

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: August 18, 2010

SUBJECT: Petitions for addition to State Road system.

ATTACHMENTS:

- (1) Map of Linda Ann Drive
- (2) State Road Petition for Linda Ann Drive
- (3) Map of S. Highlander Drive
- (4) State Road Petition for S. Highlander Drive
- (5) Map of Crab Creek Valley Subdivision
- (6) State Road Petition for roads in Crab Creek Valley Subdivision

SUMMARY OF REQUEST:

Staff recommends approval of the attached petitions. It has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board not to ask NCDOT to change the priority for roads on the paving priority list.

Staff reviewed attached petition and it appears that all affected property owners or developers have signed the required petition.

BOARD ACTION REQUESTED:

Staff recommends approval of the petitions. If approved, staff will forward the petitions to NCDOT.

Suggested Motion:

I move that the Board approve the petitions and direct staff to forward them to NCDOT.



Linda Ann Drive



 Proposed State Road Addition

0 25 50 100 150 200 Feet



1 inch = 122 feet

Printed by Henderson County
Planning Department 8/5/2010

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**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PETITION FOR ROAD ADDITION
FORM SR-1 REVISED Jan-2010**

ROADWAY INFORMATION: (Please Print)

County: Henderson Road Name: Linda Ann Drive
 (Please list additional street names and lengths on the back of this form.)
 Subdivision Name: The Villas Length (miles): _____
 Number of occupied homes having street frontage: 13
 Location: 1/2 miles N (E) W of the intersection of Route West Blue Ridge and Route US 25
 (Circle one) (SR, NC or US) (SR, NC or US)

We, the undersigned, being property owners and/or developer of The Villas in
Henderson County, do hereby request the Division of Highways to add the above described
 road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print)

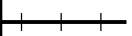
Name: Jane P. Singleton Phone Number: 828-606-1148
 Street Address: 93 Embrook Lake Drive - Flat Rock, NC 28731
 Mailing Address: P.O. Box 759 Flat Rock, NC 28731

NAME	Lots	PROPERTY OWNERS		TELEPHONE
		MAILING ADDRESS		
<u>Jon Nilsson</u>	<u>(13)</u>	<u>P.O. 1557</u>	<u>Flat Rock, NC</u>	<u>243-0623</u>
<u>Clinor Nelson</u>	<u>(1)</u>	<u>800 S. Riverside Dr</u>	<u>Edgewater, FL 32132</u>	<u>?</u>
<u>New Pointe, Inc.</u>	<u>(2)</u>	<u>P.O. Box 2388</u>	<u>Flat Rock, NC</u>	<u>692-7804</u>
<u>Laughan, Cynthia Jack</u>	<u>(3)</u>	<u>P.O. Box 157</u>	<u>Flat Rock, NC</u>	<u>692-2040</u>
<u>Vacant lot</u>	<u>(4)</u>			
<u>Vacant lot</u>	<u>(5)</u>			
<u>Vacant lot</u>	<u>(6)</u>			
<u>Vacant lot</u>	<u>(7)</u>			
<u>Peter Antonelli</u>	<u>(8)</u>	<u>Delray Beach, FL</u>		<u>?</u>
<u>Rosa Dell'Edera</u>	<u>(9)</u>	<u>15 Oak Gate Dr</u>	<u>Hendersonville, NC</u>	<u>697-2123</u>
<u>Peter Keller</u>	<u>(10)</u>	<u>P.O. Box 163</u>	<u>Flat Rock, NC</u>	<u>?</u>
<u>William F. Garner</u>	<u>(11)</u>	<u>207 Village Spring Lane</u>	<u>Hendersonville, NC 28759</u>	<u>?</u>
<u>Ginsley Custom Builders</u>	<u>(12)</u>			<u>?</u>



S. Highlander Drive



 Proposed State Road Addition

0 40 80 160 240 320 Feet

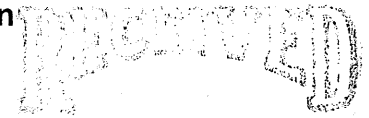
1 inch = 195 feet



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Printed by Henderson County Planning Department 8/5/2010

North Carolina Department of Transportation
 Division of Highways
 Petition for Road Addition



MAR 13 2007

ROADWAY INFORMATION: (Please Print/Type)

County: Henderson Road Name: South Highlander Drive
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Highlander Woods Length (miles): 3,000 feet

Number of occupied homes having street frontage: 20 Location ^{*} See below

miles miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Highlander Woods in Henderson County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Lee Fears Phone Number: 828-696-9524
 Street Address: 111 Keith St.
 Mailing Address: Hendersonville, NC 28792

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
<u>Sable Rice</u>	<u>148 S. Highlander Dr.</u>	<u>(828) 699-1435</u>
<u>ma. Coviguita Rice, Antonio Barbosa</u>	<u>Antonio Barbosa</u>	
<u>Antonio Barbosa</u>	<u>1332 Highlander DR.</u>	<u>828 243-8127</u>
<u>Wendy Lopez</u>	<u>169 S. Highlander Drive</u>	<u>828-551-6305</u>
<u>Kevin Bantz</u>	<u>186 S. Highlander Dr.</u>	<u>828-221-2228</u>
<u>Michelle Beah</u>	<u>205 S. Highlander Dr.</u>	<u>693-9394</u>
<u>Joyce Webb</u>	<u>1875 Highlander Dr.</u>	<u>692-2890</u>
<u>Pamela Lopez</u>	<u>206 S. Highlander DR.</u>	<u>697-4343 (wk.)</u>

* Location: Interstate I 26 exit Rt 64 East to left on SR 1006 to right on SR 1583, left on SR 1622, right on SR 1560 approx. 3000 ft. to Highlander Woods

**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: _____ Road Name: _____
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: _____ Length (miles): _____

Number of occupied homes having street frontage: _____ Location _____

miles miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of _____ in _____ County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: _____ Phone Number: _____

Street Address: _____

Mailing Address: _____

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Rebecca Moniz	707 2585 Highlander	804-489-2081
Melal Abdard	575 Highlander Dr.	551-1068
Mattell	Same	SAME
Heather Allison	PO Box 393 Naples NC 28760	696-3724
Glorinda Ortiz	112 S Highlander Dr	696-8331
Jaysha Simpson	1285 Highlander Dr	243-1601
Shelly Roper	2555 Highlander Dr	551-4374
Chris Roper	226 S. HIGHLANDER DR.	697-5629

**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: _____ Road Name: _____
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: _____ Length (miles): _____

Number of occupied homes having street frontage: _____ Location _____
 miles miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of _____ in _____ County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: _____ Phone Number: _____
 Street Address: _____
 Mailing Address: _____

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
TRACY ROPEP	226 S. HIGHLANDER DR.	697-5629
Bessie McMurray	240 S Highlander Dr	692-3628
Wendy Mills	243 S Highlander Dr	698-1398

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

- Rural Road
 Subdivision platted prior to October 1, 1975
 Subdivision platted after October 1, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
South Highlander Drive	20	3000 feet			



Crab Creek Valley Subdivision



 Proposed State Road Addition

0 50 100 200 300 400 Feet

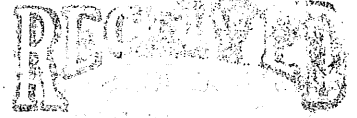
1 inch = 250 feet



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Printed by Henderson County Planning Department 8/5/2010

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition



JUL 14 2010

NC DOT

DIVISION 14 - DISTRICT 8

ROADWAY INFORMATION: (Please Print/Type)

County: Henderson Road Name: Pond Side Court
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Crab Creek Valley S/D Length (miles): 0.125

Number of occupied homes having street frontage: 3 Located (miles): 0.051

miles N S E W of the intersection of Route 1134 and Route 1127
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Crab Creek Valley S/D in
Henderson County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Brett Owens Nourrcier Phone Number: 828-702-3802

Street Address: 327 North Crab Meadow Drive, Hendersonville, NC 28739

Mailing Address: 327 North Crab Meadow Drive, Hendersonville, NC 28739

PROPERTY OWNERS

Name Mailing Address Telephone

Crab Creek Valley Homeowners Association, Inc., P.O. Box 45, Flat Rock, NC 28731 828-702-3802

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

- Rural Road Subdivision platted prior to October 1, 1975 Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
South Crab Meadow Drive,	3,	0.068			
North Crab Meadow Drive,	10,	0.358			
Rock View Court,	4,	0.087			

FILED IN HENDERSON COUNTY REGISTER OF DEEDS
OFFICE. NEDRA W. MOLES, REGISTER

DATE: 9-29-09 TIME: 9:10 A.M

EXCISE TAX STAMP: _____

BOOK: 1408 PAGE: 566

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax \$ 0.00

→ M. Edney

Tax PIN #s: 9546641194; 9546634961; and
9546539737

Mail after recording to **Sherri L. Brewer, 229 North Main Street, Hendersonville, NC 28791**
This instrument was prepared by **Asheville Law Offices**

Brief Description for the index

Community Well/Common Areas

THIS DEED made this _____ day of September, 2009, by and between

GRANTOR

Blue Ridge Savings Bank, Inc.

GRANTEE

Crab Creek Valley Homeowners Association, Inc.
PO Box 45
Flat Rock, NC 28731

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in the Crab Creek Township, Henderson County, North Carolina and more particularly described as follows:

TRACT I: BEING all of the Community Well Lot as shown on the plat recorded in Plat Slide 5754, Henderson County Registry, reference to said plat being hereby made for a more particular description.

TRACT II:

Parcel A:

BEING all of that open space containing 1.78 acres +/- as shown on the plat recorded in Plat Slide 5754, Henderson County Registry, reference to said plat being hereby made for a more particular description.

Parcel B:

BEING the Ten foot trail between Lots 7 and 28 as shown on the plat recorded in Plat Slide 5754, and Ten foot trail between Lots 32 and 33 as shown on the plat recorded in Plat Slide 5754, and Ten foot trail that runs between Lots 38, 39, 41 and 42 as shown on the plat recorded in Plat Slide 5754, Henderson County Registry, reference to said plat being hereby made for a more particular description.

TRACT III: BEING all of the Private Roads as as shown on the plat recorded in Plat Slide 5754, Henderson County Registry, reference to said plat being hereby made for a more particular description.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1400, Page 532.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its corporate name by its duly authorized officer, the day and year first above written.

Blue Ridge Savings Bank, Inc.

By: [Signature] (Seal)
Scott Nesbitt Vice President

SEAL-STAMP

STATE OF NORTH CAROLINA, COUNTY OF **BUNCOMBE**.

I, a Notary Public of the County and State aforesaid, certify that Scott Nesbitt, personally came before me this day and voluntarily acknowledged that s/he is Vice President of **Blue Ridge Savings Bank, Inc.**, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him/her as its Vice President.



Witness my hand and official stamp or seal, this 24 day of September, 2009.

[Signature] Notary Public
Print Name: Jennifer Belter Formichella
My commission expires: 02-05-2013