

January 12, 2015

Resolution Book 46, Page 495

RESOLUTION CLOSING AN UNOPENED PORTION OF MADERIA 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 an unopened portion of Maderia 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 an unopened portion of Maderia 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 12th day of January, 2015, and City Council determined that the closing of an unopened portion of Maderia 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.

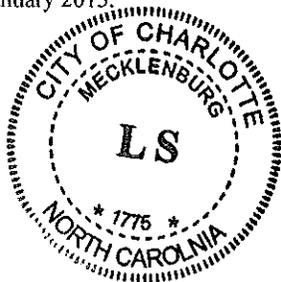
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 12, 2015, that the Council hereby orders the closing an unopened portion of Maderia Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the document marked "Exhibit B", all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 495-497.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.




Stephanie C. Kelly, MMC NCCMC, City Clerk

**EXHIBIT B
METES & BOUNDS DESCRIPTION
MADERIA AVENUE RIGHT OF WAY ABANDONMENT**

BEING ALL OF THAT 40 FOOT WIDE (PLUS OR MINUS) MADERIA AVENUE RIGHT OF WAY SHOWN AS "PROPOSED STREET" ON THAT PLAT TITLED "SECTION NO. 2 - WASHBURN HEIGHTS" RECORDED IN MAP BOOK 3, PAGE 161, MECKLENBURG COUNTY REGISTRY (HENCE MCR), MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT NCGS STATION "NC77" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF NORTH 505,067.08 AND EAST 1,427,047.66;

THENCE, N 52°20'49" E, A HORIZONTAL GROUND DISTANCE OF 46,449.49 FEET (COMBINED GRID FACTOR: 0.99984039) TO A FOUND #5 REBAR ON THE SOUTHEASTERLY LINE OF THAT CITY OF CHARLOTTE 20.97 ACRE TRACT (TAX NO. 159-028-01) KNOWN AS BOJANGLES ARENA, RECORDED IN BOOK 1469, PAGE 62 AND IN BOOK 1649, PAGE 49 (MCR) AND THE MOST NORTHERLY CORNER OF THAT CITY OF CHARLOTTE 2.25 ACRE TRACT (TAX NO. 159-026-21) RECORDED IN BOOK 3315, PAGE 01 (MCR), **THE POINT OF BEGINNING;**

THENCE, IN A CLOCKWISE DIRECTION, N 44°05'13" E, 38.28 FEET TO A FOUND PK NAIL IN CONCRETE RETAINING WALL, THE MOST WESTERLY CORNER OF THAT 6.839 ACRE CITY OF CHARLOTTE TRACT RECORDED IN BOOK 28958, PAGE 727, (MCR);

THENCE, WITH SAID TRACT'S SOUTHWESTERLY LINE, S 45°42'54" E, 280.55 FEET TO A FOUND #4 REBAR IN THE NORTHWESTERLY LINE OF THAT CANDACE S. HOXWORTH TRACT (LOT 1, BLOCK 2, MAP BOOK 1166, PAGE 535) RECORDED IN BOOK 10874, PAGE 772 (MCR);

THENCE, WITH SAID LINE, S 64°28'26" W, 39.92 FEET TO A SET #5 REBAR WITH CAP INSCRIBED "THE SURVEY COMPANY", THE MOST EASTERLY CORNER OF THAT AFOREMENTIONED 2.25 ACRE CITY OF CHARLOTTE TRACT;

THENCE, WITH SAID TRACTS NORTHEASTERLY LINE, N 45°53'24" W, 266.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.238 ACRES (10,359 SQUARE FEET OF LAND, MORE OR LESS, AS SHOWN ON THAT PLAT TITLED "MADERIA AVENUE R/W ABANDONMENT" PREPARED BY THE SURVEY COMPANY, INC., DATED OCTOBER 23, 2014 AND SIGNED BY CHARLES S. LOGUE, NCPLS NO. L-4212.



**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON January 12, 2015**

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

WHEREAS, a Municipal Agreement between the City of Charlotte and the North Carolina
Department of Transportation (NCDOT) will allow the City to be reimbursed for the preliminary
engineering costs for the Michael Baker Place bridge replacement project; and,

WHEREAS, the Municipal Agreement provides for reimbursement of \$247,268 which is a
portion of the total cost of the project; and,

WHEREAS, the format and cost sharing philosophy is consistent with past Municipal
Agreements: and,

WHEREAS, NCDOT and The City will fund this project.

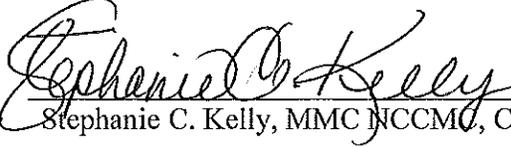
NOW, THEREFORE, BE IT RESOLVED that this resolution from the City of Charlotte
authorizing the Transportation Director of the Charlotte Department of Transportation to execute
a Supplemental Agreement with the NCDOT for NCDOT to reimburse the City \$1,588,000 for
preliminary engineering, property acquisition, utility relocation, and construction work for
replacement of the Michael Baker Place bridge is hereby formally approved by the City Council
of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are
hereby empowered to sign and execute the Agreement with the aforementioned groups.

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 12th day of
January, 2015 the reference having been made in Minute Book 137, and recorded in full in
Resolution Book 46, Page(s)498.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day
of January 2015.




Stephanie C. Kelly, MMC NCCMC, City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

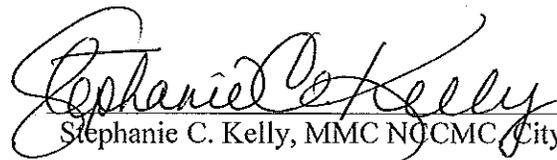
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of January 2015 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, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 499-500.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.


Stephanie C. Kelly, MMC NCCMC City Clerk



Property Tax Refund Requests

1030 MCALWAY ROAD LLC	\$	276.66
1030 MCALWAY ROAD LLC		187.47
ALEXANDER, DONALD H		127.72
BARRON, MICHAEL E		49.80
BARRON, MICHAEL E		27.09
BARRON, MICHAEL E		21.53
BARRY, JULIE MARIE		91.26
BARRY, JULIE MARIE		91.26
BISSELL MILLER LLC		2,470.99
BRODSKY, DAVID A		67.02
CONSOLIDATED ELECTRICAL DISTRIBUTORS		41.27
CONSOLIDATED ELECTRICAL DISTRIBUTORS		38.98
CONSOLIDATED ELECTRICAL DISTRIBUTORS		34.96
CONSOLIDATED ELECTRICAL DISTRIBUTORS INC		32.77
CONSOLIDATED ELECTRICAL DISTRIBUTORS INC		32.80
COSMETIC & FAMILY DENTISTRY CENTER		1,858.10
COSMETIC & FAMILY DENTISTRY CENTER		1,724.34
COSMETIC & FAMILY DENTISTRY CENTER		2,200.97
DE LAGE LANDEN OPERATIONAL SVC LLC.		934.55
DE LAGE LANDEN OPERATIONAL SVC LLC.		139.45
ENVIRO-EQUIPMENT INC DENESE L CHEW		94.19
ENVIRO-EQUIPMENT INC DENESE L CHEW		107.51
ENVIRO-EQUIPMENT INC DENESE L CHEW		130.26
ENVIRO-EQUIPMENT INC DENESE L CHEW		162.73
FONTENOT, DONALD		84.20
GARNES, AISHA		200.60
GARNES, AISHA K		111.86
HIGBEE COMPANY		39,531.39
HIGBEE COMPANY		37,803.03
HIGBEE COMPANY		38,711.69
IH2 PROPERTY NORTH CAROLINA LP .		230.92
IVEY J B CO		67,489.45
IVEY J B CO		64,538.75
IVEY J B CO		66,090.04
JOHNS, LOUISE ALEXANDER		633.45
JOHNS, LOUISE ALEXANDER		107.80
MAY CENTERS ASSOCIATES CORP %		21,693.76
MAY CENTERS ASSOCIATES CORP %		22,685.60
MAY CENTERS ASSOCIATES CORP % PRUDENTIAL INS CO		22,215.21
MAY DEPARTMENT STORES CO		34,663.69
MAY DEPARTMENT STORES CO		35,397.67
MAY DEPARTMENT STORES CO		33,850.05
PATTON, WAYNE B		299.93
PISTONE, TOM		333.79
POFF, MICHAEL K		225.50
QUALITY COACHING		2.12
STOREY, FREDERICK B		208.10
STOREY, FREDERICK B		201.89
STOREY, FREDERICK B		206.75
T & T SALON LLC		32.22
TAYLOR DATA SYSTEMS INC		15.07
WHELAN, ADA S		189.59
WOK #3 THE		303.33
WRIGHT, JESSIE L		227.92
	\$	<u>499,229.05</u>

**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:

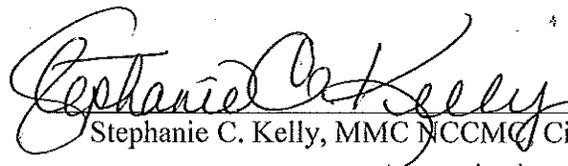
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 12th day of January 2015 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, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 501-502.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.


Stephanie C. Kelly, MMC NCCMC City Clerk



Business Privilege License Tax Refund Requests

HMS HOST INC - BAD DADDY'S BURGER	\$	2,714.78
HMS HOST INC - BAD DADDY'S BURGER		1,072.09
HMS HOST INC - BEAUDEVIN WINE BAR		244.99
HMS HOST INC - BROOKWOOD FARMS		156.84
HMS HOST INC - BROOKWOOD FARMS		87.50
HMS HOST INC - BROOKWOOD FARMS		91.65
HMS HOST INC - CHILIS BAR & BITES		905.12
HMS HOST INC - CHILIS BAR & BITES		1,056.57
HMS HOST INC - CHILIS BAR & BITES		1,050.17
HMS HOST INC - CIAO GOURMET MARKET		962.98
HMS HOST INC - CIAO GOURMET MARKET		499.54
HMS HOST INC - FIRST IN FLIGHT		477.09
HMS HOST INC - GREAT AMERICAN BAGEL D		595.49
HMS HOST INC - JOSE CUREVO TEQUILERIA		1,548.80
HMS HOST INC - JOSE CUREVO TEQUILERIA		2,203.80
HMS HOST INC - JOSE CUREVO TEQUILERIA		1,629.70
HMS HOST INC - PHILLIPS SEAFOOD		870.41
HMS HOST INC - PHILLIPS SEAFOOD		1,025.73
HMS HOST INC - RUM BAR & GRILL		913.14
HMS HOST INC - RUM BAR & GRILL		949.61
HMS HOST INC - RUM BAR & GRILL		962.91
HMS HOST INC - SALSARITA'S		107.44
HMS HOST INC - SALSARITA'S		84.72
HMS HOST INC - SALSARITA'S		57.66
HMS HOST INC - SPEEDWAY GRILL		3,506.70
HMS HOST INC - SPEEDWAY GRILL		3,900.27
HMS HOST INC - SPEEDWAY GRILL		58.63
HMS HOST INC - STOCK CAR CAFÉ		944.59
HMS HOST INC - STOCK CAR CAFÉ		1,001.50
HMS HOST INC - TASTE OF CAROLINAS		846.49
HMS HOST INC - TASTE OF CAROLINAS		867.37
HMS HOST INC -FIRST IN FLIGHT		662.39
JL & COMPANY		50.00
MORRIS SOUTH-MACHINE TOOL SYSTEMS LLC		9,572.98
	\$	41,679.65

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of Darby Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, the O'Leary Group Waste Systems, LLC has filed a petition to close a portion of Darby Avenue in the City of Charlotte; and

Whereas, a portion of Darby Avenue is a 50-foot wide right-of-way that begins approximately 199.20 feet southeast from Centre Street, continuing approximately 131 feet in a southeastward direction to its terminus at a property currently or formerly owned by O'Leary Group Business Park, LLC (Deed Book 27501, Page 573), and consists of 6,509 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the documents marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 12, 2014, that it intends to close a portion of Darby Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9th day of February 2015, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

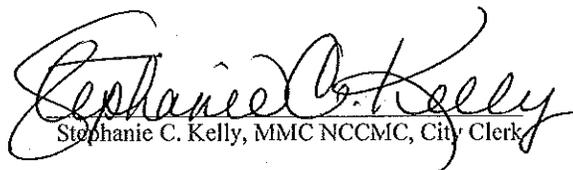
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s)503-506.

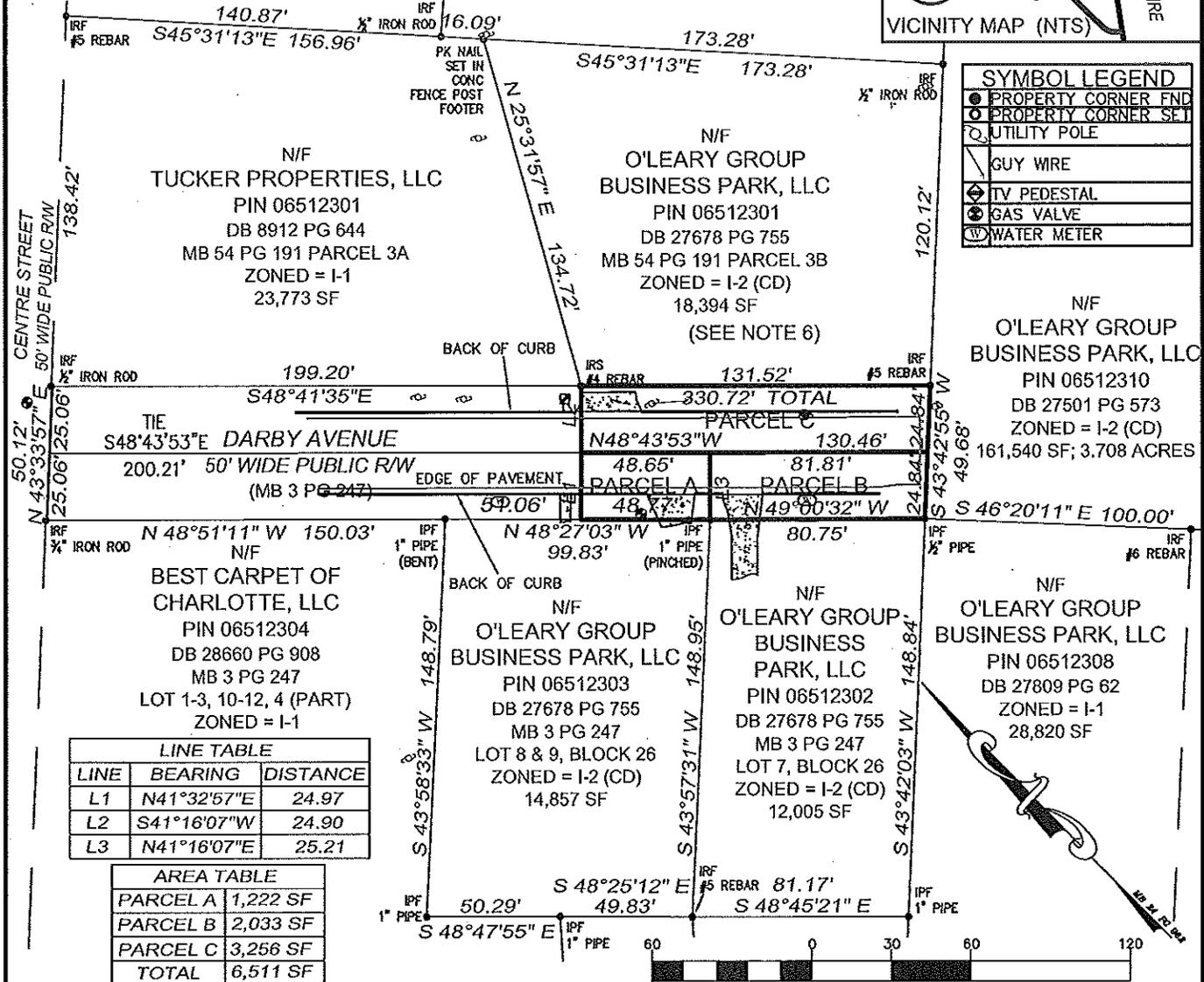
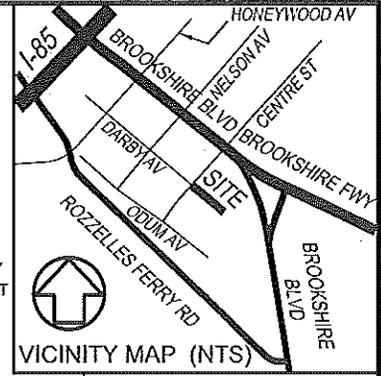
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.




Stephanie C. Kelly, MMC NCCMC, City Clerk

SURVEY NOTES:

1. AREA COMPUTED BY THE COORDINATE METHOD.
2. PROPERTY SUBJECT TO ANY & ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. NO NGS OR NCGS CONTROL WAS FOUND WITHIN 2000' OF SUBJECT PROPERTY.
4. PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN, AREAS OUTSIDE FUTURE CONDITIONS 1 % ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FIRM MAP NUMBER 3710454500J, PANEL 4545, EFFECTIVE DATE MARCH 2, 2009.
5. THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE WHETHER OF RECORD OR NOT.
6. THERE IS AN EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES (CMU), DUKE ENERGY, PIEDMONT NATURAL GAS, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED AND SHOWN HEREON AS RIGHT OF WAY OF DARBY AVENUE TO BE ABANDONED, FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES AND/OR RELATED EQUIPMENT.



SYMBOL LEGEND

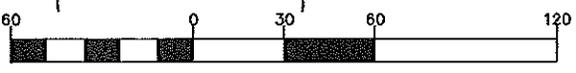
●	PROPERTY CORNER END
○	PROPERTY CORNER SET
○	UTILITY POLE
—	GUY WIRE
⊕	TV PEDESTAL
⊕	GAS VALVE
⊕	WATER METER

LINE TABLE

LINE	BEARING	DISTANCE
L1	N41°32'57"E	24.97
L2	S41°16'07"W	24.90
L3	N41°16'07"E	25.21

AREA TABLE

PARCEL A	1,222 SF
PARCEL B	2,033 SF
PARCEL C	3,256 SF
TOTAL	6,511 SF



REVISED 11/10/2014 - ADDED EASEMENT NOTE AND UTILITY APPURTENANCES.

I, JACKIE G. DUNCAN, CERTIFY THAT THIS EXHIBIT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (IN ACCORDANCE WITH THE DEEDS AND PLATS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH; THAT THIS EXHIBIT MAP IS FOR ATTACHMENT TO ABANDONMENT DOCUMENTS. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10th DAY OF NOVEMBER, A.D., 2014.



Jackie G. Duncan
 JACKIE G. DUNCAN, PLS L-3412

EASEMENT EXHIBIT A

RIGHT-OF-WAY ABANDONMENT SURVEY, A PORTION OF:
DARBY AVENUE - 50' WIDE PUBLIC RIGHT-OF-WAY
 CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

Jackie G. Duncan, PLS

540 DOGWOOD STREET SE
 CONCORD, NC 28025
 PHONE: (704) 788-1407 - FAX: (704) 788-1540
 www.jackieduncanpls.com

SCALE:	1" = 60'	DATE:	9/18/2014	FILE:	12-022
DRAWN BY:	JGD	CHECKED BY:	JGD	SHEET:	111

EXHIBIT B

PARCEL A DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 200.21 feet to the POINT OF BEGINNING; Thence continue southeasterly along said line, a distance of 48.65 feet; Thence S 41°16'07" W, a distance of 25.21 feet to a 1" iron pipe (pinched) found at the common corner of two properties now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds, said point being in the southwesterly margin of Darby Avenue; Thence along the margin of Darby Avenue and property of O'Leary Group Business Park, LLC N 48°27'03" W, a distance of 48.77 feet to a point; Thence N 41°32'57" E, a distance of 24.97 feet to the POINT OF BEGINNING.

Containing 1,222 square feet or 0.028 acres, more or less.

END OF PARCEL A DESCRIPTION.

EXHIBIT B

PARCEL B DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 248.86 feet to the POINT OF BEGINNING; Thence continue southeasterly along said line, a distance of 81.81 feet to a point in the northwesterly line of the property now or formerly of O'Leary Group Business Park as recorded in Deed Book 27501, at Page 573 in the Mecklenburg County Register of Deeds; Thence along the property of O'Leary Group Business Park S 43°42'55" W, a distance of 24.84 feet to a ½" iron pipe found at the common corner of two properties now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds and Deed Book 27809, at Page 62 in the Mecklenburg County Register of Deeds, said point being in the southwesterly margin of Darby Avenue; Thence along the margin of Darby Avenue and property of O'Leary Group Business Park, LLC N 49°00'32" W, a distance of 80.75 feet to a 1" iron pipe (pinched) found at the common corner of another parcel now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at

Page 755 in the Mecklenburg County Register of Deeds; Thence N 41°16'07" E, a distance of 25.21 feet to the POINT OF BEGINNING.

Containing 2,033 square feet or 0.047 acres, more or less.

END OF PARCEL B DESCRIPTION.

EXHIBIT B

PARCEL C DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 200.21 feet to the POINT OF BEGINNING; Thence N 41°16'07" E, a distance of 24.90 feet to a #4 rebar set at the common corner of Tucker Properties, LLC and property now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds, said point being in the northeasterly margin of Darby Avenue; Thence along the margin of Darby Avenue S 48°41'35" E, a distance of 131.52 feet to a #5 rebar found at the southeasterly corner of O'Leary Group Business Park, LLC in the northwesterly line of the property now or formerly of O'Leary Group Business Park as recorded in Deed Book 27501, at Page 573 in the Mecklenburg County Register of Deeds; Thence along the line of O'Leary Group Business Park, LLC S 43°42'55" W, a distance of 24.84 feet to a point in the centerline of Darby Avenue; Thence along the centerline of Darby Avenue N 48°43'53" W, a distance of 130.46 feet to the POINT OF BEGINNING.

Containing 3,256 square feet or 0.075 acres, more or less.

END OF PARCEL C DESCRIPTION.

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of
Isenhour Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **The Charlotte-Mecklenburg Housing Partnership** has filed a petition to close a portion of Isenhour Street in the City of Charlotte; and

Whereas, a portion of Isenhour Street is a 50-foot wide right-of-way that begins at its intersecting point with Norris Avenue, continuing approximately 195 feet south to its terminus at a property currently or formerly owned by Duke Power Company (Deed Book 6861, Page 99), and consists of 9,605 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 12, 2014, that it intends to close a portion of Isenhour Street 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 9th day of February 2015, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

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

CERTIFICATION

I, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 507-509.

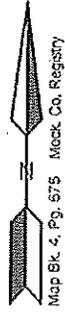
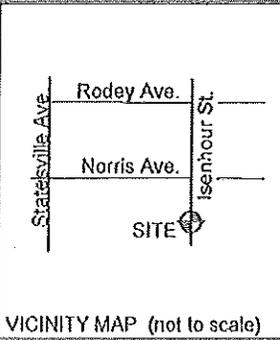
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.



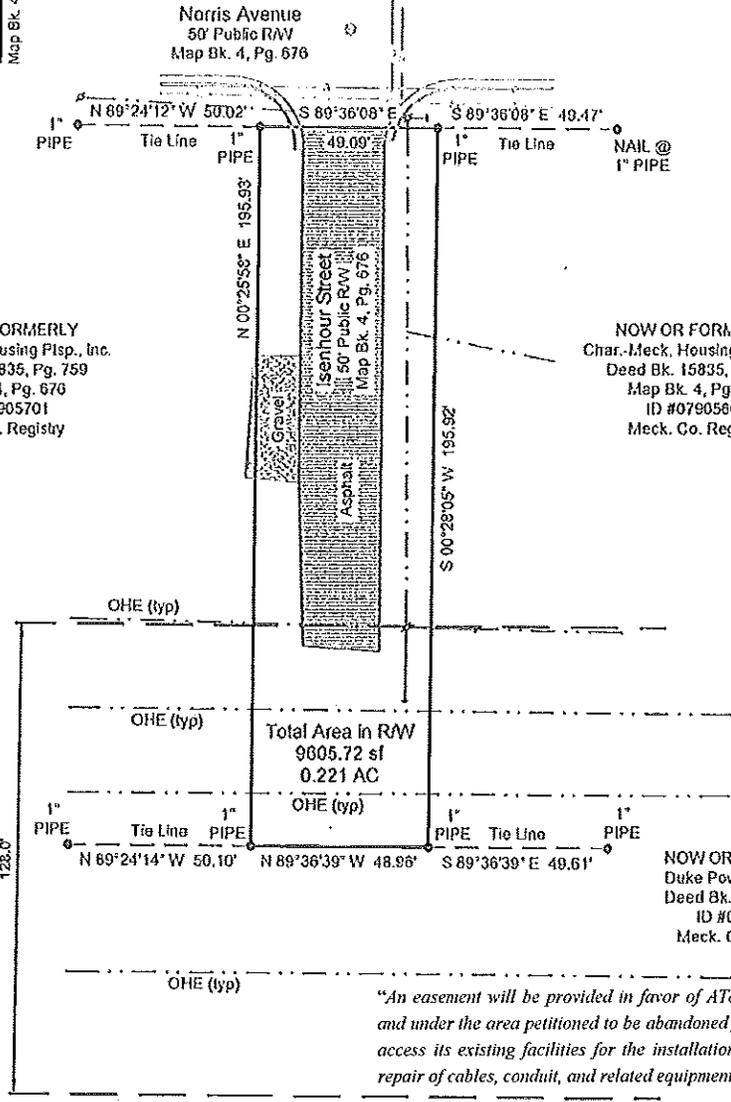

Stephanie C. Kelly, MMC NCCMC, City Clerk

EXHIBIT A

**Right of Way Abandonment Survey
 for a portion of Isenhour Street**



- LEGEND**
- RAW - RIGHT OF WAY
 - OHE - OVERHEAD ELECTRIC
 - ⊙ - POWER POLE
 - - GUYWIRE



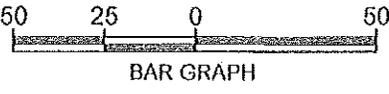
NOW OR FORMERLY
 Char. Meck. Housing Plsp., Inc.
 Deed Bk. 15835, Pg. 759
 Map Bk. 4, Pg. 676
 ID #07905701
 Meck. Co. Registry

NOW OR FORMERLY
 Char. Meck. Housing Plsp., Inc.
 Deed Bk. 15835, Pg. 759
 Map Bk. 4, Pg. 676
 ID #07905609
 Meck. Co. Registry

NOW OR FORMERLY
 Duke Power Company
 Deed Bk. 5861, Pg. 99
 ID #07905431
 Meck. Co. Registry

Total Area in RAW
 9605.72 sf
 0.221 AC

"An easement will be provided in favor of AT&T and Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and ingress to access its existing facilities for the installation, maintenance, replacement, and repair of cables, conduit, and related equipment."

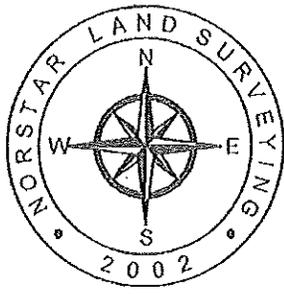


NOTES:

- * Map Reference - Statesville Ave. Terrace Dated January 14, 1945
 Map Bk. 4, Pg. 676 Recorded in Mecklenburg Co. Registry
 Performed by Jerry Reshess, Surveyor
- * Property subject to Duke Power Esmt. recorded in Deed Bk. 1025, Pg. 299.

I, R. Scott Dyer, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 15835, page 759, etc.); that the boundaries not surveyed are clearly indicated as drawn from information found in Book n/a, page n/a; that the ratio of precision as calculated exceeds 1:10,000; and that this map meets the requirements for The Standards of Practice for Land Surveying in North Carolina (21 NCAC 58. 1600). Witness my original signature, registration number and seal this 19th day of June, A.D., 2014.

R. Scott Dyer
 R. Scott Dyer, PLS #4444



NORSTAR LAND SURVEYING, INC.
 552-B Newell Street NW
 Concord, NC 28025
 Ph 704 721 6651
 Fax 704 721 6653
 Firm Lic. # C-2294

Prepared for:
**Charlotte-Mecklenburg
 Housing Partnership, Inc.**
 City of Charlotte Mecklenburg County, NC

DRAWN BY: S. Dyer	NLS NO.: 14039
DATE: May 1, 2014	SCALE: 1" = 50'

EXHIBIT B

BEGINNING at an existing 1" pipe on the southerly R/W of Norris Avenue (50' public R/W) at its intersection with the westerly R/W of Isenhour Street (50' public R/W); thence with the said southerly R/W of Norris Avenue, S 89 36' 08" E, 49.09 feet to an existing 1" pipe at the intersection of the easterly R/W of said Isenhour Street and the southerly R/W of Norris Avenue; thence by the said easterly R/W of Isenhour Street and lands now or formerly of Charlotte-Mecklenburg Housing Partnership (CMHP) (Meck. Co. Tax Parcel 079-056-09) S 00 28' 05" W, 195.92 feet to an existing 1" pipe on the property line of Duke Power Co. (Meck. Co. Tax Parcel 079-054-31); thence by the said northerly property line of Duke Power Co. N 89 36' 39" E, 48.96 feet to an existing 1" pipe; thence with the westerly R/W of Isenhour Street and lands now or formerly of CMHP (Meck. Co. Tax Parcel 079-057-01) N 00 25' 58" E, 195.93 feet to the POINT OF BEGINNING, CONTAINING 0.221 AC.

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 **ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT** and estimated to be 1,725 square feet (.04 acre) of sidewalk and utility easement; 2,507 square feet (.058 acre) of temporary construction easement, and 1,052 square feet (.024 acre) of utility easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 203-189-09, said property currently owned by **WEC 2000B-CLF-7 LLC; CAPITAL LEASE FUNDING, L. P., Beneficiary; CVS NATIONS FORD CHARLOTTE, INC., Tenant/Lessee; ECKERD DRUGS OF NORTH CAROLINA, INC., Lessee, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

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

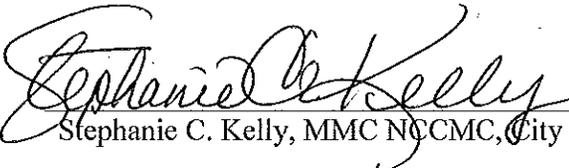
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s)510.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.




Stephanie C. Kelly, MMC NCCMC, 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 ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT and estimated to be 1,260 square feet (.029 acre) of sidewalk and utility easement; 6,351 square feet (.146 acre) of temporary construction easement; 3,447 square feet (.079 acre) of utility easement, and 3,392 square feet (.078 acre) of miscellaneous easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 169-241-06, said property currently owned by SAM'S MART, LLC; WELLS FARGO BANK,, NATIONAL ASSOCIATION, Lender/Beneficiary; 7-ELEVEN, INC., Lessee; JOSHUA MICAH RECTOR, Possible Judgment Creditor, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 511.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.




Stephanie C. Kelly, MMC NCCMC, 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 **ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT** and estimated to be **1,010 square feet (.023 acre) of fee-simple area; 1,759 square feet (.04 acre) of sidewalk and utility easement; 3,910 square feet (.09 acre) of temporary construction easement, and 266 square feet (.006 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 169-241-08, said property currently owned by **BWN INVESTMENTS, LLC**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

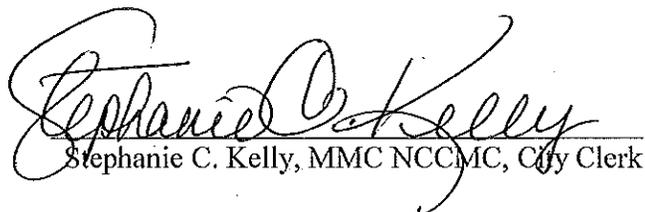
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, 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 12th day of January, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s)512.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.




Stephanie C. Kelly, MMC NCCMC, City Clerk