

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

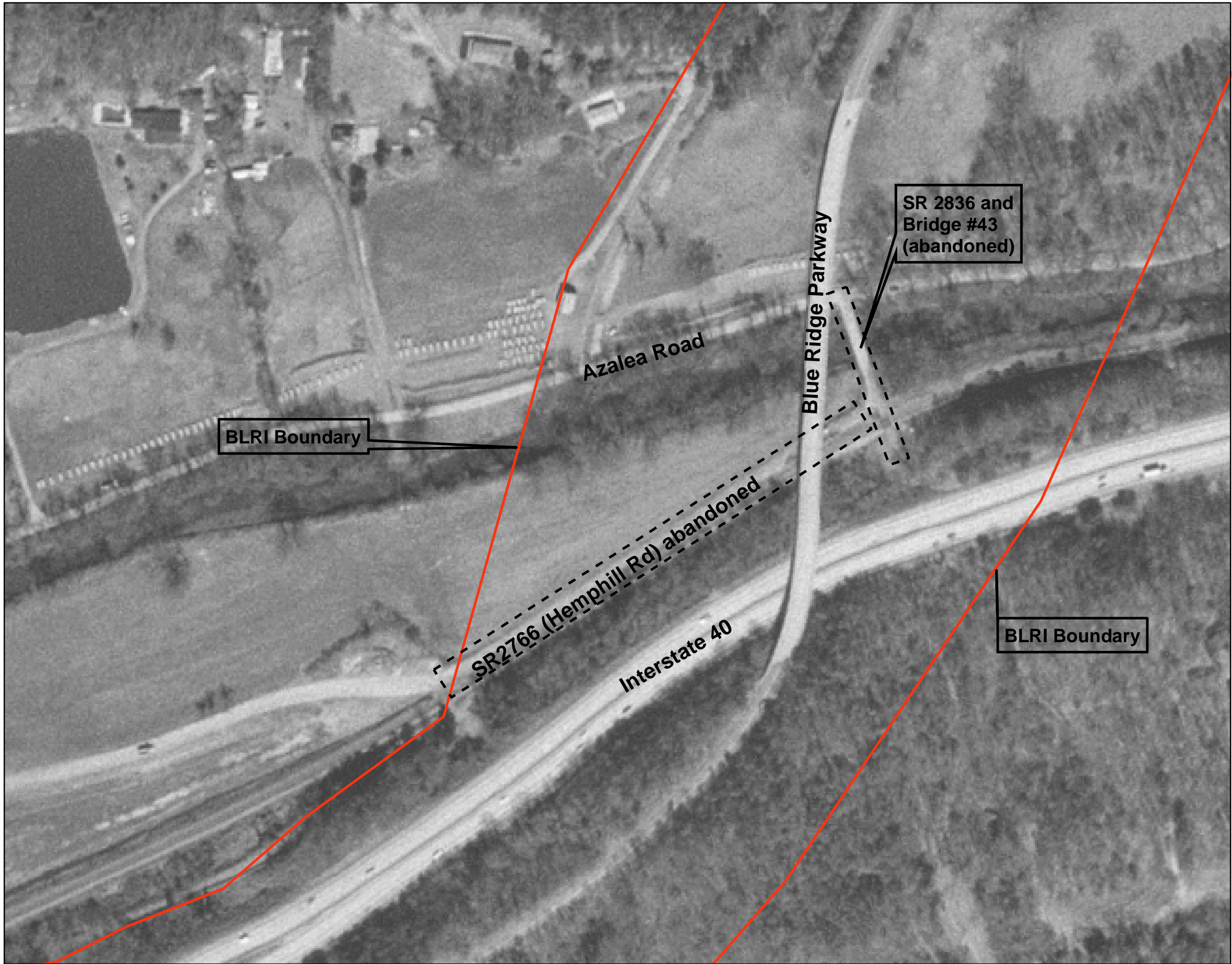
---

**APPENDIX A  
CHRONOLOGY OF EVENTS FOR THE  
ABANDONMENT OF STATE ROUTES 2766 AND 2836**

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

---

May 15, 1964	<p>Parkway Deed 113 reserved a public road, Secondary Road 2766, from a connection with Secondary Road 2754 (Azalea Road, Section 2R, Station 0+00), across the railroad tracks under Parkway motor road exiting the Parkway at the left boundary at Station 46+00.</p> <p>By 1973, State Route 2766 was broken into three segments and renumbered State Route 2835 (0.35 miles), State Route 2766 (0.40 miles), and State Route 2836 and Bridge 43 (0.10 miles). This chronological order only covers the events associated with State Route 2836 and Bridge 43.</p>
April 26, 1973	<p>Resolution 73-79: Authorized the City of Asheville to take over and maintain the 0.15 mile segment of State Route 2766 from the dead end to start of State Route 2836.</p>
November 8, 1977	<p>Resolution requesting the Secondary Roads Council abandon and remove State Route 2836 from the secondary roads system. Approved by the Buncombe Board of Commissioners.</p>
1977	<p>Excerpt from Buncombe County Road Map: State Route 2836 is the only road segment still shown from what was once State Route 2766.</p>
September 2, 1982	<p>Letter from Harlow Brown, Facilities Coordinator of the Ben Lippen School, to Superintendent, Blue Ridge Parkway. "According to the State ROW agent under state law, when a road is abandoned, the owners on either side of the road automatically are given fee simple title to the old ROW. In this case, your agency is now the owner of old State Route 2836, including Bridge 43. The state engineers have told me personally, they are not responsible, you are."</p>
Undated Notes	<p>"With the abandonment of State Route 2766 (including State Route 2836), public rights to the road has been extinguished. However, there may still remain private access rights, which were not extinguished by abandonment. The National Park Service (USA) does not assume any responsibility for maintenance of public or private roads on Parkway lands."</p>
December 15, 1997	<p>Telephone conversation with the NPS Solicitor:</p> <ul style="list-style-type: none"><li>• State Route 2836 and Bridge 43 were abandoned under NC General Statutes §136-63: Change or abandonment of roads and Statutes §136-167: As such, "all those portions and segments of old roads...are hereby specifically excluded from the definition of neighborhood public roads, and the owner of the land burdened with such portions and segments of such old roads, is hereby invested with the easement of right-of-way for such old roads heretofore existing."</li><li>• The bridge and right-of-way belong to the NPS.</li><li>• No rights can be developed.</li></ul>



No Scale