

TOWN OF LIBERTY

239 S. Fayetteville Street | PO Box 1006 | Liberty, NC 27298

Office (336) 622-4276 | Fax (336) 622-2665

www.Liberty-NC.com

A G E N D A

Town Council Council Meeting

April 22, 2024 – 5:30 PM

- 1. Call to Order**
 - 1.1. Pledge of Allegiance
 - 1.2. Invocation / Moment of Silence
- 2. Adoption of Agenda**
- 3. Randolph County District Attorney Andy Gregson - Project Safe Neighborhoods**
- 4. Community Staffing Levels - Detective William Summers**
- 5. Public Hearing McNeill Capital Rezoning Request 3477 Hinshaw Country Road From R40 to RMF (Residential Multi Family)**
- 6. Public Hearing Hall/Cox Legislative Review Request Industrial to R6 E Lowe Ave**
- 7. Code Enforcement Report**
- 8. Finance Report**
- 9. Approval of Minutes**
 - 9.1 Budget Retreat - March 5, 2024
 - 9.2 Budget Retreat - March 12, 2024
 - 9.3 Work Session - March 18, 2024
 - 9.4 Council Meeting - March 25, 2024
- 10. Consent Agenda**
 - 10.1 Backflow Program Resolution
 - 10.2 Budget Amendment #22 - Streets
 - 10.3 Budget Amendment # 23 - Library
 - 10.4 Proclamation National Day of Prayer
- 11. Old Business**
 - 11.1 Duke Easement Request
- 12. New Business**
- 13. Administrative Reports**
 - 13.1 Manager's Report
- 14. Committee Reports**
 - 14.1 ABC Board Update - Douglas Hardin
- 15. Council Comments**
- 16. Mayor Comments**
- 17. Adjourn**

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 22, 2024
Item:	Randolph County District Attorney Andy Gregson - Project Safe Neighborhoods

Attachment:	No
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Brief Description:

PSN is a program specifically designed to combat violent crime. PSN Randolph has been up and running since February 2020. It is a formal partnership between the District Attorney, the US Attorney, local and state law enforcement, and federal law enforcement. The program is data driven to identify and focus on violent offenders. It emphasizes extensive intelligence sharing and coordination about identified offenders. There is an emphasis on quality investigations to ensure good outcomes in state and federal court. To this end cases are subject to extensive review and very high-quality training is made available. Identified offenders are marked and all law enforcement agencies are focused on these individuals and their cases are prioritized. This Federal program has been implemented in many jurisdictions across America with outstanding results.

Staff Recommendation:

Discuss.

Town of Liberty
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(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 22, 2024
Item:	Community Staffing Levels - Detective William Summers

Attachment:	No
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Brief Description:

Detective William Summers has completed a leadership class with the Law Enforcement Leadership Institute developed by the Coastal Plains Law Enforcement Training Center located in Wilson, NC. In particular Detective Summers looked at staffing levels for our community and it was on this that his final project was based. He wishes to present an abbreviated version of it to the Council.

Staff Recommendation:

Discuss.

**Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax**

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Public Hearing McNeill Capital Rezoning Request 3477 Hinshaw Country Road from R40 to RMF Monday April 22, 2024 5:30 PM

Attachment:	Yes
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Brief Description:

There will be an advertised legislative Public Hearing for a rezoning request from McNeill Capital Rezoning 3477 Hinshaw Country Road from R40 to RMF (residential multi family) on Monday April 22, 2024. Interested parties may speak at this time.

Staff Recommendation:

Discuss and vote after the Public Hearing.

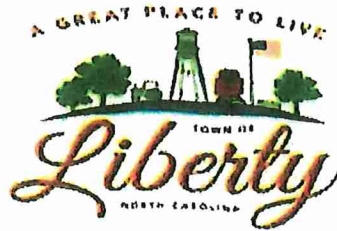


GENERAL USE REZONING REQUEST

ABSTRACT:	<p>A legislative review request by applicant McNeill Capital, LLC – Jeremy McNeill, for a rezoning request from R40 (Residential 40,000 square feet) to RMF (Residential Multi-Family) on parcel 8736318014, approximately 25.41 acres, located at 3577 Hinshaw Country Rd.</p>
BACKGROUND:	<p>McNeill Capital, LLC submitted the application for a zoning map amendment on February 15, 2024.</p> <p>Currently, the property is zoned R40. The request to rezone to Residential Multi-Family (RMF) will allow the applicant the potential for more density. The RMF zoning permits a minimum lot size of 6,000 square feet for single family dwellings and 10,000 square feet for 2-family. However, due to watershed regulations, single family detached dwellings are only permitted on a lot size of 0.5 acres minimum.</p> <p>Any subdivision of a lot to create more than 6 lots is considered a major subdivision. Major subdivisions are a legislative process that is reviewed by the Planning Board and sent to Town Council for a decision on the proposal.</p> <p>The Town Planning Board, at their regularly scheduled meeting on March 13, 2024, recommended approval to the Town Council by a vote of 6-0. No citizens had comments for the request.</p>
DISCUSSION:	<p>The Town of Liberty Land Development Plan 2024 (LDP) identifies this property within the High Density/Infill classification. That description is to identify “areas designated for higher density residential development...that could serve as a transition to soften the impact of other commercial uses” (page 54).</p> <p>The maximum amount of area permitted to be developed for single-family detached dwellings, per the watershed ordinance, is one dwelling per 0.5 acres if connected to municipal utilities (water and sewer). If the property is proposed to provide single-family attached and above (duplex/townhome, triplex, etc) then</p>



	<p>a SUP for a SNIA may be applied for. This could allow up to 70% built upon area (BUA).</p> <p>There is a water feature that runs north and south through the property. This, under the low density development option, would require a 50' buffer at a minimum. If the property is developed under a SNIA and exceeds 24% of BUA, the minimum buffer width would be 100' at a minimum. There is no floodplain noted on the property.</p> <p>The adjacent zoning to the west is Industrial, to the north and east is R40, and to the south is Industrial and R40.</p>
<p>RECOMMENDATION:</p>	<p>The Town Council shall review and discuss the request. The following statements are provided:</p> <p>APPROVE the request -OR- DENY the request. -OR- TABLE the request for further discussion to a future Town Council meeting.</p>
<p>ATTACHMENTS:</p>	<p>Attachment A includes the signed consistency statement for compliance with the Land Development Plan. Attachment B is the applicant's application. Attachment C is the Ordinance for Approval or Denial. Attachment D is the Resolution for Approval.</p>



ATTACHMENT A

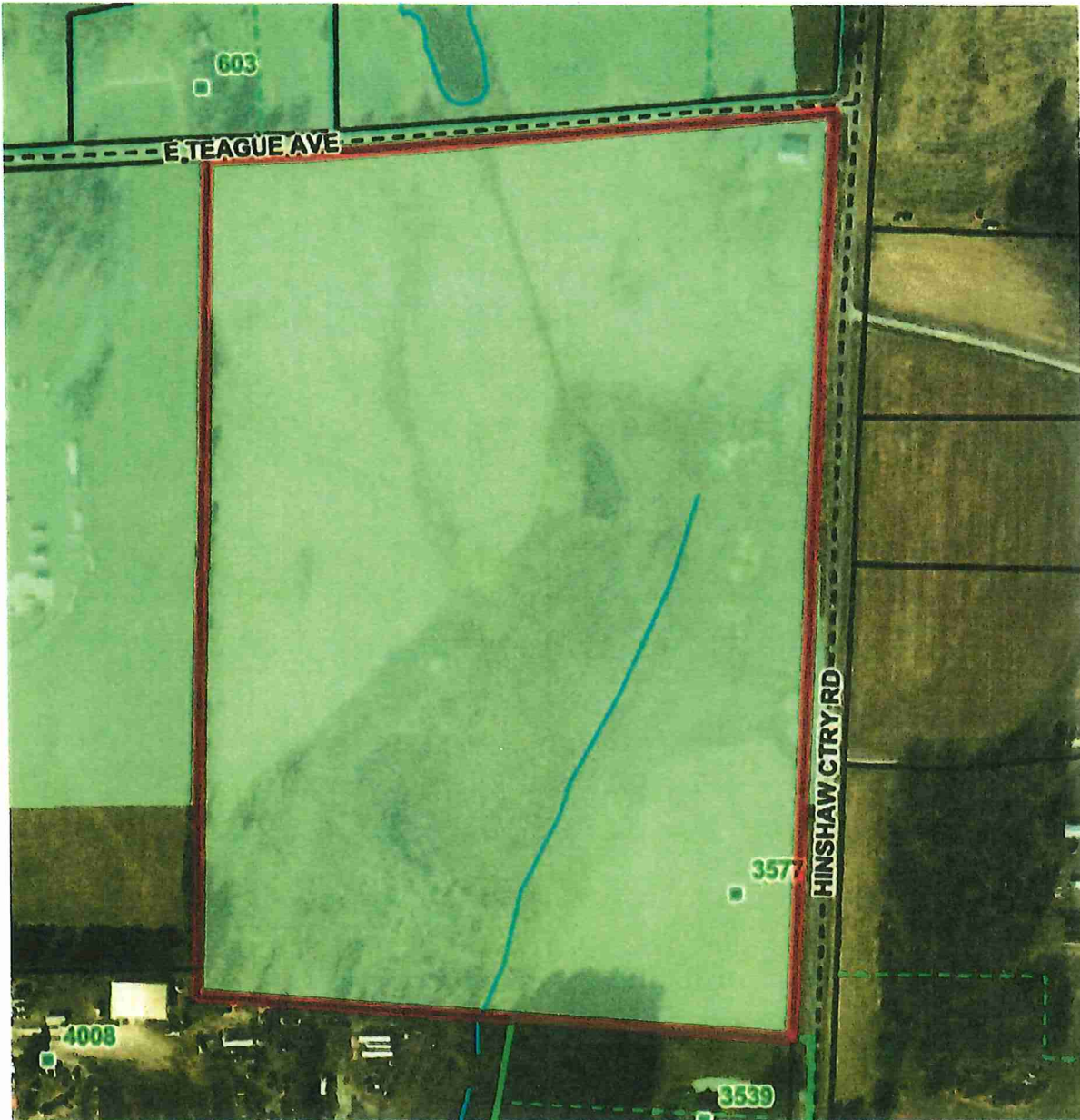
Town of Liberty Land Development Plan Consistency Statement
*For McNeill Capital, LLC on behalf of Jeremy McNeill, for the property addressed 3577
Hinshaw Country Rd*

In accordance with 160D-605(a), the requested rezoning is consistent with the objectives of the Town of Liberty Land Development Plan (the "Plan"), due to its location, size, and proposed zoning district use. This area of the Plan is proposed to be developed as high density/infill. The property is located at 3577 Hinshaw Country Rd, parcel number 8736318014. Specifically, the Plan supports this rezoning primarily by the following statements:

1. This property is within the Municipal Growth Area (MGA), as described and shown on pages 56-57 of the Plan. "Suitable development sites within MGAs should be given the highest level of encouragement and incentives for short-range development".
2. The Town will participate in the cost of providing or enhancing water mains and sewer outfalls leading to properties in Municipal and Primary Growth areas..." (page 56).
3. High Density Residential/Infill is an area designated for higher density residential development and non-residential uses that could serve as a transition to soften the impact of other commercial uses.

Kevin Bowman
Planning Board Chair

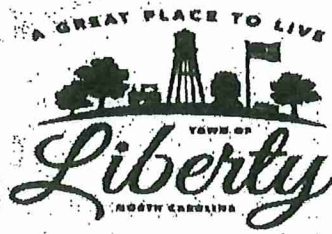
3/13/24
Date



Attachment C

Town of Liberty • P. O. Box 1006 • 128 South Fayetteville Street • Liberty, NC 27298
Phone (336) 622-4276 • Fax (336) 622-2665 • www.Liberty-NC.com

Attachment B



COPY

APPLICATION FOR GENERAL USE REZONING
Fee: \$550 due with application

APPLICANT INFORMATION:

Name McNeill Capital, LLC - Jeremy McNeill
Mailing Address PO Box 4367
City, State, Zip Asheboro, NC 27204
Phone Number 336-328-7195
Email mcneilljeremy@yahoo.com

PROPERTY OWNER INFORMATION (if different):

Name McNeill Capital, LLC - Jeremy McNeill
Mailing Address PO Box 4367
City, State, Zip Asheboro, NC 27204
Phone Number 336-328-7195
Email mcneilljeremy@yahoo.com

REZONING REQUEST INFORMATION

Parcel number: 8736318014 Address: 3577 Hinshaw Country Rd, Liberty NC 27298
Property acreage: 25.41 Acreage to be rezoned: 25.41
Current zoning: R-40 Requested zoning: RMF
Deed book and page: 2851 / 761 Plat book and page: 150 / 77
Subdivision (if applicable): Section Lot #

Please provide, at a minimum, a map or plat of the proposed rezoning of the property, a copy of the legal description of the property, and a completed application.

Please answer the following questions (if any questions are left unanswered, the application shall be deemed incomplete). Please use additional sheet(s) for responses to the following:

- 1. Is there any alleged error in this chapter which would be corrected by the proposed amendment?
2. The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally...
3. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan; and
4. All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

PLEASE SIGN THE MOST ACCURATE SIGNATURE OPTION(S)

1. I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

[Signature] 2-14-24
Signature Date
Jeremy E McNeill
Printed Name

2. I hereby certify that (print) _____ is an authorized agent for said property and is permitted by me to file this application.

Signature Date

Printed Name

3. I acknowledge that I am not the landowner OR authorized agent of the property for which this application is being made, but I do live within the zoned area of the Town.

Signature Date

Printed Name

STAFF USE ONLY		
Watershed: <u>WS III</u>	Floodmap #: <u>8726K</u>	Floodmap date: <u>1/2/2008</u>
Floodzone?: <u>X</u>	Received: <u>February 19</u> , 20 <u>24</u>	Fee amount: \$ <u>550</u>
Method of payment: <u>check</u> cash card	Staff signature and title: <u>[Signature]</u> <u>Asst. Town Manager</u>	

COPY



Gardner Engineering, PLLC

Engineering – Land Planning – Permitting

PO Box 3048, Asheboro, NC 27204

NC Engineering Firm #: P-2804

Phone: 336-302-4949

Email: zach@gardnerengineeringpllc.com

Feb. 16th, 2024

E. Teague Ave - Rezoning Request

Application Questions & Answers

PIN Number: 8736318014

Rand Co. Parcel Id Number: 79293

Property Address: 3577 Hinshaw Country Rd, Liberty, NC 27298

Questions below are taken from the Liberty Rezoning application with responses listed in bold.

1. Is there any alleged error in this chapter which would be corrected by the proposed amendment? If so, please provide a detailed explanation of the error in the chapter and detailed reasons how the proposed amendment will correct the same.
No errors known at the time of this application.
2. The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare;
The proposed zoning amendment will allow the subject property to be developed with a higher number of single family homes to provide housing for the anticipated influx of families moving to the Liberty, NC area.
3. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan; and
Per conversations with the Town of Liberty Staff the proposed rezoning and future development of single family home lots complies with the Land Development Plan.
4. All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.
There is a perceived need for additional housing in Liberty, NC and the proposed rezoning will allow this need to be better met in the future.

SCHEDULE A

BEGINNING at a 60 d set at the base of a 5/8" existing iron rod in at the intersection of centerline of E. Teague Avenue (Town of Liberty Street/unknown right of way) within the 60' right of way of Hinshaw Country Rd, SR #2426, corner of Jan G. & Martha Lowe (Book 1770, Page 1021); running thence from said Beginning along a line within the right of way of Hinshaw Country Rd (SR #2426) to points not set the following courses and distances: South 04 degrees 02 minutes 00 seconds West 129.70 feet, South 03 degrees 33 minutes 56 seconds West 150.24 feet, South 03 degrees 12 minutes 06 seconds West 150.15 feet, South 03 degrees 04 minutes 24 seconds West 150.03 feet, South 03 degrees 04 minutes 24 seconds West 149.95 feet, and South 03 degrees 12 minutes 29 seconds West 149.96 feet to a point not set in the western right of way line of Hinshaw Country Rd (SR #2426); thence continuing along the western right of way line of Hinshaw Country Rd (SR #2426) to points not set the following courses and distances: South 03 degrees 14 minutes 41 seconds West 149.87 feet, South 03 degrees 40 minutes 25 seconds West 149.85 feet and South 03 degrees 42 minutes 43 seconds West 150.01 feet to 60 d set at base of 1" existing iron pipe, northeast corner of Kenneth H. Kivett (Book 1108, Page 841); thence along the northern line of Kenneth H. Kivett North 86 degrees 15 minutes 49 seconds West 407.62 feet to a 3/4" existing iron pipe down 12", common corner of Kenneth H. Kivett and James T. Ellis, IV (Book 1753, Page 779); thence along the northern line of James T. Ellis, IV, North 85 degrees 28 minutes 20 seconds West 453.15 feet to a 3/4" existing iron pipe down 2"; thence continuing along line of James T. Ellis, IV North 01 degree 23 minutes 20 seconds East 38.95 feet to an existing iron rod 0.67" east of line as shown on Moore Land Surveyors, Job No. 3073, common corner of James T. Ellis, IV, and MBR Associates (Book 1894, Page 2455); thence along line of MBR Associates North 01 degree 23 minutes 20 seconds East 753.34 feet to a 1" existing iron pipe down 2" and North 01 degree 24 minutes 44 seconds East 414.83 feet to an existing 80 d spike down 8" within the right of way of E. Teague Avenue, also being in the line of James F. Lowe (Book 1975, Page 832); thence along the centerline of E. Teague Avenue and James F. Lowe in part and Jan G. & Martha P. Lowe in part, North 86 degrees 19 minutes 37 seconds East 909.87 feet to the point and place of Beginning, containing 25.722 acres, more or less, and being shown on plat entitled "Survey for Greg Brittenham" by Survey Carolina, PLLC, dated January 5, 2017, and being recorded in Plat Book 150, page 77, in the Office of the Register of Deeds of Randolph County, North Carolina.



Attachment C

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF LIBERTY
McNeill Capital, LLC, property addressed 3577 Hinshaw Country Rd

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 25.41 acres, being all of parcel 8736318014, located at 3577 Hinshaw Country Rd, Liberty, NC 27298, from 40 (Residential 40,000 square feet) to RMF (residential multifamily) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is consistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

1. The application to rezone all of the property described as Parcel No. 8736318014, and being approximately 25.41 acres as depicted in Attachment "A", located at 3577 Hinshaw Country Rd, from R40 to RMF, is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



**AN ORDINANCE DENYING THE ZONING MAP AMENDMENT OF THE TOWN OF
LIBERTY**

McNeill Capital, LLC, property addressed 3577 Hinshaw Country Rd

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 25.41 acres, being all of parcel 8736318014, located at 3577 Hinshaw Country Rd, Liberty, NC 27298, from 40 (Residential 40,000 square feet) to RMF (residential multifamily) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is inconsistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be unsuitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to not meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

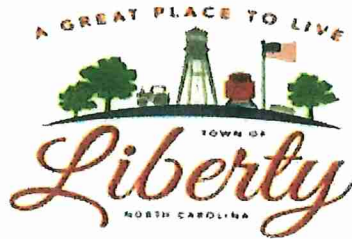
3. The application to rezone all of the property described as Parcel No. 8736318014, and being approximately 25.41 acres as depicted in Attachment "A", located at 3577 Hinshaw Country Rd, from R40 to RMF, is denied.
4. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



Attachment D

RESOLUTION OF THE TOWN OF LIBERTY TOWN COUNCIL

**APPROVING A CONSISTENCY STATEMENT AND STATEMENT OF
REASONABLENESS FOR THE APPROVAL OF**

McNeill Capital, LLC, property addressed 3577 Hinshaw Country Rd

WHEREAS, the Town of Liberty Town Council has received the application to rezone Parcel 8736318014 (the "Amendment") and finds that the same is consistent with the Town of Liberty Land Development Plan; and

WHEREAS, in addition, the Town of Liberty Town Council considers the Amendment to be reasonable and in the public interest because the rezoning to Residential Multifamily is consistent with the Land Development Plan by supporting residential growth.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Liberty Town Council that, for the reasons set forth above, the Amendment and presented documentation are found to be consistent with the Town of Liberty Land Development Plan and are determined to be reasonable and in the public interest.

Adopted, this the 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty

**Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax**

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Public Hearing Hall Cox Legislative Review Request Industrial to R6 E Lowe Avenue Monday April 22, 2024 5:30 PM

Attachment:	Yes
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Brief Description:

There will be an advertised legislative Public Hearing for a rezoning request by applicant Kimberly Hall and Cheryl Cox, trustees of the property, for Industrial (I) to Residential 6,000 square feet (R6) on portions of parcels 8736113237 and 8736104815, approximately 1.96 acres, located at E Lowe Avenue on Monday April 22, 2024 5:30 PM. Interested parties will be heard at this time.

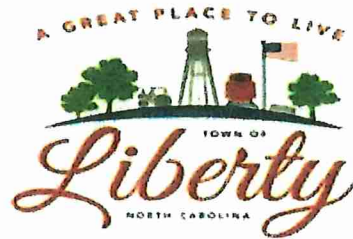
Staff Recommendation:

Discuss and vote after the Public Hearing.

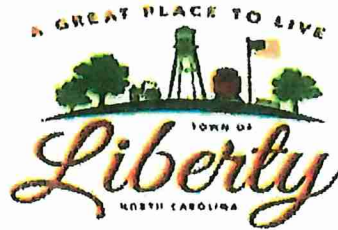


GENERAL USE REZONING REQUEST

ABSTRACT:	A legislative review request by applicant Kimberly Patterson Hall and Cheryl Causey Cox, trustees of the property, for a rezoning request from Industrial (I) to Residential 6,000 square feet (R6) on portions of parcels 8736113237 and 8736104815, approximately 1.96 acres, located at E Lowe Avenue.
BACKGROUND:	<p>Cheryl Causey Cox submitted the application on August 31, 2023. The request was put on hold until the adoption of the Land Development Plan update, which was adopted by Town Council on February 26, 2024.</p> <p>Currently, the properties are zoned Industrial. The request to rezone to R6 will allow the 1.96 acres the possibility of placing a dwelling on this lot by right as opposed to going through a Special Use Permit process. The remainder of the property, approximately 8.38 acres, will be left as Industrial.</p>
DISCUSSION:	<p>The Town of Liberty Land Development Plan 2024 (LDP) identifies this property within the High Density/Infill classification. That description is to identify “areas designated for higher density residential development...that could serve as a transition to soften the impact of other commercial uses” (page 54).</p> <p>There are no water features or floodable area on the property.</p> <p>The adjacent zoning to the west is R12, to the north is R12 and I, east is I, and to the south is R12 and R6.</p> <p>The Town Planning Board, at their regularly scheduled meeting on March 13, 2024, recommended approval to the Town Council by a vote of 6-0. No citizens had comments for the request.</p>
RECOMMENDATION:	<p>The Town Council shall review and discuss the request. The following statements are provided:</p> <p>APPROVE the request -OR- DENY the request.</p>



	<p>-OR- TABLE the request for further discussion to a future Town Council meeting.</p>
ATTACHMENTS:	<p>Attachment A includes the signed consistency statement for compliance with the Land Development Plan. Attachment B is the applicant's application. Attachment C is the Ordinance for Approval or Denial. Attachment D is the Resolution for Approval.</p>



ATTACHMENT A

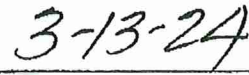
Town of Liberty Land Development Plan Consistency Statement *For Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon Causey Trustee properties*

In accordance with 160D-605(a), the requested rezoning is consistent with the objectives of the Town of Liberty Land Development Plan (the "Plan"), due to its location, size, and proposed zoning district use. This area of the Plan is proposed to be developed as high density/infill. The properties are located off E Lowe Ave and are identified by parcel numbers 8736113237 and 8736104815. Specifically, the Plan supports this rezoning primarily by the following statements:

1. This property is within the Municipal Growth Area (MGA), as described and shown on pages 56-57 of the Plan. "Suitable development sites within MGAs should be given the highest level of encouragement and incentives for short-range development".
2. The Town will participate in the cost of providing or enhancing water mains and sewer outfalls leading to properties in Municipal and Primary Growth areas..." (page 56).
3. High Density Residential/Infill is an area designated for higher density residential development and non-residential uses that could serve as a transition to soften the impact of other commercial uses.



Planning Board Chair



Date

Randolph County, NC

Recombination Plat -





APPLICATION FOR GENERAL USE REZONING

Fee: \$550 due with application

APPLICANT INFORMATION:
 Name Kimberly Patterson Hall, Trustee
 Mailing Address 731 S. Fayetteville St.
 City, State, Zip Liberty, N.C., 27298
 Phone Number 336-508-8105
 Email Kophall@icloud.com

PROPERTY OWNER INFORMATION (if different):
 Name _____
 Mailing Address _____
 City, State, Zip _____, _____
 Phone Number _____
 Email _____

REZONING REQUEST INFORMATION
 Parcel number: 8736113237 & 8736104615 Address: Lowe Ave.
 Property acreage: 10.34 Acreage to be rezoned: 1.96
 Current zoning: Industrial Requested zoning: Residential (R6)
 Deed book and page: _____ / _____ Plat book and page: _____ / _____
 Subdivision (if applicable): _____, Section _____, Lot # _____

Please provide, at a minimum, a map or plat of the proposed rezoning of the property, a copy of the legal description of the property, and a completed application.

Please answer the following questions (if any questions are left unanswered, the application shall be deemed incomplete). Please use additional sheet(s) for responses to the following:

1. Is there any alleged error in this chapter which would be corrected by the proposed amendment? If so, please provide a detailed explanation of the error in the chapter and detailed reasons how the proposed amendment will correct the same;
2. The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare;
3. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan; and
4. All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

PLEASE SIGN THE MOST ACCURATE SIGNATURE OPTION(S)

1. I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

Kimberly Patterson Hall, Trustee 2-26-24
Signature Date

Kimberly Patterson Hall
Printed Name

2. I hereby certify that (print) _____ is an authorized agent for said property and is permitted by me to file this application.

Signature Date

Printed Name

3. I acknowledge that I am not the landowner OR authorized agent of the property for which this application is being made, but I do live within the zoned area of the Town.

Signature Date

Printed Name

STAFF USE ONLY		
Watershed: <u>WS III</u>	Floodmap #: <u>8724K</u>	Floodmap date: <u>1/2/2008</u>
Floodzone?: <u>No X</u>		
Received: <u>2/19</u>	2024 Fee amount: \$ <u>550</u>	
Method of payment: <u>check</u> cash card		
Staff signature and title: <u>[Signature]</u> <u>Asst Town Manager</u>		

2/26/2024

To Whom It May Concern:

The attached map shows the 1.96 acres that we wish to change the zoning from Industrial to Residential. Part of the 1.96 acres comes from parcel 8736104815 and part of the 1.96 acres comes out of parcel 8736113237. This 1.96 acres will be used by our daughter Wendy Hall Mitchell and her husband. They are planning to build a new home on this site.

Thank you,

Kimberly Patterson Hall, Trustee + Sole Beneficiary

Kimberly Patterson Hall, Trustee to the Shelly and Janice Patterson Family Trust

pd #100
OK

TOWN OF LIBERTY APPLICATION FOR ZONING MAP AMENDMENT

Applicant Cheryl Causey Cox
Applicant's Address 6410 Beulah Church Road
Liberty NC 27299
Applicant's Phone Number (336) 337-6482

COPY

A One Hundred dollar (\$100.00) filing fee is required for any amendment.

PROVIDE ANSWERS AND OR INFORMATION AS REQUIRED BELOW:

The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.

Changing from industrial to residential/farm to allow family to build home

The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan.

Family wishes to build personal home on land. →

All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

This property has remained in our family for many centuries and we would like for it to remain family land.

Property Owner's Name J.M. Smith Heirs *Kimberly Patterson Hall Trustee*
Cheryl Causey Cox Trustee

Title to the property was acquired _____, 20____

The Deed is recorded in Deed Book 2595/2292/391, on Page 74/70/67/65 = Book 2595

The Randolph Co. Parcel Identification (PIN)# _____, Section _____, Lot # 842 = Book 2292
021 = Book 397

Subdivision _____, Section _____, Lot # _____
Plat Book _____ Page _____

See Back →

See Back of pg #1 →

Liberty Zoning Ordinance

Exact Location of Property (Plat Reference or Street Address)

136-11-3231 07 8.33 acres South Fayetteville Street & East Lane Av. Liberty NC

Area of Property (sq. ft or acres)

(2) 2.01 acres 157 East Lane Avenue Liberty NC 8.33 / 2.01

Present Zoning District

Industrial

Requested Zoning District

residential/farm

Attach a fully dimensioned map, at a scale of not more than 200 feet to the inch, showing the land which would be covered by the proposed amendment.

Attach a legal description of such land.

COPY

Attach a list of all adjoining property owners, including across any streets or roads.

The Walden Gordon Causey Trust - Cheryl Causey, Co. Trustee
Kimberly Patterson Hall & Kimberly Patterson Hall, Trustee of the SM WIV Patterson Family Trust

Applicant signature:

Cheryl Causey, Co.

Date:

August 29 2023

Received and found complete by:

ATK

Date:

8/31/23

Durable Power of Attorney of Waldo Gordon Causey

I, Waldo Gordon Causey of 6421 Beulah Church Road, Liberty, North Carolina, am creating a durable power of attorney intended to comply with North Carolina law. I hereby revoke all powers of attorney previously granted by me as Principal and terminate all Agency relationships created by me except:

- (i) powers granted by me under any Healthcare Power of Attorney;
- (ii) powers granted by me on forms provided by financial institutions granting the right to write checks on, deposit funds to and withdraw funds from accounts to which I am a signatory; and
- (iii) powers granting access to a safe deposit box.

Article One Appointment of Agent

Section 1.01 Initial Agent

I appoint Cheryl Lynn Causey Cox to serve as my Agent.

Section 1.02 Successor Agent

If Cheryl Lynn Causey Cox resigns, dies, becomes incapacitated, is not qualified to serve, or declines or otherwise fails to serve, I appoint Donald Alvin Cox, Jr. to serve as my successor Agent.

Section 1.03 Self-Dealing

My agent may engage in acts of self-dealing, even if state law restricts acts of self-dealing. Unless expressly prohibited by another provision of this Durable Power of Attorney, my Agent may enter into transactions on my behalf in which my Agent is personally interested, so long as the terms of such transaction are fair to me. For example, my Agent may purchase property from me at its fair market value without court approval.

Section 1.04 Default of Designation

If nobody is serving as my Agent under this Durable Power of Attorney, Cheryl Lynn Causey Cox may appoint a successor Agent by written instrument acknowledged before a notary public and attached to this Durable Power of Attorney.

and principal from this trust in my absolute discretion. While I am living,
I am the only beneficiary of trust income or principal.

Section 1.5 Family Information

I am unmarried, and I have two children: Cheryl Causey Cox and Shawn Gordon Causey. All references in this agreement to "my children" are references to these children. References to "my descendants" are to my children and their descendants. References to "my grandchildren" are only to Donald Alvin Cox, Jr. and William Vaden Causey to the exclusion of my great-grandchildren or any future-born or future-adopted grandchildren of mine.

**Article 2
Trustee Succession Provisions**

Section 2.1 Resignation of a Trustee

A Trustee may resign by giving written notice to me. If I am deceased, a resigning Trustee will give written notice to the income beneficiaries of the trust and to any other Trustee then serving.

Section 2.2 Trustee Succession

If I cease to act as Trustee for any reason, I appoint Cheryl Causey Cox, followed by Donald Alvin Cox, followed by Donald Alvin Cox, Jr. to serve successively, in that order, as my successor Trustee.

Section 2.3 Removal and Replacement of Trustees

(a) Removal and Replacement

I may remove any Trustee, with or without cause, and I may appoint an individual or corporate successor Trustee that simultaneously commences service as Trustee.

(b) Default of Designation and Appointment of Trustee

If the office of Trustee of a trust created under this agreement is vacant and no designated Trustee is able and willing to act, I must appoint an individual or corporate successor Trustee. If I am incapacitated or deceased, a vacancy in the office of Trustee shall be filled by the following persons in the order named: 1) Cheryl Causey Cox, 2) Donald Alvin Cox, 3) Donald Alvin Cox, Jr., 4) a majority of adult income beneficiaries, 5) a court of law if such vacancy persists for more than thirty days.

Waldo Gordon Causey Trust

COPY

BK 2728 PG 7 (2)

This document presented and filed:
11/16/2020 12:33:28 PM

DEED
Fee \$28.00 Excise Tax: \$0.00



Randolph County North Carolina
Krista M. Lowe, Register of Deeds

COPY

NORTH CAROLINA GENERAL WARRANTY DEED

Parcel Identifier 8736-11-3237 & 8736-10-4815

Excise Tax \$0.00

Prepared, without title examination, by Andrew M. Brower, Attorney with Brower Law, PLLC (919) 946-0856
After recording, mail to Brower Law, PLLC at 4932 Tower Road Unit C, Greensboro, N.C. 27410

Brief description for the Index

Two Parcels

THIS DEED made this 11th day of November, 2020 by and between

GRANTOR

GRANTEE

Waldo Gordon Causey
Widower

Waldo Gordon Causey, Trustee of
The Waldo Gordon Causey Trust,
dated September 9, 2016

6421 Beulah Church Road
Liberty, North Carolina 27298

6421 Beulah Church Road
Liberty, North Carolina 27298

WITNESSETH, that Grantor, for love and affection and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee, Grantor's fifty-percent (50%) undivided interest in all those certain lots or parcels of land situated in Liberty Township, Randolph County, North Carolina, and more particularly below.

PARCEL 1: 8736-11-3237

Consisting of 8.33 acres, more or less, located just off South Fayetteville Street and East Lowe Avenue, Liberty, N.C. 27298, acquired from S M Smith. Being the same property described in the deeds recorded at Book 2595, Page 76, Book 2595, Page 70, Page 2595, Page 67, Book 2595, Page 65, Book 2292, Page 842, and Book 397, Page 621, Randolph County Registry.

PARCEL 2: 8736-10-4815

Consisting of 2.01 acres, more or less, located at 757 East Lowe Avenue, Liberty, N.C. 27298, acquired from S M Smith; said parcel being the same property described in the deeds recorded at Book 2595, Page 76, Book 2595, Page 70, Page 2595, Page 67, Book 2595, Page 65, Book 2292, Page 842, and Book 397, page 621, Randolph County Registry.

The other fifty-percent undivided interest in the property described herein is owned in various interests among Kimberly Patterson Hall and Kimberly Patterson Hall, Trustee of The S.M. and J.W. Patterson Family Trust.

THIS TRANSFER DOES NOT INCLUDE THE PRIMARY RESIDENCE OF GRANTOR.

TO HAVE AND TO HOLD unto Grantee, their ^{Successors And} heirs and assigns in fee forever the aforesaid lots or parcels of land and all of their privileges and appurtenances.

COVENANTS AND WARRANTY: Grantor covenants with Grantee that they are seized of the property interest described herein; that they have the right to convey the same in fee; and that they will warrant and defend title against the lawful claims of all persons whomsoever.

This conveyance is made subject to easements, rights of way and restrictions of record and to the current year's ad valorem taxes.

IN WITNESS WHEREOF, Grantor has hereunto set their hand and seal this the 11th day of November, 2020.

Waldo Gordon Causey (Seal)
Waldo Gordon Causey

COPY

STATE OF NORTH CAROLINA, RANDOLPH COUNTY

I, Andrew Brower, a Notary Public in and for said County and State, do hereby certify that Waldo Gordon Causey personally appeared before me this day and, first being duly sworn, acknowledged the execution of the foregoing deed.

Witness my hand and official seal this 11th day of November, 2020.

Andrew Brower N.P.
Andrew Brower

My commission expires: January 13, 2025.
Seal - Stamp

Andrew Brower
Notary Public
State of North Carolina
Randolph County
My Commission Expires 01/13/2025



Attachment C

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF LIBERTY
Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon
Causey Trustee properties

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 1.96 acres, being portions of parcels 8736113237 and 8736104815, located off E Lowe Ave, Liberty, NC 27298, from I (Industrial) to R6 (residential 6,000 square feet) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is consistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

1. The application to rezone portions of the property described as Parcel No's. 8736113237 and 8736104815, and being approximately 1.96 acres as depicted in Attachment "A", located off E Lowe Ave, from I to R6, is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty

Town of Liberty • P. O. Box 1006 • 128 South Fayetteville Street • Liberty, NC 27298
Phone (336) 622-4276 • Fax (336) 622-2665 • www.Liberty-NC.com



**AN ORDINANCE DENYING THE ZONING MAP AMENDMENT OF THE TOWN OF
LIBERTY**

Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon
Causey Trustee properties

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 1.96 acres, being portions of parcels 8736113237 and 8736104815, located off E Lowe Ave, Liberty, NC 27298, from I (Industrial) to R6 (residential 6,000 square feet) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is inconsistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be unsuitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to not meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

3. The application to rezone portions of the property described as Parcel No's. 8736113237 and 8736104815, and being approximately 1.96 acres as depicted in Attachment "A", located off E Lowe Ave, from I to R6, is denied.
4. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



Attachment D

RESOLUTION OF THE TOWN OF LIBERTY TOWN COUNCIL

**APPROVING A CONSISTENCY STATEMENT AND STATEMENT OF
REASONABLENESS FOR THE APPROVAL OF**

Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon Causey Trustee properties

WHEREAS, the Town of Liberty Town Council has received the application to rezone Parcels 8736113237 and 8736104815 (the "Amendment") and finds that the same is consistent with the Town of Liberty Land Development Plan; and

WHEREAS, in addition, the Town of Liberty Town Council considers the Amendment to be reasonable and in the public interest because the rezoning to Residential 6,000 square feet is consistent with the Land Development Plan by supporting residential growth.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Liberty Town Council that, for the reasons set forth above, the Amendment and presented documentation are found to be consistent with the Town of Liberty Land Development Plan and are determined to be reasonable and in the public interest.

Adopted, this the 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 22, 2024
Item:	Code Enforcement Update

Attachment:	No
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Brief Description:

A representative from State Code Enforcement, Inc. will introduce themselves and answer any questions.

Staff Recommendation:

Receive report and discuss.

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 22, 2024
Item:	Finance Report

Attachment:	Yes
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Brief Description:

Finance Director Kathy Bond will give a monthly Finance Report for Council's consideration and approval.

Staff Recommendation:

Review and discuss if needed.



Finance Monthly Report for the Month of:
April 2024

Reporting on the Month of March 2024

	Date	Gross Wage	Hourly:	Salaried:	Council	Retiree	Qtrly
1	Processed Payroll						
	3/1/2024	\$ 95,976.34	39	23			
	3/15/2024	\$ 92,589.22	33	23			
	3/28/2024	\$ 98,954.15	44	23	6		
	Total:	\$287,519.71					
	Date	Dollar Amt	Regular Bills	Email Bills	Final Bills	Regular Bills	Email Bills
2	Utility Billing	\$145,902.87	1176	240	493.01	6	2
	Date	Dollar Amt	A/P Checks				
3	Processed Accounts Payable	\$457,300.42	102	\$164,640.00	NCDEQ (Sewer)		
	3/28/2024			\$50,688.20	Ellington Contractors		
				\$29,223.74	Carolina Water Systems		
	Date	Current Dollar Amt Rcvd	Last Year Dollar Amt Rcvd			Percentage	
4	Rcvd Sales & Use Tax for Dec 2023	\$98,322.68	\$90,629.38	Compared to last Fiscal Year		Up 8.4%	
5	Utility Franchise Tax	\$41,646.56	\$39,955.57	Compared to last Fiscal Year		Up 4.2%	
6	Rcvd DMV Tax for NE Fire Dept (Feb 2024 Coll)	\$2,792.84	\$2,072.44	Compared to last Fiscal Year		Up 34.7%	
7	Rcvd Prop Tax for NE Fire Dept (Feb 2024 Coll)	\$11,062.89	\$8,472.99	Compared to last Fiscal Year		Up 30.5%	
8	Rcvd DMV Taxes (Feb 2024 Coll)	\$11,657.28	\$13,593.15	Compared to last Fiscal Year		Down 14.24%	
9	Rcvd Prop Taxes (Feb 2024 Coll)	\$59,127.55	\$52,986.90	Compared to last Fiscal Year		Up 11.58%	
	Additional Revenue						



Utility Adjustments Quarterly Report Reporting for Jan 2024 thru Mar 2024

Month	Type	Consumption Adjustment	Dollar Amount
1/31/2024	Leak Adjustments	101,533	\$1,425.32
2/29/2024	Leak Adjustments	798,597	\$11,215.63
3/31/2024	Leak Adjustments	162,803	\$2,150.35
		1,062,933	\$14,791.30

Break Down of Utility Adjustments

Descriptions	Consumption	Dollar Amount
Leak Adjustment	\$14,791.30	1,062,933
Totals	\$ 14,791.30	1,062,933

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Duke Easement Request

Attachment:	Yes
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Brief Description:

Around April 1, 2024, Duke Energy Progress, LLC, submitted a request for an easement across Town property on parcel 872699638 for underground utilities (power) to support parcel 8726995502, owned by Russell Lineberry.

Staff Recommendation:

Discuss.



April 10, 2024

Cover Letter for Duke Easement Request

Town Council,

On or around April 1, 2024, Duke Energy Progress, LLC submitted a request for an easement across Town property on parcel 8726993638 for underground utilities (power) to support parcel 8726995502, owned by Russell Lineberry.

The current use of the Town property houses a well. There is no above ground power lines on N Staley St., and this is the only property that will front N Staley St.

Town staff and legal have discussed what is requested. Concerns raised were that there is no easement plat submitted, and the language in the proposed easement agreement is vague. This does not provide enough information on the exact location and right-of-way for the requested underground power easement. This is a vacant lot and the landowner was approved through Town zoning for a dwelling in 2022 (attached).

Please direct further questions to William Flowe Jr., Town Attorney, and/or Janie Phelps, Assistant Town Manager.



Joseph Walsh <jwalsh@townoflibertync.org>

DUKE ENERGY//259 W BROOKWOOD AVE

1 message

Walker, Ashley <Ashley.Walker@duke-energy.com>
To: "jwalsh@townoflibertync.org" <jwalsh@townoflibertync.org>

Mon, Apr 1, 2024 at 1:49 PM

Good afternoon,

My name is Ashley. I am a Land Agent for Duke Energy. We are extending a new underground primary line from pole E569AF to a new home on your neighbors' property. Please see the attached row map along with the needed easement document.

Attached is the easement document that needs to be executed for the above referenced property.

State Statutes govern certain standards that must be met in order to record legal documents at the various Register of Deeds offices. Please use the guidelines below when signing and notarizing the easement document(s). This will expedite the handling process and ensure it meets the standard recording requirements for each county in North Carolina.

- Print easement on 8 ½ x 11 paper. Do NOT print double sided.
- Easement must be signed by all parties as listed on the easement document(s).
- Easement must be signed and sealed before a notary.
- Name(s) should be signed on the signature line(s) and listed in the notary section exactly as they appear in the beginning of the easement document(s).
- Name(s) should be legible and signed in blue or black ink.
- Notary stamp must be legible and stamped over the "watermark" area on the easement.
- Signatures, notary stamps, etc. which extend into the top margin or the ½" margins on each side of the document will be rejected by the Register of Deeds offices. Please ensure margins are kept clear of all writing or stamps.

Please do not alter the easement document. Any changes, additions, or deletions to the language will render the easement null and void.

Please email a PDF to me Ashley.Walker@duke-energy.com AND send the signed original easement to me at the address below.

Duke Energy Progress, LLC

Attn: Ashley Walker

331 Birch Ave

Spring Lake, NC 28390

Duke Energy will schedule work once all necessary easements are received. Thank you in advance for your cooperation.

If you have any questions, feel free to contact me at (910)849-9025.

Thank you.

Ashley Walker

Agent

Land Services Distribution Revenue

c: 910-849-9025

www.Ashley.Walker@duke-energy.com

www.awalker@orcolan.com



2 attachments



615NStaleyStRowMap.png
585K



TOWN-NEW EASEMENT-8726993638.pdf
163K



REID	77296	OWNER ADDRESS2	LIBERTY
PIN	8726993638	OWNER CITY	NC
TAXED ACREAGE	0.91	OWNER STATE	27298
PROPERTY DESCRIPTION	BROOKWOOD;SMITH	OWNER ZIP	

Basemap Gallery Search Map Themes Select Info Web Maps Print

8726998679

WO# 52989272
 615 N STALEY ST LIBERTY
 DESIGNER: WILL SIMPSON 910-703-2706
 WILLIAM.SIMPSON@DUKE-ENERGY.COM

PARCEL: 8726993638
 OWNER: TOWN OF LIBERTY
 CONTACT: JOE WALSH 336-264-3991
 JWALSH@TOWNOFLIBERTYNC.ORG

PARCEL: 8726993522
 OWNER: WILLIAM RODRIGUEZ

PARCEL: 8726995502
 CONTACT: RUSSELL LINEBERRY 336-669-6910
 r.lineberry1965@yahoo.com

ROW NEEDS: PLEASE OBTAIN ROW FROM ALL 3 PARCELS LISTED ABOVE FOR NEW UG SERVICE. PLEASE SEND EASEMENTS FOR LINEBERRY AND RODRIGUEZ PARCEL TO r.lineberry1965@yahoo.com

0 60 ft
 Powered by Esri

State of North Carolina DOT, Esri, HERE, DeLorme, INCREMENT P, NOAA USGS

*South
 Done*

Prepared by: Duke Energy Progress, LLC
Return to: Duke Energy Progress, LLC
Attn: Ashley Walker
331 Birch Ave
Spring Lake, NC 28390

Parcel # 8726993638

EASEMENT

State of North Carolina
County of Randolph

THIS EASEMENT ("Easement") is made this ____ day of _____ 20____, from **THE TOWN OF LIBERTY**, a North Carolina municipal corporation ("**Grantor**", whether one or more), to **DUKE ENERGY PROGRESS, LLC**, a North Carolina limited liability company ("**Grantee**").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "**Facilities**").

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book 512, Page 122**, Randolph County Register of Deeds ("**Property**").

The Facilities shall be underground, except as needed on or above the ground to support the underground Facilities, and located in, upon, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land twenty feet (20') in uniform width, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20 ____.

THE TOWN OF LIBERTY
a North Carolina municipal corporation

_____(SEAL)
FILMORE YORK, Mayor

Attest:

JESSICA BROWN, Town Clerk

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____ County, State of _____, certify that JESSICA BROWN personally appeared before me this day and acknowledged that he/she is Town Clerk of THE TOWN OF LIBERTY, a North Carolina corporation, and that by authority duly given and as the act of said corporation, the foregoing EASEMENT was signed in its name by its Mayor, sealed with its official seal, and attested by herself/himself as its Town Clerk.

Witness my hand and notarial seal, this ____ day of _____, 20 ____.

Notary Public: _____

Commission expires: _____

Town of Liberty Zoning Compliance Permit

Date 11/10/2022

Number 22 1814

Applicant	Russell Linebery 6841 Lavton Rd Liberty NC 27298																		
Owner	same																		
	Liberty NC 27298	Phone	336-669-6910																
Contractor	same																		
	Liberty NC 27298	Phone																	
Location	<u>Staley St</u>	Pin # (s)	8726995502																
Subdivision		Lot #																	
Census Tract	ED	BG																	
Zone	R12	Flood Zone	No																
		Within Watershed	Yes																
Lot Area Sq.ft.	16,988.00	Within Corporate Limit	No																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Front Yd Setback</td> <td>Min Side Yd Setback</td> <td>Rear Yd Setback</td> <td>Max Height ft.</td> </tr> <tr> <td>30 feet</td> <td>20 feet each side</td> <td>10 feet</td> <td></td> </tr> <tr> <td colspan="4">NOTE: All property abutting a street is considered front yard for setbacks.</td> </tr> <tr> <td>Floor Area Ratio</td> <td>Max. Floor Area - SqFt</td> <td colspan="2">0.00</td> </tr> </table>				Front Yd Setback	Min Side Yd Setback	Rear Yd Setback	Max Height ft.	30 feet	20 feet each side	10 feet		NOTE: All property abutting a street is considered front yard for setbacks.				Floor Area Ratio	Max. Floor Area - SqFt	0.00	
Front Yd Setback	Min Side Yd Setback	Rear Yd Setback	Max Height ft.																
30 feet	20 feet each side	10 feet																	
NOTE: All property abutting a street is considered front yard for setbacks.																			
Floor Area Ratio	Max. Floor Area - SqFt	0.00																	
Type Constr.	Single Family	Class of Work	New																
Proposed Bldg Area-Sq ft	1300	#Structures 1	# of Units 1																
Site Plan Required	Yes	Buffer/ Screen Required	No																
Area Uncovered - Sq ft		# Parking Spaces Required																	
SE & SC Permit required		SE&SC Permit issued																	
BOA#	CUP#	SUP#																	
Additional Information																			
<p><u>New Single Family Home - Follow Set backs.</u></p> <p><u>Town Water and Sewer is available.</u></p> <p><u>Will be a new water and sewer connection.</u></p>																			
<p><u>No building, structure, or zoning lot for which a Zoning Compliance Permit has been issued shall be used or occupied until a Certificate of Zoning Compliance has been issued, after final inspection, indicating compliance with all provisions of the Zoning Ordinance.</u></p>																			

Approved by _____

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 22, 2024
Item:	ABC Board Update - Douglas Hardin

Attachment:	No
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Brief Description:

ABC Board Chair Douglas Hardin will give a quarterly update.

Staff Recommendation:

Review and discuss.