

REQUEST FOR BOARD ACTION

ITEM NO. 6.

DATE OF MEETING: February 21, 2011

REQUESTED BY: Glenda Pridgen, Administrative Assistant to the County Manager

SHORT TITLE: Resolution Accepting Petition to Add the West Bay Road in Willard to the State Maintained System and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.

BACKGROUND: Per the attached, Ms. Lori Mobio is requesting a resolution for the addition of West Bay Road to the State Maintained System.

As a matter of standard operating procedure, we routinely bring any petitions requesting either additions to, maintenance of, or improvements to any county roads to the Board, without evaluation, upon Board approval, to be summarily forwarded to the North Carolina Department of Transportation.

SPECIFIC ACTION REQUESTED: The Board of Commissioners is requested to allow the County Manager to submit the attached petition to N.C. DOT.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

RB
Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that

the petition to add West Bay Road in Willard to the State Maintained System is approved, and the County Manager is authorized to submit the petitions to N.C. DOT.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Brown ___ Tate ___ Rivenbark ___ Ward ___ Williams ___

George R. Brown, Chairman 2/21/11
Date

ATTEST 2/21/11
Date

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition

ROADWAY INFORMATION: (Please Print/Type)

County: PENDER Road Name: WEST BAY ROAD
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: N/A Length (miles): .04 (4/10)

Number of occupied homes having street frontage: 5 Located (miles): .2 (2/10)

miles N S E W of the intersection of Route ENGLISHTOWN
(Check one) RD. and Route BAY RD.
(SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of WEST BAY ROAD in
PENDER County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: LORI A. MOBIO Phone Number: (910) 285-2105

Street Address: 389 WEST BAY ROAD WALLACE, NC 28466

Mailing Address: SAME

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
<u>LORI A. MOBIO</u>	<u>389 WEST BAY ROAD WALLACE, NC</u>	<u>(910) 285-2105</u>

RECEIVED FEB - 1 2011

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

- Rural Road
 Subdivision platted prior to October 1, 1975
 Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
WEST BAY ROAD	(1)	SEE ATTACHED			
"	(2)	"			
"	(3)	"			
"	(4)	"			
WEST BAY ROAD	(5)	SEE ATTACHED			
(5)	FAMILIES SEE ATTACHED.				

**North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System**

North Carolina

County: PENDER

Road Description: WEST BAY ROAD

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of PENDER requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of PENDER that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of _____ at a meeting on the _____ day of _____, 20__.

WITNESS my hand and official seal this the _____ day of _____, 20__.

Official Seal

Clerk, Board of Commissioners
County: _____

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways

599-197

THIS INSTRUMENT WAS DRAFTED BY WILLIAM C. BLOSSOM, ATTORNEY AT LAW, 124 EAST BONEY STREET, WALLACE, NORTH CAROLINA 28466. STATE OF NORTH CAROLINA

COUNTY OF PENDER

THIS DEED, dated July 17, 1981, by and between WILLIAM NEWKIRK AND WIFE, LINDA NEWKIRK, of Pender County, North Carolina, hereinafter referred to as Grantor; and WILLIE PICKETT, JR., SINGLE, of Pender County, North Carolina, hereinafter referred to as Grantee. (The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context);

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land more particularly described as follows:

Located in Union Township, Pender County, North Carolina. BEGINNING at an iron pipe on the southern side of Farm Road at a point approximately one-half mile westwardly as measured along said Farm Road from its intersection with S.R. #1301 at a point approximately 1.7 miles as measured northwardly along said S.R. #1301 from its intersection with S.R. #1300. Running thence South 10 degrees 30 minutes East 210 feet; thence South 66 degrees West 210 feet; thence North 10 degrees 30 minutes West through an iron pipe in line and crossing a ditch 210 feet to an iron pipe just west of said ditch; thence North 66 degrees East and parallel with said Farm Road 210 feet to the point of beginning; the same being a portion of the S. G. Newkirk Estate land as the same is described in deed recorded in Book 157 at Page 281 in the Pender County Registry and being the same lands as shown on map of survey for Carolina Model Homes, Inc., by H. R. Hewett, R.L.S., dated July 10, 1973.

This conveyance is made subject to a prior deed of trust from William Newkirk and wife, Linda Newkirk, to R. V. Biberstein, Jr. Trustee for Carolina Model Home Corporation, dated February 18, 1974, and recorded in Book 457, Page 109, of the Pender County Registry. As part of the consideration of this conveyance, the Grantee hereby assumes and agrees to pay the entire unpaid principal balance of the promissory note secured by said deed of trust, together with accrued interest thereon as the same shall become due and payable, and to hold and save harmless the Grantor from further payment thereon.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, except for the deed of trust hereinabove set out, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

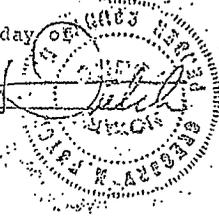
William Newkirk (SEAL)
William Newkirk
Linda Newkirk (SEAL)
Linda Newkirk

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Gregory H. Futch, a Notary Public of the aforesaid county and state, do hereby certify that William Newkirk and wife, Linda Newkirk, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this 17th day of July, 1981.

Gregory H. Futch
Notary Public



My Commission Expires: August 9, 1986

STATE OF NORTH CAROLINA
COUNTY OF PENDER

The foregoing certificate of Gregory H. Futch, a Notary Public of Pender County, North Carolina, is certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Pender County, North Carolina, in Book 599, Page 197.

This 13 day of ^{October} ~~July~~, 1981, at 2:15 o'clock P. M.

Paul Overstreet Jr. BY: Judith Sachry
Register of Deeds ~~Deputy~~ / Assistant Register of Deeds

Recorded and verified:

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, except for the deed of trust hereinabove set out, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

William Newkirk (SEAL)
William Newkirk

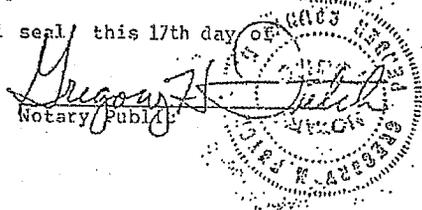
Linda Newkirk (SEAL)
Linda Newkirk

STATE OF NORTH CAROLINA

COUNTY OF PENDER

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This 13 day of ^{October} ~~July~~, 1981, at 2:15 o'clock p. m.

Paul Overstreet Jr. BY: Judith Lachey
Register of Deeds Deputy/Assistant Register of Deeds

Recorded and verified:

OWNERSHIP 11102010 17523
 PICKETT, WILLIE JR
 563 W BAY RD
 WALLACE, NC
 DEED: 599 197

28466
 SCALE 1:93

PROPERTY DESCRIPTION
 OFF W OF RD 1301 S OF 1302

WEST BAY RD
 TOPO LEVEL
 STREET FAIR
 UTILITY ELECTRIC
 SPTCTANK WELL

LAND CLASS
 1 02 Drural 10

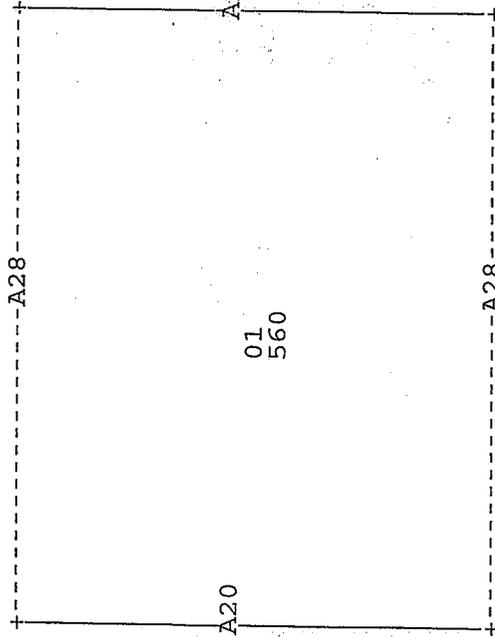
SIZE 1.00AC

NOTES:

BASERATE*FRNT*DPTH*ADJ=ADJRATE*UNITS=LND-VALUE
 5200 | 5200 | 1.00 | 5200

TAX SUBDIVISIONS
 TWP UNION
 PENDERLEA FIRE
 PENDER EMS
 S64
 ZONING RA
 1.00 ACRES

PIN CARD NO 1
 2374-75-0376-0000
 RECORD NUMBER: 14864
 ROUTE 4500 0
 LISTER:EB-032101 E
 REVIEW:BS 032994



LAND VALUE:
 # OTHER FEAT SIZE | BASERATE*COND
 1 50ESTORAGE 12* 12 | 5.64 0.70
 2 4ESHELTER 8* 12 | 2.72 0.70
 =ADJRATE*UNITS=RCNOB-VAL
 3.95 | 144 | 569
 1.90 | 96 | 182

OTHER VALUE:
 FNDATION XTRFNISH ROOFTYPE ROOFTMTRL SIZE/QTY
 ALU/VINL COMP SHI
 1.0 STHT

WALLFNH FLOORS HEAT&AIR ROOFTMTRL SIZE/QTY
 DRY WALL PINE SPACE HT OIL
 3 BDRM
 5 ROOM

RCN: 751
 RCNLD: 686

MAP: NOPLAT

AVERAGE CONDITION ADJ: 0%

DWELLING CONVENTIOE5 B1973
 DIMENSIONS: A-CU20R28D20L28
 # STRUCTURE | SKTCH-SF*STHT= 560 | 1.0
 A 01ESINGLE F | 560 | 1.0
 1 BATHS

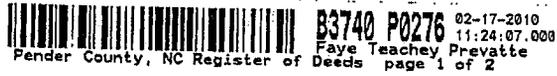
RATE*GRDF+HEAT+EXWL*WLHT=ADJRAT* AREA= RPCN* DEFP*CNDF=S-TR-VALUE
 33.82 | 1.05 | 0.30 | 35.81 | 560 | 20054 | 0.70 | 14038
 1200 | 1200 | 0.30 | 35.81 | 560 | 20054 | 0.70 | 14038

PRIOR VALUE
 LAND 19924
 BLDG

560HSF, 560TSF

RPCN-35.81/HSF

20054 VALU- 25.07/HSF 14038
 STRUCTURE VALUE: 14038
 APPRAISED-VALUE: 19924



PIN # 2374-75-1664-0000

DATE 2/17/10 INT 1/8

Revenue \$15.00

DEED

This deed prepared by Corbett & Fidler, Attorneys at Law, P. O. Drawer 727, Burgaw, NC 28425.

THIS DEED made on February 16, 2010, by:

GRANTOR	GRANTEE
ROBERT H. CORBETT, COMMISSIONER P.O. Drawer 727 Burgaw, NC 28425	MARVIN WILLIAMS and wife URSULA WILLIAMS 7156 Jodhpur Way Fairburn, GA 30213

The designation Grantor and Grantee as used in this instrument shall include the designated parties, their heirs, successors and assigns.

WITNESSETH:

1. Grantor was empowered to offer the property described below for public sale by the orders entered in Pender County vs. Annie Pearl Bennerman (Pender County, North Carolina), and
2. Grantee became the last and highest bidder.

NOW, THEREFORE, Grantor, for a valuable consideration paid by Grantee, receipt of which is acknowledged, conveys to Grantee in fee simple, the parcel of land located in Union Township, Pender County, North Carolina, described as:

BEGINNING at an iron pipe in the centerline of an old dirt road, said iron pipe is located along said road at a point the following traverse, courses and distances from point to point in said road from its intersection with the centerline of Pender County Secondary Road #1301 North 62 degrees 45 minutes East, 1098.34 feet North 42 degrees 30 minutes East, 307.43 feet North 19 degrees 35 minutes East 565.05 feet, North 78 degrees 27 minutes East, 432.80 feet and North 66 degrees 10 minutes East, 359.59 feet and running thence from said Beginning iron pipe so located, with the centerline of said road North 66 degrees 10 minutes East, 208.71 feet to an iron pipe in the center of said road; thence South 23 degrees 50 minutes East, 208.71 feet to an iron pipe; thence South 66 degrees 10 minutes West 208.71 feet to an iron pipe; thence South 23 degrees 50 minutes West 208.71 feet to the Beginning containing 1.00 acres, more or less, and is as surveyed in March, 1974.

Grantee shall have and hold the above land and all its privileges and appurtenances in fee simple.

Title to the property described above is subject to the lien for property taxes which become due after the date of

this deed.

This is not the primary residence of Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set his hand on the date first above written.

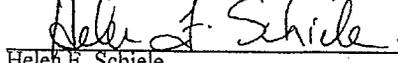


Robert H. Corbett
Commissioner

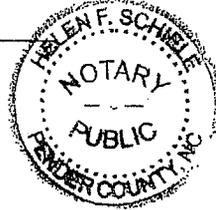
STATE OF NORTH CAROLINA, COUNTY OF PENDER

I, Helen F. Schiele, a Notary Public of the County and State aforesaid, certify that Robert H. Corbett, Commissioner, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal, this 16th day of February 2010.



Helen F. Schiele
Notary Public



My commission expires December 5, 2010.

OWNERSHIP 11102010 926980
 WILLIAMS, MARVIN
 WILLIAMS, URSULA
 3799 MALPASS CORNER RD
 BURGAW, NC
 DEED:3740 276 02172010

28425 7500 542
 SCALE 1:147

PROPERTY DESCRIPTION
 1.00 AC OFF 1301 S/W SIDE

TAX SUBDIVISIONS
 TWP UNION

PIN 2374-75-1664-0000
 RECORD NUMBER: 14717
 ROUTE 4000.0
 LISTER:EB 032101 - E
 REVIEW:BS 032994
 1.00 1 ACRES

UTILITY
 ELECTRIC
 SPTCTANK
 WELL

STREET
 FAIR

TOPO
 LEVEL

W BAY RD

NOTES:

LAND CLASS 1.00AC | BASERATE*FRNT*DPTH*ADJ=ADJRATE*UNITS=LND-VALUE 5200 | 5200 | 1.00 | 5200

---B8+
 B6 80
 48
 ---B8+

-----A44-----

LAND VALUE:
 # OTHER FEAT 8* 12 | BASERATE*COND

=ADJRATE*UNITS=RCNOB-VAL 5200 | 100

01
 1136

A28

A20

OTHER VALUE:
 FNDATION XTRFNISH CONC BLK

SIZE/QTY
 1.0 STHT

RCN:
 RCNLD: 100 100

WALLFNH FLOORS PLY WOOD PINE DRY WALL SINGLE

ROOFTYPE HEAT&AIR NONE

MAP: NOPLAT

-----A32-----

C8

C8 80 96

-----C12-----

AVERAGE CONDITION ADJ: 0%

DWELLING CONVENTIOE10 B1958

DIMENSIONS:A-CU28R44D20L12D8L32 B-R44U28L4CL8U6R8D6 C-R32CR12U8L12D8

STRUCTURE SKTCH-SF*STHT= 1.0

AREA RATE*GRDF+HEAT+EXWL*WLHT=ADJRAT* 1136 32.72 1.1 1.1 35.99

AREA= 1136

DEPF*CNDF=STR-VALUE 22487

1 BATHS 48 0.0 96 0.0

1200 48 11.29 1.1

12.42 48

RPCN* 40885

0

80EPORCH 96 0.0

11.19 96 11.19 1.1

12.31 96

1.182

328 650

PRIOR VALUE LAND BLDG 28765

RPCN-37.56/HSF

42663 VALU-STRUCTURE APPRAISED-VALUE: 23465 23465 28765

20.66/HSF