

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE ABANDONMENT OF CITY EASEMENTS**

**WHEREAS**, an offer of dedication was made to the City of Fayetteville in Deed Book 9582, Page 863, and Deed Book 9582, Page 873 Cumberland County Registry; more particularly described as follows:

LYING in Seventy First Township, Cumberland County, in the city limits of Fayetteville, North Carolina, this subject property being bounded on the north, east, south, and west by property deeded and conveyed to Hoke Loop Commons Associates LP in Deed Book 10491, Page 672 and also shown on Plat Book 142, Page 114. Also bounded on the north by the southern right of way margin of Hooper Road (SR 1401-having a 60-foot public right of way). All referenced materials located in the Cumberland County Registry.

COMMENCING from a concrete monument, said concrete monument being a common property corner between the Hoke Loop Commons Associates LP property and Lot 1 of the Woodmark Subdivision as recorded in Plat Book 56, Page 5, said concrete monument also being located on the western right of way margin of Hooper Road, and runs thence with the southern right of way margin of Hooper Road, North 82 degrees 47 minutes 20 seconds East for a distance of 23.06 to a point, said point being on the margin of an existing 20' utility easement; said point being the true point and place of beginning.

THENCE continuing with the right of way margin of Hooper Road, **North 82 degrees 47 minutes 20 seconds East** for a distance of **6.84 feet** to a point;

THENCE continuing with the right of way margin of Hooper Road, **North 08 degrees 00 minutes 39 seconds West** for a distance of **26.83 feet** to a point;

THENCE leaving the right of way margin of Hooper Road the following courses and distances:

- North 74 degrees 32 minutes 26 seconds East** for a distance of **245.93 feet** to a point;
- South 51 degrees 32 minutes 01 seconds East** for a distance of **109.32 feet** to a point;
- South 49 degrees 07 minutes 41 seconds West** for a distance of **9.31 feet** to a point;
- South 40 degrees 26 minutes 23 seconds West** for a distance of **10.86 feet** to a point;
- North 51 degrees 32 minutes 01 seconds West** for a distance of **97.05 feet** to a point;
- South 74 degrees 32 minutes 26 seconds West** for a distance of **225.06 feet** to a point;
- South 07 degrees 29 minutes 00 seconds East** for a distance of **96.19 feet** to a point;
- South 06 degrees 26 minutes 34 seconds West** for a distance of **20.30 feet** to a point;
- South 89 degrees 10 minutes 29 seconds West** for a distance of **2.79 feet** to a point;
- North 46 degrees 18 minutes 20 seconds West** for a distance of **21.65 feet** to a point;
- North 06 degrees 26 minutes 34 seconds East** for a distance of **5.25 feet** to a point;
- North 07 degrees 29 minutes 00 seconds West** for a distance of **85.14 feet** to a point, being the true point and place of beginning and being a portion of that utility easement recorded in Deed Book 9582, Pages 873-877, Cumberland County Registry.

.Subject property contains **9,001 square feet / 0.21 acres**

Together with and subject to any easements, restrictions, and covenants of record.

This description was prepared this 10th day of March, 2021 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on a physical survey performed by M.A.P.S. Surveying, Inc (C-2589).

**WHEREAS**, the owner of the property known as Hoke Loop Commons has requested a release of that portion of the easement that is no longer necessary to the City of Fayetteville; and

**WHEREAS**, neither the City of Fayetteville nor any other private or public utility requires said easement as described below for any useful purpose at the present time or in the future; and

**WHEREAS**, the City Council, having been apprised of the pertinent facts releasing said easement, and after considering all the facts, has determined that the withdrawal and release of said easement, except as stated herein, is not contrary to the public interest nor to the individual interest of other property owners in the vicinity or subdivision and that no one will thereby be deprived of any rights which they might have had through that portion of the easement being released;

**NOW, THEREFORE, BE IT RESOLVED** on behalf of the people of Fayetteville, this Council of the City of Fayetteville, North Carolina does hereby resolve that said easement is of no further value to the City of Fayetteville, said easement to be released being described as follows:

LYING in Seventy First Township, Cumberland County, in the city limits of Fayetteville, North Carolina, this subject property being bounded on the north, east, south, and west by property deeded and conveyed to Hoke Loop Commons Associates LP in Deed Book 10491, Page 672 and also shown on Plat Book 142, Page 114. Also bounded on the north by the southern right of way margin of Hooper Road (SR 1401-having a 60-foot public right of way). All referenced materials located in the Cumberland County Registry.

COMMENCING from a concrete monument, said concrete monument being a common property corner between the Hoke Loop Commons Associates LP property and Lot 1 of the Woodmark Subdivision as recorded in Plat Book 56, Page 5, said concrete monument also being located on the western right of way margin of Hooper Road, and runs thence with the southern right of way margin of Hooper Road, North 82 degrees 47 minutes 20 seconds East for a distance of 23.06 to a point, said point being on the margin of an existing 20' utility easement; said point being the true point and place of beginning.

THENCE continuing with the right of way margin of Hooper Road, **North 82 degrees 47 minutes 20 seconds East** for a distance of **6.84 feet** to a point;

THENCE continuing with the right of way margin of Hooper Road, **North 08 degrees 00 minutes 39 seconds West** for a distance of **26.83 feet** to a point;

THENCE leaving the right of way margin of Hooper Road the following courses and distances:

- North 74 degrees 32 minutes 26 seconds East** for a distance of **245.93 feet** to a point;
- South 51 degrees 32 minutes 01 seconds East** for a distance of **109.32 feet** to a point;
- South 49 degrees 07 minutes 41 seconds West** for a distance of **9.31 feet** to a point;
- South 40 degrees 26 minutes 23 seconds West** for a distance of **10.86 feet** to a point;
- North 51 degrees 32 minutes 01 seconds West** for a distance of **97.05 feet** to a point;
- South 74 degrees 32 minutes 26 seconds West** for a distance of **225.06 feet** to a point;
- South 07 degrees 29 minutes 00 seconds East** for a distance of **96.19 feet** to a point;
- South 06 degrees 26 minutes 34 seconds West** for a distance of **20.30 feet** to a point;
- South 89 degrees 10 minutes 29 seconds West** for a distance of **2.79 feet** to a point;
- North 46 degrees 18 minutes 20 seconds West** for a distance of **21.65 feet** to a point;
- North 06 degrees 26 minutes 34 seconds East** for a distance of **5.25 feet** to a point;
- North 07 degrees 29 minutes 00 seconds West** for a distance of **85.14 feet** to a point, being the true point and place of beginning and being a portion of that utility easement recorded in Deed Book 9582, Pages 873-877, Cumberland County Registry.

.Subject property contains **9,001 square feet / 0.21 acres**

Together with and subject to any easements, restrictions, and covenants of record.

This description was prepared this 10th day of March, 2021 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on a physical survey performed by M.A.P.S. Surveying, Inc (C-2589).

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA**, on this, the 14<sup>th</sup> day of June, 2021; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

---

MITCH COLVIN, MAYOR

ATTEST:

---

PAMELA J. MEGILL, City Clerk