



## **City of Wilson Procedure and Requirements for Permanently Closing Streets and Alleys**

All provisions for closing any street(s) and alley(s) shall conform to G.S. 160A-299 and the procedure and terms of the City of Wilson, N. C.

The following are requirements for permanently closing streets and alleys in the City of Wilson, N. C.:

- A. Submit a completed petition to the Land Development Division;
- B. A Metes and Bounds Description of the property;
- C. A map drawn to scale, showing the adjoining property owners in the vicinity (based on the county tax records); and
- D. The appropriate filing fee paid before any item can be placed on an agenda. This applies to any street or public alley that has been irrevocably dedicated to the public, without regard to whether it has actually been opened.

Street and alley closing petition(s) shall be forwarded to the Land Development division. The Land Development Division, upon receiving the petition, will send a copy of the petition to the Technical Review Committee (TRC) for their recommendations to the City Council.

The City Council will vote whether to adopt a resolution declaring its intent to close the street or alley and set a public hearing date. If the resolution passes, a public hearing shall be called at the next City Council meeting (3<sup>rd</sup> Thursday of each month at 7pm).

### **Public Hearing:**

- (a) Any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of the individuals.
- (b) The City Council will determine, to its satisfaction, at the hearing that closing the street or alley is:
  - (1) Not contrary to public interest; and
  - (2) No individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property.

Any person aggrieved by the closing of any street or alley, including the State Highway Commission if the street or alley is under its authority and control, may appeal the City Council's order to the General Court of Justice within 30 days after its adoption. The court shall hear the matter de novo, and shall have full jurisdiction or try the issues arising and to order the street or alley closed upon proper findings of fact by the jury. No cause of action or defense founded upon the invalidity of any proceedings taken in closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun within 30 days after the order is adopted.



**PETITION FOR PROPERTY OWNERS TO CLOSE A STREET OR ALLEY**

We, the undersigned property owner(s) of real property located in the \_\_\_\_\_ block of \_\_\_\_\_, do hereby petition the City Council of Wilson, to permanently close the street or alley as more perfectly described below (metes and bounds description):

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**(Please include a map prepared by a registered engineer/surveyor)**

Owners of property adjoining the portion of the street or alley to be closed as shown on the county tax records are as follows:

NAME

ADDRESS

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Upon the closing of a street or alley, if curb and gutter exists, the sections will be removed along the radius of the street corners. New curbs and gutter sections shall be extended the length of the newly closed street. The cost thereof will be charged to the abutting property owners.