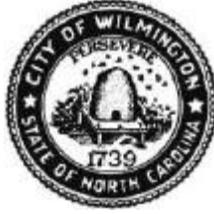


Resolution



City Council
City of Wilmington
North Carolina

Introduced By: Rebecca L. Hawke, City Manager

Date: 3/24/2026

Resolution Officially Accepting Public Streets, Pedestrian Improvements, and Storm Drainage Facilities within William Booth Drive

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, the street and drainage improvements within William Booth Drive have been constructed and completed, and have been dedicated as public, and offered for ownership, operation, and maintenance by the City, in accordance with the City Code of Ordinances, Chapter 18, Land Development Code; and,

WHEREAS, City staff has determined that the dedicated improvements and related appurtenances, within the public rights-of-way and public drainage easements, have been constructed to City standards and in accordance with City requirements, and it is in the best interest of the City that the improvements be accepted as public.

THEREFORE, BE IT RESOLVED:

THAT, the City of Wilmington hereby accepts for ownership, operation, and maintenance the public improvements constructed and completed as part of the Salvation Army Corps Community Center and Center of Hope project.

THAT, the street and associated easements are set forth in Exhibit 'A' attached hereto and incorporated by reference and comprise a total of 0.30 miles of streets eligible for Powell Bill Street Aid, as follows:

- The 0.45 mile section of William Booth Drive (60-foot right-of-way) from 30th Street to Kornegay Avenue, as shown on Map Book 76 at Page 376.
- Sidewalk and Drainage easements recorded at Deed Book 6795 at Pages 383-387 and Deed Book 6795 at Page 388-392

THAT, the improvements are valued as follows:

Roadway Construction Cost

(does not include & sewer utilities)

\$1,348,750

Land Value of Rights-of-way (3.20 acres)	\$111,493
Land Value of Easements (0.23 acres)	\$4,859
Total Value	\$1,465,102

THAT, this resolution shall not be interpreted in any way to relieve any developer, contractor, subcontractor, insurance company, owner, or other person of his individual or several obligations under any ordinance, policy, or contract, or to otherwise reduce or eliminate the rights of the City, its agents, and employees against any other party connected with or in any way related to the development of these subdivisions or the installation, operation, and maintenance of all public facilities within said subdivisions. Furthermore, this resolution is not to be interpreted as a waiver of any defense or immunity which the City, its agents, or employees may assert or have been entitled to.

THAT, all rights, privileges, and warranties of whatsoever nature and kind, for equipment, supplies, materials, goods, and services shall be assigned to the City, and any and all benefits derived therefrom shall inure to the City, its agents, and employees. Such acceptance is conditioned upon the owners covenanting and warranting that they are lawfully seized and possessed of all the property dedicated to the public; that they have good and lawful authority to dedicate the same to the public for the stated purposes; that the property is free and clear of any deed of trust, mortgage, lien, or assessments, and that the said dedicators for their heirs, successors, executors, administrators, and assigns, covenant that they will warrant and defend the dedication of such public facilities against any and all claims and demands whatsoever.

THAT, the acceptance of dedication of these facilities does not obligate the City to construct, install, maintain, repair, replace, extend, improve, build, or operate any public facilities or utilities which are not in existence as of the date of the adoption of this resolution.

THAT, upon acceptance, the City will maintain required public infrastructure only, including sidewalks, multi-use paths, pavement, curbing, and drainage. The City will not maintain decorative landscape and hardscape elements within the right-of-way or easements being accepted. The City Attorney's office and City Manager are authorized to execute necessary landscape agreement(s).

THAT, the improvements described above and hereby officially accepted by the City of Wilmington, shall be subject to a guarantee of materials and workmanship by the developer, at the developer's expense, for a period of eighteen (18) months from the date of official acceptance by the City.

THAT, this official acceptance shall become effective immediately upon adoption of this resolution.

Adopted at a _____ meeting

On _____ 2025

Attest:

Penelope Spicer-Sidbury, City Clerk

Bill Saffo, Mayor

Approved As To Form:

City Attorney