

A Resolution of the City Council of the City of Charlotte calling for a Joint Public Hearing to be held by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission on the Question of designating the property known as the "James Morrow Coffey House" (listed under Tax Parcel Number 141-071-05 as of September 1, 2000, and including the exterior of the house, the interior of the house, and the entire parcel of land listed under Tax Parcel Number 141-071-05 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2000) as an Historic Landmark. The property is owned by Bernice Tate and is located at 3300 Shopton Road in the City of Charlotte, Mecklenburg County, North Carolina.

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council designate the property described below as a Historic Landmark pursuant to the provisions of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below is eligible for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, Mecklenburg County, North Carolina, that the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission will hold a joint public hearing at which interested parties will

*HISTORIC LANDMARK DESIGNATION of the Coffey House was pulled off the agenda due to an error. The property is in the County so Commissioners will address this, not City Council.*

*LYNNE CLEM  
4/18/01*

have an opportunity to be heard on the question of the designation of the property known as the "James Morrow Coffey House" (listed under Tax Parcel Number 141-071-05 as of September 1, 2000, and including the exterior of the house, the interior of the house, and the entire parcel of land listed under Tax Parcel Number 141-071-05 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2000) as an Historic Landmark.

BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

Approved as to form:

Rebecca K. Gatehouse  
Asst. City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 19th day of March, 2001 the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page(s) 813-814.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of March, 2001.

Brenda R. Freeze, CMC  
Brenda R. Freeze, CMC, City Clerk

**A Resolution of the City Council of the City of Charlotte calling for a Joint Public Hearing to be held by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission on the Question of designating the property known as the "Withers-Efird House" (listed under Tax Parcel Number 175-013-05 as of September 1, 2000, and including the entire exterior of the house and the entire parcel of land listed under Tax Parcel Number 175-013-05 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2000) as an Historic Landmark. The property is owned by Queens College and is located at 2019 Selwyn Avenue in the City of Charlotte, Mecklenburg County, North Carolina.**

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WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, educational, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as a Historic Landmark pursuant to Chapter 160A, Article 19, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, Mecklenburg County, North Carolina, that the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission will hold a joint public hearing at which interested parties will

have an opportunity to be heard on the question of the designation of the property known as the "Withers-Efird House" (listed under Tax Parcel Number 175-013-05 as of September 1, 2000, and including the entire exterior of the house and the entire parcel of land listed under Tax Parcel Number 175-013-05 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2000) as an Historic Landmark.

BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

Approved as to form:

*asst.* Rebecca K. Hatcher  
City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 19th day of March, 2001 the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page(s) 815-816.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of March, 2001.

Brenda R. Freeze, CMC  
Brenda R. Freeze, CMC, City Clerk

RESOLUTION

A RESOLUTION TO REQUEST THE MECKLENBURG COUNTY DELEGATION TO THE NORTH CAROLINA GENERAL ASSEMBLY TO ACCEPT FOR INTRODUCTION A REVISED DRAFT OF A LOCAL BILL ENTITLED "AN ACT TO ALLOW THE CHARLOTTE CITY COUNCIL TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES."

WHEREAS, on March 5, 2001 the Charlotte City Council acted to request the Mecklenburg County Delegation to introduce and seek the passage of a local act which would authorize the Charlotte City Council to hold an advisory referendum on the Sports and Cultural Facilities Capital Investments Package, and

WHEREAS, the Council is proposing more specific wording for the local act than that contained in the March 5 draft.

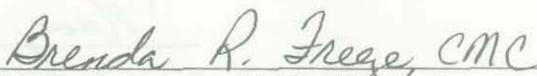
NOW, THEREFORE, BE IT RESOLVED

1. The Charlotte City Council respectfully requests that the Mecklenburg County Delegation to the North Carolina General Assembly introduce and seek the passage of the attached revised local bill entitled "An Act to Allow the Charlotte City Council to Conduct an Advisory Referendum on Capital Investments in Sports and Cultural Facilities."

CERTIFICATION

I, Brenda R. Freeze, 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 19th day of March, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page(s) 817.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of March, 2001.

  
Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 60-foot Street off  
Wallace Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Hassan Radmanesh has filed a petition to close a 60-foot Street off Wallace Road in the city of Charlotte; and

Whereas, the 60-foot Street off Wallace Road to be closed lies from Wallace Road southwardly approximately 828 feet to its terminus as shown in a 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 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 and

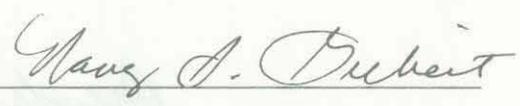
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of March 26, 2001, that it intends to close a 60-foot street off Wallace Road and that the said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00pm on Monday, the 14th day of May, 2001 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, Nancy S. Gilbert, <sup>Deputy</sup> 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 March, 2001, the reference having been made in minute book 116, and recorded in full in Resolution Book 36, page(s) 818.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE an alleyway off  
East Seventh Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Seventh Street Investors, LLC** has filed a petition to close **an alleyway off East Seventh Street** in the city of Charlotte; and

Whereas, the alleyway off Seventh Street to be closed lies from East Seventh Street northeastwardly approximately 188 feet to its terminus as shown in a 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 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 and

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of March 26, 2001, that it intends to close an alleyway off East Seventh Street and that the said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00pm on Monday, the 14th day of May, 2001 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, Nancy S. Gilbert, <sup>Deputy</sup> 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 March, 2001, the reference having been made in minute book 116, and recorded in full in Resolution Book 36, page(s) 819.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.



Nancy S. Gilbert, CMC, Deputy City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on March 26, 2001.

\* \* \*

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on March 26, 2001 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmembers Autrey, Burgess, Cannon, Carter, Castano, Graham, Lochman, Mitchell, Spencer, Wheeler, and White

The following members of the City Council were absent: None

Also present: Pamela A. Syfert, City Manager, DeWitt F. McCarley, City Attorney, and Nancy S. Gilbert, Deputy City Clerk

Councilmember Burgess introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member, a copy of which was available with the City Clerk and which was read by title:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN ESCROW AGREEMENT AND RELATED MATTERS**

**WHEREAS**, the City of Charlotte, North Carolina (the "City") issued \$125,200,000 of its General Obligation Refunding Bonds, Series 1992 (the "1992 Refunding Bonds"), of which \$55,500,000 aggregate principal amount is currently outstanding;

**WHEREAS**, the City wishes to provide for the defeasance of \$34,265,000 aggregate principal amount of the outstanding 1992 Refunding Bonds (the "Defeased 1992 Refunding Bonds") of which \$17,515,000 relates to the financing of the Charlotte Coliseum and \$16,750,000 relates to the financing of improvements to the City's water and sanitary sewer system;

**WHEREAS**, the City will provide for the defeasance of the Defeased 1992 Refunding Bonds in the manner set forth in the Escrow Agreement dated on or about March 29, 2001 (the "Escrow Agreement") between the City and First Union National Bank, as escrow agent;

**WHEREAS**, there has been described to the City Council the Escrow Agreement, a copy of which has been made available to the City Council, which the City Council proposes to approve, enter into and deliver.

**WHEREAS**, it appears that the Escrow Agreement is in an appropriate form and is an appropriate instrument for the purposes intended;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:**

*Section 1. Authorization to Execute the Escrow Agreement.* The form and content of the Escrow Agreement shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager, the City Director of Finance or their respective designees shall be and they hereby are authorized, empowered and directed to execute and deliver the Escrow Agreement, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Escrow Agreement presented to the City Council, and that from and after the execution and delivery of the Escrow Agreement, the City Manager, the City Director of Finance and the City Clerk, or their respective designees, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Escrow Agreement as executed.

*Section 2. Severability.* That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

*Section 3. Repealer.* That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

*Section 4. Effective Date.* This Resolution will take effect immediately on its adoption.

On motion of Councilmember Burgess, seconded by Councilmember Autrey, the foregoing resolution entitled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN ESCROW AGREEMENT AND RELATED MATTERS**" was duly adopted by the following vote:

AYES: Unanimous

NAYS: None

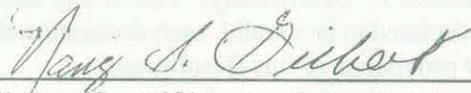
STATE OF NORTH CAROLINA )  
 )  
CITY OF CHARLOTTE )

ss:

I, *Brenda R. Freeze*, City Clerk of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN ESCROW AGREEMENT AND RELATED MATTERS**" adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26<sup>th</sup> day of March, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page(s) 820-822

**WITNESS** my hand and the seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of March, 2001.

[SEAL]

  
Nancy S. Gilbert, CMC, Deputy City Clerk

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

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

WHEREAS, the North Carolina Department of Transportation and the City of Charlotte propose to make certain street and highway improvements consisting of the revision of the interchange at I-485 and Providence Road (NC 16).

WHEREAS, said Department of Transportation and this Municipality propose to enter into an Agreement for the above-captioned project whereby this Municipality agrees; (1) to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation, and (2) to provide for the adjustment of any municipally-owned utilities without cost to the Department of Transportation, except that said Department will reimburse this Municipality in accordance with said Department's Municipally-Owned Utility Policy; and,

WHEREAS, the Department agrees to acquire the right of way and construct the project in accordance with the approved project plans, and,

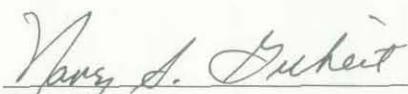
WHEREAS, the Agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Project I-4041, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Transportation Director and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, <sup>Deputy</sup> Clerk of the Municipality of Charlotte, 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 26<sup>th</sup> day of March, 2001 and the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page 823.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of March, 2001.

SEAL

  
Deputy City Clerk  
Nancy S. Gilbert, CMC

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

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

WHEREAS, the North Carolina Department of Transportation has prepared and  
adopted plans for the improvement of NC 49 (S. Tryon Street) from SR 1122 (Moss Road)  
to Charlotte Western Outer Loop; and,

WHEREAS, said Department of Transportation and the City of Charlotte propose to  
enter into an agreement whereby said Department will include in its construction contract  
provisions for the installation relocation and adjustment of certain municipally-owned water  
and sewer lines in conflict with the project; and,

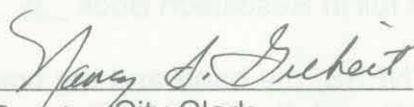
WHEREAS, the City of Charlotte agrees to reimburse the Department of  
Transportation for the entire cost of said work with reimbursement to be made in one final  
payment upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project U-2512 BA, Mecklenburg  
County, is hereby formally approved by the City Council of the City of Charlotte and that the  
Director of Transportation and Clerk of this Municipality are hereby empowered to sign and  
execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, <sup>Deputy</sup> Clerk of the City of Charlotte, 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 26<sup>th</sup> day of March,  
2001, and the reference having been made in Minute Book 116, and recorded in full in  
Resolution Book 36, Page 824..

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina,  
this the 27<sup>th</sup> day of March, 2001.

SEAL

  
Deputy City Clerk  
Nancy S. Gilbert, CMC

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

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

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the improvement of NC 27 (E. Charlotte Avenue) from NC 273 (Highland Avenue) in Mount Holly to 0.15 mile east of entrance at Sandoz Chemicals, including replacement of Bridge #66 over the Catawba River; and,

WHEREAS, said Department of Transportation and the City of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions for the installation of a new municipally-owned sewer line along the project; and,

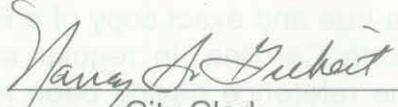
WHEREAS, the City of Charlotte agrees to reimburse the Department of Transportation for the entire cost of said work with reimbursement to be made in one final payment upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project B-1193, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, Deputy Clerk of the City of Charlotte, 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 March, 2001, and the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page 825..

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

SEAL

  
Deputy City Clerk  
Nancy S. Gilbert, CMC

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

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

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within the Municipality under Project U-3307, Mecklenburg County, said plans consisting of the construction of East - West Circumferential Road from 0.6 Miles east of US 521 (Lancaster Highway) to NC 16 (Providence Road); and,

WHEREAS, said Department of Transportation and this Municipality propose to enter into an Agreement for the above-captioned project whereby this Municipality agrees; (1) to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation, and (2) to provide for the adjustment of any municipally-owned utilities without cost to the Department of Transportation, except that said Department will reimburse this Municipality in accordance with said Department's Municipality-Owned Utility Policy; and,

WHEREAS, the Department agrees to acquire the right of way and construct the project in accordance with the approved project plans, and,

WHEREAS, at the request of the Municipality, the Department shall construct sidewalks on the curb and gutter sections of the north side of the project, and shall reimburse the Department 50% of the actual cost of the work; and,

NOW, THEREFORE, BE IT RESOLVED that Project U-3307, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, Deputy, Clerk of the City of Charlotte, 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 26<sup>th</sup> day of March, 20\_01, and the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page 826.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of March, 20\_01

SEAL

  
Deputy City Clerk  
Nancy S. Gilbert, CMC

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

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

WHEREAS, the North Carolina Department of Transportation has prepared and  
adopted plans for the construction of East-West Circumferential Road from West of Marvin  
Road to Landen West property line; and,

WHEREAS, said Department of Transportation and the City of Charlotte propose to  
enter into an agreement whereby said Department will include in its construction contract  
provisions for the relocation and adjustment of certain municipally-owned water and sewer  
lines located along the project; and,

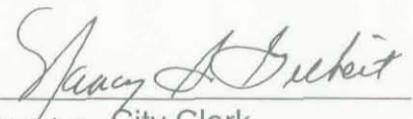
WHEREAS, the City of Charlotte agrees to reimburse the Department of  
Transportation for the entire cost of said work with reimbursement to be made in one final  
payment upon completion of the work (estimated cost is \$472,182.00).

NOW, THEREFORE, BE IT RESOLVED that Project U-3307 A, Mecklenburg  
County, is hereby formally approved by the City Council of the City of Charlotte and that the  
Director of Transportation and Clerk of this Municipality are hereby empowered to sign and  
execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, <sup>Deputy</sup> Clerk of the City of Charlotte, 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 26<sup>th</sup> day of March,  
2001 and the reference having been made in Minute Book 116, and recorded in full in  
Resolution Book 36, Page 827.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina,  
this the 27<sup>th</sup> day of March, 2001

SEAL

  
Deputy City Clerk  
Nancy S. Gilbert, CMC

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

A motion was made by Councilmember Burgess and seconded by

Councilmember Autrey for the adoption of the following Resolution, and upon

being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the construction of East-West Circumferential Road from Landen West property line to NC 16 (Providence Road); and,

WHEREAS, said Department of Transportation and the City of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions for the relocation and adjustment of certain municipally-owned sewer lines and install a new 16" water main along the project; and,

WHEREAS, the City of Charlotte agrees to reimburse the Department of Transportation for the entire cost of said work with reimbursement to be made in one final payment upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project U-3307 B, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, <sup>Deputy</sup> Clerk of the City of Charlotte, 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 27<sup>th</sup> day of March, 2001, and the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page 828.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of March, 2001.

SEAL

  
Deputy City Clerk  
Nancy S. Gilbert, CMC

**CHARLOTTE CITY COUNCIL**

**Resolution Authorizing Sale of Personal Property by Public Auction**

WHEREAS, G.S. 160A-270 allows the City Council to sell personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at public auction; and,

WHEREAS, the City Manager has recommended that the property listed on the attached Exhibit A should be sold at public auction as surplus property; and,

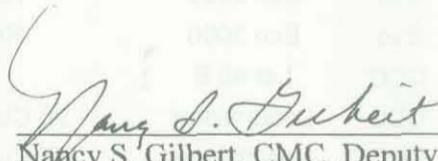
NOW THEREFORE, Be it resolved, by the Charlotte City Council that the City Manager or her designee is authorized to sell at public auction on the 21<sup>st</sup> day of April 2001, at 10:00 a.m. and on the 28th day of April 2001, at 10:00 a.m. both at the City-County Surplus Property Facility, 3301 North I-85 Service Road, Charlotte, North Carolina, the surplus property described on Exhibit A, as per the terms and conditions as specified in the Auctioneer Services contract approved by this Council and in accordance with G.S. 160A-270. The terms of the sale shall be net cash. The City Manager or his / her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270.

Adopted on this 26th day of March, 2001

**CERTIFICATION**

I, Nancy S. Gilbert, 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 March, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36 at page(s) 829-835.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of March, 2001.



Nancy S. Gilbert, CMC, Deputy City Clerk

Equip ID	Year	Make	Model	Description	Serial or Vin #
<b>Heavy Equipment</b>					
SMH 623		Case	680 L	Front End Loader / Backhoe	JJG0070641
USH 614	1991	Case	680 L	Front End Loader / Backhoe	JJG0071039
USH 611	1991	Case	680 L	Front End Loader / Backhoe	JJG0070986
SME 608	1992	Koehring	4470	Boom Truck	50827
SMJ 253	1994	GMC	190 HP	Patch Truck	1GDT7H4J5RJ507358
SMJ 275	1989	IHC	S 1700	Patch Truck	1HTLCZWN9KH628142
SNJ 252	1988	Ford	F 700	Thieman / Dump Body	9BFXH70P8JDM00885
SMD 323	1988	Ford	F 700	Heil / Dump Body	1FDWK74P7JVA51516
SMD 350	1989	IHC	4700	Dump Truck	1HTSCZWLXLH237626
SMD 386	1988	Ford	F 700	Dump Truck	1FDWK74P0JVA51518
UDH 576	1992	Kubota		Tractor / Blade / Backhoe	BSOBH51960
CHD 089	1984	Ford	F 600	Dump Truck	1FDNF60H7EVA16716
UDJ 223	1981	Intl		Utility Truck W/ Crew Cab	1HTAA1855BHA14610
TOY 851	1988	Linear		Thermo-kit Premelting Trailer	190
TOY 853	1989	Linear		Thermo-kit Premelting Trailer	194
LMT 530	1991	Ford	5610	Tractor	BC76012
LMT 655	1989	Ford	5610	Tractor W / Alamo Mower	BC22568
LMT 654	1989	Ford	5610	Tractor	BC22567
UDH 576	1992	B 20	TL 420	Tractor / Small Backhoe	BSOBH_51960
UDC 920	1990	Ing- Rand		Compressor / Trailer	184087-V90-329
<b>Garbage Trucks</b>					
SNP 401	1983	Ford	Heil / F 8000	25 Cu. Yd. Rear Loader	1FDY880U6DVA07181
SNP 520	1995	CCC		Automated Refuse Packer	1CYCCN481STO41562
SNP 523	1995	CCC	Heil / F 8000	27 Cu. Yd. Side Loader	1CYCCN487STO41565
SNP 516	1994	CCC	Heil	27 Cu. Yd. Side Loader	1CYCCN487RTO41026
SNP 482	1992	CCC	Leach	25 Cu. Yd. Rear Loader	1CYCCN488NTO39375
SNP 485	1992	CCC	Leach	25 Cu. Yd. Rear Loader	1CYCCN483NTO39378
SNJ 228	1991	Evo	Eco 3000	Recycling Truck	1L9EG67B5MK006610
SNJ 232	1991	Evo	Eco 3000	Recycling Truck	1L9EG67B3MK006617
SNP 442	1991	CCC	Let 40 E	Packer	1CYCCA485MTO39115
SNP 449	1991	CCC	Loadmaster	25 Cu. Yd. Rear Loader	1CYCCA480MY039121
SSP 452	1991	CCC	Loadmaster	25 Cu. Yd. Rear Loader	1CYCCA486MTO39124
SNP 479	1991	CCC	Packmaster	25 Cu. Yd. Rear Loader	1CYCCN482NTO39372

Crown Vics / Police Packages

PDA 071	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W1WX130029
PDA 080	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W5WX130034
PDA 238	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W8WX130092
PDA 268	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W2WX130010
PDA 777	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W2WX130038
PDA 805	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W6WX130026
PDA 809	1998	Ford	Crown Vic	Four Door Sedan	2FAFP71W2WX130024
PDA 082	1997	Ford	Crown Vic	Four Door Sedan	2FALP71W3VX125142
PDA 127	1997	Ford	Crown Vic	Four Door Sedan	2FALP71W2VX125150
PDA 260	1996	Ford	Crown Vic	Four Door Sedan	2FALP71W4TX169289
PDA 707	1996	Ford	Crown Vic	Four Door Sedan	2FALP71WXTX169314
PDA 910	1996	Ford	Crown Vic	Four Door Sedan	2FALP71W2TX169291
PDA 952	1996	Ford	Crown Vic	Four Door Sedan	2FALP71W5TX169270
PDA 963	1996	Ford	Crown Vic	Four Door Sedan	2FALP71W1TX169296
PDA 964	1996	Ford	Crown Vic	Four Door Sedan	2FALP71W3TX169297
PDA 973	1996	Ford	Crown Vic	Four Door Sedan	2FALP71W7TX169321
FDA 086	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W2SX133678
PDA 206	1995	Ford	Crown Vic	Four Door Sedan	2FALP71WXSX160885
PDA 282	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W8SX160884
PDA 492	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W55X160860
PDA 779	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W7SX160892
PDA 846	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W1SX160936
PDA 907	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W4SX169212
PDA 923	1995	Ford	Crown Vic	Four Door Sedan	2FALP71W3SX160906
PDA 012	1994	Ford	Crown Vic	Four Door Sedan	2FALP71W8RX154707
PDA 034	1994	Ford	Crown Vic	Four Door Sedan	2FALP71WXRX154790
PDA 085	1994	Ford	Crown Vic	Four Door Sedan	2FALP71W8RX154786
SPA 497	1994	Ford	Crown Vic	Four Door Sedan	2FALP71W4RX129870
SPA 500	1994	Ford	Crown Vic	Four Door Sedan	2FALP71WXRX129873
SPA 503	1994	Ford	Crown Vic	Four Door Sedan	2FALP71W5RX129876
SPA 512	1994	Ford	Crown Vic	Four Door Sedan	2FALP71W6RX129885
PDA 048	1993	Ford	Crown Vic	Four Door Sedan	2FACP71W5PX157884
PDA 177	1993	Ford	Crown Vic	Four Door Sedan	2FACP71WXPX140014
PDA 783	1993	Ford	Crown Vic	Four Door Sedan	2FACP71W6PX133822
PDA 866	1991	Ford	Crown Vic	Four Door Sedan	2FACP72G9MX175145
PDA 835	1991	Ford	Crown Vic	Four Door Sedan	2FACP72G6MX175202

Staff Cars

PDA 473	1995	Chevrolet	Lumina	Four Door Sedan	2G1WL52M6S9280930
PDA 571	1994	Ford	Probe	Four Door Sedan	1ZVLT20A9R5151652
FDA 076	1993	Dodge	Shadow	Four Door Sedan	1B3XP28DXPN616462
FDA 077	1993	Dodge	Shadow	Four Door Sedan	1B3XP28D8PN616461
PDA 427	1993	Dodge	Shadow	Four Door Sedan	1B3XP28D3PN616464
PDA 429	1993	Dodge	Shadow	Four Door Sedan	1B3XP28D7PN616466
PDA 533	1993	Chevrolet	Camaro	Two Door Coupe	2G1FP22P8P2123221
PDA 553	1993	Mazda	626	Four Door Sedan	1YVGE22C3R5134904
PDA 563	1993	Chevrolet	Lumina	Four Door Sedan	2G1WP14X6P9165045
CTA 020	1992	Dodge	Shadow	Four Door Sedan	1B3XP28D4NN185114
FDA 038	1992	Ford	Tempo	Four Door Sedan	1FACP36X4NK208379
FDA 070	1992	Ford	Tempo	Four Door Sedan	1FAAP36X6RK218151
FDA 071	1992	Ford	Tempo	Four Door Sedan	1FACP36X2NK166083
FDA 073	1992	Ford	Tempo	Four Door Sedan	1FACP36X0NK166082
FDA 074	1992	Ford	Tempo	Four Door Sedan	1FACP36X4NK166084
SPX 483	1992	Ford	Taurus	Four Door Sedan	1FACP50U9NA176271
SPX 486	1992	Ford	Taurus	Four Door Sedan	1FACP50U6NA176275
SPX 633	1992	Nissan	Maxima	Four Door Sedan	JN1HJ01P1NT615919
SPX 489	1992	Ford	Taurus	Four Door Sedan	1FACP50U3NA176265
SPX 442	1991	Chevrolet	Lumina	Four Door Sedan	2G1WL54T4M1123189
SPX 444	1991	Chevrolet	Lumina	Four Door Sedan	2G1WL54T2M1123286
SPX 446	1991	Chevrolet	Lumina	Four Door Sedan	2G1WL54T4M9163340
PDA 597	1991	Pontiac	Sunbird	Four Door Sedan	1G2JB34KXM7623994
LMA 049	1990	Chevrolet	Cavalier	Four Door Sedan	1G1JC84G6LJ228559
PDA 319	1990	Ford	Tempo	Four Door Sedan	2FAPP36X4LB185453
PDA 355	1990	Ford	Tempo	Four Door Sedan	2FAPP36X1LB185457
PDA 357	1990	Ford	Tempo	Four Door Sedan	2FAPP36X9LB185450
PDA 395	1990	Ford	Tempo	Four Door Sedan	2FAPP36X4LB185470
UEA 014	1989	Chevrolet		Station Wagon	1G1AW81W7K6216053
PDA 407	1989	Plymouth	Reliant	Four Door Sedan	3P3BK46D6KT956609
PDA 408	1989	Plymouth	Reliant	Four Door Sedan	3P3BK46D8KT956613
ESA 002	1988	Ford	Taurus	Station Wagon	1FABP55U2KA185779
TPA 009	1987	Chevrolet	Cavalier	Four Door Sedan	1G1JC5112HJ186851

**Sport Utility**

PDA 411	1994	Ford	Explorer	Sport Utility Vehicle	1FMDU34X7RUD94371
USA 023	1993	Chevrolet	Blazer	4x4 Sport Utility Vehicle	1GNCT18W0P0167351
USA 024	1993	Chevrolet	Blazer	4x4 Sport Utility Vehicle	1GNCT18W4P0166753
PDA 513	1993	Nissan	Pathfinder	Sport Utility Vehicle	JN8HD17Y2PW123691
PDA 555	1993	Ford	Explorer	Sport Utility Vehicle	1FMDU32X5PUCO2221
UEA 040	1989	Chevrolet	Suburban	Passenger Van	1GNER16K9KF151744
UEA 052	1988	Chevrolet	Suburban	Passenger Van	1GNER16KXJF180118
PDA 509	1988	Ford	Bronco	Sport Utility Vehicle	1FMCU12T0JUA72014
UEA 020	1987	Chevrolet	Suburban	Passenger Van	1GNER16K5HF160661

**Full-Size Pickups**

SNU 004	1993	Ford	F- 150	Pickup W / Toolbox	1FTEF15NXPNA67684
ACJ 018	1991	Ford	F-250	Pickup W/ Animal Control Body	1FTHF25H1MNA73544
UDU 117	1991	Ford	F-250	Full Size Pickup	1FTHF25H2MNA93253
UCJ 201	1991	Ford	F Super Duty	Full Size Pickup W / Utility Body	2FDLF47M0MCA73391
SMU 043	1990	Chevrolet	3500	Pickup	1GBHR33K2LF303567
USJ 125	1990	Chevrolet	3500	Pickup W/Crew Cab /Utility Body	1GBHV33N8LF303594
USJ 127	1990	Chevrolet	3500	Pickup W/ Crew Cab / Utility Body	1GBHR33K6LF303457
SMU 022	1991	Chevrolet	3500	Pickup W/ Crew Cab / Utility Body	1GBJR33K7MF305527
UCU 080	1991	Chevrolet	1500	Pickup	1GCEC14H6M3181052
UDJ 215	1991	Ford	F Super Duty	Full Size Pickup W / Utility Body	2FDLF47M9MCA73390
UDJ 261	1994	Ford	F Super Duty	Full Size Pickup W / Utility Body	1FDLF47M2REA27000
UFU 021	1989	Chevrolet	C-1500	Full Size Pickup	2GCEC14H4K1213477
UCJ 203	1989	Ford	F Super Duty	Full Size Pickup W / Utility Body	2FDLF47MXLCA26299
UDJ 230	1988	Ford	F- 350	Pickup W/ Utility Body / Winch	1FDJF37H1JNB48500
SMU 063	1987	Ford	F 150	Pickup	1FTEF15N8HNB11487
63837	1991	Chevrolet	2500	Full Size Pickup W / Toolbox	1GCGC24K6MP130144
63838	1991	Chevrolet	2500	Full Size Pickup W / Compressor	1GCGC24K1ME130181
63835	1990	Chevrolet	2500	Pickup	1GCGC24K9LE244640
58176	1987	Ford	F-250	Full Size Pickup	1FTHF25H8HNB11518
63832	1991	Chevrolet	2500	Full Size Pickup W / Toolbox	1GCGC24KXLE244629
61050	1989	Chevrolet	2500	Full Size Pickup	1GCGC24K3KE250738
58175	1987	Ford	F-250	Full Size Pickup	1FTHF25H1NNB11523
63836	1990	Chevrolet	2500	Full Size Pickup	1GCGC24K5LE244621
FDU 090	1986	Chevrolet	C-10	Full Size Pickup W / Toolbox	2GCEC14H9G1191127
UDJ 815	1989	Chevrolet	3500	Pickup W/ Crew Cab /Utility Body	1GBHR34K7KF304601

**Small Pickups**

UCU 171	1995	Chevrolet	S- 10	Pickup	1GCCS14Z8SK247666
UCU 162	1993	Ford	Ranger	Pickup W/ Toolbox	
UCU 085	1992	Chevrolet	S- 10	Pickup	1GCCS14Z4N8158663
ACJ 012	1991	Ford	Ranger	Pickup W/ Animal Control Body	1FTCR10U8MTA28533
UEA 040	1991	Ford	Ranger	Pickup	1FTCR14URMPA67851
SNU 051	1991	Ford	Ranger	Pickup W/ Toolbox	1FTCR10U4M1A28528
SNU 052	1991	Ford	Ranger	Pickup W/ Toolbox	1FTCR10U6MTA28529
SNU 054	1991	Ford	Ranger	Pickup	1FTCR10U2MTA28530
UCU 061	1991	Ford	Ranger	Pickup	1FTCR10UOMTA27358
ACJ 038	1990	Chevrolet	S- 10	Pickup W/ Animal Control Body	1GCCS14Z8L2122376
UCU 125	1990	Ford	Ranger	Pickup	1FTCR10T2LUB56170
UCU 127	1990	Ford	Ranger	Pickup	1FTCR10T6LUB56169
ACJ 035	1989	Chevrolet	S- 10	Pickup W/ Animal Control Body	1GCCS14Z3L2123502
UCU 154	1989	Chevrolet	S- 10	Pickup	1GCCS14Z9K2219097
UCU 155	1989	Chevrolet	S- 10	Pickup	1GCCS14Z1K2219076
UCU 156	1989	Chevrolet	S- 10	Pickup	1GCCS14Z6K2225133
LMU 125	1987	Ford	Ranger	Pickup	1FTCR10T0HUD22676

**Vans**

FDB 027	1992	Ford	E 350	Cargo Van	1FBHE31HXNHA52503
UWB 037	1992	Chevrolet	Astro	Van	1GCDM15Z3NB153048
PDB 331	1992	Ford	Aerostar	Cargo Van	1FTDA34X3NZB09949
63655	1990	Chevrolet	C-30	Cargo Van	1GCGC35K9J7164846

**Wrecks**

PDA 033	2000	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W6VX123144
PDA 243	2000	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W9VX123154
PDA 664	1999	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W1XX123924
PDA 667	1999	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W2XX123897
PDA 214	1998	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W0WX130023
PDA 763	1998	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W8WX130044
PDA 834	1998	Ford	Crown Vic	Police Package/ Four Door Sedan	2FAFP71W5WX130017
PDA 233	1997	Ford	Crown Vic	Police Package/ Four Door Sedan	2FALP71W4VX125165
PDA 095	1995	Ford	Crown Vic	Police Package/ Four Door Sedan	2FALP71WXSX169182
PDA 102	1995	Ford	Crown Vic	Police Package/ Four Door Sedan	2FALP71W1SX169183
PDA 511	1995	Ford	Crown Vic	Police Package/ Four Door Sedan	2FACP71W8PX136396
PDA 937	1995	Ford	Crown Vic	Police Package/ Four Door Sedan	2FALP71WXSX160904
PDA 943	1995	Ford	Crown Vic	Police Package/ Four Door Sedan	2FALP71W4SX160977
PDA 384	1995	Chevrolet	Lumina	Four Door Sedan	2G1WL52M2S1186056
DTB 068	1995	Ford	E-350	Handicap Van	1FBJS31F4SHB72561
ACJ 040	1990	Chevrolet	C 2500	Pickup W/ Animal Control Body	1GBGC24KXLE192617

Spring Auction

April 21, 2001

Exhibit A

PDB 505	1994	Ford	E-250	Van	1FTFE24Y5RHB33245
UDC 934	1999	Ingersoll		Compressor / Burned	301910UFJ222
UST 505	1989	Kubota		Tractor / Burned	60401
UST 852	1995	Kubota	L 4200	Tractor / Wrecked	L4200D53015

**Miscellaneous**

UDY 578	1992	Hudson		Trailer	10HHSE162N1000747
				Gas Tank	
				Camper Top	
				Computers, Printers, Office furniture	
				Various other miscellaneous items	

**CERTIFICATION**

I, \_\_\_\_\_, Clerk of the City of Charlotte, North Carolina, DO  
 HEREBY CERTIFY that the foregoing is a true and correct 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 March, 2001, the minutes having been made in Accord Book 136  
 and recorded in full in Resolution Book 36, at pages 835-837.

WITNESSE my hand and the corporate seal of the City of Charlotte, North Carolina, this  
 26th day of March, 2001.

  
 \_\_\_\_\_  
 Clerk of the City of Charlotte, North Carolina

**CHARLOTTE CITY COUNCIL**

**Resolution Authorizing the Donation of City Property to Goodwill Industries  
for the Work First Program**

WHEREAS, G.S. 160A-279 allows the City Council to donate personal property to a private entity for the purpose of carrying out a public purpose; and,

WHEREAS, the City has designated the property, listed on the attached Exhibit B, eligible for donation; and,

WHEREAS, the City no longer needs the vehicles; and,

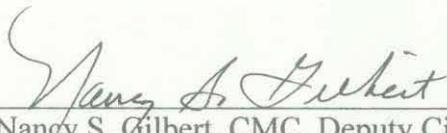
NOW THEREFORE, Be it resolved, by the Charlotte City Council that the City Manager or her designee is authorized to donate the property to Goodwill Industries for the Work First Program.

Adopted on this 26th day of March, 2001

**CERTIFICATION**

I, Nancy S. Gilbert, 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 March, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36 at page(s) 836-837.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of March, 2001.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

Equip #	Year	Make	Model	Description	Vehicle ID #
PDA 347	1991	Ford	Tempo	Four Door Sedan	1FACP36X2MK169953
PDA 349	1991	Ford	Tempo	Four Door Sedan	1FACP36X6MK169955
PDA 367	1991	Ford	Tempo	Four Door Sedan	1FACP36XXMK180201
PDA 371	1991	Ford	Tempo	Four Door Sedan	1FACP36X8MK180200
PDA 375	1991	Ford	Tempo	Four Door Sedan	1FACP36X5MK180199
PDA 319	1990	Ford	Tempo	Four Door Sedan	2FAPP36X4LB185453
PDA 355	1990	Ford	Tempo	Four Door Sedan	2FAPP36X1LB185457
PDA 357	1990	Ford	Tempo	Four Door Sedan	2FAPP36X9LB185450



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

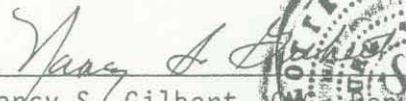
**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTE THAT:**

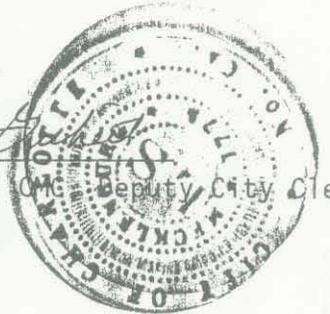
The right-of-way known as a 10-foot alleyway running off Augusta Street, which is more particularly described in Deed Book 10166 at Page 455 recorded in the Mecklenburg County Public Registry, and the right-of-way known as a 10-foot alleyway running between LaSalle Street and Cumming Avenue, which is more particularly described in Deed Book 10990 at Page 543 and Deed Book 10774 at Page 051 recorded in the Mecklenburg County Public Registry are not part of the street plan adopted pursuant to North Carolina General Statutes, Section 136-66.2.

**CERTIFICATION**

I, Nancy S. Gilbert, <sup>Deputy</sup> 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 March, 2001, the reference having been made in Minute Book 116, page       , and recorded in full in Resolution Book 36, page 838-855.

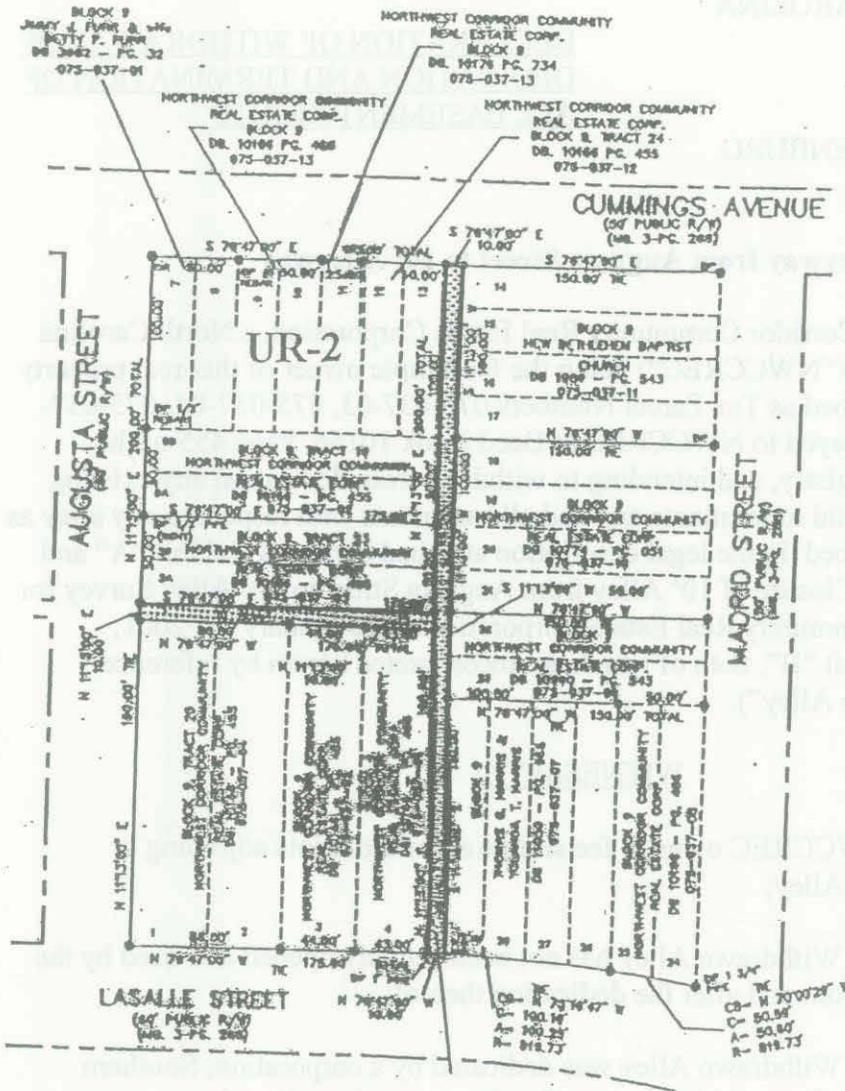
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

  
Nancy S. Gilbert, <sup>Deputy</sup> City Clerk



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

*Handwritten initials*

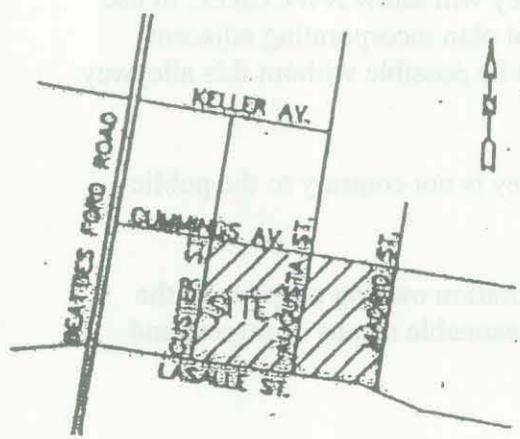


I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

*Linda B. Poissant*  
 Review Officer

4/6/01  
 Date

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



Vicinity Map

 Right-of-Way to be Withdrawn	
CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION TRANSPORTATION ENGINEERING DIVISION	
Declaration of Withdrawal	
A 10-foot alleyway running off Augusta Street and a 10-foot alleyway running between LaSalle Street and Cummings Avenue	
RQS/PROJECT NO.	FILE NO.

STATE OF NORTH CAROLINA

DECLARATION OF WITHDRAWAL OF  
DEDICATION AND TERMINATION OF  
ALL EASEMENT RIGHTS

COUNTY OF MECKLENBURG

**Alleyway from Augusta Street to 10' Alleyway**

The Northwest Corridor Community Real Estate Corporation, a North Carolina Corporation (hereinafter "NWCCREC") being the fee simple owner of that real property more particularly described as Tax Parcel Numbers 075-037-03, 075-037-04, 075-037-05, 075-037-06, as conveyed to NWCCREC at Deed Book 10166, Page 455 of the Mecklenburg Public Registry, and intending to withdraw from dedication any existing rights-of-way or alleys and to terminate any and all easements with respect to any alley as more particularly described in the legal description attached hereto as Exhibit "A" and the plat entitled "Alley Closure of 10' Alley from Augusta Street to 10' Alley Survey for Northwest Corridor Community Real Estate Corporation dated January 12, 2001, attached hereto as Exhibit "B", both of which are incorporated herein by reference (hereinafter "Withdrawn Alley").

WITNESSETH:

WHEREAS, NWCCREC owns in fee simple all of those lots adjoining or abutting the Withdrawn Alley;

WHEREAS, the Withdrawn Alley has not been actually opened and used by the public within 15 years from and after the dedication thereof;

WHEREAS, the Withdrawn Alley was dedicated by a corporation, Southern Realty and Development Corp., which corporation is not now in existence;

WHEREAS, the Withdrawn Alley is not part of a future street shown on the street plan adopted pursuant to N.C. Gen. Stat. 136-66.2;

WHEREAS, the closing of said Withdrawn Alley will allow NWCCREC to use said Withdrawn Alley as part of an overall development plan incorporating adjacent properties, and the overall development plan would not be possible without this alleyway abandonment;

WHEREAS, the closing of said Withdrawn Alley is not contrary to the public interest; and

WHEREAS, no individual, partnership or corporation owning property in the vicinity of said Withdrawn Alley will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing;

NOW THEREFORE, NWCCREC, pursuant to the provisions of N.C. Gen. Stat. 136-96, hereby declares as follows:

Any dedication of the Withdrawn Alley for public use is hereby declared and shall hereafter be conclusively presumed withdrawn from any public use for which it may have been dedicated and no person, partnership or corporation shall have any right, or cause of action hereafter to enforce any public or private easement therein.

As the owner of the fee simple interest in and to all the property adjacent to and abutting the Withdrawn Alley, NWCCREC does hereby declare terminated and withdrawn from dedication and all rights-of-way, easements or other rights whatsoever arising, directly or indirectly, out of the Withdrawn Alley.

IN WITNESS WHEREOF, NWCCREC has caused this instrument to be executed under seal on this \_\_\_\_ day of February, 2001.

NORTHWEST CORRIDOR  
COMMUNITY REAL  
ESTATE CORPORATION

By: Stewart Washington  
Title: Executive Director

ATTEST:

Laura Tohi

Secretary or  
Assistant Secretary

[Corporate Seal]

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I, Brenda B. McMoore, a Notary Public of the County and State aforesaid, certify that Lawrence Toliver, personally appeared before me this day and acknowledged that he/she is Secretary/Assistant Secretary of Northwest Corridor Community Real Estate Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by him/her as its Secretary/Assistant Secretary.

Witness my hand and official stamp or seal, this 8<sup>th</sup> day of February, 2001.

Brenda B. McMoore  
Notary Public

My Commission Expires: 09/16/2004

**Exhibit A**

**DECLARATION OF WITHDRAWAL OF DEDICATION AND  
TERMINATION OF ALL EASEMENT RIGHTS**

**Alleyway from Augusta Street to 10' Alleyway**

**LEGAL DESCRIPTION**

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

Beginning at an existing iron pin on the existing 50' public right of way of Augusta Street, said pin being N 11° 13' 00" E 190.00 feet from an existing iron pin at the intersection of the rights of way of Augusta Street and LaSalle Street.

Thence with the right of way of Augusta Street N 11° 13' 00" E 10.00' to an existing iron pin at a corner of Northwest Corridor Community Real Estate Corp.

Thence with the line of Northwest Corridor Community Real Estate Corp S 78° 47' 00" E 175.00' to an existing iron pin in the line of an existing 10' alley.

Thence with the line of the existing 10' alley S 11° 13' 00" W 10.00' to an existing iron pin at a corner of Northwest Corridor Community Real Estate Corp.

Thence with the line of the line of Northwest Corridor Community Real Estate Corp N 78° 47' 00" W 175.00' (passing existing iron pins at 43.00' and 87.00') to the point and place of beginning containing 0.040 acres and shown on the plat entitled "Alley Closure of 10' Alley from Augusta Street to 10' Alley Survey for Northwest Corridor Community Real Estate Corp. by Concord Engineering and Surveying, Inc. dated January 12, 2001.

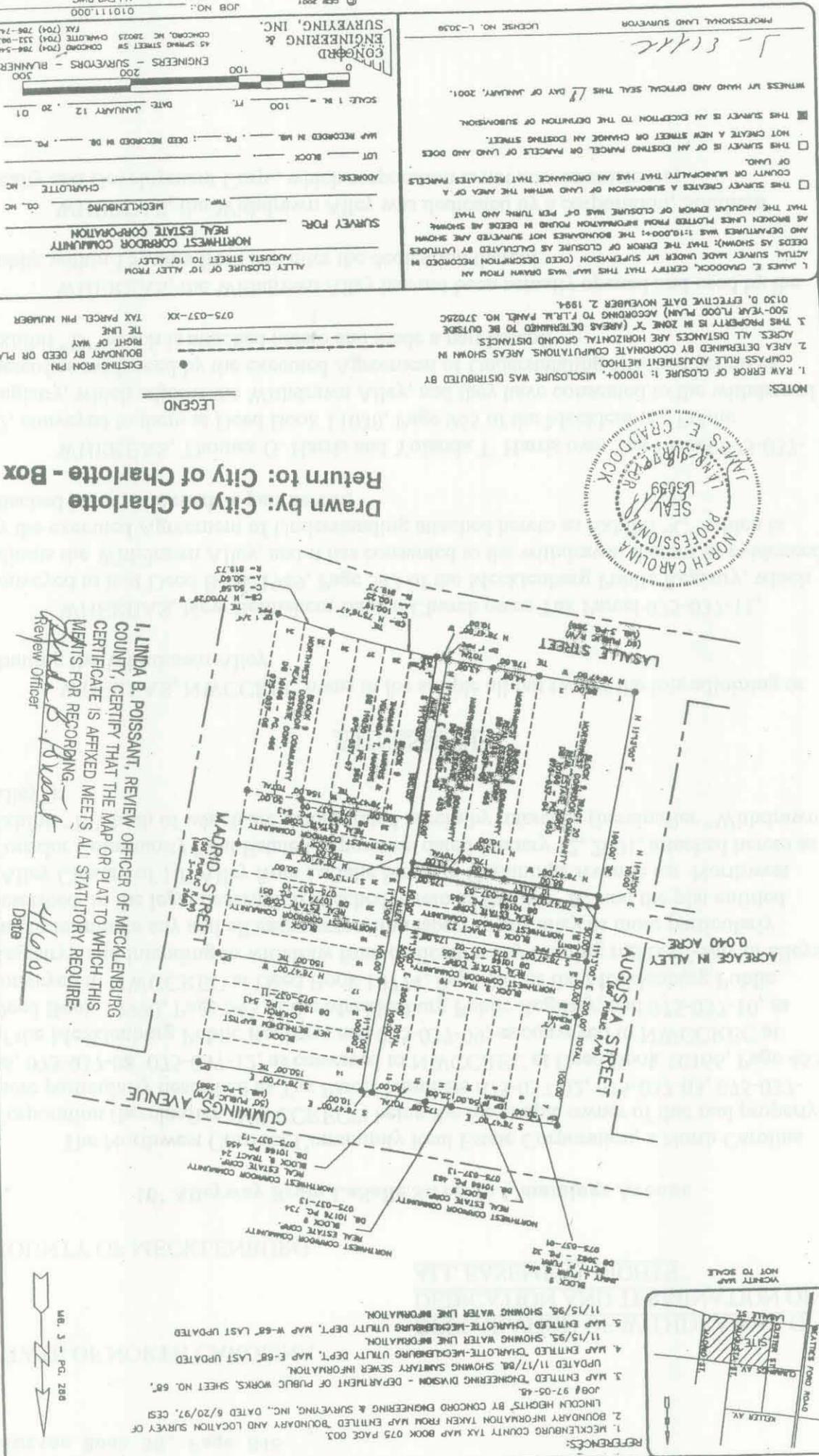
**Exhibit B**

**DECLARATION OF WITHDRAWAL OF DEDICATION AND  
TERMINATION OF ALL EASEMENT RIGHTS**

Alleyway from Augusta Street to 10' Alleyway

**SURVEY FOR NORTHWEST CORRIDOR COMMUNITY REAL ESTATE CORPORATION  
DATED JANUARY 12, 2001**

(SEE ATTACHED)



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

I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 Linda B. Poissant  
 Review Officer  
 Date: 4/6/01

MB. 3 - PG. 208

ALLEY CLOSURE OF 10' ALLEY FROM AUGUSTA STREET TO 10' ALLEY  
 NORTHWEST CORNER COMMUNITY REAL ESTATE CORPORATION  
 SURVEY FOR:  
 MECKLENBURG CO. NC  
 CHA-LOTTE  
 ADDRESS: \_\_\_\_\_  
 LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_  
 MAP RECORDED IN B.L. PG. \_\_\_\_\_ DEED RECORDED IN B.L. PG. \_\_\_\_\_  
 DATE: JANUARY 12, 2001  
 SCALE: 1" = 100' FT.  
 CONCORD ENGINEERING & SURVEYING, INC.  
 45 SPYGLASS STREET SE CONCORD, NC 28025  
 TEL (704) 323-8834 FAX (704) 786-7454  
 ENGINEERS - SURVEYORS - PLANNERS

PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. L-3039  
 J. E. CRADDOCK  
 I, JAMES E. CRADDOCK, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEEDS AS SHOWN); THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES WAS 1:10000+; THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEEDS AND SHOWN THAT THE ANGULAR ERROR OF CLOSURE WAS 0' PER TURN, AND THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.  
 THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.  
 THIS SURVEY IS AN EXCEPTION TO THE DEFINITION OF SUBDIVISION.  
 WITNESS MY HAND AND OFFICIAL SEAL THIS 11 DAY OF JANUARY, 2001.

NOTES:  
 1. RAW ERROR OF CLOSURE IS 1:10000+. MIS-CLOSURE WAS DISTRIBUTED BY COMPASS RULE ADJUSTMENT METHOD.  
 2. AREA DETERMINED BY COORDINATE COMPUTATIONS. AREAS SHOWN IN ACRES. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.  
 3. THIS PROPERTY IS IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN) ACCORDING TO F.L.R.M. PANEL NO. 370250  
 0130 D, EFFECTIVE DATE NOVEMBER 2, 1994.



- REFERENCES:
1. MECKLENBURG COUNTY TAX MAP BOOK 075 PAGE 003.
  2. BOUNDARY INFORMATION TAKEN FROM MAP ENTITLED "BOUNDARY AND LOCATION SURVEY OF LINCOLN HEIGHTS" BY CONCORD ENGINEERING & SURVEYING, INC., DATED 6/20/97, CES JOB# 97-05-45.
  3. MAP ENTITLED "ENGINEERING DIVISION - DEPARTMENT OF PUBLIC WORKS, SHEET NO. 68", UPDATED 11/17/94, SHOWING SANITARY SEWER INFORMATION.
  4. MAP ENTITLED "CHARLOTTE-MECKLENBURG UTILITY DEPT., MAP E-68" LAST UPDATED 11/15/95, SHOWING WATER LINE INFORMATION.
  5. MAP ENTITLED "CHARLOTTE-MECKLENBURG UTILITY DEPT., MAP W-68" LAST UPDATED 11/15/95, SHOWING WATER LINE INFORMATION.
  6. 11/15/95, SHOWING WATER LINE INFORMATION.

STATE OF NORTH CAROLINA

DECLARATION OF WITHDRAWAL OF  
DEDICATION AND TERMINATION OF  
ALL EASEMENT RIGHTS

COUNTY OF MECKLENBURG

**10' Alleyway From LaSalle Street to Cummings Avenue**

The Northwest Corridor Community Real Estate Corporation, a North Carolina Corporation (hereinafter "NWCCREC") being the fee simple owner of that real property more particularly described as Tax Parcel Numbers 075-037-02, 075-037-03, 075-037-06, 075-037-08, 075-037-12, as conveyed to NWCCREC at Deed Book 10166, Page 455 of the Mecklenburg Public Registry; and 075-037-09, as conveyed to NWCCREC at Deed Book 10990, Page 543 of the Mecklenburg Public Registry; and 075-037-10, as conveyed to NWCCREC at Deed Book 10774, Page 051 of the Mecklenburg Public Registry; and intending to withdraw from dedication any existing rights-of-way or alleys and to terminate any and all easements with respect to any alley as more particularly described in the legal description attached hereto as Exhibit "A" and the plat entitled "Alley Closure of 10' Alley from LaSalle Street to Cummings Avenue for Northwest Corridor Community Real Estate Corporation dated January 12, 2001, attached hereto as Exhibit "B", both of which are incorporated herein by reference (hereinafter "Withdrawn Alley").

WITNESSETH:

WHEREAS, NWCCREC owns in fee simple all but two of the lots adjoining or abutting the Withdrawn Alley;

WHEREAS, New Bethlehem Baptist Church owns Tax Parcel 075-037-11, conveyed to it at Deed Book 1989, Page 543 of the Mecklenburg Public Registry, which adjoins the Withdrawn Alley, and it has consented to the withdrawal thereof as evidenced by the executed Agreement of Understanding attached hereto as Exhibit "C" which is attached hereto and made a part hereof;

WHEREAS, Thomas G. Harris and Yolanda T. Harris own Tax Parcel 075-037-07, conveyed to them at Deed Book 11030, Page 965 of the Mecklenburg Public Registry, which adjoins the Withdrawn Alley, and they have consented to the withdrawal thereof as evidenced by the executed Agreement of Understanding attached hereto as Exhibit "D" which is attached hereto and made a part hereof;

WHEREAS, the Withdrawn Alley has not been actually opened and used by the public within 15 years from and after the dedication thereof;

WHEREAS, the Withdrawn Alley was dedicated by a corporation, Southern Realty and Development Corp., which corporation is not now in existence;

WHEREAS, the Withdrawn Alley is not part of a future street shown on the street plan adopted pursuant to N.C. Gen. Stat. 136-66.2;

WHEREAS, the closing of said Withdrawn Alley will allow NWCCREC to use said Withdrawn Alley as part of an overall development plan incorporating adjacent properties, and the overall development plan would not be possible without this alleyway abandonment;

WHEREAS, the closing of said Withdrawn Alley is not contrary to the public interest; and

WHEREAS, no individual, partnership or corporation owning property in the vicinity of said Withdrawn Alley will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing;

NOW THEREFORE, NWCCREC, pursuant to the provisions of N.C. Gen. Stat. 136-96, hereby declares as follows:

Any dedication of the Withdrawn Alley for public use is hereby declared and shall hereafter be conclusively presumed withdrawn from any public use for which it may have been dedicated and no person, partnership or corporation shall have any right, or cause of action hereafter to enforce any public or private easement therein.

As the owners of the fee simple interest in and to property adjacent to and abutting the Withdrawn Alley, NWCCREC, with New Bethlehem Baptist Church and Thomas G. Harris and Yolanda T. Harris consenting, does hereby declare terminated and withdrawn from dedication and all rights-of-way, easements or other rights whatsoever arising, directly or indirectly, out of the Withdrawn Alley.

IN WITNESS WHEREOF, NWCCREC has caused this instrument to be executed under seal on this \_\_\_\_ day of February, 2001.

NORTHWEST CORRIDOR  
COMMUNITY REAL  
ESTATE CORPORATION

By: Stuart K. Washington  
Title: Executive Director

ATTEST:

Rawan Tohi  
Secretary or  
Assistant Secretary

[Corporate Seal]

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I, Brenda B. McMoore, a Notary Public of the County and State aforesaid, certify that Lawrence Toliver, personally appeared before me this day and acknowledged that he/she is Secretary/Assistant Secretary of Northwest Corridor Community Real Estate Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by him/her as its Secretary/Assistant Secretary.

Witness my hand and official stamp or seal, this 8<sup>th</sup> day of February, 2001.

Brenda B. McMoore  
Notary Public

My Commission Expires: 09/16/2004

**Exhibit A**

DECLARATION OF WITHDRAWAL OF DEDICATION AND  
TERMINATION OF ALL EASEMENT RIGHTS

10' Alleyway From LaSalle Street to Cummings Avenue

LEGAL DESCRIPTION

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

Beginning at an existing iron pin on the existing 60' public right of way of LaSalle Street, said pin being N 78° 47' 00" W 175.00 feet from an existing iron pin at the intersection of the right of ways of Augusta Street and LaSalle Street.

Thence with the Northwest Corridor Community Real Estate Corp N 11° 13' 00" E 190.00' to an existing iron pin in the line of an existing 10' alley.

Thence with the line of the existing 10' alley N 11° 13' 00" E 10.00' to an existing iron pin in the line of an existing 10' alley, an existing corner of Northwest Corridor Community Real Estate Corp.

Thence with the line of Northwest Corridor Community Real Estate Corp. N 11° 13' 00" E 200.00' to an existing iron pin in the right of way of Cummings Avenue.

Thence with the line of the existing 50' public right of way of Cummings Avenue S 78° 47' 00" E 10.00' to an existing iron pin a corner of Northwest Corridor Community Real Estate Corp.

Thence with the line of the Northwest Corridor Community Real Estate Corp S 11° 13' 00" W 400.00' (passing existing iron pins at 100.00', 200.00', and 250.00') to an existing iron pin on the right of way of LaSalle Street.

Thence with the 60' public right of way of LaSalle N 78° 47' 00" W 10.00' to the point and place of beginning containing 0.091 acres and shown on the plat entitled "Alley Closure of 10' Alley from LaSalle Street to Cummings Avenue Survey for Northwest Corridor Community Real Estate Corp. by Concord Engineering and Surveying, Inc., dated January 12, 2001.

**Exhibit B**

**DECLARATION OF WITHDRAWAL OF DEDICATION AND  
TERMINATION OF ALL EASEMENT RIGHTS**

**10' Alleyway From LaSalle Street to Cummings Avenue**

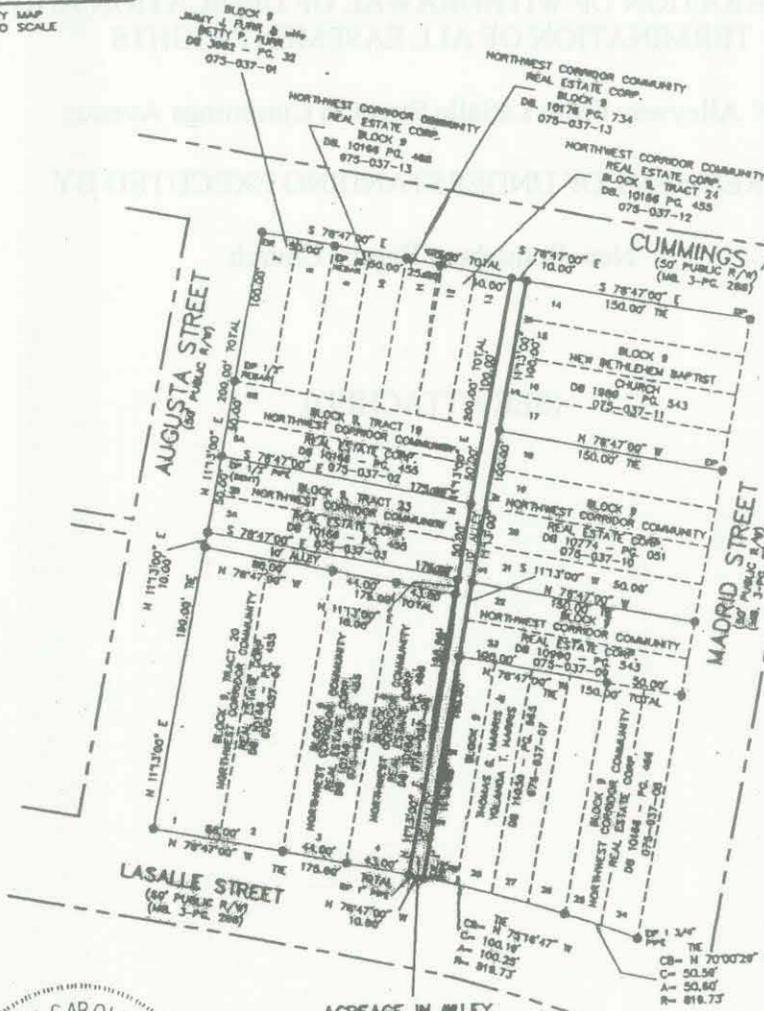
**SURVEY FOR NORTHWEST CORRIDOR COMMUNITY REAL ESTATE CORPORATION  
DATED JANUARY 12, 2001**

**(SEE ATTACHED)**



REFERENCES:

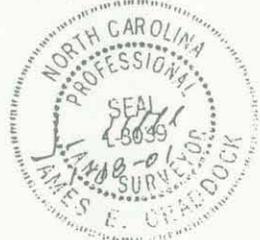
1. MECKLENBURG COUNTY TAX MAP BOOK 075 PAGE 003.
2. BOUNDARY INFORMATION TAKEN FROM MAP ENTITLED "BOUNDARY AND LOCATION SURVEY OF LINCOLN HEIGHTS" BY CONCORD ENGINEERING & SURVEYING, INC., DATED 6/20/97, CES JOB# 97-05-48.
3. MAP ENTITLED "ENGINEERING DIVISION - DEPARTMENT OF PUBLIC WORKS, SHEET NO. 68", UPDATED 11/17/88, SHOWING SUMMARY SEWER INFORMATION.
4. MAP ENTITLED "CHARLOTTE-MECKLENBURG UTILITY DEPT. MAP E-68" LAST UPDATED 11/15/95, SHOWING WATER LINE INFORMATION.
5. MAP ENTITLED "CHARLOTTE-MECKLENBURG UTILITY DEPT. MAP W-68" LAST UPDATED 11/15/95, SHOWING WATER LINE INFORMATION.



I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

*Linda B. Poissant*  
Review Officer

4/6/01  
Date



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

NOTES:

1. RAW ERROR OF CLOSURE 1: 10000+, MIS-CLOSURE WAS DISTRIBUTED BY COMPASS RULE ADJUSTMENT METHOD.
2. AREA DETERMINED BY COORDINATE COMPUTATIONS. AREAS SHOWN IN ACRES. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
3. THIS PROPERTY IS IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 300-YEAR FLOOD PLAIN) ACCORDING TO F.I.R.M. PANEL NO. 37025C 0130 D, EFFECTIVE DATE NOVEMBER 2, 1994.

LEGEND

- EXISTING IRON PIN BOUNDARY BY DEED OR PLAT
- RIGHT OF WAY
- THE LINE
- TAX PARCEL PIN NUMBER

I, JAMES E. CRADDOCK, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEEDS AS SHOWN); THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES WAS 1:10,000+; THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEEDS AS SHOWN; THAT THE ANGULAR ERROR OF CLOSURE WAS 04" PER TURN; AND THAT

THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

THIS SURVEY IS AN EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY HAND AND OFFICIAL SEAL THIS 18<sup>th</sup> DAY OF JANUARY, 2001.

*J. Craddock*  
PROFESSIONAL LAND SURVEYOR LICENSE NO. L-3039

ALLEY CLOSURE OF 10' ALLEY FROM LASALLE STREET TO CUMMINGS AVENUE

SURVEY FOR: NORTHWEST CORRIDOR COMMUNITY REAL ESTATE CORPORATION

TWP. \_\_\_\_\_ MECKLENBURG CO., NC  
ADDRESS: \_\_\_\_\_ CHARLOTTE, NC

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_

MAP RECORDED IN MB. \_\_\_\_\_ PG. \_\_\_\_\_; DEED RECORDED IN DE. \_\_\_\_\_ PG. \_\_\_\_\_

SCALE: 1 IN. = 100 FT. DATE: JANUARY 12, 20 01

CONCORD ENGINEERING & SURVEYING, INC.  
45 SPRING STREET SW CONCORD (704) 788-5404  
CONCORD, NC 28025 CHARLOTTE (704) 332-9834  
FAX (704) 788-7454

JOB NO.: 010111.000  
ACAD FILE: ALLEY1.DWG



**RIGHT OF WAY ABANDONMENT**

**AGREEMENT OF UNDERSTANDING**

The following property owner has a parcel or parcels that adjoin the public right-of-way known as a portion of the 10-foot alleyway running between Cummings Avenue and Lasalle Street, all within the block bounded by Augusta Street, Cummings Avenue, Madrid Street and Lasalle Street in the City of Charlotte, Mecklenburg County, North Carolina. The owner hereby indicates, by signature, that he agrees with the proposal to abandon that right-of-way. The owner further understands that once abandoned, a portion of that right-of-way becomes the owner's property. The owner will then be responsible for maintenance and any additional property taxes that may result from the increase in the size of the owner's original parcel.

I understand the statement above and agree with the proposed abandonment.

Tax Parcel No.: 075-037-11  
Legal Description: L14-17 B9 M3-309



Rev. B. R. Moore  
New Bethlehem Baptist Church

**Exhibit D**

**DECLARATION OF WITHDRAWAL OF DEDICATION AND  
TERMINATION OF ALL EASEMENT RIGHTS**

10' Alleyway From LaSalle Street to Cummings Avenue

**AGREEMENT OF UNDERSTANDING EXECUTED BY**

**Mr. Herman G. Thomas and Mrs. Yolanda T. Thomas**

**(SEE ATTACHED)**

*[Faint signature and illegible text]*

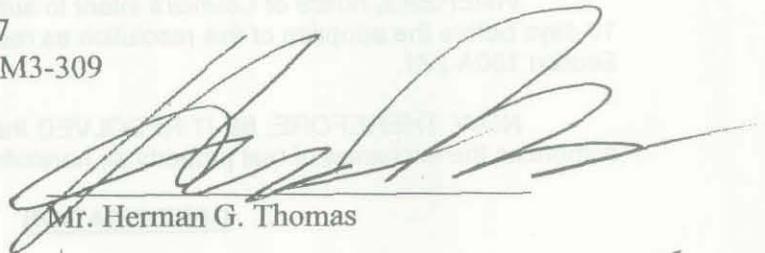
**RIGHT OF WAY ABANDONMENT**

**AGREEMENT OF UNDERSTANDING**

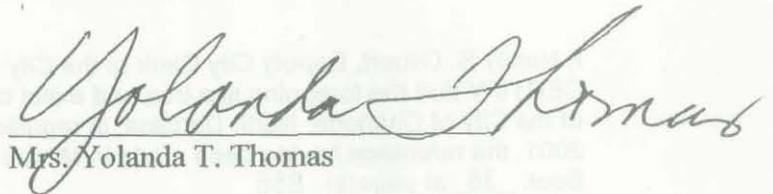
The following property owner has a parcel or parcels that adjoin the public right-of-way known as a portion of the 10-foot alleyway running between Cummings Avenue and Lasalle Street, all within the block bounded by Augusta Street, Cummings Avenue, Madrid Street and Lasalle Street in the City of Charlotte, Mecklenburg County, North Carolina. The owner hereby indicates, by signature, that he agrees with the proposal to abandon that right-of-way. The owner further understands that once abandoned, a portion of that right-of-way becomes the owner's property. The owner will then be responsible for maintenance and any additional property taxes that may result from the increase in the size of the owner's original parcel.

I understand the statement above and agree with the proposed abandonment.

Tax Parcel No.: 075-037-07  
Legal Description: L26-29 B9 M3-309



Mr. Herman G. Thomas



Mrs. Yolanda T. Thomas

RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROPERTY BELONGING  
TO THE CITY OF CHARLOTTE FOR OTHER REAL PROPERTY BELONGING TO IAC  
CHARLOTTE - YAB L.L.C.

WHEREAS, the City of Charlotte owns two parcels of real property, totaling 2.7115 acres and valued at \$271,150. The first tract is 2.6439 acres at the northeast corner of Belle Oaks Drive and Whippoorwill Drive. It is Tax Parcels 141-054-05, -06, and a portion of -07. The second tract is .0676 acres located on the north side of the proposed Oak Lake Blvd. extension. It is a portion of Tax Parcel 141-054-01; and

WHEREAS, IAC CHARLOTTE- YAB L.L.C. owns four tracts, totaling 2.7115 acres and valued at \$280,856. The first two tracts total .2473 and are on the southeast corner of Belle Oaks Drive and Byrum Drive. They are a portion of Tax Parcel 141-054-01. The third tract is 2.0129 acres south of the proposed Oak Lake Blvd. Extension. It is Tax Parcel 141-054-29. The fourth tract is .4513 acres, generally north of the proposed Oak Lake Blvd. Extension, and is a portion of Tax Parcel 141-054-14; and

WHEREAS, the City desires to exchange its property, which has been appraised by an MAI Appraiser as having a value of \$271,150, for the property owned by IAC CHARLOTTE - YAB L.L.C., which has been appraised by an MAI Appraiser as having a value of \$280,856; and

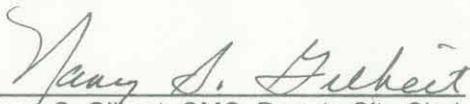
WHEREAS, notice of Council's intent to authorize the exchange was published at least 10 days before the adoption of this resolution as required by North Carolina General Statute Section 160A-271.

NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby authorizes the exchange of real property as heretofore described.

CERTIFICATION

I, Nancy S. Gilbert, 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 March, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36 at page(s) 856.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

  
Nancy S. Gilbert, CMC, Deputy 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 **OLD STATESVILLE ROAD WIDENING 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 **OLD STATESVILLE ROAD WIDENING PROJECT** and estimated to be approximately **21,736 square feet (0.499 acre) for fee-simple**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 043-088-11, said property currently owned by **LLOYD WAYNE WILLIAMS and spouse, if any; WILLIAM D. BLAIR, Trustee; ESTATE OF ALMEDA EVERHART WILLIAMS; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

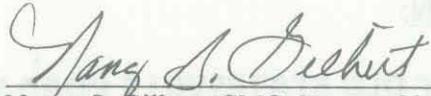
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Nancy S. Gilbert, 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 March, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 36, Page(s) 857-858.

**WITNESS** my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.



Nancy S. Gilbert, CMC, Deputy City Clerk

RESOLUTION CLOSING A PORTION OF GREENWOOD 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 portion of Greenwood 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 portion of Greenwood 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 Charlotte-Mecklenburg Utilities and BellSouth Telecommunications, Inc. to maintain their proposed facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 26th day of March, 2001, and City Council determined that the closing of the portion of Greenwood 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.

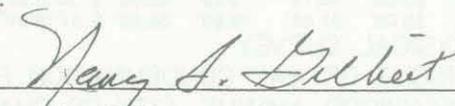
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of March 26, 2001, that the Council hereby orders the closing of the portion of Greenwood Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a 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, Nancy S. Gilbert, <sup>Deputy</sup> 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 March, 2001, the reference having been made in Minute book 116, and recorded in full in resolution book 36, page(s) 859-861.

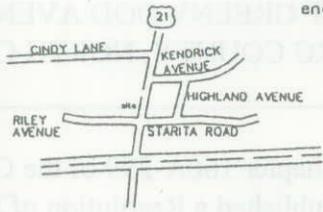
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

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

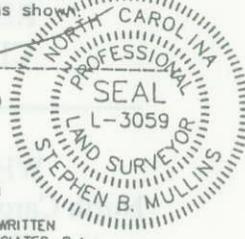
MECKLENBURG COUNTY, NC  
REGISTER OF DEEDS  
2001 APR 18 09:09 AM  
BOOK 12122 PAGE 859-866 FEE \$10.00  
INSTRUMENT # 2001057309

VICINITY MAP



I Stephen B. Mullins, certify that on the 10th Day of JANUARY 2001, this map was drawn under my supervision from an actual survey made under my supervision; that this survey was performed to Class A Urban Land Survey Standards; that the ratio of precision is 1:10,000, and there are no encroachments either way across property lines except as shown.

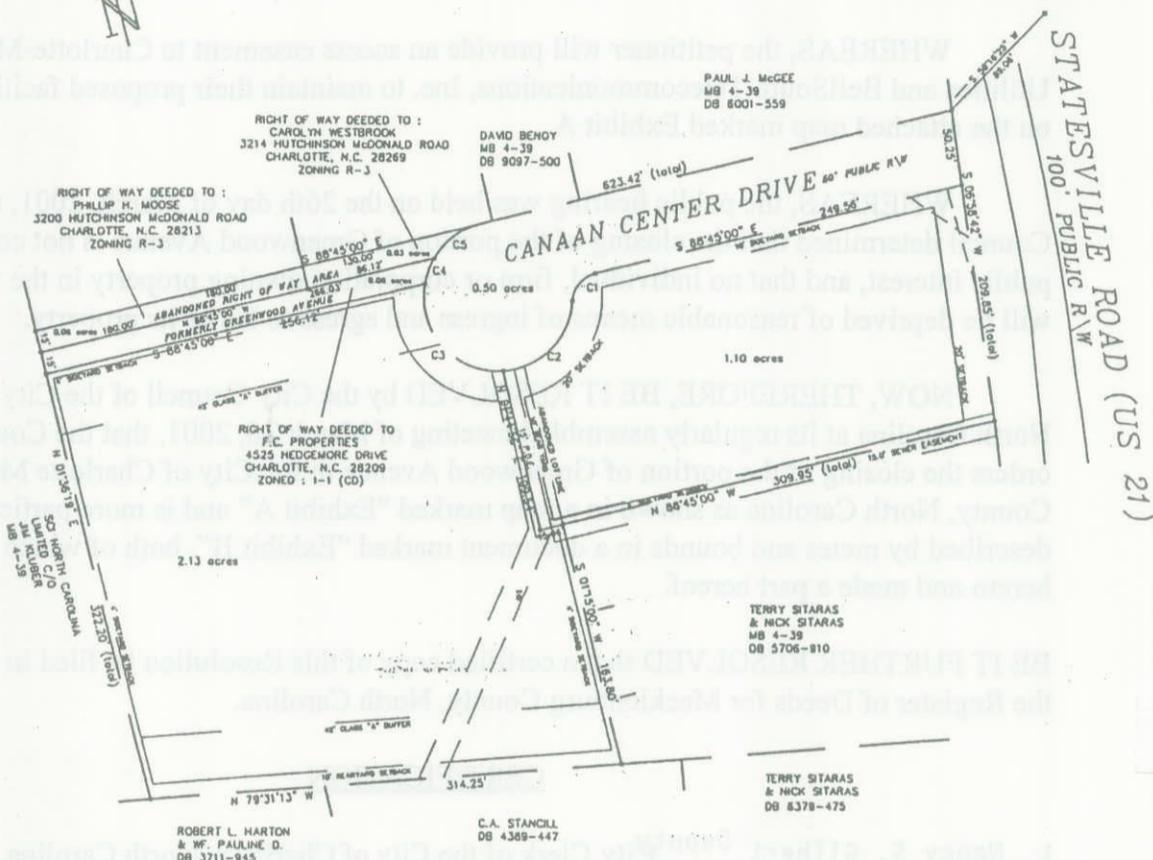
SIGNED  
STEPHEN B. MULLINS PLS  
N.C.P.L.S. L-3059 S.C.R.L.S. 10780



STEPHEN B. MULLINS AND ASSOCIATES, P.A.  
HEREBY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THIS DRAWING. THIS DRAWING IS NOT TO BE COPIED IN ANY FORM WHATSOEVER. IT IS NOT TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING EXPRESS WRITTEN PERMISSION FROM STEPHEN B. MULLINS AND ASSOCIATES, P.A.

"Easement in favor of Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., and all other owners of existing underground telecommunications facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cables, wires, water lines, and related equipment."

NGCS MONUMENT "BELK"  
NORTH 561910.450  
EAST 1452582.081  
NAO 83 SCALE FACTOR = 0.9998727



I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
Date 4/6/01  
Linda B. Poissant  
Review Officer

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

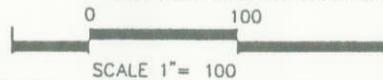
The subject property is not located within a Special Flood Hazard Area according to Flood Insurance Rate Map.  
Community Panel No. 370158-0080B

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	25.61'	14.90'	23.90'	S 54°34'01" W	73°21'58"
C2	50.00'	72.36'	44.17'	66.21'	N 59°20'36" E	82°55'08"
C3	50.00'	90.74'	63.97'	78.79'	S 27°12'29" E	103°58'42"
C4	50.00'	18.18'	9.19'	18.08'	S 35°11'56" W	20°50'08"
C5	50.00'	37.88'	19.90'	36.98'	S 67°19'09" W	43°24'19"

LEGEND

- P.D.E. PUBLIC DRAINAGE EASEMENT
- EIP EXISTING IRON PIPE
- OHPL OVERHEAD POWER LINE
- CM CONCRETE MONUMENT
- PPOLE POWER POLE
- TRF TRANSFORMER
- PHONE TELEPHONE BOX
- NRB NEW REBAR
- ERB EXISTING REBAR
- ERB-BC ERB AT BC
- FENCE FENCE LINE
- LPOLE LIGHT POLE
- MH MANHOLE
- CATV CABLE TV BOX

DRAWN BY: RCW  
AREA COMPUTED BY COORDINATE METHOD



PHYSICAL SURVEY

A RIGHT OF WAY CONDEMNATION PLAT OF GREENWOOD AVENUE, CITY OF CHARLOTTE MECKLENBURG CO., NORTH CAROLINA

STREET ADDRESS: CANAAN CENTER DRIVE  
TAX PIN: 041-071-09,44,45,45,47,48  
OWNED BY: GREG FINNEGAN  
CONVEYED TO: N/A  
RECORDED IN MAP BOOK N/A PAGE N/A

PREPARED BY:  
STEPHEN B. MULLINS AND ASSOCIATES, P.A.  
REGISTERED LAND SURVEYORS

3126 MILTON RD. SUITE 222A  
CHARLOTTE N.C. 28215

(704)563-0566

01019

DEED BOOK 8870 PAGE 689

"Exhibit B"

To reach the BEGINNING POINT, start at a point which is located on or near the margin of Statesville Road and on the northerly margin of the right-of-way of Greenwood Avenue as the same is shown on a plat of Jennings Place Subdivision recorded in Map Book 4 at Page 39 in the Mecklenburg County Public Registry which point is also located S. 58-16-25 W. 89.06 feet from NCGS Monument "BELK"; Thence with the aforesaid northerly margin of the right-of-way of Greenwood Avenue N. 88-45-00 W. 313.42 feet to the point and place of BEGINNING; thence continuing with the aforesaid northerly margin of the right-of-way of Greenwood Avenue N. 88-45-00 W. 310.00 feet to a point; thence S. 01-36-19 W. 30.0 feet to a point on the southerly margin of the right of way of the aforesaid Greenwood Avenue; thence with the southerly margin of the right-of-way of the aforesaid Greenwood Avenue S. 88-45-00 E. 256.12 feet to a point; thence with the arc of a circular curve to the left having a radius of 50.00 feet an arc distance of 56.06 feet (chord bearing N. 56-45-05 E., chord distance 53.17 feet) to a point; thence with the arc of a circular curve to the left having a radius of 50.00 feet an arc distance of 37.88 feet (chord bearing N. 67-19-09 E., chord distance 36.98 feet) to the point and place of BEGINNING.

BE IT HEREBY 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, \_\_\_\_\_, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the \_\_\_\_\_ day of \_\_\_\_\_, 2001, the reference having been made in Minutes Book \_\_\_\_\_ and recorded in Plat in Mecklenburg Book \_\_\_\_\_.

WITNESSE MY HAND and the corporate seal of the City of Charlotte, North Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 2001.



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

RESOLUTION CLOSING A PORTION OF LAURA DRIVE IN THE  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2001 APR 18 09:09 AM  
BOOK 12122 PAGE 884 FEE \$110.00  
INSTRUMENT # 2001057307

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 Laura Drive 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 Laura Drive 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 Duke Power Company and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 26th day of March, 2001, and City Council determined that the closing of a portion of Laura Drive 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 March 26, 2001, that the Council hereby orders the closing of a portion of Laura Drive in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a 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

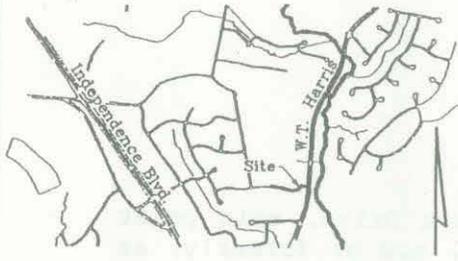
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of March, 2001, the reference having been made in Minute book 116, and recorded in full in resolution book 36, page(s) 862-864.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC Deputy City Clerk



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

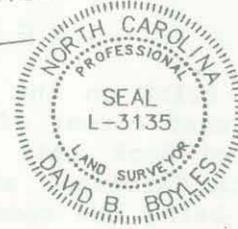


Vicinity Map Not to Scale

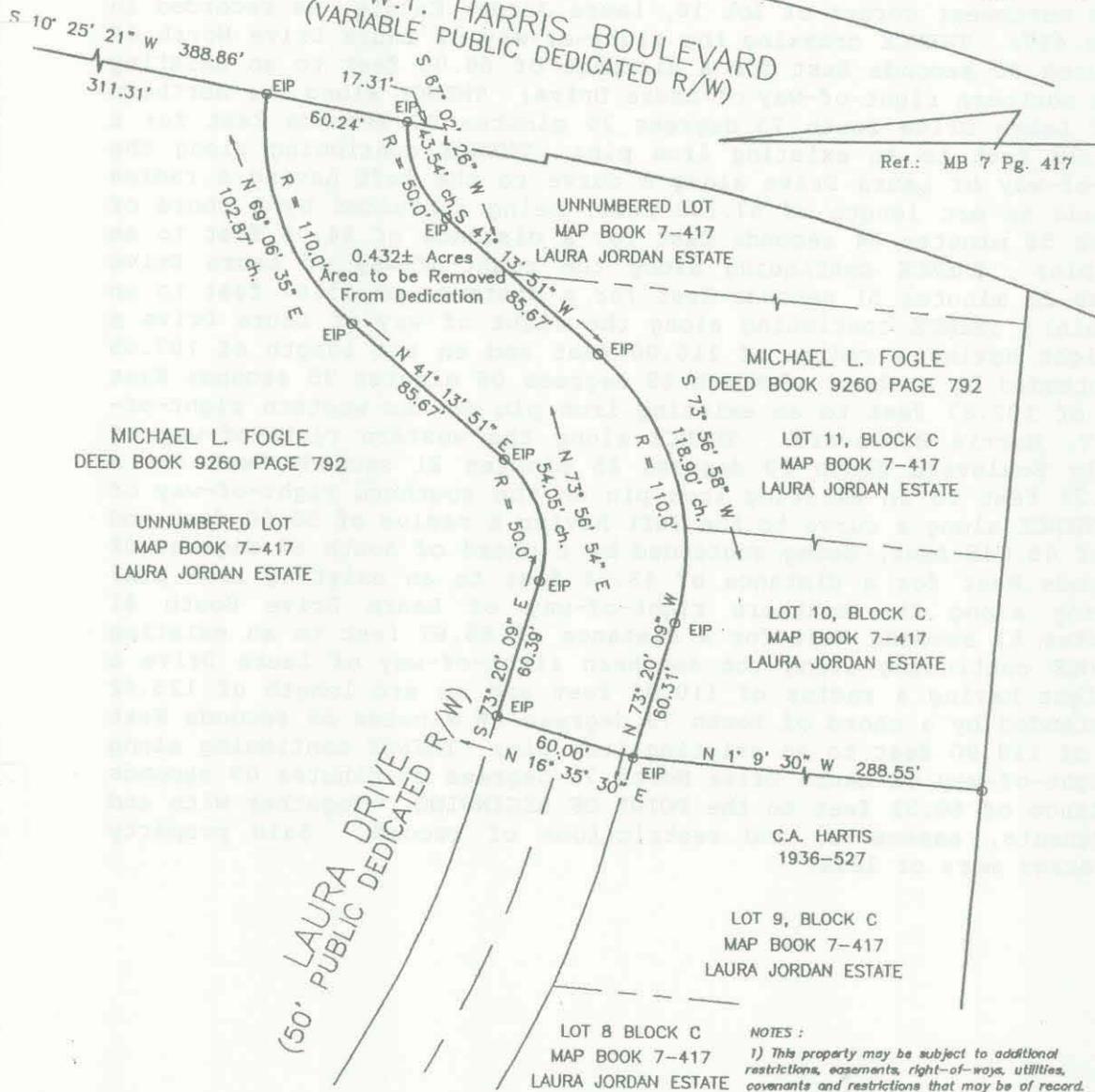
I DAVID B. BOYLES CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THE RATIO OF PRECISION AS CALCULATED IS 1 / 10,000 ± I HEREBY AFFIX MY HAND AND SEAL THIS 10th DAY OF JULY, 2000.

*David B. Boyles*

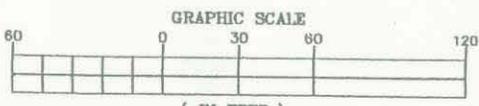
REGISTRATION NO. L-3135 N.C.



**EAST W.T. HARRIS BOULEVARD  
(VARIABLE PUBLIC DEDICATED R/W)**



Ref.: MB 7 Pg. 417



- NOTES:
- 1) This property may be subject to additional restrictions, easements, right-of-ways, utilities, covenants and restrictions that may be of record.
  - 2) Laura Drive R/W Information based upon Survey map by R.B. Pharr & Assoc. dated 9/16/97 and record map of Laura Jordan Est., MB 7 Pg. 417.
  - 3) Iron pins Set or Found at all corners unless otherwise noted.
  - 4) This plot does not comply with G.S.47-30 and is not for recording.
  - 5) This map has not been reviewed by a local government agency for compliance with any applicable land development regulations.
  - 6) Total Area=0.432± acres

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

PROJECT NUMBER: 4100061

EXHIBIT A  
Laura Drive  
Charlotte, North Carolina

**LandDesign Surveying, Inc.**  
1700 EAST BOULEVARD, CHARLOTTE, NORTH CAROLINA 28203  
PHONE (704) 337-8328 FAX (704) 376-8235

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS STATEMENT IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

*Linda B. Poissant*  
Review Officer

*07/10/01*  
Date

EXHIBIT B  
LEGAL DESCRIPTION

BEGINNING AT A POINT on the southern right-of-way of Laura Drive, said point being the northeast corner of the property of C.A. Harris, now or formerly, as recorded in Deed Book 1936 Page 527, Mecklenberg County Register of Deeds, Charlotte, North Carolina, and the northwest corner of the property of Mike Fogle and also being the common corner between the northeast corner of Lot 9, Block C and the northwest corner of Lot 10, Laura Jordan Estate, as recorded in Map Book 7 Page 417; THENCE crossing the right-of-way of Laura Drive North 16 degrees 35 minutes 30 seconds East for a distance of 60.00 feet to an existing iron pin in the northern right-of-way of Laura Drive; THENCE along the northern right-of-way of Laura Drive South 73 degrees 20 minutes 09 seconds East for a distance of 60.39 feet to an existing iron pin; THENCE continuing along the northern right-of-way of Laura Drive along a curve to the left having a radius of 50.00 feet and an arc length of 57.100 feet, being subtended by a chord of North 73 degrees 56 minutes 54 seconds East for a distance of 54.05 feet to an existing iron pin; THENCE continuing along the right-of-way of Laura Drive North 41 degrees 13 minutes 51 seconds East for a distance of 85.67 feet to an existing iron pin; THENCE continuing along the right of way of Laura Drive a curve to the right having a radius of 110.00 feet and an arc length of 107.05 feet, being subtended by a chord of North 69 degrees 06 minutes 35 seconds East for a distance of 102.87 feet to an existing iron pin on the western right-of-way of East W.T. Harris Boulevard; THENCE along the western right-of-way of East W.T. Harris Boulevard South 10 degrees 25 minutes 21 seconds West for a distance of 60.24 feet to an existing iron pin on the southern right-of-way of Laura Drive; THENCE along a curve to the left having a radius of 50.00 feet and an arc length of 45.046 feet, being subtended by a chord of South 67 degrees 02 minutes 26 seconds West for a distance of 43.54 feet to an existing iron pin; THENCE continuing along the southern right-of-way of Laura Drive South 41 degrees 13 minutes 51 seconds West for a distance of 85.67 feet to an existing iron pin; THENCE continuing along the southern right-of-way of Laura Drive a curve to the right having a radius of 110.00 feet and an arc length of 125.62 feet, being subtended by a chord of South 73 degrees 56 minutes 58 seconds West for a distance of 118.90 feet to an existing iron pin; THENCE continuing along the southern right-of-way of Laura Drive North 73 degrees 20 minutes 09 seconds West for a distance of 60.31 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements, and restrictions of record. Said property contains 0.432 acres more or less.

RESOLUTION CLOSING LENA AVENUE IN THE  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

FOR REGISTRATION JUDITH A GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2001 APR 18 09:09 AM  
BOOK 12122 PAGE 888-893 FEE \$12.00  
INSTRUMENT # 2001057308

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 Lena 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 Lena 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 BellSouth Telecommunications, Inc. and Duke Power Company to maintain their proposed facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 26th day of March, 2001, and City Council determined that the closing of Lena 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 March 26, 2001, that the Council hereby orders the closing of Lena Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a 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, Nancy S. Gilbert, <sup>Deputy</sup> 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 March, 2001, the reference having been made in Minute book 116, and recorded in full in resolution book 36, page(s) 865-868.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of March, 2001.

Nancy S. Gilbert, City Clerk



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

STATE OF NORTH CAROLINA

PETITION

COUNTY OF MECKLENBURG

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA

D. Ballard Homes, Inc. Respectfully files this Petition and request that (a portion or all of) Lena Avenue lying off Glenwood Drive North of Tuckaseegee Road as shown on the map attached hereto and made part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this Petition, your petitioner respectfully alleges that:

1. The purpose for the abandonment of this road is to create a residential subdivision with new street access off of adjoining Fairgrounds Street.
2. The closing of Lena Avenue in not contrary to public interest.
3. No individual, partnerships or corporation owning property in the vicinity of Lena Avenue, or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing. Petitioner will provide an easement to BellSouth Telecommunications, Inc, Duke Power Company and all other owners of existing underground telecommunications facilities to maintain their facilities as shown on the attached map marked "Exhibit A."
4. The street (or portion thereof) which petitioner requests be closed and abandoned is more particularly described by metes and bounds in "Exhibit B", attached hereto and made a part hereof.
5. The street (or portion thereof) requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance.

Wherefore, petitioner respectfully request the City Council of the City of Charlotte to consider this Petition and set the time for public hearing upon this matter as required by law.

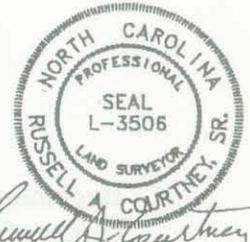
Respectfully submitted the 23<sup>rd</sup> day of August 21, 2000.



Signature of Petitioner  
Address: 4806 Hwy. 74 West  
Monroe, NC 28110  
Telephone: (704) 296-0272

**EXHIBIT "A"**

THE PURPOSE OF THIS MAP IS TO SHOW THE PORTION OF R/W FOR LENA AVENUE THAT IS TO BE CLOSED. THIS MAP IS NOT TO BE USED FOR SALES OR CONVEYANCE AND IS NOT INTENDED TO MEET THE REQUIREMENTS OF NC BOARD RULE .1600 (21 NCAC 56) OR NC GENERAL STATUTE 47-30.



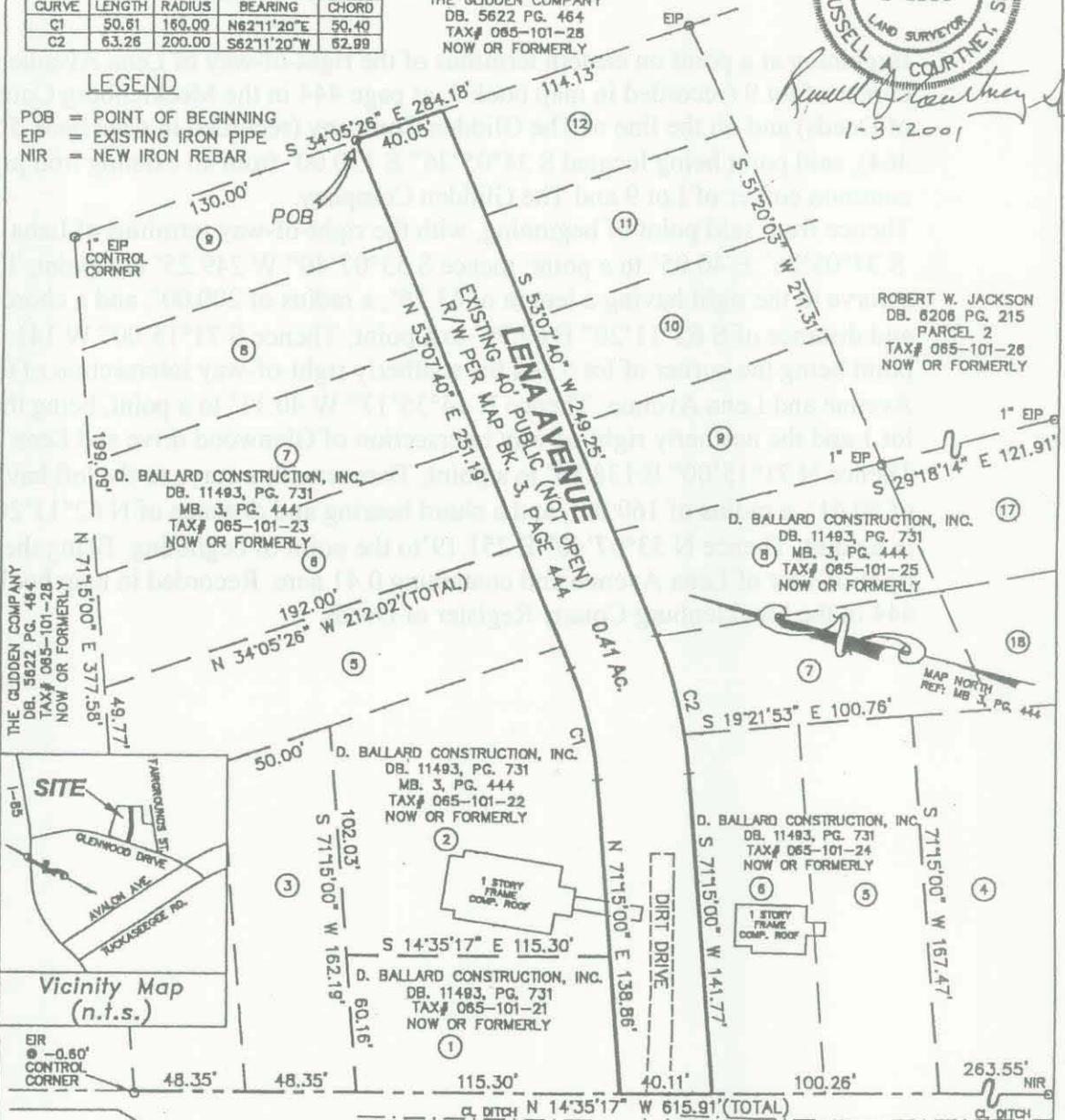
*Russell A. Courtney*  
 1-3-2001

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	50.61	160.00	N62°11'20"E	50.40
C2	63.26	200.00	S62°11'20"W	62.99

THE GLIDDEN COMPANY  
 DB. 5622 PG. 464  
 TAX# 065-101-28  
 NOW OR FORMERLY

**LEGEND**

POB = POINT OF BEGINNING  
 EIP = EXISTING IRON PIPE  
 NIR = NEW IRON REBAR



ROBERT W. JACKSON  
 DB. 6206 PG. 215  
 PARCEL 2  
 TAX# 065-101-26  
 NOW OR FORMERLY

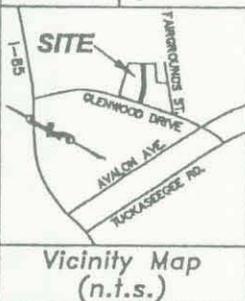
THE GLIDDEN COMPANY  
 DB. 5622 PG. 464  
 TAX# 065-101-28  
 NOW OR FORMERLY

192.00'  
 N 34°05'26" W 212.02'(TOTAL)

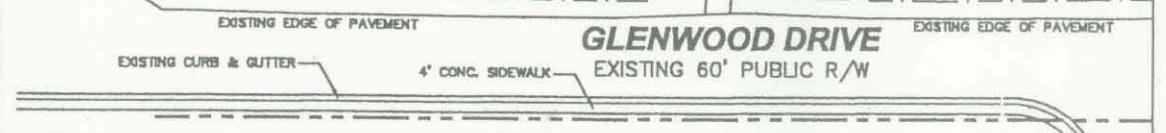
D. BALLARD CONSTRUCTION, INC.  
 DB. 11493, PG. 731  
 MB. 3, PG. 444  
 TAX# 065-101-22  
 NOW OR FORMERLY

D. BALLARD CONSTRUCTION, INC.  
 DB. 11493, PG. 731  
 TAX# 065-101-24  
 NOW OR FORMERLY

D. BALLARD CONSTRUCTION, INC.  
 DB. 11493, PG. 731  
 TAX# 065-101-21  
 NOW OR FORMERLY



EIR  
 @ -0.60'  
 CONTROL CORNER



SCALE: 1" = 60'

NOTE: EASEMENT IN FAVOR OF BELL SOUTH TELECOMMUNICATIONS, INC., DUKE POWER COMPANY 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 CONDUIT, CABLES, WIRES, AND RELATED EQUIPMENT.

**Russell Courtney & Associates**  
 LAND SURVEYING & DESIGN  
 RESIDENTIAL & COMMERCIAL

2110 ROCKY RIVER ROAD NORTH  
 MONROE, N.C. 28110

OFFICE (704) 292 - 1217  
 FAX (704) 296 - 9556

RUSSELL COURTNEY  
 RUSSELL WHITEHURST  
 DAN WOOTEN  
 JAMES HELMS

**MAP SHOWING**  
 OF  
**PROPOSED ABANDONMENT**  
 OF  
**LENA AVENUE RIGHT OF WAY**

TO BE DEEDED TO: D. BALLARD CONSTRUCTION, INC.

MAP REFERENCE IN BOOK 3 PAGE 444  
 DEED REFERENCE IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

*Linda B. Poissant*  
 Review Officer

4/16/01  
 Date

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

### EXHIBIT "B"

Beginning at a point on eastern terminus of the right-of-way of Lena Avenue and the corner of lot 9 (recorded in map book 3, at page 444 in the Mecklenburg County Register of Deeds) and on the line of The Glidden Company (recorded in deed book 5622, at page 464), said point being located S 34°05'26" E 130.00' from an existing iron pipe being the common corner of Lot 9 and The Glidden Company.

Thence from said point of beginning, with the right-of-way terminus of Lena Avenue S 34°05'26" E 40.05' to a point; thence S 53°07'40" W 249.25' to a point; Thence with a curve to the right having a length of 63.26', a radius of 200.00', and a chord bearing and distance of S 62°11'20" E 62.99' to a point; Thence S 71°15'00" W 141.77' to a point being the corner of lot 6 and the southerly right-of-way intersection of Glenwood Avenue and Lena Avenue; Thence N 14°35'17" W 40.11' to a point, being the corner of lot 1 and the northerly right-of-way intersection of Glenwood drive and Lena Avenue; Thence N 71°15'00" E 138.86' to a point, Thence with a curve to the left having a length of 50.61', a radius of 160.00', and a chord bearing and distance of N 62°11'20" E 50.40' to a point; Thence N 53°07'40" E 251.19' to the point of beginning. Being the entire right-of-way of Lena Avenue and containing 0.41 acre. Recorded in map book 3, at page 444 in the Mecklenburg County Register of Deeds.

