

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF TWO EASEMENTS TO THE CITY OF FAYETTEVILLE BY AND THROUGH THE FAYETTEVILLE PUBLIC WORKS COMMISSION FOR THE RAY AVENUE DRAINAGE PROJECT**

**WHEREAS**, the City of Fayetteville owns property being identified by the Tax Parcel Number 0437-55-3839 known as 335 Rowan Street and 0437-55-6457 known as 324 Ray Avenue; portion of said parcels are needed for easements and described as follows;

**335 Rowan Street Temporary Construction Easement**

Commencing at an iron rod found (having North Carolina State Plane Coordinates of Northing: 475313.84 Easting: 2035447.95), thence from the point of commencing North 16 degrees 13 minutes 32 seconds East a distance of 72.69 feet to the POINT OF BEGINNING, said point of beginning being a hole in concrete (having North Carolina State Plane Coordinates of Northing 475383.60 Easting: 2035468.31). Thence from the point of beginning moving in a clockwise direction North 68 degrees 13 minutes 35 seconds West a distance of 10.41 feet to a 5/8 inch rebar, thence running South 21 degrees 46 minutes 25 seconds West a distance of 8.85 feet to a calculated point, thence running along the property line of 225 Ray Avenue, LLC (DB 10292 PG 664) North 71 degrees 03 minutes 22 West a distance of 4.47 feet to a calculated point, thence running North 19 degrees 56 minutes 35.84 East a distance of 13.43 feet to a calculated point, thence running North 21 degrees 36 minutes 41.55 seconds East a distance of 16.61 feet to a calculated point, thence running South 68 degrees 42 minutes 16.35 seconds East a distance of 15.34 feet to a calculated point, thence running South 21 degrees 46 minutes 25 seconds West a distance of 21.08 feet to the POINT OF BEGINNING. Containing 363 square feet or 0.008 acres, more or less as shown on PWC drawing AWS-15462.

**335 Rowan Street Permanent Utility Easement**

Commencing at an iron rod found (having North Carolina State Plane Coordinates of Northing: 475313.84 Easting: 2035447.95), thence from the point of commencing North 16 degrees 13 minutes 32 seconds East a distance of 72.69 feet to the POINT OF BEGINNING, said point of beginning being a hole in concrete (having North Carolina State Plane Coordinates of Northing 475383.60 Easting: 2035468.31). Thence from the point of beginning moving in a clockwise direction South 21 degrees 46 minutes 25 seconds West a distance of 8.34 feet to a calculated point, thence running along the property line of 225 Ray Avenue, LLC (DB 10292 PG 664) North 71 degrees 03 minutes 22 seconds West a distance of 10.42 feet to a calculated point, thence running North 21 degrees 46 minutes 25 seconds East a distance of 8.85 feet to a 5/8 inch rebar, thence running South 68 degrees 13 minutes 35 seconds East a distance of 10.41 feet to the POINT OF BEGINNING. Containing 89 square feet or 0.002 acres, more or less as shown on PWC drawing AWS-15462.

### **324 Ray Avenue Temporary Construction Easement**

Commencing at an iron rod found (having North Carolina State Plane Coordinates of Northing: 475313.84 Easting: 2035447.95), thence from the point of commencing North 41 degrees 07 minutes 06 seconds East a distance of 180.46 feet to the POINT OF BEGINNING, said point of beginning being a calculated point (having North Carolina State Plane Coordinates of Northing: 475449.77 Easting: 2035566.68). Thence from the point of beginning moving in a clockwise direction North 22 degrees 37 minutes 20.62 seconds East a distance of 34.89 feet to a calculated point, thence running North 22 degrees 37 minutes 19.61 seconds East a distance of 16.16 feet to a calculated point, thence running South 15 degrees 30 minutes 50.50 seconds West a distance of 6.92 feet to a calculated point, thence running South 20 degrees 33 minutes 25.80 seconds West a distance of 19.60 feet to a calculated point, thence running South 22 degrees 54 minutes 34.37 seconds West a distance of 24.52 feet to a calculated point, thence running North 70 degrees 12 minutes 5.22 seconds West a distance of 1.44 feet to the POINT OF BEGINNING. Containing 63 square feet or 0.001 acres, more or less as shown on PWC drawing AWS-15462.

**AND WHEREAS**, The City of Fayetteville by and through the Fayetteville Public Works Commission has requested that the above portions of the City-owned lots be set aside to be utilized as Water and Sanitary Sewer easements to continue with the completion of the Ray Avenue Drainage Project;

**WHEREAS**, North Carolina General Statute § 160A-273 permits the City to establish easements 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 13<sup>th</sup> day of November, 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