



A RESOLUTION ORDERING THE CLOSING OF SURFSIDE DRIVE IN SOUTH NAGS HEAD

WHEREAS, on the 4th day of May 2011 the Board of Commissioners of the Town of Nags Head directed the Town Clerk to publish the resolution of intent of the Board of Commissioners of the Town of Nags Head to consider closing a portion of Surfside Avenue in the *Coastland Times* newspaper once each week for four consecutive weeks and posting said resolution in two locations along said street advising the public that a public hearing would be conducted in the Town Hall at 9:00 a.m. on the 1st day of June 2011; AND

WHEREAS, the Town's Board of Commissioners further directed the Town Clerk to notify by certified mail, all persons owning property abutting on that portion of Surfside Drive, proposed to be closed, enclosing with such notification a copy of the resolution of intent; AND

WHEREAS, the Town Clerk has advised the Board of Commissioners that on the date directed she sent a letter to each of said abutting property owners by certified mail return receipt requested advising them of the day, time and place of the meeting, enclosing a copy of the Board of Commissioner's resolution of intent, and advising said abutting property owners that the question as to the closing to said portion of Surfside Drive Avenue would be acted upon; AND

WHEREAS, the Town Clerk has advised the Board of Commissioners that none of the letters so sent has been returned undelivered; AND

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street; AND

WHEREAS, it now appears to the satisfaction of the Board of Commissioners that the closing of said street is not contrary to the public interest and that no individual owning property either abutting the street or in the vicinity of said street or in the subdivision in which said street is located, will as a result of said closing be thereby deprived of a reasonable means of ingress and egress to his property; AND

WHEREAS, it appears to the satisfaction of the BOC that the closing of said street will be in the public interest.

NOW THEREFORE BE IT RESOLVED by the BOC of the Town of Nags Head, meeting in regular session, that the portion of Surfside Drive located in South Nags Head as more particularly described hereafter, is hereby ordered closed and all right, title and interest in those persons owning lots adjacent to the street; such title, for the width of the abutting land owned by them, to extend to the centerline of the herein closed street in accordance with the provision of GS 160A-299(c): All that portion of Surfside Drive identified as 1,170 feet in length between lot 14 of the Chawanook Cay Subdivision and lot 16 of the High Dunes South (Limulus) Subdivision.

The Town Clerk is hereby ordered and directed to file in the office of the Register of Deeds of Dare County a certified copy of this resolution.

Upon motion duly made by Mayor Pro Tem Wayne Gray and duly seconded by Comr. Doug Remaley, the above resolution was duly adopted by the Board of Commissioners at a regular meeting held on the 1st day of June 2011. Upon call for a vote all Commissioners voted in the affirmative. This the 1st day of June 2011.

Robert O. Oakes, Jr., Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk