

EASEMENT CLOSING CASE

May 14, 2008

EASEMENT CLOSING CASE #1-08: (Continued from April 9, 2008 Planning Board meeting.) BEING all of a 20-foot utility easement along the western and northern lines of Lot 3, J. Bayron Bull and Herbert C. Gray Subdivision as recorded in Plat Book 72, Page 232, Guilford County Register of Deeds. Deep River Township. The resolution of intent was adopted on March 12, 2008.

STAFF COMMENT: Pursuant to NCGS 153A-241 concerning closing an easement, the Planning Board must hold a public hearing before the easement can be closed. Based upon the information presented at the hearing, the Board must find: (1) that the closing of the easement is not contrary to public interest; and, (2) that no individual owning property in the vicinity of the easement or in the subdivision in which it is located would be deprived of reasonable means of ingress and egress to their property.

Staff submits the following findings for consideration by the Board: The closing is not contrary to public interest and no individual will be denied access to their property. The easement was dedicated by plat back in 1983. All utility companies in the area have released any interest in the easement. Therefore, staff recommends that the easement be closed.

CASE #1-08

RESOLUTION ADOPTED BY GUILFORD COUNTY PLANNING BOARD
CLOSING AND REMOVING FROM DEDICATION
AN EASEMENT

WHEREAS, a petition was filed, pursuant to G.S. 153A-241, Chapter 282 of the 1979 Session Laws, and Chapter 59 of the 1981 Session Laws, requesting that the Board close and remove from dedication all of a 20-foot utility easement along the western and northern lines of Lot 3, J. Bayron Bull and Herbert C. Gray Subdivision as recorded in Plat Book 72, Page 232, Guilford County Register of Deeds.

WHEREAS, pursuant to a resolution of intent to close said easement adopted by this Board on March 12, 2008, notice was published in the Greensboro Record once a week for two consecutive weeks that a hearing would be held concerning said petition on April 9, 2008 at 7:00 P.M. in the Old Guilford County Courthouse, Commissioners' Meeting Room, Second Floor, Greensboro, North Carolina; and

WHEREAS, it appears that all owners of property adjoining said easement have signed the petition or have been notified of the closing thereof; and

WHEREAS, after inquiry by the Chairman, all interested persons were provided an opportunity to be heard on the request contained in the petition; and

WHEREAS, after all interested persons were heard, it appears to the satisfaction of this Board that the removal of said easement from dedication is not contrary to the public interest and that no individual owning property in the vicinity of said easement will be deprived of any reasonable means of ingress or egress to his property;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following described easement in Deep River Township is hereby closed and removed from dedication to the public use:

BEING all of a 20-foot utility easement along the western and northern lines of Lot 3, J. Bayron Bull and Herbert C. Gray Subdivision as recorded in Plat Book 72, Page 232, Guilford County Register of Deeds.

2. A certified copy of this resolution, together with a copy of the published notice of this hearing, are hereby ordered recorded in the Office of the Register of Deeds of Guilford County, North Carolina.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE GUILFORD COUNTY PLANNING BOARD AT A MEETING HELD ON APRIL 9, 2008.

Secretary, Guilford County Planning Board