

# JACKSON COUNTY PLANNING OFFICE

401 Grindstaff Cove Road  
Suite A-258  
Sylva, N.C. 28779



*Michael Poston*  
*Planning Director*  
michaelposton@jacksonnc.org  
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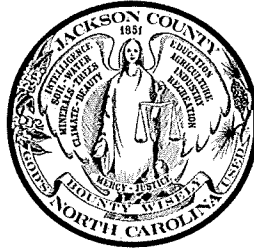
## MEMO

To: Jackson County Board of Commissioners  
Cc: Don Adams, County Manager  
From: Michael Poston, Planning Director  
Date: March 7, 2023

RE: Resolution of Support the abandonment of SR 1144

The North Carolina Department of Transportation is requesting, based on a petition from property owners, to abandon from the state maintenance system SR 1144, locally known as Charlow Lane. Charlow Lane is located off Fenely Forest Trail in Glenville community. It is a subdivision road that provides access to The Point at Glenville subdivision. The total length of road to be abandoned is 1162 feet, with none to be retained. G.S. 136-63 states that Board of Commissioners, on their own motion or on a petition of a group of citizens, request the Board of Transportation to change or abandon any road in the secondary system when the best interest of the people of the County will be served. Chris Lee, NCDOT District 2 Engineer, has investigated the request and has found the request to be reasonable (attached). The applicants are the owners of the property located in The Point at Glenville subdivision. In preparation, the property owners entered into an easement agreement that secures access along Charlow Lane for the properties located in the subdivision.

Staff finds the request to be in the best interest of the public as the abandonment of Charlow Lane will not affect the ingress or egress of any properties located in The Point at Glenville subdivision. Staff recommends that the Board of Commissioners consider approval of the attached Resolution supporting the abandonment for SR 1144 (Charlow Lane) from the Secondary Road System.



**A RESOLUTION SUPPORTING THE ABANDONMENT  
OF SR 1144, Charlow Lane**

**WHEREAS**, the property owners along Charlow Lane petitioned the State of North Carolina Department of Transportation (NCDOT) to abandon . SR 1144, locally known as Charlow Lane, from the State maintained system; and

**WHEREAS**, NCDOT has submitted to the Jackson County Board of Commissioners a request to review and recommend the road abandonment; and

**WHEREAS**, Jackson County staff has reviewed the request and has determined that no property owners would be deprived of ingress or egress;

**NOW THEREFORE, BE IT RESOLVED BY THE JACKSON COUNTY BOARD OF COMMISSIONERS** that the requested abandonment .08 miles at the terminus of SR 1537, Willets Road, is found to be in the public interest, and otherwise promotes the public health, safety and general welfare and therefore, the Jackson County Board of Commissioners hereby request that the North Carolina Board of Transportation formally close and abandon .08 miles of SR 1537.

**ADOPTED** by the Jackson County Board of Commissioners on the \_\_\_\_\_ day of August 2023.

Attest:

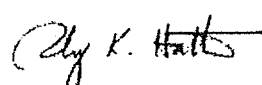
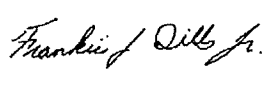
Approved:

\_\_\_\_\_  
Angela M. Winchester, Clerk to Board

\_\_\_\_\_  
Mark Letson, Chairman

# PROPERTY HISTORY WORKSHEET

**Instructions:** The purpose of the worksheet is to determine how best to proceed with Secondary Road Abandonment, Residue Property, Surplus Right of Way and Control of Access Revisions. The District Engineer will complete Section 1, and send the worksheet to the Division Right of Way Agent, who will complete Sections 2 & 3, and return the worksheet and supporting documents to the requesting District Engineer. The completed worksheet must accompany all requests for surplus r/w disposals and all requests for control of access revisions.

<b>SECTION 1</b>	<b>REQUESTING DISTRICT ENGINEER:</b> Chris Lee, PE		
<b>Division</b> 14	<b>County:</b> Jackson	<b>City/Town:</b> Glenville	
<b>TIP No.</b>	<b>Route:</b> SR 1144, Charlow Lane		
<b>State Project No.</b>	<b>F.A. Project No.</b>		
<b>Station(s):</b>	0+00 to 11+62 (EOM)		
<b>Requesting Party or Agent for Requesting Party:</b> <u>BRYAN PHEGLEY</u>			
<b>Property location:</b> Abandonment request begins at of intersection w/ SR 1146, Fenley Forest Trail			
<b>SECTION 2</b>	<b>PROPERTY RESEARCH:</b>		
R/W or Easements obtained by: <input type="checkbox"/> Fee Simple, <input type="checkbox"/> R/W Agreement, <input type="checkbox"/> Permanent Easement, <input checked="" type="checkbox"/> Maintenance/Plat,			
R/W or Easements obtained by Condemnation: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - If yes, answer two questions to right			
1. Was it a total take <input type="checkbox"/> Yes, <input type="checkbox"/> No - If no, answer #2.			
2. Does condemned party still own remainder <input type="checkbox"/> Yes, <input type="checkbox"/> No			
Was it recorded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, Book _____, Page _____ (attach copy)			
Is there controlled access? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the area landlocked? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Are plans from the acquisition available? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if yes, attach copy)			
List names of all owners adjoining surplus or C/A revision (Attach copy of GIS or Tax Map showing owners):			
Rick Kuntz 7563-57-1126 & 7563-47-6247, The Point of Glenville Association, Inc. 7563-57-4199, George M. Naruns 7563-46-4797, Juan Milcunas 7563-46-6835, Gary Metal 7563-46-7993			
<b>SECTION 3</b>	<b>DETERMINATION:</b>		
X	<b>SECONDARY ROAD ABANDONMENT:</b> Area is along an existing Secondary Road, does not involve control of access or a TIP Project, and was acquired by a secondary road agreement, plat, or by maintenance. To be handled by the District Engineer as secondary road abandonment.  <b>RESIDUE PROPERTY:</b> Area is outside the right of way limits. The area was purchased in conjunction with the settlement of the right of way acquisition claim. To be handled by the District Engineer, Division Engineer, Division Right of Way Agent, and the Right of Way Unit.  <b>SURPLUS RIGHT OF WAY/EASEMENTS:</b> All rights of way or easements acquired or held by DOT on all roads, except secondary road abandonments as defined above. To be handled by the District Engineer, Division Engineer, R/W Disposal and Control of Access Review Committee, and Chief Engineer.  <b>CONTROL OF ACCESS REVISION:</b> Area is within the control of access limits on all completed highway projects or completed parcels on highway projects under construction. To be handled by the District Engineer, Division Engineer, R/W Disposal and Control of Access Review Committee and Chief Engineer. (C/A revisions on unresolved condemned parcels are not reviewed by the Committee)		
 12/1/22		 11-30-2022	
Agree that Request is for Surplus R/W - Assistant State Negotiator		Division Right of Way Agent      Date	

cc. Secondary Roads Program Manager

**North Carolina Department of Transportation  
Division of Highways  
Secondary Road Abandonment Investigation Report**

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County	<u>Jackson</u>	Co. File No.	<u>SR 1144</u>	Date	<u>February 2, 2023</u>
Township	<u>Glenville</u>	Div. File No.	<u></u>	Div.#	<u>14</u>

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SR No. & Local Name If Any	<u>SR 1144, Charlow Lane</u>	
Length To Be Abandoned <u>1162'</u>	Length To Be Retained <u>0'</u>	
Width <u>12'</u>	Type <u>Unpaved</u>	Condition <u>Fair</u>
Number of homes having entrances into road	<u>3 Homes</u>	
Other uses having entrances into road	<u>Private Subdivision road access</u>	
Is the road a school bus route?	<u>No</u>	
Average Daily Traffic Count (estimated)	<u>Less than 10</u>	
Date of last State maintenance performed	<u>10/2022</u>	
Is the road a mail route?	<u>No</u>	
Are there any bridges, pipe > 48'' or retaining walls present in the right of way?	<u>No</u>	
Is a petition for this request attached?	<u>Yes</u>	
Is the County Commissioners' Approval attached?	<u>Yes</u>	
If not, give reason	<u>In progress</u>	
Additional information applicable	<u>This request is to abandon all of SR 1144, Charlow Lane.</u>	

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Submitted by _____	Reviewed and Approved _____
DISTRICT ENGINEER	DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER \_\_\_\_\_

	Do not write in this space- For Use by Secondary Roads Unit
	Petition #

## Vicinity Map

### Proposed Request for Secondary Road Abandonment

Route: SR 1144

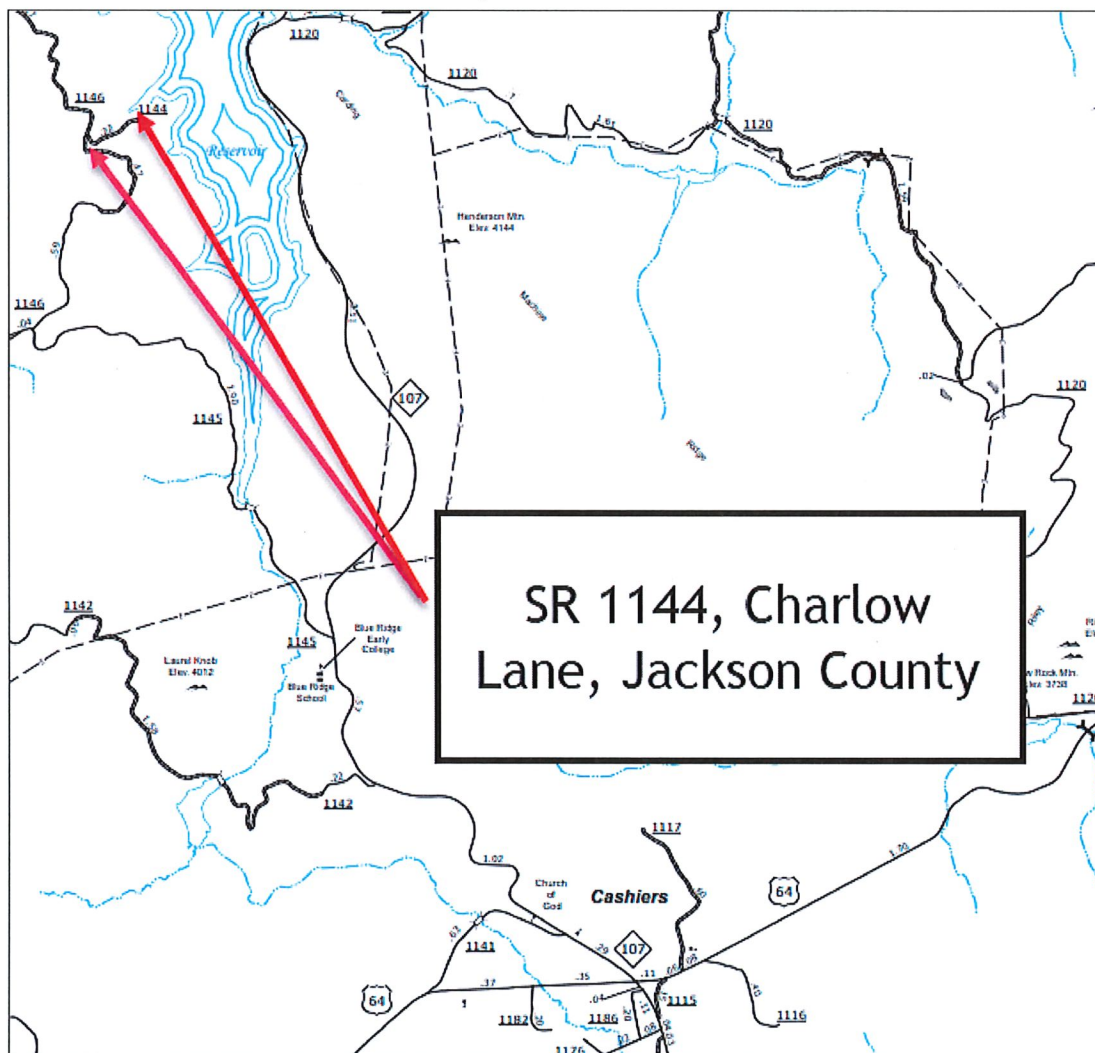
County: Jackson

System: Secondary

Existing Length: 1162 FT

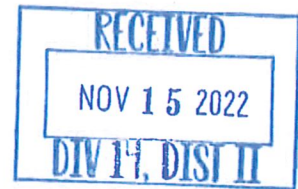
Requested Length of Abandonment: 1162 FT

Requested Length to Retain: 0 FT



North Carolina Department of Transportation  
Division of Highways  
Abandonment Petition

1 of 2



North Carolina

County of Jackson

Petition request for the abandonment of Secondary Road SR 1144, Charlow Lane, from the State  
Maintained System

We the under signed being all of the property owners on Secondary Road Charlow Lane, SR 1144

In Jackson County do hereby request the Division of Highways of the Department of  
Transportation to abandon the road from the State Maintained System.

Property Owners touching NCDOT maintained Charlow Lane

Rick Kuntz, 215 Charlow Lane, Cullowhee, NC 28723

Rick Kuntz

Gary Metal, 146 Charlow Lane, Cullowhee, NC 28723

Gary Metal

Rosemary Metal, 146 Charlow Lane, Cullowhee, NC 28723

Rosemary Metal

The Point at Glenville Lake Association, PO Box 1241, Cashiers, NC 28717

Bryan Hagley

Juan Milciuag, Lot 2, Uppermeadow Lane, Cullowhee, NC

2 of 2

Juan Milciuag

Lourdes Milciunias, Lot 2 Uppermeadow Lane, Cullowhee, NC

L. Milciunias

George Naruns, Lot 1, Uppermeadow Lane, Cullowhee, NC

G. Naruns

Peggy Naruns, Lot 1, Uppermeadow Lane, Cullowhee, NC

Peggy Naruns meadow