CITY COUNCIL

Ed L. Hatley, Mayor
Kevin Demeny, Mayor Pro-Tem
Mark Johnson
Jill Tipton
Roby Jetton

Lincolnton NC
Near the City. Near the Mountains. Near Perfect.

CITY MANAGER

Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
dingram@lincolntonnc.org
CITY ATTORNEY
John M. Friguglietti, Jr.

PETITION AND RESOLUTION FOR ROAD ABANDONMENT AND MUNICIPAL TRANSFER

WHEREAS, the undersigned is the sole fee simple owner of all real property abutting and adjoining **Secondary Road 1939** (SR 1939), located within Lincoln County, North Carolina; and

WHEREAS, Secondary Road 1939 is currently part of the State Maintained Secondary Road System under the jurisdiction of the North Carolina Department of Transportation (NCDOT) Division of Highways; and

WHEREAS, the undersigned requests that the NCDOT abandon the maintenance and status of Secondary Road 1939 from the State Maintained Secondary Road System in its entirety; and

WHEREAS, upon abandonment by the NCDOT, the **City of Lincolnton, North Carolina**, has agreed to formally accept dedication, take full property ownership, and assume all future maintenance responsibilities of said Secondary Road 1939 into the municipal street system; and

WHEREAS, the abandonment by NCDOT and subsequent transfer to the City of Lincolnton will not deprive any property owner, individual, or entity of a reasonable means of ingress or egress, and the public interest will be served by transferring jurisdiction to the municipality.

NOW, THEREFORE, BE IT RESOLVED, that the undersigned property owner hereby formally petitions and requests that the Board of Transportation and the NCDOT Division of Highways abandon **Secondary Road 1939** in Lincoln County, NC, from the State Maintained System pursuant to N.C.G.S. § 136-63, contingent upon and subject to the **City of Lincolnton** accepting full ownership, dedicated right-of-way, and maintenance jurisdiction of the roadway.

Adopted this the ____ day of _____. 20__.

_____
Ed Hatley, Mayor

seal

CITY OF LINCOLNTON ACCEPTANCE OF OWNERSHIP

BE IT KNOWN, that the City of Lincolnton, North Carolina, hereby confirms that upon final abandonment of Secondary Road 1939 from the NCDOT State Maintained System, the City of Lincolnton will officially accept ownership, right-of-way dedication, and ongoing maintenance responsibilities for the described road segment.

Authorized Official Signature _____

Title_____

Date_____

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF LINCOLN

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____**, 20**.

Notary Public

My Commission Expires: _____

(Official Seal)