



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

ERIC BOYETTE
SECRETARY

February 2, 2021

Don Adams
Jackson County Manager
401 Grindstaff Cove Rd.
Sylva, NC 28713

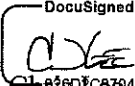
Subject: Relocation of SR 1331, Dr Killian Rd.

Dear Mr. Adams,

Please accept this request to place two items on the Board of Commissioners upcoming work session agenda scheduled for February 9, 2021. Both items have been previously reviewed by the board but did not result in a resolution due to incomplete roadway work by the developer. For reference, this request is for a Board resolution to support abandonment of 1350' of SR 1331, Dr Killian Rd. that were impacted by construction of WCU's Millennial Campus and add back 1350' of realigned SR 1331 per the attached plat to the state highway system. The Department made a final inspection of remaining work on January 7, 2021 and found all items to be acceptable and in accordance with state standards and specifications.

Please find enclosed a petition of abandonment signed by the sole property fronting owner of the relocated section of SR 1331, Western Carolina University. Also attached is a petition for addition to the state highway system also signed by WCU. I have also enclosed a signed secondary road right of way agreement with WCU and associated survey plat indicating the new alignment of SR 1331.

If you have any questions or concerns, please advise.

Sincerely,
DocuSigned by:

Christopher P. E.
District Engineer

Enc.

cc: Brian Burch, P. E., Division Engineer
Mitchell Bishop, P.E., Division Construction Engineer
Wesley Grindstaff, P.E., Division Maintenance Engineer
Travis Williamson, Jackson County Maintenance Engineer
File

**North Carolina Department of Transportation
Division of Highways
Abandonment Petition**

North Carolina

County of Jackson

Petition request for the abandonment of Secondary Road 1331 from the State.

Maintained System

We the under signed, being all of the property owners on Secondary Road SR 1331 - Dr. Killian Road

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

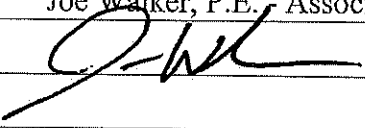
PROPERTY OWNERS

Name

Address

Western Carolina University - 3476 Old Cullowhee Road, Cullowhee, NC 28723

Joe Walker, P.E. Associate Vice Chancellor for Facilities Management



**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: Jackson Road Name: SR 1331 - Dr. Killian Road
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: _____ Length (miles): 1350 feet

Number of occupied homes having street frontage: _____ Located (miles): 0

miles N S E W of the intersection of Route 1331 and Route 1352.
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Western Carolina University in Jackson County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Joe Walker Phone Number: 828 - 227 - 7224

Street Address: 3476 Old Cullowhee Road, Cullowhee, NC 28723

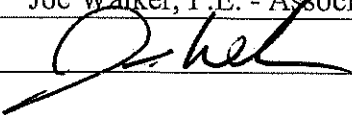
Mailing Address: 3476 Old Cullowhee Road, Cullowhee, NC 28723

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
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Western Carolina University	3476 Old Cullowhee Road, Cullowhee, NC 28723	828-227-7224
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Joe Walker, P.E. - Associate Vice Chancellor for Facilities Management		
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INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

Rural Road Subdivision platted prior to October 1, 1975 Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>



Doc ID: 005936190002 Type: RIGHT OF
 Recorded: 05/28/2020 at 03:10:46 PM
 Fee Amt: \$26.00 Page 1 of 2
 Jackson County, NC
 Joe Hamilton Register of Deeds
 BK 2267 PG 1197-1198



SECONDARY ROAD RIGHT OF WAY AGREEMENT

THIS INSTRUMENT DRAWN BY: Robert W Woods, Jr CHECKED BY: PF Cavanaugh

RETURN TO: Frankie J Dills, Jr., Division R/W Agent, NCDOT
 1594 E Main ST
 Sylva NC 28779

NORTH CAROLINA PARCEL NO.: 7549-83-7905
 COUNTY OF Jackson WBS ELEMENT: 14.205021
 TOWNSHIP OF Cullowhee SECONDARY ROAD NO.: SR 1331 DR KILLIAN RD

The State of North Carolina through Western Carolina University,

the undersigned owners of that certain property described in Deed Book 1467 at Page 650
 in the Register of Deeds Office of Jackson County, and bounded by
Pin #s: 7549-63-7273; 7549-85-5761; 7559-23-1452

recognizing the benefits to said property by reason of the construction of the proposed highway development, and in consideration of the construction of said project, hereby grants to the North Carolina Department of Transportation the right of way as herein described and releases the Department from all claims for damages by reason of said right of way across the lands of the undersigned, and of the past and future use thereof by the Department, its successors and assigns, for all purposes for which the Department is authorized by law to subject such right of way; said right of way being the width indicated and across said property as follows:

45 feet in width measured 22.5 feet on each side of the centerline of the road, said centerline to be located by the Department and the construction or improvement of said road shall constitute the selection of said centerline; and such additional widths as might be necessary to provide for cut and fill slopes, sedimentation control and drainage of road.

It is understood and agreed that the 45 foot right of way hereinabove referred to has been staked upon the ground and the centerline of the road is located in the center of the right of way stakes. The undersigned property owners further agree not to erect any structures, including masonry mailboxes, masonry driveway headwalls, any fencing, etc. or engage in cultivation within the right of way granted herein except as approved by the North Carolina Department of Transportation pursuant to G.S. 136-93 and NC Administrative Code 19A NCAE 02E.0404.

It is further understood and agreed that should circumstances, conditions, or actions by the North Carolina Department of Transportation delay or delete the proposed improvement of said road, that the right of way granted herein shall remain until such time as released by the North Carolina Department of Transportation.

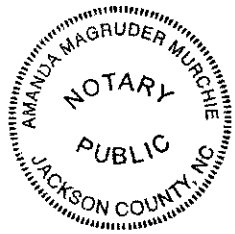
COUNTY: JACKSON WBS ELEMENT: 14.205021 PARCEL NO.: 050SR1331 001 7549-83-7965

There are no conditions to this agreement not expressed herein. The undersigned hereby covenant and warrant that they are the sole owners of said property; that they solely have the right to grant this right of way, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this the 24 day of FEBRUARY, 20 20

[Signature] (SEAL) _____ (SEAL)

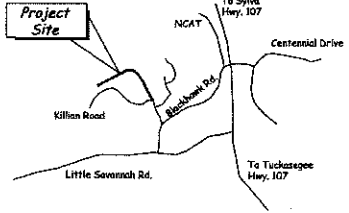
BY: JOE WALKER, PE
ASSOCIATE JC FACILITIES (President)

 <p>(Official Seal)</p>	<p>North Carolina, <u>Jackson</u> County</p> <p>I, <u>Amanda Magruder Murchie</u> a Notary Public for <u>Jackson</u> County, North Carolina, do hereby certify that <u>Joe Walker</u></p>
	<p>personally appeared before me this day and acknowledged the due execution of the foregoing instrument.</p> <p>Witness my hand and official seal this the <u>24th</u> day of <u>February</u>, 20 <u>20</u></p> <p><u>[Signature]</u> Notary Public</p> <p>My commission expires: <u>March 27, 2021</u></p>
<p>(Official Seal)</p>	<p>North Carolina, _____ County</p> <p>I, _____, a Notary Public for _____ County, North Carolina, do hereby certify that _____ personally came before me this day and acknowledged that he/she is president of _____, a corporation, and that he/she, as president, being authorized to do so, executed the foregoing on behalf of the corporation.</p> <p>Witness my hand and official seal this the _____ day of _____, 20 _____.</p> <p>_____ Notary Public</p> <p>My commission expires: _____</p>

- FREEDOM FROM ENCUMBRANCES.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY-AT-LAW.
 - ALL DISTANCES ARE HORIZONTAL UNLESS OTHERWISE NOTED.
 - COPYRIGHT © JOEL JOHNSON LAND SURVEYING. ALL RIGHTS RESERVED. REPRODUCTION OR USE OF THE CONTENTS OF THIS DOCUMENT, ADDITIONS OR DELETIONS TO THIS DOCUMENT, IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT OF THE LAND SURVEYOR IS PROHIBITED. ONLY COPIES FROM THE ORIGINAL OF THIS DOCUMENT, MARKED WITH AN ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR, SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
 - TRAVERSE ADJUSTED BY COMPASS METHOD TO 1:34,896.
 - PROPERTY HAS NOT BEEN INSPECTED FOR WETLANDS OR FLOOD HAZARDS.
 - ALL ADJOINING PROPERTY INFORMATION WAS TAKEN FROM CURRENT LAND RECORDS INFORMATION AS OF DATE OF SURVEY BUT IT SHOULD BE NOTE.
 - GPS control information taken from a topographic drawing by W. K. Dickson, Co., Inc. obtained thru Civil Design Concepts.

State of North Carolina
County of Jackson
I, **JOEL JOHNSON**, Surveyor
certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional for the same.
JOEL JOHNSON
Surveyor
Date: **8-24-2019**
Review Officer: _____

State of North Carolina
County of Jackson
Filed for registration at 3:00 o'clock p.m. this 28th of May, 2020 and recorded in Plat Cabinet 23 Slide 672.



LOCATION MAP
NOT TO SCALE

I, R. JOEL JOHNSON, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (JACKSON CO. BK. 1467, PG. 450); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN ON PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:35,900; THAT THIS PLAN MEETS THE REQUIREMENTS FOR A CLASS C SURVEY; THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION PER SECTION (1)(X) THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTERED NUMBER AND SEAL THIS 27th DAY OF AUGUST, A.D. 2019.

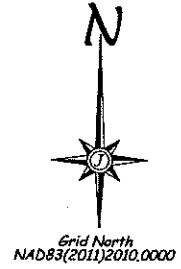
JOEL JOHNSON
Surveyor
August 27, 2019
R. JOEL JOHNSON REGISTRATION NUMBER L-3882

- GPS Control Metadata
- (1) Class of survey: A
 - (2) Positional accuracy: 0.046 ft @ 95% Confidence
 - (3) Type of GPS field procedure: OPUS Static
 - (4) Dates of survey: August 15, 2019
 - (5) Datum/Epoch: NAD 83 (2011) / 2010.0000
 - (6) Published/Fixed-control use: HAYW, NCBC, NCSY, FREN
 - (7) Geoid model: 12b
 - (8) Average combined grid factors: 0.99977600
 - (9) Units: US Survey Feet

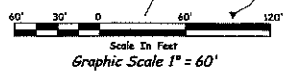
Course	Bearing	Distance
L1	N 29°41'35" W	25.99'
L2	Rad: 222.50' Tan: 27.08' Chd: N 22°45'10" W	A: 53.90' CA: 13°52'50" 53.77'
L3	N 15°48'45" W	25.33'
L4	Rad: 164.00' Tan: 23.50' Chd: N 23°58'05" W	A: 46.69' CA: 16°18'40" 46.53'
L5	N 32°07'25" W	25.66'
L6	Rad: 127.50' Tan: 23.51' Chd: N 42°34'15" W	A: 46.49' CA: 20°53'40" 46.24'
L7	N 53°01'00" W	27.67'
L8	Rad: 172.50' Tan: 38.39' Chd: N 40°28'15" W	A: 75.54' CA: 25°05'30" 74.94'
L9	N 27°55'30" W	393.96'
L10	Rad: 127.50' Tan: 126.02' Chd: N 72°35'25" W	A: 198.78' CA: 89°19'45" 179.25'
L11	S 62°44'40" W	368.69'

LEGEND :

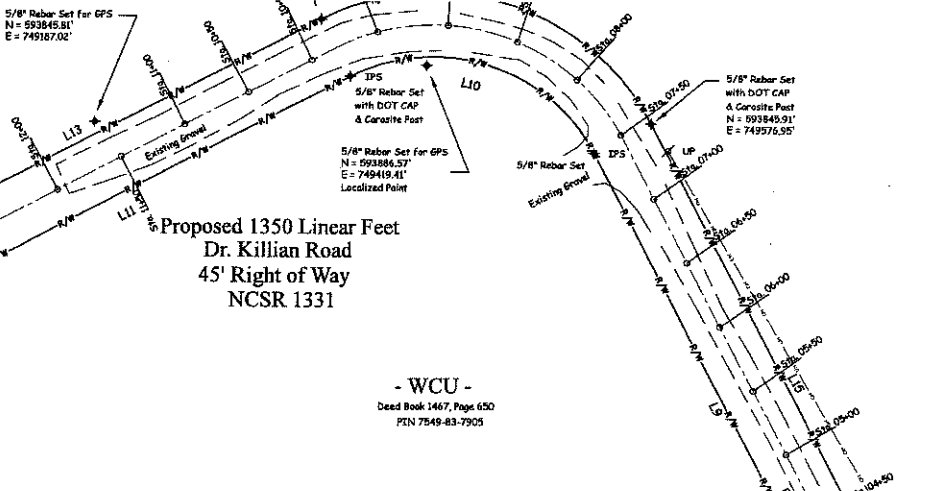
- PL — Property Line
- - - R/W - Proposed Right of Way
- - - Adjoining Property Line
- - - Tie Line
- - - Overhead Wires
- ==== Asphalt Road
- ==== Gravel Road
- ==== Centerline of Road
- - - Existing Fence Line
- - - Existing Creek
- + IPF Property Corner Found
- + IPS 5/8" Rebar Set with Cap
- CMF Concrete Monument Found
- AMF Aluminum Monument Found
- UP Utility Pole



Blackhawk Rd.
60' Right of Way
NCSR 1352



Course	Bearing	Distance
L12	N 27°15'20" W	45.00'
L13	N 62°44'40" E	368.69'
L14	Rad: 172.50' Tan: 170.49' Chd: S 72°35'25" E	A: 268.94' CA: 89°19'45" 242.52'
L15	S 27°55'30" E	393.96'
L16	Rad: 127.50' Tan: 28.37' Chd: S 40°28'15" E	A: 55.84' CA: 25°05'30" 55.39'
L17	S 53°01'00" E	27.67'
L18	Rad: 172.50' Tan: 31.81' Chd: S 42°34'15" E	A: 62.90' CA: 20°53'40" 62.56'
L19	Rad: 209.00' Tan: 29.95' Chd: S 23°58'05" E	A: 55.66' CA: 16°18'40" 55.33'
L20	S 53°01'00" E	27.67'
L21	Rad: 177.50' Tan: 21.61' Chd: S 22°45'10" E	A: 43.00' CA: 13°52'50" 42.90'
L22	S 29°41'35" E	17.99'
L23	S 50°13'40" W	45.71'
L24		



- WCU -
Deed Book 1467, Page 650
PIN 7549-83-7905

Existing 1350 Linear Feet
to be extinguished
Dr. Killian Road
45' Right of Way
NCSR 1331

Briar Patch Rd.
Private

