

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS**

**RESOLUTION DECLARING INTENT TO CLOSE A PORTION OF LAHAINA
LANE AND OGDEN LANE RIGHT-OF-WAY**

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 specifies the procedure to be followed; and

WHEREAS, a petitioner has requested that a 1.51-acre portion of right-of-way for Lahaina Lane and Ogden Lane as shown on the Exhibit A map attached hereto be closed; and

WHEREAS, the petitioner has agreed to record an approved and platted replacement ROW for the portion petitioned to be abandoned. The proposed improvements to Lahania Lane and Ogden Lane and replacement ROW will be pursuant to the Charlotte Subdivision Ordinance. The replacement ROW will need to be approved by the Charlotte-Mecklenburg Planning Department 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 (LUESA) has determined that in its opinion the closing of the portion of said right-of-way petitioned for closing would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property, and would not be

contrary to the public interest; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way; and

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does hereby declare its intent to close the 1.51-acre portion of right-of-way for Lahaina Lane and Ogden Lane as shown on the attached Exhibit A map, and as required by G.S. 153A-241 does hereby set a public hearing on the question of whether to close said right-of-way for February 18, 2020 at 6:30 PM in the Meeting Chamber on the first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 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 LUESA to send or have sent by registered or certified mail a copy of this resolution and Exhibit A map and Notice of Intent to each owner as shown on the County tax records of all properties adjoining the said right-of-way of Lahaina Lane and Ogden Lane who did not join in the request to have said portion of the right-of-way closed; and to have a notice of the closing and the public hearing posted in at least two places at said right-of-way.

ADOPTED THE _____ DAY OF _____ 2020.

Clerk to the Board of
County Commissioners

APPROVED AS TO FORM:

County Attorney