

WAKE COUNTY, NORTH CAROLINA

TOWN COUNCIL OF THE TOWN OF APEX

ORDER CLOSING A PORTION OF HASSE AVENUE

THIS MATTER coming on to be heard before the Town Council for Town of Apex, Wake County, North Carolina pursuant to a public hearing held in Apex, North Carolina on the 19th day of May, 2020. At said public hearing, the Council found the following facts:

FACTS

1. On April 21, 2020, the Town of Apex adopted a Resolution of Intent to consider the closing of a portion of Hasse Avenue. The portion of Hasse Avenue that the Town of Apex intends to close is described as follows:

That certain area designated as “RIGHT OF WAY AREA TO BE ABANDONED” consisting of 0.071 acres (3,109 square feet) on that certain survey entitled “HASSE AVENUE RIGHT OF WAY ABANDONMENT” by The John R. McAdams Company, Inc. and dated 05-11-2020 (the “**Survey**”). A copy of the Survey is attached hereto as Exhibit A.

2. This Order shall not be effective until a plat identifying the abandonment and the new dedication of right-of-way for the revised location of Hasse Avenue is offered by Crescent Apex, LLC and accepted by the Town of Apex official with the authority to sign said plat.

3. Pursuant to the requirements of North Carolina General Statute § 160A-299, the Town Council adopted a Resolution declaring its intent to close a portion of Hasse Avenue and setting a date, time and place for a public hearing as required by said statute.

4. Said Resolution and a Notice of Hearing was published once a week for four successive weeks prior to the date of hearing in a newspaper published and having general circulation in Wake County, North Carolina.

5. A copy of the Resolution and Notice of Hearing was mailed by certified mail to each owner (as shown on the Wake County tax records) of property adjoining Hasse Avenue who did not join in or consent to the request to close said street.

6. Notice of the proposed closing and public hearing was prominently posted in at least two places along Hasse Avenue.

7. That the public hearing was held on May 19, 2020 at the Apex Town Hall, Town Council Meeting Room.

8. The Town Council is satisfied that the closing of a portion of Hasse Avenue is not contrary to the public interest.

9. The Town Council is satisfied that the closing of a portion of Hasse Avenue would not deprive any individual owning property in the vicinity of reasonable means of ingress and egress to his or her property.

UPON THE foregoing findings of fact, the Town Council for the Town of Apex concludes of law that the closing of a portion of Hasse Avenue is not contrary to the public interest, that no individual owning property in the vicinity of the street would be deprived of reasonable means of ingress and egress to his property, and that same should be closed.

NOW, THEREFORE, the Town Council for the Town of Apex, North Carolina orders:

1. A portion of Hasse Avenue as described in Paragraph 1 of the Facts as the Subject Area.
2. The Town Council orders that said portion of Hasse Avenue shall be and the same hereby is closed.
3. A copy of this Order shall be certified and filed in the office of the Register of Deeds of Wake County, North Carolina.

This the 19th day of May 2020.

THE TOWN COUNCIL OF THE
TOWN OF APEX, NORTH CAROLINA

BY: _____
Jacques K. Gilbert
Mayor

(Corporate Seal)

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

STATE OF NORTH CAROLINA

COUNTY OF _____ [*county in which acknowledgement taken*]

I, _____, a Notary Public of _____
County, North Carolina, certify that Donna B. Hosch personally came before me this day and
acknowledged that she is Town Clerk of the Town of Apex, a North Carolina Municipal
Corporation, and that by authority duly given and as the act of the corporation, the foregoing
instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her
as its Town Clerk. Witness my hand and official stamp or seal, this the _____ day of
_____ 2020.

Notary Public: _____

My Commission Expires: _____