

REMAINING PORTION RELEASED AND SPREAD UPON THE MINUTES ON
FEBRUARY 12, 2019

PORTION ON KEN TOODLE LAWSUIT RELEASED AND SPREAD UPON THE
MINUTES AT THE TUESDAY, AUGUST 11, 2009, TOWN COUNCIL MEETING

APPROVED AND SEALED AT TUESDAY, OCTOBER 7, 2003, TOWN COUNCIL
MEETING

CLOSED SESSION MINUTES
TOWN OF MOREHEAD CITY
TUESDAY, JULY 8, 2003

The Morehead City Council met in Closed Session as per G.S. 143.318[a][3] following the regular Council Meeting to review the City Manager's Employment Agreement and to discuss a boundary dispute between the Town of Morehead City and William F. Britt regarding property on 25th Street and Bay Street near the Public Works building. Those present were: Mayor Gerald A. Jones, Jr., Councilmen Floyd Chadwick, Paul Cordova, Robert Howard, John Nelson, Demus Thompson, City Manager R. Randy Martin, City Attorney Nelson W. Taylor, III, and City Clerk Jeanne Giblin.

City Manager's Employment Agreement:

Attorney Taylor presented the revised employment agreement previously reviewed and discussed by the Council. Manager Martin confirmed that the contract before the Council was the same that was reviewed previously with the exception that the salary and sick leave numbers were updated.

Councilman Chadwick stated he saw no problem with the contract. It was the consensus of the Council to consider approval of the contract as revised.

Boundary Dispute on 25th Street and Bay Street:

City Attorney Taylor distributed a map depicting the boundary dispute between the Town of Morehead City and William F. Britt. The property is near the proposed sod area for the Wastewater Treatment Plant project. The map depicts a straight line across the northern boundaries of all the lots shown, with the exception of an area on the northern boundary of William F. Britt's property.

Jimmy Powell did the survey for the Town of Morehead City depicting the straight line across the back of all the properties including Mr. Britt's property. John Collier did the survey for Mr. Britt which depicts the extra property on the northern edge of the boundary line into the City's property. City Attorney Taylor has not had an opportunity to discuss this with Mr. Collier.

Mr. Britt has a fence encompassing a portion of the City's property and is adamant that the property belongs to him.

In a discussion with City Engineer Tyndall Lewis, it was ascertained that this little piece of land is not believed to be crucial to the project, but it is still believed to be City property. Another difficulty would be other adjoining property owners also suggesting that if Mr. Britt's property extends north into City property, maybe theirs does also. Mr. Britt states that his fence has been there for several years.

In order for the Wastewater Treatment Plant project to be funded, it was necessary to have a minimum of five [5] acres.


City Attorney Taylor continued that he is sending Mr. Britt a letter advising him to remove the fence.

Councilman Thompson suggested going back to John Collier and request further information.

City Attorney Taylor wanted to apprise the Council of this situation.

Councilman Cordova MOVED, seconded by Councilman Chadwick, and carried unanimously, to return to OPEN SESSION.

TOWN OF MOREHEAD CITY



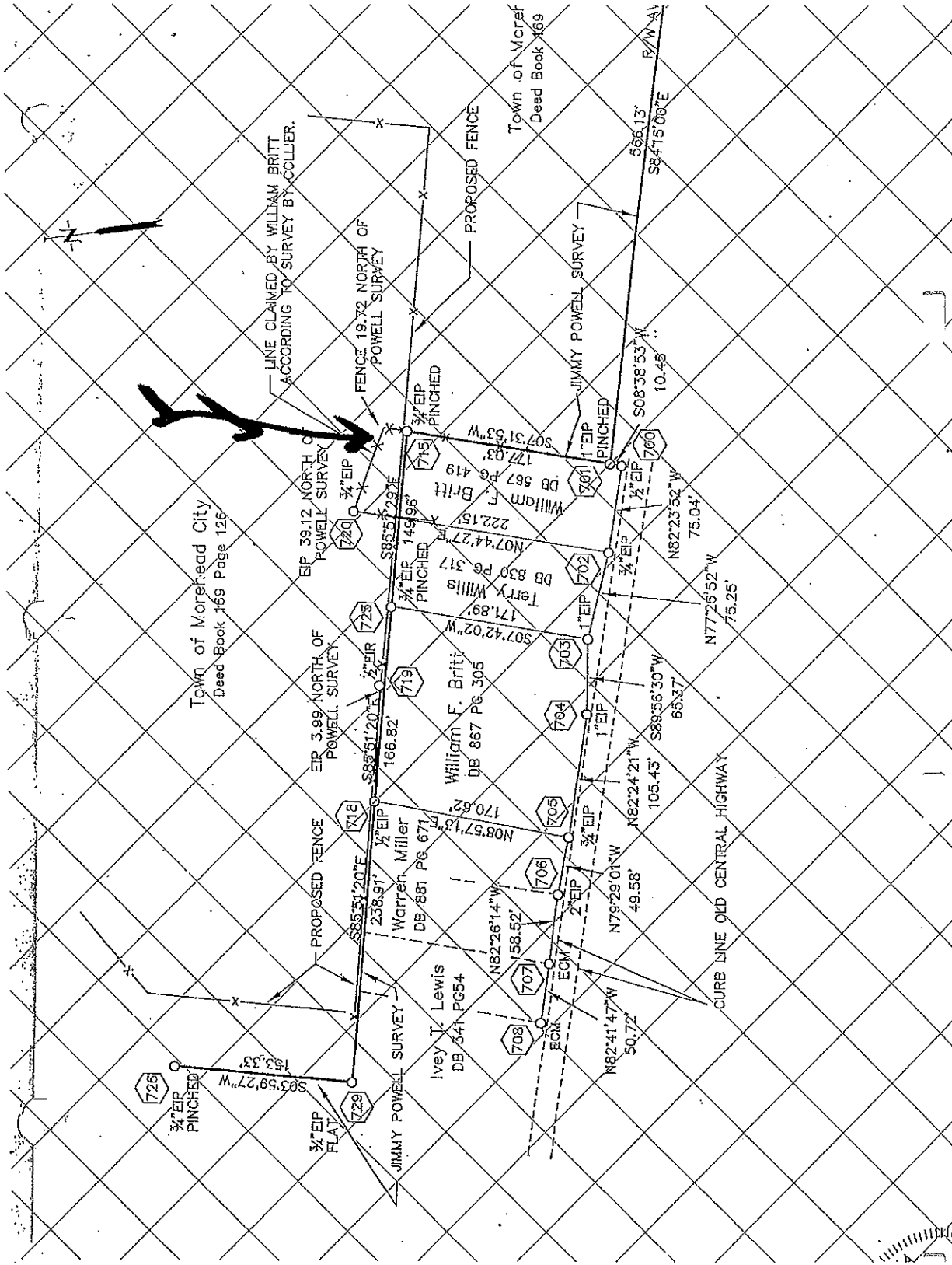
Gerald A. Jones, Jr., Mayor

Attest:



Cathy Campbell, City Clerk





Town of Morehead City
Deed Book 769 Page 126

Town of Morehead
Deed Book 769

LINE CLAIMED BY WILLIAM BRITT
ACCORDING TO SURVEY BY COLLIER.

FENCE 19.72 NORTH OF
POWELL SURVEY

IR 3.99 NORTH OF
POWELL SURVEY

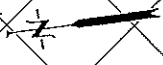
PROPOSED FENCE

JIMMY POWELL SURVEY

PROPOSED FENCE

JIMMY POWELL SURVEY

CURB LINE OLD CENTRAL HIGHWAY



726
3/4 EIP
PINCHED

729
3/4 EIP
FLAT

Ivey T. Lewis
DB 541 PG 54

Warren Miller
DB 881 PG 671

William F. Britt
DB 887 PG 305

Terry Willis
DB 830 PG 317

William T. Britt
DB 567 PG 419

715
3/4 EIP
PINCHED

701
1 EIP
PINCHED

700
1/2 EIP

702
1/2 EIP

703
1 EIP

704
1 EIP

705
1/2 EIP

706
1/2 EIP

707
2 EIP

708
ECM

S03°59'27"W 153.33'

S85°51'20"E 238.91'

S85°51'20"E 166.82'

S85°51'20"E 149.66'

S07°42'02"W 171.89'

S07°31'53"W 177.03'

S08°38'53"W 10.45'

S82°23'52"W 75.04'

N77°26'52"W 75.25'

N82°24'21"W 105.43'

S89°56'30"W 65.37'

N79°29'01"W 49.58'

N82°41'47"W 50.72'

566.13'

S84°15'00"E

R/W-A1