



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Manager

Board Action

File #: 24-336

Commissioner Brown - County Manager - To Authorize the County Manager or Designee to Negotiate, Finalize, Execute, and Record Easement Documents and any Other Related Necessary Agreements Between Gaston County and Private Property Owners to Memorialize an Existing Visual Easement Known as Gobbler Way

STAFF CONTACT

Ray Maxwell - County Manager's Office - 704-866-7551

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Gaston County owns approximately 335 acres of land off Killian Road in the Riverbend Township which is leased and operated as Mountain Island Educational State Forest by the N.C. Forest Service of the Department of Environment and Natural Resources. In 1998, the County acquired the property subject to any "visual easements, restrictions, and rights of way as may be apparent from a visual inspection of the property."

The County's land lies between Killian Road and four (4) parcels bordering the Catawba River. Three of those parcels are owned by members of the Cherry and Nixon families; one parcel is owned by the Marshall family (collectively, the "Owners"). There is one non-residential structure on the Cherry/Nixon parcels that has traditionally been used for recreational purposes. An approximately ten-foot gravel drive known as Gobbler Way has been used by the Owners to gain access to their properties. The 'visual' easement language used in the deed and the prior usage created a vague property right in need of clarification.

(Continued on Page 2)

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFrale	BHovis	KJohnson	TKeigher	RWorley	Vote
2024-244	07/23/2024	BH	TK	A	AB	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Commissioner Brown - County Manager - To Authorize the County Manager or Designee to Negotiate, Finalize, Execute, and Record Easement Documents and any Other Related Necessary Agreements Between Gaston County and Private Property Owners to Memorialize an Existing Visual Easement Known as Gobbler Way
Page 2

The proposed easement will establish the ten-foot gravel drive as a permanent easement for the benefit of the Owners' properties for the sole purposes of ingress, egress, and regress. The County will not be required to improve Gobbler Way, and the Owners will be responsible for any damage done to the County's property by their use of the easement. Approval of this Board Action authorizes the County Attorney to draft any necessary documents for recording purposes and authorizes the County Manager to negotiate the final terms and conditions of the easement and execute any necessary documents, including for recording purposes.

POLICY IMPACT

N/A

ATTACHMENTS

Gobbler Way Map



This map is for informational purposes only. The County does not make or imply any warranties or liability for the information presented on this map. This map is for informational purposes only.

This map may not be resold or otherwise used for trade or other purposes without the expressed written consent of the County in accordance with North Carolina General Statute 160-432.10.

County of Guilford
2024