

November 4, 1997

To: Marshall County Fiscal Court

RE: Proposed closing of a section of Bo Road, CR1089

At the October 7, 1997 session of the Marshall County Fiscal Court, Mr. Donald Lee appeared and made a verbal request for the County to discontinue maintenance of a section of Bo Road, (Attachment 1). At the time of the meeting, no written and signed petition was submitted. Mr. Lee was later advised of this requirement. No petition has been received as of this date.

As per direction of the Fiscal Court, advertisement for a public hearing was placed in the October 22, 1997 issue of the Tribune - Courier. (Attachment 2)

County Road Engineer, Gary Atkins and appointed road viewers Larry Jones and Robert Strow all viewed the road. During an on site inspection made October 23, 1997, the viewers observed the following conditions: The road has a single lane gravel surface, apparently 8 to 10 feet wide. It is approximately 3740 feet in length from its beginning at Wadesboro Road (#1949) to a point at the corner of the Ronald Sutherland (6), Deloris Lee (7), James Fields McGregor (8), and David Parker (9) properties (Attachment 3). Road maintenance has continued for approximately 20 feet south of this point. Although there are visible remains of an old roadway leading further south, no, if any, maintenance has occurred for many, many years. The county has recently installed culverts and graveled portions of the road. There are no homes located on the road.

Discussions were held with Ronald and Dee Sutherland, Donald Lee, and Fields McGregor. Also records in the Property Valuation Administrator's office and the County Clerk's office were studied.

Based on the information learned, our assessment of the situation is as follows:

Mr. Donald Lee, on behalf of his wife and property owner of record, Deloris Lee, is requesting the County continue to maintain Bo Road up to a point approximately 30 feet south of the north east corner of their property. Also Mr. Lee is requesting the county to declare no ownership in or intention of continuing any maintenance south of this previously stated spot.

Based on the information presented, we make the following recommendation:

Maintenance of Bo Road should continue up to a stated and agreed upon point.


Our recommendation is based on the following statement.

1. Stopping the road at this point would ensure the Deloris Lee property had public road access and was not landlocked.
2. Maintenance of this road for longer distance would serve no more property owners at this time.

One further condition the viewers request the Fiscal Court place on the four adjacent property owners is:

Adequate provision of space be dedicated to the County in order to provide for a turn around area for maintenance vehicles. This should be a minimum of a 60 feet diameter cul-de-sac or other appropriate area.

Respectfully submitted,

Handwritten signatures of Robert W. Strow, Larry Jones, and Gary Atkins. The signatures are written in black ink and are positioned above their respective printed names.

Robert W. Strow

Larry Jones

Gary Atkins