

To	Marchell Adams-David, City Manager
Thru	Paul Kallam, Director
From	Amanda Jones, Senior Engineer
Department	Transportation
Date	July 1, 2025
Subject	Street Closing and Right-of Way Acquisition STC-01-2025: Willow Street

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Mr. Ryan Reid has petitioned the City of Raleigh to close approximately .16 acre of right-of-way on the north side of Edmund Street. The case is designated Street Closing STC-01-2025: Willow Street Right-of-Way.

- The right-of-way dedication was platted in 1920 (Wake County BM 1920 PG 232)
- The applicant is requesting permission to close Willow Street right-of-way without signature from adjacent neighbor at 619 Edmund Street.
- Applicant intends to build a new single-family residence at 701 Edmunds Street.
- The city proposes a contingency that the closure is only effective upon the platting of the new right-of-way and consideration of the value of this currently public asset, valued per appraisal at \$163,000.

The closure of this right-of-way as requested aligns with Policy T 2.7 in the 2030 Comprehensive Plan and prior City Council approvals.

Attached are the street closing petition summary information submitted by the applicant and a map of the proposed closure area.

# Street Closing Petition

## Permanent Closing of Public Streets and Alleys



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b	Any person aggrieved by the closing of any street or alley, including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. The court shall hear the matter de novo, and shall have full jurisdiction to try the issues arising and to order the street or alley closed upon proper findings of fact by the jury. No cause of action or defense founded upon the invalidity of any proceedings taken closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun 30 days after the order is adopted.
c	Upon closing of a street or alley in accordance with this section, all right, title and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.
d	This section shall apply to any street or public alley that has been irrevocably dedicated to the public, without regard to whether it has actually been opened.
e	No street or alley under the control of the Department of Transportation may be closed unless the Department of Transportation consents thereto (1971, c. 698, s. 1; 1973, c. 426, s. 47; c. 507, s. 5; 1977, c. 464, s. 34).

### Section C: Summary Information

1	Description of portions of street or alley (to be closed):
<p>Between 701 Edmund St. and 619 Edmund St. there is an unimproved dead-end portion of Willow St. public ROW that is 44' wide and 160' deep. The 44' width is frontage along Edmund St. to the south, and the north end of the ROW abuts Conn Elementary's land owned by Wake County Board of Education. This is an unimproved alley that is not being used or maintained by the City that is unlikely to ever be developed as a through street as there is a large ditch/stream that is in between the ROW and the parking lot of Conn Elementary. The ROW was originally recorded as part of the Subdivision of W.L. Johnson and E.B.Crow on BM1920, page 232 that later became the Albemarle Housing Co. subdivision recorded on BM1947, page 19. There was a similar ROW originally recorded as part of this subdivision for Edmund St. to extend west of Brookside Dr., and that ROW has since been closed showing a precedence for closing a similar ROW. The original purpose of the Willow St. ROW that we are requesting to close was to allow access to a 2.923 acre piece of land with original address of 1207 Willow St. that had been owned by various developers before being transferred to the Wake County Board of Education in 2018 as recorded on Book 2018, Page 981. With the Wake County Board of Education's acquisition of this land in 2018 and combination of it with their existing property the new property is no longer landlocked as the previous property was without the Willow St. ROW, and there is no longer a current need for the ROW to exist.</p>	





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2 Reason for closing the street:

The petitioner is the new owner of 701 Edmund St. which was marketed and purchased as a lot with the existing structure not being livable, and they intend to build a new single-family home on this lot. Closing the ROW presents the best options to build in conformity with the neighborhood conservation overlay district. The ROW is overgrown in portions and seldom maintained and allows for unwanted and potentially unsafe public access to overgrown areas in between 2 residential homes and elementary school property. The north end of the right-of-way is overgrown and abuts a severe grade change along with an existing stream and buffer on the Conn Elementary site and SR-51-18 was approved in 2018 to allow for Conn Elementary to not require a through street or access from this right-of-way due to potential safety concerns, non-compliance with NCDOT MSTA requirements, topographical issues, and other reasons. An excerpt of that is attached and the full file can be found at [https://cityofraleigh0drupal.blob.core.usgovcloudapi.net/drupal-prod/COR15/SR-051-18\\_AA.pdf](https://cityofraleigh0drupal.blob.core.usgovcloudapi.net/drupal-prod/COR15/SR-051-18_AA.pdf)

As parents of a Conn student there are many safety concerns always in our head. While it's not at the top of that list of safety concerns, I do think there is a public safety benefit of not having an unimproved and unmonitored public ROW abutting the woods of school property where kids are dropped off in carpool and kids in 2<sup>nd</sup> grade or older are allowed to walk home alone. There are 122 elementary schools in Wake County Public School System as shown on their website. Through research on Wake County iMaps it appears that Conn is the only one that has an unimproved public right-of-way that abuts school property and isn't used for public access to the school. This ROW did not abut school property until 2018 so it is a new potential concern to address.

The original purpose of the ROW was to allow access to land that would have been landlocked without the ROW, but that original purpose is no longer relevant since 2018 when the tract of land was acquired by Wake County Board of Education and combined with their existing property as part of the re-development of Conn Elementary. As part of that re-development the Board of Education submitted multiple documents stating that vehicular connectivity from this ROW would "not only pose a safety hazard to school students but may create an opportunity to have unauthorized persons access the site without staff supervision." Without reference to vehicular traffic, they also stated that "multiple points of public access to, and egress from, the site and building is extremely difficult for administration to monitor."

Based on the above we are proposing that closing the ROW is in the public's best interest for the following reasons:

- Eliminating a point of public access to, and egress from, the Conn Elementary site and building would address the safety hazard called out by the Wake County Board of Education in 2018 on SR-51-18 and would remove a public access point that is extremely difficult for school administration to monitor
- The ROW is unimproved and seldom maintained where private ownership of the current ROW would allow for better maintenance of the property to better conform to the rest of the street and eliminate potential safety issues of unknown people using the overgrown ROW next to residential homes
- The City of Raleigh would save money from no longer having to own and maintain the property to any degree while also presenting an opportunity for additional income for the city and county in tax revenue with private ownership of the land
- No individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would be thereby deprived of reasonable means of ingress or egress to their property
- There is precedence for closing a similar ROW that was part of this same subdivision for the portion of Edmund St. west of Brookside Dr. that is on the original subdivision map but is now private property of the 2 residential lots that were adjacent to that original ROW

# Street Closing Petition

## Permanent Closing of Public Streets and Alleys



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3	This petition was submitted by:		
Name Ryan Reid			
Mailing Address 905 Glascock St.			
City Raleigh		State NC	Zip 27604
Daytime Phone (919) 623-9959		Email ryan.r.reid@gmail.com	
4	Today's Date 12/10/2024		
5	Wake County Property Map – Attached is a copy of the Wake County Property Map showing the subject street or alley and surrounding properties (obtain from Wake County iMAPS).		
6	Recorded Plat – Attached is a copy of the Recorded Plat showing the subject street or alley and surrounding properties (obtain from the Wake County Register of Deeds).		
We, the undersigned property owners, owning land abutting the street or alley shown on the attached map, hereby petition the Raleigh City Council to close and withdraw acceptance of dedication of such land for street purposes. The parcel identification numbers below refer to parcels as shown on the attached map.			Date of Map July 1947
Parcel Identification Number 1714148289		Road Frontage (from Deed) 160LF along east side of Willow St. ROW, 58LF of frontage on Edmund St	
Property Owner Ryan Robert Reid Sarah Miller Reid			
Mailing Address 905 Glascock St.			
City Raleigh		State NC	Zip 27604
Signature <i>Ryan Reid</i>		Signature <i>Sarah Reid</i>	
Parcel Identification Number 1714147270		Road Frontage (from Deed) 160LF along west side of Willow St. ROW, 58LF of frontage on Edmund St	
Property Owner Andrew Jeanne Merkel Mark Andrew Merkel			
Mailing Address 619 Edmund St.			
City Raleigh		State NC	Zip 27604
Signature			
Parcel Identification Number 1714148779		Road Frontage (from Deed) 44LF along north end of Willow St. ROW	
Property Owner Wake County Board of Education			
Mailing Address 1551 Rock Quarry Rd			
City Raleigh		State NC	Zip 27610
Signature <i>Mark Strickland</i>		Mark Strickland, Chief of Facilities and Operations	





