

RESOLUTION OF THE CITY COUNCIL FOR
THE CITY OF LOWELL, NORTH CAROLINA
TO CLOSE HIGH STREET

THAT WHEREAS, the Presbyterian Church of Lowell filed a Petition with the City of Lowell to close a sixty foot right of way as described on said Petition and which is more particularly described by courses and distances as shown on Exhibit A in order that said street might be withdrawn from dedication pursuant to N.C.G.S. 160A-299 of the North Carolina General Statutes; and

WHEREAS, pursuant to said Petition, the City Council did establish a public hearing to be held on August 14, 2001 to consider the request as proposed; and

WHEREAS, it appears that the Presbyterian Church of Lowell is the owner of real property adjoining portions of the street to be closed and that Ronnie Gittens is also an owner of property adjoining a portion of the roadway to be closed, and that neither the Presbyterian Church or Ronnie Gittens would be deprived of a reasonable means of ingress and egress to their property by reason of the closing of the described street; and

WHEREAS, the public hearing has been properly advertised by publishing the Notice for four (4) successive weeks in The Gaston Gazette and, further, by properly posting copies of the Notice of the public hearing in at least two places along portions of the street to be closed; and

WHEREAS, pursuant to said notice duly given, a public meeting of the City Council for the City of Lowell, North Carolina, was held at 7:00 P.M. on August 14, 2001 at City Hall in Lowell, North Carolina, to consider the request for the closing of High Street as described on Exhibit A at which time no person, firm or corporation appeared in opposition thereto; and


WHEREAS, it appearing to the satisfaction of the City Council of the City of Lowell that the closing of High Street as described on Exhibit A would not be contrary to the public interest and would not deprive any individual property owner of ingress or egress to their property; and

WHEREAS, it appearing to the satisfaction of the City Council of the City of Lowell, North Carolina, that all of the requirements of law have been fully complied with pertaining to the closing of said street as described on Exhibit A.

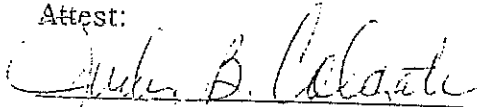
NOW, THEREFORE, be it resolved that pursuant to Section 160A-299 of the North Carolina General Statutes, High Street shall be and the same is hereby closed and withdrawn from public dedication and public use. The roadway hereby withdrawn from public dedication and closed is described on Exhibit A attached hereto.

BE IT FURTHER RESOLVED that a certified copy of this Resolution duly adopted by the City Council of the City of Lowell be recorded in the Office of the Register of Deeds for Gaston County, North Carolina.

This the 14th day of August, 2001.


Larry G. Simonds
Mayor

Attest:


City Clerk

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|-------|-----------------|
| Time | <u>2:09 PM</u> |
| Book | <u>338</u> |
| Page | <u>240</u> |
| Filed | <u>10-04-01</u> |

BEGINNING at an existing iron pin in the northern right of way of First Street, said pin being located at an existing Metal Monument and being a common Corner of the property of the First Presbyterian Church of Lowell (as described in Deed Book 502 at Page 192 and Deed Book 1122 at Page 309) and High Street (the lands described herein); thence from said beginning point with the right of way of First Street North 46 degrees 59 minutes 50 seconds West 60.73 feet to an existing iron pin; thence North 44 degrees 21 minutes 40 seconds East 156.71 feet to an existing iron pin, passing an existing iron pin at 146.62 feet; thence North 43 degrees 35 minutes 23 seconds East 137.88 feet to an existing iron pin in the right of way of Second Street; thence with the right of way of Second Street South 46 degrees 59 minutes 50 seconds East 60.74 feet to a point; thence South 44 degrees 0 minutes 0 seconds West 294.58 feet to the place and point of BEGINNING.

The foregoing description is taken from an unrecorded Survey by David W. Dickson, P.A. dated April 25, 2001, titled "Survey for The Presbyterian Church of Lowell," to which reference is hereby made.