

Town of Blowing Rock

Request for Council Action

FROM: Town Manager
SUBJECT: Mayview Park Entrance donation by the George Gilleland Family
TO: Town Council
DATE: September 12, 2017
REQUESTED BY: Mayor J B Lawrence

Public Hearing Yes No Will be required NA
Properly Advertised Yes No Will be required NA

BACKGROUND:

The Village Foundation has completed Phase I of the Laurel Lane Median or Mayview Plaza project. In preparation for fund raising of Phase II, the Foundation learned that ownership of the property was recorded as Gilleland Enterprises, Inc., formerly a North Carolina Corporation. The property reverted to the George Gilleland Family and the Family wants to donate their property rights in the Mayview Park Entrance to the Town of Blowing Rock. The Town would like to express their appreciation and recognize this generous donation by recognizing the Family with a Certificate of Appreciation tonight and a statement of intention to install a plaque in the near future in the median or along the shoulders of the Entrance, consistent with other improvements that will be incorporated into Phase II of the improvement.

STATEMENT OF PLAN CONSISTENCY:

It is the opinion of staff that the proposed action IS IS NOT consistent with the Comprehensive Plan for Blowing Rock .

Specifically, this action is in accord with the following sections of the Comprehensive Plan:

EDT-3: Provide a Premier Tourist Destination - Provide a memorable experience for visitors and maintain the status of Blowing Rock as the premier destination for visitors to North Carolina's High Country.

LC-4: Preserving Architectural Character

D-1: Preserve the distinct aesthetic charter of downtown

D-2: Provide a memorable experience for visitors to downtown Blowing Rock

ATTACHMENTS:

1. Non-warranty Deed for recording
2. Plat of the Mayview Park Entrance

STAFF RECOMMENDATIONS:

Town Council accept this donation.

COUNCIL ACTION: To be Determined

Excise Tax: \$

Mail after recording to: DEAL, MOSELEY & SMITH, LLP

PREPARED BY: DEAL, MOSELEY & SMITH, LLP, ATTORNEYS AT LAW, P. O. BOX 311
BOONE, NC 28607 Tel (828) 264-4734

Brief Description for the Index:

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED, made this ___ day of August, 2017, by and between,

GILLELAND ENTERPRISES, INC., a North Carolina Corporation

GRANTOR;

and

THE TOWN OF BLOWING ROCK, a North Carolina Municipal Corporation

of P.O. Box 47, Blowing Rock, NC 28605

GRANTEE

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple all that certain lot or parcel of land situated in BLOWING ROCK TOWNSHIP, WATAUGA COUNTY, NORTH CAROLINA, and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

THIS DOCUMENT HAS BEEN PREPARED WITHOUT TITLE EXAMINATION

The preparer of this document is not the disbursing agent and therefore is not required to file IRS Form 1099-S.

The property hereinabove described was acquired by Grantor in Deed Book 182, Page 574, Watauga County Registry.

A map showing the above described property is recorded in Plat Book ____, Page ____, Watauga County Registry.

All or a portion of the property herein conveyed ___ includes or does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

*** SIGNATURE PAGE ATTACHED ***

GILLELAND ENTERPRISES, INC.
A North Carolina Corporation

By: _____ (SEAL)
George Gilleland, President

ACKNOWLEDGMENT

STATE OF _____ COUNTY OF _____

I, a Notary Public of the County and State aforesaid, certify that George Gilleland, President of Gilleland Enterprises, Inc., a North Carolina Corporation, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal, this the ___ day of _____, 2017.

{affix legible notarial stamp or seal *within the margins* below}

NOTARY PUBLIC

My Commission Expires: _____

"EXHIBIT A"

BLOWING ROCK TOWNSHIP

WATAUGA COUNTY

NORTH CAROLINA

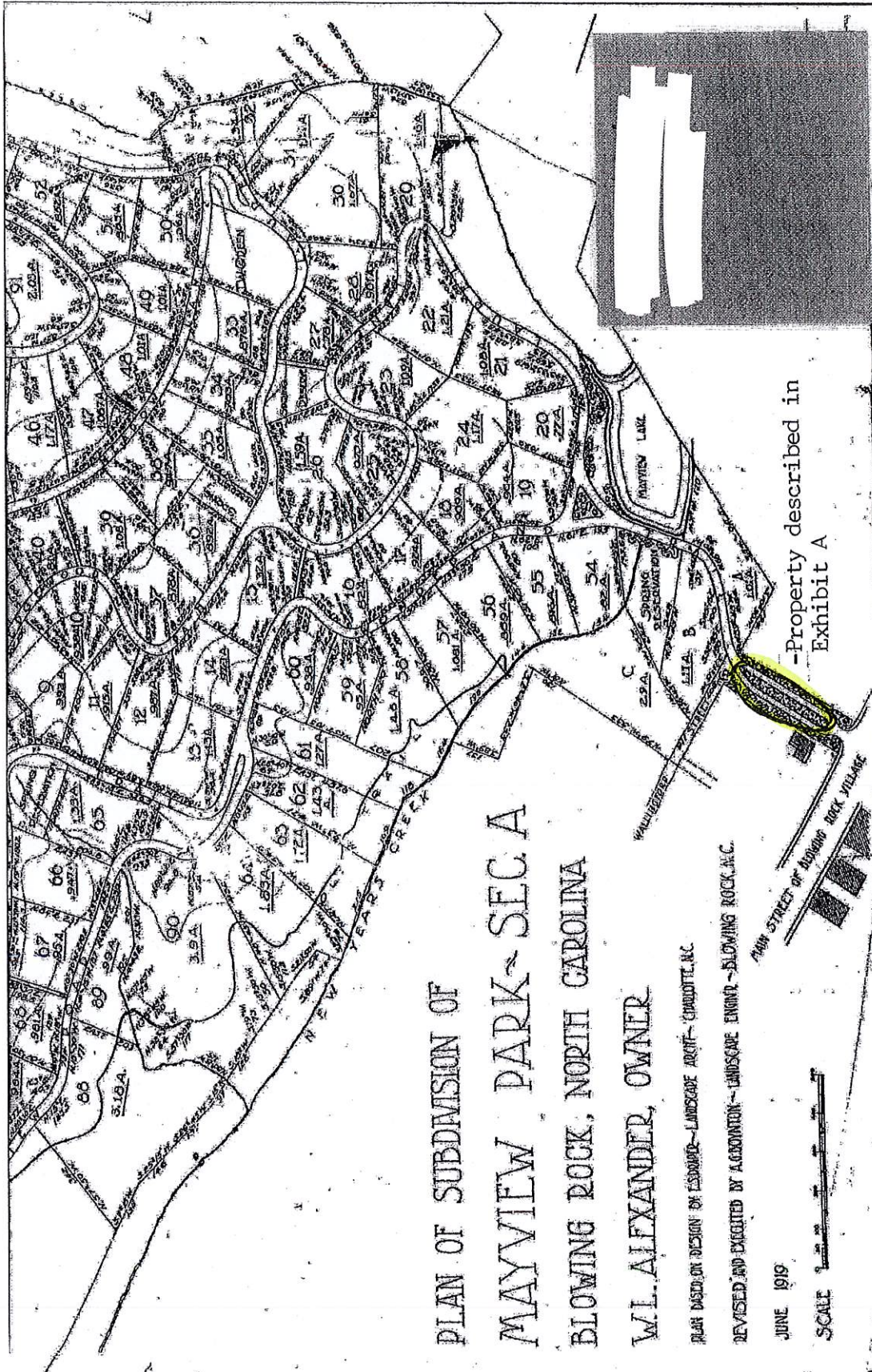
All of that certain property located at the entrance of Mayview Park, fronting on Main Street in the Town of Blowing Rock, the location of which is circled and depicted on the subdivision plat of Mayview Park, Section A, attached hereto as "Exhibit B" and incorporated herein by reference.

The purpose of this Deed is to wind up the affairs of Grantor, Gilleland Enterprises, Inc., pursuant to its dissolution.

EXHIBIT

B

tabbles



PLAN OF SUBDIVISION OF
 MAYVIEW PARK - SEC. A
 BLOWING ROCK, NORTH CAROLINA
 W.L. ALEXANDER, OWNER

PLAN DESIGNER DESIGN BY EDWARD - LANDSCAPE ARCHT. - CHARLOTTE, N.C.
 REVISED AND EXECUTED BY AGDONSTON - LANDSCAPE ENGRS - BLOWING ROCK, N.C.

JUNE 1919

SCALE

-Property described in Exhibit A

Deed Book 25 Page 163

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.