

RESOLUTION CLOSING A PORTION OF E. 17TH STREET AND AN ALLEYWAY OFF OF E. 17TH STREET
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of E. 17th Street and an alleyway off of E. 17th Street, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of E. 17th Street and an alleyway off of E. 17th Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 22nd day of February, 2016, and City Council determined that the closing of a portion of E. 17th Street and an alleyway off of E. 17th Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

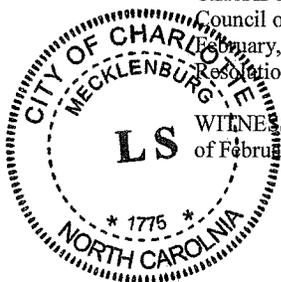
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 22, 2016, that the Council hereby orders the closing of a portion of E. 17th Street and an alleyway off of E. 17th Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A-1 and A-2", and is more particularly described by metes and bounds in the documents marked "Exhibit B-1 and B-2", all of which are attached hereto and made a part hereof. This action shall be effective on the date that the connection between E. 17th Street and Parkwood Avenue is reestablished for both vehicular and pedestrian travel. The aforementioned section of roadway shall be constructed and accepted by the City of Charlotte for maintenance. This action shall be void if the aforementioned conditions are not satisfied within 5-years following the date that this resolution is adopted by City Council.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of February, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 217-221.

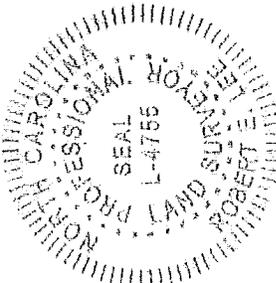
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 22nd day of February, 2016.




Emily A. Kunze, Deputy City Clerk

"I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION AND THAT THIS MAP WAS PREPARED FOR THE PURPOSE OF ABANDONMENT AND ACQUISITION OF THE ALLEY SHOWN HEREON ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON."

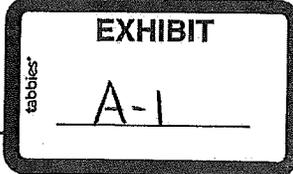
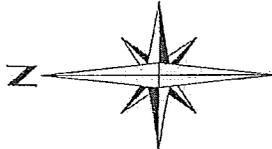
SIGNED 
ROBERT E. LEE, PROFESSIONAL LAND SURVEYOR
L-4755



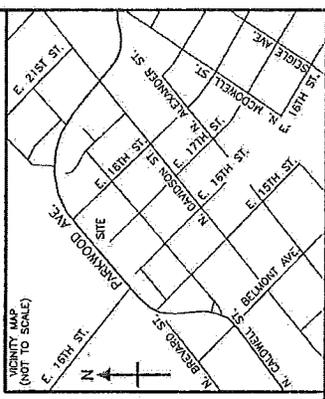
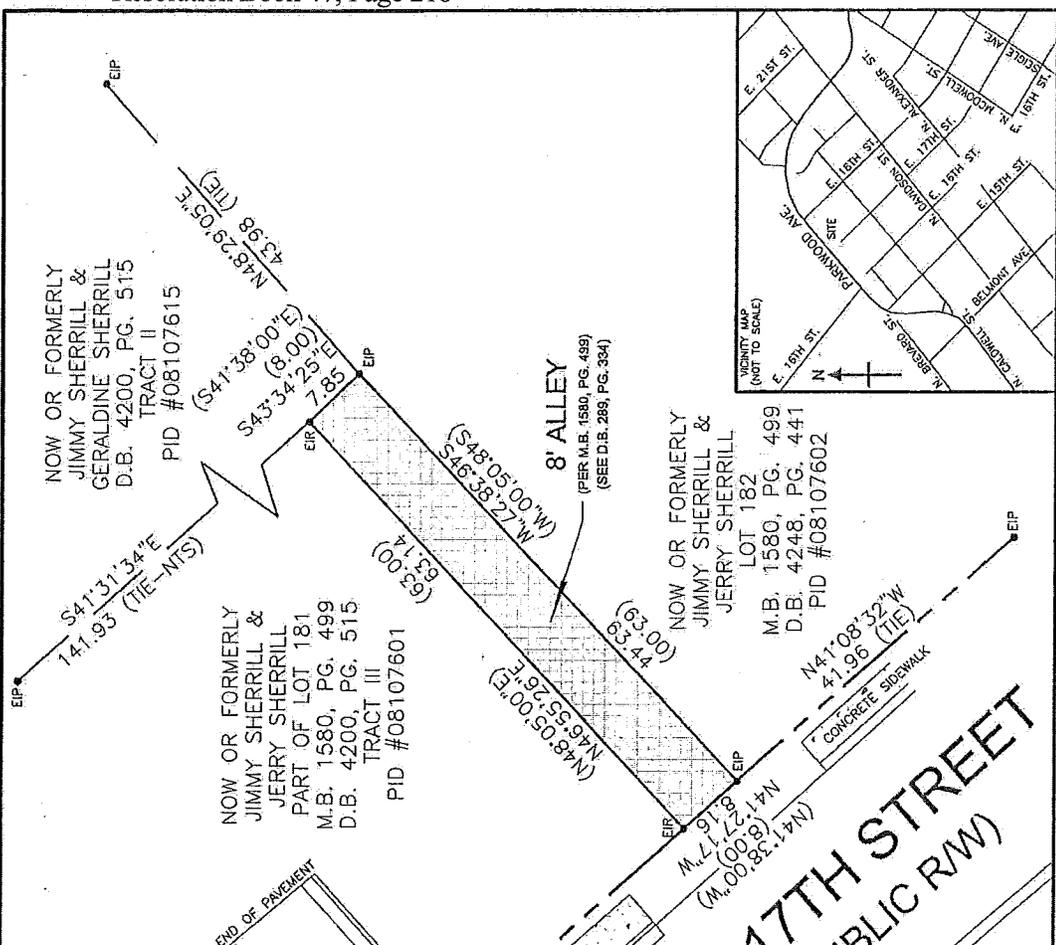
NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND (GEODEIC) UNITED STATES SURVEY FEET UNLESS OTHERWISE NOTED.
2. BEARINGS AND DISTANCES SHOWN IN PARENTHESES, AND PROPERTY SHOWN AS DASHED WERE TAKEN FROM DEEDS, MAPS OR OTHER PUBLIC RECORD.
3. TOTAL AREA WITHIN 8' ALLEY = 0.012 ACRES (506.435 SQ. FT.)
4. SOURCE OF BOUNDARY OF THE 8' ALLEY AS SHOWN HEREON TAKEN FROM M.B. 1580, PG. 499 AND D.B. 289, PG. 334.
5. PROPERTY CORNERS AS SHOWN HEREON LOCATED FROM PREVIOUS "PHYSICAL" SURVEYS OF THE ADJOINING PROPERTIES FOR BELMONT COMMUNITY PARTNERSHIP, LLC. (DATED: JANUARY 14, 2015).

REF: M.B. 1580 PG. 499
DATED: JUNE, 1953



"THIS MAP IS INTENDED FOR ILLUSTRATIVE PURPOSES ONLY TO REFLECT THE PROPOSED ABANDONMENT AND ACQUISITION OF THE 8' ALLEY AS SHOWN HEREON"

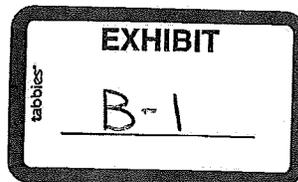


<p>ROBERT E. LEE, PLS PROFESSIONAL LAND SURVEYOR P.O. BOX 180 MT. HOLLY, NC 28120 PHONE: (704)575-2556 FAX: (704)812-8084 EMAIL: robertlee@leelandsurveying.com</p>		<p>EXHIBIT MAP OF AN 8' ALLEY ALONG EAST 17TH STREET AS SHOWN ON MAP OF PROPERTY OF HIGHLAND PARK MANUFACTURING COMPANY RECORDED IN MAP BOOK: 1580, PAGE: 499 AND RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC PROSPECTIVE OWNER: BELMONT COMMUNITY PARTNERSHIP, LLC.</p>	
<p>SCALE: 1" = 20'</p> 		<p>DATE: AUGUST 25, 2015 REVISIONS: DRAWN BY: R. LEE</p>	
<p>LEGEND:</p> <ul style="list-style-type: none"> PROPERTY LINE ADJOINER PROPERTY LINE EXISTING IRON REBAR EXISTING IRON PIPE COMPUTED POINT RE-SET #4 IRON REBAR RIGHT-OF-WAY MAP BOOK DEED BOOK PAGE LINE CURVE TAX PARCEL IDENTIFICATION NUMBER AREA WITHIN 8' ALLEY TO BE ABANDONED 		<p>JOB NUMBER: 3780</p>	

METES AND BOUNDS DESCRIPTION:

BEING AN 8' ALLEY ALONG EAST 17TH STREET AS SHOWN ON MAP OF PROPERTY OF HIGHLAND PARK MANUFACTURING COMPANY IN MAP BOOK: 1580, PAGE: 499 AND RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY, SAID 8' ALLEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

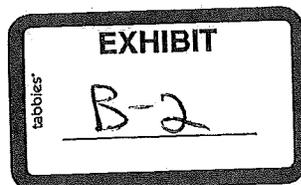
BEGINNING AT AN EXISTING FOUND IRON PIPE, (THE POINT OF BEGINNING) LOCATED IN THE NORTHEASTERLY MARGIN OF EAST 17TH STREET (A 40' PUBLIC R/W), BEING A COMMON CORNER WITH SAID 8' ALLEY AND LOT 182 OF HIGHLAND PARK MANUFACTURING COMPANY, AS SHOWN ON A MAP OF SAME RECORDED IN (MAP BOOK: 1580, PAGE: 499) OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, BEING THE PROPERTY OF JIMMY SHERRILL AND JERRY SHERRILL (NOW OR FORMERLY). SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEING, NORTH 41° 08' 32" WEST – 41.96 FEET FROM A FOUND EXISTING IRON PIPE IN THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET; THENCE FROM SAID POINT OF BEGINNING RUNNING WITH THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET, NORTH 41° 27' 17" WEST – 8.16 FEET TO A FOUND IRON REBAR IN THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET; THENCE LEAVING SAID EAST 17TH STREET R/W, NORTH 46° 55' 26" EAST – 63.14 FEET TO A FOUND IRON REBAR; THENCE SOUTH 43° 34' 25" EAST – 7.85 FEET TO AN EXISTING FOUND IRON PIPE; THENCE SOUTH 46° 38' 27" WEST – 63.44 FEET TO AN EXISTING FOUND IRON PIPE LOCATED IN THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET, BEING THE POINT AND PLACE OF BEGINNING, AND CONTAINING 0.012 ACRES, (506.435 SQUARE FEET).



METES AND BOUNDS DESCRIPTION:

BEING A RIGHT-OF-WAY ACQUISITION ALONG EAST 17TH STREET AS SHOWN ON AN EXHIBIT MAP OF PROPOSED R/W PARKWOOD AVENUE EXTENSION THE PROPERTY OF THE CITY OF CHARLOTTE AS CONVEYED BY DEED BOOK: 5545, PAGE: 248-250 AND RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, (THE POINT OF BEGINNING) LOCATED IN THE NORTHEASTERLY MARGIN OF EAST 17TH STREET (A 40' PUBLIC R/W), SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEING, SOUTH 41° 28' 46" EAST – 74.38 FEET FROM A FOUND EXISTING IRON REBAR AT THE INTERSECTION OF THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET AND THE SOUTHEASTERN MARGIN OF PARKWOOD AVENUE; THENCE FROM SAID POINT OF BEGINNING, NORTH 48° 31' 14" EAST – 28.64 FEET TO A POINT; THENCE SOUTH 41° 28' 46" EAST – 37.00 FEET TO A POINT; THENCE SOUTH 48° 31' 14" WEST – 28.64 FEET TO A POINT IN THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET; THENCE NORTH 41° 28' 46" WEST – 37.00 FEET TO A POINT IN THE NORTHEASTERLY MARGIN OF SAID EAST 17TH STREET, BEING THE POINT AND PLACE OF BEGINNING, AND CONTAINING 0.024 ACRES, (1059.680 SQUARE FEET).



RESOLUTION CLOSING AN ALLEYWAY OFF OF W. 28TH STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close an alleyway off of W. 28th Street, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an alleyway off of W. 28th Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, pursuant to subsection (c) of North Carolina General Statute 160A-299, 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; and

WHEREAS, the provisions of the aforementioned subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat is described as "Exhibit A", attached hereto and made part hereof; and

WHEREAS, the petitioner and an abutting property owner have agreed to a distribution of right-of-way as shown in the agreement of understanding marked "Exhibit C", and is more particularly described by metes and bounds in the documents marked "Exhibit B1 and B2" attached hereto and made part hereof; and

WHEREAS, the public hearing was held on the 22nd day of February, 2016, and City Council determined that the closing of an alleyway off of W. 28th Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

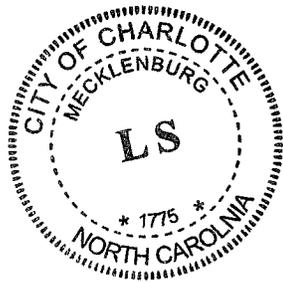
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 22, 2016, that the Council hereby orders the closing of an alleyway off of W. 28th Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B1 and B2", all of which are attached hereto and made a part hereof.

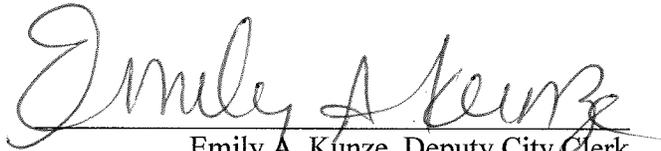
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

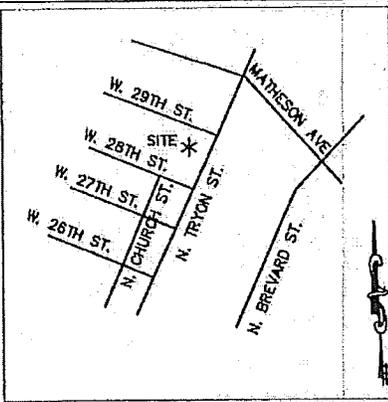
CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of February, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 222-227.

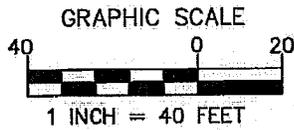
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 22nd day of February, 2016.



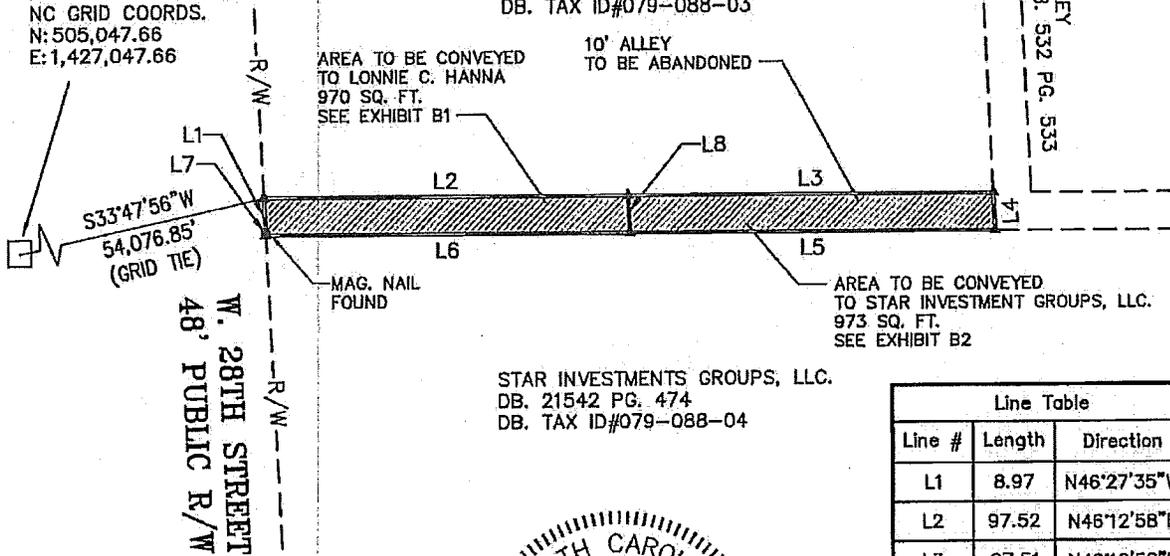

Emily A. Kunze, Deputy City Clerk



VICINITY MAP NOT TO SCALE



NCGS STATION "NC77"
 NC GRID COORDS.
 N: 505,047.66
 E: 1,427,047.66



- NOTES:**
- 1) NO NCGS MONUMENT WITHIN 2000'.
 - 2) IRON PINS FOUND OR SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - 3) NO NEW LOT LINES HAVING BEEN CREATED OR ESTABLISHED.
 - 4) NO TITLE SEARCH HAS BEEN PERFORMED BY OR SUPPLIED TO THE ISAACS GROUP; ANY PROPERTIES SHOWN ON THIS SURVEY ARE SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, RIGHTS OF WAY AND ENCUMBRANCES OF RECORD OR IMPLIED A TRUE TITLE SEARCH MAY DISCLOSE.
 - 5) TAX ID #179-088-03 & 079-088-04

- LEGEND:**
- — MONUMENTATION FOUND/SET
 - R/W — RIGHT OF WAY
 - △ — CALCULATED POINT
 - — NCGS MONUMENT
 - 10' ALLEY TO BE ABANDONED

BOUNDARY INFORMATION TAKEN FROM
 EXHIBIT ENTITLED "EXHIBIT MAP OF LONNIE C. HANNA PARCELS",
 BY THE SURVEY COMPANY, DATED 11-18-2014.

LONNIE C. HANNA
 DB. 10983 PG. 903
 DB. TAX ID#079-088-03

AREA TO BE CONVEYED
 TO LONNIE C. HANNA
 970 SQ. FT.
 SEE EXHIBIT B1

10' ALLEY
 TO BE ABANDONED

10' ALLEY
 PER MB: 532 PG. 533

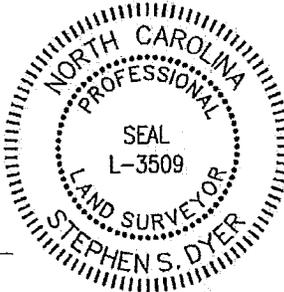
AREA TO BE CONVEYED
 TO STAR INVESTMENT GROUPS, LLC.
 973 SQ. FT.
 SEE EXHIBIT B2

STAR INVESTMENTS GROUPS, LLC.
 DB. 21542 PG. 474
 DB. TAX ID#079-088-04

Line Table		
Line #	Length	Direction
L1	8.97	N46°27'35"W
L2	97.52	N46°12'58"E
L3	97.51	N46°12'58"E
L4	10.01	S46°28'50"E
L5	97.52	S46°14'14"W
L6	97.52	S46°14'14"W
L7	0.97	N46°32'28"W
L8	9.97	S46°28'27"E

I, STEPHEN S. DYER, CERTIFY THAT THIS PLAT
 WAS PREPARED UNDER MY SUPERVISION AND
 THAT THE PLAT WAS PREPARED FOR THE
 PURPOSE OF RIGHT-OF-WAY ACQUISITION ONLY,
 AND IS NOT INTENDED TO BE A BOUNDARY
 SURVEY.

**PRELIMINARY PLAT
 NOT FOR RECORDATION**



STEPHEN S. DYER, NC P.L.S. L-3509 DATE

THE ISAACS GROUP
 CIVIL ENGINEERING DESIGN AND CONSULTING
 8720 RED OAK BLVD., SUITE 420
 CHARLOTTE, N.C. 28217
 PH. (704) 527-3440 FAX (704) 527-8335
 N.C. LICENSE C-1069 ~ S.C. LICENSE COA #1037

THIS IS TO CERTIFY THAT THE PROPERTY SHOWN ON
 THIS PLAT IS PARTIALLY LOCATED IN A SPECIAL FLOOD
 HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE
 FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL
 INSURANCE ADMINISTRATION COMMUNITY PANEL NUMBER
 3710455500 L DATED: SEPTEMBER 2, 2016.

**ALLEY ABANDONMENT
 EXHIBIT A**

114 & 114W. 28TH STREET
 CITY OF CHARLOTTE, MECKLENBURG COUNTY
 NORTH CAROLINA

Date: 11/13/15
 File # 15299-EXHIBIT
 Project Pts: SSD
 Drawn By: LJW
 Surveyed By: ---

EXHIBIT B1

BEING A PARCEL OF LAND LOCATED IN CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING A PORTION OF A 10' ABANDONED ALLEY TO BE CONVEYED TO LONNIE C. HANNA, TAX ID# 079-088-03 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY MARGIN OF WEST 28TH STREET, SAID POINT BEING S33°47'56"W A DISTANCE OF 54,076.85' FROM NCGS MONUMENT "NC77", SAID MONUMENT ALSO HAVING NC GRID COORDINATES N:505,047.66' AND E:1,427,047.66'. THENCE FROM SAID POINT OF BEGINNING THE FOLLOWING FIVE π(5) CALLS: 1) N46°12'58"E A DISTANCE OF 97.52' TO A POINT; 2) S46°28'27"E A DISTANCE OF 9.97' TO A POINT; 3) S46°14'14"W A DISTANCE OF 97.52' TO A POINT; 4) N46°32'28"W A DISTANCE OF 0.97' TO A MAG. NAIL FOUND ON THE EASTERY MARGIN OF WEST 28TH STREET; 5) N46°27'35"W A DISTANCE OF 8.97' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 970 SQ. FT., MORE OR LESS.

EXHIBIT B2

BEING A PARCEL OF LAND LOCATED IN CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING A PORTION OF A 10' ABANDONED ALLEY TO BE CONVEYED TO STAR INVESTMENT GROUPS, LLC., TAX ID# 079-088-04 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE FROM A POINT ON THE EASTERLY MARGIN OF WEST 28TH STREET, SAID POINT BEING S33°47'56"W A DISTANCE OF 54,076.85' FROM NCGS MONUMENT "NC77", SAID MONUMENT ALSO HAVING NC GRID COORDINATES N:505,047.66' AND E:1,427,047.66'. THENCE FROM SAID POINT N46°12'58"E A DISTANCE OF 97.52' TO THE POINT OF BEGINNING. THENCE FROM SAID POINT OF BEGINNING THE FOLLOWING FOUR (4) CALLS: 1) N46°12'58"E A DISTANCE OF 97.51' TO A POINT; 2) S46°28'50"E A DISTANCE OF 10.01' TO A POINT; 3) S46°14'14"W A DISTANCE OF 97.52' TO A POINT; 4) N46°28'27"W A DISTANCE OF 9.97' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 973 SQ. FT., MORE OR LESS.

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON February 22, 2016**

A motion was made by Councilmember Austin and seconded by Councilmember Mitchell for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, and

WHEREAS, The City of Charlotte has need for and intends to construct a wastewater treatment works project described as the Sugar Creek WWTP Reliability Upgrades Project, and

WHEREAS, The City of Charlotte intends to request state loan assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That the City of Charlotte, (**Applicant**), will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the City of Charlotte will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the City of Charlotte agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Charlotte to make scheduled repayment of the loan, to withhold from the City of Charlotte any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the City of Charlotte will provide for efficient operation and maintenance of the project on completion of construction thereof.

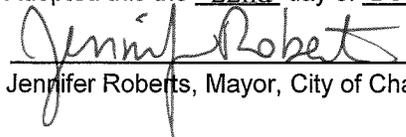
That Randy J. Harrington, Chief Financial Officer, and Robert Campbell, Finance Director, and successors so titled, are hereby authorized to execute and file an application on behalf of the City of Charlotte with the State of North Carolina for a loan to aid in the construction of the project described above.

That, if accepted into the loan program by the state, Randy J. Harrington, Chief Financial Officer, and Robert Campbell, Finance Director (Authorized Officials), and successors so titled, individually or collectively, are hereby authorized to execute and accept a loan offer on behalf of the City of Charlotte with the State of North Carolina for a loan to aid in the construction of the project described above in an amount of \$20,969,169 plus or minus up to 10% in accordance with the loan program based on actual project costs.

That Randy J. Harrington, Chief Financial Officer, and Robert Campbell, Finance Director, and successors so titled, individually or collectively, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 22nd day of February, 2016 at Charlotte, North Carolina.



Jennifer Roberts, Mayor, City of Charlotte

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of February, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 228-229.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 22nd day of February, 2016.




Emily A. Kunze, Deputy City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

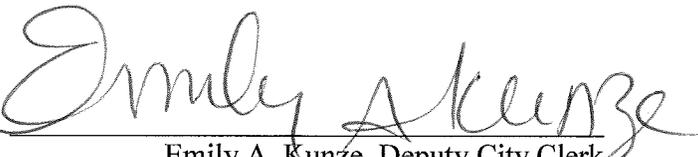
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 22nd day of February 2016 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of February, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 230-231.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 22nd day of February, 2016.




Emily A. Kunze, Deputy City Clerk

Taxpayers and Refunds Requested

ALDRICH, JOSEPH D	\$	7.43
BAHNSON, MARTHA MCNEAL		113.53
BLANCHARD, J KATHRYN		60.74
BONAPARTE, JOSEPH		26.94
BOWED, REBEKAH LEANN		3.93
BOWED, REBEKAH LEANN		3.75
BOWED, REBEKAH LEANN		3.75
BRANTLEY, THOMAS M		24.25
BREEDEN, RALPH		333.62
CAROLINA SPORTING ARMS CO INC		1,605.48
CHARLOTTE SAW & KNIFE CO INC		558.28
CLARK, ROBERT THOMAS		80.62
CLARK, ROBERT THOMAS		80.62
CUSHMAN, JOHN U JR		26.22
DREYER, DENNIS W		468.67
EPSTEIN, CHRISTOPHER HERSCHEL		817.63
GARDNER, JARED E		551.05
GARDNER, JARED E		537.07
GARDNER, JARED E		576.03
GARDNER, JARED E		133.11
HAILEY, SHIRLEY		216.37
HALL, JACQUELINE C		520.47
HENDRICK AUTOMOTIVE GROUP		6,012.82
HENDRICK AUTOMOTIVE GROUP		5,478.34
KNIGHT, SALLY GAMBRELL		392.40
LEE VALVE CO		107.84
LORICK, MIRIAM H		109.68
MANESS, MARESE		65.21
MAYEUX, R PAUL		77.35
MCCARTNEY, SEAN P		3.47
MCCLENDON, ROBERT LEWIS		50.00
MYERS PARK COUNTRY CLUB INC		635.84
NEWTON & ASSOCIATES INC		34.47
POROBIC, SANJA		35.90
RETAIL FINANCE INTERNATIONAL HOLDINGS INC		10.57
RETAIL FINANCE INTERNATIONAL HOLDINGS INC		10.40
SHUGART, LOUISA R TRUST		6.99
SIMPSON, JAMES W		38.43
SMITH, CAROLYN V		272.86
SMITH, DOUGLAS E		58.98
TROUTMAN SHARPENING SERVICE INC		427.50
US AIRWAYS INC		26,475.64
VALERIE MITCHENER INC		20.52
VARNER, KENT A		343.92
YFP TIMBER LLC		1,267.69
	<u>\$</u>	<u>48,686.38</u>

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an unopened portion of E. Worthington Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Jean-Claude Thill** has filed a petition to close an unopened portion of E. Worthington Avenue in the City of Charlotte; and

Whereas, an unopened portion of E. Worthington Avenue is 30-foot wide right-of-way located on the eastern most side of the intersection of Cumberland Avenue and E. Worthington Avenue, running approximately 140 feet in length to its terminus at a property currently or formerly owned by Kelly & Lorraine Donley (D.B. 27440, PG. 651), and consists of 5,647 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of February 22, 2016, that it intends to close an unopened portion of E. Worthington Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28th day of March 2016, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

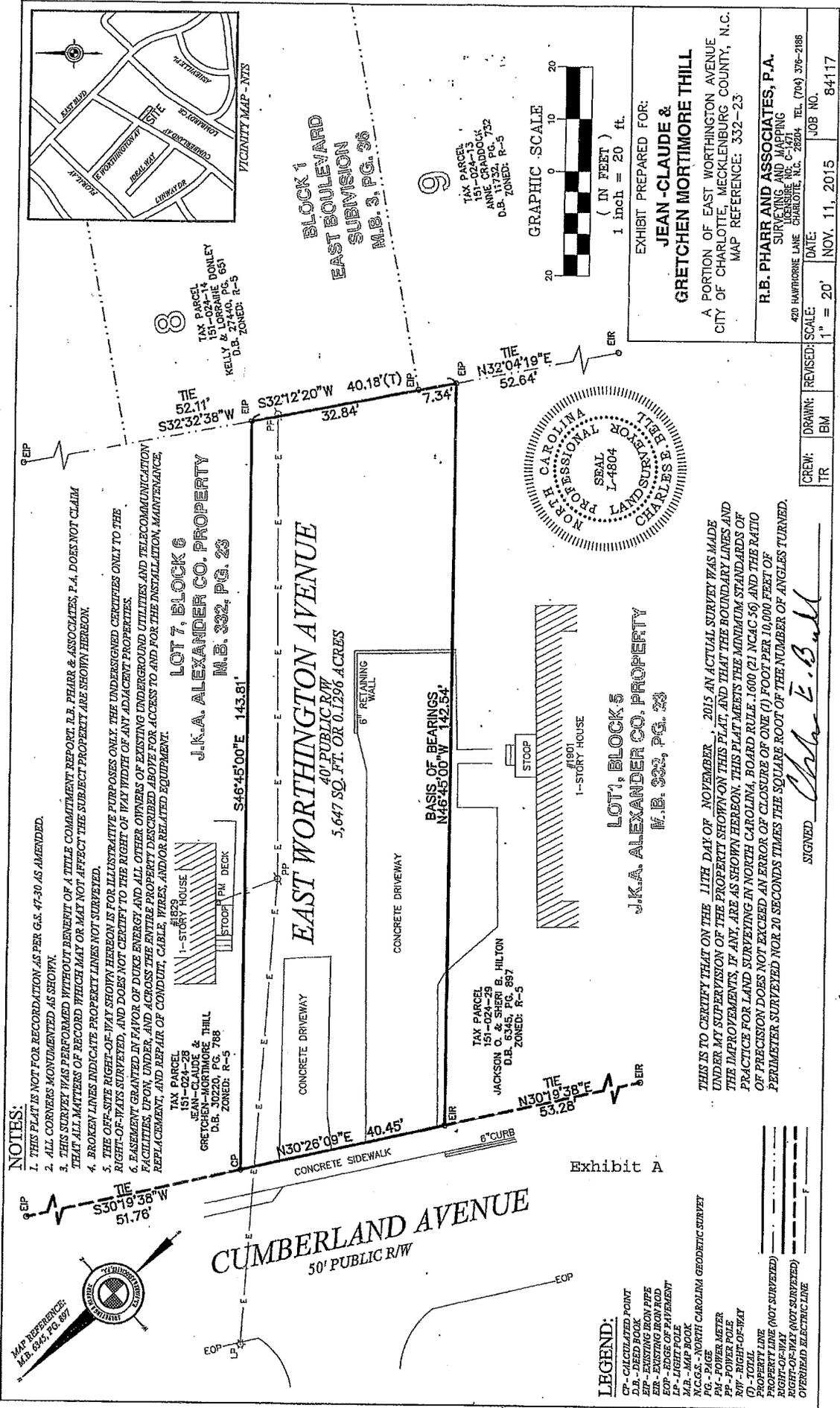
CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of February, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 232-234

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 22nd day of February, 2016




Emily A. Kunze, Deputy City Clerk



NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
4. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
5. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
6. EASEMENT GRANTED IN FAVOR OF DUKE ENERGY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, AND/OR RELATED EQUIPMENT.

LOT 7, BLOCK 6
J.K.A. ALEXANDER CO. PROPERTY
 M.B. 332, PG. 23

EAST WORTHINGTON AVENUE
 40' PUBLIC R/W
 5,647 SQ. FT. OR 0.1296 ACRES

LOT 1, BLOCK 5
J.K.A. ALEXANDER CO. PROPERTY
 M.B. 332, PG. 23

THIS IS TO CERTIFY THAT ON THE 11TH DAY OF NOVEMBER, 2015 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1.600 (21 NCAC 59) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED, NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

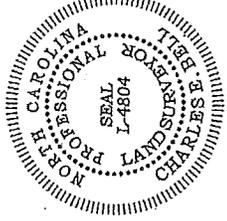
SIGNED *Charles E. Bull*

MAP REFERENCE:
 M.B. 625, PG. 87



LEGEND:

- CP - CALCULATED POINT
- D.B. - DEED BOOK
- EP - EXISTING IRON PIPE
- ER - EXISTING IRON ROD
- FP - FENCE
- LP - LIGHT POLE
- M.B. - MAP BOOK
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- PG. - PAGE
- PM - POWER METER
- PP - POWER POLE
- RP - RIGHT-OF-WAY
- RY - RIGHT-OF-WAY
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY (NOT SURVEYED)
- RIGHT-OF-WAY (NOT SURVEYED)
- OVERHEAD ELECTRICAL LINE



GRAPHIC SCALE
 (IN FEET)
 1 inch = 20 ft.

EXHIBIT PREPARED FOR:
JEAN-CLAUDE & GRETCHEN MORTIMORE THILL
 A PORTION OF EAST WORTHINGTON AVENUE
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
 MAP REFERENCE: 332-23

R.B. PHARR AND ASSOCIATES, P.A.
 SURVEYING AND MAPPING
 LICENSE NO. C-471
 420 HAVTHORNE LANE CHARLOTTE, NC 28204 TEL: (704) 376-2188

SCALE: 1" = 20'
 DATE: NOV. 11, 2015
 JOB NO. 84117

Being that certain parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

*BEGINNING at an existing iron rod situated at the intersection of the southeasterly margin of the right of way of Cumberland Avenue and the southwesterly margin of the right of way of East Worthington Avenue; said iron being the northerly most corner of Lot 1, Block 5 of the J.K.A. Alexander Co. Subdivision as shown on Map Book 332, Page 23 of the Mecklenburg County Public Registry; thence with the southeasterly margin of the right of way of Cumberland Avenue N 30°26'09" E a distance of 40.45 feet to a calculated point situated at the intersection of the southeasterly margin of the right of way of Cumberland Avenue and the northeasterly margin of the right of way of East Worthington Avenue; said point being the westerly most corner of Lot 7, Block 6 of the aforesaid J.K.A. Alexander Co. Subdivision; thence with the southwesterly margin of the aforesaid Lot 7; Block 6 S 46°45'00" E a distance of 143.81 feet to an existing iron pipe; said iron being on the westerly boundary line of Lot 8, Block 1 of the East Boulevard Subdivision as shown on Map Book 3, Page 36 of the Registry; thence with the rear lines of Lots 8 and 9, Block 1 of the aforesaid East Boulevard Subdivision S 32°12'20" W crossing an existing iron pipe at a distance of 32.84 feet for a total distance of 40.18 feet to an existing iron pipe situated at the easterly most corner of the aforesaid Lot 1 Block 5; thence with the aforesaid Lot 1, Block 5 N 46°45'00" W a distance of 142.54 feet back to the point and place of beginning. Containing 5,647 square feet or 0.1296 acres according to a survey by R. B. Pharr & Associates, P. A. dated November 11, 2015.
Job No. 84117*

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SANITARY SEWER-SERVE 11810 MT. HOLLY-HUNTERSVILLE ROAD PROJECT**;

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **SANITARY SEWER-SERVE 11810 MT. HOLLY-HUNTERSVILLE ROAD PROJECT** and estimated to be **7,358 square feet (.169 acre) of sanitary sewer easement and 4,196 square feet (.096 acre) of temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: **017-203-04**, said property currently owned by **ELPINIKI KARAGIANNIS and STANTOULA K. DROSINIS; MECKLENBURG COUNTY TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of February, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s)235.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 22nd day of February, 2016.



Emily A. Kunze
Emily A. Kunze, Deputy City Clerk