

**NORTH CAROLINA )      RESOLUTION ORDERING THE CLOSING  
AND ABANDONMENT OF A PORTION OF  
BROOKSTOWN AVENUE**

**FORSYTH COUNTY )**

**WHEREAS**, on the 23rd day of August, 2019, a petition was filed with the City Council of the City of Winston-Salem, North Carolina, to close a portion of Brookstown Avenue, as described on the next page; and

**WHEREAS**, on the 18<sup>th</sup> day of November, 2019, 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 6<sup>th</sup> day of January, 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:

Owner:

Address:

Brookstown Development Partners LLC

101 N. Cherry Street Ste 501, Winston-Salem NC 27101

**WHEREAS**, at a meeting of the City Council of the City of Winston-Salem, North Carolina, held on the 6<sup>th</sup> day of January, 2020, a public hearing was held on the petition to close and abandon said portion of Brookstown Avenue; 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 Brookstown Avenue 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 Brookstown Avenue, as herein referred to, and being more particularly described as follows:

All that certain Right-of-Way, being of a variable width, located in the City of Winston- Salem, Winston Township, Forsyth County, North Carolina, lying between the westerly line of North Broad Street and the easterly line of West Second Street, being more particularly described as follows:

BEGINNING at a magnetic nail found at the intersection of the westerly right-of-way line of North Broad Street and the southerly right-of-way line of Brookstown Avenue, said nail being located North 27 deg 00' 22" West a distance of 914.65 feet from NGS Monument "Broad", said nail having North Carolina Grid Coordinates (NAD 83/86) of North (y) = 855,589.55' and East(x) = 1,629,737.68'; running thence with the southerly right-of-way line of Brookstown Avenue the following five (5) courses and distances:

- 1) with a curve concave to the southwest a chord bearing North 37 deg 56' 03" West a chord distance of 9.98 feet to a magnetic nail found, said curve having a radius of 10.00 feet and an arc length of 10.45 feet;
- 2) North 67 deg 51' 49" West a distance of 233.27 feet (passing a magnetic nail found at a distance of 152.87 feet) to a magnetic nail found;
- 3) North 68 deg 16' 41" West a distance of 45.69 feet to a metal rebar found;
- 4) North 67 deg 07' 46" West a distance of 50.57 feet to an iron pipe found; and
- 5) With a curve to the left a chord bearing of South 74 deg 26' 55" West a chord bearing of 43.87 feet to an iron pipe found in the easterly right-of-way line of West Second Street, said curve having a radius of 35.23 feet and an arc length of 47.36 feet;

Thence with the easterly right-of-way line of West Second Street the following two (2) courses and distances:

- 1) North 35 deg 56' 02" East a distance of 3.19 feet to an iron pipe set; and
- 2) With a curve to the right a chord bearing of North 48 deg 24' 40" East a chord distance of 133.95 feet to a magnetic nail found in the northerly right-of-way line of Brookstown Avenue, said curve having a radius of 310.01 feet and an arc length of 135.02 feet;

Thence with the northerly right-of-way line of Brookstown Avenue the following five (5) courses and distances:

- 1) Along a curve concave to the northeast a chord bearing of South 03 deg 31' 39" East a chord distance of 63.08 feet to a magnetic nail found, said curve having a radius of 35.00 feet and an arc length of 78.57 feet;
- 2) South 67 deg 50' 10" East a distance of 24.93 feet to an iron pipe found;
- 3) South 67 deg 50' 10" East a distance of 115.08 feet to an iron pipe found;
- 4) South 68 deg 41' 29" East a distance of 95.98 feet to a metal rebar found; and
- 5) Along a curve to the left a chord bearing of North 52 deg 15' 01" East a chord distance of 17.15 feet to a metal rebar found in the westerly right-of-way line of North Broad Street, said curve having a radius of 10.00 feet and an arc length of 20.62 feet;

Thence with the westerly right-of-way line of North Broad Street the following three (3) courses and distances:

- 1) South 06 deg 48' 29" East a distance of 16.68 feet to a metal rebar found;
- 2) South 08 deg 10' 13" East a distance of 47.96 feet to a point; and
- 3) South 08 deg 00' 18" East a distance of 5.76 feet to the point and place of BEGINNING;

containing 0.338 acres [14,729 Sq. Ft.], more or less, BEING ALL of the right-of-way of Brookstown Avenue lying between the westerly line of North Broad Street and the easterly line of West Second Street.

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 6<sup>th</sup> day of January, 2020.

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

By: Sandra Keeney, City Secretary