



COPY

April 17, 2019

Ignacia G Penaloza
Rojas, Graciela Mejia
513 Aberdeen Drive
Raleigh, NC 27610-7032

Re: Street Improvement Petition 2018-01 – Aberdeen Drive

Dear Mr. Penaloza,

Enclosed is the street improvement petition for Aberdeen Drive from Rose Lane to the Dead End of Aberdeen Drive. This original document will need to be returned to me upon your obtaining signatures from all deeded property owners in favor of the recommendation to construct a 27' back-to-back paved street with curb and gutter on both sides, drainage improvements and a 5 foot sidewalk on a 3.5 foot typical setback from the curb along the East side of the street. In order for this petition to meet the minimum requirements for submittal to the City Council, **it must meet 2 minimal requirements and must be signed by a majority in number of the adjacent property owners who also represent a majority in ownership of the total linear feet of adjacent property frontage.** You will need to **contact all property owners** that will be affected by the petitioned proposed improvements to provide them an opportunity to read and/or sign the original petition and be made aware that the possible street improvement project may result in an assessment against their property. **Street improvement petitions remain active for a period of six (6) months or until returned meeting the minimum sufficiency.**

Communication with all property owners is essential and enhances the possibility of a successful petition. City Staff will be glad to assist you during the petition process and we ask that you refer all property owners with questions and comments directly to me via e-mail at PetitionSpecialist@raleighnc.gov or ask them to call (919) 996-4054 to avoid any miscommunication. We held a public meeting on Tuesday, April 9th at the Worthdale Community Center to inform property owners of the petition and provide a brief presentation regarding the desired improvements and the petition process. Property owners will receive notification of the petition being issued to you which will include your contact information. Please feel free to contact me if you need assistance with your Aberdeen Drive Street Improvement Petition.

Cordially,

Donetta Powell

Donetta Powell
Engineering Petition & Assessment Specialist
City of Raleigh | Engineering Services | Roadway Design/Construction



Raleigh

**CITY OF RALEIGH
ENGINEERING SERVICES
ROADWAY DESIGN/CONSTRUCTION DIVISION**

PETITION FOR LOCAL IMPROVEMENTS

IN THE

CITY OF RALEIGH

NORTH CAROLINA

NUMBER 1359

Streets Included in this Petition:

Aberdeen Drive

From Rose Lane to dead end of Aberdeen Drive

PETITION FORM REQUESTED BY:

Ignacio Guterrez Penaloza
513 Aberdeen Drive
Raleigh, NC 27610-7032
mejiasag@yahoo.com
(919) 268-3682 phone

This is to certify that the attached petition was filed in the Office of the City Clerk and Treasurer this _____ day of _____, 20____

City Clerk & Treasurer

PETITION FOR LOCAL STREET IMPROVEMENTS

TO THE CITY COUNCIL OF THE CITY OF RALEIGH:

A. We, the undersigned property owners, owning land abutting upon the street or streets or part of the street or streets proposed to be improved as referred to and identified below, hereby petition the City Council, pursuant to the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina (Section 160A-217 and following sections), to make the improvements described below upon the streets or parts thereof identified below:

B. The Street or parts thereof desired to be improved are:

Aberdeen Drive – From Rose Lane to Dead End of Aberdeen Drive for an approximate distance of 800' +/-

C. The improvements petitioned for are generally described as follows:

 X (1) Standard improvements including paving with curb and gutter along both sides of the street, drainage improvements and a 5 foot sidewalk on a 3.5 foot typical setback from the curb along the East side of the street: That curbs, gutters, drains and paving be constructed and installed on the above named streets or parts thereof within the limits defined above.

In conjunction with the Raleigh Street Design Manual, such curbs and gutters to be 27' back-to-back per Chapter 8, Article 8.4 and Article 8.5 of the City of Raleigh Unified Development Ordinance. That streets, or parts thereof within the limits defined above, be paved with an asphaltic concrete surface not less than 3 inches laid on a stabilized base of crushed stone or gravel of necessary thickness as determined by the City Council but to be not less than 8 inches. Such paving shall also include necessary grading and construction of drains (storm sewers, laterals, inlets and storm sewer manholes) and the doing of all other work incidental to the construction and installation of curbs, gutters, drains and paving.

** Additional ROW / easements may be needed in order to install the improvements as proposed*

Prior to or during the construction of the above described standard improvements, necessary water and sewer service lines shall be laid for the proper connection of such water, or sewer mains with abutting property as designated by the City's Public Utility Policy.

 (2) Rebuilding of existing street to a width of not less than eighteen (18) feet with optional curbs and gutters. That streets, or parts thereof within the limits defined above, be paved with an asphaltic concrete surface not less than

inches thick laid on a stabilized base of crushed stone or gravel of necessary thickness as determined by the City Council but to be not less than _____ inches; such street rebuilding to include grading and the construction of drains (storm sewers, laterals, inlets and storm sewer manholes) and all other work incidental to said paving.

Prior to or during the construction of the above described rebuilding, necessary water and sewer service lines shall be laid for the proper connection of such water, or sewer mains with abutting property as designated by the City's Public Utility Policy.

 (3) Repaving of the existing street to a thickness of not less than one (1) inch. Residential streets which lack curb and gutter and/or which do not meet code standards for width are eligible for resurfacing at their current width if they a) have an adequate base, b) have acceptable drainage or drainage which can be made acceptable without major cost, and c) meet the conditions for variances set out in Section 6-2015 of the City Code.

 X (4) Sidewalk Improvement: That, if as approved by the City Council, a proposed 5' sidewalk on a 3.5' typical setback from the back of the curb along the East side of the street only, within the limits above defined, per Chapter 8, Article 8.4 and Article 8.5 of the City of Raleigh Unified Development Ordinance and in conjunction with the Raleigh Street Design Manual. Such sidewalk improvement to include necessary grading and all other work incidental to the construction of sidewalk improvements.

 X (5) Administrative Design Adjustments: Administrative design adjustments approved by the City of Raleigh Engineering Services Director pursuant to Chapter 8, Article 8.4 (E) and Article 8.5 (G) of the City of Raleigh Unified Development Ordinance and Raleigh Street Design Manual are listed as follows:

- **Retrofit the proposed improvements within the existing 50' ROW**
- **Sidewalk improvements along East side of street only**

D. And pursuant to and in accordance with Article 10 of Chapter 160a of the General Statutes of North Carolina (G.S. 160a-217 and following sections), we petition and request the City Council to specially assess and charge one hundred per cent (100%) of the total cost of said improvements (i.e. one-half on each side of each street to be improved), exclusive of so much of the cost as is incurred at street intersections in improving street intersections, as special assessments and charges upon and against the lots and parcels of land abutting directly on the improvements (i.e., abutting directly on the street improved) according to the extent of their respective frontage by an equal rate per foot of such frontage and charged against either the lots and parcels of land abutting on that side of the side(s) of the street, or parts thereof within the limits above defined, per Section 6-2014 of the attached Street and Sidewalk Standards. Such sidewalk improvement to include necessary grading and all other work incidental to the construction of sidewalk improvements.

** Effective 4/19/11, the City Council amended the City's assessment policy to remove the property owner assessment obligation for new sidewalk installation by the City.*

Property owner assessments will continue to apply for street improvements requested and constructed by the City as a result of this petition.

E. It is understood in making this Petition that when the City Council has determined that the construction or replacement of water and sewer mains are needed, that the cost of installing such water and sewer mains shall be charged against the particular lot(s) or parcel(s) of land pursuant to the cost schedule provided in the Code of the City of Raleigh and that this charge shall be especially assessed against the particular lots(s) or parcel(s) of land pursuant to Article 10 of Chapter 160A.



PRELIMINARY PLANS
DO NOT BE USED FOR CONSTRUCTION
PLANS REVIEW 2/28

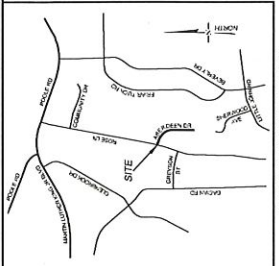
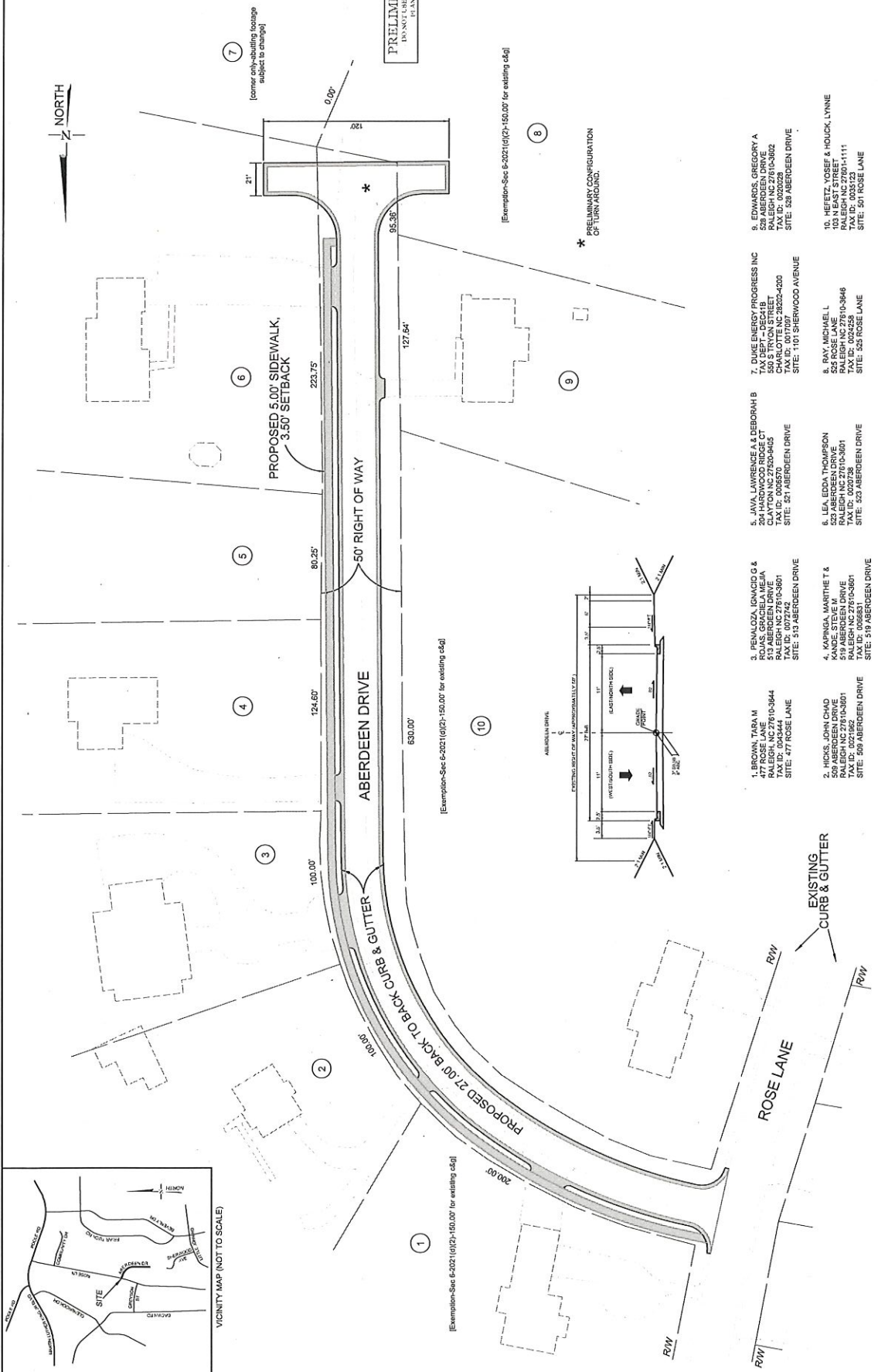
STREET IMPROVEMENT
PETITION # 1359

ABERDEEN DRIVE
FROM ROSE LANE
SOUTH TO DEAD END

NO.	DATE	REVISIONS

SCALE	DATE
1" = 20'	
1" = 40'	

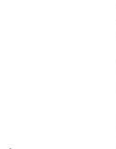
P1



1. BROWN, TARA M
477 ROSE LANE
RALEIGH, NC 27610-3644
TAX ID: 0043444
SITE: 477 ROSE LANE
2. HICKS, JOHN CHAO
509 ABERDEEN DRIVE
RALEIGH, NC 27610-3601
TAX ID: 0021982
SITE: 509 ABERDEEN DRIVE
3. PENALOZA, IGNACIO G & ROJAS, SPYRIDELA MARIA
201 HARWOOD RIDGE CT
CHARLOTTE, NC 28202-4200
TAX ID: 0065570
SITE: 201 ABERDEEN DRIVE
4. KAPINGA, MARTINET & KAPINGA, MARTINET
519 ABERDEEN DRIVE
RALEIGH, NC 27610-3601
TAX ID: 0027238
SITE: 519 ABERDEEN DRIVE
5. JAVA, LAWRENCE A & DEBORAH B
201 HARWOOD RIDGE CT
CHARLOTTE, NC 28202-4200
TAX ID: 0065570
SITE: 201 ABERDEEN DRIVE
6. LEA, EDDA THOMPSON
533 ROSE LANE
RALEIGH, NC 27610-3648
TAX ID: 0024258
SITE: 533 ROSE LANE
7. DUKE ENERGY PROGRESS INC
TAX DEPT - DECB1B
RALEIGH, NC 27610-3602
TAX ID: 0020228
SITE: 539 ABERDEEN DRIVE
8. EDWARDS, GREGORY A
539 ABERDEEN DRIVE
RALEIGH, NC 27610-3602
TAX ID: 0020228
SITE: 539 ABERDEEN DRIVE
9. RAY, MICHAEL L
501 ROSE LANE
RALEIGH, NC 27610-3648
TAX ID: 0024258
SITE: 501 ROSE LANE
10. HEFETZ, YOSEF & HOLCK, LYNNE
501 ROSE LANE
RALEIGH, NC 27610-3648
TAX ID: 0024258
SITE: 501 ROSE LANE

LEGEND

---	RIGHT OF WAY
---	EXISTING PAVEMENT
---	EXISTING CURB & GUTTER
---	PROPOSED CURB & GUTTER
---	AND SIDEWALK IMPROVEMENTS



NOTE:
 1. THIS MAP IS AN APPROXIMATION OF PROPOSED IMPROVEMENTS.
 2. THIS MAP IS NOT INTENDED TO BE USED FOR DESIGN. SIDEWALK WIDTH AND ALIGNMENTS MAY BE ENGINEERED AND CONSTRUCTION SHALL BE BASED ON THE FINAL DESIGN TO AVOID MAJOR IMPACTS IN CERTAIN AREAS AS DETERMINED BY CITY ENGINEERING STAFF.
 3. ADDITIONAL EASEMENTS MAY BE NEEDED IN ORDER TO INSTALL THE IMPROVEMENTS AS PROPOSED.
 4. PLANNIMETRICS ARE PER WAKE COUNTY GIS INFORMATION. NOT EXACT AND NOT FIELD VERIFIED.
 5. LOT 1, 8 & 10 ARE ELIGIBLE FOR EXEMPTION FOR EXISTING IMPROVEMENTS.

NOTICE TO PETITIONERS AND PROPERTY OWNERS

PLEASE READ THIS BEFORE YOU SIGN THE PETITION

BEFORE YOU SIGN THIS PETITION, it is requested that you do the following:

1. **READ THIS PETITION** and all other accompanying information thoroughly to help you understand just what you are signing and what improvements you will receive.
2. **FIND YOUR PROPERTY ON THE PETITION MAP**. Each lot is assigned a number and you must sign opposite that number on the petition form
3. **CHECK YOUR DEED** to verify that the property frontage is the same as shown on the petition map. If there is an error on the petition map, note your deed frontage in the space provided next to the signature line for your lot.
4. **SIGN THE PETITION IN THE SAME MANNER AS YOUR DEED READS**. In case of co-ownership, such as man and wife, both must sign as recorded in the deed.
5. **IF YOU ARE SIGNING FOR A CORPORATION**, indicate your title and affix the corporate seal.

BE SURE YOUR SIGNATURE IS CORRECT before you release the petition. Incorrect signatures cannot be calculated in the percentages used to determine a valid petition.

The names of property owners listed on the petition map are not guaranteed to be correct. City staff has listed the most up-to-date ownership information available from Wake County computerized tax information. **If the listed owner is incorrect, the current owner(s) should sign the petition.**

Any estimate of assessments provided to you is not to be considered as a maximum or minimum cost. An accurate assessment cost cannot be calculated until project completion and preparation of the assessment roll. Any estimates provided are for the purpose of giving you some idea of what the assessment may be.

(NOTE: Lot numbers below refer to lots as shown on "THE CITY OF RALEIGH LOCAL IMPROVEMENTS PETITION MAP NUMBER 1359 ," dated 04/17/19 .)

Signature of Property Owner(s)

Corresponding Petition Map Lot No

Front Footage

LOT No. 1

LOT No. 2

LOT No. 3

LOT No. 4

LOT No. 5

LOT No. 6

(NOTE: Lot numbers below refer to lots as shown on "THE CITY OF RALEIGH LOCAL IMPROVEMENTS PETITION MAP NUMBER 1359 ," dated 04/17/19 .)

<i>Signature of Property Owner(s)</i>	<i>Corresponding Petition Map Lot No</i>	<i>Front Footage</i>
_____ _____ _____ _____	LOT No. <u>7</u>	_____
_____ _____ _____ _____	LOT No. <u>8</u>	_____
_____ _____ _____ _____	LOT No. <u>9</u>	_____
_____ _____ _____ _____	LOT No. <u>10</u>	_____
_____ _____ _____ _____	LOT No. _____	_____
_____ _____ _____ _____	LOT No. _____	_____



Petitioning for Street Improvements

Some streets in the City of Raleigh have never been paved to City standards. Why? Because at the time the subdivision or area was developed, it may have been outside the City limits, or even outside the City's extraterritorial jurisdiction, therefore, the streets were not required to be built to City of Raleigh standards. Over the years, many such non-standard streets have been brought into the Raleigh City limits.

Streets may be considered non-standard for several reasons. Three of the most common reasons are:

- The street is not wide enough
- The street does not have an acceptable pavement and/or base structure
- The street does not have curb, gutters and drains

Street Improvements may be initiated by City Council action or by petition of citizens. Either improvement process may include resurfacing a paved street that does not have existing curb and gutter, improving a non-standard street to a standard city street with curbs, gutters and drains or installing sidewalk along existing curbed and guttered streets.

For street improvement and street resurfacing projects, City policy, in conjunction with NC General Statutes, require assessment to the abutting properties. Assessment indicates that property owners along the improvement will share in the cost of construction.

Current assessment rates are:

- Resurfacing \$8.50 per abutting foot/per side)
(*non-standard residential streets only – applies each time the street is resurfaced*)
- Street Improvements \$32.00 per abutting foot/per side
(*residential zoning*)

\$64.00 per abutting foot/per side
(*non-residential streets with non-residential zoning*)

Pursuant to City Code Section 6-2025, assessments shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh, in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, such property owner shall have the option and privilege of paying the assessment annually in ten (10) equal installments, such installments to bear interest at the rate of six (6) per cent per annum (*simple interest*) from the date of confirmation of the assessment by City Council.

*Streets improved to meet City standards subsequently allow the street to have full maintenance, including future resurfacing, at no additional expense to the abutting property owners.

City Council Initiative

The City Council may initiate street and/or sidewalk improvements as an assessable project. With City initiated projects, the City Council will adopt a resolution of intent for the proposed improvements and notify the abutting property owners. Advertisements, public meetings within the community and letters by mail are normal methods of notifying property owners in the area about the intended project as well as postings to the City's website. The City Council will hold a formal public hearing to receive comments from property owners and other interested parties before deciding whether or not to continue with the project.

Citizen's Initiative By Petition

For public City streets inside the city limits, classified as "neighborhood/residential" streets, citizens may petition the City Council for street and/or sidewalk improvements. In order to submit a petition for street improvements to the City Council for consideration, a sufficiency requirement must be met as required in Article 10 and section 160A-217 of the NC General Statutes. **This sufficiency requirement being signatures from a majority in number of the owners of property to be assessed and who represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved.** When a valid petition is returned it will be submitted to the City Council for consideration. The City Council will adopt a resolution of intent for the proposed improvement and notify the abutting property owners by letter. A formal public hearing will be held to receive comments from the property owners affected by the request before deciding whether or not to continue with the project. Valid street improvement petitions that are returned will go through a prioritization process and will be ranked according to City Code/Policy criteria and availability of funds. The prioritized petitions, along with staff recommendations for approval, will be submitted semi-annually to the City Council through the City Manager's office.

All requests for petitions should be made through the Assessment staff in the Design/Construction Division of the Engineering Services Department. Staff will provide a petition packet consisting of a copy of the City of Raleigh's Street and Sidewalk Policies, a map showing the location and typical street section of the proposed improvements in relation to the adjacent properties and street right-of-way, the property owner's contact information for all abutting properties as is on file with the Wake County Tax Office and the petition forms for owner signatures. The time required to put together the petition packet is typically 6 - 8 weeks depending on the length of the proposed improvement and number of properties involved. Once issued, the petition will remain active for a 6 month period to allow the Petitioner to circulate the document for signatures.

If you are interested in additional information on the City's petition process for street and sidewalk improvements, **please contact the Engineering Services Department Roadway Design/Construction Petition Staff at (919) 996-5575 to speak with a Petition Specialist or contact us via e-mail at PetitionSpecialist@raleighnc.gov .**