



Winston-Salem

Memorandum

**Public Works Department
Engineering Division**

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2361
www.cityofws.org

TO: Chris Wall, Engineering Division
Johnnie Taylor, Sanitation Division
Toneq' McCollough, Department of Transportation
Aaron King, Planning Department

FROM: Dustin Stephens, Engineering Division

DATE: 12/04/2019

SUBJECT: Petition to Close and Abandon an Unnamed Alley Located Off of Indiana Avenue

CC:

Attached is a petition to close and abandon an unnamed alley located off of Indiana Avenue.

I will need your comments by **December 20th, 2019** to schedule this item for the January 14th Public Works Committee agenda.

Please let me know if you have any questions or concerns.

Regards,

Dustin J. Stephens

Dustin J. Stephens
Civil Engineering Coordinator
City of Winston-Salem
Engineering Records
336-747-6851

Attachments

CityLink311

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

City Council: Mayor Allen Joines; 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; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity



Winston-Salem

**City Council
City Secretary's Office**

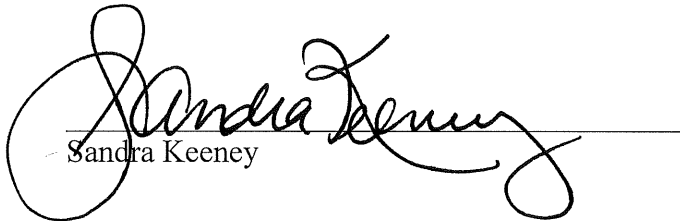
City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
Tel 336-727-2224
Fax 336-727-2880
www.cityofws.org

DATE: November 26, 2019
TO: Dustin Stephens, Engineering Department
FROM: Sandra Keeney, City Secretary
SUBJECT: Petition to Close and Abandon a portion of an unnamed alley way behind 3054 and 3058 Indiana Avenue, Winston-Salem, NC

We have received a petition to close and abandon a portion of an unnamed alley way behind 3-54 and 3058 Indiana Avenue. The petitioner is Mr. Winfred Muse. He can be reached at 3801 Tangle Oak Drive, Clemmons, NC 27012. His phone number is 336-575-0766.

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.


Sandra Keeney

CityLink311

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

City Council: Mayor Allen Joines, 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 Scippio, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

NORTH CAROLINA)
)
FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A
PORTION OF Alley way
behind 3054 and 3058 Indiana
Ave.

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 3054 Indiana Ave
and 3058 Indiana Ave and
that as to other property abutting the portion of AN unnamed
Alleyway 15' wide which he wants to
have closed and abandoned, the following are the owners:

<u>Owner</u>	<u>Address</u>
(1) <u>Winfred R. Muse</u>	<u>3801 Tangle Oak</u>
(2) <u>CITY OF WINSTON SALEM PO BOX 2511 27102</u>	<u>Clemmons NC 27012</u>
(3) <u>FOSKEY DEVIN 3360 BEESON ACRES RD 27105</u>	<u></u>

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

Please state your reason / purpose for closing a portion of said street / alleyway
To stop people from walking & littering
behind my properties and other properties.

Said portion of unnamed alley 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 unnamed alley officially be closed and abandoned: **(insert property description of the property listed above)**

Approximate 115 foot portion of Alley running West from a separate Alley running south from the 3000 Block of Indiana Avenue. The Alley is 15 feet in width and approximately 250 feet from the southern Right-of-Way of Indiana Avenue

III.

No individual owning property in the vicinity of the aforesaid portion of unnamed alley 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 unnamed alley described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the 25th day of November, 20 19.

Winfred Mass
Signature(s) of Petitioner(s)

owner
Petitioner's Title (if representing an organization)

ATTESTED BY:

[Signature]
Signature of Witness

[Signature]
Witness's Title

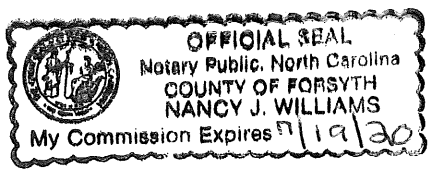
NORTH CAROLINA)
)
FORSYTH COUNTY)

I (we) Winfred Muse, 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.

Winfred A Muse
Signature(s) of Petitioner(s)

SWORN AND SUBSCRIBED before me, this the 25th, day of Nov., 20 19

Nancy Williams
Signature of Notary Public



My commission expires: July 19, 2020

Date Petition Received in Engineering Office:

11-26-19

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

[Signature]

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE: 11-26-19

FEE PAID: \$ 1400.⁰⁰ JHM

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: Winfred Muse

Mailing Address: 3801 Tangle Oak Dr.
Clemmons, N.C. 27012

Daytime telephone number (landline and/or mobile): 336-575-0766



City of Winston-Salem City Secretary's Office

Suite 140, City Hall, 101 N. Main Street

STREET / ALLEY CLOSING PROCEDURES

Please Read Information Carefully

1. Petitioner submits petition to City Secretary's Office to be completed as follows:

NOTE: (Prior to submission to the City Secretary's Office, petitioner should visit the City's Engineering Records Department, 2nd Floor, Bryce A. Stuart Municipal Building [formerly City Hall South], to verify the title of the street closure and confirm accuracy of the description.)

- Fill in all spaces with name of street/alley to be closed.
- List all owners of adjoining property with complete mailing address.
- On page 2, section II, insert property description (or attach separate sheet, if needed). Description of proposed street/alley closing should be written using a copy of the current tax map which can be obtained from the Forsyth County Tax Collector's Office.

Description of that portion of street to be closed must be from a sealed survey, tax map, or recorded plat. The following cannot be accepted: street address reference, unsealed plat, or any type of sketch not done from sealed survey. (See "NOTE" above.)

- Petitioner should sign the form on page 3. If the petition is submitted (1) by a partnership, it must be signed by a partner, (2) by a limited liability company, it must be signed by the manager or managing member, or (3) by a corporation, it must be signed by an authorized corporate officer. The partner, manager, or corporate officer's signature must be witnessed by an individual from the organization attesting the petitioner is a true representative of the organization.
 - On page 4, have petitioner's signature notarized.
 - Attach to the petition a copy of the tax map from the Forsyth County Tax Office, showing proposed closure in shading or cross-hatching.
2. After the petition, the tax map, a \$200 administrative fee, and a \$1,200 advertisement fee (for single road closures only) are received by the City Secretary, the petition is referred to the Public Works Department. Fees for multiple road closures will be determined by the City Secretary's Office based on the cost of the legal advertisement plus a \$200 administrative fee, but the petitioner for a multiple road closure is responsible for paying directly to the newspaper the cost of the legal advertisement.
 3. After staff review, petition is submitted to the Public Works Committee of the City Council for consideration and recommendation to the City Council.
 4. City Council sets date for a public hearing on the proposed closure and authorizes its advertisement.
 5. Petitioner receives a copy of the resolution fixing the date of the public hearing. The hearing must be advertised for 4 consecutive weeks. The City will pay the local newspaper directly for the legal advertisement for single road closures, and the petitioner will pay the newspaper directly for the multiple road closure legal advertisements. If the City Council declines to set the date of the

hearing or if the petition is withdrawn before the advertisement cost is paid by the City, the petitioner's \$1,200 advertisement payment to the City will be returned.

6. The City Secretary's office will mail the certified letters of public hearing notification to adjoining property owners and the administrative fee covers this expense.
7. Public hearing is held before the City Council and the resolution ordering the closing of the street/alley is either adopted or denied.
8. If adopted, petitioner will receive a copy of the adopted resolution by mail.
9. 30 days after adoption, the City Secretary will mail the original resolution ordering the closure to the petitioner. Petitioner has the resolution recorded at the Register of Deeds office and returns the original papers to the City Secretary with book and page number imprinted on the document.
10. When original, recorded resolution is received by the City Secretary, the portion of the street alley is considered formally closed. Each adjoining property owner receives his/her portion of the closed area as set out in the General Statutes of North Carolina.
11. **The City will retain any utility, sidewalk, or other public infrastructure easements that may exist in the right-of-way of the closed road and, the City reserves the right to remove, at its expense, any cobblestone pavers, granite curb, buried trolley tracks or other materials which are in the street to be abandoned.**

04/13

print, complete and submit form to:	City Secretary's Office, City of Winston-Salem P.O. Box 2511 Winston-Salem, NC 27102-2511
www.cityofws.org	Office: (336) 727-2224 Fax: (336) 727-2880

What happens next?

Once the application and fee for Petition to Close and Abandon a Portion of a Street/Alleyway is received in the City Secretary's Office the application will be forwarded to City staff and then to City Council for approval.

Expect four (4) months for the process to be completed. If you have any questions, please call (336)727-2224.



Tax Parcel Viewer

Forsyth County, NC

Search by

Search by

Results

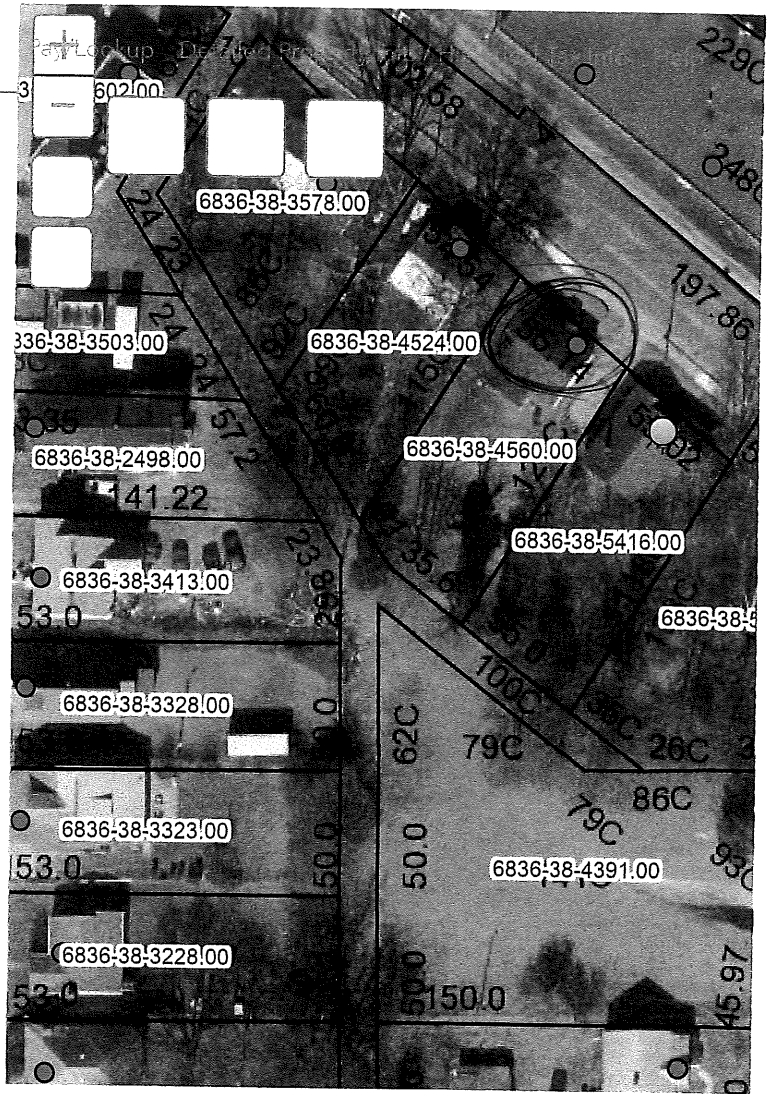
Address _Query result

Displayed features: 1/1

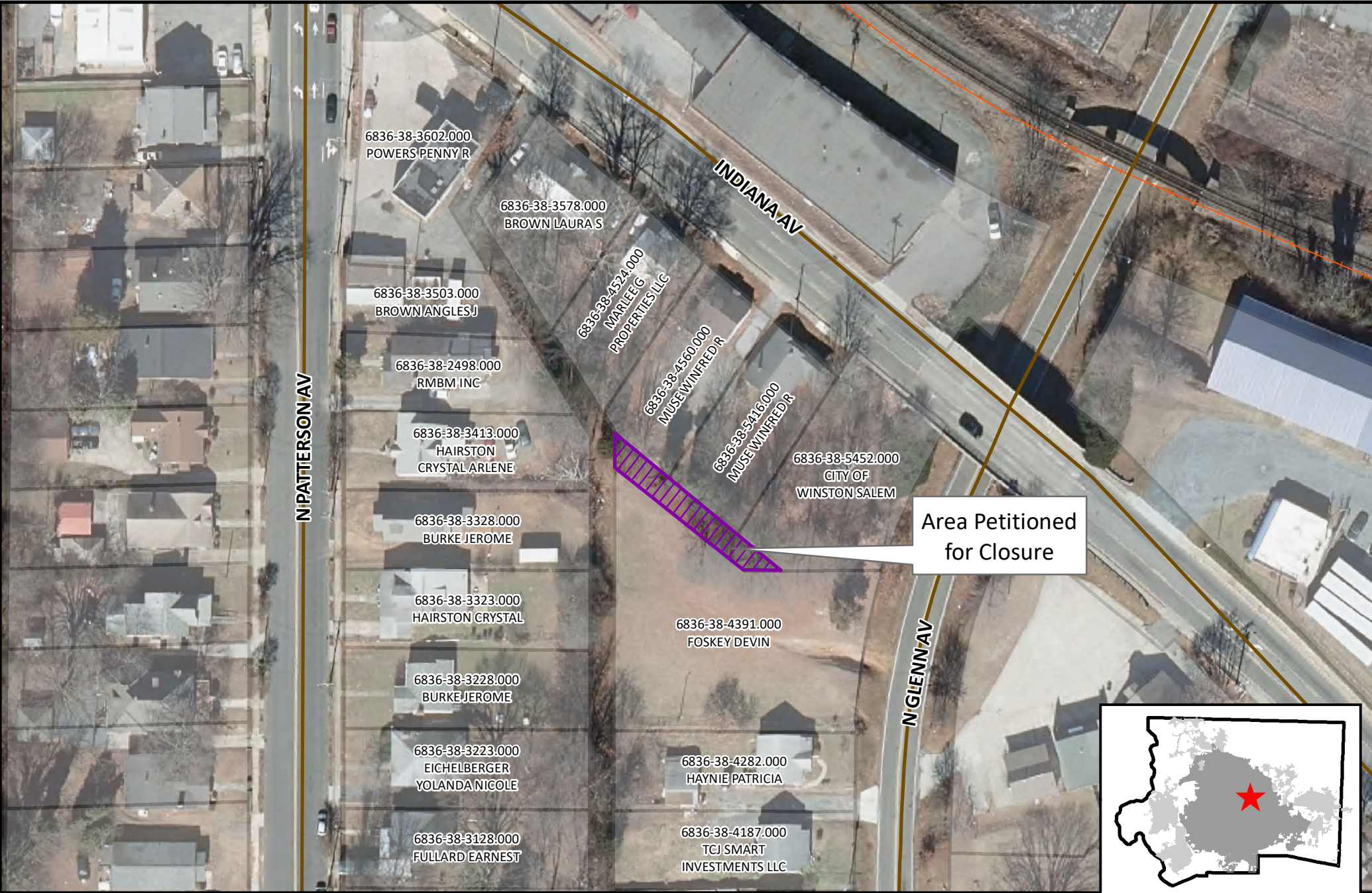


3054 INDIANA AVE Also

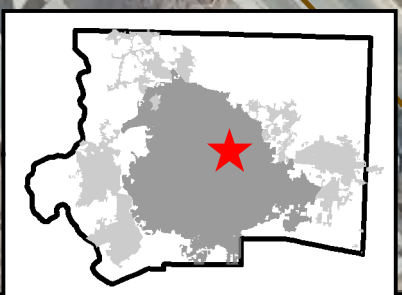
3058 Indiana Ave




All rights reserved



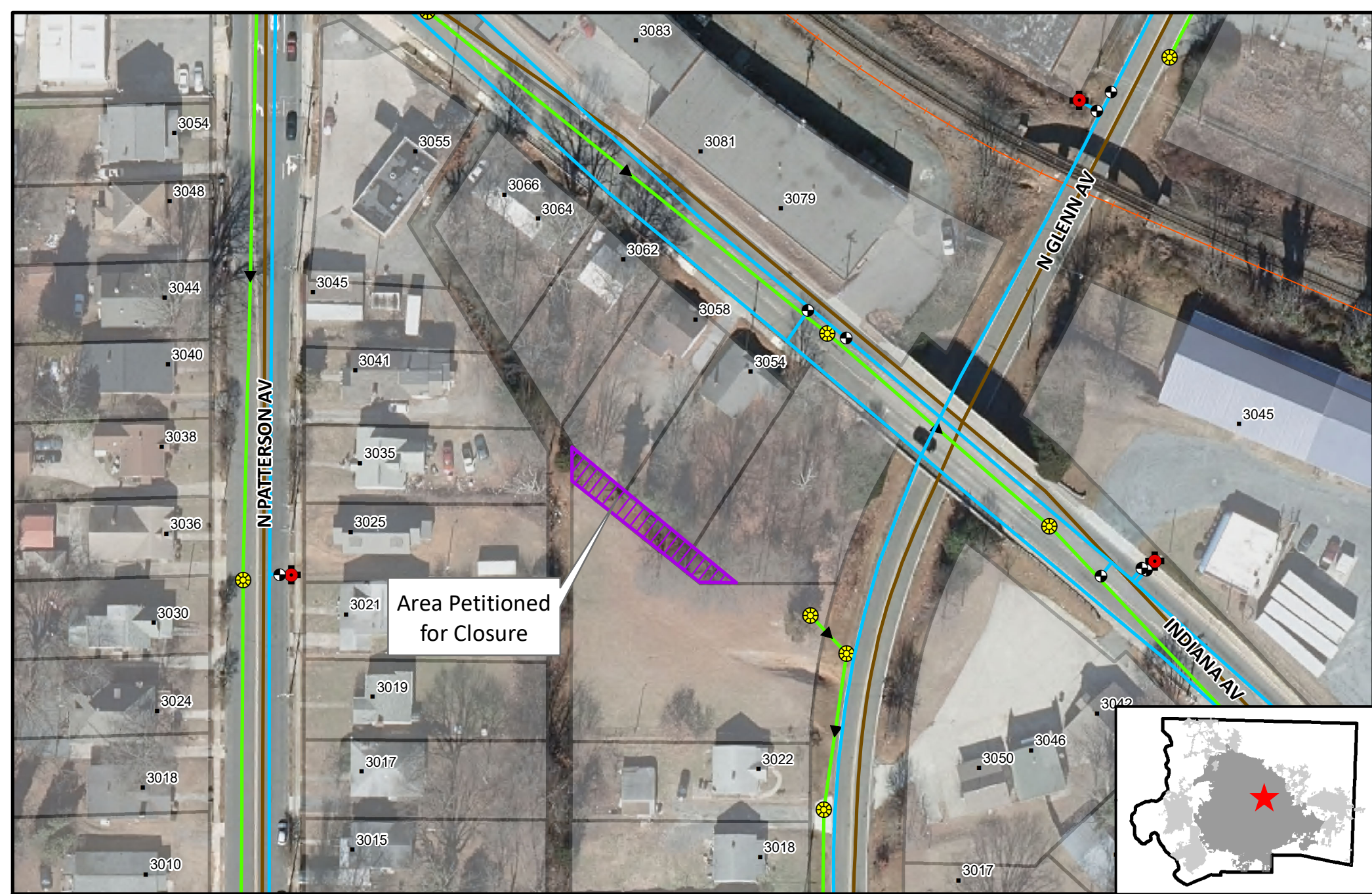
Area Petitioned for Closure










Petition to Close and Abandon a Portion of
 Unnamed Alley



1 inch = 80 feet



Petition to Close and Abandon a Portion of an Unnamed Alley Way

-  Unnamed Alley
-  Parcels
-  Water Mains
-  Sewer Mains
-  Hydrants
-  Manholes
-  Water Valves



1 inch = 80 feet