

**A RESOLUTION TO ABANDON MULTIPLE
5' PUBLIC UTILITY EASEMENTS**

WHEREAS, the Town of Apex presently has existing public utility easement interests as shown in Book of Maps 2021 Page 1886, Wake County Registry and as shown on the survey attached hereto as Exhibit A; and

WHEREAS, the developer desires the Town to abandon those portions of 5' public utility easements in those certain areas designated as "Existing 5' TOA Public Utility Easement To Be Abandoned" as shown on that certain survey plat entitled "Easement Abandonment Plat The Courtyards on Holt for Epcon Holt Road, LLC" prepared by Advanced Civil Design, dated Jun 27, 2022, said survey being attached hereto as **Exhibit A**; and

WHEREAS, the public utility easements are further labeled and identified on Exhibit A as follows:

- A: Existing 5' TOA Public Utility Easement to be Abandoned (706 SF);
- B: Existing 5' TOA Public Utility Easement to be Abandoned (522 SF);
- C: Existing 5' TOA Public Utility Easement to be Abandoned (700 SF);
- D: Existing 5' TOA Public Utility Easement to be Abandoned (652 SF);
- E: Existing 5' TOA Public Utility Easement to be Abandoned (584 SF);
- F: Existing 5' TOA Public Utility Easement to be Abandoned (582 SF);
- G: Existing 5' TOA Public Utility Easement to be Abandoned (450 SF);
- H: Existing 5' TOA Public Utility Easement to be Abandoned (427 SF);
- I: Existing 5' TOA Public Utility Easement to be Abandoned (691 SF);
- J: Existing 5' TOA Public Utility Easement to be Abandoned (833 SF);
- K: Existing 5' TOA Public Utility Easement to be Abandoned (542 SF);

WHEREAS, these portions of the existing easements the easements described above are no longer needed and the Town Council considers it advisable to abandon these easements.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex hereby abandons the portions of public utility easement interests identified in the attached Exhibit A as easement areas A through K, provided however, the Town specifically retains any and all property interest it may have in the property not specifically identified as abandoned herein.

Upon motion duly made by Council Member _____, and duly seconded by Council Member _____, the above resolution was duly adopted by the Apex Town Council at the meeting held on the ____ day of _____, 2022, in the Town Hall.

Upon call for a vote the following Council Members voted in the affirmative:

and the following Council Members voted in the negative:

This the _____ day of _____, 2022.

TOWN OF APEX

Jacques K. Gilbert, Mayor
Town of Apex

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk
Town of Apex