



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council – 03/09/2021

**SUBJECT:** Easement Termination and Relocation – 601 Rocky Mount Avenue

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**BACKGROUND:**

In 1995, there was a description error made in the location of a utility easement granted to the Town of Carolina Beach on the Deed of Easement recorded in Book 1955, Page 286, New Hanover County Registry (copy attached). The utility easement in favor of the Town was apparently intended to run along the eastern lot line of property now owned by Cori and Daniel McQueen, but the wording of the recorded description places it along the western lot line instead, which is where the McQueen's house now stands. Reference to the survey by Pat Bristow (attached as Exhibit "A") shows the issue clearly.

Both the McQueens and the Town recognize the western easement needs abandoning and to be replaced with the eastern easement.

**ACTION REQUESTED:**

Approve the Easement Termination and Relocation as drafted by Attorney Eugene B. Davis, Jr., P.C.

**RECOMMENDED MOTION:**

Approve under Consent Agenda