



RESOLUTION TITLE: TO CLOSE UNIMPROVED RIGHTS-OF-WAY; RIGHT-OF-WAY OF PART OF HOLLY CIRCLE (UNIMPROVED); PART OF PINE STREET (UNIMPROVED); OAK STREET (UNIMPROVED), RIVERBEND TOWNSHIP, GASTON COUNTY

WHEREAS, the Board of Commissioners received a petition from the property owners, Homero Cortes and Jose Vences, to close unimproved rights-of-way located on Gaston County Parcel 181163. Said parcel has no assigned street address and is on Holly Circle. The area to be closed consists of approximately 1245 feet of Holly Circle (unimproved), 450 feet of Pine Street (unimproved) and 565 feet of Oak Street (unimproved). The relevant rights-of-way and roads can be found in Map Book 19, page 60. The right-of-way designated as Holly Circle is bounded on the west and south by Lots 6-17 and on the east and north by Lots 61, 66, 71, and 19. The right-of-way designated as Pine Street is bounded on the north by Lots 58-61 and on the south by Lots 62-66. The right-of-way designated as Oak Street is bounded on the north by Lots 62-66 and on the south by lots 19-22; and,

WHEREAS, the Petitioners are Homero Cortes and Jose Vences, property owners of said parcel; and,

WHEREAS, the rights-of-way closed consists of several sections along Holly Circle, Oak Street, and Pine Street; and,

WHEREAS, the Petitioners of the unimproved rights-of-way closure own all the land surrounding the subject area subject to closure; and,

WHEREAS, the subject area to be closed is currently not open to vehicular traffic; and,

WHEREAS, pursuant to North Carolina General Statute 153A-241, the Board of Commissioners may close whatever interest, if any, Gaston County had at one time on the unimproved rights-of-way, subject to the results of a public hearing on the issue; and,

WHEREAS, said unimproved rights-of-way is not controlled or maintained by the North Carolina Department of Transportation; and,

WHEREAS, on February 26, 2019 the Gaston County Board of Commissioners held a public hearing on this matter after properly notifying the public per §153A-241 and approved to close the subject rights-of-way on that date.

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

To Close Unimproved Rights-of-Way; Right-of-Way of Part of Holly Circle (Unimproved); Part of Pine Street (Unimproved); Oak Street (Unimproved), Riverbend Township, Gaston County

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NOW, THEREFORE, BE IT RESOLVED THAT the portion of the unimproved rights-of-way described as the subject area consists of approximately 1245 feet of Holly Circle (unimproved), approximately 450 feet of Pine Street (unimproved) and approximately 565 feet of Oak Street (unimproved). The relevant rights-of-ways and roads can be found in Map Book 19, page 60. The right-of-way designated as Holly Circle is bounded on the west and south by Lots 6-17 and on the east and north by Lots 61, 66, 71, and 19. The right-of-way designated as Pine Street is bounded on the north by Lots 58-61 and on the south by Lots 62-66. The right-of-way designated as Oak Street is bounded on the north by Lots 62-66 and on the south by lots 19-22. The subject property has a designated Parcel Identification Number of 181163. A map depicting the area can be found in Map Book 19, Page 60 of the Gaston County Registry. The road references in the legal description are based upon the names of the rights-of-ways on the cited map. Currently, the relevant portion of what is named Holly Circle on the cited map has been assigned the name Holly Circle by Gaston County, as indicated on Gaston County GIS. Pine Street and Oak Street, as listed on the cited map, have not been assigned road names by Gaston County.

BE IT FURTHER RESOLVED that any interest Gaston County may have had in the subject area be extinguished. The subject rights-of-way shall revert to Homero Cortes and Jose Vences, the owners of the parcel surrounding the subject area.

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners