

BACKGROUND

In North Carolina, public roads and their associated rights-of-way are either state or municipally maintained. There are no County maintained roads.

Even though the County does not maintain roads, it plays a role in creating them through the subdivision process. Occasionally, roads are realigned or are no longer needed, leaving unused sections to be abandoned or closed. The North Carolina Department of Transportation requires that the Wake County Board of Commissioners adopt a resolution authorizing any road closing in the County's jurisdiction.

WHERE CAN YOU LEARN MORE?

The Wake County Planning, Development, & Inspections Division is dedicated to assisting you whenever possible. When you begin the application process a staff member will be happy to help you and answer any questions. For more information please call the Planning, Development & Inspections Division at (919) 856-6310.



Wake County Planning, Development & Inspections

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GUIDE TO ROAD CLOSINGS AND ABANDONMENTS

Wake County, North Carolina



An old section of Pleasant Union Church Road to be abandoned and closed.

10 STEPS TO ABANDON OR CLOSE A ROAD

Closing or abandoning a road in Wake County requires a straightforward 10-step process. Public street right-of-ways can only be abandoned or closed after holding a public hearing prescribed by the following process:

- 1 . Submit \$780 and a letter signed by all abutting owners requesting abandonment and closing, and referring to the road section shown on the attached plat to Wake County Planning, Development & Inspections.
- 2 . At the same time, submit plat (blue line), signed by all abutting owners, clearly labeling the section to be abandoned and closed. Label old and new property lines. You need to submit 5 copies plus 2 large (40-50 inches by 40-50 inches) copies that can be used for a presentation. Also submit 5 small and 2 large copies of an area overview map.
- 3 . Ask staff for the public hearing date.
- 4 . Publish a notice of hearing in a local newspaper for 3 successive weeks prior to the hearing.
- 5 . At least 10 days before the hearing, post signs (with the same language as in the newspaper notice) in prominent

locations at both ends of the road section to be closed.

- 6 . If you wish, attend the public hearing and explain why you want to abandon or close the road.
- 7 . After the hearing (about 8-10 days), ask the Clerk to the Board (919-856-5565) for 2 certified copies of the Board's resolution that closed the road.
- 8 . Submit the abandonment petition and certified copy of the Board of Commissioners adopted resolution to NCDOT, District Engineer.
- 9 . Record the other certified resolution with the Register of Deeds. (You can also put the resolution on the face of the plat mentioned in the next step. It's up to you whether you want to record the plat and resolution separately or just put the resolution on the plat so only 1 instrument is recorded).
- 10 . Submit a plat showing the closing to the Wake County Subdivision Office. Remember that the plat should show old property lines and the new ones – which now extend to the centerline of the closed parts of the road. After receiving subdivision approval, record the plat in the register of deeds.

SAMPLE NOTICE OF HEARING

North Carolina requires a public hearing for road closings. Notification needs to be posted in a newspaper and on signs at the

location to be closed. Wording should be the same for both. Below is a sample notice. Check with Planning staff to ensure that your notice is correct.

Sample wording: Notice of Public Hearing - On January 10, 20xx the Wake County Commissioners will hold a public hearing on closing part of Old Church Road (SR ????) as requested by all abutting property owners. The hearing will be 2:00 p.m. in Room 700, Wake County Courthouse, 316 Fayetteville St. Mall, Raleigh, N.C. For more information call (919) 856-XXXX.

SAMPLE SIGN POSTING



For more information, call us at: (919) 856-6310