



**RESOLUTION TITLE: TO AUTHORIZE THE CLOSING OF UNNAMED ROAD
EASEMENT OFF EDGEWATER DRIVE, SOUTH POINT
TOWNSHIP**

WHEREAS, the Gaston County Board of Commissioners received a request from Brian and Melanie Elliott to close a portion of an approximately 25-foot easement on Lot 9 (Parcel 191763), which is as shown on the plat recorded in Plat Book 22 at Page 24 in the Gaston County Registry, off Edgewater Drive in Gaston County, North Carolina; and,

WHEREAS, the Petitioners are Brian and Melanie Elliott, property owners of said Parcel 191763, having an address of 856 Edgewater Drive in Belmont, North Carolina, as described in Deed Book 4958, Page 2476 in the Gaston County Registry in Gaston County, North Carolina; and,

WHEREAS, when the Petitioners' lot was originally subdivided, the driveway was labeled as a "road." The "road" was never given a name and was never turned into a "road," but a common driveway that Petitioner and the neighbors maintain; and,

WHEREAS, the original plat has a "road easement" running through Petitioners' property, which limits their ability to build a garage on the property; and,

WHEREAS, the Petitioners wish to close that portion of the road easement at the top of their property past the common driveway in the grass portion of their lot and run to the common driveway running down to 862 Edgewater Drive, as more specifically described in Exhibit "A"; and,

WHEREAS, the plat as shown and depicted on Exhibit "A" has never been fully opened and the closing of said road easement would not be contrary to the public's interest; and,

WHEREAS, the road easement is bordered on the left side of Parcel 191763 by Parcel Number 191799, having a street address of 862 Edgewater Drive; and,

WHEREAS, the road easement is bordered on the right side of Parcel 191763 by Parcel Number 191764, having a street address of 844 Edgewater Drive; and,

WHEREAS, no individual or corporate entity would be deprived of reasonable means of ingress and egress to the real property of said Petitioners, nor would any individual or corporate entity be deprived of reasonable means of ingress and egress to the real property adjoining that of said Petitioners; and,

WHEREAS, said road easement is not a North Carolina Department of Transportation Road, and the state road maintenance for Edgewater Drive ends before the driveway; and,

DO NOT TYPE BELOW THIS LINE

To Authorize the Closing of Unnamed Road Easement Off Edgewater Drive, South Point Township
Page 2

WHEREAS, on April 27, 2021, the Gaston County Board of Commissioners held a public hearing on this matter after properly notifying the public per N.C. Gen. Stat. § 153A-241, and approved to close this unimproved road easement on that date.

NOW, THEREFORE, BE IT RESOLVED that the unimproved road easement, being approximately 25 feet in length from the intersection of said right-of-way with Edgewater Drive, which is bordered by Gaston County Parcel Numbers 191799 and 191764, be closed, and that the property owners bordering said road easement take ownership to the center of the right-of-way to the extent their property borders such road easement. The area to be closed is described as follows, and as reflected on said map which is attached as Exhibit "A" being:

A portion of an approximately 25-foot road easement on Lot 9 (Parcel 191763), which is shown on the plat recorded in Plat Book 22 at page 24.

BE IT FURTHER RESOLVED that any interest Gaston County may have had in this road easement be extinguished, and for ownership of the road easement to revert to Petitioners, Brian and Melanie Elliott.

Tom Keigher, Chairman
Gaston County Board of Commissioners