

RESOLUTION NO. 21-0608-14

A Resolution to Abandon Portions of an Existing Electric Utility Easement

WHEREAS, Harold R. Schatz and Rosemary Ann Rickard are the owners of a certain tract of land in or near the Town of Apex which tract is described in the deed recorded in Deed Book 17371, Page 1983, Wake County Registry (the “**Subject Property**”); and

WHEREAS, the Town of Apex presently has an electric utility easement interest in that certain area of land more specifically described with the following metes and bounds:

Starting at the centerline intersection of Willow Green drive and Manor Stone drive, Apex, North Carolina, thence South $53^{\circ}47'26''$ East 196.81' to a point in the southern right of way of Willow Green Drive, said point being the northwest corner of lot 127 Stillwater subdivision as recorded in Book of maps 2018, page 1171, Wake County Registry; thence leaving said right of way and along the property line between lot 126 & lot 127 of said map, South $27^{\circ}04'03''$ West 139.76' to a point; thence along the southern property line of lot 127 and the Stillwater Owners Association, Inc. maintained Open Space area of said map the following calls: South $63^{\circ}18'31''$ East 14.22'; South $64^{\circ}40'54''$ East 47.76'; South $66^{\circ}50'36''$ East 12.44' to a point; thence North $18^{\circ}25'53''$ East 13.22' to a point and place of BEGINNING; said point being an intersection of the town of Apex electric easement, the Stillwater Owners Association, Inc. maintained Open Space area and lot 127; thence following said easement into lot 127 North $52^{\circ}31'45''$ West 38.53' to a point; thence North $37^{\circ}28'15''$ East 10.00' to a point; thence South $52^{\circ}31'45''$ East 35.08' to a point; thence South $18^{\circ}25'53''$ West 10.58' to the point and place of BEGINNING, containing 368 square feet or 0.008 acres (the “Guy Wire Easement”).

WHEREAS, the Electric Easement and Guy Wire Easement was conveyed to the Town by instrument recorded in Deed Book 15697, Page 1712, Wake County Registry; and

WHEREAS, the electric easement has been relocated and the Town no longer has any need of the Guy Wire Easement and it has no market value; and

WHEREAS, the Town Council considers it advisable to abandon the Guy Wire Easement.

NOW, THEREFORE, BE IT RESOLVED by the Town Council as follows:

1. That the Guy Wire Easement as described herein by metes and bounds description and containing 368 square feet is hereby abandoned, and
2. That the Town Manager or Assistant Town Manager is hereby authorized

to make, execute, and deliver to the owners of the Subject Property an instrument, in a form suitable for recording, releasing whatever interest the Town might have in and to the Guy Wire Easement.

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 8th day of June 2021, 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 8th day of June 2021.

TOWN OF APEX

Jacques K. Gilbert, Mayor

ATTEST:

Donna B. Hosch, MMC, Town Clerk

