

**§ 153A-241. Closing public roads or easements.**

A county may permanently close any public road or any easement within the county and not within a city, except public roads or easements for public roads under the control and supervision of the Department of Transportation. The board of commissioners shall first adopt a resolution declaring its intent to close the public road or easement and calling a public hearing on the question. The board shall cause a notice of the public hearing reasonably calculated to give full and fair disclosure of the proposed closing to be published once a week for three successive weeks before the hearing, a copy of the resolution to be sent by registered or certified mail to each owner as shown on the county tax records of property adjoining the public road or easement who did not join in the request to have the road or easement closed, and a notice of the closing and public hearing to be prominently posted in at least two places along the road or easement. At the hearing the board shall hear all interested persons who appear with respect to whether the closing would be detrimental to the public interest or to any individual property rights. If, after the hearing, the board of commissioners is satisfied that closing the public road or easement is not contrary to the public interest and (in the case of a road) that no individual owning property in the vicinity of the road or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the board may adopt an order closing the road or easement. A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county.

Any person aggrieved by the closing of a public road or an easement may appeal the board of commissioners' order to the appropriate division of the General Court of Justice within 30 days after the day the order is adopted. The court shall hear the matter de novo and has jurisdiction to try the issues arising and to order the road or easement closed upon proper findings of fact by the trier of fact.

No cause of action founded upon the invalidity of a proceeding taken in closing a public road or an easement may be asserted except in an action or proceeding begun within 30 days after the day the order is adopted.

Upon the closing of a public road or an easement pursuant to this section, all right, title, and interest in the right-of-way is vested in those persons owning lots or parcels of land adjacent to the road or easement, and the title of each adjoining landowner, for the width of his abutting land, extends to the center line of the public road or easement. However, the right, title or interest vested in an adjoining landowner by this paragraph remains subject to any public utility use or facility located on, over, or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility. (1949, c. 1208, ss. 1-3; 1957, c. 65, s. 11; 1965, cc. 665, 801; 1971, c. 595; 1973, c. 507, s. 5; c. 822, s. 1; 1977, c. 464, s. 34; 1995, c. 374, s. 1.)

## Resolution of Intent

A RESOLUTION DECLARING THE INTENTION OF THE RICHMOND COUNTY COMMISSIONERS TO CONSIDER THE CLOSURE OF A PORTION OF THE UNIMPROVED 15-FOOT-WIDE ROADWAY (COVINGTON ST) LOCATED OFF HIGHWAY US 1 NORTH.

**WHEREAS**, the County Commissioners of Richmond County have received a written request from the adjacent property owner(s), to close and abandon a portion of the unimproved 15-foot-wide roadway (Covington Street) located off Highway US 1 North.

**WHEREAS**, pursuant to North Carolina General Statute 153A-241 a county may permanently close a public road or any easement or right-of-way within the county and not within a city, except public roads or easements for public roads under the control and supervision of the Department of Transportation.

**WHEREAS**, the Richmond County Board of Commissioners is required to conduct a public hearing for the purpose of giving consideration to close and/or abandon a portion of the unimproved street, easements, and right-of-way described as approximately 15 feet in width extending approximately 190 feet in length between the remaining portion of the unimproved Covington Street and Highway US 1 North, adjacent to parcel A (.44A) and parcel C (.75A) as more particularly shown as designated road on Plat 822U as recorded in the Office of the Richmond County Register of Deeds, which is incorporated by reference herein into this Resolution.

**THEREFORE, BE IT RESOLVED**, by the Richmond County Commissioners that:

1. A public hearing to discuss and consider the above described request to close a public road, easement and/or right-of-way (either improved or unimproved) will be held at 5:30PM on April 1, 2025, at 105 West Franklin Street Courtroom C Rockingham NC 28379.
2. The County Clerk is hereby directed to publish this Resolution of Intent once a week for three consecutive weeks in the Richmond County Daily Journal.
3. A notice of the closing and public hearing will be prominently posted in at least two places along the unimproved roadway.
4. The County Clerk is further directed to transmit by registered or certified mail to each owner of property adjoining the public road or easement who did not join in the request to have the road or easement closed, a copy of this Resolution of Intent; and
5. The County Clerk is further directed to cause adequate notices of this Resolution of Intent as required by G. S. 153A-241.

ATTEST:

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Dena R Cook, NCCCC  
County Clerk

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Chairman, Dr. Rick W. Watkins  
Richmond County Board of Commissioners