

Resolution #24-0399
2024 Resolution Book, Page 152

**NORTH CAROLINA
FORSYTH COUNTY**

**RESOLUTION ORDERING THE CLOSING AND
ABANDONMENT OF A PORTION OF BAITY STREET,
SILAS STREET, AND W 32ND STREET**

WHEREAS, on the 26th day of July 2024, a petition was filed with the City Council of the City of Winston-Salem, North Carolina, to close a portion of Baity Street, Silas Street, and W 32nd Street, 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>
Wake Forest University	PO BOX 7201, Winston-Salem, NC 27109
Deacon Boulevard Holdings VII, LLC	PO BOX 7201, Winston-Salem, NC 27109

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 Baity Street, Silas Street, and W 32nd Street; 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 Baity Street, Silas Street, and W 32nd Street 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.

WHEREAS, the adoption of this street closing is conditional upon the completion and acceptance of the public utilities relocation and realignment of new public right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, North Carolina, that portion of Baity Street, Silas Street, and W 32nd Street as herein referred to, and being more particularly described as follows:

Legal Description – Baity Street

BEGINNING at a 1/4-inch iron pipe, having NC Grid NAD83 coordinates N: 868,481.79 E: 1,628,992.88 found at the southeastern corner of Wake Forest University parcel (Tax ID: 6826-88-8515) as recorded in Deed Book 2102 Page 787 and described as Lots 42 through 54 in Plat Book 3, Page 77, save and except the portion conveyed in Deed Book 1292, Page 1007, Forsyth County Registry;

Thence with the western boundary line of Wake Forest University parcel (Tax ID: 6826-98-4490) as recorded in Deed Book 738, Page 275, Forsyth County Registry, S 00°06'22" E, a distance of 39.92 feet to a 3/4-inch iron pipe found at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-88-8387) as recorded as Tract 1 in Deed Book 2563, Page 2473 and described as Lots 55 through 63A in Deed Book 3, Page 77, save and except the portion conveyed in Deed Book 1292, Page 1005, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-8387 the following four (4) courses: 1) N 89°02'35" W, a distance of 4.17 feet to a computed point; 2) along a curve to the right with a chord bearing S 84°18'44" W, a chord length of 86.41 feet, and a radius of 50.00 feet to a computed point; 3) along a curve to the left with a chord bearing N 62°28'42" W, a chord length of 22.36 feet, and a radius of 25.00 feet to a computed point; and 4) N 89°02'35" W, a distance of 138.64 to a computed point at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-88-7338) as recorded as Tract 2 in Deed Book 2563, Page 2473, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-7338, N 89°02'35" W, a distance of 50.00 feet to a 3/8-inch iron pipe found at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-88-6351) as recorded in Deed Book 3786, Page 2474, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-6351, N 89°02'35" W, a distance of 119.02 feet to a 1/2-inch iron pipe found at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-88-5361) as recorded in Deed Book 3786, Page 2462, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-5361, N 89°02'35" W, a distance of 60.96 feet to a 3/4-inch iron pipe found at the northeastern corner of Deacon Blvd. Holdings VII, LLC parcel (Tax ID: 6826-88-4341) as recorded in Deed Book 2832, Page 1914, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-4341, N 89°02'35" W, a distance of 180.07 feet to a 1/2-inch iron pipe set at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-88-2391) as recorded in Deed Book

2926, Page 2815 and described as lots 77 through 80 and 127 through 130 in Plat Book 3, Page 77, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-2391, N 89°02'35" W, a distance of 119.92 feet to a 1/2-inch iron pipe found at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-88-1318) as recorded in Deed Book 3786, Page 2450, Forsyth County Registry;

Thence with the northern boundary line of said 6826-88-1318, N 89°02'35" W, a distance of 230.13 feet to a 1/2-inch iron rod found at the northeastern corner of Wake Forest University parcel (Tax ID: 6826-78-9352) as recorded in Deed Book 3786, Page 2454, Forsyth County Registry;

Thence with the northern boundary line of said 6826-78-9352, N 89°02'35" W, a distance of 94.97 feet to a 1/2-inch iron pipe found at the northeastern corner of Wake Forest University parcel (6826-78-8342) as recorded in Deed Book 3786, Page 2466 and described as Lots 92 through 95 and 112 through 115 in Plat Book 3, Page 77, Forsyth County Registry;

Thence with the northern boundary line of said 6826-78-8342, N 89°02'35" W, a distance of 65.84 feet to a computed point in the southern right-of-way boundary of Baity Street (40' public right-of-way);

Thence a new line in and across said Baity Street, N 00°54'31" E, a distance of 40.17 feet to a computed point in the southern boundary line of Wake Forest University parcel (6826-78-8555) as recorded in Deed Book 2248, Page 3768 and described as Lots 14 through 18 in Plat Book 3, Page 77, Forsyth County Registry;

Thence with the southern boundary line of said 6826-78-8555, S 89°01'51" E, a distance of 89.88 feet to a 3/8-inch iron pipe found at the southwestern corner of Wake Forest University Parcel (Tax ID: 6826-88-0585) as recorded in Deed Book 2593, Page 1764 and described as Lots 19 through 28 in Plat Book 3, Page 77, Forsyth County Registry;

Thence with the southern boundary line of said 6826-88-05851 S 89° 01'51" E, a distance of 299.83 feet to a 1/2-inch iron pipe set at the southwestern corner of Wake Forest University parcel (Tax ID: 6826-88-3565) as recorded in Deed Book 3663, Page 2796, Forsyth County Registry;

Thence with the southern boundary line of said 6826-88-3565, S 89°01'51" E, a distance of 269.81 feet to a #5 rebar found at the southwestern corner of Wake Forest University parcel (Tax ID: 6826-88-5555) as recorded in Deed Book 3663, Page 2799, Forsyth County Registry;

Thence with the southern boundary line of said 6826-88-5555, S 89°01'51" E, a distance of 119.71 feet to a 1/2-inch iron pipe set at the southwest corner of said 6826-88-8515;

Thence with the southern boundary line of said 6826-88-8515 the following four (4) courses: 1) S 89°01'51" E, a distance of 279.60 feet to a computed point; 2) along a curve to the left with a chord bearing N 64°24'17" E, a chord length of 22.36 feet, and a radius of 25.00 feet to a computed point; 3) along a curve to the right with a chord bearing S 82°23'09" E, a chord length of 86.41 feet, and a

radius of 50.00 feet to a computed point; and 4) S 89°01'51" E, a distance of 4.17 feet to the Point of Beginning, containing 1.167 acres.

Legal Description – Silas Street

BEGINNING at a concrete monument and PK nail having NC Grid NAD83 coordinates N: 69,890.92 E: 1,627,235.29 found at a northeasterly corner of that Wake Forest University parcel as recorded in Deed Book 1595, Page 1693, Forsyth County Registry, and further identified as Tax Parcel 6826-79-2428;

Thence with the northern boundary line of said Wake parcel S 89°18'39" W, a distance of 50.00 feet to a computed point at a southeasterly corner of Wake Forest University parcel as recorded in Deed Book 1595, Page 1683, Forsyth County Registry, and further identified as Tax Parcel 6826-69-9975;

Thence with the eastern boundary line of said Wake parcel identified as 6826-69-9975 N 00°54'52", distance of 163.17 feet to a computed point in the southern right-of-way boundary of Reynolds Boulevard (90' public right-of-way);

Thence with said southern right-of-way boundary of Reynolds Boulevard N 89°05'08" E, a distance of 50.00 feet to a computed point at the northwest corner of Wake Forest University parcel as recorded in Deed Book 1595, Page 1683, Forsyth County Registry, and further identified as Tax Parcel 6826-79-9879;

Thence with the western boundary line of said 6826-79-9879 S 00°54'52" E, a distance of 163.37 feet to the Point of Beginning, containing 0.187 acres.

Legal Description – W 32nd Street

COMMENCING at a concrete monument with brass cap having NC Grid NAD83 coordinates N: 869,446.63 E: 1,629,653.53 found at a southwesterly corner of R. J. Reynolds, Inc. parcel as recorded in Deed Book 932, Page 192, Forsyth County Registry;

Thence with a new line across West 32nd Street, S 62°27'53" W, a distance of 109.38 feet to a computed point in the northern boundary line of Wake Forest University parcel (Tax ID: 6826-99-5047) as recorded in Deed Book 754, Page 437, Forsyth County Registry;

Thence with the northern boundary line of said 6826-99-5047, S 89°39'54"W, a distance of 507.18 feet to a computed point in a westerly boundary line of Wake Forest University parcel (Tax ID: 6826-89-5270) as recorded in Deed Book 754, Page 437; and Deed Book 932, Page 195, Forsyth County Registry;

Thence with the easterly and southerly boundary line of said 6826-89-5270 the following two (2) courses: 1) N 04°46'17" E, a distance of 50.2 feet to a computed point; and 2) N 89°39'54" E, a distance of 600.00 feet to the Point of Beginning, containing 0.635 acres.

is hereby ordered closed, conditioned upon the completion and acceptance of the public utilities relocation and realignment of new public right-of-way, and subject to the City of Winston-Salem's reservation, temporarily, of all of its rights, titles, and interests in any public utility, drainage, landscaping, and the City of Winston-Salem's reservation of a temporary easement in the entire area hereinabove described for the inspection, operation, maintenance, repair, rehabilitation, relocation of landscaping, and all public utilities located therein, including water, sewer and storm drainage lines and facilities (hereinafter "Facilities") until the relocation of the necessary Facilities has been completed and the temporary easement or reservation is no longer needed at which point the temporary easement or reservation will terminate automatically without further action of the City of Winston-Salem.

This the 7th day of October 2024.

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

By: Jayme Waldeck, City Clerk