

Resolution #20-0099
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**NORTH CAROLINA) RESOLUTION ORDERING THE CLOSING
AND ABANDONMENT OF A PORTION OF
A UNNAMED ALLEY OFF OF NORTH LIBERTY STREET
FORSYTH COUNTY)**

WHEREAS, on the 5th day of February, 2020, a petition was filed with the City Council of the City of Winston-Salem, North Carolina, to close a portion of an Unnamed Alley off of North Liberty Street, as described on the next page; and

WHEREAS, on the 15th day of June 2020, at a regular meeting of the City Council of the City of Winston-Salem, North Carolina, a resolution fixing the date and hour for hearing on said petition was adopted by unanimous vote of said City Council; and the date and hour were fixed on the 3rd day of August, 2020, at 7:00 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>
MF-Cherry Pie LLC	26 Milton Avenue Alpharetta, GA 30009
Venture III, Inc.	113 West Fourth Street Winston-Salem, NC 27101
Starbuck Ventures, LLC	PO Box 20211 Winston-Salem, NC 27120
John Franklin Smithdeal, II	17 Robinhood Circle Winston-Salem, NC 27104
Comilla Properties, LLC	415 North Trade Street Winston-Salem, NC 27101

WHEREAS, at a meeting of the City Council of the City of Winston-Salem, North Carolina, held on the 3rd day of August, 2020, a public hearing was held on the petition to close and abandon said portion of an Unnamed Alley off of North Liberty 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 portion of an Unnamed Alley off of North Liberty 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.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, North Carolina, that the said portion of an Unnamed Alley off of North Liberty Street, as herein referred to, and being more particularly described as follows:

That portion of the alley abutting North Liberty Street and running in a parallel direction with Fourth Street leading West from North Liberty Street along the northern boundary of Tax Parcel 6835-27-1110, approximately 100.00 feet and along the southern boundary Tax Parcel 6835-27-1127 approximately 100 feet, and ending at the western boundary of 6835-27-1127, as presently shown on the Forsyth County Tax Maps.

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

and all public utilities located therein, or to be located therein, including water, sewer and storm drainage lines and facilities.

This the 3rd day of August, 2020.

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

By: Sandra Keeney, City Secretary