

RESOLUTION # \_\_\_\_\_

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER CLOSING OF AN UNOPENED ALLEYWAY

---

WHEREAS, this Board has received a petitions from the property owners adjoining an unopened alleyway in Buncombe County wishing to close said alleyway; and

WHEREAS, this Board feels it is in the best interest of the citizens and petitioners to declare its intent to close said unopened alleyway; and may by ordinance close said alleyway after a public hearing is held on the matter; and

WHEREAS, pursuant to NCGS 153A-241 this Board may by ordinance close any road alley or right of way after specific notice is given and a public hearing is held on the matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That a public hearing shall be conducted on Tuesday, January 5, 2010, to consider closing an unopened alleyway in Buncombe County further described as follows:

BEING a portion of an unopened alleyway as same is shown on Block 27 of the Grovemont-on-Swannanoa plat recorded in Plat Book 6 at Page 23 Buncombe County, North Carolina Registry and running generally from the northwest corner of Lot 12 of said plat and the northeast corner of Lot 29 of said plat to Wilson Avenue.

2. That the Clerk to the Board shall cause notice of said Public Hearing to be posted in two places along said alleyway and to be published pursuant to General Statute 153A-241 for three consecutive weeks in the Asheville Citizen Times on November 24, December 1, 8, 2009.
3. That this resolution shall be effective upon its adoption.

ADOPTED this the 17<sup>th</sup> day of November, 2009.

ATTEST

BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE

\_\_\_\_\_  
KATHY HUGHES, CLERK

\_\_\_\_\_  
DAVID GANTT, CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
JOE CONNOLLY, COUNTY ATTORNEY