



Winston-Salem

**City Council
City Secretary's Office**

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
Tel 336-727-2224
Fax 336-727-2880
www.cityofws.org

DATE: August 27, 2019
TO: Dustin Stephens, Engineering Department
FROM: Sandra Keeney, City Secretary
SUBJECT: Petition to Close and Abandon a Portion of Brookstown Avenue, Winston-Salem, NC 27101

We have received a petition to close and abandon a portion of Brookstown Avenue, Winston-Salem, NC. The petitioner is Brookstown Development Partners, LLC. and represented by Mr. Luck Dickey at Stimmel Associates, P.A. Stimmel Associates are located at 601 N. Trade Street, Winston-Salem, NC 27101. They can be reached at 336-723-1067.

Please have the necessary investigations conducted on this petition and place this item on the Public Works Committee agenda for consideration and recommendation to the City Council.

Thank you.


Mary Beth Jew, Deputy City Secretary



Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joiner; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Annette Scippo, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

NORTH CAROLINA)
)
FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A
PORTION OF Brookstown Avenue

TO: HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF WINSTON-SALEM

The undersigned respectfully petitions the Honorable Mayor and City Council of the City of Winston-Salem as follows:

I.

Your petitioner declares that he is the owner of 6825-95-5747.00; 6825-95-6679.00
6825-95-4562.00; 6825-95-5558.00; 6825-95-6575.00 and
that as to other property abutting the portion of Brookstown Avenue
_____ which he wants to
have closed and abandoned, the following are the owners:

<u>Owner</u>	<u>Address</u>
None	
_____	_____
_____	_____
_____	_____
_____	_____

(If additional space is needed, please use separate sheet.)

Please state your reason / purpose for closing a portion of said street / alleyway
Combine parcels North and South of the proposed ROW to be closed for the opportunity
_____ to provide a multifamily residential development and future public park space.

Said portion of Brookstown Avenue was dedicated to public use upon the public records appearing in the Office of the Register of Deeds of Forsyth County, North Carolina. Its use as a street or public way is unnecessary for the normal flow of traffic through the surrounding area.

II.

Your petitioner respectfully petitions that the following described portion of said Brookstown Avenue officially be closed and abandoned: **(insert property description of the property listed above)**

See Attached Document

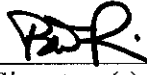
III.

No individual owning property in the vicinity of the aforesaid portion of Brookstown Avenue will be deprived of reasonable means of ingress to and from his property, nor is the closing thereof contrary to the public interest.

WHEREFORE, your petitioner respectfully requests the City of Winston-Salem, acting through its City Council to close and abandon for street purposes that portion of said Brookstown Avenue


described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the 20 day of August, 20 19.


Signature(s) of Petitioner(s)

MANAGER
Petitioner's Title (if representing an organization)

ATTESTED BY:


Signature of Witness

Executive Assistant
Witness's Title

NORTH CAROLINA)
FORSYTH COUNTY)

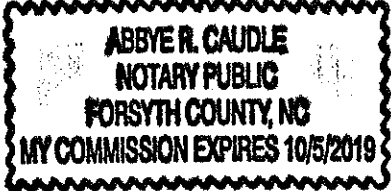
I (we) Brookstown Development Partners, LLC, being duly sworn, depose and say that I am (we are) the petitioner(s) in the above entitled matter; that I (we) have read the foregoing petition and know the contents thereof; that the same is true of my (our) own knowledge except as to those matters therein stated on information and belief and as to those matters, I (we) believe it to be true.

[Handwritten Signature]
Signature(s) of Petitioner(s)

SWORN AND SUBSCRIBED before me, this the 20, day of August, 20 19

[Handwritten Signature]
Signature of Notary Public

My commission expires: 10/5/19



Date Petition Received in Engineering Office:

Signature of Engineering Office staff member verifying information in this petition:

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE: 8-27-2019 JAM

FEE PAID: \$1400.⁰⁰

AUTHORIZED AGENT

The authorized agent may be the petitioner or another person designated by the petitioner to answer questions and to represent the petition at public hearings. All correspondence will be sent to this agent.

Name: Luke Dickey, Stimmel Associates P.A.

Mailing Address: 601 N Trade Street, Suite 201
Winston-Salem, NC 27101

Daytime telephone number (landline and/or mobile): (336)723-1067

SHEET 1 of 2
ROAD CLOSING EXHIBIT: BROOKSTOWN AVE.
FROM N. BROAD ST. TO W. SECOND ST.

ADJOINING THE PROPERTY OF BROOKSTOWN DEVELOPMENT PARTNERS, LLC

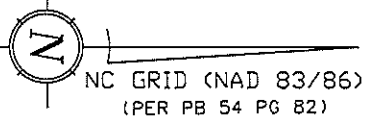
CITY OF WINSTON-SALEM, WINSTON Twp., FORSYTH COUNTY, NORTH CAROLINA

SCALE: 1"=60'

7/31/2019

LINE	BEARING	DISTANCE
L1	N 68°16'41" W	45.69'
L2	N 67°07'46" W	50.57'
L3	N 35°56'02" E	3.19'
L4	S 67°50'10" E	24.93'
L5	S 67°50'10" E	115.08'
L6	S 68°41'29" E	95.98'
L7	S 06°48'29" E	16.68'
L8	S 08°10'13" E	47.96'
L9	S 08°00'18" E	5.76'
L10	N 08°00'18" W	112.89'
L11	S 06°48'29" E	86.88'

SEE SHEET 2 of 2 FOR NOTES AND VICINITY SKETCH



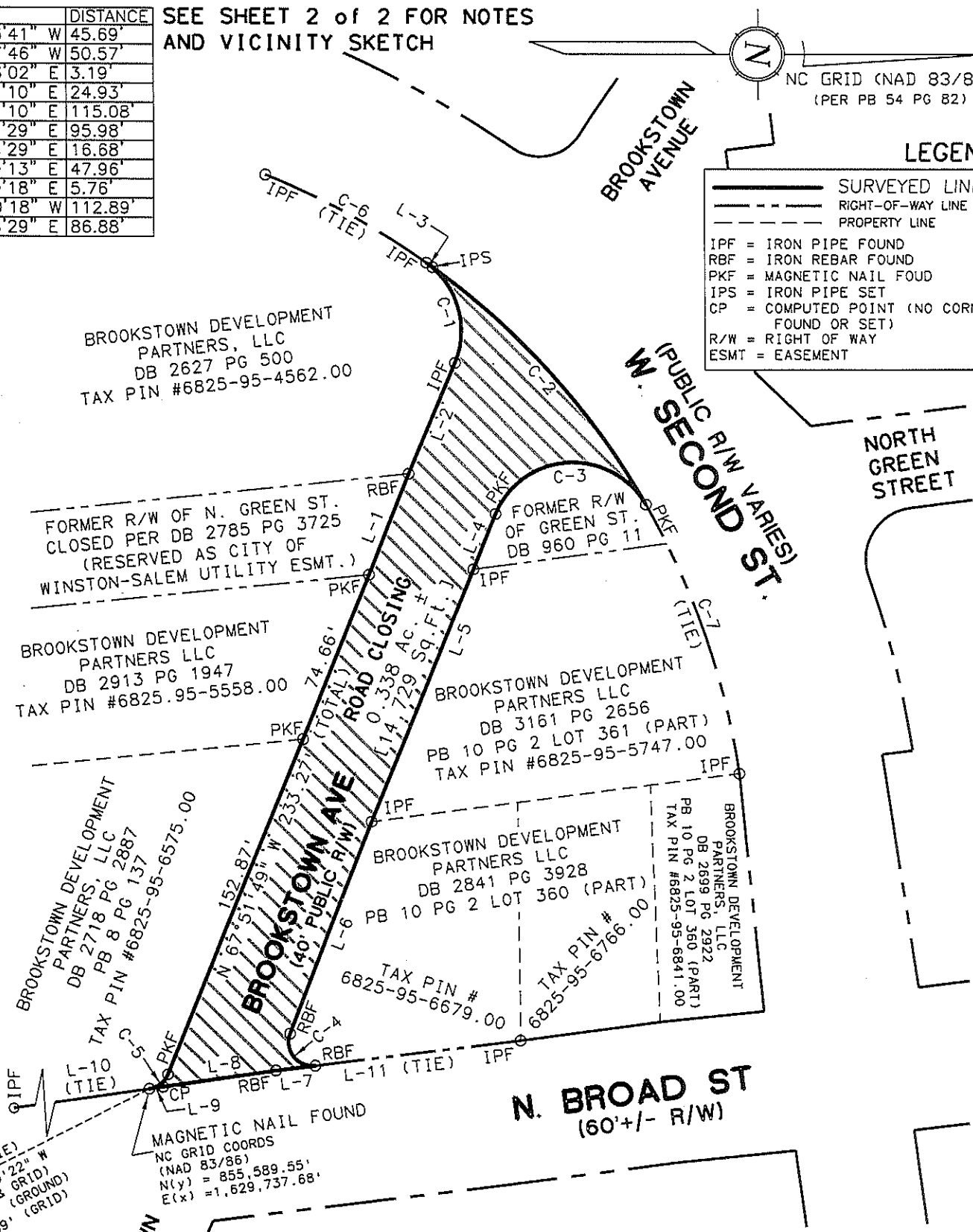
LEGEND

	SURVEYED LINE
	RIGHT-OF-WAY LINE
	PROPERTY LINE

IPF = IRON PIPE FOUND
 RBF = IRON REBAR FOUND
 PKF = MAGNETIC NAIL FOUND
 IPS = IRON PIPE SET
 CP = COMPUTED POINT (NO CORNER FOUND OR SET)
 R/W = RIGHT OF WAY
 ESMT = EASEMENT



NCGS MONUMENT "BROAD"
 N.C. GRID COORDS (NAD 83/86)
 N(y) = 854,774.68'
 E(x) = 1,630,152.98'
 COMBINED SCALE & ELLIPSOID
 FACTOR = 0.99994170

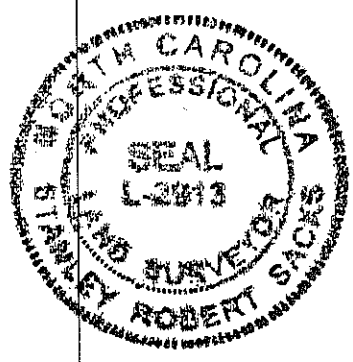


CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	47.36'	35.23'	S 74°26'55" W	43.87'
C2	135.02'	310.01'	N 48°24'40" E	133.95'
C3	78.57'	35.00'	S 03°31'39" E	63.08'
C4	20.62'	10.00'	N 52°15'01" E	17.15'
C5	10.45'	10.00'	N 37°56'03" W	9.98'
C6	77.21'	314.81'	N 28°54'26" E	77.02'
C7	120.55'	326.52'	N 71°21'29" E	119.87'

UNLESS SIGNED, SEALED AND DATED, THIS IS A PRELIMINARY MAP - NOT FOR RECORDING, SALES OR CONVEYANCE.

SURVEYOR'S CERTIFICATE
 I, STANLEY ROBERT SACKS, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in book SEE, Page MAP, etc.); that the boundaries not surveyed are clearly indicated as drawn from information found in book SEE, page MAP; that the ratio of precision as calculated is 1:118,461; and that this map meets the requirements of The Standards of Practice for Surveying in North Carolina (21 NCAC 56.1600).
 Witness my original signature, registration number and Seal this 31st day of JULY, A.D. 2019.

 SURVEYOR LICENSE NUMBER L-2913



FIRM LIC. NUMBER C-2741

SSM

SACKS SURVEYING & MAPPING, P.C.
LAND SURVEYORS

FIRM LIC #C-2741
3308-B Edgefield Road
Greensboro, NC 27409

(336) 931-0566
FAX 931-0558
WWW.SSM.LAND

SHEET 2 of 2
 ROAD CLOSING EXHIBIT: BROOKSTOWN AVE.
 FROM N. BROAD ST. TO W. SECOND ST.

ADJOINING THE PROPERTY OF BROOKSTOWN DEVELOPMENT PARTNERS, LLC

CITY OF WINSTON-SALEM, WINSTON Twp., FORSYTH COUNTY, NORTH CAROLINA
 SCALE: 1"=60'

7/31/2019

SEE SHEET 1 of 2 FOR PROPERTY DETAIL

NOTES:

THE PURPOSE OF THIS EXHIBIT IS TO SHOW THAT PORTION OF BROOKSTOWN AVENUE LYING BETWEEN NORTH BROAD STREET AND WEST SECOND STREET WHICH IS TO BE CLOSED.

THIS EXHIBIT WAS PREPARED WITH REFERENCE TO A BOUNDARY SURVEY OF THE ADJOINING BROOKSTOWN DEVELOPMENT PARTNERS, LLC PROPERTY PREPARED BY SACKS SURVEYING & MAPPING DATED 30 MARCH, 2019.

PROPERTY LINES NOT SURVEYED IN CONJUNCTION WITH THE PRESENT MAPPING AS SHOWN AS DASHED LINES.

THIS SURVEY WAS PREPARED WITHOUT REFERENCE TO A TITLE REPORT. THERE MAY BE EASEMENTS, RIGHTS-OF-WAY, OR OTHER MATTERS AFFECTING THE PROPERTY WHICH ARE NOT SHOWN HEREON.

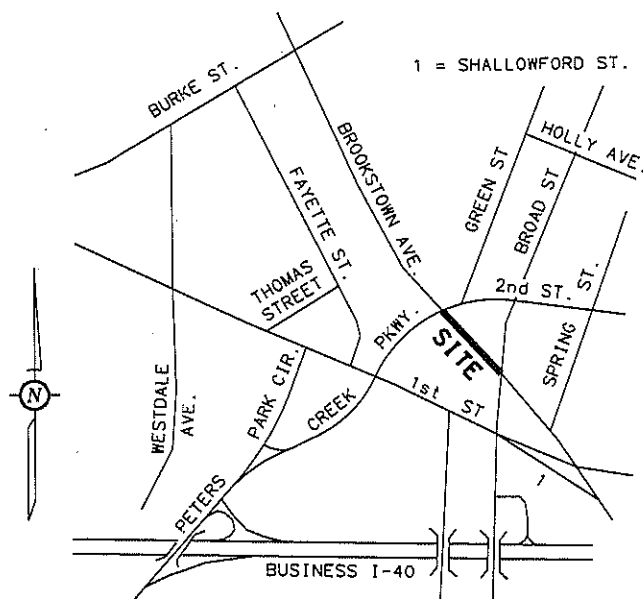
ALL DEEDS AND MAPS NOTED HEREON WERE USED AS REFERENCES IN PREPARING THIS EXHIBIT. SEE ALSO:
 + PB 8 PG 66
 + CITY OF WINSTON-SALEM ENGINEERING DRAWINGS F-1172 TO F-1176, F-1536, AND F-1538

AREA WITHIN PROPOSED STREET CLOSURE = 0.338 ACRES [14,729 Sq. Ft.] ±

THIS SURVEY WAS ORIENTED TO N.C. GRID NORTH (NAD 83/86 PER THE GRID TIE SHOWN ON PB 54 PG 82.

ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS NOTED OTHERWISE.

THERE ARE IMPROVEMENTS TO THIS PROPERTY WHICH ARE NOT SHOWN HEREON.



UNLESS SIGNED, SEALED AND DATED, THIS IS A PRELIMINARY MAP - NOT FOR RECORDING, SALES OR CONVEYANCE.

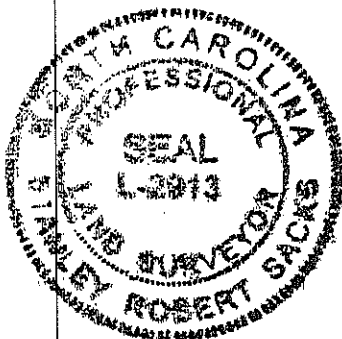
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Witness my original signature, registration number and Seal this 31st day of JULY, A.D. 2019.

Stanley Robert Sacks
 SURVEYOR

LICENSE NUMBER L-2913



FIRM LIC. NUMBER C-2741

SSM SACKS SURVEYING & MAPPING, P.C.
 LAND SURVEYORS

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