION TO CLOSE CECIL STREET 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 Cecil Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Cecil Street registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, 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, an easement shall be reserved in favor of the Duke Energy over, upon, and under a portion of the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, install, and/or replace the Duke Energy utilities as noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of AT&T over, upon, and under a portion of the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, install, and/or replace the AT&T utilities as noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of the Crown Castle Fiber over, upon, and under a portion of the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, install, and/or replace the Duke Energy utilities as noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of Charter Spectrum over, upon, and under a portion of the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, install, and/or replace the AT&T utilities as noted on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 22nd day of March 2021, and City Council determined that closing Cecil Street 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 their 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 12, 2021 during a virtual meeting that included an option for written comments (of 375 words or less) to be submitted from the date of notice of the public hearing up to the 23rd day of March 2021 at 11:59 p.m., that the Council hereby orders the closing of Cecil Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," 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. This action shall be effective on the date the Private Right-of-Way agreement for access to the abutting parcels is recorded in the Register

of Deeds for Mecklenburg County. This abandonment approval shall be void if the above conditions are not met within 90 days after April 12, 2021.

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.