MECKLENBURG COUNTY
BOARD OF COMMISSIONERS

RESOLUTION REQUESTING THE NCDOT DIVISION OF HIGHWAYS ABANDON MAINTENANCE OF A PORTION OF STOWE LANE

WHEREAS, pursuant to North Carolina General Statute 136-63, the Mecklenburg Board of County Commissioners may, on its own motion or on petition from a group of citizens, request the North Carolina Board of Transportation to change or abandon any road in the secondary system when the best interest of the people will be served thereby; and

WHEREAS, a petitioner has requested that a 1.27-acre portion of public right-of-way for Stowe Lane (SR #2839), a road in the secondary system under the control and supervision by the North Carolina Department of Transportation, be abandoned as shown on the attached Exhibit A map; and

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close 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

WHEREAS, by letter dated July 6, 2023, Ms. Wendy Taylor, District Engineer for the North Carolina Department of Transportation, notified the petitioner that the North Carolina Board of Transportation must receive a resolution from the Mecklenburg Board of County Commissioners supporting the abandonment of state control and supervision, for purposes of upkeep and maintenance, of the portion of Stowe Lane, as shown on the attached Exhibit A map; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the abandonment of the 1.27-acre portion of public right-of-way for Stowe Lane (SR #2839), subsequent to the abandonment of state control and supervision by the North Carolina Board of Transportation, as shown on the attached Exhibit A map, would not deprive any individual owning land in the vicinity of said public right-of-way of reasonable ingress and egress to their property, and would not be contrary to the public interest; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to North Carolina General Statute 136-63, the Mecklenburg Board of County Commissioners does hereby request that the North Carolina Board of Transportation abandon the control and supervision of the portion of Stowe Lane, as shown on the attached Exhibit A map, for purposes of upkeep and maintenance, with such resolution being effective only upon receipt by the North Carolina Board of Transportation of a certified copy of the resolution from the Clerk to the Board of County Commissioners.

ADOPTED THE _____ DAY OF _____ 2024.

_____
Clerk to the Board of
County Commissioners

APPROVED AS TO FORM:

_____
County Attorney