

Resolution No. R2026-_____

A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE,
NORTH CAROLINA PERMANENTLY CLOSING A PORTION OF MAXWELL STREET

WHEREAS, under authority of N.C.G.S. § 160A-299, a public hearing before the City Council of the City of Fayetteville, North Carolina was advertised as required by law, and duly held on the 27th day of April 2026, in accordance with the notice calling for said public hearing, and all adjoining property owners having been notified by certified mail of the time, place and purpose of said hearing, the purpose of which was to determine whether a portion of a certain street in the City of Fayetteville, North Carolina, known as Maxwell Street, should be permanently closed as a public street; and a notice of said hearing having been posted on portion of said street for four weeks prior to the holding of said hearing; and

WHEREAS, during the said public hearing all interested citizens were invited to comment and state any objections they may have to the closing of a portion of the street known as Maxwell Street as a public street; and

WHEREAS, the City Council, following such public hearing, after considering all the facts, has determined that the closing of a portion of Maxwell Street is not contrary to the public interest and that no individual owning property in the vicinity of said street portion will thereby be deprived of reasonable means of ingress and egress to his or her property.

NOW THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville N.C., the City Council orders and directs that the portion of Maxwell Street, within the limits covered by the following description only, be closed as a public street under the following terms and conditions:

1. Description of area closed as a public street:

BEGINNING at the southeastern corner of Lot 73 as depicted on that plat entitled "Map of J.W. Hollingworth Property Being 2nd. Cedar Rose Addition" as recorded in Plat Book 7, Page 137 of the Cumberland County Registry, said point also being in the northern right of way margin of Christian Street where it intersects with the western right of way margin of Maxwell Street, and continuing thence North 10 degrees 40 minutes 31 seconds East 198.42 feet to a point in the southern right of way margin of McDonald Street, thence with said southern margin South 79 degrees 13 minutes 31 seconds East 30.00 feet to a point, thence leaving said southern margin of McDonald Street and continuing with the eastern right of way margin of Maxwell Street South 10 degrees 46 minutes 29

seconds West 198.47 feet to a point in the northern right of way margin of Christian Street, thence continuing along said northern right of way margin North 79 degrees 07 minutes 41 seconds West 29.66 feet to the BEGINNING, and containing 5,919.17 square feet more or less.

2. That a copy of this Order be recorded in the office of the Register of Deeds of Cumberland County.
3. The City is reserving a utility easement over and under the entire above-described property for the use of the City and all other utility companies.

IN WITNESS WHEREOF, the City of Fayetteville, N.C., has caused this instrument to be signed in its name by its Mayor, attested by its City Clerk, and its corporate seal hereto affixed, all by order of its City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 27th day of April 2026; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

(SEAL)

By: _____

MITCH COLVIN, Mayor

ATTEST:

JENNIFER L. AYRE, City Clerk