

PETITION TO PERMANENTLY CLOSE A STREET OR ALLEYWAY

The undersigned Petitioner, **T.S. Investments, LLC**, a North Carolina Limited Liability Company, respectfully petition the City Council of the City of Asheville (Pursuant to N.C. General Statutes Sec. 160A-299) to permanently close portion of Jarrett Street as more particularly described and shown on "Composite Exhibit A" attached hereto and made a part hereof, and more particularly described as:

See "COMPOSITE EXHIBIT A"

Petitioner submits, in support of the Petition to Permanently Close a Street or Alleyway, the property owners adjoining the street or alley to be permanently closed are:

NAME	PROPERTY ADDRESS	PARCEL IDENTIFICATION NUMBER
<u>Petitioner:</u>		
T.S. Investments, LLC	50 Jarrett Street Asheville, NC 28806	9638-25-1024-00000
<u>Adjoining Property Owners*:</u>		
Ira G. Bernstein	35 Dunwell Avenue Asheville, NC 28806	9638-25-0070-00000
David W. Chambers	55 Dunwell Avenue Asheville, NC 28806	9638-25-1177-00000

Petitioner and the Adjoining Property Owners agree to the permanent closure of a portion of Jarrett Street. Affidavits from the Adjoining Property Owners are attached as "Composite Exhibit B."

WHEREFORE, the Petitioner respectfully requests that the portion of Jarrett Street, identified in Composite Exhibit A be permanently closed.

Executed this ___ day of October, 2015.

BY: T.S. Investments, LLC

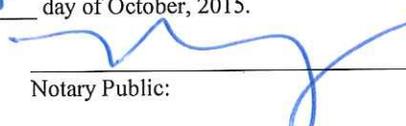
 (Seal)
Catherine W. Durham, Member/Manager

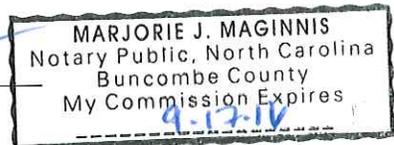
 (Seal)
John Thomas Durham, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, Marjorie J. Maginnis, a Notary Public for said County and State, certify **Catherine W Durham and John Thomas Durham**, as Member/Managers of **T.S. Investments, LLC**, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged that they are the Members/Managers of **T.S. Investments, LLC**, a North Carolina Limited Liability Company and that by authority duly given and as the act of the foregoing instrument was signed in its name by them as Members/Managers.

Witness my hand and official seal, this the 5th day of October, 2015.


Notary Public:



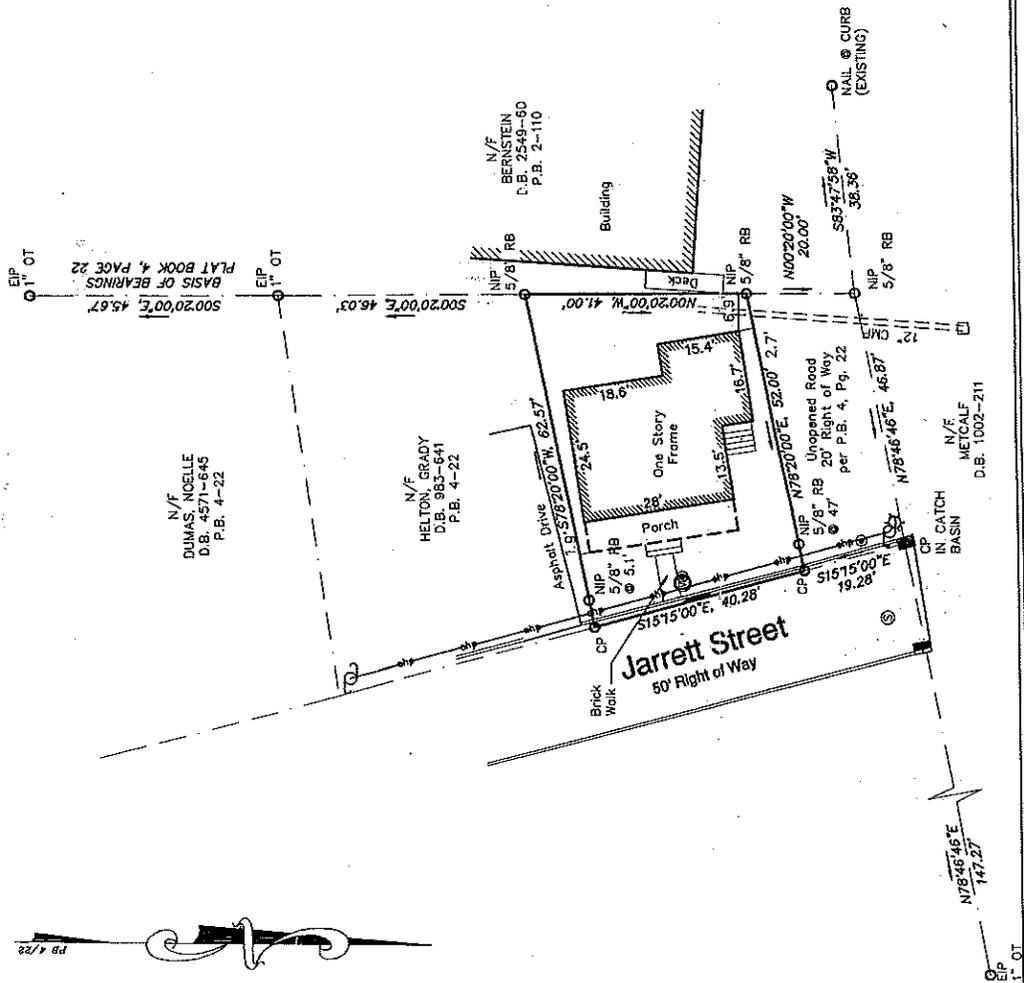
COMPOSITE
“EXHIBIT A”

Composite Exhibit A

Description of that portion of Jarrett Street proposed to be closed:

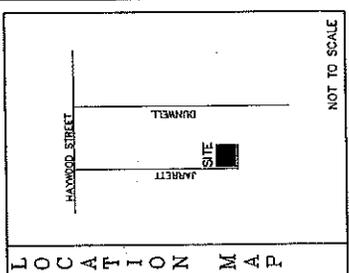
That portion of Jarrett Street shown as the “Unopened Road, 20’ Right of Way, per P.B. 4, Pg. 22,” as shown on a survey drawn by Freeland-Clinkscales & Associates, Inc. for T S Investments, LLC, dated May 21, 2009 (the “Survey”). (A Copy of the Survey is attached hereto and incorporated by reference herein).

Jarrett Street, including the portion referenced above, is shown on a plat drawn for James Jarrett dated May 18, 1923 and recorded in Plat Book 4, Page 22, Buncombe County Register of Deeds. (A copy of the above referenced plat is attached hereto and incorporated by reference herein).



LEGEND:

○	NIP NEW IRON PIN (5/8" REBAR)
○	EIP EXISTING IRON PIN
○	CP CALCULATED POINT ONLY
○	POWER POLE
○	LIGHT POLE
○	WATER VALVE
○	GAS VALVE
○	WATER METER
○	FIRE HYDRANT
○	SANITARY SEWER MANHOLE
○	STORM DRAIN MANHOLE
○	CATCH BASIN
○	CLEANOUT
○	CURB INLET
○	TRANSFORMER
○	OVERHEAD UTILITY
○	FENCE LINE



Not For Recordation

This added drawing and/or all copies of it are not transferable to any future owner(s) of the plotted property and shall not be used or relied upon by future owner(s) and/or their representatives for any reason without written consent by the professional surveyor.

This is to certify that the property shown on this plat was surveyed under my direct supervision. Property lines and improvements are located correctly and that no visible encroachments exist unless otherwise shown.

STATE OF NORTH CAROLINA
 Buncombe County, City of Asheville

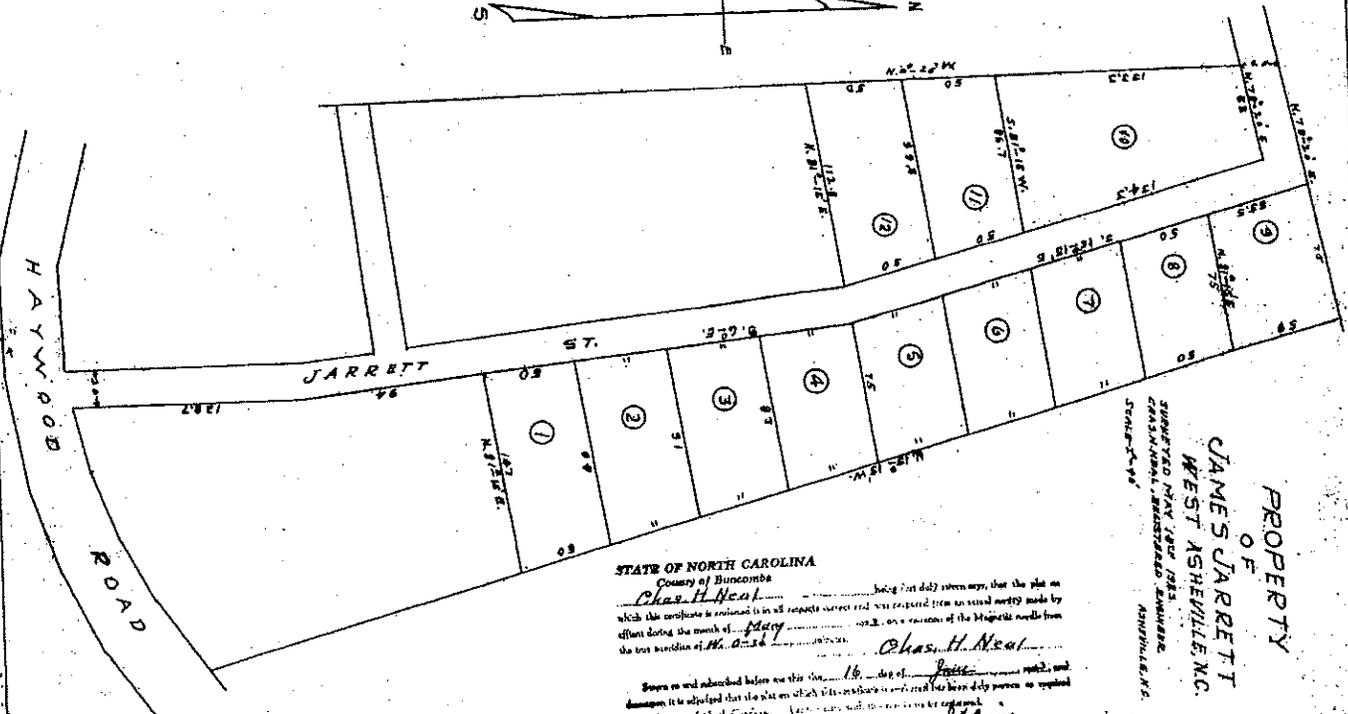
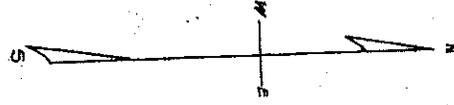
Survey for
T S Investments, LLC
 50 Jarrett Street
 Port of Lot 10, James Jarrett S/D

PREPARED BY: CLINKSCALES & ASSOCIATES, INC. OF N.C.
 ENGINEERS & LAND SURVEYORS
 201 2nd AVE. EAST
 HENDERSONVILLE, N.C. 28792
 (828) 897-6539
 Fax: (828) 687-4196

DATE: May 21, 2009
 DWS: NO. H29060

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Revised



PROPERTY
OF
JAMES JARRETT
WEST ASHEVILLE, N.C.
SURVEYED MAY 19th 1923
CHAS. H. NEAL, SURVEYOR
ASHEVILLE, N.C.

STATE OF NORTH CAROLINA
County of Buncombe
Chas. H. Neal being first duly sworn, that the plat on which this certificate is returned is in all respects correct and was prepared from an actual survey made by himself during the month of May 1923, on a section of the magnetic needle from the true meridian of N. 82.5
Chas. H. Neal
Signed and subscribed before me this 16 day of June, 1923, and I certify that the plat on which this certificate is returned has been duly sworn as required by the Statute of North Carolina.
Edison
Clerk Superior Court, Buncombe County.

NOTE
Please do not mark or
write upon this plat.



**COMPOSITE
“EXHIBIT B”**

AFFIDAVIT

I, David W. Chambers, do hereby state that I have no objection to the City of Asheville closing that portion of Jarrett Street described as:

That portion of Jarrett Street shown as the "Unopened Road, 20' Right of Way, per P.B. 4, Pg. 22," as shown on a survey drawn by Freeland-Clinkscales & Associates, Inc. for T S Investments, LLC, dated May 21, 2009.

Signed this 8 day of Sept, 2015.


David W. Chambers

Sworn to and subscribed before me this 8th day of September, 2015.




Notary Public:
My Commission Expires: 04-10-19

AFFIDAVIT

I, Ira G. Bernstein, do hereby state that I have no objection to the City of Asheville closing that portion of Jarrett Street described as:

That portion of Jarrett Street shown as the "Unopened Road, 20' Right of Way, per P.B. 4, Pg. 22," as shown on a survey drawn by Freeland-Clinkscales & Associates, Inc. for T S Investments, LLC, dated May 21, 2009.

Signed this 3rd day of Sept., 2015.

Ira G. Bernstein (Seal)
Ira G. Bernstein

Sworn to and subscribed before me this 3rd day of Sept., 2015.

(Seal)

Marjorie Maginnis
Notary Public: Marjorie Maginnis
My Commission Expires: 9.17.16

