

**PETITION
FOR
CLOSING OF PUBLIC ROAD AND RIGHT-OF-WAY ABANDONMENTS**

**STATE OF NORTH CAROLINA
MECKLENBURG COUNTY**

TO THE BOARD OF COUNTY COMMISSIONERS

I (We), the undersigned property owner(s) ("Petitioner"), respectfully petition and request a portion or all of

(Name of road) Wilbanks Drive located near

(Description of general location) Intersection of Bankhead Road and Wilbanks Drive

adjacent to Lake Wylie.

as shown on the map attached hereto and made a part of hereof, marked "**Exhibit A**," be closed and abandoned in accordance with the provisions of Chapter 153A, Section 241 of the General Statutes of North Carolina.

In support of this Petition, your Petitioner respectfully declares that:

1. (Give reason for requested closing)

Realignment and improvement to existing Wilbanks Drive and construct

Wilbanks Drive cross section to match appropriate City of Charlotte

Dept. of Transportation roadway cross section.

2. The road (or portion thereof), requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance, or the North Carolina Department of Transportation has relinquished control and supervision of the road (or portion thereof), requested to be closed and abandoned.

3. The closing of said road or portion of road or easement is not contrary to the public interest.

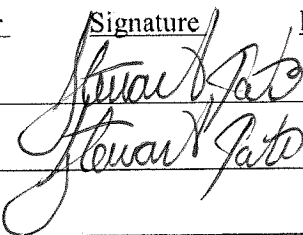

4. No individual owning property in the vicinity of the road or in the subdivision in which it is located would be deprived of reasonable means of ingress and egress to his or her property.

5. The Petitioner understands that if the road is closed by the Board of County Commissioners, that all right, title and interest in the right-of-way will become vested in those persons owning lots or parcels of land adjacent to the road, and that the title of each adjoining landowner will, for the width of his abutting land, extend to the former center line of the public road that is closed.

6. The Petitioner understands that the right, title or interest vested in an adjoining landowner after the road closing will remain subject to any public utility use or facility (such as, for example, a Duke Power or Duke Energy easement) located on, over, or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility.

7. The petitioner understands that the adjoining landowners will become responsible for any additional property taxes that may result from the increase in the size of their original parcels.

I (We) understand the above statements and agree with the proposed road closure and abandonment.

<u>Name & Address of Property Owner</u>	<u>Parcel Tax Number</u>	<u>Signature</u>	<u>Date</u>
Wilbanks Investment Partners 5520 Sharon View Rd. Charlotte, NC	21736131		11/23/16
Wilbanks Investment Partners 5520 Sharon View Rd. Charlotte, NC	21736101		11/23/16

Note: The following parcels are not adjacent to the requested abandonment / new alignment. The associated property owners have been contacted regarding the proposed R/W abandonment and new proposed Wilbanks alignment.

1.Mr. & Mrs. B D Farmer III (PID:21736105)
3810 Silver Bell Drive
Charlotte, NC 28211

2.Mr. & Mrs. David Laws (PID:21736104)
17803 Wilbanks Drive
Charlotte, NC 28278

3.Mr. & Mrs. Kamlesh Shah (PID:21736103)
603 Wednesbury Blvd
Charlotte, NC 28262

4.Mr. & Mrs. Jeffrey Mokris (Wife: PID:21736102)
17812 Wilbanks Drive
Charlotte, NC 28278

Mr. Brian Sikes,

Please find below a summary of our client's request for right-of-way abandonment of Wilbanks Dr. Our client, RKM Development LLC, requests the abandonment of Wilbanks Dr. to improve and realign the road cross section. RKM Development also intends to develop a single family community, currently a by right use. Below you will find the contact information of all current parties involved. Please review the enclosed information and let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Pennell', with a stylized, flowing script.

Paul Pennell, RLA

- RKM Development LLC
Randy Martin
704-719-6993
- Bohler Engineering NC PLLC
Paul Pennell
980-272-3400
1927 South Tryon Street, Suite 310
Charlotte, NC 28203
- Current Property Owner:
Wilbanks Investment Partners
Stewart Tate
704-527-0204
5520 Sharon View Road
Charlotte, NC 28226

Paul Pennell

From: Washington, Isaiah <iwashington@ncdot.gov>
Sent: Thursday, July 14, 2016 9:06 AM
To: Paul Pennell
Subject: Wilbanks Drive

Paul,

Per our conversation earlier, NCDOT does not maintain Wilbanks Drive.

Thank you,

Isaiah Washington
Assistant District Engineer/Field Service Engineer
District 2
North Carolina Department of Transportation

980 523 0000 office
iwashington@ncdot.gov

7605 District Drive
Charlotte, NC 28213



~~~~~ Nothing Compares ~~~~~

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