



# TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

## **A Resolution of Intent to Permanently Close a Portion of West Eighth Street and Setting the Date for a Public Hearing Thereon**

**WHEREAS**, the Town of Kill Devil Hills has accepted and operates Eighth Street as a portion of its roadway system; and

**WHEREAS**, the Town of Kill Devil Hills has indicated its intent to permanently close an area of the westernmost portion of Eighth Street, described as follows:

The westernmost portion of West Eighth Street, located west of Pond Avenue to the bank of Fresh Pond (body of water) in the Fresh Pond Beaches Subdivision - adjacent to Lots 1 – 3, Block 9, in the Town of Kill Devil Hills;

and

**WHEREAS**, the Town of Nags Head has also indicated its intent to permanently close an area of the westernmost portion of Eighth Street within its corporate limits; and

**WHEREAS**, N.C.G.S. §160A-299 lays out a procedure by which municipalities may permanently close streets and alleys, which includes the following:

- Adoption of a Resolution of Intent and scheduling a public hearing
- Public hearing notice advertisement to be published in newspaper of record for four (4) consecutive weeks
- Public hearing notice to be prominently posted on the identified street in at least two (2) places
- Public hearing notice to be mailed (certified or registered) to surrounding property owners.
- At public hearing, Board of Commissioners may take action by adopting resolution to permanently close the designated area;

and

**WHEREAS**, such action would result in this unimproved portion of West Eighth Street being divided between the adjoining property owners, Kill Devil Hills and Nags Head; and

**WHEREAS**, such action would not deprive any property owner of a reasonable means of ingress and egress to his or her property by virtue of the closing of the street as described above; now, therefore, be it

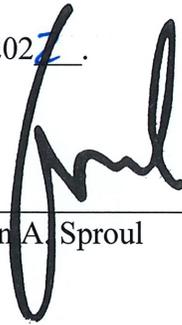
**RESOLVED** by the **Board of Commissioners of Kill Devil Hills** that this Board declares its intention to consider the permanent closure of the westernmost portion of Eighth Street as described above, and

1. That a public hearing on this matter is called by the Board of Commissioners at the Town Hall Meeting Room, 102 Town Hall Drive, at 6:00 p.m. on Monday, April 11, 2022.
2. The Office of the Town Clerk is directed to cause to be published in *The Coastland Times* a public hearing notice, containing a summary of the proposed closure, complying with public hearing notice requirements laid out under N.C.G.S. §160A-299.

This the 7<sup>th</sup> day of March, 2022.

SEAL



  
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Benjamin A. Sproul  
Mayor

ATTEST:

  
\_\_\_\_\_  
James Michael O'Dell  
Town Clerk