

## Legislation Details (With Text)

|                      |  |                      |   |                               |  |
|----------------------|--|----------------------|---|-------------------------------|--|
| <b>File #:</b>       | 15-9507  | <b>Version:</b>      | 1 | <b>Name:</b>                  |  |
| <b>Type:</b>         | Public Hearing Item  | <b>Status:</b>       |   | Agenda Ready                  |  |
| <b>File created:</b> | 10/31/2018   | <b>In control:</b>   |   | City Council Business Meeting |  |
| <b>On agenda:</b>    | 11/26/2018   | <b>Final action:</b> |   | 11/26/2018                    |  |
| <b>Title:</b>        | Public Hearing on a Resolution to Close an Unopened Alleyway Off of Spencer Street                     |                      |   |                               |  |
| <b>Attachments:</b>  | 1. Council Map Spencer St, 2. Resolution to Close a portion of an unopened alleyway off Spencer Street |                      |   |                               |  |

| Date       | Ver. | Action By                     | Action                   | Result |
|------------|------|-------------------------------|--------------------------|--------|
| 11/26/2018 | 1    | City Council Business Meeting | Close the Public Hearing | Pass   |
| 11/26/2018 | 1    | City Council Business Meeting | Approve                  | Pass   |

## Public Hearing on a Resolution to Close an Unopened Alleyway Off of Spencer Street

### Action:

- A. Conduct a public hearing to close an unopened alleyway off of Spencer Street, and**
- B. Adopt a resolution to close an unopened alleyway off of Spencer Street.**

### Staff Resource(s):

Liz Babson, Transportation  
Esteban Valverde, Transportation

### Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The unopened alleyway off of Spencer Street is located in Council District 1.

### Petitioners

Peter Harakas

### Right-of-Way to be Abandoned

The unopened alleyway off of Spencer Street is located northeast of 36<sup>th</sup> Street.

### Reason

This abandonment will allow each of the two abutting owners to incorporate the unopened right-of-way into their land so that they will have full title and interest in the right-of-way that they are currently maintaining and caring for.

### Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-

299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owner(s)

Thomas R. Simpson - No objections  
CITI Properties, LLC - No objections  
Carolina Cottage Homes - No objections  
Timothy R. Stevenson - No objections

Neighborhood/Business Association(s)

None

Private Utility Companies

No objections

City Departments

- Review by City departments identified no apparent reason this closing would:
  - Be contrary to the public interest;
  - Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
  - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

**Attachment(s)**

Map  
Resolution