

STREET CLOSURE



City of Wilmington
Planning and Development

PO Box 1810 | 305 Chestnut St.
Wilmington, NC 28402
Telephone 910.254.0900 | Fax 910.341.3264

Section A. APPLICANT INFORMATION

Applicant's name: Todd Tremain c/o J.C. Hearne, II Attorney at Law

Mailing address: P.O. Box 179 Wilmington, NC 28402

Phone: (910)313-3336

Email: jch@jchearnelaw.com

Signature/Date: _____

Name of person responsible for all costs: Todd Tremain

Section B. SUBMITTAL INFORMATION AND PROCEDURE

APPLICATION FOR OFFICIAL CLOSING OF A PUBLIC STREET OR ALLEY IN THE CITY OF WILMINGTON, NC

The applicant(s) request that the Wilmington City Council consider officially closing the public street or alley described herein. The applicant(s) shall abide by the provisions of Article 16 of the City Charter and the Administrative Guidelines of the City of Wilmington and shall assume responsibility for the validity and submission of all supplemental information necessary to administer the application.

1) Official street or alley name requested to be closed:

Part of South 23rd Street

2) Location of the street or alley: From Northern Property Line of 10 Foot Alley

(Name of intersecting street or alley)

extending 113 feet to Gibson Avenue

(direction, approximate distance) (Name of intersecting street or alley (if dead-end or turn-around, state "termination")

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

- 3) Supplementary information:
- (a) Two copies of diagrams, tax maps or subdivision plats, drawn to scale, depicting the right-of-way requested to be closed, showing the names of adjacent property owners, and indicating the locational relationship of the proposal to adjacent intersections and streets;
 - (b) Legal description (metes and bounds) of the street or alley requested to be closed, after review and approval from the city engineer;
 - (c) List of the names of owners, their addresses, and the tax parcel numbers of the properties adjacent to the public street or alley right-of-way requested for closing; and
 - (d) Two sets of business-size envelopes pre-addressed to the property owners within 100 feet of the subject right-of-way with the planning department's return address. List of the names of owners, their addresses, and the tax parcel numbers of the properties within 100 feet of the subject property, including those separated by a street right-of-way. A list will be provided by planning staff upon request; All envelopes must have postage and metered postage must be *undated*.
- City of Wilmington Planning Department
PO Box 1810
Wilmington, NC 28402-1810
- 4) The applicant requesting the closing shall designate one individual who shall be responsible for all administrative costs, including newspaper advertisements for public hearings, materials and postage for mailing notices to all adjacent property owners, posting of signs, and recordation of any documents with the New Hanover County Register of Deeds. The application and all required information, shall be submitted to city council after review of the application by and upon the recommendation of the applicable review agencies and the planning commission.
- 5) Upon the adoption of a close order closing the public street or alley, and in accordance with the provisions of North Carolina General Statute 160A-299(c), all right, title, and interest in the closed street or alley shall be conclusively presumed to be vested in those persons, firms, or corporations owning lots or parcels of land adjacent to such public street or alley, and the title of each person, firm, or corporation shall, for the width of the abutting land owned by them, extend to the centerline of such public street or alley, or portion thereof, officially closed

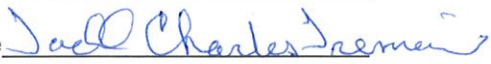
Signature and address of property owners that own property along the street or alley requested to be closed

Length (feet) of property fronting street to be closed

Name Todd Charles Tremain

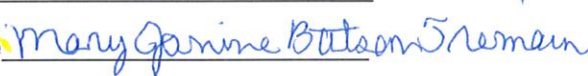
113

Address 2302 Gibson Avenue
Wilmington, NC 28403

Signature 

Name Mary Janine Batson Tremain

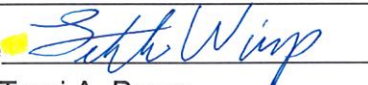
Address 2302 Gibson Avenue
Wilmington, NC 28403

Signature 

Name Letitia L. Wisecup

113

Address 2222 Gibson Avenue
Wilmington, NC 28403

Signature 

Name Traci A. Duerr

Address 2222 Gibson Avenue
Wilmington, NC 28403

Signature 

Name Jimmy Bryan Batson and Mary Colleen Pittman Batson

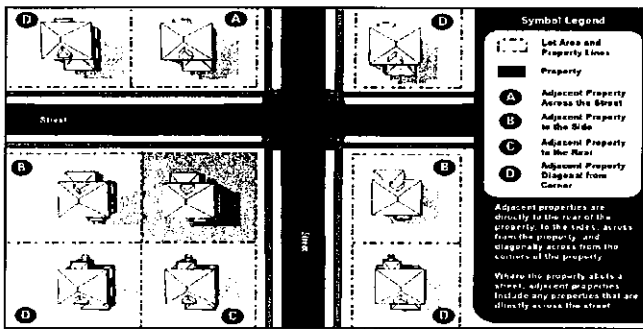
Address 2302 Gibson Avenue
Wilmington, NC 28403

Signature 



Section D. REQUIRED INFORMATION TO BE INCLUDED WITH APPLICATION

Adjacent Properties Information



Include the city return address on the envelopes:
 City of Wilmington
 Planning Department
 PO Box 1810
 Wilmington, NC 28402-1810

****SEE ATTACHED****

Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:

****SEE ATTACHED****

Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
Name:	Name:
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:

Adjacent Property Owners

- | | | |
|----|---|---------------------------|
| A) | Matthew K. Krise and wife, Pasha H. Krise
Richard M. Krise and wife, June R. Krise
2218 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-037-003-000 |
| B) | Clancy A. Gray
2220 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-037-002-000 |
| C) | Letitia L. Wisecup and spouse, Traci A. Duerr
2222 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-037-001-000 |
| D) | Donald E. Hardison, Sr. and wife,
Joyce G. Hardison
2311 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-040-000 |
| E) | Michael Ray Hardison and wife,
Julie A. Hardison
2221 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-024-010-001 |
| F) | Amanda Kristin Briese
2308 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-037-000 |
| G) | Mary Colleen Pittman Batson and husband,
Jimmy Bryan Batson
Mary Janine Batson Tremain and husband,
Todd Charles Tremain
2302 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-039-000 |
| H) | MIMG CLXVIII FOREST HILLS SUB, LLC
VAN BUREN PROPERTIES, LLC
295 North Highway 83, Suite 14B
Franktown, CO 80116 | PARCEL R05408-010-033-000 |
| I) | City of Wilmington
P.O. Box 1810 / 305 Chestnut Street
Wilmington, NC 28402 | NO PARCEL ID |
| J) | Keith Miller
2312 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-036-000 |

J.C. HEARNE, II
ATTORNEY AT LAW
265 RACINE DRIVE, SUITE 104
WILMINGTON, NORTH CAROLINA 28403

J.C. HEARNE, II
JCH@JCHEARNE.LAW.COM
BOARD CERTIFIED SPECIALIST IN REAL PROPERTY LAW:
RESIDENTIAL, COMMERCIAL, BUSINESS AND
INDUSTRIAL TRANSACTIONS

MAILING ADDRESS
POST OFFICE BOX 179
WILMINGTON, NC 28402
TELEPHONE (910) 313-3336
FACSIMILE (910) 798-9294

February 19, 2024

HAND DELIVERY TO:

City of Wilmington
Attn: Department of Planning and Development
P.O Box 1810
305 Chestnut Street
Wilmington, NC 28401

RE: Request for Official Closing of a Public Street in the City of Wilmington

Dear Sir of Madam:

Enclosed please find the following documents pertaining to the Request for Street Closure:

- 1) Completed Application for Street Closure;
- 2) Metes and Bounds Description;
- 3) List of Adjacent Property Owners;
- 4) Two sets of business-size envelopes pre-addressed to the Adjacent Property Owners
- 5) Copy of the current New Hanover tax map highlighting the street to be closed
- 6) Map showing assignment of letter for each adjacent parcel to correspond with the list of property owners
- 7) Copy of Survey
- 8) Firm check for the application fee in the amount of \$900.00

Please let me know if you have any questions or need any additional information to process this request – (910)313-3336 / jch@jchearne.law.com.

Sincerely,



J. C. Hearne, II

JCHII: KL

Adjacent Property Owners

- | | | |
|----|---|---------------------------|
| A) | Matthew K. Krise and wife, Pasha H. Krise
Richard M. Krise and wife, June R. Krise
2218 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-037-003-000 |
| B) | Clancy A. Gray
2220 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-037-002-000 |
| C) | Letitia L. Wisecup and spouse, Traci A. Duerr
2222 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-037-001-000 |
| D) | Donald E. Hardison, Sr. and wife,
Joyce G. Hardison
2311 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-040-000 |
| E) | Michael Ray Hardison and wife,
Julie A. Hardison
2221 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05407-024-010-001 |
| F) | Amanda Kristin Briese
2308 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-037-000 |
| G) | Mary Colleen Pittman Batson and husband,
Jimmy Bryan Batson
Mary Janine Batson Tremain and husband,
Todd Charles Tremain
2302 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-039-000 |
| H) | MIMG CLXVIII FOREST HILLS SUB, LLC
VAN BUREN PROPERTIES, LLC
295 North Highway 83, Suite 14B
Franktown, CO 80116 | PARCEL R05408-010-033-000 |
| I) | City of Wilmington
P.O. Box 1810 / 305 Chestnut Street
Wilmington, NC 28402 | NO PARCEL ID |
| J) | Keith Miller
2312 Gibson Avenue
Wilmington, NC 28403 | PARCEL R05408-010-036-000 |

PROPERTY DESCRIPTION OF THAT PORTION OF THE PUBLIC RIGHT-OF-WAY OF SOUTH 23rd STREET ON THE SOUTH SIDE OF GIBSON AVENUE PROPOSED TO BE CLOSED. IN NEW HANOVER COUNTY, NORTH CAROLINA.

COMMENCING AT AN EXISTING IRON PIPE IN THE SOUTHERN RIGHT-OF-WAY OF GIBSON PLACE, (50' WIDE PUBLIC RIGHT-OF-WAY), THE NORTHWESTERN CORNER OF THE AMANDA BRIESE PROPERTY, DEED BOOK 6309, PAGE 1650, LOTS 5 AND 6 OF CAROLINA PLACE, BLOCK 1, MAP FOUND IN DEED BOOK 48, PAGE 180,

THENCE WITH THE SOUTHERN RIGHT-OF-WAY OF SAID GIBSON AVENUE, AND THE NORTHERN LINE OF THE MARY AND JIMMY BATSON PROPERTY, DEED BOOK 4355, PAGE 521, LOTS 6, 7 AND 8, CAROLINA PLACE, BLOCK 1, MAP FOUND IN DEED BOOK 48, PAGE 180, NORTH 84°32'19" WEST, 98.94 FEET TO A NEW REBAR (SET) IN THE EASTERN RIGHT-OF-WAY OF SOUTH 23rd STREET, (50' WIDE PUBLIC RIGHT-OF-WAY, UNIMPROVED), THE TRUE POINT OF BEGINNING, **(POB)**;

THENCE WITH THE EASTERN RIGHT-OF-WAY OF SAID SOUTH 23rd STREET, SOUTH 05°27'00" EAST, 113.00 FEET TO A NEW REBAR (SET), THE SOUTHWESTERN CORNER OF SAID LOT 8, IN THE NORTHERN LINE OF A 10' WIDE ALLEY, UNIMPROVED, THE NORTHERN LINE OF THE MIMG CLXIII FOREST HILLS SUB, LLC AND THE VAN BUREN PROPERTIES, LLC, TRACT, DEED BOOK 6374, PAGE 1289, MAP BOOK 32, PAGE 250 AND MAP BOOK 9, PAGE 3,

THENCE WITH THE NORTHERN LINE OF SAID TRACT, SOUTH 84°33'00" WEST, 50.11 FEET TO A NEW REBAR (SET) IN THE EASTERN LINE OF THE LETITA WISECUP AND TRACI DUERR PROPERTY, DEED BOOK 6123, PAGE 1536,

THENCE WITH THE EASTERN LINE OF SAID PROPERTY, NORTH 04°58'01" WEST, 113.00 FEET TO AN EXISTING NAIL IN THE SOUTHERN RIGHT-OF-WAY OF GIBSON AVENUE, (50' WIDE PUBLIC RIGHT-OF-WAY),

THENCE WITH SAID RIGHT-OF-WAY, NORTH 84°32'54" EAST, 49.16 FEET TO A NEW REBAR (SET), THE TRUE POINT OF BEGINNING, **(POB)**

THE DESCRIBED TRACT HAS A CALCULATED AREA OF 5,608 SQUARE FEET. ALL BEARINGS ARE REFERENCED TO THE MAP FOR CAROLINA PLACE, BLOCK 1, FOUND IN DEED BOOK 48, PAGE 180. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

