

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY BOARD OF COMMISSIONERS

**MEETING DATE:** November 19, 2014

**SUBJECT:** Donation of Right of Way for Paving SR1853 (Huggins Road)

**PRESENTER:** Autumn Radcliff, Senior Planner

**ATTACHMENTS:** (1) Request from NCDOT  
(2) Map of area  
(3) Map of Tuxedo Park

### **SUMMARY OF REQUEST:**

Staff received the attached letter from Steve Cannon, District Engineer for NCDOT, informing Henderson County that SR1853 (Huggins Road) has been moved up on the priority list for the paving. Henderson County owns the property at Parcel Identification Number 9575642488 (Tuxedo Park).

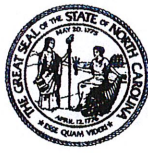
DOT is determining if the property owners with road frontage are in favor of paving Huggins Road. If a positive response is received, DOT will schedule surveys to determine the proposed ROW location before formally requesting ROW donation. DOT is proposing a 50 foot ROW along Huggins Road. Henderson County may have to donate some property to meet the 50 foot ROW requirement. If 100% of the property owners do not agree with the ROW donation, the project will be re-prioritized to the bottom of the paving list.

The Board considered the request at its November 3<sup>rd</sup> meeting and directed staff to investigate any impacts to the proposed Tuxedo Park. Staff has reviewed the current ROW along Huggins Road and the proposed 50-foot ROW requirement to determine any impacts to the Tuxedo Plan (see attached). Staff has determined no known impacts to the proposed park if the road is paved.

### **BOARD ACTION REQUESTED:**

Staff recommends the Board direct Staff to communicate to DOT that the County will consider supporting the paving of Huggins Road in the event that 100% of the property owners are in favor and provided that no impacts to the Tuxedo Park are identified.

**Suggested Motion:** *I move that the Board request NCDOT to notify the County, if at such time, 100% of the property owners are in favor of paving Huggins Road. The Board will at that time consider the request.*



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PATRICK L. MCCRORY  
GOVERNOR

ANTHONY J. TATA  
SECRETARY

9/30/2014

Henderson County  
C/O Chairman of Commissioners  
1 Historical Courthouse Sq  
Hendersonville, NC 28792

Subject: Paving Huggins Road  
Reference Number: H1853-021

Dear Chairman Messer

**Purpose of this letter**

The purpose of this letter is to determine if you and your community (other property owners with road frontage property) wish to have Huggins Road paved. If we receive a positive response from the community then we will schedule surveys and will contact each property owner to discuss details of the project.

**Background**

When the Highway Trust Fund law was passed in 1989, the Department of Transportation invested heavily in paving unpaved state maintained secondary roads. What began in 1989 as a statewide inventory of 16,000 miles of unpaved roads is now roughly 3000 miles of unpaved roads. With the dramatic decrease of unpaved miles, the funding for paving unpaved roads has also significantly decreased, providing more strategic transportation investments. House Bill 817 was overwhelmingly passed by the State House and Senate, and was signed into law by Governor McCrory on June 26, 2013. This strategic transportation investments bill helps leverage existing funds to enhance the state's infrastructure, providing greater opportunity for economic growth.

Prior to HB 817, paving priority lists were developed for each county along with an annual allocation of transportation fund appropriations. HB 817 requires the Department to convert the county paving priority lists to a single paving priority list for the remaining unpaved roads in the state and provides recurring fund appropriations of \$12M for paving unpaved roads.

The Department has previously attempted to pave this road, but Right of Way was not made available by the property owners. As a result the road was added to a Hold List for continued maintenance as an unpaved road.

cc: BDC  
Amy  
steph  
Anthony  
Clarks

The Department has recently completed rerating all the unpaved secondary state maintained roads and developed a paving priority list.

**What are we asking you to do?**

Please respond to:

Mr. Steve Cannon  
4142 Haywood Rd  
Mills River, NC 28759  
or via email at [D14D1@ncdot.gov](mailto:D14D1@ncdot.gov)

no later than 10/30/2014 indicating whether **you do** or **do not wish** for NCDOT to pave Huggins Road. The paving project will require a donated 50 feet right-of-way (measured 25 feet each side from roadway centerline) across property fronting the road. You would be asked to donate this right of way only after NCDOT has surveyed the road and you have been contacted by a NCDOT Right of Way agent. Donation of the right of way would be accomplished using a deeded Right of Way easement.

If no response is received by 10/30/2014, the Department will assume you have no interest in paving Huggins Road at this time and will count your response as **do not wish** to pave.

**What we will do after receiving responses**

If the majority response from your community is that you **do wish** to pave, NCDOT will survey the road and will then be available to discuss specific property questions.

If the response from the community is that you **do not wish** to pave, then NCDOT will close the project and continue maintenance as an unpaved roadway.

Please include the reference number H1853-021 in all correspondence.

Thank you for your response and feel free to contact me or Mr. Josh Lanning if you have questions or need additional information.

Sincerely,

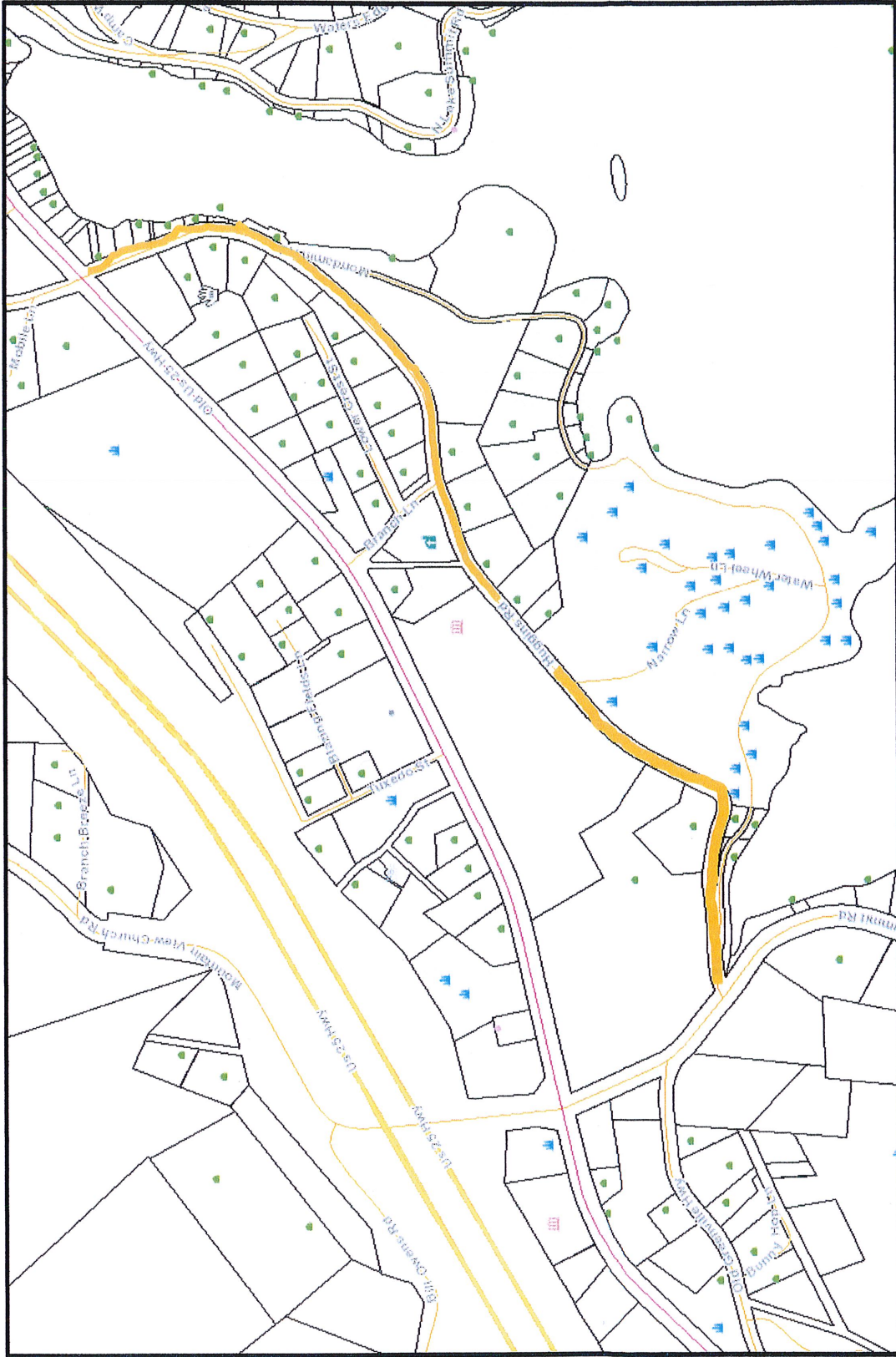


Mr. Steve Cannon, PE  
NCDOT  
District Engineer  
Henderson, Polk, and Transylvania County

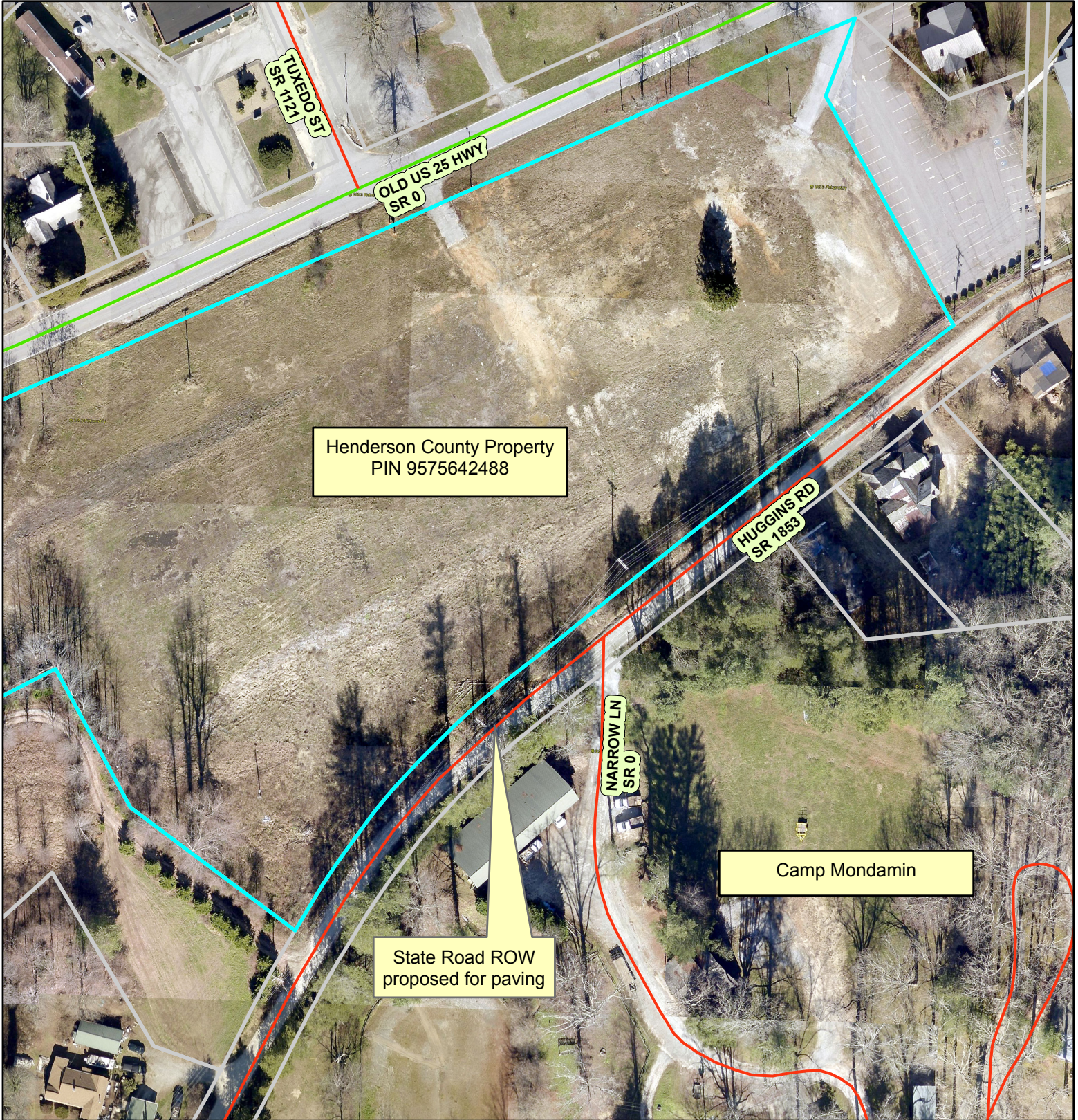
Att (1)

Cc: Mr. Roger Ayers, County Maintenance Engineer  
File

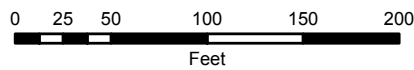
SR 1853 Huggins Road



# Proposed Donation of Right of Way For State Road 1853



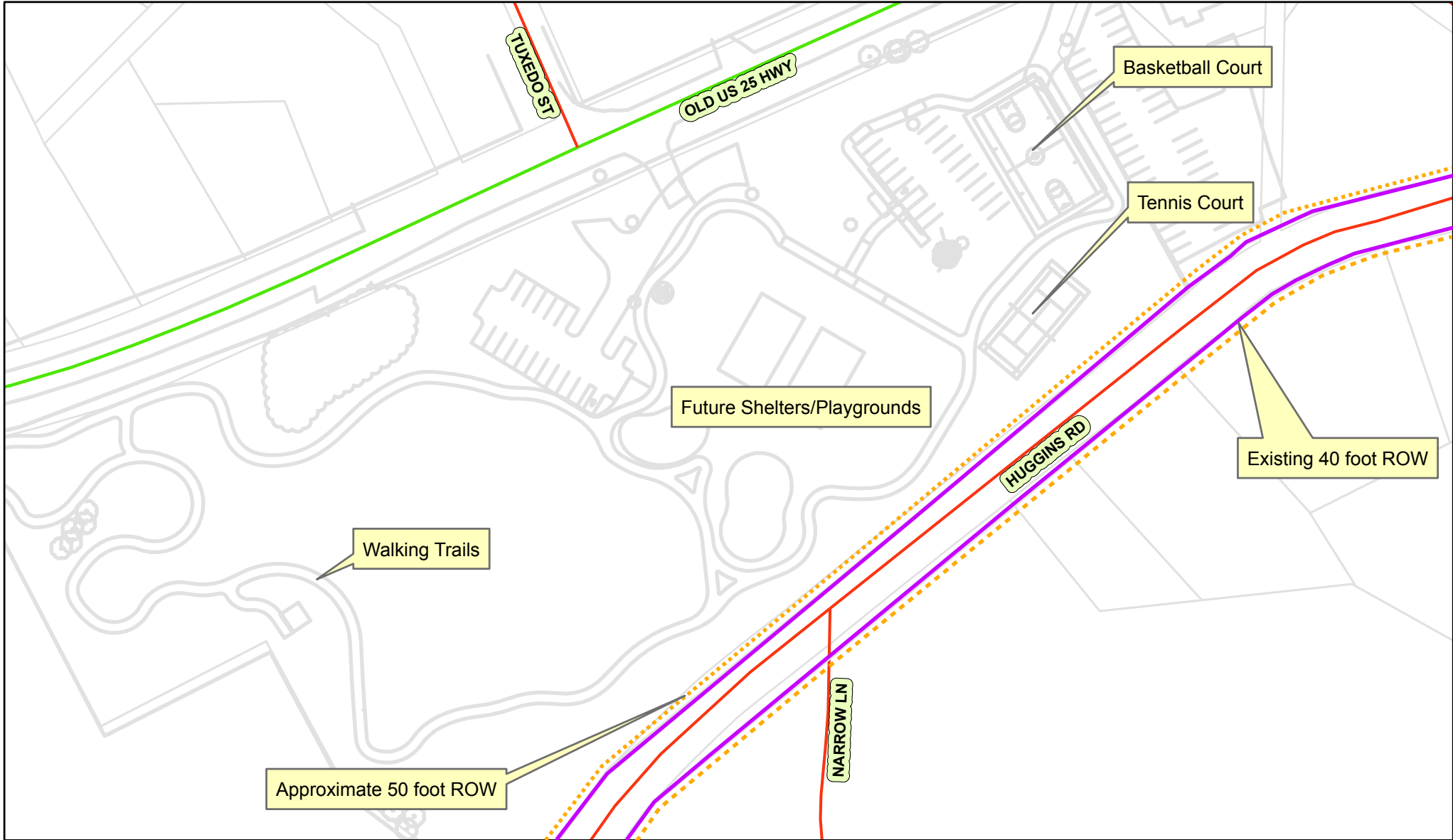
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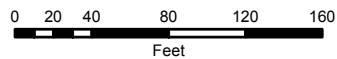
1 inch = 100 feet



# Tuxedo Park/Huggins Road Paving



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1 inch = 100 feet

- Current 40 foot ROW
- - - Approximate 50 foot ROW

