

Town of North Wilkesboro Procedure For Closing Street and Alleys

1. **PETITION**. Complete the attached petition by completing the date at the top, by striking out either the word "some" or the word "all" in the opening line by filling in, in the blank space near the center of the petition, a description of the street or alley requested to be closed, **and if less than all adjoining property owners sign the petition, by filling in on the blank lines about two-thirds down the petition the names and addresses of any adjoining property owners not signing the petition.** If all adjoining property owners sign the petition, put "none" on one of the lines provided for listing additional property owners. Describe the street or alley as fully as possible. Give its width and length, the block number (if applicable) in which it is located, the direction in which it runs, and the intersecting streets or alleys at either end of the street or alley petitioned to be closed. **The petition must be signed by the spouses of each petitioner even though the spouse's name does not appear upon the deed to the property.** If any petitioner is a partnership, all partners must sign. If any petitioner is a **corporation, insert the name of the corporation, affix the corporate seal and have the appropriate officers of the corporation sign.** Turn the petition in to the **Town Manager's Office.** At the time that you file this petition, enclose check payable to the "Town of North Wilkesboro" in the amount of **\$200.00** to cover costs of legal notices and advertisement.

2. **NOTICE**. Place the names of the petitioner and description of the street or alley to be closed on the notice but leave all dates blank. Turn in the notice to the Town Manager's Office at the same time you turn in the petition. The Town Manager's Office will complete the notice by inserting dates at both places and by signing the notice and by taking it to the newspaper for publication and, if less than all adjoining property owners sign the petition, by mailing a copy by registered mail return receipt requested, to the other adjoining property owners at the same addresses shown on the petition. The Manager will determine if it is necessary to mail a copy to the Board of Transportation and if it is necessary, the Manager will attend to such mailing. The notice must be published in a newspaper for four (4) consecutive weeks. **Two copies of this notice must be posted at least two places along the street or alley to be closed. The Manager will sign these two copies and give the notices back to you, but it is your responsibility to post the notices. You may be called on at the public hearing to prove that this was done.**

3. **BOARD MEETINGS**. This procedure requires two board meetings. The first will be at the meeting immediately following the filing of the petition and at this meeting the commissioners will advise the petitioners whether, and under what circumstances, the commissioners will call for a hearing on the petition. The second meeting will be one month later when the petition comes on for consideration. It is most important that you attend both meetings. At the first meeting, if the commissioners call for a public hearing, you will then pick up the two signed copies of the notice from the Manager and post them on the street or alley. At the second hearing, you are required to be present to present your point of view.

4. **RESOLUTION AND RECORDING**. If the commissioners approve the street or alley closing, the town attorney will prepare the resolution closing the street or alley. The Town Manager's Office will provide the petitioners a certified copy of the resolution which the petitioners must record at the Register of Deeds, at the petitioners expense.

TOWN OF NORTH WILKESBORO

**William H. Perkins, Jr.
Town Manager**

**NORTH CAROLINA
WILKES COUNTY**

DATE: _____, 20____

**TO THE BOARD OF COMMISSIONERS OF THE
TOWN OF NORTH WILKESBORO:**

We, the undersigned, being (some) (all) of the owners of the property adjoining the street or alley described below do hereby petition the Board of Commissioners of the Town of North Wilkesboro, to close the following described street or alley:

The undersigned petitioners do certify that the closing of the above described street or alley will not be contrary to the public interest and that no individual owning property in the vicinity of said street or alley, and if it is located in a subdivision, no individual owning property in said sub-division, will be deprived of reasonable means of ingress and egress to his property.

The following persons, in addition to the petitioners, own property adjoining the above described street or alley:

NAME

ADDRESS

WHEREFORE, your petitioners respectfully request the Board of Commissioners of the Town of North Wilkesboro to adopt a resolution ordering the closing of the above described street or alley.

Witness our signatures the day and year first above written.

NAME

ADDRESS

PH. #

**NORTH CAROLINA
WILKES COUNTY**

NOTICE OF PUBLIC HEARING

Notice is hereby given that in accordance with the provisions of G. S. 160A-299, the Board of Commissioners of the Town of North Wilkesboro, acting in response to a petition filed by _____, did adopt a resolution declaring an intent to close the street or alley hereinafter described and calling for a public hearing on the question as to whether or not to close the said street or alley. In accordance with this resolution, a public hearing will be held on _____, the ____ day of _____, 20__ at 7:00 p.m., in the Commissioners' Room in the Town Hall located on 210 9th Street in the Town of North Wilkesboro on the question of whether or not to close the following described street or alley:

This _____ day of _____, 2002.

TOWN OF NORTH WILKESBORO
William H. Perkins, Jr., Town Manager