

Item Title: Request for Adoption of a Resolution of Support for the Abandonment of a Portion of Olive Dairy Road from the State Road Maintenance System

Specific Action Requested:

That the Board of Commissioners adopts the attached resolution supporting the abandonment of a portion of Olive Dairy Road from the state road maintenance system.

Item Summary:

Purpose: The North Carolina Department of Transportation requires that the Wake County Board of Commissioners adopt a resolution supporting a request from property owners to abandon a road, or portion thereof, from the state road maintenance system.

Background: The North Carolina Department of Transportation (NCDOT) has tweaked their process for a right-of-way closure to now require two separate and distinct steps. The first step is to abandon the road from the state road maintenance system via the North Carolina Board of Transportation. The second step is to close the right-of-way that the road lies within so that that land area can be recombined with the adjoining lots.

NCDOT now requires that the county commissioners must first adopt a resolution supporting an abandonment request from property owners along the subject roadway. Then the property owner/petitioner will submit the county commissioners' resolution, along with the ownership petition and supporting maps, documents, etc... to NCDOT for processing to the State Board of Transportation to remove the subject road, or portion thereof, from the state road maintenance system.

If the abandonment petition is approved by the State Board of Transportation, then the Wake County Board of Commissioners will hold a public hearing to formally close the right-of-way and allow its recombination with the adjacent property via the recordation of an exempt recombination plat.

Board Goal: This action supports routine County operations.

Fiscal Impact: There is no fiscal impact related to this agenda item.

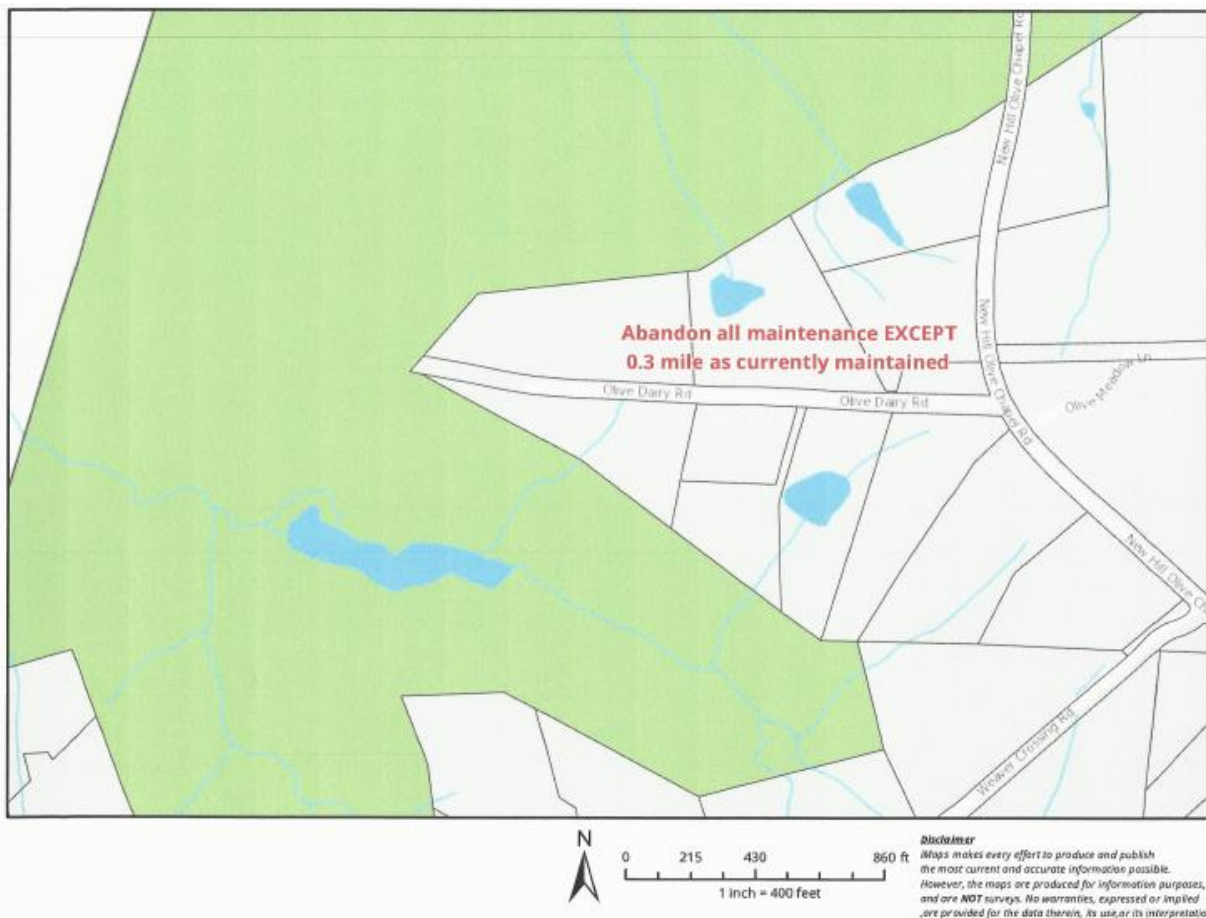
Additional Information:

Olive Dairy Road (SR 1143) is a small rural road that serves nine (9) residential lots (some vacant) off of New Hill Olive Chapel Road west of Apex close to the Chatham County line. All nine of those property owners are party to this abandonment petition.

A public secondary two-lane road is typically 20 to 24 feet wide and is centered within the associated public right-of-way that is typically 50 or 60 feet wide. Public roads are maintained by the North Carolina Department of Transportation. In this case, Olive Dairy Road's right-of-way is 60 feet wide and the gravel roadway varies from 14 to 16 feet in width.

The right-of-way for Olive Dairy Road was listed in the original 1950 document that accepted it into the state road maintenance system as 0.5-mile long. Olive Dairy Road does not connect through to any other road and terminates at land associated with Jordan Lake that is owned by the federal government.

Only the easternmost 0.3-mile of the road has been actively maintained by NCDOT. Everything west of that point is overgrown in trees, vines and under brush and has not been maintained by NCDOT for more than 21 years according to the petitioner, Donovan Olive, who owns the land on either side of that portion of the Olive Dairy Road right-of-way. There is an "End of State Maintenance" sign at this 0.3-mile point, which is located where the roadway makes a slight bend to the north in the map below.



Mr. Olive and the other eight property owners along the full length of Olive Dairy Road are petitioning the State Board of Transportation to abandon maintenance of the road from the state system for the portion west of the 0.3-mile mark that has been--and will continue to be--actively maintained by NCDOT. In other words, the property owners are requesting abandonment of the westernmost 0.2-mile of the roadway.

Staff Findings:

1. The adoption of this resolution by the Board of Commissioners is required for the Olive Dairy Road property owners to proceed with abandonment of the road by the State Board of Transportation from the state road maintenance system, and subsequently for closure of the western portion of the public right-of-way by the Board of Commissioners as described above.
2. NCDOT will continue to maintain the eastern most 0.3-mile of Olive Dairy Road connecting out to New Hill Olive Chapel Road.
3. The owners of all nine properties having frontage on Olive Dairy Road have signed the petition for the abandonment of the last 0.2-mile of the road, with the front 0.3-mile closest to New Hill Olive Chapel Road remaining in the state road maintenance system.

Attachments:

1. County Resolution Requesting Abandonment from the State Maintained Secondary Road System
2. NCDOT Property Owner Road Abandonment Petition