

**RESOLUTION NO. 25-\_\_\_\_\_**

**Resolution to Abandon an Existing Public Utility Easement**

WHEREAS, Wake County Board of Education (the “**Owner**”), is the owner of that certain tract of land in or near the Town of Apex which is described in the deed recorded in Deed Book 1579, Page 0060, Wake County Registry (the “**Subject Property**”);

WHEREAS, public utility easement interests designated as “20’ PUBLIC UTILITY EASEMENT” comprising of a 20-foot utility easement across the Subject Property was dedicated to the Town by a plat recorded in Book of Maps 1997, Page 0400, Wake County Registry (the “**Easement**”), as shown on said plat prepared by Dewberry & Davis Engineers Planners Surveyors entitled “FINAL PLAT PUBLIC UTILITY EASEMENT DEDICATION TO THE TOWN OF APEX FROM WAKE COUNTY PUBLIC SCHOOL SYSTEM” dated January 13, 1997, and recorded in Book of Maps 1997, Page 0400, Wake County Registry (the “**Survey**”);

WHEREAS, the Owner desires the Town to abandon any interest that the Town has in the Easement as shown on the Survey, said survey being attached hereto as Exhibit A;

WHEREAS, the Town has no need for the Easement and it has no market value; and

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

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

1. The Town Council of the Town of Apex hereby abandons any and all interest it has in the Easement as shown on Exhibit A attached hereto in accordance with Paragraph (2) below, provided however, the Town specifically retains any other easement interests it may have on the Subject Property not specifically identified as abandoned herein.
2. The Easement shall be abandoned effective upon the adoption of this Resolution by the Town of Apex Town Council.
3. That the Town Manager, or their designee, 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 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 \_\_\_\_ day of \_\_\_\_\_ 2025, in the Town Hall.

This the \_\_\_\_ day of \_\_\_\_\_ 2025.

TOWN OF APEX

\_\_\_\_\_  
Jacques K. Gilbert, Mayor

ATTEST:

\_\_\_\_\_  
Allen L. Coleman, Town Clerk, CMC, NCCCC