



## TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

### **A Resolution Ordering the Permanent Closure of a Portion of West Eighth Street**

**WHEREAS**, on the 7<sup>th</sup> day of March, 2022, the Kill Devil Hills Board of Commissioners unanimously adopted a *Resolution of Intent to Permanently Close a Portion of West Eighth Street and Setting the Date for a Public Hearing Thereon*; and

**WHEREAS**, the adopted resolution directed the following actions:

- Scheduling of a public hearing on the intended closure at the Town Hall meeting room on Monday, April 11, 2022, at 6:00 p.m.;
- The Town Clerk to cause to be published in the *Coastland Times* notice of the public hearing once a week for four (4) consecutive weeks;
- Notice to be prominently posted at two locations along Eighth Street advising the public that a public hearing would be conducted at the date, time, and location as described above;
- Public hearing notice to be sent by certified mail to surrounding property owners whose property abutted that portion of Eighth Street; and

**WHEREAS**, the Board of Commissioners has been advised by the Office of the Town Clerk that all of the above requirements set forth by the resolution were met; and

**WHEREAS**, after full and complete consideration of the matter and after having granted a full and complete opportunity for all interested persons to appear and register any objections to the closing of that portion of the street, prior to or at the April 11, 2022, public hearing; and

**WHEREAS**, it is to the satisfaction of the Board of Commissioners that the closing of that portion of the street is not contrary to the public interest and that no individual owning property abutting or in the vicinity of that portion of the street will be deprived of a reasonable means of ingress and egress to their property; and

**WHEREAS**, the Board of Commissioners is satisfied that the closure of that portion of the street will be in the public interest; 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**, 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; now, therefore, be it

**RESOLVED by the Board of Commissioners of Kill Devil Hills** meeting in regular session, that the portion of Eighth Street as more particularly described hereafter, is hereby ordered closed and all right, title, and interest in those persons owning lots adjacent to the street; such title, for the width of the abutting land owned by them, to extend to the centerline of there closed street in accordance with the provision of N.C.G.S. §160A-299(c), as identified 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

The Town Clerk is ordered and directed to file in the Office of the Dare County Register of Deeds a certified copy of this resolution.

This the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

SEAL

\_\_\_\_\_  
Benjamin A. Sproul  
Mayor

ATTEST:

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