

NORTH CAROLINA)
)
FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A
PORTION OF _____

TO: HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF WINSTON-
SALEM

The undersigned respectfully petitions the Honorable Mayor and City Council of the City
of Winston-Salem as follows:

I.

Your petitioner declares that he is the owner of _____
_____ and
that as to other property abutting the portion of _____
_____ which he wants to
have closed and abandoned, the following are the owners:

<u>Owner</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

(If additional space is needed, please use separate sheet.)

Please state your reason / purpose for closing a portion of said street / alleyway

Said portion of _____ was dedicated to public use upon the public records appearing in the Office of the Register of Deeds of Forsyth County, North Carolina. Its use as a street or public way is unnecessary for the normal flow of traffic through the surrounding area.

II.

Your petitioner respectfully petitions that the following described portion of said _____ officially be closed and abandoned:

III.

No individual owning property in the vicinity of the aforesaid portion of _____ will be deprived of reasonable means of ingress to and from his property, nor is the closing thereof contrary to the public interest.

WHEREFORE, your petitioner respectfully requests the City of Winston-Salem, acting through its City Council to close and abandon for street purposes that portion of said _____ described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the _____ day of _____, 20 _____.

(Title)

ATTEST:

(Title) By: _____
(Title)

NORTH CAROLINA)
)
FORSYTH COUNTY)

_____, being duly sworn, deposes and says that he/she is the petitioner in the above entitled matter; that he/she has read the foregoing petition and knows the contents thereof; that the same is true of his/her own knowledge except as to those matters therein stated on information and belief and as to those matters, he/she believes it to be true.

Signature of Petitioner (s)

Date Petition Received in Engineering Office:

Signature of the person that verified information on this Street Closing Petition:

SWORN AND SUBSCRIBED before me,
this the _____, day of
_____, 20 _____.

Notary Public

My Commission expires: _____

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE:

FEE PAID: _____

STREET/ALLEY CLOSING PROCEDURE

1. Petitioner submits petition to City Secretary's Office.

NOTE: (Prior to submission, petitioner should visit the City's Engineering Records Department, 2nd Floor, Bryce A. Stuart Municipal Building (formally City Hall South), to verify the title of the street closure and confirm accuracy of the description.)

- Fill in all spaces with name of street/alley to be closed.
- List all owners of adjoining property with complete mailing address.
- Middle of page 2, insert property description (or attach separate sheet, if needed). Description of proposed street/alley closing should be written using a copy of the current tax map which can be obtained from the Forsyth County Tax Collector's Office.

Description of closure must be from an official survey, tax map, or recorded plat. The following cannot be accepted: street address reference, plat, or any type of sketch not done from official survey. (See "NOTE" above.)

- Petitioner should sign the form on page 3. If other than individual (partnership, corporation, etc.) have signature attested by corporate officer.
- On page 4, have signature notarized.
- Attach to the petition a copy of the tax map from the Forsyth County Tax Office, showing proposed closure in shading or cross-hatching.
- Submit payment of \$50.00 (cash or check made payable to the City of Winston-Salem). This is a fee for posting 2 signs for notice of public hearing. The sign posting is handled by the City.

2. After petition, map and \$50.00 are received by the City Secretary, the petition is referred to the Public Works Department.
3. After staff review, petition is submitted to the Public Works Committee of the City Council for consideration and recommendation to the City Council.
4. City Council sets date for a public hearing on the proposed closure and authorizes its advertisement.
5. Petitioner receives copy of resolution fixing date of public hearing. The City will advertise the hearing for 4 consecutive weeks with instructions that the bill will be sent to the petitioner or designee. The average price to publish a legal advertisement generally costs \$500.00, but can be as much as \$1,500.00 to \$2,000.00. Please contact the newspaper to verify the amount you will be charged.
6. Petitioner submits affidavit of publication of notice from the newspaper to the City Secretary **prior to the public hearing.**
7. The City will send a certified letter to each adjoining property owner advising of the public hearing. **The petitioner will be contacted with the cost for sending the letters and it will be the responsibility of the petitioner to reimburse the City prior to the date of the public hearing.**
8. Public hearing is held before the City Council and the resolution ordering the closing of the street/alley is either adopted or denied.
9. If adopted, petitioner will receive a copy of the adopted resolution by mail.
10. 30 days after adoption, the City Secretary will mail the original resolution ordering the closure to the petitioner. Petitioner has the resolution recorded at the Register of Deeds office and returns the original papers to the City Secretary with book and page number imprinted on the document.
11. When original, recorded resolution is received by the City Secretary, the portion of the street alley is considered formally closed. Each adjoining property owner receives his/her portion of the closed area as set out in the General Statutes of North Carolina.

NOTE: The entire process from filing the petition to recordation and actual closure takes approximately 4 months. Questions about the process should be directed to the Office of the City Secretary, Suite 140, City Hall, Telephone: (336) 727-2224, Fax: (336) 727-2880.