

**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:

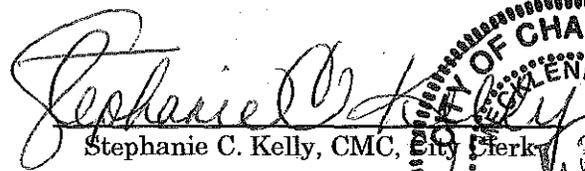
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

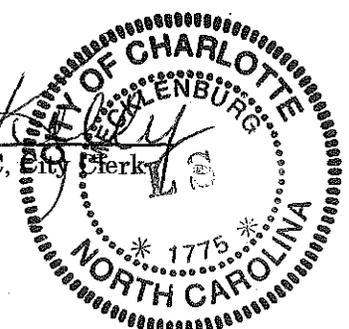
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of January, 2009 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (823-824).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**TAXPAYERS AND REFUNDS REQUESTED**  
**(Clerical Error)**

<b>NAME</b>	<b>AMOUNT</b>
CASTRO, NEMORIO TREJO	51.05
PARRISH, WILLIAM D	34.82
TEAGUE, WILLIAM JUNIOR	0.21
SPALETA, JACK PETER	27.43
HODGIN, LARRY CRAIG	4.24
KRAKOWSKI, MICHAEL DAVID	14.23
HORTON, JAMES ERVIN	161.65
OSUNA, RAFAEL	108.23
WENDOVER HILL HOMEOWNERS ASSOC INC	2,017.84
BROOKS, SCOTT L	252.56
MALAK, DARRYL E	2,889.18
STEWART JULIYA K STEWART MATTHEW R	22.01
PATTERSON, JANIE M	218.98
DANIELS, CARL F	267.10
PATTERSON, JANIE M	220.93
MILES, MICHAEL	384.31
LATHAM, BUREN N	56.79
BURROUGHS, ROBERT O JR	57.78
WILZ, RICHARD P	393.61
SMITH, MARGARET H	281.16
PULTE HOME CORPORATION	67.2
HALLOY, ALAN	239.39
FOUST, KENDRA L	271.47
LANDS, ROSEMARY J	23.73
TARA PROPERTIES INC	935.09
LANDGRAF, SHIRLEY E	119.50
HSBC MORTGAGE CORP	66.04
WALSH, EDWARD C	156.76
<b>TOTAL</b>	<b><u>\$ 9,343.29</u></b>

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Allen A Brown Road** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Young's Pond, LLC** has filed a petition to close **Allen A Brown Road** in the City of Charlotte; and

Whereas, the portion of Allen A Brown Road to be closed lies within the Mallard Creek Community beginning from Brown Road continuing approximately 1200 feet west to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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 it's 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 and

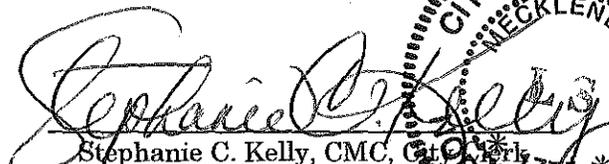
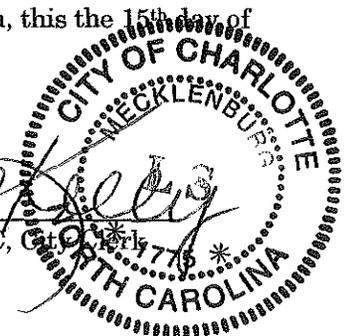
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of January 12<sup>th</sup>, 2009 that it intends to close Allen A Brown Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9<sup>th</sup> day of February, 2009 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 825.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC, City Clerk  


**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of right-of-way abutting E. Independence Boulevard** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Burt Family Limited Partnership** has filed a petition to close a **residual portion of right-of-way abutting E. Independence Boulevard** in the City of Charlotte; and

Whereas, the residual portion of right-of-way abutting E. Independence to be closed lies within the Elizabeth Community beginning at Lamar Avenue continuing approximately 377-feet eastwardly to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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 it's 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 and

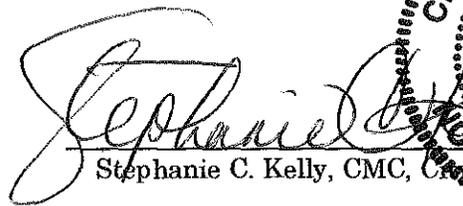
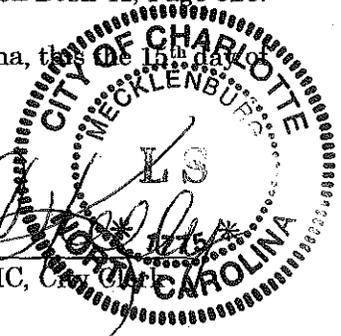
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of January 12<sup>th</sup>, 2009 that it intends to close a portion residual portion of right-of-way abutting E. Independence and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9<sup>th</sup> day of February, 2009 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 826.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC,  


RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,  
NORTH CAROLINA ON JANUARY 12, 2009

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

WHEREAS, Safe Routes to School (SRTS) is a national program of the U.S. Federal Highway Administration and the North Carolina SRTS program is making \$3.5 million available for infrastructure grants to better enable children to walk and bicycle to school; and

WHEREAS, funds are available to implement projects and promote activities that will improve pedestrian safety, reduce traffic congestion, fuel consumption, and air pollution in the vicinity (approximately 2 miles) of primary and secondary schools;

WHEREAS, the infrastructure grants will be competitive and awarded on a cost-reimbursement basis; and

WHEREAS, in 2005, the City received partial funding through NCDOT to hold the National Safe Routes to School course, which was held at Merry Oaks Elementary School and Sedgefield Elementary School; and

WHEREAS, the City staff have met with the County's Safe Routes to School Coordinator and a committee representing various agencies to discuss candidate schools for the infrastructure grant and choose Sedgefield Elementary; and

WHEREAS, Sedgefield was chosen because the school staff continue to support the safe routes initiative and are eager to apply for these federal funds; and

WHEREAS, the City concurs that this school is an appropriate candidate that will benefit from safety enhancements and a greater sidewalk network to encourage walking and biking to school; and

WHEREAS, Given that the City supports the Safe Routes to School initiative, the City supports the application of an infrastructure grant application for Sedgefield Elementary School; and

NOW, THEREFORE, BE IT RESOLVED, that this resolution authorizes the endorsement of the submittal of a North Carolina Safe Routes to School Infrastructure Grant Application for Sedgefield Elementary School.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (827-828).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC City Clerk  

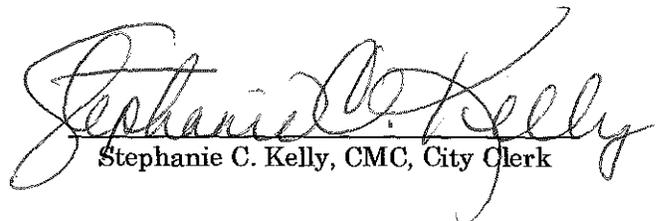

N85°-15'-45"E 778.91 feet, passing an Existing iron rebar at 624.64 feet being a Northeastern lease area corner (Deed Book 779 Page 692), to a New iron rebar being the Northeastern Property corner of Southern Spindle and the Southeastern Property corner of Latour Properties on the Western property line of Thomas Ertel and Candice Ertel (Tax Pin 11515101, Deed Book 16516 Page 158, Map Book 3 Page 587); thence continuing along the common Property line of Southern Spindle and Ertel S04°-55'-27"W 122.81 feet to a New iron rebar, a bend in the line; thence continuing along the common Property line of Southern Spindle and Ertel S04°-52'-39"W 427.34 feet to an Existing iron pipe being a Southeastern Property corner of Southern Spindle, the Southwestern Property corner of Ertel, and a Northern Property corner of Edwin R. McCoy, III and Gary McCoy and H. Michael McCoy (Tax Pin 11515121, Deed Book 5311 Page 625); thence along the common Property line of Southern Spindle and McCoy S70°-46'-50"W 140.41 feet to an Existing iron pipe on the Northern Public Right-of-way of Josh Birmingham Parkway; thence along the Northern Public Right-of-way of Josh Birmingham Parkway for the following Three (3) courses: 1) N55°-09'-37"W 248.46 feet to an Existing Right-of-way monument; 2) N54°-44'-43"W 449.03 feet to an Existing Right-of-way monument; 3) N23°-31'-55"W 87.73 feet to an Existing Right-of-way monument in said Eastern Public Right-of-way of Harlee Avenue; thence along said Eastern Public Right-of-way of Harlee Avenue N10°-11'-05"E 49.35 feet to the Point of Beginning; containing 293,278 Square feet (6.73 Acres) as shown on Plat of Survey for Charlotte Douglas International Airport prepared by Earth Tech, Inc. (Raleigh, NC) dated June 06, 2008.

IT IS FURTHER RESOLVED that the additional amount of \$409,000 is hereby authorized to be deposited in the office of the Clerk of Superior Court, Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (829-829a).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC, City Clerk

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

**WHEREAS**, the City Council of the City of Charlotte previously authorized condemnation proceedings against the property described below ("Property") utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina, and

**WHEREAS**, the City did condemn the Property by filing a Complaint, Declaration of Taking and Notice of Deposit on December 3, 2008 by depositing \$1,191,000 with the Clerk of Court for Mecklenburg County; and

**WHEREAS**, the City and all persons with an interest in the property have reached an agreement with regard to settling the condemnation suit, which settlement would require the City to pay a total of \$1.6 million for the property, which is an additional \$409,000 over and above the \$1,191,000 that the City has already deposited with the Clerk of Court;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlotte, that the settlement of this condemnation proceeding of the terms stated herein is hereby authorized.

**Parties in Interest**

The Southern Spindle and Flyer Company  
Adams Outdoor Advertising of Charlotte  
Ferguson Fire & Fabrication, Inc.  
Duke Power Company, Easements  
Department of Transportation, Easements  
City-County Tax Collector

**Property description**

A Boundary Survey of Southern Spindle and Flyer Co. Inc. Property, Tax Pin 11515116, Deed Book 2593 Page 257, Back Deeds; Deed Book 1012 Page 36 and Deed Book 1653 Page 224.

Beginning at an Existing Right-of-way monument on the Eastern Public Right-of-way of Harlee Avenue being the Northwestern Property corner of Southern Spindle and Flyer Co. Inc. Property (Tax Pin 11515116, Deed Book 2593 Page 257, Back Deeds; Deed Book 1012 Page 36 and Deed Book 165 Page 224) and the Southwestern Property corner of Latour Properties LLC., (Tax Pin 11515115, DB 21566 PG 50); said Point of beginning being located N84°-54'-10"E 10.27 feet from another Existing Right-of-way monument on the Eastern Public Right-of-way of Harlee Avenue; thence from the Point of beginning along the common Property line of Southern Spindle and Latour Properties

FOR REGISTRATION J. DAVID GRANBERRY  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2009 FEB 09 09:49:58 AM  
BK: 24434 PG: 728-731 FEE: \$18.00

INSTRUMENT # 2009015567



**COPY**

**RESOLUTION CLOSING A RESIDUAL PORTION OF BELLE TERRE AVENUE 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 residual portion of Belle Terre Avenue 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 residual portion of Belle Terre Avenue 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 petitioner will provide an access easement to City of Charlotte, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 12<sup>th</sup> day of January, 2009 and City Council determined that the closing of a residual portion of Belle Terre Avenue 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 12, 2009, that the Council hereby orders the closing of a residual portion of Belle Terre Avenue 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 document marked "Exhibit B", both of which are attached hereto and made a part hereof.

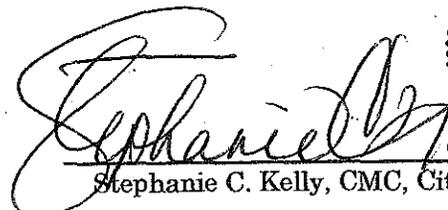
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

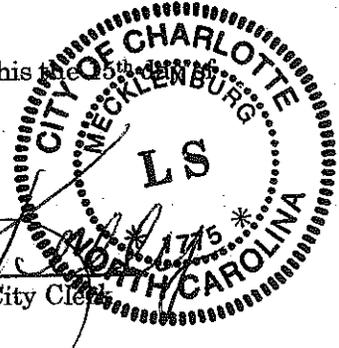
**CERTIFICATION**

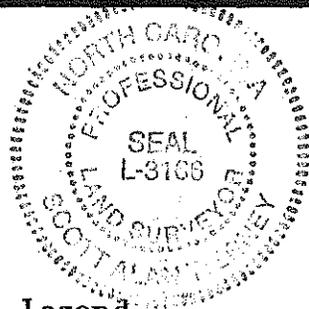
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (830-832).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 15<sup>th</sup> day of January, 2009.

**Drawn By: City of Charlotte  
Return to: City of Charlotte-Box**

  
Stephanie C. Kelly, CMC, City Clerk





North Carolina

I, SCOTT ALAN TIERNEY, certify that this plat was drawn under my supervision from an actual survey made under my supervision and this map and the survey upon which it is based conform to the standards of practice for land surveying in North Carolina (section .1600 of board rules).

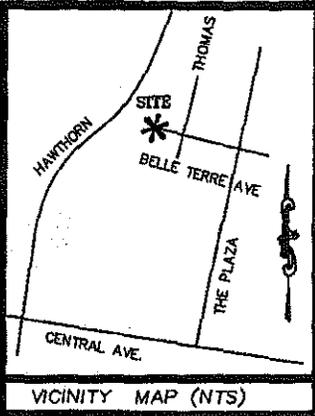
*Sup AL Tierney L-3166*

SCOTT ALAN TIERNEY REGISTRATION No. L-3166

CURVE TABLE					
CURVE	DELTA	RADIUS	LENTH	CHORD DIR.	CHORD
C1	44°51'45"	10.00	7.83	N53°47'33"W	7.63
C2	45°08'15"	10.00	7.88	N08°47'33"W	7.68
C3	1°51'56"	40.00	1.30	N14°42'32"E	1.30
C4	13°09'45"	40.00	9.19	N22°13'23"E	9.17
C5	73°19'30"	40.00	51.19	N65°28'00"E	47.77

**Legend**

- EIP Existing Iron Pin
- NIP New Iron Pin
- Computed Point
- Line Not Surveyed
- R/W Right of Way
- N/F Now or formerly



VICINITY MAP (NTS)

**Notes**

- All distances shown hereon are surface horizontal distance; (unless otherwise indicated) areas are computed by the coordinate computation method.
- Basis of bearings is NC Grid (CORS) per field tie to NCGS Station MD56

CAREY W. DIGSBY & wf.  
BARBARA R. DIGSBY  
DB 4260 Pg 936  
081-193-03  
zoned R5  
USE: SINGLE FAMILY

J. C. PATTERSON III DB 16504 Pg 230  
081-193-04 zoned R5  
USE: SINGLE FAMILY

Easement in favor of the City of Charlotte, and all other owners of existing underground telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement and repair of storm water facilities, conduit, cable, wires and related equipment.

FRANK FEASTER DB 6338 Pg 243  
081-193-05 zoned R5  
USE: SINGLE FAMILY

JILL M. WALKER DB 8494 Pg 598  
081-193-06 zoned R5  
USE: SINGLE FAMILY

JILL M. WALKER DB 8494 Pg 598  
081-193-07 zoned R22-MF  
USE: VACANT

MARION J. REECE & wf. NELL S. REECE  
DB 3860 Pg 119 081-193-14 zoned R5  
USE: SINGLE FAMILY

CHARLES D KELLER  
DB 13842 Pg 244  
081-193-30  
zoned R5  
USE: SINGLE FAMILY

EIP  
N. 542, 992, 8283  
E. 1, 459, 064, 700E

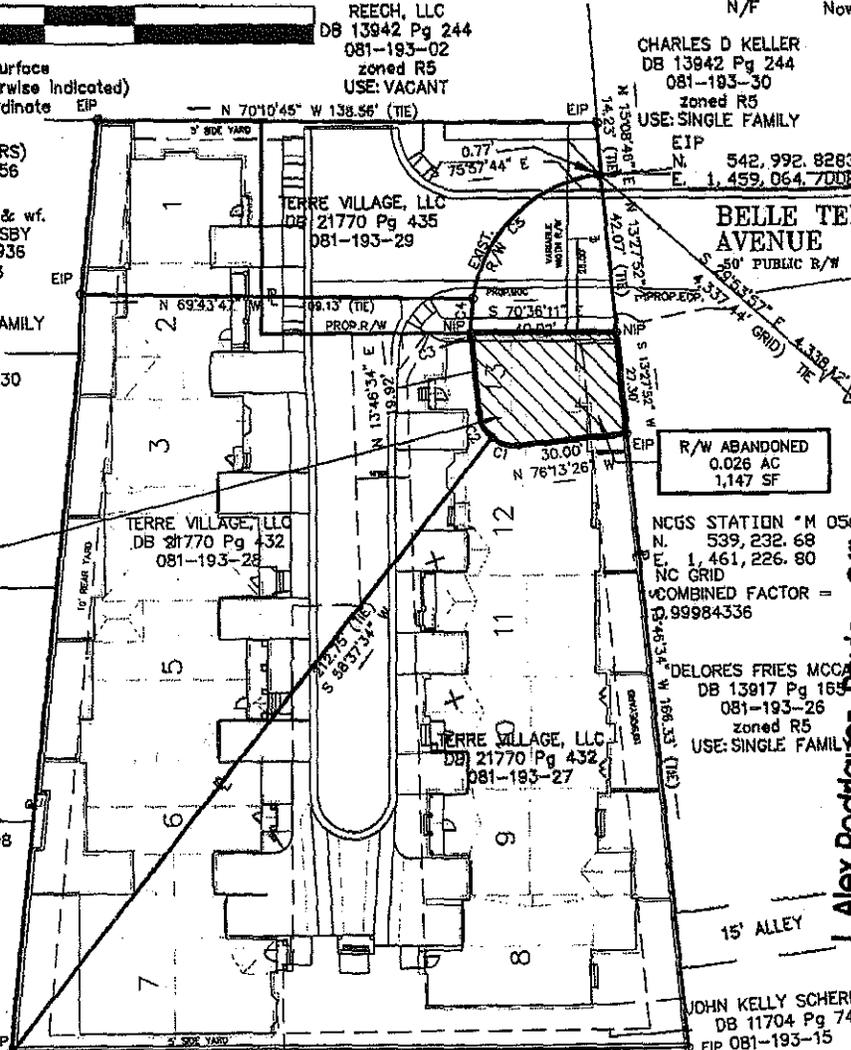
BELLE TERR AVENUE  
50' PUBLIC R/W

R/W ABANDONED  
0.026 AC  
1,147 SF

NCGS STATION \*M 056  
N. 539, 232, 68  
E. 1, 461, 226, 80  
NC GRID  
COMBINED FACTOR =  
0.99984336

DELORES FRIES MCC  
DB 13917 Pg 165  
081-193-26  
zoned R5  
USE: SINGLE FAMILY

JOHN KELLY SCHERER  
DB 11704 Pg 749  
EIP 081-193-15  
zoned R5  
USE: SINGLE FAMILY



I, Alex Rodriguez, Review Officer  
Of Mecklenburg County, certify that the  
map or plat to which this certificate is  
affixed meets all statutory requirements  
for recording

1/28/09  
Date  
Review Officer

**"EXHIBIT A"**

**RIGHT-OF-WAY ABANDONMENT**

TAX ID 081-193-27,28 AND 29  
TERRE VILLAGE LLC D.BK. 21770 PG. 432, 435

CITY OF CHARLOTTE  
MECKLENBURG COUNTY, NORTH CAROLINA

DATE: 10/08/08

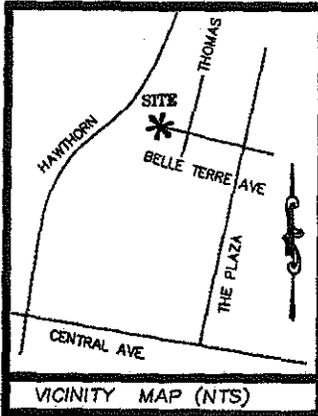
SHEET: 1 OF 2

SCALE: 1" = 50'

CADD FILE: CH050326 Belle terre Exhibit

**GEOSCIENCE GROUP, INC.**

500-K Clanton Road  
Drawn By: City of Charlotte  
704-925-2903  
Return to: City of Charlotte-Box



North Carolina

I, SCOTT ALAN TIERNEY, certify that this plat was drawn under my supervision from an actual survey made under my supervision and this map and the survey upon which it is based conform to the standards of practice for land surveying in North Carolina (section .1600 of board rules).

*Scott Alan Tierney* L-3166  
 SCOTT ALAN TIERNEY REGISTRATION No. L-3166



**METES AND BOUNDS DESCRIPTION:**

Being all of a 0.026 acre parcel of land situated in The City of Charlotte Mecklenburg County, North Carolina said tract being part of Belle Terre Avenue and, and more particularly described by metes and bounds as follows:

BEGINNING at a new iron pin on the southerly right of way line of Belle Terre Avenue, the northwesterly corner of Delores Fries McCave as recorded in Deed Book 13917 Page 165, Mecklenburg County Register of Deeds, said iron being the following two courses from NCGS station "M 056", having North Carolina Grid coordinates of N. 539,232.68 E. 1,461,226.80.

1. N 29°53'57" W, 4,338.12 feet to an existing iron pin on the northerly right of way line of Belle Terre Avenue, said iron pin having North Carolina Grid coordinates of N. 542,992.8283 E. 1,459,064.7008.
2. S 13°27'52" E, 42.07 feet to said existing iron pin on the southerly right of way line of Belle Terre Avenue, the POINT OF BEGINNING.

Thence, from said beginning point, with the westerly property line of said McCave tract, S 13°27'52" W, 27.30 feet to an existing iron pin, said pin being the northeasterly corner of the Terre Village tract as recorded in Deed Book 21770 Page 432, Mecklenburg County Register of Deeds.

Thence, with the northerly line of said Terre Village tract, the following five courses:

1. N 76°13'26" W, 30.00 feet to a computed point.
2. With the arc of a circular curve to the to the right having a radius of 10.00 feet, on arc length of 7.83 feet, and a chord which bears N 53°47'33" W, 7.63 feet to a computed point,
3. Continuing with the arc of a circular curve to the to the right having a radius of 10.00 feet, an arc length of 7.88 feet, and a chord which bears N 08°47'33" W, 7.68 feet to a computed point.
4. N 13°46'34" E, 19.92 feet to a new iron pin.
5. With the arc of a circular curve to the to the right having a radius of 40.00 feet, an arc length of 1.30 feet, and a chord which bears N 14°42'32" E, 1.30 feet to a new iron pin,

Thence, through the right of way of Belle Terre Avenue S 70°36'11" E, 40.02 feet to the POINT OF BEGINNING and containing within these metes and bounds 1,147 square feet, or 0.026 acres of land, more or less as shown on that "Exhibit Map - Right of Way Abandonment", by Geoscience Group, Inc., dated: October 8, 2008, and signed and sealed by Scott Alan Tierney, NCPLS L-3166 to which reference is hereby made.

I, Alex Rodriguez, Review Officer  
 Of Mecklenburg County, certify that the  
 map or plat to which this certificate is  
 affixed meets all statutory requirements  
 for recording

Review Officer *Alex Rodriguez*  
 Date *1/12/09*

**"EXHIBIT B"**

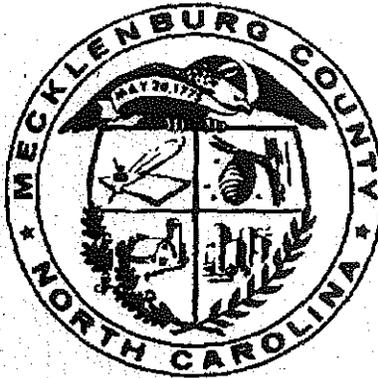
**RIGHT-OF-WAY ABANDONMENT**

TAX ID 081-193-27,28 AND 29  
 TERRE VILLAGE LLC D.BK. 21770 PG. 432, 435  
 CITY OF CHARLOTTE  
 MECKLENBURG COUNTY, NORTH CAROLINA

DATE: 10/08/08 SHEET: 2 OF 2  
 SCALE: 1" = 50' CADD FILE: CH050326 Belle terre Exhibit

**GEOSCIENCE  
 GROUP, INC.**

500-K Clanton Road  
 Charlotte, NC 28217  
 704-535-2003  
 Fax: 704-535-2001 (ext.)  
 Drawn By: City of Charlotte  
 Return to: City of Charlotte-Box



J. DAVID GRANBERRY  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of the recorded document, and must be submitted with original for re-recording  
and/or cancellation.

\*\*\*\*\*

**Filed For Registration:** 02/09/2009 09:49:58 AM

**Book:** RE 24434 **Page:** 728-731

**Document No.:** 2009015567

**RESOL 4 PGS \$18.00**

**Recorder:** LYVANH PHETSARATH



2009015567

RESOLUTION CLOSING A PORTION OF MAIN 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 Main 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 Main 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 petitioner will provide an access easement to City of Charlotte, Duke Energy, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8<sup>th</sup> day of December, 2008 and City Council determined that the closing of a portion of Main 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.

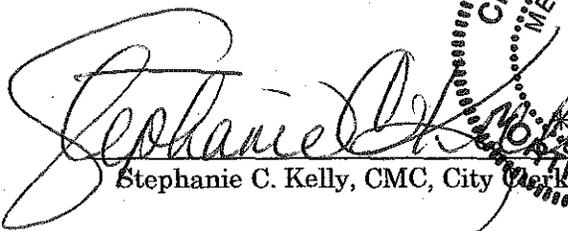
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 9, 2009, that the Council hereby orders the closing of a portion of Main Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof. This action shall be effective on the date that the right-of-way for the proposed realignment of Main Street is conveyed, recorded, constructed and accepted by the City of Charlotte for maintenance. The abandonment approval shall be void if the above conditions are not met within one year of this date.

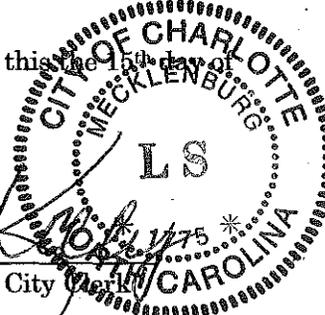
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (833-835).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



THIS IS TO CERTIFY THAT ON THE 18TH DAY OF APRIL 20 06 AN EXHIBIT 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 ARE BASED ON A SURVEY BY R.B. PHARR & ASSOCIATES, DATED MARCH 10, 2005, BEARING FILE NO. W-3139. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) 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

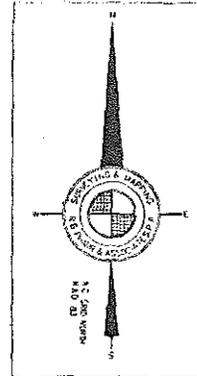
LINE	BEARING	DISTANCE
L1	N37°58'52"E	55.09'
L2	S27°06'19"E	21.92'
L3	S27°06'19"E	24.50'
L4	S27°39'06"E	58.43'
L5	N64°53'20"W	66.49'
L6	N18°27'45"W	67.35'
L7	N17°28'45"W	99.87'
L8	N17°28'45"W	99.11'
L9	N27°39'06"W	70.48'
L10	N27°39'06"W	6.40'

R. B. PHARR & ASSOCIATES, PROFESSIONAL SURVEYORS

250 MANTHORPE LANE  
CHARLOTTE, N.C. 28204  
TEL (704) 376-2186

CHECKED	DRAWN	REVISED
	JH	

RW AREA TO BE ABANDONED  
18,987 SQ. FT. OR  
0.4359 ACRE



**EASEMENT NOTE**  
EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, TIME WARNER CABLE, DUKE ENERGY, BELLSOUTH TELECOMMUNICATIONS, INC. AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF SEWER LINES, WATER LINES, CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

**LEGEND**

- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- N.I.P. - NEW IRON PIPE
- NIR - NEW IRON ROD
- E.C.M. - EXISTING CONCRETE MONUMENT
- RW - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET

**LINETYPE LEGEND**

- PROPERTY LINE SURVEYED: ————
- PROPERTY LINE NOT SURVEYED: - - - - -
- RIGHT-OF-WAY SURVEYED: ————
- RIGHT-OF-WAY NOT SURVEYED: - - - - -
- EASEMENT: ————
- SETBACK: ————

RW ABANDONMENT OF:  
EXHIBIT "A", PART OF MAIN STREET CHARLOTTE N.C.

PREPARED FOR  
SCALE 1"=100'  
MAP BOOK 1561 PAGE 560  
DEED BOOK 20671 PAGE 784  
19306 PAGE 294

MILLENNIUM 3 DESIGN GROUP

**FLOOD CERTIFICATION**  
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2005. COMMUNITY PANEL NO. 370159 0187 E

EXHIBIT "B"

LEGAL DESCRIPTION

[PORTION OF MAIN STREET TO BE ABANDONED]

THAT CERTAIN PARCEL OR TRACT OF LAND, SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONT M055, HAVING NC GRID COORDINATES OF N:539,784.43', E:1,449,530.96'; THENCE S 41°35'54" E A DISTANCE OF 5,377.71 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE WESTERLY R/W LINE OF MAIN STREET (50' PUBLIC RIGHT OF WAY) AND THE EASTERL RIGHT OF WAY OF AVANT STREET (VARIABLE PUBLIC RIGHT OF WAY); THE POINT OF BEGINNING; HAVING, NC GRID COORDINATES OF N:535,768.55', E:1,453,098.27',

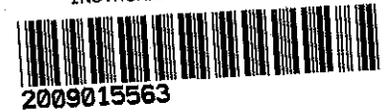
THENCE WITH A NEW LINE CROSSING THE RIGHT OF WAY OF MAIN STREET N 37°58'52" E A DISTANCE OF 55.09 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY MARGIN OF MAIN STREET; THENCE WITH THE EASTERLY RIGHT OF WAY LINE OF MAIN STREET, FOUR (4) COURSES AND DISTANCES (1) S 27°06'19" E A DISTANCE OF 21.92 FEET TO A POINT; (2) S 27°06'19" E A DISTANCE OF 24.50 FEET TO A POINT; (3) S 27°39'06" E A DISTANCE OF 58.43 FEET TO A POINT; (4) S 17°31'14" E A DISTANCE OF 314.94 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF BAXTER STREET (50' PUBLIC RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY ELI STREET (36' PUBLIC RIGHT OF WAY); THENCE WITH A NEW LINE CROSSING THE RIGHT OF WAY OF MAIN STREET N 64°53'20" W A DISTANCE OF 66.49 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF BAXTER STREET (50' PUBLIC RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY MAIN STREET (50' PUBLIC RIGHT OF WAY); THENCE FIVE (5) COURSES AND DISTANCES WITH THE WESTERLY RIGHT OF WAY OF MAIN STREET (1) N 18°27'45" W A DISTANCE OF 67.35 FEET TO A POINT; (2) N 17°28'45" W A DISTANCE OF 99.87 FEET TO A POINT; (3) N 17°28'45" W A DISTANCE OF 99.11 FEET TO A POINT; (4) N 27°39'06" W A DISTANCE OF 70.48 FEET TO A POINT; (5) N 27°39'06" W A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 18,987 SQUARE FEET OR 0.4359 ACRES AS SHOWN ON A MAP BY R.B. PHARR AND ASSOCIATES P.A., DATED APRIL 18, 2008 (JOB NUMBER 73415).

73415AB.DWGG:\73\4\73415\



FOR REGISTRATION J. DAVID GRANBERRY  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2009 FEB 09 09:48:10 AM  
BK:24434 PG:720-723 FEE:\$18.00

INSTRUMENT # 2009015563



**RESOLUTION CLOSING A 10-FOOT ALLEYWAY RUNNING OFF OF W. WORTHINGTON AVENUE 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 10-foot alleyway running off of W. Worthington Avenue 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 10-foot alleyway running off of W. Worthington Avenue 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 12<sup>th</sup> day of January, 2009 and City Council determined that the closing of a 10-foot alleyway running off of W. Worthington Avenue 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 12, 2009, that the Council hereby orders the closing of a portion of a 10-foot alleyway running off of W. Worthington Avenue 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 document marked "Exhibit B", both of which are attached hereto and made a part hereof.

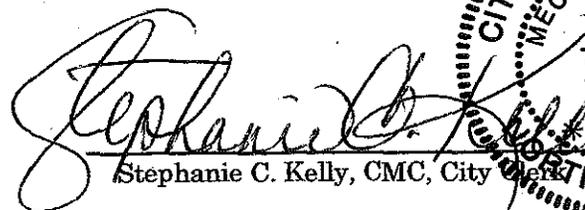
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

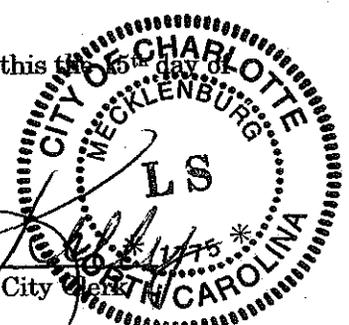
**CERTIFICATION**

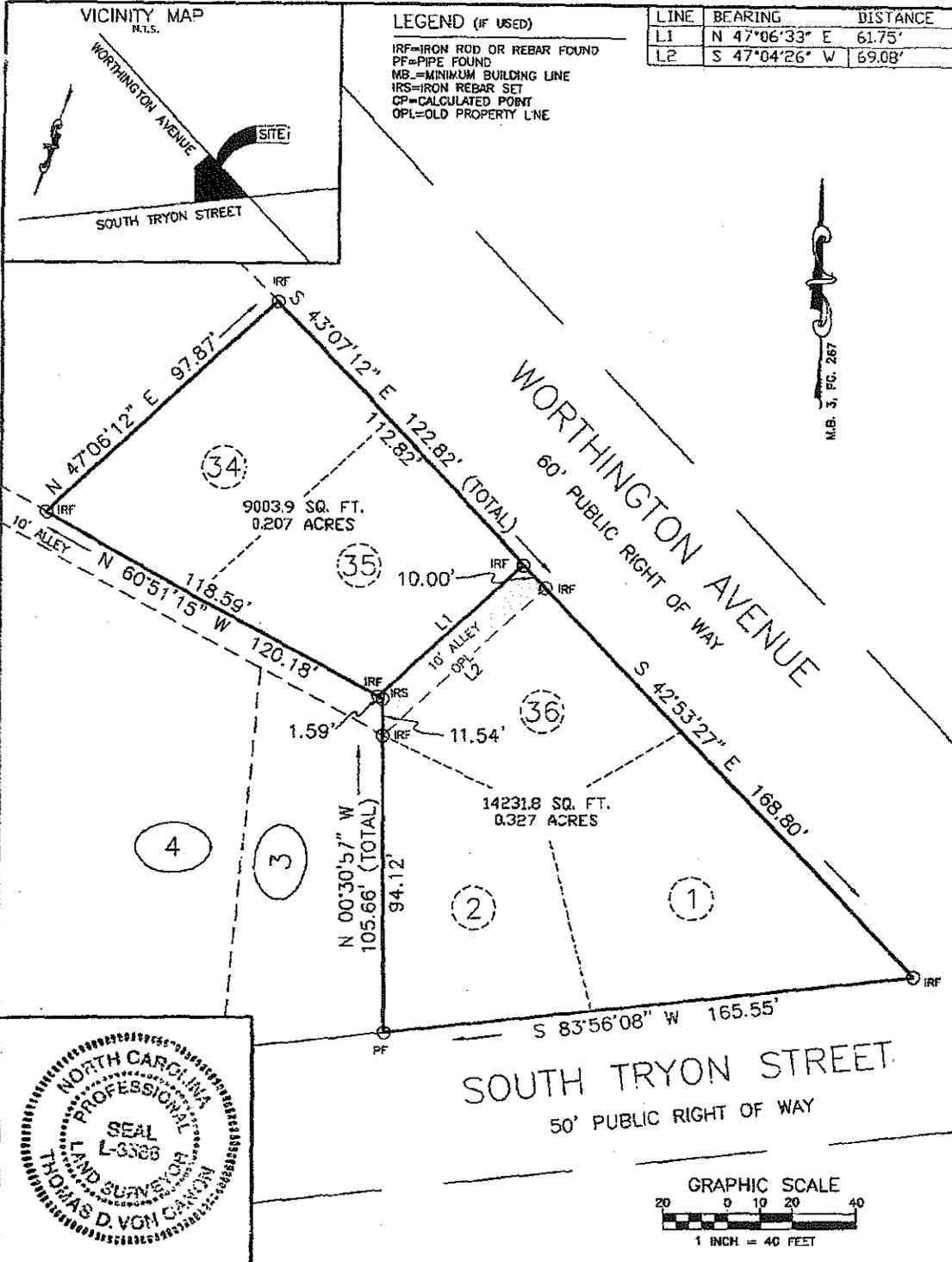
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (836-838).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 15<sup>th</sup> day of January, 2009.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box

  
Stephanie C. Kelly, CMC, City of Charlotte, North Carolina





**FLOOD CERTIFICATION:**  
1. THIS PROPERTY DOES NOT LIE WITHIN A F.E.M.A. SPECIAL FLOOD HAZARD AREA.

**GENERAL NOTES:**  
1. MEASUREMENTS ON THIS MAP ARE IN FEET AND DECIMALS THEREOF.  
2. ALL SET CORNERS ARE 1/2" IRON REBAR UNLESS OTHERWISE NOTED.  
3. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAYS AND RESTRICTIONS NOT DISCERNIBLE BY OBSERVATION AT THE TIME OF SURVEY OR THAT MAY BE OF RECORD.

**REFERENCES:**  
1. DEED BOOK 7246, PAGE 815 & 617, RECORDED AT THE MECKLENBURG CO., NC, REGISTER OF DEEDS.  
2. RECORD PLAT OF A PORTION OF WILMOORE, DATED MAY, 1928, RECORDED IN MAP BOOK 3, PAGE 267, MECKLENBURG CO., NC, REGISTER OF DEEDS.

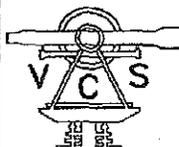
THIS IS TO CERTIFY THAT THIS SURVEY IS A RECOMBINATION OF EXISTING PARCELS OF LAND. THE AREA OF THIS PROPERTY IS 0.533 ACRES AS CALCULATED BY COORDINATE COMPUTATION METHOD AND THAT THE ERROR OF CLOSURE IS GREATER THAN 1:10,000.

*Thomas D. Von Canon*  
THOMAS D. VON CANON L-3588

**RECOMBINATION SURVEY**

FOR: CHARLIE ALLEN & PATRICIA MOORE GORDON

LOTS 1, 2, 36 & 10' ALLEY  
WILMOORE  
CHARLOTTE  
MECKLENBURG COUNTY, NORTH CAROLINA



V.C.S.  
8238 MOORES CHAPEL ROAD  
CHARLOTTE, N.C. 28214  
TELE. (704) 393-8040  
FAX. (704) 391-0450

**EXHIBIT B**

Legal Description  
(Alley)

LYING AND BEING in the City of Charlotte, County of Mecklenburg, State of North Carolina and being more particularly described as follows:

BEGINNING at an iron rod found located in the southwesterly margin of the right-of-way of Worthington Avenue (a 60' public right-of-way), said iron rod found being located at the easterly corner of Lot 35 as shown on plat of a Portion of Wilmore (the "Plat") recorded in Map Book 3, Page 267 in the Mecklenburg County Public Registry, and said iron rod found being also located the following two (2) courses and distances from an iron rod found located at the intersection of the southwesterly margin of the right-of-way of Worthington Avenue with the northerly margin of the right-of-way of South Tyron Street: (1) North 42-53-27 West 168.80 feet, and (2) North 43-07-12 West 10.00 feet to the POINT OR PLACE OF BEGINNING; thence leaving the margin of the right-of-way of Worthington Avenue and running with the southeasterly line of said Lot 35, South 47-06-33 West 61.75 feet to an iron rod found located at the southerly corner of said Lot 35; thence South 60-51-15 East 1.59 feet to an iron rod set; thence South 00-30-57 East 11.54 feet to an iron rod found; thence North 47-04-26 East 69.08 feet to an iron rod found located in the southwesterly margin of the right-of-way of Worthington Avenue; thence with the southwesterly margin of the right-of-way of Worthington Avenue, North 43-07-12 West 10.00 feet to an iron rod found, the POINT OR PLACE OF BEGINNING.



J. DAVID GRANBERRY  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of the recorded document, and must be submitted with original for re-recording  
and/or cancellation.

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**Filed For Registration:** 02/09/2009 09:48:10 AM

**Book:** RE 24434 Page: 720-723

**Document No.:** 2009015563

RESOL 4 PGS \$18.00

**Recorder:** LYVANH PHETSARATH



2009015563

January 12, 2009

Resolution Book 41, Page 839

FOR REGISTRATION J. DAVID GRANBERRY  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2009 APR 03 04:06:57 PM  
BK: 24618 PG: 224-230 FEE: \$27.00

INSTRUMENT # 2009046228  
2009046228

**RESOLUTION CLOSING AN UNOPENED STREET RUNNING OFF OF CLARK BOULEVARD 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 unopened street running off of Clark Boulevard 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 unopened street running off of Clark Boulevard 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 12<sup>th</sup> day of January, 2009 and City Council determined that the closing of an unopened street running off of Clark Boulevard 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 12, 2009, that the Council hereby orders the closing an unopened street running off of Clark Boulevard 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 document marked "Exhibit B", both 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.

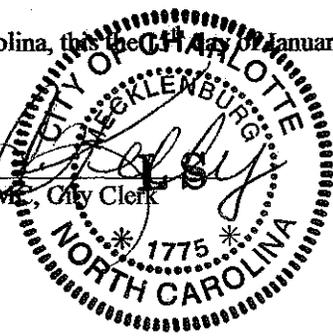
**CERTIFICATION**

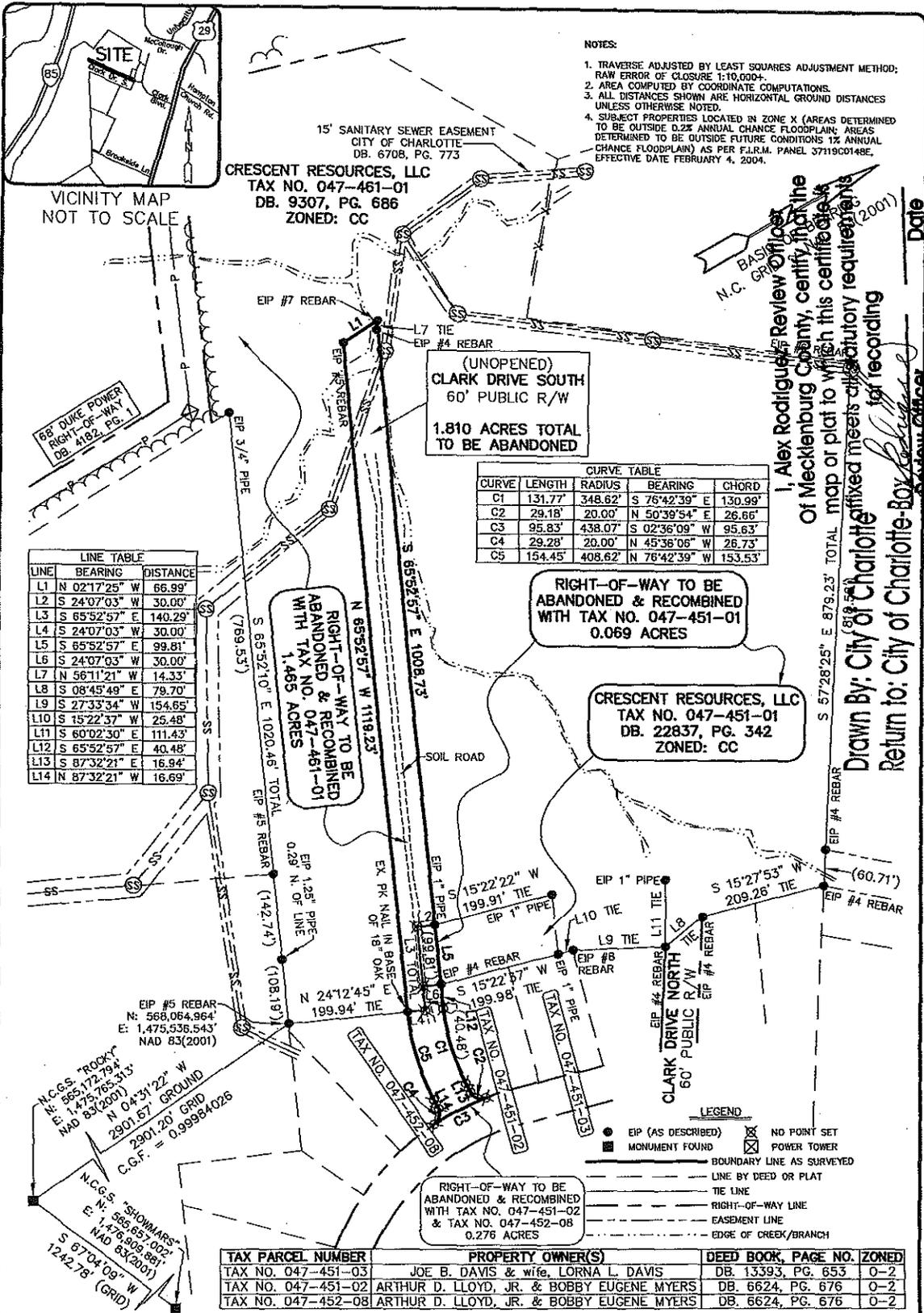
I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (839-842).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of January, 2009.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box 227

*Stephanie C. Kelly*  
Stephanie C. Kelly, City Clerk





- NOTES:**
1. TRAVERSE ADJUSTED BY LEAST SQUARES ADJUSTMENT METHOD; RAW ERROR OF CLOSURE 1:10,000+.
  2. AREA COMPUTED BY COORDINATE COMPUTATIONS.
  3. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
  4. SUBJECT PROPERTIES LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN; AREAS DETERMINED TO BE OUTSIDE FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN) AS PER FLIRM: PANEL 37119C0148E, EFFECTIVE DATE FEBRUARY 4, 2004.

I, Alex Rodriguez, Review Officer of Mecklenburg County, certify that the map or plat to which this certificate is attached meets all statutory requirements for recording.  
 Drawn By: City of Charlotte  
 Return to: City of Charlotte-Box 20000  
 Date: \_\_\_\_\_

**PLAT CERTIFICATION**

I, JAMES E. CRADDOCK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN REFERENCES AS SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G. S. 47-30(a) AS AMENDED; AND THAT:

D. THE SURVEY IS IN A SPECIAL CATEGORY, SUCH AS THE RECOMBINATION OF BOUNDARIES, A REORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF A SURVEY.

WITNESS MY PERSONAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 17 DAY OF FEBRUARY, 2007.

**JAMES E. CRADDOCK**  
L-3039  
CENSE NO. L-3039

**RIGHT-OF-WAY ABANDONMENT SURVEY**

PROPERTY OF: **CRESCENT RESOURCES, LLC**

MALLARD CREEK TWP., MECKLENBURG CO., NC

ADDRESS: CLARK DRIVE SOUTH, CHARLOTTE, NC  
9307 686

DEED RECORDED IN DB. 22837, PG. 342

SURVEY FOR: **CRESCENT RESOURCES, LLC**

SCALE: 1 IN. = 400 FEET

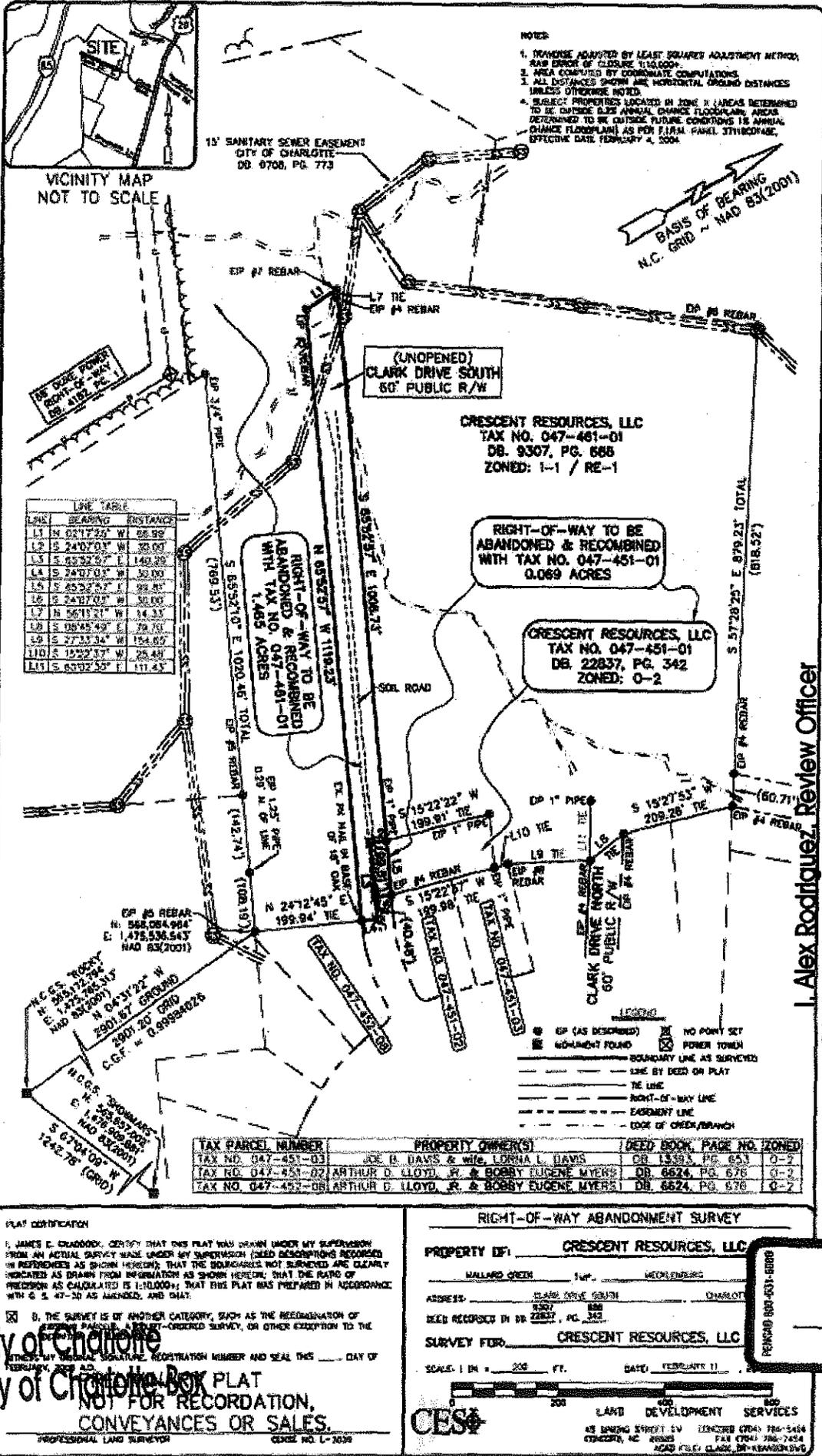
EXHIBIT **A**

SEPTEMBER 16, 2008

DEVELOPMENT SERVICES

CONCORD (704) 786-5404  
FAX (704) 786-7454  
ACAD FILE: CLARK\_DR-ABANDONING

© CEST 2009 JOB NO.: 060619.030



Drawn By: City of Charlotte  
Return to: City of Charlotte Box

I, Alex Rodriguez, Review Officer  
Of Mecklenburg County, certify that the  
map or plat to which this certificate is  
affixed meets all statutory requirements  
for recording

6/12/11  
Date  
Review Officer

LAND DEVELOPMENT SERVICES  
48 BRING STREET SW    CHARLOTTE 28204 786-5464  
CONTRACT NO. 2008-1008    FAX 784-390-2454  
SCAD FILE# CLARK\_DR-REABANDON.DWG

**LEGAL DESCRIPTION**

**1.465 ACRES TO BE ABANDONED & COMBINED WITH TAX NO. 047-461-01**

LYING AND BEING IN THE MALLARD CREEK TOWNSHIP, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING A PORTION OF 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO GET TO THE TRUE POINT OF BEGINNING, BEGIN AT N.C.G.S. MONUMENT "ROCKY" HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 565,172.794' E= 1,475.765.313' AND RUN N 04°31'22" W 2901.67' (GROUND, 2901.20' GRID, C.G.F. 0.99984026) TO AN EXISTING #5 REBAR HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 568,064.964' E= 1,475,536.543', AND THEN N 24°12'45" E 199.94' TO AN EXISTING PK NAIL FOUND IN THE BASE OF AN 18" OAK BEING TREE ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH AND BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE FROM THE TRUE POINT OF BEGINNING WITH THE 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH THREE (3) COURSES AND DISTANCES AS FOLLOWS:

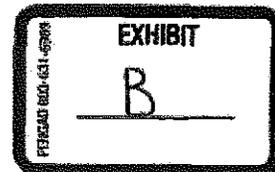
1. N 65°52'57" W 1119.23' TO AN EXISTING #5 REBAR.
2. N 02°17'25" W 66.99' TO AN EXISTING #7 REBAR, SAID POINT BEING LOCATED N 56°11'21" W 14.33' OF AN EXISTING #4 REBAR. AND
3. S 65°52'57" E 1008.73' TO AN EXISTING 1" PIPE BEING ON THE SOUTHWEST PROPERTY CORNER OF CRESCENT RESOURCES, LLC (DB. 22837, PG. 342; MECKLENBURG COUNTY REGISTRY).

THENCE WITH NEW LINES ACROSS THE LAND OF THE 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH THREE (3) COURSES AND DISTANCES AS FOLLOWS:

1. S 24°07'03" W 30.00' TO A COMPUTED POINT.
2. S 65°52'57" E 140.29' TO A COMPUTED POINT. AND
3. S 24°07'03" W 30.00' TO A POINT, THE TRUE POINT OF BEGINNING, CONTAINING 1.465 ACRES AS SHOWN ON A PLAT OF SURVEY BY CESI LAND DEVELOPMENT SERVICES ON FEBRUARY 11, 2008, CESI JOB NO. 060619.030.

I, Alex Rodriguez, Review Officer  
 Of Mecklenburg County, certify that the  
 map or plat to which this certificate is  
 affixed meets all statutory requirements  
 for recording  
 1/28/09  
 Date  
 Review Officer

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box



**LEGAL DESCRIPTION**

**CLARK DRIVE SOUTH ~ 1.810 ACRES TO BE ABANDONED**

LYING AND BEING IN THE MALLARD CREEK TOWNSHIP, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING ALL OF THE 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO GET TO THE TRUE POINT OF BEGINNING, BEGIN AT N.C.G.S. MONUMENT "ROCKY" HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 565,172.794' E= 1,475.765.313' AND RUN N 04°31'22" W 2901.67' (GROUND, 2901.20' GRID, C.G.F. 0.99984026) TO AN EXISTING #5 REBAR HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 568,064.964' E= 1,475,536.543', AND THEN N 24°12'45" E 199.94' TO AN EXISTING PK NAIL FOUND IN THE BASE OF AN 18" OAK BEING TREE ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH AND BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE FROM THE TRUE POINT OF BEGINNING WITH THE 60' PUBLIC RIGHT-OF-WAY LINE FOR SAID CLARK DRIVE SOUTH SIX (6) COURSES AND DISTANCES AS FOLLOWS:

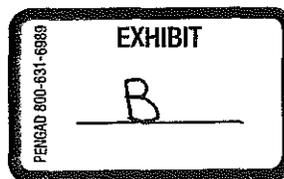
1. N 65°52'57" W 1119.23' TO AN EXISTING #5 REBAR.
2. N 02°17'25" W 66.99' TO AN EXISTING #7 REBAR, SAID POINT BEING LOCATED N 56°11'21" W 14.33' OF AN EXISTING #4 REBAR. AND
3. S 65°52'57" E (PASSING AN EXISTING 1" PIPE AT A DISTANCE OF 1008.73'; PASSING AN EXISTING #4 REBAR AT A DISTANCE OF 1108.54') FOR A TOTAL DISTANCE OF 1149.02' TO A COMPUTED POINT.
4. A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 131.77', A RADIUS OF 348.62' AND A CHORD OF S 76°42'39" E 130.99' TO A COMPUTED POINT.
5. S 87°32'21" E 16.94' TO A COMPUTED POINT. AND
6. A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 29.18', A RADIUS OF 20.00' AND A CHORD OF N 50°39'54" E 26.66' TO A COMPUTED POINT ON THE WESTERN 60' PUBLIC RIGHT-OF-WAY LINE FOR CLARK BOULEVARD.

THENCE WITH THE WESTERN 60' PUBLIC RIGHT-OF-WAY LINE FOR SAID CLARK BOULEVARD A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 95.83', A RADIUS OF 438.07' AND A CHORD OF S 02°36'09" W 95.63' TO A COMPUTED POINT ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE FOR CLARK DRIVE SOUTH.

THENCE WITH THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE FOR SAID CLARK DRIVE SOUTH THREE (3) COURSES AND DISTANCES AS FOLLOWS:

1. A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 29.28', A RADIUS OF 20.00' AND A CHORD OF N 45°36'06" W 26.73' TO A COMPUTED POINT.
2. N 87°32'21" W 16.69' TO A COMPUTED POINT. AND
3. A CIRCULAR CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 154.45', A RADIUS OF 408.62' AND A CHORD OF N 76°42'39" W 153.53' TO A POINT, THE TRUE POINT OF BEGINNING, CONTAINING 1.810 ACRES AS SHOWN ON A PLAT OF SURVEY BY CESI LAND DEVELOPMENT SERVICES DATED SEPTEMBER 16, 2008, CESI JOB NO. 060619.030.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box



**LEGAL DESCRIPTION**

**0.069 ACRE TO BE ABANDONED & COMBINED WITH TAX NO. 047-451-01**

LYING AND BEING IN THE MALLARD CREEK TOWNSHIP, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING A PORTION OF 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO GET TO THE TRUE POINT OF BEGINNING, BEGIN AT N.C.G.S. MONUMENT "ROCKY" HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 565,172.794' E= 1,475.765.313' AND RUN N 04°31'22" W 2901.67' (GROUND, 2901.20' GRID, C.G.F. 0.99984026) TO AN EXISTING #5 REBAR HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 568,064.964' E= 1,475,536.543', AND THEN N 24°12'45" E 199.94' TO AN EXISTING PK NAIL FOUND IN THE BASE OF AN 18" OAK TREE BEING ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH, THEN N 24°07'03" E 30.00' TO A COMPUTED POINT, AND THEN N 65°52'57" W 40.48' TO A COMPUTED POINT BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE FROM THE TRUE POINT OF BEGINNING WITH NEW LINES ACROSS THE LAND OF THE 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH TWO (2) COURSES AND DISTANCES AS FOLLOWS:

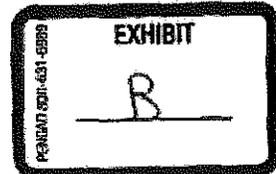
1. N 65°52'57" W 99.81' TO A COMPUTED POINT, AND
2. N 24°07'03" E 30.00' TO AN EXISTING 1" PIPE BEING ON THE SOUTHWEST PROPERTY CORNER OF CRESCENT RESOURCES, LLC (DB. 22837, PG. 342; MECKLENBURG COUNTY REGISTRY) AND BEING ON THE NORTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH.

THENCE WITH THE NORTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF SAID CLARK DRIVE SOUTH S 65°52'57" E 99.81' TO AN EXISTING #4 REBAR BEING ON THE SOUTHEAST PROPERTY CORNER OF SAID CRESCENT RESOURCES, LLC.

THENCE WITH A NEW LINE ACROSS THE LAND OF THE 60' PUBLIC RIGHT-OF-WAY LINE FOR CLARK DRIVE SOUTH S 24°07'03" W 30.00' TO A POINT, THE TRUE POINT OF BEGINNING, CONTAINING 0.69 ACRE AS SHOWN ON A PLAT OF SURVEY BY CESI LAND DEVELOPMENT SERVICES ON FEBRUARY 11, 2008, CESI JOB NO. 060619.030.

Review Officer  
 Alex Rodriguez, certify that this  
 map or plat to which this certificate is  
 affixed meets all statutory requirements  
 for recording  
 Date  
 1/22/09  
 Review Officer

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box





J. DAVID GRANBERRY  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of the recorded document, and must be submitted with original for re-recording  
and/or cancellation.

\*\*\*\*\*

**Filed For Registration:** 04/03/2009 04:06:57 PM

**Book:** RE 24618 **Page:** 224-230

**Document No.:** 2009046228

**RESOL 7 PGS \$27.00**

**Recorder:** KAMIL COOPER



2009046228

FOR REGISTRATION J. DAVID GRANBERRY  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2009 FEB 09 09:49:58 AM  
BK:24434 PG:732-737 FEE:\$24.00

INSTRUMENT # 2009015568



**COPY**

**RESOLUTION CLOSING TWO ALLEYWAYS BOUNDED BY N. ALEXANDER STREET, E. 36<sup>TH</sup> STREET,  
N. DAVIDSON STREET AND MERCURY 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 two alleyways bounded by N. Alexander Street, E. 36<sup>th</sup> Street, N. Davidson Street and Mercury 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 two alleyways bounded by N. Alexander Street, E. 36<sup>th</sup> Street, N. Davidson Street and Mercury 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 4 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12<sup>th</sup> day of January, 2009 and City Council determined that the closing of two alleyways bounded by N. Alexander Street, E. 36<sup>th</sup> Street, N. Davidson Street and Mercury 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 12, 2009, that the Council hereby orders the closing of two alleyways bounded by N. Alexander Street, E. 36<sup>th</sup> Street, N. Davidson Street and Mercury Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A-1 and A-2" and is more particularly described by metes and bounds in document marked "Exhibit B-1 and B-2", both of which are attached hereto and made a part hereof.

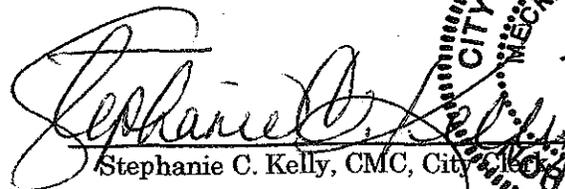
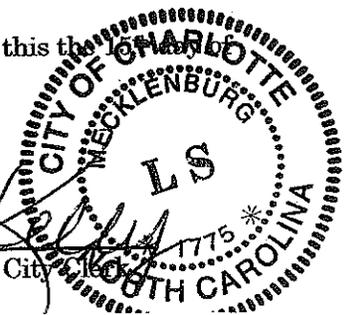
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (843-847).

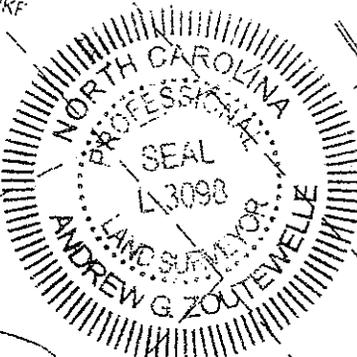
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of January, 2009.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box

  
Stephanie C. Kelly, CMC, City of Charlotte  


THIS SURVEY IS CERTIFIED TO ONLY NORTH DAVIDSON ACQUISITIONS, LLC. THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION OR UTILITIES. PRECISION IS GREATER THAN 1:10,000.

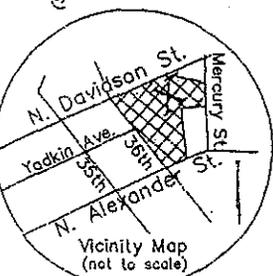
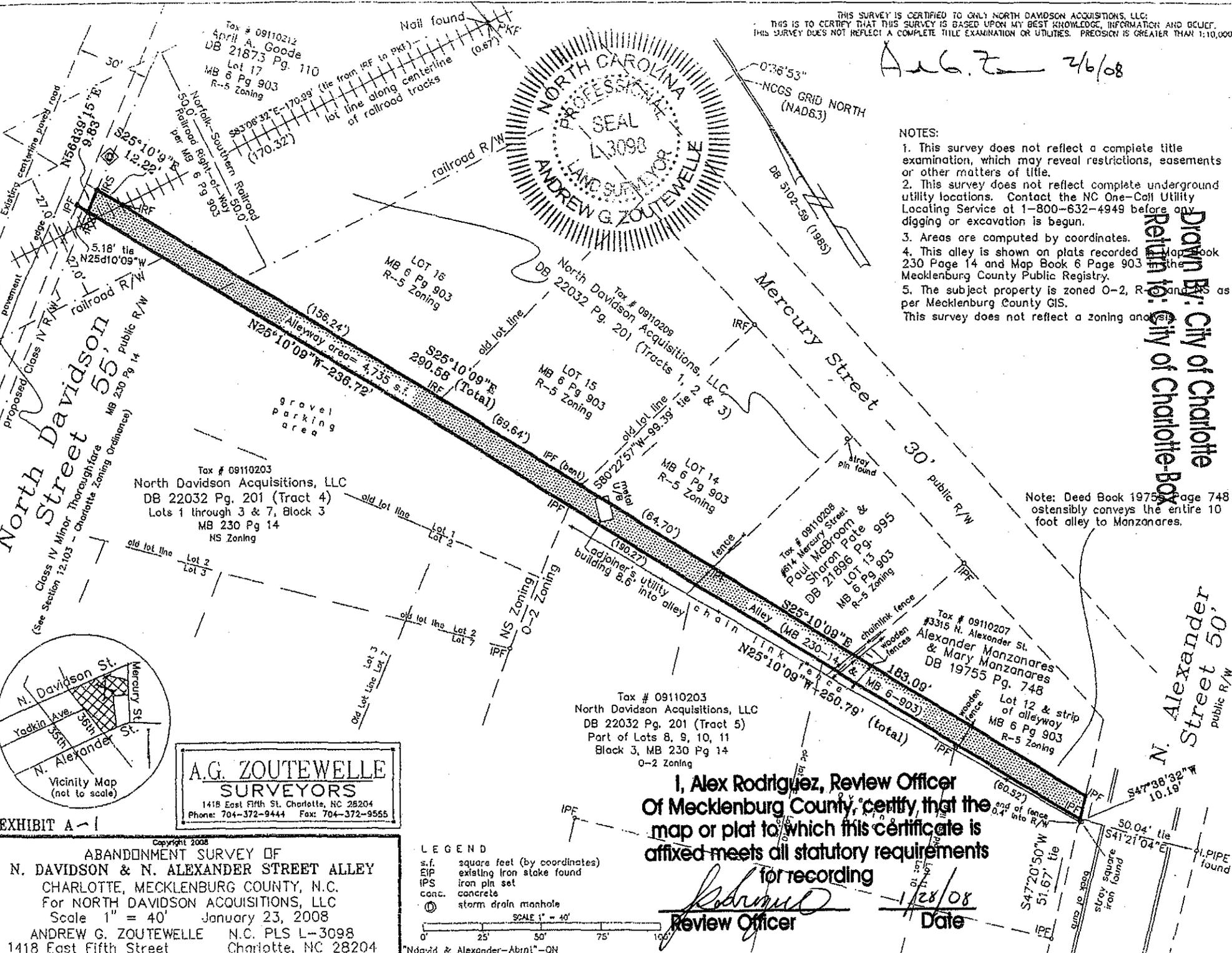
Aug 26/08



- NOTES:
1. This survey does not reflect a complete title examination, which may reveal restrictions, easements or other matters of title.
  2. This survey does not reflect complete underground utility locations. Contact the NC One-Call Utility Locating Service at 1-800-632-4949 before any digging or excavation is begun.
  3. Areas are computed by coordinates.
  4. This alley is shown on plats recorded in Map Book 230 Page 14 and Map Book 6 Page 903 in the Mecklenburg County Public Registry.
  5. The subject property is zoned O-2, R-5 and as per Mecklenburg County GIS. This survey does not reflect a zoning analysis.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box

Note: Deed Book 1975 Page 748 ostensibly conveys the entire 10 foot alley to Manzanoras.



**A.G. ZOUTEWELLE**  
**SURVEYORS**  
 1418 East Fifth St. Charlotte, NC 28204  
 Phone: 704-372-9444 Fax: 704-372-9555

**EXHIBIT A-1**

ABANDONMENT SURVEY OF  
 N. DAVIDSON & N. ALEXANDER STREET ALLEY  
 CHARLOTTE, MECKLENBURG COUNTY, N.C.  
 For NORTH DAVIDSON ACQUISITIONS, LLC  
 Scale 1" = 40' January 23, 2008  
 ANDREW G. ZOUTEWELLE N.C. PLS L-3098  
 1418 East Fifth Street Charlotte, NC 28204

**LEGEND**

- s.f. square feet (by coordinates)
- IPF existing iron stake found
- IPS iron pin set
- conc. concrete
- ⊙ storm drain manhole

SCALE 1" = 40'

0' 25' 50' 75' 100'

"David & Alexander-Abrin"-QN

I, Alex Rodriguez, Review Officer  
 Of Mecklenburg County, certify that the  
 map or plat to which this certificate is  
 affixed meets all statutory requirements  
 for recording

*Alex Rodriguez*  
 Review Officer  
 1/28/08  
 Date

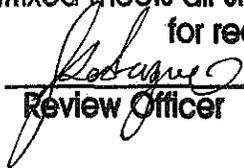
**Exhibit B - 1**  
**Legal Description**  
**North Davidson & North Alexander Street Alley**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as the North Davidson & North Alexander Street Alley, and being more particularly described as follows:

BEGINNING at an existing iron pipe located on the northwesterly margin of the right-of-way of North Alexander Street, said right-of-way having a width of 50 feet as shown on those plats recorded in Map Book 230 Page 14 and Map Book 6 Page 903 of the Mecklenburg County Registry, said existing iron pipe being also located on that block of North Alexander Street lying between East 36<sup>th</sup> Street and Mercury Street, said existing iron pipe being also located at the southwesterly corner of Lot 12 as shown on the aforesaid plat recorded in Map Book 6 Page 903 of the Mecklenburg County Registry, and running thence from said POINT AND PLACE OF BEGINNING along the northwesterly margin of the right-of-way of the said North Alexander Street South 47-38-32 West 10.19 feet to an existing iron pipe; thence along the westerly margin of the aforesaid North Davidson and North Alexander Street Alley as said alley margin follows the easterly boundary line of North Davidson Acquisitions, LLC as recorded in Deed Book 22032 Page 201 of the Mecklenburg County Registry the following two (2) calls: (1) North 25-10-09 West (passing an existing iron pipe at 60.52 feet) a total distance of 250.79 feet to an existing iron pipe and (2) North 25-10-09 West 236.72 feet to a new iron pin, said new iron pin being South 25-10-09 East 5.18 feet from an existing iron pipe located on the southeasterly margin of the right-of-way of North Davidson Street, said right-of-way having a width of 55 feet as shown on the aforesaid plat recorded in Map Book 230 Page 14 of the Mecklenburg County Registry; thence North 56-39-15 East 9.83 feet to a new iron pin; thence along the easterly margin of the aforesaid North Davidson and North Alexander Street Alley as said alley margin follows the westerly boundary lines of Lots 17, 16, 15, 14, 13 and 12 of the aforesaid plat recorded in Map Book 6 Page 903 of the Mecklenburg County Registry the following three (3) calls: (1) South 25-10-09 East 12.22 to an existing iron pin located in the centerline of Norfolk-Southern Railroad, said Railroad having a right-of-way width of 100-feet as shown on the aforesaid plat recorded in Map Book 6 Page 903 of the Mecklenburg County Registry, (2) South 25-10-09 East (passing an existing iron pin at 156.24 feet and an existing iron pipe at an additional 69.64 feet) a total distance of 290.58 feet to an existing iron pipe and (3) South 25-10-09 East 183.09 feet to the point and place of BEGINNING, containing 4,735 square feet as shown on a survey prepared by Andrew G. Zoutewelle dated January 23, 2008.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box

I, Alex Rodriguez, Review Officer  
Of Mecklenburg County, certify that the  
map or plat to which this certificate is  
affixed meets all statutory requirements  
for recording

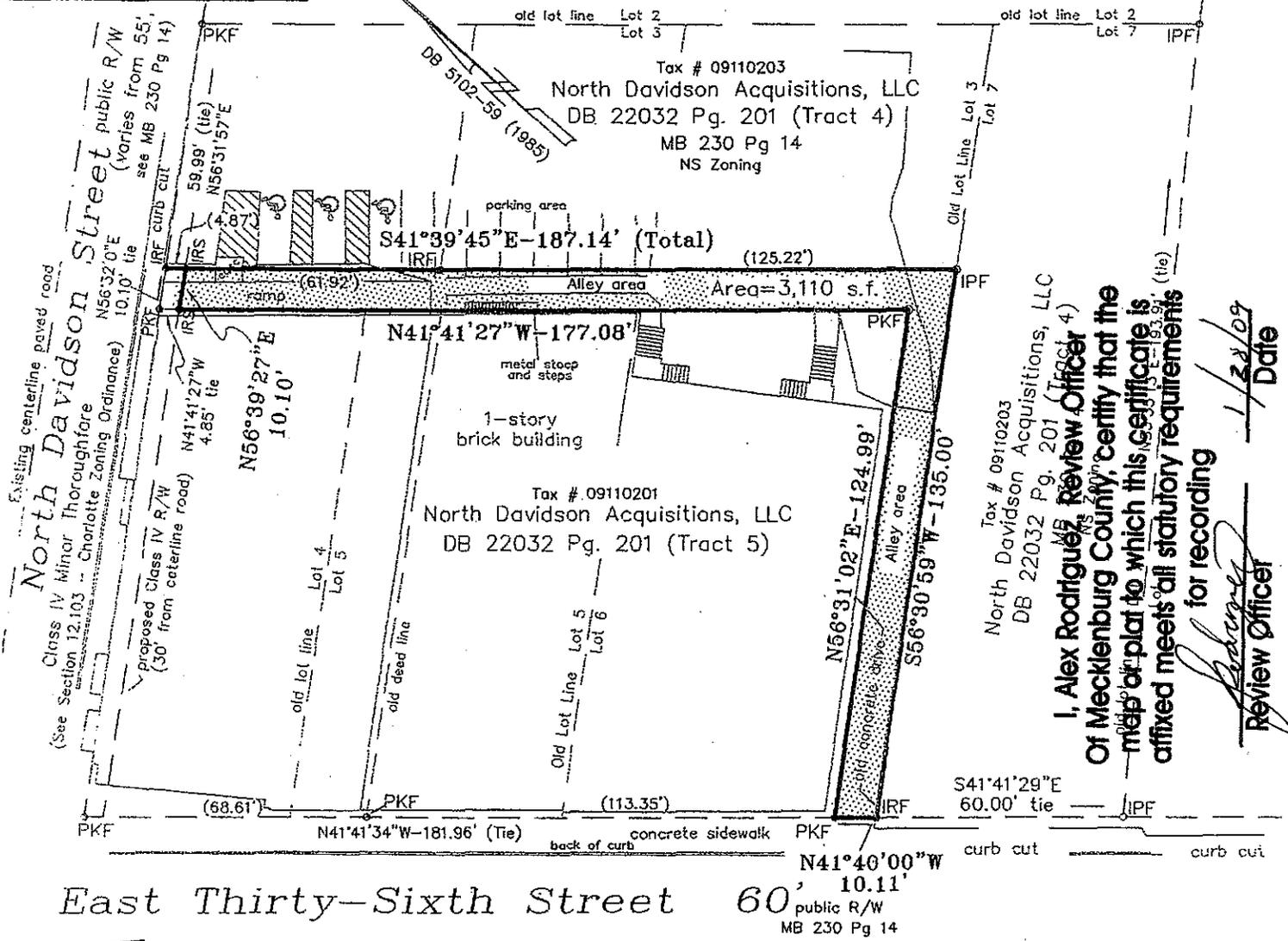
  
Review Officer

1/28/09  
Date

**A.G. ZOUTEWELLE**  
**SURVEYORS**  
1418 East Fifth St. Charlotte, NC 28204  
Phone: 704-372-9441 Fax: 704-372-9555

THIS SURVEY IS CERTIFIED TO ONLY NORTH DAVIDSON ACQUISITIONS, LLC:  
THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF.  
THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION OR UTILITIES. PRECISION IS GREATER THAN 1:10,000.

*A.G.Z.* 2/6/08



Tax # 09110203  
North Davidson Acquisitions, LLC  
DB 22032 Pg. 201 (Tract 4)  
MB 230 Pg 14  
NS Zoning

Tax # 09110201  
North Davidson Acquisitions, LLC  
DB 22032 Pg. 201 (Tract 5)

Tax # 09110203  
North Davidson Acquisitions, LLC  
DB 22032 Pg. 201 (Tract 4)

**I, Alex Rodriguez, Review Officer**  
Of Mecklenburg County, certify that the  
map or plat to which this certificate is  
affixed meets all statutory requirements  
for recording

*Alex Rodriguez*  
Review Officer

1/22/09  
Date

**East Thirty-Sixth Street** 60' 10.11' public R/W  
MB 230 Pg 14

Drawn by: City of Charlotte  
Return to: City of Charlotte-Box

Class IV Minor Thoroughfare  
(See Section 12.103 - Charlotte Zoning Ordinance)

1. This survey does not reflect a complete title examination, which may reveal restrictions, easements or other matters of title.
2. This survey does not reflect complete underground utility locations. Contact the NC One-Call Utility Locating Service at 1-800-632-4949 before any digging or excavation is begun.
3. Areas are computed by coordinates.
4. This alley is shown on plats recorded in Map Book 230 Page 14 and Map Book 6 Page 903 in the Mecklenburg County Public Registry.
5. The subject property is zoned NS per Mecklenburg County GIS. This survey does not reflect a zoning analysis.

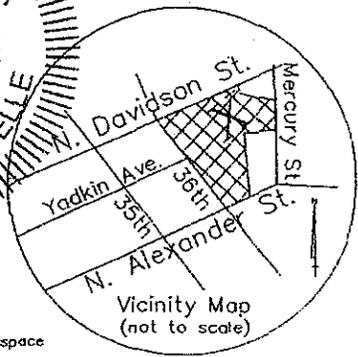
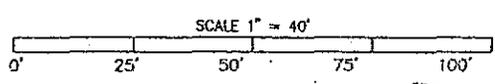


EXHIBIT A-2

Copyright 2008  
**ABANDONMENT SURVEY OF**  
**N. DAVIDSON & 36TH STREET ALLEY**  
 CHARLOTTE, MECKLENBURG COUNTY, N.C.  
 For NORTH DAVIDSON ACQUISITIONS, LLC  
 Scale 1" = 40' January 23, 2008  
 ANDREW G. ZOUTEWELLE N.C. PLS L-3098  
 1418 East Fifth Street Charlotte, NC 28204

**LEGEND**  
 s.f. square feet (by coordinates)  
 EIP existing iron stake found  
 IRS iron pin set  
 conc. concrete  
 ♿ handicapped-accessible parking space



**Exhibit B - 2**  
**Legal Description**  
**North Davidson & 36<sup>th</sup> Street Alley**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as the North Davidson & 36th Street Alley, and being more particularly described as follows:

BEGINNING at an existing pk nail located on the northeasterly margin of the right-of-way of East 36<sup>th</sup> Street, said right-of-way having a width of 60 feet as shown on that plat recorded in Map Book 230 Page 14 of the Mecklenburg County Registry, said existing pk nail being located at the southerly or southwesterly corner of North Davidson Acquisitions, LLC as described in Deed Book 22032 Page 201 (Tract 5) in the Mecklenburg County Registry, said existing pk nail being also located South 41-41-34 East 181.96 feet from an existing pk nail located at the intersection of the northeasterly right-of-way margin of the said East 36<sup>th</sup> Street with the southeasterly right-of-way margin of North Davidson Street, said right-of-way having a width which varies from 55 feet as shown on the aforesaid plat recorded in Map Book 230 Page 14 of the Mecklenburg County Registry, and running thence from said POINT AND PLACE OF BEGINNING along the westerly margin of the said North Davidson & 36<sup>th</sup> Street Alley the following two (2) calls: (1) North 56-31-02 East 124.99 feet to an existing pk nail and (2) North 41-41-27 West 177.08 feet to a new iron pin, said new iron pin being located South 41-41-27 East 4.85 feet from an existing pk nail located in the southeasterly right-of-way margin of the aforesaid North Davidson Street; thence North 56-39-27 East 10.10 feet to a new iron pin; thence along the easterly margin of the aforesaid North Davidson & 36<sup>th</sup> Street Alley the following two (2) calls: (1) South 41-39-45 East 187.14 feet to an existing iron pipe and (2) South 56-30-59 West 135.00 feet to an existing iron pin located on the northeasterly right-of-way margin of the aforesaid East 36<sup>th</sup> Street; thence along the northeasterly right-of-way margin of the aforesaid East 36<sup>th</sup> Street North 41-40-00 West 10.11 feet to the point and place of BEGINNING, containing 3,110 square feet as shown on a survey prepared by Andrew G. Zoutewelle dated January 23, 2008.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box

I, Alex Rodriguez, Review Officer  
Of Mecklenburg County, certify that the  
map or plat to which this certificate is  
affixed meets all statutory requirements  
for recording

  
Review Officer

1/28/09  
Date



J. DAVID GRANBERRY  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

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and/or cancellation.

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**Filed For Registration:** 02/09/2009 09:49:58 AM  
**Book:** RE 24434 Page: 732-737  
**Document No.:** 2009015568  
RESOL 6 PGS \$24.00  
**Recorder:** LYVANH PHETSARATH



2009015568

RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY  
ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS UNDER  
G. S. 160-49.3

---

BE IT RESOLVED by the City of Charlotte, North Carolina:

Section 1. That the City of Charlotte intends to pay the economic loss, as defined by G.S. §160A-49.3 (f), to those solid waste collection firms operating within areas proposed for annexation, as described in resolutions adopted July 28, 2008, including any subsequent amendments thereto, for the Eastfield North and Eastfield South annexation areas.

Section 2. That such firms have substantially satisfied the requirements of G. S. 160A-49.3.

Section 3. That such economic loss shall not be paid until the annexation which gives rise to such loss becomes effective.

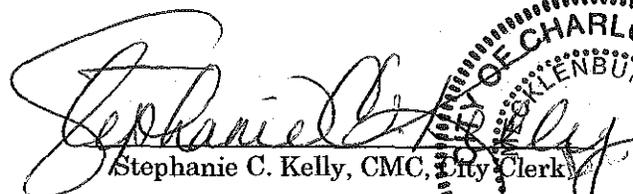
Section 4. That the names of such firms and the total amount of such economic loss are set forth below:

Allied Waste Services, LLC	\$302,082.52
Choice Sanitation, Inc.	\$ 37,558.60
Total	<u>\$ 339,641.12</u>

**CERTIFICATION**

I, Stephanie C. Kelly, 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 12<sup>th</sup> day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 848.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15<sup>th</sup> day of January, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**A RESOLUTION AUTHORIZING THE REFUND OF  
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License 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:

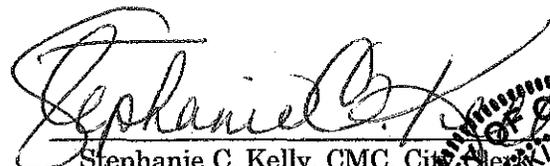
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

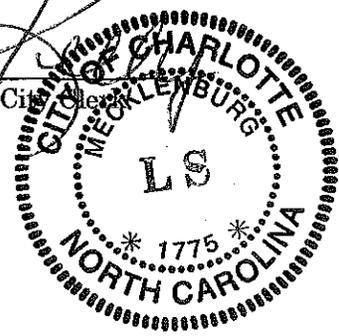
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 26th day of January 2009 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 26th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 849.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



Mecklenburg County  
Business Tax Collections  
City Refunds

BUSINESS PRIVILEGE LICENSE REFUNDS REQUESTED	
NAME	AMOUNT
Arkon Janitorial Supplies	\$ 5.40
Contech Construction Inc	4,592.35
Decision Support	3,315.82
Malak Jewelers	50.47
University Place Hilton	1,726.85
Zaxby's - BNB Foods LLC	490.00
Total	\$10,175.49