

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS**

**RESOLUTION DECLARING INTENT TO ABANDON A PORTION OF
WILBANKS DRIVE RIGHT-OF-WAY**

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently abandon any public road or easement within the county and not within the city except public roads or easements for public roads under the control and supervision of the North Carolina Department of Transportation and specifies the procedure to be followed; and

WHEREAS, the petitioner has requested that a 1.077-acre portion of the right-of-way for Wilbanks Drive be abandoned; and

WHEREAS, the petitioner has agreed to record an approved and platted alternative alignment from Charlotte-Mecklenburg Planning Department and construct and have accepted the alternative alignment pursuant to the Charlotte Subdivision Ordinance before the portion of the right of way petitioned for abandonment will be abandoned; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the abandonment of said right-of-way would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way; now, therefore, be it

RESOLVED, that the Mecklenburg Board of County Commissioners does hereby declare its intent to abandon the 1.077-acre portion of right-of-way for Wilbanks Drive as shown on the attached map, and as required by G.S. 153A-241, does hereby set a public

hearing on the question of whether to abandon said right-of-way for April 4, 2017 in the Meeting Chamber on the first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina at 6:30 p.m. and does hereby instruct the Clerk to the Board of Commissioners to have a Notice of Intent published once a week for three successive weeks before the hearing; and does hereby instruct the Project Manager to send or have sent by registered or certified mail a copy of this resolution and the attached Map and Notice to each owner as shown on the County tax records of all properties adjoining the entire right-of-way of Wilbanks Drive who did not join in the request to have said portion of the right-of-way abandoned; and to have a notice of the abandonment and the public hearing posted in at least two places on said right-of-way.

ADOPTED THE _____ DAY OF _____ 2017.

Clerk to the Board of
County Commissioners

APPROVED AS TO FORM:

County Attorney