



Gaston County

Gaston County
Board of Commissioners
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Economic Development Commission Board Action

File #: 16-093

Commissioner Brown - To Approve a Deed of Easement in SouthRidge Business Park in Bessemer City to Mr. Henry Cox - 524 Watterson Farm Road, Bessemer City, NC

STAFF CONTACT

Donny Hicks - EDC Director - 704.825.4046

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Tosaf USA is building a resin compounding facility at the SouthRidge Business Park in Bessemer City. To construct the rail line required by Tosaf, Mr. Cox's residential driveway had to be relocated. The driveway is now complete and the County needs to grant him an easement for the paved area and connection to the SouthRidge Parkway. See the attached Deed of Easement.

POLICY IMPACT

N/A

ATTACHMENTS

Deed of Easement/ Exhibit A

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	Carpenter	Friley	Keigher	Philbeck	Price	Williams	Vote
2016-077	03/22/2016	MP	AF	A	A	A	A	N	A	A	6 - 1

DISTRIBUTION:

Laserfiche Users

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

Drawn by and return to: Samuel J. Shames, Asst. County Attorney, Gaston County
P.O. Box 1578, Gastonia NC 28053

North Carolina
Gaston County

DEED OF EASEMENT

This Deed of Easement signed the ___ day of _____, 2016 by and between **GASTON COUNTY** (GRANTOR) ("County"), a North Carolina Political Subdivision, having a mailing address of P.O. Box 1578, Gastonia NC 28053 and **HENRY LEWIS COX AND WIFE, KATHY C. COX**, (GRANTEE), having a physical address of 524 Watterson Farm Road, Bessemer City, NC. Both parties agree to the following:

WHEREAS, Grantee owns property located at 524 Watterson Farm Road, Bessemer City, North Carolina. Said parcel had an easement which traversed over a portion of a parcel owned by Gaston County, being Parcel Number 223166, which can be found in Book 2994, Page 585 of the Gaston County Registry; and

WHEREAS, the above-mentioned easement has been extinguished, and in exchange of such extinguishment, Gaston County has agreed to provide Henry Lewis Cox and wife, Kathy C. Cox with another easement across Parcel Number 223166, which is the subject of this easement.

NOW, THEREFORE, Grantor, in good and valuable consideration and in consideration of the transaction described above in which Grantee conveyed a parcel of property to Grantor, the Grantor does grant unto Grantee and its successors, heirs and assigns forever, an easement on Grantor's property, more particularly described as follows:

See Exhibit "A". Said easement is for a driveway and is intended for vehicular usage, and is thirty feet in width, and will be used for ingress, egress and regress.

TO HAVE AND TO HOLD, Grantor, GASTON COUNTY hereby grants said rights in this easement to the Grantee, HENRY LEWIS COX AND WIFE, KATHY C. COX, their heirs, administrators, and assigns, subject to the duties of maintenance, being it the intention of the parties that said easement will run with the land as fully described in Exhibit "A".

Grantee is solely responsible for maintenance, repairs and upkeep of the right of way.

IN WITNESS THEREOF, the undersigned have caused this Agreement to be duly executed this ___ day of _____, 2016.

GRANTOR:

GASTON COUNTY

Tom Keigher,
Chairman, Gaston County Board of Commissioners

ATTEST:

Donna Buff, Clerk to the Board

APPROVED TO FORM:

Samuel J. Shames, Asst. County Attorney

NORTH CAROLINA
GASTON COUNTY

I, _____, a Notary Public of said County and State, certify that **Donna Buff** personally came before me this day and acknowledged that she is Clerk of the Board of Commissioners of Gaston County, a North Carolina Political Subdivision, and that by authority duly given and as the act of the County Commission of Gaston County, the foregoing instrument was signed in its name and by the Chairman of the Gaston County Board of Commissioners, sealed with its corporate seal and attested by her as its Clerk.

Witness my hand and seal, this the _____ day of _____, 2016

Notary Public

My Commission Expires: _____

EXHIBIT "A"
SEE ALSO MAP ON FOLLOWING PAGE

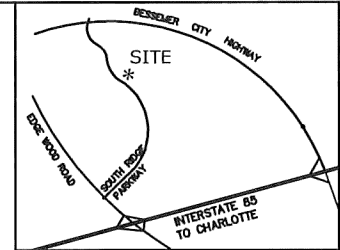
Beginning at the Northeast corner of property, parcel #151932 thence along the property line of Henry and Kathy Cox as recorded in Deed Book 2994 Page 585 the following four courses and distances South 10 degrees 37 minutes 12 seconds West a distance of 91.09 feet to a point; thence South 10 degrees 32 minutes 57 seconds West a distance of 106.94 feet to a point; thence South 10 degrees 35 minutes 32 seconds West a distance of 102.01 feet to a property corner; thence South 78 degrees 21 minutes 54 seconds West a distance of 300.03 feet to a property corner; thence along a new line South 78 degrees 21 minutes 54 seconds West a distance of 39.13 feet to a point; thence continuing along a new line with a curve with an arc length of 123.13 feet with a radius of 215.00 feet, with a chord bearing of South 61 degrees 57 minutes 32 seconds West with a chord length of 121.45 feet to the right of way of Southridge Parkway; thence along the Northern right of way of Southridge Parkway South 43 degrees 45 minutes 52 seconds East a distance of 30.00 feet; thence along a new line the following four courses and distances with a curve with an arc length of 106.30 feet, with a radius of 185.00 feet, with a chord bearing of North 61 degrees 54 minutes 13 seconds East, with a chord length of 104.85 feet; thence North 78 degrees 21 minutes 54 seconds East a distance of 359.31 feet to a point; thence North 10 degrees 34 minutes 32 seconds East a distance of 229.10 feet to a point; thence North 07 degrees 37 minutes 17 seconds West a distance of 95.88 feet to the point of beginning.

This legal description is taken from the map entitled "Easement Exhibit 'A' For Henry Cox Driveway"

Ex. A

LEGAL DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF PROPERTY, PARCEL #151932
 THENCE ALONG THE PROPERTY LINE OF HENRY AND KATHY COX AS RECORDED IN DEED BOOK 2994 PAGE 585 THE
 FOLLOWING FOUR COURSES AND DISTANCES S 10°37'12" W A DISTANCE OF 91.09' TO A POINT;
 THENCE S 10°32'57" W A DISTANCE OF 106.94' TO A POINT;
 THENCE S 10°35'32" W A DISTANCE OF 102.01' TO A PROPERTY CORNER;
 THENCE S 78°21'54" W A DISTANCE OF 300.03' TO A PROPERTY CORNER;
 THENCE ALONG A NEW LINE S 78°21'54" W A DISTANCE OF 39.13' TO A POINT;
 THENCE CONTINUING ALONG A NEW LINE WITH A CURVE WITH AN ARC LENGTH OF 123.13', WITH A RADIUS OF 215.00',
 WITH A CHORD BEARING OF S 61°57'32" W, WITH A CHORD LENGTH OF 121.45', TO THE RIGHT OF WAY OF SOUTHRIDGE PARKWAY;
 THENCE ALONG THE NORTHERN RIGHT OF WAY OF SOUTHRIDGE PARKWAY S 43°45'52" E A DISTANCE OF 30.00';
 THENCE ALONG A NEW LINE THE FOLLOWING FOUR COURSES AND DISTANCES WITH A CURVE WITH AN ARC LENGTH OF 106.30',
 WITH A RADIUS OF 185.00', WITH A CHORD BEARING OF N 61°54'13" E, WITH A CHORD LENGTH OF 104.85';
 THENCE N 78°21'54" E A DISTANCE OF 359.31' TO A POINT;
 THENCE N 10°34'32" E A DISTANCE OF 229.10' TO A POINT;
 THENCE N 07°37'17" W A DISTANCE OF 95.88' TO THE POINT OF BEGINNING.



PARK VICINITY MAP

Curve Table					
Curve #	Length	Radius	Delta	CHORD	CHORD BEARING
C2	106.30	185.00	032.9231	104.85'	N61° 54' 13"E
C1	123.13	215.00	032.8124	121.45'	N61° 57' 32"E

