

**RESOLUTION OF INTENT TO CLOSE AN UNOPENED,
UNIMPROVED PORTION OF TEBEAU DRIVE**

WHEREAS, NC General Statute (G.S.) 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS, David White, Chief Executive Officer of Western Carolina Community Action has petitioned the City of Hendersonville City Council to close an unopened and unimproved unnamed portion of the street known as Tebeau Drive, located on Tract 2 of the property described in that deed recorded in the Henderson County Registry in Deed Book 3607 at page 622, having a PIN of 9569-40-9564; and

WHEREAS, NC General Statute 160A-299 requires that City Council conduct a public hearing for the purpose of giving consideration to the petition; and

WHEREAS, At the public hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. City Council herewith calls a public hearing to be held at 5:45 p.m. (or as soon thereafter as it may be heard) on the 1st day of April 2021, in the Council Chambers of City Hall to consider closing an unopened and unimproved unnamed portion of the street known as Tebeau Drive, located on Tract 2 of the property described in that deed recorded in the Henderson County Registry in Deed Book 3607 at page 622, having a PIN of 9569-40-9564. Persons shall be allowed to attend and comment in person or via Zoom at the following address:

<https://zoom.us/j/95746846396?pwd=YmlXdXdHcjRFVIM2VElqcEVwT1ZLZz09#success>

Dial-in by phone: (646) 558-8656

Meeting ID: 957 4684 6396

Passcode: 28792

Written comments may be submitted prior to the public hearing on the City's webpage at www.hendersonvillenc.gov/public-comment or directly to the City Clerk, Angela Reece, areece@hvlnc.gov, 160 6th Avenue East, Hendersonville, NC 28792.

2. The legal description for the portion of Tebeau Drive proposed for closing is as follows:

Beginning on a ½" Iron pipe, said iron pipe being located S 83°46'01"E 134.58 feet from an Existing Iron Stake having State Plane Coordinates of N = 590444.065, and E = 964834.239, said iron pipe also being the southwestern corner of Tract 2 of the property described in that deed recorded in the Henderson County Registry

in Deed Book 3607 at page 622, having a PIN of 9569-40-9564, and running thence from said beginning point N 16°38'43" E 17.34' to a point, thence on a curve to the right, said curve having a radius of 199.08' and an arc length of 95.94' (chord bearing N 36°49'42" E and chord distance 95.01') to a point, thence on a curve to the left, said curve having a radius of 220.5' and an arc length of 54.48' (chord bearing N 46°08'13" E and chord distance 54.34') to a point, thence on a curve to the left, said curve having a radius of 157.83' and an arc length of 52.10' (chord bearing N 29°48'38" E and chord distance of 51.86') to a point, thence on a curve to the left, said curve having a radius of 225.21' and an arc length of 37.20' (chord bearing N 17°36'58" E and chord distance of 37.16') to a point, thence S 04°48'49" E a distance of 105.31' to a point, thence on a curve to the right, said curve having a radius of 155.31' and an arc length of 62.09' (chord bearing S 43°43'12" W and chord distance of 61.68') to a point, thence on a curve to the left, said curve having a radius of 159.08' and an arc length of 30.70' (chord bearing S 44°48'41" W and chord distance of 30.66') to a point, thence on a curve to the left, said curve having a radius of 159.08' and an arc length of 43.04' (chord bearing S 31°31'54" W and chord distance of 42.91') to a point, thence S 16°38'43" W 7.63' to a point, thence N 83°46'01" E 40.67' to the point and place of beginning. Containing 0.17 Acre and being a portion of the right of way of Tebeau Drive running between Lots 1 and of Rosemont subdivision to the west, and Lots 17 and 18 of Rosemont subdivision to the East, as shown on Plat Cabinet B, Slide 103 of the Henderson County Registry.

The above-described portion of Tebeau Drive to be closed will also be shown on a plat to be recorded in the Henderson County Registry if approved by City Council.

3. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks.
4. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of the Resolution of Intent.
5. The City Clerk is further directed to cause adequate notices of the Resolution of Intent and the scheduled public hearing to be prominently posted in at least two along the portion of Brown Street proposed for closure as required by G.S. 160A-299.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 4th day of March 2021.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney