

## MEMORANDUM

TO: Mayor J.B. Lawrence and Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: Mayview Subdivision Easement Release Resolution No. 2016-28

DATE: November 9, 2016

Within Mayview Park Subdivision, there are several 10 foot easements that were designated with the creation of the subdivision plat. These easements were set aside for walking paths between some of the lots. The Britt Group, Inc. property off Cone Road has two (2) easements between lots 116 and 117 and lots 118 and 122. These easements have not been used or maintained by the Town in the last 15 years. In fact, staff is unaware of the Town ever using these easements. The Britt Group is selling the subject property and a declaration is required for the closing which references a resolution by the Town stating that the walkway easements are not used nor part of the Town's street system.

Resolution 2016-28 is attached for Council consideration along with a plat of the subject property.

**RESOLUTION 2016-28**

**A RESOLUTION CONFIRMING THAT TEN FEET (10') EASEMENTS BETWEEN LOTS 116 AND 117 AND LOTS 118 AND 122 OF MAYVIEW PARK, BLOWING ROCK, NORTH CAROLINA AS SHOWN AT DEED BOOK 36 AT PAGE 197 OF THE WATAUGA COUNTY REGISTER OF DEEDS IS NOT MAINTAINED BY THE TOWN OF BLOWING ROCK AND IS NOT SHOWN ON AN ADOPTED STREET PLAN OF THE TOWN**

**WHEREAS**, The Britt Group, Inc. is the owner of Lots 116 and 117 and Lots 118 and 122 of Mayview Park, Blowing Rock, North Carolina as shown at Deed Book 36 at Page 197 of the Watauga County Register of Deeds Office and proposes, in accordance with NCGS § 136-96, to withdraw the dedication of ten feet (10') easements between Lots 116 and 117 and Lots 118 and 122; and

**WHEREAS**, The Britt Group, Inc. is the owner of all of the property contiguous to the ten feet (10') easements and is the only property owner who would benefit from the dedication of the easements; and

**WHEREAS**, more than fifteen (15) years have transpired since the offer of dedication of the easements and the easements have not been accepted for maintenance by the Town nor shown as a future easement on a street plan adopted pursuant to NCGS § 136-66.2; and

**WHEREAS**, pursuant to NCGS § 136-96, upon request, a town shall adopt a resolution indicating that the dedication described in the proposed declaration of withdrawal is not a part of a street plan adopted pursuant to NCGS § 136-66.2;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Town of Blowing Rock, the Council hereby confirms that the ten feet (10') easements described herein and shown on the Record Plan of the Development of Mayview Park, Blowing Rock, North Carolina as recorded at Deed Book 36 at Page 197 of the Watauga County Register of Deeds Office is not maintained by the Town of Blowing Rock and is not a part of a street plan adopted pursuant to NCGS § 136-66.2.

**Duly adopted by the Council of the Town of Blowing Rock this 9<sup>th</sup> day of November, 2016**

**I, Hilari Hubner, Clerk of the Town of Blowing Rock, North Carolina, hereby certifies that the attached resolution is a true and correct copy the resolution adopted by the Blowing Rock Town Council on November 8, 2016 regarding the withdrawal from**

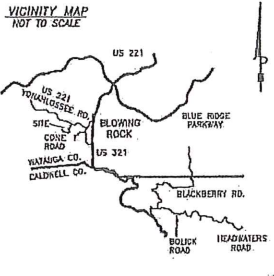
**dedication of ten feet (10') easements Between Lots 116 and 117 and Lots 118 and 122 of Mayview Park, Blowing Rock, North Carolina as show at Deed Book 36 at Page 197 of the Watauga County Register of Deeds.**

**This is the 9<sup>th</sup> day of November, 2016**

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**Hilari Hubner, Town Clerk**

**(Town Seal)**



- LEGEND**
- METAL FENCE POST
  - ◐ 1/2" IRON REBAR (HEV)
  - EXISTING IRON PIPE
  - UTILITY POLE
  - FIRE HYDRANT
  - POINT
  - EXISTING CONC. MON.
  - MANHOLE
  - - - FENCE LINE
  - - - CENTERLINE
  - - - ADJOINER'S LINE
  - - - OVERHEAD UTILINES

THE BRITT GROUP, INC.  
BK. 1760, PG. 312 (TRACT I)  
& LOT 124 REMAINDER

THE BLOWING ROCK CHARITY HORSE SHOW FOUNDATION, INC.  
BK. 734, PG. 814

THE BLOWING ROCK CHARITY HORSE SHOW FOUNDATION, INC.  
BK. 734, PG. 814

North Carolina - Watauga County  
I, \_\_\_\_\_, Review Officer of \_\_\_\_\_ County, certify that the map or plat to which this certificate is affixed meets all of the requirements of the Statute for recording.

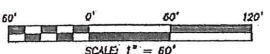
Review Officer  
Date \_\_\_\_\_

Certificate of Approval  
The proposed boundary line adjustment and recombination depicted herein is in accordance with the requirements of the Land Use Ordinance of the Town of Blowing Rock and is hereby approved.

Ordinance Administrator  
Date \_\_\_\_\_

**PRELIMINARY**  
FOR REVIEW AND COMMENT ONLY

FIRM C-2812



I, Ricky L. Snyder, certify that this plat was drawn under my supervision from an actual survey made under my supervision (dead description recorded in Record Book 1760, Page 302) and that the boundaries not surveyed are clearly indicated as drawn from information found in \_\_\_\_\_ and that the rules of evidence in §1802(a) that this plat was prepared in accordance with G.S. 47-30 are amended. Witness my original signature, registration number, and seal this 17th day of October, A.D. 2016.

Surveyor, \_\_\_\_\_ Registration Number \_\_\_\_\_

I, Ricky L. Snyder, certify that this survey is of an existing parcel of land and does not create a new strait or change an existing strait.

Surveyor, \_\_\_\_\_ Registration Number \_\_\_\_\_

**NOTES**

1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, RIGHTS OF WAY, OR RESTRICTIONS OF RECORD.
2. THIS PROPERTY IS SUBJECT TO ANY ENCUMBRANCES OR BINDINGS OF A LEGAL TITLE SEARCH.
3. THIS SURVEY MAKES NO CLAIMS AS TO MATTERS OF LEGAL TITLE TO THE PROPERTY AS SHOWN.
4. ALL AREAS ARE CALCULATED USING COORDINATE GEOMETRY. ALL DISTANCES ARE HORIZONTAL.
5. NO UNDERGROUND UTILITIES WERE LOCATED FOR THIS SURVEY UNLESS OTHERWISE NOTED.
6. NO LOCAL GEODETIC CONTROL WAS FOUND AT THE TIME OF SURVEY. ADDITIONAL OFF-SITE TIES HAVE BEEN SHOWN TO NEIGHBORING CORNERS.
7. ACCORDING TO THE FLOOD INSURANCE RATE MAP NUMBER 31102B(1)00A, EFFECTIVE 12/3/09, THE PROPERTY SHOWN HEREON IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
8. THIS PROPERTY IS CURRENTLY ZONED R-15 WHICH HAS BUILDING SETBACKS AS FOLLOWS: FRONT YARD = 40' FROM D/F.W. SIDE & REAR = 12'.
9. OTHER IMPROVEMENTS EXIST ON THIS PROPERTY BUT WERE NOT LOCATED AT THIS TIME.

LINE NUMBER	DISTANCE
L1	08'00"00" W 21.63'
L2	30'27"00" W 50.00'
L3	63'12"00" W 20.00'
L4	67'00"00" W 20.00'
L5	61'14"00" W 20.00'
L6	18'51"00" W 20.00'
L7	21'00"00" W 24.19'
L8	02'00"12" W 24.00'
L9	08'24"00" W 20.00'
L10	12'24"00" W 20.00'
L11	33'24"00" W 78.30'
L12	74'30"00" W 16.12'
L13	85'18"00" W 82.85'
L14	78'18"00" W 78.20'
L15	38'40"00" W 85.80'
L16	28'23"00" W 111.00'
L17	01'15"00" W 34.30'
L18	38'00"00" W 102.30'
L19	40'15"00" W 35.30'
L20	07'30"00" W 36.00'
L21	78'45"00" W 85.00'
L22	78'24"00" W 84.41'
L23	02'23"00" W 103.00'
L24	44'11"00" W 77.80'
L25	02'00"00" W 62.31'
L26	63'07"00" W 85.35'
L27	02'23"00" W 103.00'

**2 referenced easements**  
8,685± INCLUDING OVERLAP AREA

016± OVERLAP AREA

SHEET TITLE	DRAWN BY	FILE NAME	NO.	DATE	REVISION
RECOMBINATION	RICK SNYDER	16090			

RECOMBINATION SURVEY FOR THE PROPERTY OF:  
**THE BRITT GROUP, INC.**  
MAYVIEW PARK, LOT 115-124  
AND OTHER TRACT BY METES & BOUNDS  
DEED BOOK 26, PAGE 103 & DEED BOOK 30,  
PAGE 107, BOOK OF RECORDS 1760, PG. 309  
BLOWING ROCK TOWNSHIP, WATAUGA COUNTY, NC



**SNYDER SURVEYING, INC.**  
Professionally Licensed in  
Tennessee and North Carolina  
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