



**RESOLUTION TITLE: TO ADVISE THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) THAT GASTON COUNTY DOES NOT OBJECT TO A PARTIAL ABANDONMENT OF APPROXIMATELY EIGHT HUNDRED AND FORTY EIGHT FEET OF THE WESTERN MOST SECTION OF FRIDAY PARK ROAD**

WHEREAS, a certain state-maintained road known as Friday Park Road exists in Gaston County; and,

WHEREAS, a property owner wishes to have the NCDOT abandon approximately eight hundred and forty eight feet (848) feet of the western most portion of said right of way; and,

WHEREAS, the North Carolina Department of Transportation (NCDOT) requires that the County Commissioners make a recommendation to the NCDOT concerning abandonment of a state-maintained right-of-way; and,

WHEREAS, the NCDOT takes such recommendation into account when the NCDOT decides to issue a final decision concerning the request to abandon a right-of-way; and,

WHEREAS, Gaston County does not believe the abandonment of such road will be detrimental to the surrounding community.

NOW, THEREFORE, BE IT RESOLVED, that the Gaston County Board of Commissioners recommends to the North Carolina Department of Transportation that the request to abandon a portion of Friday Park Drive, be granted.

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	Brown	Fraley	Grant	Hovis	Keigher	Philbeck	Worley	Vote
2018-075	03/27/2018	TP	TK	A	AB	A	A	A	A	A	U

**DISTRIBUTION:**

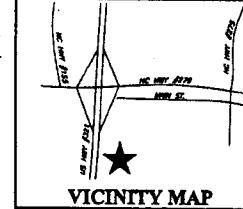
Laserfiche Users

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

- NOTES:**
1. THIS SURVEY WAS BASED ON PHYSICAL EVIDENCE FOUND IN THE FIELD ON THE DATE OF THE SURVEY.
  2. THIS PROPERTY IS NOT WITHIN 3000 FEET OF A LOCATED NEIGHBORING NEIGHBORHOOD.
  3. THIS PROPERTY MAY BE SUBJECT TO RECORDS OR UNRECORDED RIGHTS-OF-WAY OR EASEMENTS NOT OBSERVED.
  4. THIS SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.
  5. PROPERTY LIES WITHIN GASTON COUNTY REGULATORY JURISDICTION.
  6. PROPERTY IS MORE THAN 300' AWAY FROM MUNICIPAL WATER AND SEWER.
  7. ALL PLANNED UTILITIES SHALL BE INSTALLED UNDERGROUND.

**LEGEND**

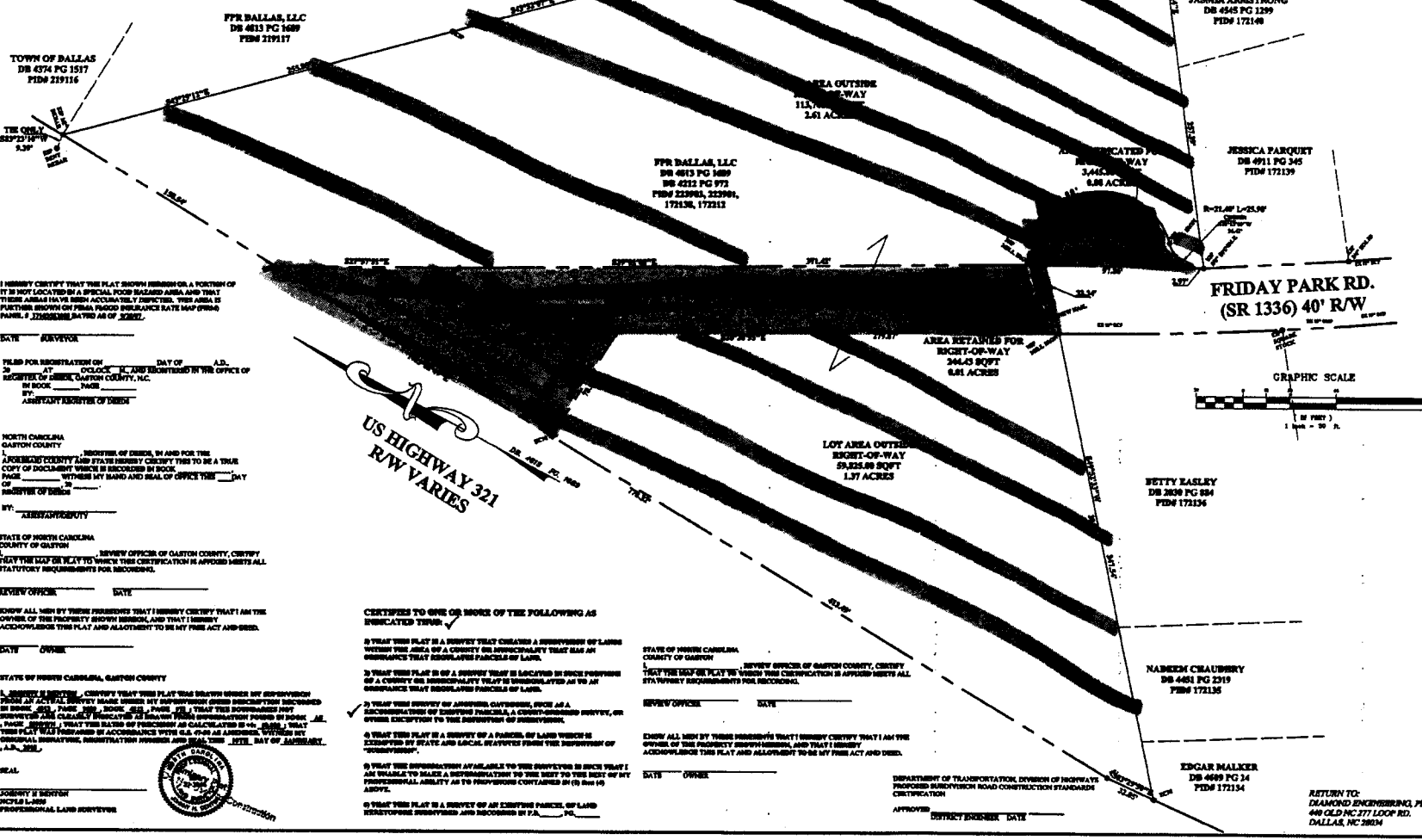
--- SURVEYED PROPERTY LINES  
 --- STREET R/W LINES  
 --- APPROPRIATE EDGE OF CORNER  
 --- EXISTING ROAD R/W  
 --- NEW ROAD R/W  
 --- EXISTING ROADWAY  
 --- FENCE  
 --- EXISTING CONCRETE IMPROVEMENT  
 --- NEW CONCRETE IMPROVEMENT  
 --- FENCE



**DIAMOND ENGINEERING, PLLC**  
 CIVIL ENGINEERING & SURVEYING  
 SITE & SUBDIVISION PLANNING  
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 DALLAS, NC 28034  
 PHONE: 704.922.8874  
 EMAIL: diamondline@carolina.rr.com

**Revisions:**

Drawn By: JED  
 Checked By: JED  
 Scale: 1" = 30'  
 Date: 1-10-18  
 File # 18-0110  
 SHEET NO. 1



I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A PORTION OF IT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AND THAT THESE AREAS HAVE BEEN ACCURATELY DEPICTED. THIS AREA IS FURTHER SHOWN ON FINAL PLACED PUBLIC DATE MAP (PDM) PANEL # 172115, DATED AS OF 2/28/17.

DATE SURVEYED  
 FILED FOR REGISTRATION ON \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.  
 AT \_\_\_\_\_ CLERK \_\_\_\_\_ IN THE OFFICE OF  
 REGISTERED LAND, GASTON COUNTY, NC  
 BY BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 BY \_\_\_\_\_ ASSISTANT REGISTER OF DEED

NORTH CAROLINA  
 GASTON COUNTY  
 I, \_\_\_\_\_, REGISTER OF DEED, DO AND FOR THE  
 RECORDS OF GASTON COUNTY, CERTIFY THAT THIS IS A TRUE  
 COPY OF DOCUMENT WHICH IS RECORDED IN BOOK  
 PAGE \_\_\_\_\_ WITHIN MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_ 20\_\_\_\_.

BY \_\_\_\_\_ ASSISTANT REGISTER  
 STATE OF NORTH CAROLINA  
 COUNTY OF GASTON  
 REVIEW OFFICE OF GASTON COUNTY, CERTIFY  
 THAT THE DAY OR DAY TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL  
 STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICE \_\_\_\_\_ DATE \_\_\_\_\_  
 KNOW ALL MEN BY THESE PRESENTS THAT I HEREBY CERTIFY THAT I AM THE  
 OWNER OF THE PROPERTY SHOWN HEREON, AND THAT I HEREBY  
 ACKNOWLEDGE THIS PLAT AND ALLOTMENT TO BE MY FREE ACT AND DEED.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

STATE OF NORTH CAROLINA, GASTON COUNTY  
 I, \_\_\_\_\_, REGISTER OF DEED, DO AND FOR THE  
 RECORDS OF GASTON COUNTY, CERTIFY THAT THIS IS A TRUE  
 COPY OF DOCUMENT WHICH IS RECORDED IN BOOK  
 PAGE \_\_\_\_\_ WITHIN MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_ 20\_\_\_\_.

REAL \_\_\_\_\_  
 JOSEPH H. BENTON  
 REGISTERED LAND SURVEYOR

**US HIGHWAY 321  
 R/W VARIES**

CERTIFIED TO ONE OR MORE OF THE FOLLOWING AS  
 INDICATED THERE:

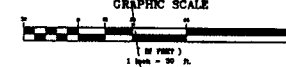
1. THAT THIS PLAT IS A SURVEY THAT CREATES A SUBDIVISION OF LANDS WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
2. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNDEVELOPED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
3. THAT THIS SURVEY OF ANOTHER CATEGORY, SUCH AS A SUBDIVISION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE SUBDIVISION OF LANDS.
4. THAT THIS PLAT IS A SURVEY OF A PARCEL OF LAND WHICH IS EXEMPTED BY STATE AND LOCAL LAWS FROM THE SUBDIVISION OF LANDS.
5. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT I AM WILLING TO MAKE A REPRESENTATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO THE INFORMATION CONTAINED IN (a) AND (b) ABOVE.
6. THAT THIS PLAT IS A SURVEY OF AN EXISTING PARCEL OF LAND HERETOFORE SURVEYED AND RECORDED IN P.D. \_\_\_\_\_ PG. \_\_\_\_\_

STATE OF NORTH CAROLINA  
 COUNTY OF GASTON  
 I, \_\_\_\_\_, REGISTER OFFICE OF GASTON COUNTY, CERTIFY  
 THAT THE DAY OR DAY TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL  
 STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICE \_\_\_\_\_ DATE \_\_\_\_\_  
 KNOW ALL MEN BY THESE PRESENTS THAT I HEREBY CERTIFY THAT I AM THE  
 OWNER OF THE PROPERTY SHOWN HEREON, AND THAT I HEREBY  
 ACKNOWLEDGE THIS PLAT AND ALLOTMENT TO BE MY FREE ACT AND DEED.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS  
 PROPOSED ROADWAY CONSTRUCTION STANDARD  
 CERTIFICATION  
 APPROVED \_\_\_\_\_ DATE \_\_\_\_\_







# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## County Attorney

## Board Action

File #: 18-089

Commissioner Brown - County Attorney - To Provide an Advisory Opinion to the North Carolina Department of Transportation (NCDOT) Concerning Possible State Abandonment of a Portion of Friday Park Road

### STAFF CONTACT

Charles Moore - County Attorney - 704-866-3194

### BUDGET IMPACT

N/A

### BUDGET ORDINANCE IMPACT

N/A

### BACKGROUND

FPR Dallas, LLC is the owner of several lots near the terminus of Friday Park Road (State Road 1336). The relevant Parcel Identification Numbers are depicted on the attached map. The Petitioner wishes to abandon approximately Eight Hundred and Forty Eight (848) feet of such road. The relevant portion of Friday Park Road is a dead end.

The North Carolina Department of Transportation (NCDOT) owns and controls the right-of-way (ROW) and has ultimate authority concerning whether or not to abandon the relevant portion of Friday Park Road. However, NCDOT policy requires the relevant local governing body to provide an advisory opinion on whether or not the subject area should be abandoned. Although not binding, the NCDOT will take such recommendation into consideration for an action to abandon the relevant portion of the ROW.

If the NCDOT elects to abandon the road, the road can only be officially closed by Gaston County at another public hearing pursuant to NC General Statutes. This can be done by an official request by a Petitioner along with the payment of a filing fee. If the NCDOT does not abandon the ROW, Gaston County has no authority to close the subject road.

Provided the turn-around is created as indicated on the attached map in purple, County staff has no objections to the road abandonment. If the road is abandoned by the NCDOT, all maintenance of the road will be the responsibility the Petitioner, as the State will not contribute monies to ROW improvements of abandoned roads.

### POLICY IMPACT

N/A

### ATTACHMENTS

Resolution; Maps

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:

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