



# MEMORANDUM

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**To:** Mayor and City Councilors  
**From:** Rich Olson, City Manager  
**Date:** June 19, 2013  
**Re:** Work Session Presentation - Alleyway Committee Report

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In 2011, Mayor McLean created an Alley Committee whose primary responsibility was to make recommendations to the City Council on the classifications and use of alleys located in the City. The Committee divided the alleys into three categories:

- Used Alleys – These alleys are used by the City for the delivery of public utilities, primarily overhead power.
- Access Alleys – These alleys provide the adjacent property owners with a way to access the back or side of their property.
- Unused Alleys – These alleys have no apparent use.

Staff, mainly GIS Coordinator Amy Durden, researched all platted alleyways and created a database, which utilizes the above classification system. Staff's research shows that there is a total of 33,620 linear feet of alleys in the City. Alleys used by the City for public utilities consist of 17,050 feet. Alleys used to provide access total 3,660 feet and alleys that appear to serve no purpose consist of 12,920 feet. Most of the alleys are found in the Second Ward, followed by the Fourth Ward and First Ward respectively. There are no alleys in the Third Ward. To tackle this project, the Alley Committee decided to break the alleys down by Ward. The committee would look at each alleyway in a Ward, determine the alley's classification and then determine what should be done.

On June 18, 2013, the Alley Committee looked at the 17 alleys within the Fourth Ward. Attached is a map showing the alleys' location and the proposed action recommended by the Committee. Of the 17 alleys in the Fourth Ward, the Committee recommends closing/abandoning eight (8). In addition, staff is researching a ninth alleyway in the Fourth Ward.

NCGS §160A-299 provides the procedure for closing an alleyway or street. First, the City Council must adopt a Resolution of Intent to close the alley. The resolution is required to set the time for a Public Hearing, which must be at least five weeks after the adoption of the Resolution of Intent. The Resolution of Intent must be published once a week for four weeks in The Daily Advance. In

addition, the City must mail a notice to the adjacent property owners by Certified Mail. The alley must also be posted in two places. Anyone may speak at the Public Hearing, not just the adjacent property owners. If the Council elects to close an alleyway, the Council will need to adopt an Order closing the alley. That Order must be recorded with the Office of Register of Deeds. Once closed, the adjacent property owners split the alley equally.

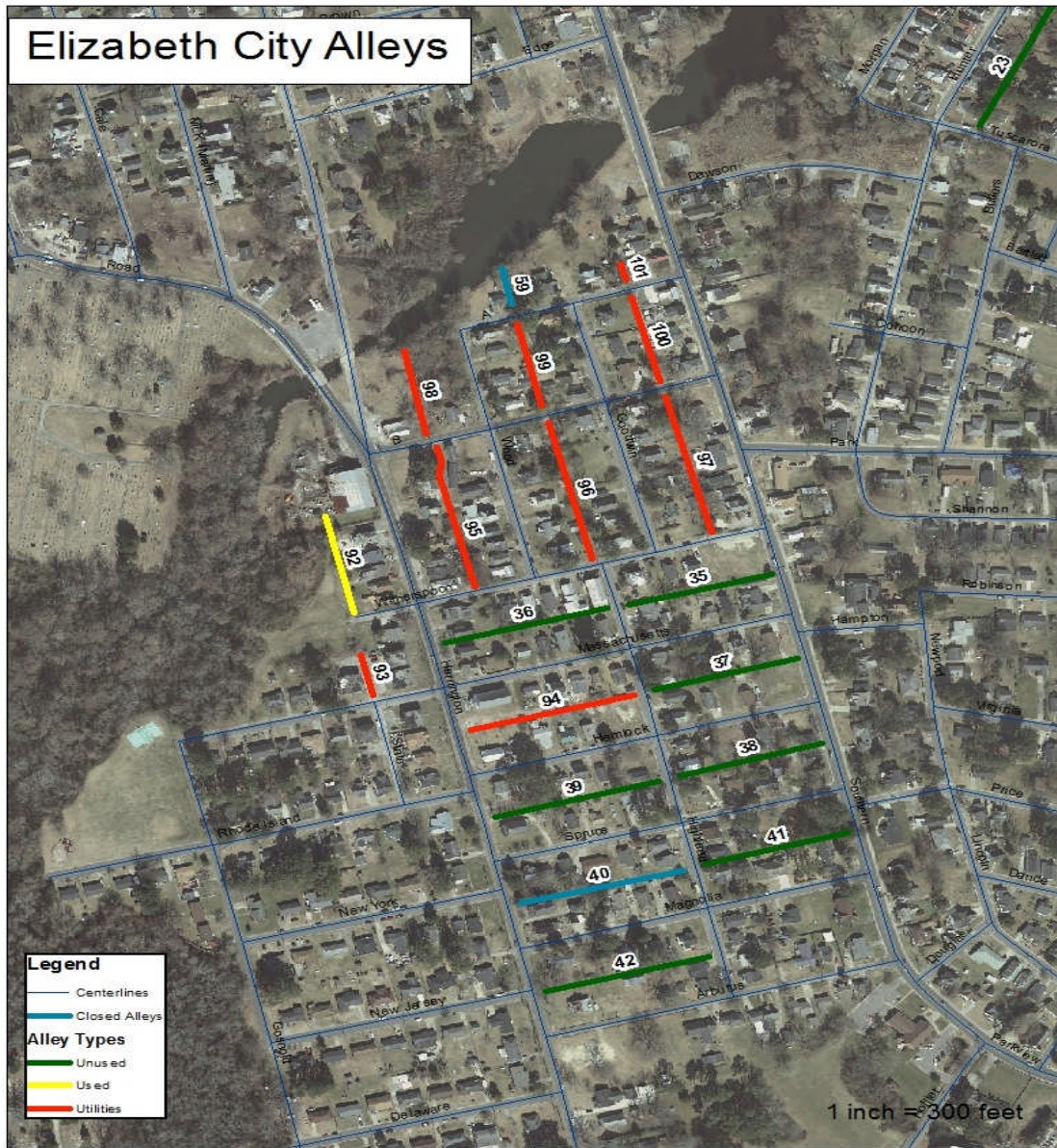
The Alley Committee discussed the best way to achieve the closing of the alleys. They are recommending that one Public Hearing be held for all alleys within a Ward, starting with the Fourth Ward. The Committee will visit the alleys in the First Ward in July and make recommendations to the Council, to be followed by the Second Ward.

It will take approximately nine months for the Council to complete the closing of the unused alleyways should the decision be made to do so.

A copy of the PowerPoint presentation prepared for Monday's meeting is attached.

RCO/vdw

# Elizabeth City Alleys



Alley #	Type	Name	Notes	Current Status	Recommendation
101	Used	A Street	Used by residents to access property	OPEN	Leave Open
100	Used	B/A Streets	Used by residents to access property	OPEN	Leave Open
99	Utilities	B/A Streets	Utilites/used by resident to access property	OPEN	Leave Open
98	Utilities	B/A Streets	No Utilities, trees, weeds	OPEN	Vacate
97	Utilities	B/Witherspoon	Utilites/used by resident to access property	OPEN	Leave Open
96	Utilities	B/Witherspoon	Utilites/used by resident to access property	OPEN	Leave Open
95	Utilities	B/Witherspoon	Utilites/used by resident to access property	OPEN	Leave Open
42	Unused	Highland/Herrington	Building Encroachment, fences	OPEN	Vacate
39	Unused	Highland/Herrington	Building Encroachment, trees	OPEN	Vacate
36	Unused	Highland/Herrington	Trees, shrubs,	OPEN	Vacate
94	Utilities	Highland/Herrington	Building Encroachment, fences	OPEN	Vacate
38	Unused	Highland/Southern	Building Encroachment, fences	OPEN	Vacate
37	Unused	Highland/Southern	Building Encroachment, trees	OPEN	Vacate
35	Unused	Highland/Southern	Building Encroachment, fences	OPEN	Vacate
93	Utilities	North of Massachusetts	Used by residents to access property	OPEN	Leave Open
41	Unused	Highland/Southern	Checking	OPEN	
92	Used	North of Witherspoon	Utilites/used by resident to access property	OPEN	Leave Open