

RESOLUTION CLOSING A PORTION OF N. BREVARD 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 a portion of N Brevard 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 a portion of N. Brevard 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, 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 Charlotte Water, AT&T, Piedmont Natural Gas, and Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water line, water mains, sewer lines, conduit, gas lines, gas mains, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, as easement shall be reserved in favor of the City of Charlotte over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, and/or replace the existing storm water culvert system; and

WHEREAS, the petitioner is subject to the obligations and conditions outlined in the approved Highland Park Mill rezoning petition (#2016-029); and

WHEREAS, the public hearing was held on the 11th day of December, 2017, and City Council determined that the closing of a portion of N. Brevard 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 December 11, 2017, that the Council hereby orders the closing of a portion of N. Brevard 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.

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.

1. THIS SURVEY IS OF EXISTING PARCELS OF LAND.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
3. AREA COMPUTED BY THE COORDINATE METHOD.
4. REFERENCE(S): AS SHOWN.
5. PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY WHICH ARE NOT SHOWN HEREON.
6. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. THIS PLAT/PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS-OF-WAY, UTILITY EASEMENTS, DEED RESTRICTIONS, RESTRICTIVE COVENANTS OR AGREEMENTS WHICH MAY OR MAY NOT BE OF RECORD AND APPLICABLE HERE TO THE DATE OF THIS SURVEY.
7. UNDERGROUND UTILITIES ARE NOT LOCATED AT THE TIME OF SURVEY.
8. PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA. (FIRM MAP NO. 3710455400K, EFFECTIVE ON 02/19/2014).
9. THIS ABANDONMENT OF RIGHT OF WAY DOES NOT AFFECT ANY CURRENT AND VALID EASEMENT FOR UTILITY FACILITIES, UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED AND SHOWN HEREON.

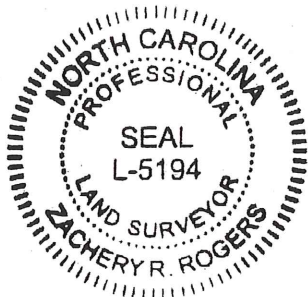
DATE _____

FILE NAME: UDG-16004 HIGHLAND MILLS.DWG PROJECT NUMBER: UDG-16004 SURVEY DATE: 08/07/2016 DRAWN BY: ZRR

LEGAL DESCRIPTION

Being that certain parcel of land lying and being situated in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

COMMENCING at an existing #5 rebar located at the northern right of way intersection of Parkwood Avenue & N. Brevard Street, said point having North Carolina Grid Coordinates (NAD83/2011) of N: 545,081.72' and E: 1,454,481.33'; thence with the westerly right of way of Parkwood Avenue along a curve to the left having a radius of 688.63', for an arc length of 158.58', said curve having a chord bearing and distance of S04°53'11"W 158.23' to a #4 rebar set on the southerly right of way line of N. Brevard Street; thence with the southerly right of way of N. Brevard Street the following three (3) calls: (1) N43°25'40"W 67.28' to an existing $\frac{3}{4}$ " iron pipe at the northerly corner of White Point Paces Partners, LLC., as described in Book 30923, Page 713; (2) S47°05'47"W 271.72' to an existing $\frac{3}{4}$ " iron pipe, (3) S47°05'47"W 8.93' to a #4 rebar set, said point being located N47°05'47"E 89.96' from an existing $\frac{3}{4}$ " iron pipe at the westerly corner of Bruce Stewart, as described in Book 27903 Page 936; thence N42°54'13"W 46.92' to a #4 rebar set on the northerly right of way line of N. Brevard Street; said #4 rebar being located N49°30'21"E 179.72' from an existing #5 rebar at the easterly corner of White Point Paces Partners, LLC., Book 31372, Page 698; thence with the northerly right of way of N. Brevard Street the following two (2) calls: (1) N49°30'21"E 63.18' to an existing 1" bolt at the easterly corner of White Point Paces Partners, LLC., as described in Book 31318, Page 306; (2) N47°59'21"E 335.38' to the POINT OF BEGINNING, containing 18,039 square feet, 0.414 acres, more or less, all shown on a plat of survey captioned "Right of Way Abandonment Exhibit," prepared by Rogers Land Surveying, P.C. and signed by Zachery R. Rogers, NCPLS No. L-5194, dated April 17th, 2017.




NC Licensed Land Surveyor #L-5194
Zachery Rogers

