

RESOLUTION CLOSING A PORTION OF EDENBRIDGE LANE, VANDERHORN LAND, AND BANFIELD PLACE 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 Edenbridge Lane, Vanderhorn Lane, and Banfield Place 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 Edenbridge Lane, Vanderhorn Lane, and Banfield Place 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 Energy, AT&T, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached maps marked Exhibit A-1, A-2, and A-3; and

WHEREAS, the public hearing was held on the 8th day of March, 2010, and City Council determined that the closing of a portion of Edenbridge Lane, Vanderhorn Lane, and Banfield Place 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.

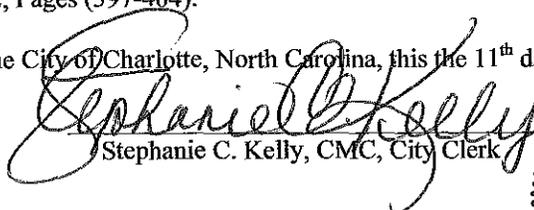
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of March 8, 2010, that the Council hereby orders the closing of a portion of Edenbridge Lane, Vanderhorn Lane, and Banfield Place in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A-1, A-2, and A-3", and is more particularly described by metes and bounds in documents marked "Exhibit B-1, B-2, and B-3", both of which are attached hereto and made a part hereof.

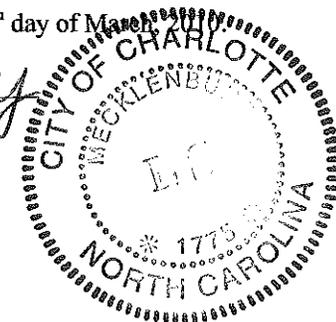
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (397-404).

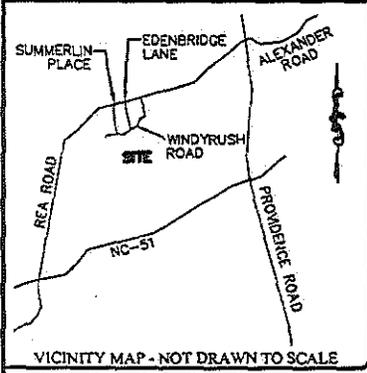
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



March 8, 2010

Resolution Book 12, Page 309



CURVE TABLE

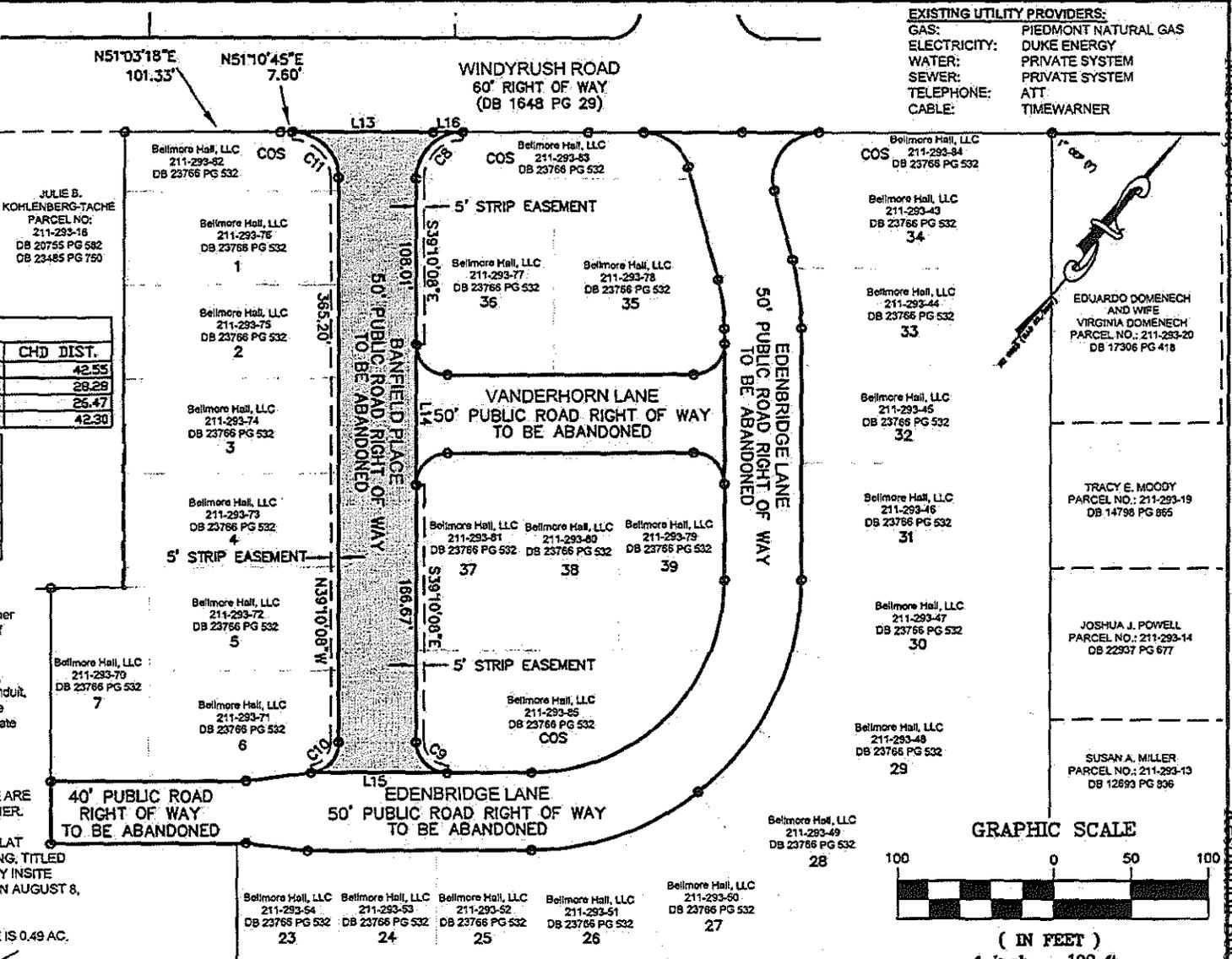
CURVE	LENGTH	RADIUS	CHD BRG	CHD DIST.
C8	47.30	30.00	S06°00'11"W	42.55
C9	31.42	20.00	S84°10'09"E	29.28
C10	28.93	20.00	N02°16'07"E	25.47
C11	46.94	30.00	N83°59'42"W	42.30

LINE TABLE

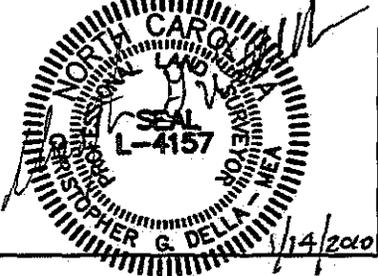
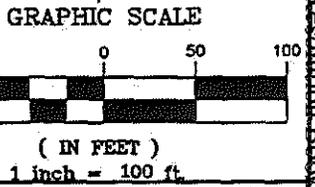
LINE	LENGTH	BEARING
L13	91.08	N51°10'45"E
L14	90.00	S39°10'08"E
L15	87.52	S51°02'03"W
L16	18.92	N51°10'29"E

EASEMENT NOTE:
Easement in favor of Duke Energy, AT&T, Time Warner Cable, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of gas lines, conduit, cable, wires, and related equipment. This includes the shaded region plus a 5' strip easement along the private road right of way as shown.

NOTES:
LOTS 1-7, 23-39, AND ALL COMMON OPEN SPACE ARE OWNED BY BELLMORE HALL, LLC, THE PETITIONER.
THIS MAP WAS DRAWN FROM THE RECORDED PLAT PREPARED BY INSITE ENGINEERING & SURVEYING, TITLED "BELLMORE HALL PHASE 1 MAP 1", PREPARED BY INSITE ENGINEERING & SURVEYING, AND RECORDED ON AUGUST 8, 2008 IN MAP BOOK 50, PAGE 707.
AREA OF RIGHT OF WAY FOR BANEFIELD PLACE IS 0.49 AC.



EXISTING UTILITY PROVIDERS:
GAS: PIEDMONT NATURAL GAS
ELECTRICITY: DUKE ENERGY
WATER: PRIVATE SYSTEM
SEWER: PRIVATE SYSTEM
TELEPHONE: ATT
CABLE: TIMEWARNER



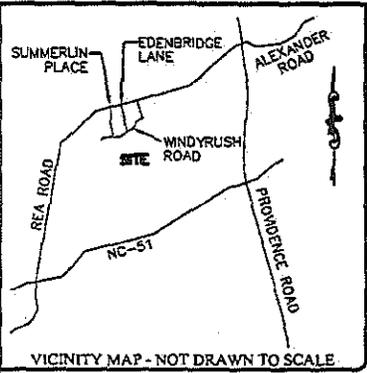
INSITE
Engineering & Surveying
8041 Corporate Center Drive
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Charlotte, NC 28226
Phone: (704) 540-4706
Fax: (704) 540-4708
N.C. License No.: P-0187

EXHIBIT "A-2" - ABANDONMENT MAP
FOR
BANEFIELD PLACE
BELLMORE HALL SUBDIVISION
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

DATE:	9/25/09
TECHNICIAN:	
CHECKED BY:	CGD
SCALE:	1" = 100'
PROJECT NO.:	
DRAWING TITLE:	COOT-ABANDONMENT.dwg
SHEET NO. 1 OF 1	

March 8, 2010

Resolution Book 47, Page 400



EXISTING UTILITY PROVIDERS:
 GAS: PIEDMONT NATURAL GAS
 ELECTRICITY: DUKE ENERGY
 WATER: PRIVATE SYSTEM
 SEWER: PRIVATE SYSTEM
 TELEPHONE: ATT
 CABLE: TIMEWARNER

JULIE B. KOHLENBERG-TACHE
 PARCEL NO.: 211-293-16
 DB 20765 PG 532
 DB 23485 PG 750

CURVE TABLE

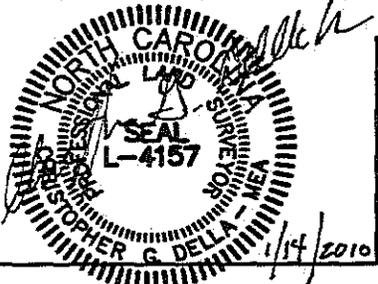
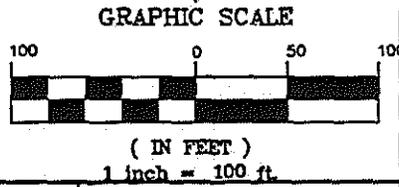
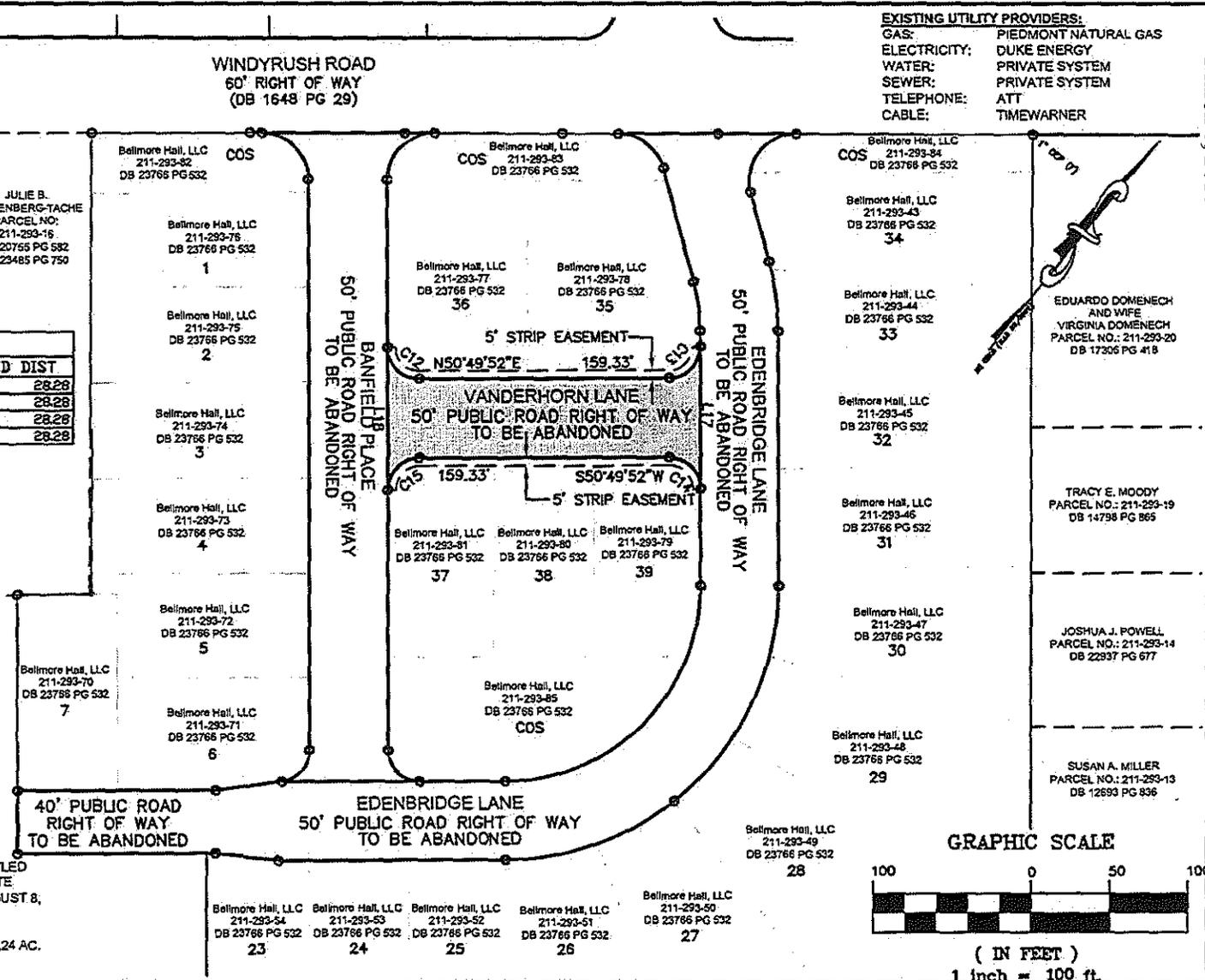
CURVE	LENGTH	RADIUS	CHD BRG	CHD DIST
C12	31.42	20.00	S84°10'09"E	28.28
C13	31.42	20.00	N15°49'52"E	28.28
C14	31.42	20.00	N84°10'07"W	28.28
C15	31.42	20.00	S05°49'51"W	28.28

LINE TABLE

LINE	LENGTH	BEARING
L17	90.00	S39°10'08"E
L18	90.00	N39°10'08"W

EASEMENT NOTE:
 Easement in favor of Duke Energy, AT&T, Time Warner Cable, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of gas lines, conduit, cable, wires, and related equipment. This includes the shaded region plus a 5' strip easement along the private road right of way as shown.

NOTES:
 LOTS 1-7, 23-39. AND ALL COMMON OPEN SPACE ARE OWNED BY BELLMORE HALL, LLC., THE PETITIONER.
 THIS MAP WAS DRAWN FROM THE RECORDED PLAT PREPARED BY INSITE ENGINEERING & SURVEYING, TITLED "BELLMORE HALL PHASE 1 MAP 1", PREPARED BY INSITE ENGINEERING & SURVEYING, AND RECORDED ON AUGUST 8, 2008 IN MAP BOOK 50, PAGE 707.
 AREA OF RIGHT OF WAY FOR VANDERHORN LANE IS 0.24 AC.



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 Fax: (704) 540-4708
 N.C. License No.: P-0187

EXHIBIT "A-3" - ABANDONMENT MAP
 FOR
VANDERHORN LANE
BELLMORE HALL SUBDIVISION
 CITY OF CHARLOTTE
 MECKLENBURG COUNTY, NORTH CAROLINA

DATE:	9/25/09
TECHNICIAN:	
CHECKED BY:	CGD
SCALE:	1" = 100'
PROJECT NO.:	
DRAWING TITLE:	CDOT-ABANDONMENT.dwg
SHEET NO. 1 OF 1	

“EXHIBIT B-1”

**METES AND BOUNDS DESCRIPTION
FOR EDENBRIDGE LANE ABANDONMENT**

Lying in Mecklenburg County, the City of Charlotte, North Carolina, and being a public right of way 50 feet in width, narrowing to a public right of way 40 feet in width, and dedicated as a public road named Edinbridge Lane via the recording of a subdivision plat titled “Bellmore Hall Phase 1 – Map 1” in Map Book 50, Page 707 on August 8, 2008, Mecklenburg County Register of Deeds, and more particularly described to wit:

Beginning at a #4 rebar, said point being the point of intersection of the right of way of Edenbridge Lane with the southern right of way of Windyrush Road (60' public right of way), and also being South 51 degrees 07 minutes 17 seconds West, 150.04 feet from a 1" open end pipe; Eduardo and Virginia Domenech's most northwestern corner, and running thence from said point of beginning with a curve to the left having a radius of 30.00 feet and an arc length of 54.98 feet, subtended by a chord of South 01 degrees 23 minutes 06 seconds East 47.61 feet to a #4 rebar, thence South 53 degrees 53 minutes 30 seconds East 46.43 feet to a #4 rebar, thence with a curve to the right and having a radius of 175 feet and an arc length of 44.97 feet and being subtended by chord of South 46 degrees 31 minutes 49 seconds East 44.84 feet to a #4 rebar, thence South 39 degrees 10 minutes 08 seconds East 161.67 feet to a #4 rebar, thence with a curve to the right having a radius of 175.00 feet and an arc length of 158.63 feet and subtended by a chord of South 13 degrees 12 minutes 05 seconds East 153.25 feet to a #4 rebar, the common corner for lots 27 and 28 of Bellmore Hall Subdivision, thence continuing with the same curve to the right with a radius of 175.00' and an arc length of 116.26 feet and being subtended by a chord of South 31 degrees 47 minutes 55 seconds West 114.14 feet to a #4 rebar, the common corner of lots 25 and 26, thence running South 50 degrees 49 minutes 52 seconds West 144.33 feet to a #4 rebar where the right of way begins to taper to a width of 40 feet, thence South 57 degrees 57 minutes 23 seconds West 40.31 feet to a #4 rebar, thence along the 40' wide right of way the following 3 calls: (1) South 50 degrees 49 minutes 52 seconds West 126.80 feet, thence (2) North 39 degrees 10 minutes 08 seconds West 40.00 feet, thence (3) North 50 degrees 49 minutes 52 seconds East 126.80 feet to a #4 rebar, the point where the right of way begins to taper back to a width of 50 feet, thence North 43 degrees 42 minutes 22 seconds East 42.81 feet to a #4 rebar at the point of intersection of the western right of way of Banfield Place with the northern right of way of Edenbridge Lane, thence North 51 degrees 02 minutes 03 seconds East 87.52 feet to a #4 rebar, thence North 50 degrees 49 minutes 52 seconds East 54.33 feet to a #4 rebar, thence with a curve to the left with a radius of 125' an arc length of 196.35 feet and being subtended by a chord of North 05 degrees 49 minutes 52 seconds East 176.78 feet to a #4 rebar, thence North 39 degrees 10 minutes 08 seconds West 61.67 feet to a #4 rebar at the intersection of the southern right of way of Vanderhorn Lane with Edenbridge Lane, thence North 39 degrees 10 minutes 08 seconds West 90.00 feet to a #4 rebar at the intersection of the northern right of way of Vanderhorn Lane with Edenbridge Lane, thence North 39 degrees 10 minutes 08 seconds West 10.00 feet to a #4 rebar, thence with a curve to the left having a radius of 125.00 feet for an arc length of 32.12 feet and being subtended by a chord of North 46 degrees 31 minutes 49 seconds West 32.03 feet to a #4 rebar, thence North 53 degrees 53 minutes 30 seconds West 75.78 feet to a #4 rebar, thence with a curve to the left having a radius of 30.00 feet an arc length of 39.33 feet and subtended by a chord of South 88 degrees 32 minutes 53 seconds West 36.58 feet to a #4 rebar on the southern right of way of Windyrush Road, thence with the right of way of Windyrush Road North 50 degrees 59 minutes 16 seconds East

March 8, 2010

Resolution Book 42, Page 402

63.89 feet to a point, thence continuing with said right of way North 51 degrees 07 minutes 17 seconds East 50.03 feet to the point of beginning, and being 0.94 acres of right of way for Edenbridge Lane of Bellmore Hall Subdivision.

"EXHIBIT B-2"

**METES AND BOUNDS DESCRIPTION
FOR BANEFIELD PLACE ABANDONMENT**

Lying in Mecklenburg County, the City of Charlotte, North Carolina, and being a public right of way 50 feet in width, and dedicated as a public road named Banefield Place via the recording of a subdivision plat titled "Bellmore Hall Phase 1 – Map 1" in Map Book 50, Page 707 on August 8, 2008, Mecklenburg County Register of Deeds, and more particularly described to wit:

Beginning at a #4 rebar, said point being the point of intersection of the western right of way of Banefield Lane with the Southern intersection of Windyrush Road, to get to said point of beginning start at the most northeastern corner of Julie B. Kohlenberg-Tache's common corner with Bellmore Hall Subdivision and proceed with the southern right of way of Windyrush Road the following two calls: (1) North 51 degrees 03 minutes 18 seconds East 101.33 feet, thence North 51 degrees 10 minutes 45 seconds East 7.60 feet to the point of beginning; thence from said point of beginning North 51 degrees 10 minutes 45 seconds East 91.08 feet to a point, thence North 51 degrees 10 minutes 29 seconds East 18.92 feet to a point where the eastern right of way of Banefield Place intersects the southern right of way of Windyrush Road, thence with the eastern margin of Banefield Place a curve to the left having a radius of 30.00 feet and an arc length of 47.30 feet and subtended by a chord of South 06 degrees 00 minutes 11 seconds West 42.55 feet to a #4 rebar, thence South 39 degrees 10 minutes 08 seconds East 108.01 to a #4 rebar at the intersection of the northern right of way of Vanderhorn Lane with the eastern right of way of Banefield Lane, thence South 39 degrees 10 minutes 08 seconds East 90.00 feet to a #4 rebar at the intersection of the southern right of way of Vanderhorn Lane with the eastern right of way of Banefield Place, thence S 39 degrees 10 minutes 08 seconds East 166.67 feet to a #4 rebar, thence with a curve to the left having a radius of 20.00 feet an arc length of 31.42 feet and being subtended by a chord of South 84 degrees 10 minutes 09 seconds East 28.28 feet to a #4 rebar at the intersection of the northern right of way of Edenbridge Lane with the eastern right of way of Banefield Lane, and running thence with the northern margin of Edenbridge Lane South 51 degrees 02 minutes 03 seconds West 87.52 feet to a #4 rebar at the intersection of the northern right of way of Edenbridge Lane with the western right of way of Banefield Place, thence along the western right of way of Banefield Place with a curve to the left having a radius of 20.00 feet and an arc length of 28.93 feet and being subtended by chord of North 02 degrees 16 minutes 07 seconds East 26.47 feet to a #4 rebar, thence continuing along said western right of way N 39 degrees 10 minutes 08 seconds West 365.20 feet to a #4 rebar, thence with a curve to the left having a radius of 30.00 feet and arc length of 46.94 feet and being subtended by a chord of North 83 degrees 59 minutes 42 seconds West 42.30 feet to the point of beginning and being 0.49 acres of right of way shown as Banefield Place in Bellmore Hall Subdivision.

"EXHIBIT B-3"

**METES AND BOUNDS DESCRIPTION
FOR VANDERHORN LANE ABANDONMENT**

Lying in Mecklenburg County, the City of Charlotte, North Carolina, and being a public right of way 50 feet in width, and dedicated as a public road named Vanderhorn Lane via the recording of a subdivision plat titled "Bellmore Hall Phase 1 – Map 1" in Map Book 50, Page 707 on August 8, 2008, Mecklenburg County Register of Deeds, and more particularly described to wit:

Beginning at a #4 rebar, said point being the point of intersection of the eastern right of way of Banefield Place with the northern right of way of Vanderhorn Lane in Bellmore Hall Subdivision, and running thence with the northern right of way of Vanderhorn Lane with a curve to the left having a radius of 20.00 feet an arc length of 31.42 feet and being subtended by a chord of South 84 degrees 10 minutes 09 seconds East 28.28 feet to a #4 rebar on the northern margin of Vanderhorn Lane, thence with said northern right of way North 50 degrees 49 minutes 52 seconds East 159.33 feet, thence with a curve to the left having a radius of 20.00 feet and an arc length of 31.42 feet and subtended by a chord of North 05 degrees 49 minutes 52 seconds East 28.28 feet to a #4 rebar set at the point of intersection of the western right of way of Edenbridge Lane with the northern right of way of Vanderhorn Lane, thence with the western margin of Edenbridge Lane South 39 degrees 10 minutes 08 seconds East 90.00 feet to the point of intersection of the western right of way of Edenbridge Lane with the southern right of way of Vanderhorn Lane, thence with the southern right of way of Vanderhorn Lane and a curve to the left having a radius of 20.00 feet an arc length of 31.42 feet and subtended by a chord of North 84 degrees 10 minutes 07 seconds West 28.28 feet to a point, thence with said southern right of way South 50 degrees 49 minutes 52 seconds West 159.33 feet to #4 rebar, thence with a curve to the left having a radius of 20.00 feet an arc length of 31.42 feet and being subtended by a chord of South 05 degrees 49 minutes 51 seconds West 28.28 feet to a point at the intersection of the southern right of way of Vanderhorn Lane with the eastern right of way of Banefield Place, thence with the eastern margin of Banefield Place North 39 degrees 10 minutes 08 seconds West 90.00 feet to the point of beginning and being 0.24 acres of right of way shown as Vanderhorn Lane in Bellmore Hall Subdivision.

ACTION A

RESOLUTION

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE Charlotte City Council
HELD ON March 8, 2010.

The following resolution was introduced by _____,
seconded by _____, considered and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE GRANT AGREEMENT FOR PROJECT
NUMBER 3-37-0012-63 BETWEEN THE UNITED STATES OF AMERICA AND
THE CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the _____ CITY COUNCIL of
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby
authorizes, adopts, approves, accepts and ratifies the execution of
a Grant Agreement between the Federal Aviation Administration on
behalf of the United States of America and the City of Charlotte,
North Carolina

SECTION 2. That the Execution of said Grant Agreement in
quadruplicate on behalf of said City Council by
T. J. Orr, Aviation Director and the impression of
the official seal of the City of Charlotte and the attestation
by Stephanie Kelly; City Clerk is
hereby authorized, adopted, approved, accepted and ratified.

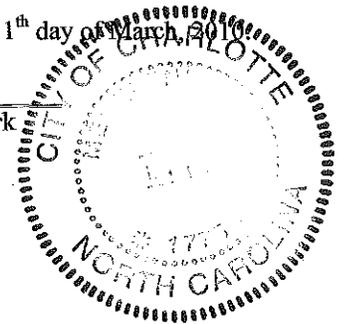
SECTION 3. That the Aviation Director is hereby
authorized to execute payment requests under these Grant Agreements
on behalf of said City of Charlotte.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (405-406).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.

Stephanie C. Kelly, CMC, City Clerk



ACTION A

RESOLUTION

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE Charlotte City Council
HELD ON March 8, 2010.

The following resolution was introduced by _____,
seconded by _____, considered and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE GRANT AGREEMENT FOR PROJECT
NUMBER 3-37-0012-61 BETWEEN THE UNITED STATES OF AMERICA AND
THE CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the _____ CITY COUNCIL _____ of
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby
authorizes, adopts, approves, accepts and ratifies the execution of
a Grant Agreement between the Federal Aviation Administration on
behalf of the United States of America and the City of Charlotte,
North Carolina

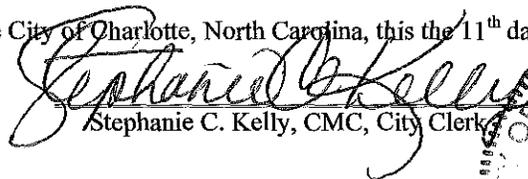
SECTION 2. That the Execution of said Grant Agreement in
quadruplicate on behalf of said City Council by
T. J. Orr, Aviation Director and the impression of
the official seal of the City of Charlotte and the attestation
by Stephanie Kelly ; City Clerk is
hereby authorized, adopted, approved, accepted and ratified.

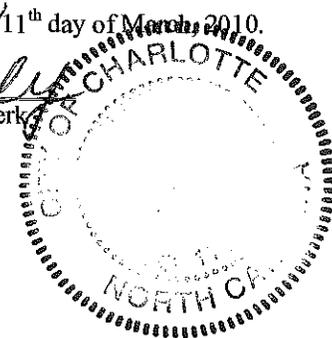
SECTION 3. That the Aviation Director is hereby
authorized to execute payment requests under these Grant Agreements
on behalf of said City of Charlotte .

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (407-408).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



PRELIMINARY ASSESSMENT RESOLUTION

WHEREAS, on the 19th day of February, 2010, the property owners on that un-opened portion of Wright Avenue, lying between Lomax Avenue on the north and a point slightly north of an existing creek on the south, filed with the City of Charlotte Clerk a petition for improving said street in the following manner:

Build and improve the currently un-opened portion of **Wright Avenue** (dedicated by Map Book 3, Page 193) from Lomax Avenue to the south, ending just north of the creek at a point in the western property line of that property having tax parcel number 15719102. The portion of the road to be constructed shall consist of a street approximately 360 feet in length, together with sidewalk, planting strip, curb and gutter, and asphalt travel lanes, in cross-section from east to west as follows: a 5-foot wide sidewalk, a 4-foot wide planting strip, a 2-foot wide curb and gutter, two 9-foot wide travel lanes, and a 2-foot wide curb and gutter, all in accordance with design plans drawn by or for the City of Charlotte, labeled "Wright Avenue Improvement" and dated 9/2008.

WHEREAS, the Clerk of the City of Charlotte has certified to this City Council that said petition is sufficient in all respects, the same having been duly signed by at least 80% in number of the owners whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the portion of street hereinabove described;

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

1. That the above mentioned petition is found to be sufficient in all respects;
2. That it is intended that part of Wright Avenue lying between Lomax Avenue on the north and a point just north of an existing creek on the south be improved in the following manner:

by construction of a street approximately 360 feet in length, together with sidewalk, planting strip, curb and gutter, and asphalt travel lanes, in cross-section from east to west as follows: a 5-foot wide sidewalk, a 4-foot wide planting strip, a 2-foot wide curb and gutter, two 9-foot wide travel lanes, and a 2-foot wide curb and gutter, all in accordance with design plans drawn by or for the City of Charlotte, labeled "Wright Avenue Improvement" and dated 9/2008 under and by virtue of Chapter 160A, Article 10, of the General Statutes of North Carolina and the procedure therein established;

3. That 50 percent of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, be hereafter assessed upon the properties abutting the improvements (according to the assessment basis set out in the petition.)

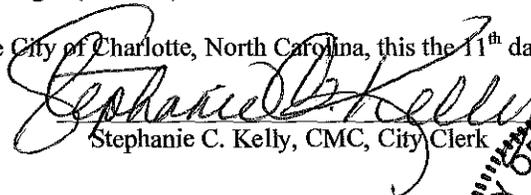
4. That the assessments herein provided for shall be payable in cash or if any property owner shall so elect, such owner shall have the option of paying the assessment in 10 equal annual installments, said installments to bear interest at a rate up to 8% percent per annum.
5. That a public hearing on all matters covered by this resolution shall be held on the 12th day of April, 2010, at 7:00 p.m. in the Council Chambers at 600 E. Fourth Street, Charlotte, NC in the Council Meeting Chamber.

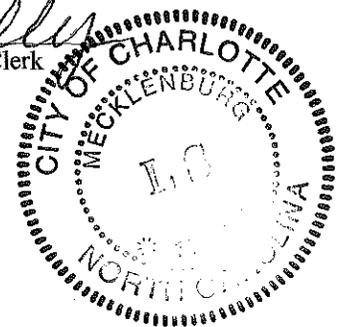
Adopted this 8th day of March, 2010.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (409-410).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON March 8, 2010**

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

WHEREAS, The Federal Government requires that all bridge structures 20 feet or greater that carry vehicular traffic on public roads be inspected every two years; and,

WHEREAS, The NCDOT will share the cost (80%) of inspecting qualifying bridges; and,

WHEREAS, The City's portion (20%) is estimated to be \$64,000 and is included in the budget; and,

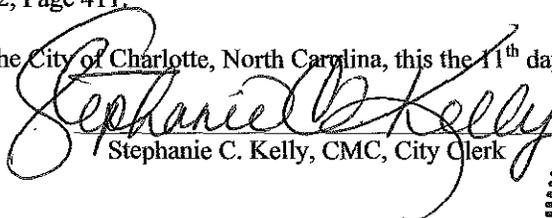
WHEREAS, City Council is asked to approve a Municipal Agreement between the City and NCDOT related to the inspection of City maintained bridges.

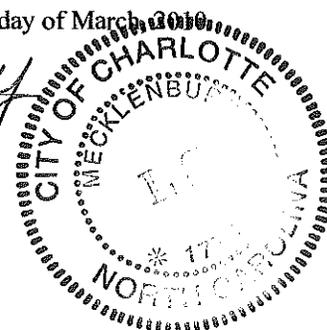
NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT to share the cost (80%) of inspecting qualifying bridges on public roads every two years, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 411.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



CHARLOTTE CITY COUNCIL

Resolution Authorizing Sale of Personal Property by Public Auction

Whereas, North Carolina G.S. 160A-270(b) allows the City Council to sell personal property at public auction upon adoption of a resolution authorizing the appropriate official to dispose of the property at public auction and;

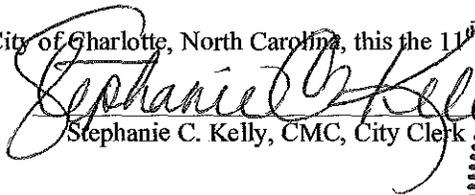
Whereas, the City Manager has recommended that the property listed on the attached Exhibit A be declared as surplus and sold at public auction; now therefore,

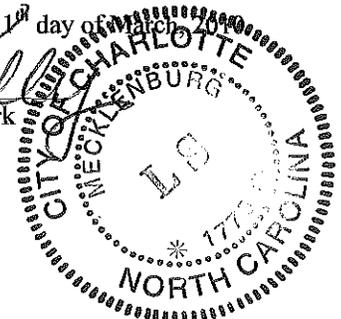
Be it resolved, by the Charlotte City Council that the City Manager or his designee is authorized to sell by public auctions on April 17, 2010 at 10:00 a.m. the surplus property described on Exhibit A, and on April 24, 2010 at 10:00 a.m. the police unclaimed property items (no exhibit required), at the City-County Asset Recovery and Disposal facility, 3301 Rotary Drive, Charlotte, North Carolina, as per the terms and conditions as specified in the Auctioneer Services contract approved by this City Council and in accordance with G.S. 160A-270(b) . The terms of the sale shall be net cash. The City Manager or his designee is directed to publish at least once and not less than ten 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(b).

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 412.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of a 10-foot alleyway between Spruce Street and South Mint Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Greater Galilee Baptist Church** has filed a petition to close a portion of a 10-foot alleyway between Spruce Street and South Mint Street in the City of Charlotte; and

Whereas, a portion of a 10-foot alleyway between Spruce Street and South Mint Street lies within the Wilmore Community beginning at the southeastern most corner of a property currently owned by Clarence Wall, Larry Sarratt, and Galilee Baptist Church (PID #11907138) and continuing west along the boundary of the above said property as a 10-foot wide alleyway for approximately 114 feet to its terminus at the southwestern most corner of a property currently owned by Greater Galilee Church and consisting of 1,132 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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

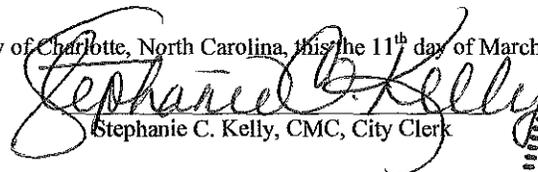
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of March 8, 2010, that it intends to close a portion of a 10-foot alleyway between Spruce Street and South Mint Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12th, day of April 2010, 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 G.S. 160A-299.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 413.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

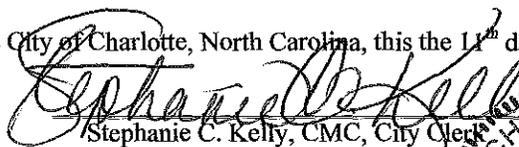
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

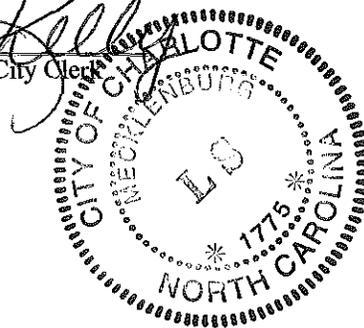
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8th day of March, 2010 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (414-415).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<u>NAME</u>	<u>AMOUNT</u>
FIFTH THIRD BANK	\$ 1,390.93
COVENANT PROMISE LLC	1,333.15
NATIONAL CITY MORTGAGE	355.56
WASHINGTON MUTUAL LOANS	132.99
MILL VALLEY HOMEOWNERS ASSOC INC THE	27.25
KEEBLER COMPANY	4,046.85
COUNTRYWIDE TAX SERVICE CORP	76.13
GENERAL ELECTRIC CAPITAL CORP - LSD EQ -PROPERTY TAX	5,691.33
HEIFNER-ROGERS LLC	240.36
HUNT, NIOTA G	12.84
CSV COMMERCIAL LOFTS CONDO OWNERS ASSOCIATION INC	956.75
VALU TREE R/E TAX SERVICE	126.57
BLOCK, JARED G	351.75
PLATT, WILLIAM W JR	798.48
SEIGLE 60 LLC	5,586.19
SMITH, WILLIAM D	154.57
HINTON, A E	17.75
FUNDERBURK, CALDWELL JR	2.04
MARKETING INSITES INC	70.84
UNITED MATERIALS, INC	161.02
TRYON TOWER LLC	2,791.70
HUNT, ROBERT J	23.62
INTEGRATED ID SYSTEMS INC	44.45
HALO TECHNOLOGIES INC	395.49
CHARLOTTE CITY CLUB INC	2,198.78
DOERRE CONSTRUCTION CO LLC	4,323.43
HASKELL, ELAINE TATSIS	908.95
PLATT, WILLIAM W JR	136.86
SWARINGEN LARRY F	71.49
GRANT THORNTON LLP	4,607.22
GENERAL MOTORS CORPORATION TAX STAFF - MC 482-C14-C66	1,016.43
SPECIAL SERVICE FREIGHT COMPANY OF THE CAROLINAS	21.84
CHASE HOME FINANCE LLC	22.02
WOOD, CHRISTOPHER O	21.97
DOERRE CONSTRUCTION CO LLC	41.44
SHARON MEDICAL ASSOCIATES PC	7.26
DELIAS RETAIL COMPANY #272	6.64
KO SUSHI	54.40
GREER, JAMES STEWART	2,629.61
FAUST, MATTHEW S	631.55
VALU TREE REAL ESTATE TAX SERVICES	227.01
TOTAL	<u>\$ 41,715.51</u>

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

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

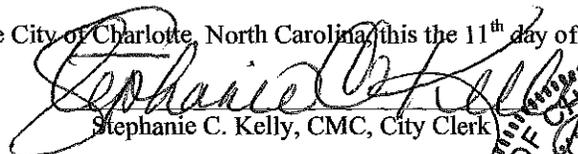
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

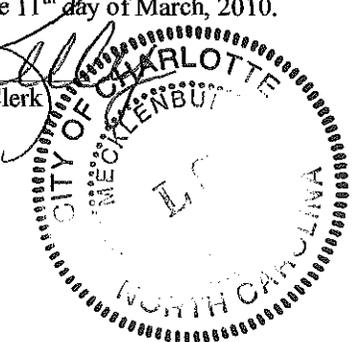
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8th day of March 2010 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (416-417).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



March 8, 2010
Resolution Book 42, Page 418

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 **HARRISBURG AND ROBINSON CHURCH ROADS 16" WATER MAIN PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **HARRISBURG AND ROBINSON CHURCH ROADS 16" WATER MAIN PROJECT** and estimated to be approximately **8,972 square feet (.206 acre) of temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos.: 108-064-91 and 108-064-97, said property currently owned by **KINGSTREE HOMEOWNERS ASSOCIATION, INC., Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

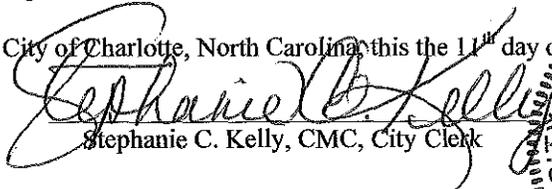
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

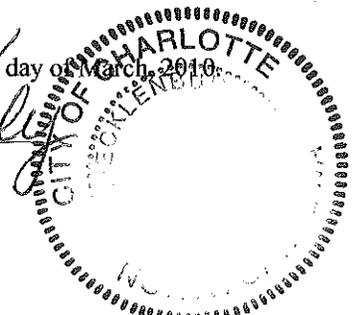
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 418.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



March 8, 2010
Resolution Book 42, Page 419

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 **HARRISBURG AND ROBINSON CHURCH ROADS 16" WATER MAIN PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **HARRISBURG AND ROBINSON CHURCH ROADS 16" WATER MAIN PROJECT** and estimated to be approximately **4,938 square feet (.113 acre) of utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 108-064-98, said property currently owned by **KINGSTREE HOMEOWNERS ASSOCIATION, INC., Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

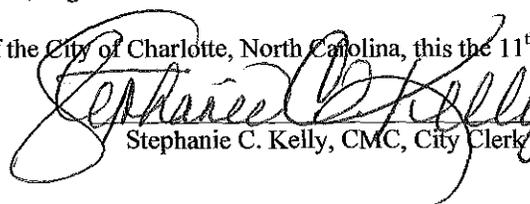
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

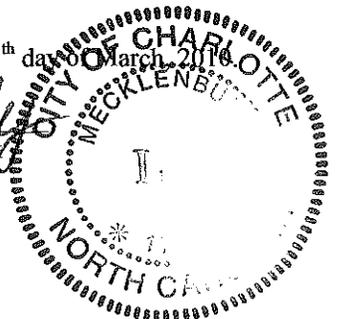
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 419.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk



March 8, 2010
Resolution Book 42, Page 420

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 **STATESVILLE ROAD WIDENING (I-85 to SUNSET) PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **STATESVILLE ROAD WIDENING (I-85 to SUNSET) PROJECT** and estimated to be approximately **4,121 square feet (.095 acre) of fee-simple, storm drainage easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos.: 045-302-06 and 045-302-05 said property currently owned by **PAUL B. STEWART (a/k/a "Paul Barnes Stewart") and wife, JEAN B. STEWART (a/k/a "Jean Brown Stewart")**, Any Other Parties in Interest, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

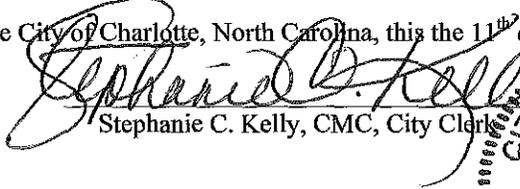
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 8th day March, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 420.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of March, 2010.


Stephanie C. Kelly, CMC, City Clerk

