

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: April 11, 2023

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Public Hearing and possible motion to approve an Order Closing a portion of the right-of-way (ROW) on a portion of Old Raleigh Road, located at the intersection of Old Raleigh Road and Laura Duncan Road, extending to Old Mill Village Drive (See Survey Map Included).

Approval Recommended?

The Town Clerk recommends the Town Council approve the Order Closing a Portion of the Right-of-Way (ROW) on a portion of Old Raleigh Road, located at the intersection of Old Raleigh Road and Laura Duncan Road, extending to Old Mill Village Drive, pursuant to North Carolina General Statutes 160A-299 and the Town's adopted Policy on Closing Public Rights of Way for Streets, Roads, and Alleys.

Item Details

In accordance with 160A-299, Andoria Enterprises, LLC, has submitted a request to permanently close all portions of the right of way of Old Raleigh Road (NCSR 1435, formerly Apex Macdeonia Road). The North Carolina Department of Transportation (NCDOT) was contacted since this location was marked as DOT's responsibility. Based on NCDOT's response, this subject area was abandoned under the TIP Project U-2301 in 1993, therefore, the request was returned to the Town.

The Town's Technical Review Committee (comprised of many departments including transportation and infrastructure, planning, and public safety) all reviewed the submitted request and recommends Council consider this request.

On April 11, 2023, Council voted to adopt a resolution signifying an intent to close the ROW referenced above and in the attached survey map (PH3-A3). Notice of the adopted resolution was published for four

consecutive weeks, pursuant to North Carolina General Statutes (NCGS) §160A-299, and copies of the affidavits are included in the attachment section.

Attachments

- PH3-A1: Request for Right-of-Way Closure - Applicant PowerPoint Presentation - Portion of Old Raleigh Road
- PH3-A2: Written Request for Right-of-Way Closure - Portion of Old Raleigh Road
- PH3-A3: Plat Map and Aerial Map of Requested ROW Closure Area - Portion of Old Raleigh Road
- PH3-A4: Adopted Resolution (RES-2023-026) of Intent to Consider the Requested ROW Closure Area
- PH3-A5: Affidavit of Publication - Multiple - ROW Closure Portion of Old Raleigh Road
- PH3-A6: Order Closing ROW Portion of Old Raleigh Road
- PH3-A7: Policy on Closing Public Rights of Way for Streets, Roads, and Alleys

