

A RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO THE CITY OF FAYETTEVILLE BY AND THROUGH THE FAYETTEVILLE PUBLIC WORKS COMMISSION FOR THE WATER MAIN ENCASEMENT PROJECT ON BRUNER STREET AND MOORE STREET

WHEREAS, the City of Fayetteville owns property being identified by the Tax Parcel Number 0437-47-0865; portion of said parcels described as follows;

BEING all that tract of land containing a gross area of +/- 0.007 acres (326 square feet) located in Cross Creek Township, Cumberland County, North Carolina; said tract being a portion of the land owned by City of Fayetteville as described in Deed Book 9436, Page 842 of the Cumberland County Registry and being more particularly described by courses based on North Carolina Grid Coordinate System (NAD83/2011) and distances according to a survey entitled "Permanent Utility Easement Water Main Encasement at Bruner St. – CSX Railroad on the Lands of the City of Fayetteville" for Fayetteville Public Works Commission prepared by McKim & Creed, Inc. dated November 10, 2022, and being more particularly described as follows: COMMENCING at M&C Control Point #1, a Rebar/Cap having NC Grid (NAD83/11) coordinates of Northing = 471,778.64 feet, Easting = 2,043,503.97 feet; thence as a tie line north 57 deg. 18 min. 31 sec. west 11,161.88 feet to a computed point in the western right-of-way line (allowing 100 feet) of the CSX Railroad, said computed point being the POINT OF BEGINNING; thence running with new lines of lands of the City of Fayetteville (Deed Book 9436, Page 842) the following three (3) calls: (1) south 66 deg. 46 min. 21 sec. west 16.36 feet to a computed point, (2) north 22 deg. 55 min. 29 sec. west 20.00 feet to a computed point, and (3) north 66 deg. 46 min. 21 sec. east 16.26 feet to a computed point in the western right-of-way line (allowing 100 feet) of the CSX Railroad; thence with the western right-of-way line (allowing 100 feet) of the CSX Railroad south 23 deg. 12 min. 35 sec. 20.00 feet to a computed point, the Beginning computed point and containing +/- 0.007 acres (326 square feet).

AND WHEREAS, The City of Fayetteville by and through the Fayetteville Public Works Commission has requested that the above portion of the City-owned lot be set aside to be utilized as a Water and Sanitary Sewer easement to continue with the completion of the Water Main Encasement Project for the Bruner Street/Moore Street area;

WHEREAS, North Carolina General Statute § 160A-273 permits the City to establish an easement in said property; and

NOW THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, the City Council declares that the City Manager is authorized to execute all necessary documents to establish an easement in the above described property.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 9th day of January 2023; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

(SEAL)

By: _____
MITCH COLVIN, Mayor

ATTEST:

PAMELA MEGILL, City Clerk