



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Legislation Text

File #: [24-0137], Version: 1

Open the Public Hearing and Consider a Request to Close the Unmaintained and Unpaved Public Right-of-Way Portion of Old Hargraves Road.

Staff:

Lance Norris, Director
Chris Roberts, Manager of Engineering and
Infrastructure
Rob Gehris, Engineer III

Department:

Public Works

Overview: The property owner of 201 Hillcrest Road and 1100 Roosevelt Drive has requested that an unmaintained and unimproved public right-of-way (ROW) that appears on plats next to that person's property be closed. The platted name of this ROW is Old Hargraves Road. The ROW begins just north of the intersection of Roosevelt Drive and Hillcrest Road and travels north-east for approximately 1,200 feet to a termination point parallel to Valley Park Drive. The ROW varies in width but averages 16 feet wide.

This public right-of-way is not in use, and the Town has no apparent need for the rights-of-way.

North Carolina General Statute Sec. 160A-299 sets out the process for closing public right-of-way (see copy attached). The steps set out in this report and the attached resolution follow the statutory requirements.

**Recommendation(s):**

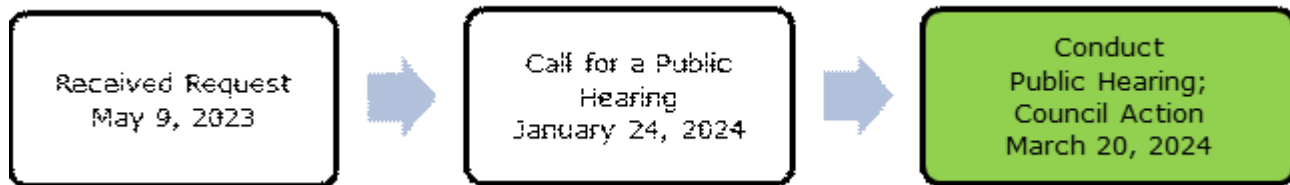
That the Council open the Public Hearing to consider closing the unmaintained public rights-of-way, platted as Old Hargraves Road located north of the intersection of Roosevelt Drive and Hillcrest Road and continuing north-east for approximately 1,200 feet to a termination point parallel to Valley Park Drive. The Council may close the Public Hearing this evening and act on the requested closures or refer action to a future meeting.

Fiscal Impact/Resources: Impacts to future investments are unknown.

Key Issues:

- This closure request is for the unmaintained and unpaved portion of Old Hargraves Road per the attached map.
- Requested by property owner of 201 Hillcrest Road and 1100 Roosevelt Dr.
- All adjacent property owners have been notified through phone conversations, certified mail, emails, physical signs placed in predominant places at the edges of the requested right-of-way closure areas, and the notice has been published in the News & Observer for four consecutive weeks during February 2024.
- There have been no objections received for this request.

Where is this item in its process?



Attachments:

- Resolution
- Staff Presentation
- Request from Whit Rummel, Property Owner of 201 Hillcrest Road and 1100 Roosevelt Drive.
- Map of requested Old Hargraves Road Right-of-Way Closure
- General Statute 160A-299
- Street Closure Plat for Hillcrest Road, Orange County Parcel Book 90, Page 7

A RESOLUTION TO OPEN THE PUBLIC HEARING AND CONSIDER A REQUEST TO CLOSE THE UNMAINTAINED AND UNPAVED PUBLIC RIGHTS-OF-WAY PORTION OF OLD HARGRAVES ROAD (2024-03-20/R-7)

WHEREAS, the Town of Chapel Hill has received a request to close the unmaintained and unpaved public rights-of-way portion of Old Hargraves Road; and

WHEREAS, all abutting properties have existing access to and from public streets and closure of the right-of-way section in question would not deprive any property owner of reasonable means of ingress and egress; and

WHEREAS, a Public Hearing regarding the proposed right-of-way closure was held on March 20, 2024; and

WHEREAS, all of the adjacent property owners have been notified and there have been no objections to this closure; and

WHEREAS, the Council finds, upon review of the facts and of information received at the Public Hearing, that closing this section of Old Hargraves Road right-of-way would not be contrary to the public interest and that no individual owning property in the vicinity of the proposed closures would be deprived of reasonable means of ingress and egress to his or her property by the closing of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts this order pursuant to North Carolina G.S. 160A-299, permanently closing this unmaintained and unpaved public right-of-way portion of Old Hargraves Road.

BE IT FURTHER RESOLVED that a plat showing the closure and a copy of this Order shall be recorded by the adjacent property owners, with the Orange County Registry, upon approval by the Town and certification by the Town Manager that the preceding conditions of approval have been met, said certification to be attached to this Resolution as an Exhibit prior to recordation.

This the 20th day of March, 2024.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Rob Gehris, Engineer III

RECOMMENDATION: That the Council open the Public Hearing to consider closing the unmaintained and unpaved public rights-of-way portion of Old Hargraves Road. The Council may close the Public Hearing this evening and act on the requested closures or refer action to a future meeting.