



Board Action Report

File #: 18-418, **Version:** 1

Commissioner Worley - County Attorney - To Schedule a Public Hearing for the Request to Close a Portion of Stowe Lane and Lake Street, Located in South Point Township

STAFF CONTACT

Charles Moore - County Attorney - 704-866-3194

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The Board of Commissioners received a petition to close a portion of Stowe Lane and Lake Street. The area in question to be closed is bounded by four parcels of common ownership. The relevant portion of the right of way known as Stowe Lane is a gravel road not maintained by the NCDOT and terminates at the northern part of the applicant's parcels. (The part of Stowe Lane north of the applicant's property is maintained by the NCDOT.) The relevant portion of the right of way known as Lake Drive is not maintained by the NCDOT and terminates south of the southernmost section of the applicant's parcels. These two roads do not connect with each other. Due to topography, it is unlikely the NCDOT will create improvements to connect both right-of-ways.

Pursuant to G.S. 153A-241, the Board of Commissioners may close said right-of-ways, subject to the results of a public hearing on the issue.

The proposed area to be closed is bounded on the north by Parcels 182731 and 207077. It is bounded on the south by Parcels 300082 and 300082. The Petitioner, Charles Dean Morgan, owns all four parcels, and if the right of way is closed, each parcel will receive title to the center line of the applicable section of the right of way area closed. The proposed public hearing will be at the regularly scheduled Board of Commissioners meeting on January 22, 2019.

POLICY IMPACT

The proposed road closure will not impact County policy. Unlike most roads in the County, the roads in question have not been dedicated to the North Carolina Department of Transportation. Consequently, the County has authority to close this right of way and any interest it may have had in the right of way as opposed to merely recommending a course of action to the North Carolina Department of Transportation. Although GIS and original plats to the subdivision indicate that the two right of ways connect to each other, there is a wooded and hilly land between both right of ways.

ATTACHMENTS

Petition and Map