

**NORTH CAROLINA
FORSYTH COUNTY**

**RESOLUTION ORDERING THE CLOSING AND
ABANDONMENT OF A PORTION OF BETHABARA ROAD,
JOYCE AVENUE, AND AN UNNAMED RIGHT-OF-WAY
OFF BETHABARA ROAD**

WHEREAS, on the 6th day of June 2024, a petition was filed with the City Council of the City of Winston-Salem, North Carolina, to close a portion of Bethabara Road, Joyce Avenue, and an unnamed right-of-way off Bethabara Road, as described on the next page; and

WHEREAS, on the 3rd day of September 2024, at a regular meeting of the City Council of the City of Winston-Salem, North Carolina, a resolution fixing the date and hour for the hearing on said petition was adopted by unanimous vote of said City Council; and the date and hour were fixed on the 7th day of October 2024, at 6:00 p.m. in the Council Chamber, Second Floor of City Hall in the City of Winston-Salem, North Carolina; and

WHEREAS, notice of said meeting was published once a week for four successive weeks in the Winston-Salem Journal, a newspaper published in the City of Winston-Salem, North Carolina, pursuant to order of the City Council in the resolution fixing the date for hearing on the above-described petition and notice of the closing and public hearing was posted in at least two prominent places along said portions of said street proposed to be closed; and

WHEREAS, ownership of abutting or adjoining property is as follows:

<u>Owner:</u>	<u>Address:</u>
Allred Legacy, LLC	1391 Plaza West Dr, Winston-Salem, NC 27103
K & W Cafeterias, Inc.	1391 Plaza West Dr, Winston-Salem, NC 27103
K & W Restaurant	1391 Plaza West Dr, Winston-Salem, NC 27103

WHEREAS, at a meeting of the City Council of the City of Winston-Salem, North Carolina, held on the 7th day of October 2024, a public hearing was held on the petition to close

and abandon said portion of Bethabara Road, Joyce Avenue, and an unnamed right-of-way off Bethabara Road; and

WHEREAS, notice, if required under GS 160A-299, was given to the State Department of Transportation; and

WHEREAS, it appears to the satisfaction of the City Council of Winston-Salem, North Carolina, that the closing of the indicated portion of said Bethabara Road, Joyce Avenue, and unnamed right-of-way off Bethabara Road is not contrary to the public interest and that no other individual owning property adjoining, abutting or in the vicinity of said right-of-way will thereby be deprived of reasonable means of ingress and egress to his property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, North Carolina, that portion of Bethabara Road, Joyce Avenue, and the unnamed right-of-way off Bethabara Road as herein referred to, and being more particularly described as follows:

Legal Description – Bethabara Road

Beginning at a new iron pipe having NC/NAD83 2011 State Plane Coordinates of Northing: 885307.68, Easting: 1609588.99, said corner being located on the new south eastern terminus of Bethabara Road, thence along the portion of public right of way to be closed; for the following seven (7) bearings and distances: (1) South 42°38'54" West a distance of 58.68 feet to a new iron pipe, said corner being the south western point of the new terminus of Bethabara Road, (2) North 47°21'06" West a distance of 7.72 feet to a calculated point, (3) North 47°21'08" West a distance of 396.48 feet to a 1" iron pipe, (4) North 49°31'30" West a distance of 570.20 feet to a 1.5" iron pipe, (5) North 40°28'30" East a distance of 60.00 feet to a calculated point, (6) South 49°31'15" East a distance of 572.48 feet to a calculated point, (7) South 47°09'55" East a distance of 404.20 feet to a new iron pipe, said point being the place and point of beginning.

The portion of land described in the metes and bounds description above contains 1.34 +/- Acres.

Legal Description – Joyce Avenue (EAST)

Beginning at a point on the western property line of Tax PIN 6808-84-7562 and the eastern right-of-way of Joyce Avenue, thence north, 68' to a point at the northwest corner of Tax PIN 6808-84-7562; thence southwest, 5.42' to a point on the southern property line of Tax PIN 6808-94-0990; thence south, 77' to a point on the eastern property line of Tax PIN 6808-84-7562; thence northeast, with the property line of Tax PIN 6808-84-7562, 12' to the point and place of Beginning.

Legal Description – Joyce Avenue (WEST)

Beginning at a point on the eastern property line of Tax PIN 6808-84-5406 and the western right-of-way of Joyce Avenue, thence north, 40' to a point at the northeast corner of Tax PIN 6808-84-5406; thence northeast, 5.47' to a point on the southern property line of Tax PIN 6808-94-0990; thence south, 52' to a point on the eastern property line of Tax PIN 6808-84-5406; thence northwest, with the property line of Tax PIN 6808-84-5406, 10' to the point and place of Beginning.

Legal Description – Unnamed Right-of-Way

Commencing at a new iron pipe having NC/NAD83 2011 State Plane Coordinates of Northing: 885307.68, Easting: 1609588.99, said corner being located on the new south eastern terminus of Bethabara Road, thence along the new terminus of Bethabara Road, South 42°38'54" West a distance of 58.68 feet to a new iron pipe, said corner being the south western point of the new terminus of Bethabara Road, said point also being the place and point of beginning, thence along the portion of right of way to be closed, said right of way being derived from Plat Book 10, Page 164, for the following fifteen (15) bearings and distances; (1) South 47°21'06" East a distance of 24.81 feet to a new iron pipe, (2) South 65°23'03" West a distance of 1241.87 feet to a calculated point, (3) South 65°23'09" West a distance of 896.95 feet to a calculated point, (4) South 53°46'49" West a distance of 274.32 feet to a calculated point, (5) South 63°26'33" West a distance of 281.24 feet to a calculated point, (6) South 70°09'47" West a distance of 234.86 feet, (7) South 64°39'13" West a distance of 308.79 feet to a calculated point, (8) North 04°33'54" West a distance of 32.09 feet to a calculated point, (9) North 64°38'50" East a distance of 298.50 feet to a calculated point, (10) North 70°09'47" East a distance of 234.92 feet to a calculated point, (11) North 63°31'51" East a distance of 273.50 feet to a calculated point, (12) North 53°49'03" East a distance of 278.40 feet to a calculated point, (13) North 65°23'09" East a distance of 699.88 feet to a calculated point, (14) North 65°23'04" East a distance of 1429.30 feet to a calculated point, (15) South 47°21'06" East a distance of 7.72 feet to a new iron pipe, said point being the place and point of beginning.

The portion of land described in the metes and bounds description above contains 2.22 +/- Acres.

is hereby ordered closed, subject to the City of Winston-Salem's reservation of all of its rights, titles, and interests in any public utility, drainage, landscaping, and the City of Winston-Salem's

reservation of an easement in the entire area hereinabove described for the construction, inspection, operation, maintenance, repair, rehabilitation, reconstruction, replacement, and expansion of landscaping, and all public utilities located therein, or to be located therein, including water, sewer and storm drainage lines and facilities.

This the 7th day of October 2024.

**BY ORDER OF THE CITY COUNCIL
WINSTON-SALEM, NORTH CAROLINA**

By: Jayme Waldeck, City Clerk