

RESOLUTION CLOSING AN ALLEYWAY OFF OF W. 28TH 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 an alleyway off of W. 28th 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 an alleyway off of W. 28th Street 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, pursuant to subsection (c) of North Carolina General Statute 160A-299, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley; and

WHEREAS, the provisions of the aforementioned subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat is described as "Exhibit A", attached hereto and made part hereof; and

WHEREAS, the petitioner and an abutting property owner have agreed to a distribution of right-of-way as shown in the agreement of understanding marked "Exhibit C", and is more particularly described by metes and bounds in the documents marked "Exhibit B1 and B2" attached hereto and made part hereof; and

WHEREAS, the public hearing was held on the 22nd day of February, 2016, and City Council determined that the closing of an alleyway off of W. 28th 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 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 February 22, 2016, that the Council hereby orders the closing of an alleyway off of W. 28th 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 documents marked "Exhibit B1 and B2", 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.