

## City Council – Action Request Form

**Date:** August 12, 2024

**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

**From:** Aaron King, Assistant City Manager  
Wesley Kimbrell, City Engineer

**Council Action Requested:**

Petition to Close and Abandon a Portion of Deacon Boulevard and Terminate the Encroachment Agreement for the Underground Pedestrian Tunnel (North Ward) – Petition of Wake Forest University, Deacon Boulevard Holdings VII, LLC, and Deacon Boulevard Holdings XIII, LLC.

**Strategic Focus Area:** Quality Transportation

**Strategic Objective:** No

**Strategic Plan Action Item:** No

**Key Work Item:** No



**Summary of Information:**

The City of Winston-Salem has received a petition to close and abandon a portion of Deacon Boulevard and terminate the encroachment agreement for the underground pedestrian tunnel. This street closing is necessary for the Baity Street Development which involves realigning approximately 1,500 feet of Deacon Boulevard east of University Parkway.

The area petitioned for closure is the portion of Deacon Boulevard approximately 1,500 feet in length and contains 2.206 acres. It is bounded on the north by Tax PINs 6826-78-8342, 6823-78-9352, 6826-88-1318, 6826-88-1275, 6826-88-2391, 6826-88-4341, 6826-88-5361, 6826-88-6351, and 6826-88-8264, and bounded on the south by Tax PINs 6826-78-7015, 6826-78-9067, and 6826-87-4512.

In July 2013, the City of Winston-Salem and Wake Forest University entered into a Right of Way Encroachment and Tunnel Access Agreement for the underground pedestrian tunnel, recorded in Deed Book 3138 Page(s) 2564-2574 of the Forsyth County Register of Deeds Office. The approval of this closure will effectively terminate this agreement and abandon any interest the city has in the tunnel; this will be reflected in the resolution adopting the closing. The tunnel will be removed as part of the redevelopment project.

**Committee Action:**

<b>Committee</b>	Committee of the Whole 8/12/2024	<b>Action</b>	Approval
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<b>For</b>	Unanimous	<b>Against</b>	
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**Remarks:**

The Public Works Department has reviewed the request. There are no Planning or WSDOT concerns if this right-of-way is closed. There are public utilities located in this right-of-way; however, they will be relocated in the realigned section of Deacon Boulevard or new easements. The City would not need to retain easements. Sanitation services will not be interrupted.

Adoption of this street closing will be conditional upon the completion and acceptance of the relocation of the public utilities and realignment of Deacon Boulevard.