

## Legislation Text

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File #: 15-5537, Version: 1

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### Public Hearing on a Resolution to Close a Portion of Booker Avenue

#### **Action:**

- A. Conduct a public hearing to close a portion of Booker Avenue, and**
- B. Adopt a resolution to close a portion of Booker Avenue.**

#### **Staff Resource(s):**

Danny Pleasant, Transportation  
Jeff Boenisch, 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.
- This portion of Booker Avenue is located in Council District 2.

#### **Petitioners**

CGE Venture Group - Mr. Curtis Bodison

#### **Right-of-Way to be Abandoned**

The portion of Booker Avenue is located within the northwestern most corner of the intersection of Beatties Ford Road, Oaklawn Avenue, and Booker Avenue.

#### **Reason**

Booker Avenue was previously realigned to meet up with the intersection of Oaklawn Avenue where it intersects with Beatties Ford Road. The abandonment of a portion of Booker Avenue will eliminate excess right-of-way left over from this realignment project, and allow it to be attached to the adjacent property for future use/development.

#### **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) - All abutting property is owned by the petitioner.

Neighborhood/Business Association(s) - Historic Washington Heights - Supports

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