

January 11, 1988
Resolution Book 24 - Page 122

RESOLUTION CLOSING A PORTION OF SOUTH CLARKSON
STREET LOCATED OFF WEST FOURTH STREET IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provision 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 South Clarkson 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 South Clarkson Street to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along South Clarkson Street, all as required by G. S. 160A-299; and

WHEREAS, the public hearing was held on the 11th day of January, 1988, and City Council determined that the closing of a portion of South Clarkson 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 January 11, 1988, that the Council hereby orders the closing of a portion of South Clarkson Street in the City of Charlotte, Mecklenburg County, North Carolina as described below:

Lying and being located in the City of Charlotte, County of Mecklenburg, North Carolina, and being more particularly described as follows:

Beginning at a point located in the southeasterly margin of the right-of-way of South Clarkson Street, said Beginning point being located 242.67 feet as measured in a southwesterly direction along the southeasterly margin of the right-of-way of South Clarkson Street from the intersection of the southeasterly margin of the right-of-way of South Clarkson Street with the southerly margin of the right-of-way of West Trade Street; thence from said Beginning point with the southeasterly margin of the right-of-way of South Clarkson Street and the northwesterly property line of the property conveyed to NCNB Community Development Corporation by deeds recorded in Book 5428 at page 494 and in Book 5434 at page 602 in the Mecklenburg County Public Registry, S. 34-10-09 W. 138.16 feet to a point located in the northerly or northeasterly margin of the right-of-way of West Fourth Street; thence with the northerly or northeasterly margin of the right-of-way of West Fourth Street, N. 47-01-44 W. 47.88 feet to a point, said point marking the southerly corner of the property conveyed to NCNB Community Development Corporation by deed recorded in Book 5428 at page 457 in the Mecklenburg County Public Registry; thence with the northwesterly

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margin of the right-of-way of South Clarkson Street and the southeasterly property line of the property conveyed to NCNB Community Development Corporation by deeds recorded in Book 5428 at page 457 and page 467 in the Mecklenburg County Public Registry, N. 34-02-58 E. 139.68 feet to a point; thence S. 45-18-03 E. 48.42 feet to the point or place of Beginning, and containing 0.151 acres all as shown on Boundary Survey entitled, "Portion of South Clarkson St. To Be Closed" dated July 7, 1987, by Jack R. Christian, N.C.R.L.S., reference to which survey is hereby made.

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, Pat Sharkey, 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 11th day of January, 1988, the reference having been made in Minute Book 90, Page _____, and recorded in full in Resolution Book 24, Page 122-124.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1988.

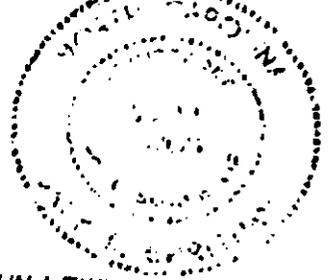
Pat Sharkey, City Clerk

EXHIBIT A

THIS IS TO CERTIFY THAT ON THE 7th DAY OF July 1987 I, SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS IF ANY ARE SHOWN HEREON

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SIGNED: *John R. Christian*
REGISTERED SURVEYOR



JOHN LEWIS SHROPSHIRE
AND WIFE
CELESTE SUE SHROPSHIRE McCULLOUGH
D.B. 4503 P. 183

SOUTH CLARKSON STREET

← 242.67' to West Trade St.

S45°18'03"E 48.42'

Note: the portion of South Clarkson Street shown hereon is also shown on map of property known as Woodlawn, a plat of which is recorded in Book 230, page 9 in the Mecklenburg County Public Registry.

NCNB COMMUNITY DEVELOPMENT CORP.
DEED 5428 PG 457
DEED 5428 PG 467

N34°02'58"E 139.68'

0.151 ACRE

S34°10'09"W 138.16'

NCNB COMMUNITY DEVELOPMENT CORP.
DEED 5428 PG 494
DEED 5434 PG 602

N47°01'44"W 47.88'

WEST FOURTH STREET

Boundary SURVEY OF

PORTION OF SOUTH CLARKSON ST. TO BE CLOSED
City of Charlotte ~ Mecklenburg County, N.C.

SCALE 1" = 20'

THE PROPERTY OF

NCNB COMMUNITY DEVELOPMENT CORP.

MAP RECORDED IN BOOK

AT PAGE

DEED RECORDED IN BOOK

PAGE

January 11, 1988
Resolution Book 24 - Page 125

RESOLUTION AMENDING THE RESOLUTION OF THE CITY COUNCIL ESTABLISHING A PROCEDURE FOR ACCEPTING GIFTS OF REAL ESTATE BY DELEGATING SUCH AUTHORITY TO THE CITY MANAGER.

WHEREAS, on May 8, 1978, the City Council established a procedure for accepting gifts of real estate; and

WHEREAS, a part of that procedure requires that the City Council accept all offers of real estate; and

WHEREAS, the City Council now desires to delegate the acceptance of real estate that persons wish to give to the City to the City Manager.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte hereby amends its May 8, 1978 resolution in the following manner:

1. Paragraph 3 of the May 8, 1978 resolution is hereby rewritten to read as follows: "Upon receipt of the above-required information, the City Manager shall consider and decide whether or not to accept the offer. No offer to donate real estate will be accepted unless a specific use for the property by the City has been found, and an intended use agreed upon. Provided that this paragraph shall not be interpreted to infer that the property will be restricted to that purpose intended at initial acceptance."

2. Paragraph 4 of the May 8, 1978 resolution is amended by deleting the words "City Council" and "Council" and substituting the words "City Manager."

Except as herein amended, the May 8, 1978 resolution shall remain in full force and effect.

Approved as to form:

Henry W. Underhill, Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 11th day of January, 1988, the reference having been made in Minute Book 90, and is recorded in full in Resolution Book 24, at page(s) 125.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1988.

Pat Sharkey, City Clerk

January 11, 1988
Resolution Book 24 - Page 126

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING
THE CITY MANAGER AND THE CITY ATTORNEY, OR THEIR DESIGNEES TO
SETTLE CERTAIN CLAIMS OR LAWSUITS.

WHEREAS, by resolution dated April 4, 1977, the City Council authorized the City Manager or his designee to settle claims or lawsuits against filed against the City arising out of the operation of the Charlotte Transit System when the amount involved did not exceed \$5,000; and

WHEREAS, on December 19, 1977, the City Council approved a resolution authorizing the City Manager to settle all other claims or lawsuits when the amount involved did not exceed the sum of \$5,000; and

WHEREAS, the City Council now desires to increase the City Manager's settlement authority and to also grant to the City Attorney authority to settle certain claims or lawsuits.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled that its resolutions of April 4, 1977 and December 19, 1977 are hereby amended to provide the following:

SETTLEMENT AUTHORITY -- Pursuant to N.C.G.S. § 160A-12, the City Attorney or his duly authorized designee is hereby authorized to settle all claims or lawsuits of any kind or nature involving the City of Charlotte, including land condemnation lawsuits when the amount involved does not exceed the sum of \$5,000. The City Manager or his duly authorized designee is hereby authorized to settle all claims or lawsuits of whatever kind or nature, including land condemnation lawsuits when the amount involved is greater than \$5,000, but does not exceed the sum of \$30,000. All claims or lawsuits when the proposed settlement exceeds \$30,000 shall be paid only upon the prior approval of the City Council.

Except as herein amended, the April 4, 1977 and December 19, 1977 resolutions shall remain in full force and effect.

Approved as to form:

Henry W. Clendenen, Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 11th day of January, 1988, the reference having been made in Minute Book 90, and is recorded in full in Resolution Book 24, at page(s) 126.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1988.

Pat Sharkey, City Clerk

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by
Councilmember Clodfelter for the adoption of the following

Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the Department has plans to make certain street and highway improvements under Project 7.6770370, Mecklenburg County, said plans consisting of the milling and resurfacing of SR 3815 and NC 16 in Charlotte; and

WHEREAS, the Municipality has agreed to reimburse the Department sixty-two percent (62%) of the total final project costs in one (1) lump-sum payment upon completion of the project.

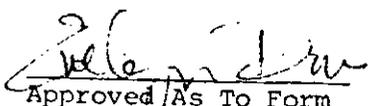
NOW, THEREFORE, BE IT RESOLVED that Project 7.6770370, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 11th day of January, 1988.

WITNESS, my hand and the official seal of said Municipality on this the 12th day of January, 1988.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA


Approved As To Form
Assistant City Attorney

January 11, 1988
Resolution Book 24 - Page 128

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

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

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the improvement and construction of I-277 from I-77 to Third Street in Charlotte; and,

WHEREAS, said Department of Transportation and the Municipality of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions to relocate and adjust certain municipally owned water and sewer lines along the project; and,

WHEREAS, the Municipality agrees to reimburse the Department of Transportation for the cost of said work with reimbursement to be made in a lump sum amount upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project 8.1654826, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 11th day of January, 1988.

WITNESS, my hand and the official seal of said Municipality on this the 12th day of January, 1988.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

Sen. Asst. [Signature]
Approved As To Form
City Attorney

January 11, 1988
Resolution Book 24 - Page 129

A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN 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 certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 10th day of February, 1986, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of January, 1988, the reference having been made in Minute Book 90 and recorded in full in Resolution Book 24, page(s) 129-130.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
Carolina One-Write Systems	\$ 5.00	Clerical error
Lowe, Clifton Kent	47.33	Clerical error
Faircloth, James R. & wife, Sharon R.	175.66	Clerical error
Havel, Joe F. & wf. Fely C.	41.33	Clerical error
Thompson, Benjamin & wf. Sarah H.	176.14	Clerical error
Interstate Auto Leasing	175.66	Illegal levy
Alexander, Anthony Spencer	32.43	Illegal levy
Alexander, Anthony Spencer	51.18	Illegal levy
Alexander, Anthony Spencer	25.07	Illegal levy
Owens, Lisa Brown	24.05	Illegal levy
Carroll, Edward Joseph	129.04	Illegal levy
Harris, Jim Bell	8.69	Clerical error
Houck, Alan Lee	28.49	Illegal levy
Lord, Agnes Cecile	66.00	Illegal levy
Mallios, Billie Jo	2.64	Clerical error
McGahan, John G. & wf. Shirley	64.80	Clerical error
Mims, Tommy Watson	38.26	Illegal levy
Swearingen, C. Hilton & wf. Susan E.	74.84	Clerical error
Coliseum Motor Court, Inc.	1,018.68	Clerical error
The Italian Investment Co.	1,924.85	Clerical error
Wholesale Retreading of Charlotte, Inc.	305.34	Illegal levy
Wholesale Retreading of Charlotte, Inc.	123.50	Illegal levy
Franklins Printing & Office Supplies for 1986	42.61	Clerical error
Downer, Thomas Theordore	93.37	Clerical error
McCutheon, Hugh Tyler	27.18	Clerical error
	<hr/>	
	\$4,702.14	

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 1987 Annexation Sewer-Mineral Springs/University Research Park Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the 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:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Davis H. Robinson, Registered Agent for Robinson and Waters Realty Co., Inc.	11,545.35 s. f., plus temporary construction easement for Tax Parcel No. 047-062-08	\$ 1,600.00
Robinson and Waters Realty Co., Inc.	(Same)	(Included)
James H. Waters, Trustee	(Same)	(Included)
City National Bank Profit- Sharing Trust, Beneficiary	(Same)	(Included)
(Branch Bank & Trust Co., Successor in interest)	(Same)	(Included)
Sol Levine, Trustee	(Same)	(Included)
Waters Construction Co., Inc., Beneficiary	(Same)	(Included)
G. Robert Turner, III Trustee	(Same)	(Included)
Home Federal Savings & Loan Association	(Same)	(Included)
Any Other Parties in Interest		

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 11th day of January, 1988, the reference having been made in Minute Book 90, and is recorded in full in Resolution Book 24, at page(s) 131.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1988.

Pat Sharkey, City Clerk

January 11, 1988
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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 1987 Annexation Sewer-Hemphill Area Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the 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:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Oasis Temple Ancient Arabic Order Nobles of the Mystic Shrine, an N. C. corporation	15,266.55 s. f., plus temporary construction easement for Tax Parcel No. 043-051-01	\$ 1,200.00
Adolphus Henderson, Possible Life Estate	(Same)	(Included)
Any Other Parties in Interest		

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Chandler Jr.
 City Attorney

CERTIFICATION

I, Pat Sharkey, 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 11th day of January, 1988, and the reference having been made in Minute Book 89, Page , and recorded in full in Resolutions Book 24, Page 132.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 12th day of January, 1988.

 City Clerk

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 1987 Annexation Sewer-Hemphill Area Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the 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:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Any And All Heirs, Legatees, and Devisees of David Young and Hazel Young	748.8 s.f., plus a temporary construction easement for Tax Parcel No. 043-035-02	\$ 100.00
Mary E. Williams	(Same)	(Included)
Cora Ann Williams	(Same)	(Included)
Cora Lee Frederick	(Same)	(Included)
Hazel L. Miller	(Same)	(Included)
John E. Miller	(Same)	(Included)
David Young, Jr.	(Same)	(Included)
Larry E. Young	(Same)	(Included)
Joreather Young	(Same)	(Included)
Clara P. Gardner	(Same)	(Included)
Alicia Jones	(Same)	(Included)

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 11th day of January, 1988, the reference having been made in Minute Book 90, and is recorded in full in Resolution Book 24, at page(s) 133.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1988.

Pat Sharkey, City Clerk

January 11, 1988
Resolution Book 24 - Page 134

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 1987 Annexation Sewer-Hickory Grove/Pence Road Project; and

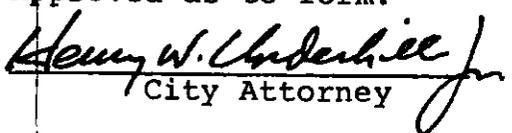
WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

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:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Herman L. Litaker	3,129.9 s. f., plus temporary construction easement for Tax Parcel No. 107-312-06 and 107-312-05	\$ 800.00
Susie Litaker		
Any Other Parties in Interest		

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:


City Attorney

CERTIFICATION

I, Pat Sharkey, 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 11th day of January, 1988, and the reference having been made in Minute Book 90, Page , and recorded in full in Resolutions Book 24, Page 134.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 12th day of January, 19 88.

City Clerk