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 7th day of March, 2022.

SEAL

Benjamin A. Sproul
Mayor

ATTEST:

James Michael O'Dell
Town Clerk

Proposed area of closure of West Eighth Street

Kill Devil Hills / Nags Head Town Line

Please note: the information on this map is for working reference purposes only. For specific legal records, please contact the Dare County Register of Deeds.

TOWN OF KILL DEVIL HILLS
PUBLIC HEARING
DATE: April 11, 2022
TIME: 6:00 pm
LOCATION: Town Hall Meeting Room
KILL DEVIL TOWN HALL
102 Town Hall Drive
Kill Devil Hills, NC
APPLICATION:
To Permanently Close a Portion
of West Eighth Street
For more information about this application contact the
Planning and Inspections Dept. at (252) 449-5318

PUBLIC
HEARING

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NAGS HEAD
WATER TREATMENT
PLANT
PUBLIC WORKS
BUILDING
SERVICE ENTRANCE ONLY
Town of Kill Devil Hills
Public Services
500 W. EIGHTH St.
WATER PLANT
DIVISION
SYSTEMS DIVISION
PUBLIC
HEARING

TOWN OF KILL DEVIL HILLS

Land Where Flight Began

NOTICE OF PUBLIC HEARING

Pursuant to N.C.G.S. §160A-299, NOTICE IS HEREBY GIVEN that on April 11, 2022, at 6:00 p.m. in the Town Hall Meeting Room, 102 Town Hall Drive, the Kill Devil Hills Board of Commissioners will hold a public hearing to receive public comment, both written and oral, on the following proposed item:

To Permanently Close a Portion of West Eighth Street

The portion proposed to be closed is described specifically 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"

Information on this item may be viewed on Kill Devil Hills' website: https://www.kdhnc.com/975/April-11-2022-Board-of-Commissioners-Mee or in the Town Clerk's Office, 102 Town Hall Drive, Kill Devil Hills. Arrangements can be made for personal inspection of the item materials by contacting the Town Clerk at 252-449-5300, or by emailing odell@kdhnc.com.

Written comments, which will be included with the record of the public hearing, may be submitted to the Town Clerk, P.O. Box 1719, Kill Devil Hills, NC 27948, or by e-mail to: info@kdhnc.com. Comments must include your name and address, and should be limited to three minutes when read aloud (five minutes when speaking for a group).

At this public hearing, the Board of Commissioners may take action on this proposed closure, with such action to include approval, disapproval, or tabling the item for further consideration.

Posted this 14th day of March 2022.

James Michael O'Dell
Town Clerk

Copies to: Mayor and Board of Commissioners, Town Manager; all department heads; all Town bulletin boards; KDH Sunshine List, including all local news media; KDH Electronic Distribution List; KDH social media; website; file

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(KDH Town Seal)
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James Michael O'Dell
Town Clerk

Coastland Times: Please publish as a legal ad in the following editions –

03/20/2022
03/27/2022
04/03/2022
04/10/2022