

0-8-18

**AN ORDINANCE CLOSING A PORTION OF THE OLD RALEIGH ROAD IN
THE TOWN OF PITTSBORO ETJ**

WHEREAS the Board of Commissioners of the Town of Pittsboro adopted a resolution on February 12, 2018 declaring its intent to close a portion of the old Raleigh Road as described in the Petition of TWB Rentals, LLC and Shirley Moore in the Town of Pittsboro ETJ pursuant to NCGS §160A-299 and called for a public hearing thereon for Monday, March 12, 2018; and

WHEREAS, the resolution was duly published and a copy forwarded to all owners adjoining the portion of said street proposed to be closed and a notice of the closing and public hearing were duly posted along said street; and

WHEREAS, after the public hearing on Monday, March 12, 2018 it appears to the satisfaction of the Board of Commissioners of the Town of Pittsboro that closing the street requested is not contrary to the public interest and that no individual owning property in the vicinity of said street would thereby be deprived of reasonable means of ingress and egress to his property;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PITTSBORO as follows:

1) That pursuant to NCGS §160A-299 the following street or portion thereof described herewith be, and it hereby is, permanently closed:

SEE EXHIBITS A AND B ATTACHED HERETO AND INCORPORATED
HEREIN BY REFERENCE.

2) That the Town does hereby reserve its right, title, and interest in any utility improvement or easement within the street closed pursuant to this ordinance. Such reservation also extends, in accordance with the provisions of G.S. 160A-299(f), to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the Town.

3) That, upon the effective date of this Ordinance, the Mayor and Town Clerk are authorized to execute quit-claim deeds or other legal documents to prove vesting of any right, title or interest to those persons owning lots or parcels adjacent to the street in accordance with G.S. 160A-299(c), provided all costs shall be paid by any adjoining landowner requesting such action, all documents must be approved by the Town Attorney and all documents, when appropriate, must reserve to the Town any easements retained by the Town. The intent of this paragraph is to authorize the execution of quit-claim deeds when requested by adjacent property owners; however, none are required and this paragraph is not intended to alter the vesting of title by operation of law as established by G.S. 160A-299(c).

3) That a certified copy of this ordinance be recorded in the Chatham County Registry.

0-9-18

Adopted the 26th day of March, 2018.

TOWN OF PITTSBORO

By: Cindy S. Pacey
Mayor

ATTEST:

Alice J. Gloyd
Clerk

0-10-18

EXHIBIT A

**DESCRIPTION OF PORTION OF OLD RALEIGH ROAD
SOUGHT TO BE CLOSED RUNNING ALONG THE PITTSBORO FORD
PROPERTY LINE AND THROUGH THE MOORE PROPERTY**

FIRST TRACT:

Beginning at a point in the common line between the property of TWB Rentals, LLC and Archie Gunther and Shirley H. Gunther as shown on the map hereafter described having a North Coordinate of 717,009.37 feet and an East Coordinate of 1,954,244.69 feet based on the NC Grid Coordinate System NAD-83/2011 Coordinates; runs thence South 09° 30 minutes 49 seconds West along such common boundary line to the southerly right-of-way line of Old Raleigh Road, corners; runs thence in a northwesterly direction with and along the southerly right-of-way line of said Old Raleigh Road to a point in the common boundary line of the property of TWB Rentals, LLC (fka Boyette Nelson, LLC) and the property of Dwayne M. Howard and Kristine P. Howard (D.B. 1752, page 412), corners; runs thence along said common boundary line North 13° 02 minutes 06 seconds East to a point in the northerly right-of-way line of Old Raleigh Road, corners; runs thence with and along the northern right-of-way line of Old Raleigh Road and the property of James Schwankl and Anne Marie Schwankl (D.B. 384 page 781, to a point in the common boundary line of TWB Rentals, LLC and Archie Gunther and Shirley H. Gunter, (D.B. 634, page 905) in the easterly line of Parcel 2 shown on the map described hereafter, corners; runs thence in a southwesterly direction along the common line of TWB Rentals, LLC and Archie Gunther and Shirley H. Gunther to the point and place of beginning. This description is intended to include all of that portion of the right of way of Old Raleigh Road bounded on the south by Parcel 1 (the property of TWB Rentals, LLC) shown on said map and on the north by the Schwankl property shown on said map and all of that portion of Old Raleigh Road which runs through Parcel 2 (the property Of TWB Rentals, LLC).

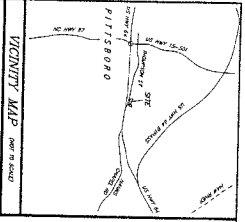
SECOND TRACT:

Beginning at a point in the common line between the property of TWB Rentals, LLC and Archie Gunther and Shirley H. Gunther as shown on the map hereafter described having a North Coordinate of 717,009.37 feet and an East Coordinate of 1,954,244.69 feet based on the NC Grid Coordinate System NAD-83/2011 Coordinates; runs thence South 09° 30 minutes 49 seconds West along such common boundary line to the southerly right-of-way line of Old Raleigh Road, corners; runs thence in an easterly direction along the southern right of way line of Old Raleigh Road and across the property deeded to Archie Gunter and Shirley H. Gunter in D.B. 634 page 905 to a point in the easterly line of the Gunter property shown on the map described below, corners; runs thence with and along the easterly Gunter line North 08 degrees 43 minutes 70 seconds East to the point of intersection with the northerly right of way

0-11-18

line of Old Raleigh Road, corners; runs thence in a westerly direction along the northern right of way line of Old Raleigh Road to its point of intersection with the westerly line of the Gunter property, corners; runs thence along the common boundary line of the Gunter property to the point and place of beginning. All of the foregoing is shown and described on that map prepared by Smith and Smith Surveyors and dated November 7, 2017, a copy of which is attached hereto.

0-12-18



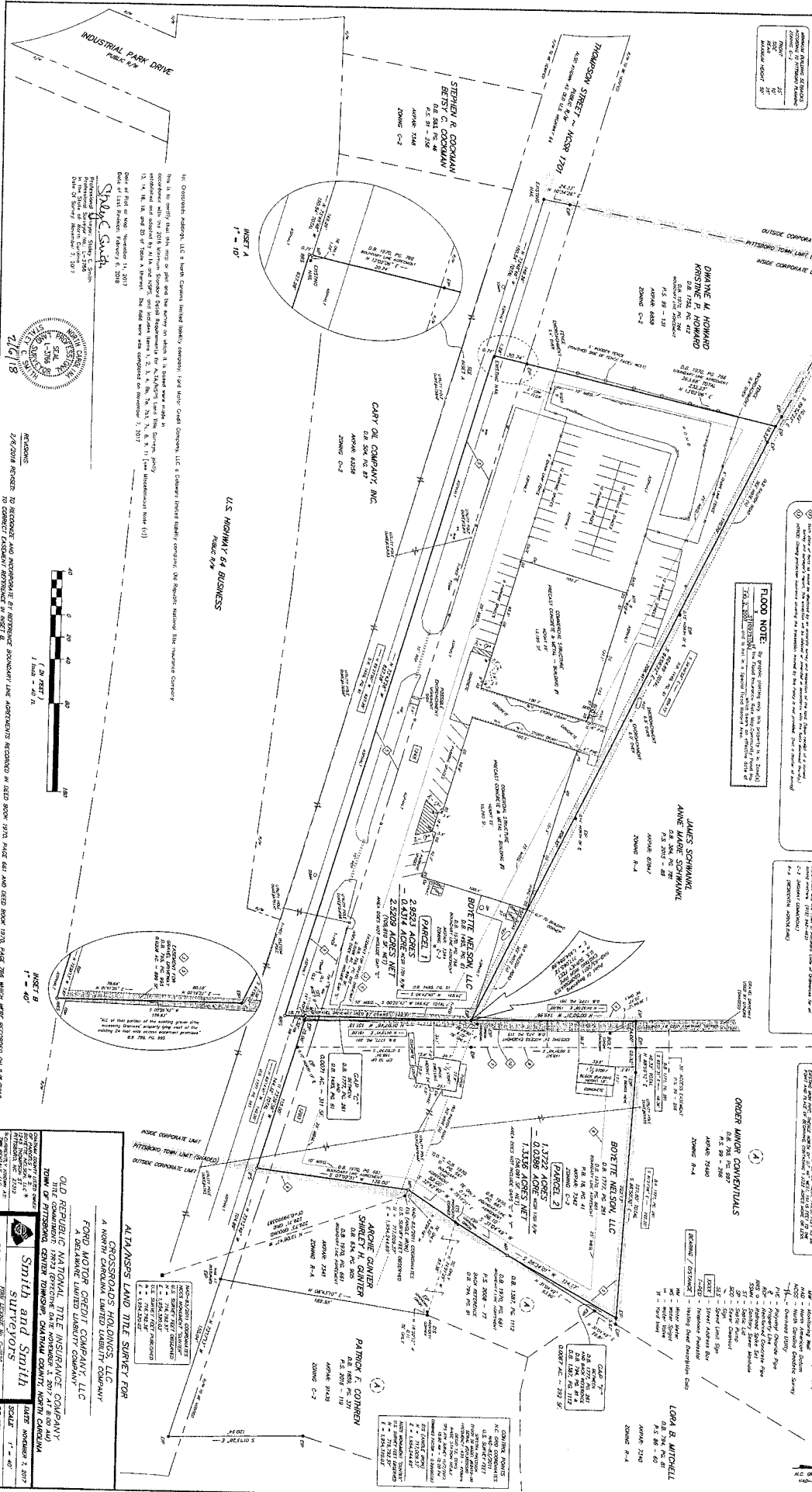
Map Information: This map was prepared by the Surveyor General's Office, North Carolina, and is subject to the provisions of the Surveyor General's Act of 1907. The map is a true and correct copy of the original as filed in the Surveyor General's Office.

THIS DOCUMENT IS SUBJECT TO SECTION 8 - SECTION 2 OF THE CONSTITUTION OF THE STATE OF NORTH CAROLINA, WHICH PROVIDES THAT THE STATE SHALL HOLD THE LANDS BELONGING TO IT FOR THE USE OF THE PEOPLE AND SHALL NOT GRANT OR CONVEY ANY OF SUCH LANDS TO ANY INDIVIDUAL OR CORPORATION.

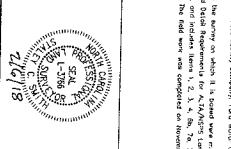
Table with 2 columns: Parcel 1 and Parcel 2. Rows include: Acreage, Area, Volume, and other survey data.

ORDER MAJOR CONVEYANCES: This document is subject to the provisions of the Surveyor General's Act of 1907, which provides that the State shall hold the lands belonging to it for the use of the people and shall not grant or convey any of such lands to any individual or corporation.

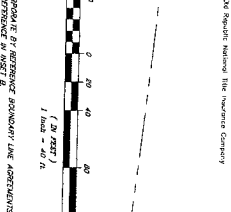
Legend: Symbols for various survey features such as 'Survey Boundary', 'Adjacent Property', and 'Right-of-Way'.



IN CONNECTION WITH THE SALE OF THE LANDS BELONGING TO THE STATE OF NORTH CAROLINA, THE SURVEYOR GENERAL'S OFFICE HAS CAUSED THIS MAP TO BE MADE AND IS HEREBY CERTIFIED THAT IT IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS FILED IN THE SURVEYOR GENERAL'S OFFICE.



DATE OF SALE: FEBRUARY 14, 2018
DATE OF LAST FURNISHING: FEBRUARY 14, 2018



ALTA/NELSON LAND TITLE SURVEY FOR GROSSBORO HOLDINGS, LLC A NORTH CAROLINA LIMITED LIABILITY COMPANY

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY THE COMPANIES OF THE REPUBLIC GROUP, A DIVISION OF THE REPUBLIC GROUP, INC. A NORTH CAROLINA LIMITED LIABILITY COMPANY

SMITH SURVEYING, INC. 1000 W. 10TH STREET, SUITE 100, FAYETTEVILLE, NC 28404

DATE: NOVEMBER 1, 2017
SCALE: 1" = 40'
SHEET NO. 809
TOTAL SHEETS: 810