RESOLUTION NO. 2025-71

A RESOLUTION DECLARING THE INTENT OF THE BREVARD CITY COUNCIL TO CONSIDER THE CLOSING OF AN UNIMPROVED ALLEY BETWEEN JORDAN STREET AND MORGAN STREET

WHEREAS, North Carolina General Statute §160A-299 authorizes the City Council to close any street or alley within its jurisdiction, provided that certain procedures are followed, including the adoption of a resolution declaring the City's intent to do so and the scheduling of a public hearing; and

WHEREAS, HP Brevard, LLC has requested the closure of an unimproved public alley that runs between Jordan Street and Morgan Street, located within the downtown block containing its property; and

WHEREAS, the City has determined that this alley extends the full length of the block, and a revised survey and legal description have been prepared to accurately describe the right-of-way proposed for closure; and

WHEREAS, the City Council desires to initiate the process required by State law in order to consider the requested closure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD THAT:

1. Intent Declared. It is the intent of the City Council to permanently close the public alley extending between Jordan Street and Morgan Street as described in the survey and legal description prepared by the applicant's surveyor.

2. Public Hearing Scheduled. A public hearing on the proposed alley closure shall be held in the Council Chambers at Brevard City Hall on December 15, 2025, at 5:30 PM, at which time all interested persons will be given an opportunity to be heard.

3. Notice Requirements. The City Clerk is hereby directed to:
   - Publish this Resolution once a week for four (4) successive weeks in the Transylvania Times;
   - Send a copy of this Resolution by certified mail to each property owner adjoining the alley; and
   - Post a notice of the proposed closure in at least two conspicuous locations along the alley.

4. Further Action. Following the public hearing, the City Council may adopt an Order permanently closing the alley if it determines that the closure is not contrary to the public interest and that no property owner will be deprived of reasonable access.

Adopted and approved this, the 17th day of November, 2025.

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Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC, NCCMC
City Clerk