

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: November 17, 2010

SUBJECT: Continuation of Public Hearing for Cave Inn Drive

ATTACHMENTS: 1. Map of proposed ROW closure and SR abandonment

SUMMARY OF REQUEST:

Planning Department staff requests the Board to continue a public hearing to consider the abandonment of State maintenance and the closure of all known right of ways for Cave Inn Drive (SR 1661) located on the property of Tommy J. and Joan C. Heinz.

Staff plans to update the Board on the results of the negotiations between the two property owners. Staff received no written agreement at the time of printing for this agenda but will forward copies of the written agreement, if received. The County Attorney's Office advised staff that the forthcoming change requires a Board decision at this meeting to avoid re-starting the process. The new Board of Commissioners could consider this matter only after re-advertising the hearing and starting the process again. Staff notified both parties that a the Board may take action at this meeting even if there is no agreement between the two parties.

BOARD ACTION REQUESTED:

The Planning Department staff requests the Board to consider right-of-way closure and abandonment of state maintenance.

Suggested Motion:

I move the Board recommend the abandonment of state maintenance to NCDOT and direct staff to prepare an order for closure of all known rights-of-way for Cave Inn Drive.

