

RESOLUTION CLOSING CARVER DRIVE AND SHADY HILLS CIRCLE AND A PORTION OF PHARR STREET AND HAMPTON CHURCH ROAD LOCATED BETWEEN WASHINGTON BOULEVARD AND UNIVERSITY CITY BOULEVARD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close Carver Drive and Shady Hills Circle and a portion of Pharr Street and Hampton Church Road which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Carver Drive and Shady Hills Circle and a portion of Pharr Street and Hampton Church Road to be sent by registered or certified mail to all owners of property adjoining the said streets (or portions thereof), and prominently posted a notice of the closing and public hearing in at least two places along Carver Drive, Shady Hills Circle, Pharr Street and Hampton Church Road, all as required by G. S. 160-299; and

WHEREAS, the public hearing was held on the 8th day of November, 1993, and City Council determined that the closing of Carver Drive and Shady Hills Circle and a portion of Pharr Street and Hampton Church Road 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 November 8, 1993, that the Council hereby orders the closing of Carver Drive and Shady Hills Circle and a portion of Pharr Street and Hampton Church Road in the City of Charlotte, Mecklenburg County, North Carolina as described below:

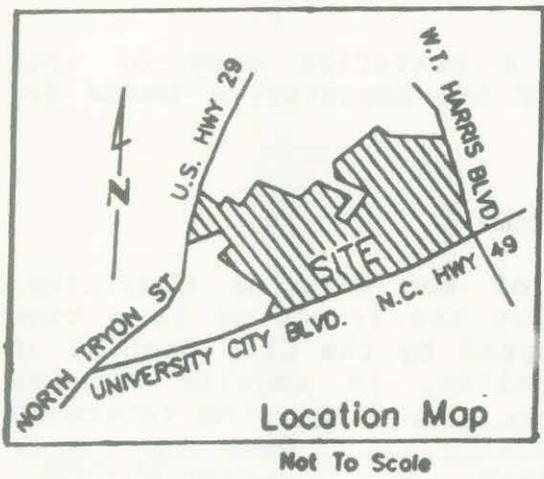
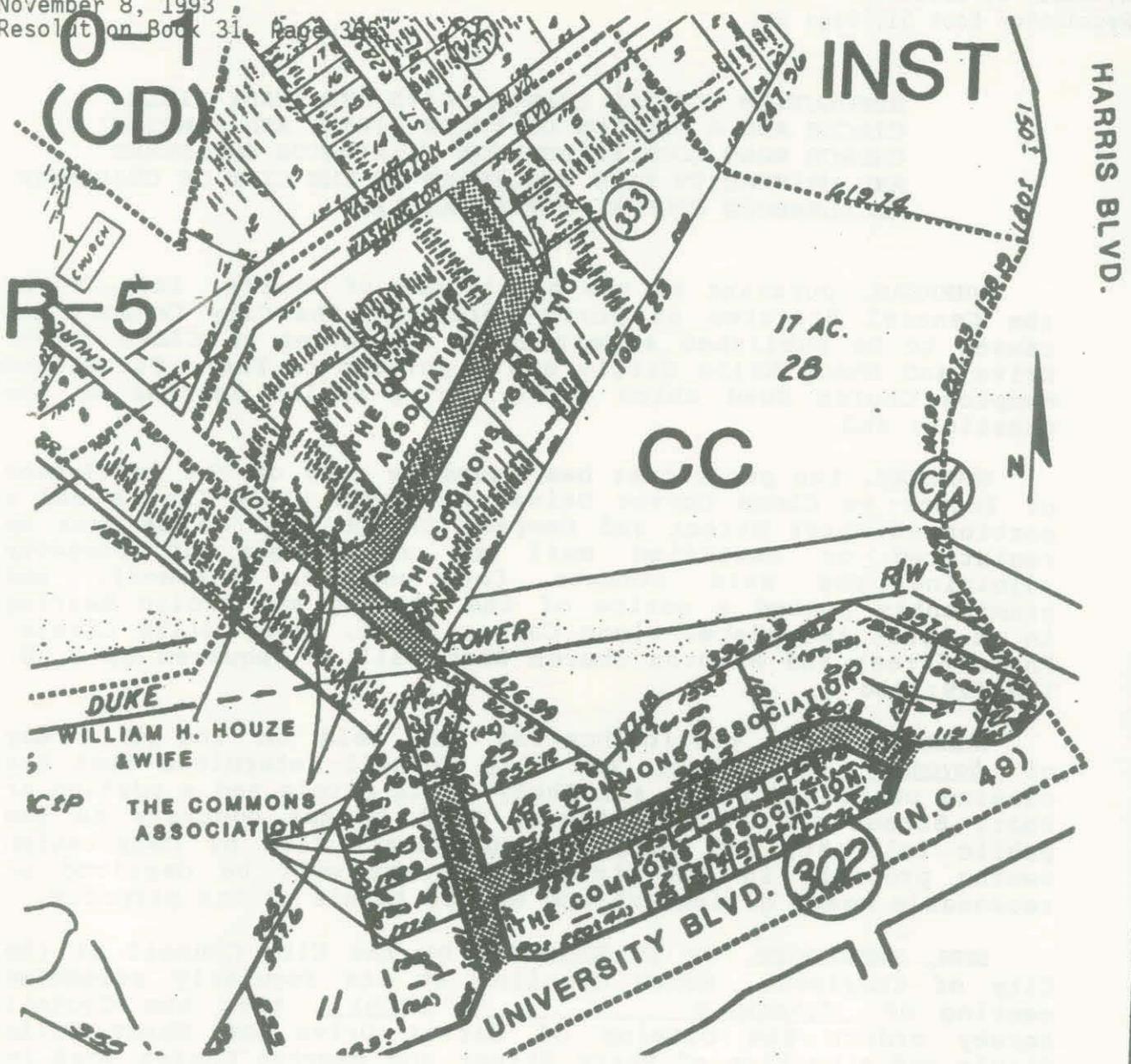
As more particularly described by metes-and-bounds in Exhibit B.

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, Brenda 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 8th day of November, 1993, the reference having been made in Minute Book 103, page _____, and recorded in full in Resolution Book 31, page 364-365D. WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 15th day of November, 1993.

Brenda R. Freeze
Brenda R. Freeze, City Clerk



 STREETS TO BE CLOSED

CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION TRANSPORTATION ENGINEERING DIVISION	
PROPOSED STREET CLOSING	
CARVER DRIVE AND SHADY HILLS CIRCLE AND A PORTION OF HAMPTON CHURCH ROAD AND PHARR STREET	
RQS / PROJECT NO.	FILE NO.

METES AND BOUNDS LEGAL DESCRIPTION
HAMPTON CHURCH ROAD SR #2838 ABANDONMENT

Beginning at a found 1" iron pipe on the southern right-of-way line of Hampton Church Road State Route 2838, said iron pin being a northern property corner of that certain parcel conveyed to Herbert Bolder and wife Ollie G. Bolder in Deed Book 1711, Page 91 of the Mecklenburg County Registry, said point being a eastern property corner of that certain parcel conveyed to William H. Houze and wife Fannie S. Houze as recorded in Deed Book 2041, Page 307 of the Mecklenburg County Registry; thence departing the southern right-of-way of said Hampton Church Road, North $26^{\circ}56'25''$ East, 35.36 feet to a set iron pin on the northern right-of-way of said Hampton Church Road; thence with the northern right-of-way of Hampton Church Road, South $51^{\circ}54'45''$ East, 408.37 feet to a point on the northern right-of-way of said Hampton Church Road; thence departing said northern right-of-way, South $27^{\circ}28'20''$ West, 35.30 feet to a point on the southern right-of-way of Hampton Church Road; thence with the southern right-of-way of Hampton Church Road, North $51^{\circ}54'45''$ West, 408.01 feet to the Point of Beginning, being all that certain parcel shown as Hampton Church Road on a Survey by ESP Associates, P.A. entitled "Composite Boundary Survey of 78.601 acre tract for the Crosland Group, Inc., revised through 8-6-93 and containing 0.3251 acres total.



8-9-93

METES AND BOUNDS LEGAL DESCRIPTION
CARVER DRIVE ABANDONMENT

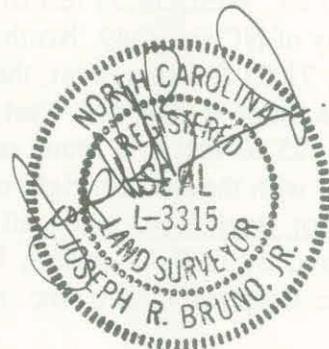
Beginning at a point marking the intersection of the northern right-of-way of Hampton Church Road State Route 2838 with the western right-of-way of Carver Drive, said point being a southern property corner of that certain parcel conveyed to Cornell Eichelberger and wife Lillie M. N. Eichelberger in Deed Book 1601, Page 281 of the Mecklenburg County Registry; thence departing the northern right-of-way of Hampton Church Road and with the western right-of-way of Carver Drive, North $33^{\circ}57'56''$ East, 65.46 feet to a point; thence North $27^{\circ}48'52''$ East, 566.53 feet to a point marking the intersection of the western right-of-way of Carver Drive with the southern right-of-way of Pharr Street; thence with the southern right-of-way of Pharr Street extended, South $39^{\circ}45'34''$ East, 37.86 feet to a point on the eastern right-of-way of Carver Drive; thence with the eastern right-of-way of Carver Drive, South $27^{\circ}48'52''$ West, 552.00 feet to a point; thence South $33^{\circ}57'56''$ West, 71.81 feet to a point, said point being the intersection of the eastern right-of-way of Carver Drive with the northern right-of-way of Hampton Church Road; thence with the northern right-of-way of Hampton Church Road extended, North $51^{\circ}54'45''$ West, 34.88 feet to the Point of Beginning, being all that certain parcel shown as Carver Drive on a Survey Plat prepared by ESP Associates, P.A. entitled "Composite Boundary Survey of 78.601 acre tract for The Crosland Group, Inc., revised through 8-6-93 and containing 0.5041 acres.



8-9-93

METES AND BOUNDS LEGAL DESCRIPTION
PHARR STREET ABANDONMENT

Beginning at a found #4 rebar on the eastern right-of-way of Washington Blvd., said rebar being a western property corner of that certain parcel to Alfred A. Bates in Deed Book 1996, Page 21 of the Mecklenburg County Registry; thence departing the eastern right-of-way of Washington Blvd. and following the northern right-of-way of Pharr Street, South $39^{\circ}45'34''$ East, 242.65 feet to a point; thence South $27^{\circ}48'52''$ West, 34.74 feet to a point marking the extension of the southern right-of-way of Pharr Street with the eastern right-of-way of Carver Drive; thence North $39^{\circ}45'34''$ West, 37.86 feet to a point marking the intersection of the western right-of-way of Carver Drive with the southern right-of-way of Pharr Street; thence with said southern right-of-way of Pharr Street, North $39^{\circ}45'34''$ West, 219.20 feet to a point marking the intersection of the southern right-of-way of Pharr Street with the eastern right-of-way of Washington Blvd.; thence with the eastern right-of-way of Washington Blvd., North $52^{\circ}12'39''$ East, 32.13 feet to the Point of Beginning, being all that certain parcel shown as Pharr Street on a Survey Plat prepared by ESP Associates, P.A. entitled "Composite Boundary Survey of 78.601 acre tract for The Crosland Group, Inc., revised through 8-6-93 and containing 0.1842 acres total.



8-9-93

METES AND BOUNDS LEGAL DESCRIPTION
SHADY HILLS CIRCLE ABANDONMENT

Beginning at a concrete monument on the western right-of-way of NC Hwy. 49, said concrete monument being an eastern property corner of that certain parcel conveyed to Harry L. Blackwelder, Sr. and wife Lorene D. Blackwelder in Deed Book 2792, Page 566 of the Mecklenburg County Registry, said monument also marking the intersection of the western right-of-way line of NC Hwy. 49 with the Southwestern right-of-way of Shady Hills Circle; thence departing the western right-of-way of NC Hwy. 49, North $19^{\circ}38'13''$ West, 245.92 feet to a found 1" iron pipe; thence North $20^{\circ}14'01''$ West, 166.63 feet to a point; thence North $72^{\circ}33'07''$ East, passing a found 1" iron pipe at 28.73 feet, a total distance of 58.73 feet to a found 1" iron pipe; thence South $20^{\circ}14'01''$ East, 200.11 feet to a point; thence North $67^{\circ}44'49''$ East, 280.52 feet to a found 3/4" iron pipe; thence North $62^{\circ}55'11''$ East, passing a found 1" iron pipe at 324.88 feet, a total distance of 374.88 feet to a point; thence North $67^{\circ}48'11''$ East, 60.80 feet to a point; thence North $78^{\circ}50'11''$ East, 50.00 feet to a point; thence South $67^{\circ}41'29''$ East, 140.04 feet to a found concrete monument on the western right-of-way line of NC Hwy. 49; thence with the western right-of-way line of NC Hwy. 49, South $25^{\circ}20'25''$ West, 59.98 feet to a found concrete monument; thence departing the western right-of-way of NC Hwy. 49, North $67^{\circ}41'29''$ West, 126.87 feet to a point; thence South $67^{\circ}48'11''$ West, 71.31 feet to a point; thence South $62^{\circ}55'11''$ West, 378.90 feet to a found 1" iron pipe; thence South $67^{\circ}44'49''$ West, 281.61 feet to a found 1" iron pipe; thence South $19^{\circ}15'16''$ East, 125.63 feet to a found concrete monument on the western right-of-way of NC Hwy. 49; thence with the western right-of-way of NC Hwy. 49, South $47^{\circ}36'49''$ West, 64.48 feet to the Point of Beginning, being all that certain parcel shown as Shady Hills Circle on a Survey prepared by ESP Associates, P.A. entitled "Composite Boundary Survey of 78.601 acre tract for the Crosland Group, Inc. revised through 8-6-93 and containing 1.7466 acres total



8-9-93

RESOLUTION CLOSING 15TH STREET BETWEEN SEIGLE AVENUE AND HARRILL STREET. THE ALLEY BETWEEN 15TH AND BELMONT AVENUE IN THE 900 BLOCK AND THE ALLEY FROM 15TH STREET NORTH INTO BLOCK 33, PAGE 13, TAX LINE MAP BOOK 81 AT THE REAR OF LOTS 3, 4, 5 IN THE CITY OF CHARLOTTE.

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 15th Street between Seigle Avenue and Harrill Street, the alley between 15th and Belmont Avenue in the 900 block and the alley from 15th Street north into block 33, page 13, tax line map book 81 at the rear of lots 3, 4, 5 which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close 15th Street between Seigle Avenue and Harrill Street, the alley between 15th and Belmont Avenue in the 900 block and the alley from 15th Street north into block 33, page 13, tax line map book 81 at the rear of lots 3, 4, 5 to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along the 900 block of 15th Street and the adjoining alleys, all as required by G.S. 160-299; and

WHEREAS, the public hearing was held on the 8th day of November, 19 93, and City Council determined that the closing of the 900 block of 15th Street and the adjoining alleys 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 November 8, 19 93, that the Council hereby orders the closing of the 900 block of 15th Street and the adjoining alleys in the City of Charlotte, Mecklenburg County, North Carolina as shown in the boundary map in Exhibit A and more accurately described in the metes and bounds description in Exhibit B.

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, Brenda 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 8th day of November, 19 93, the reference having been made in Minute Book 103, page _____, and recorded in full in Resolution Book 31, page 366-367E.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 15th day of November, 1993

Brenda R. Freeze
Brenda R. Freeze, City Clerk

THIS IS TO CERTIFY THAT ON THE 20th DAY OF DECEMBER 1993 A SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE DIMENSIONS AND THE IMPROVEMENTS IF ANY ARE AS SHOWN HEREON. THIS PLAN DOES NOT MEET NCQS 47-69 AND SHOULD BE RECORDED NOT FOR RECORDING.

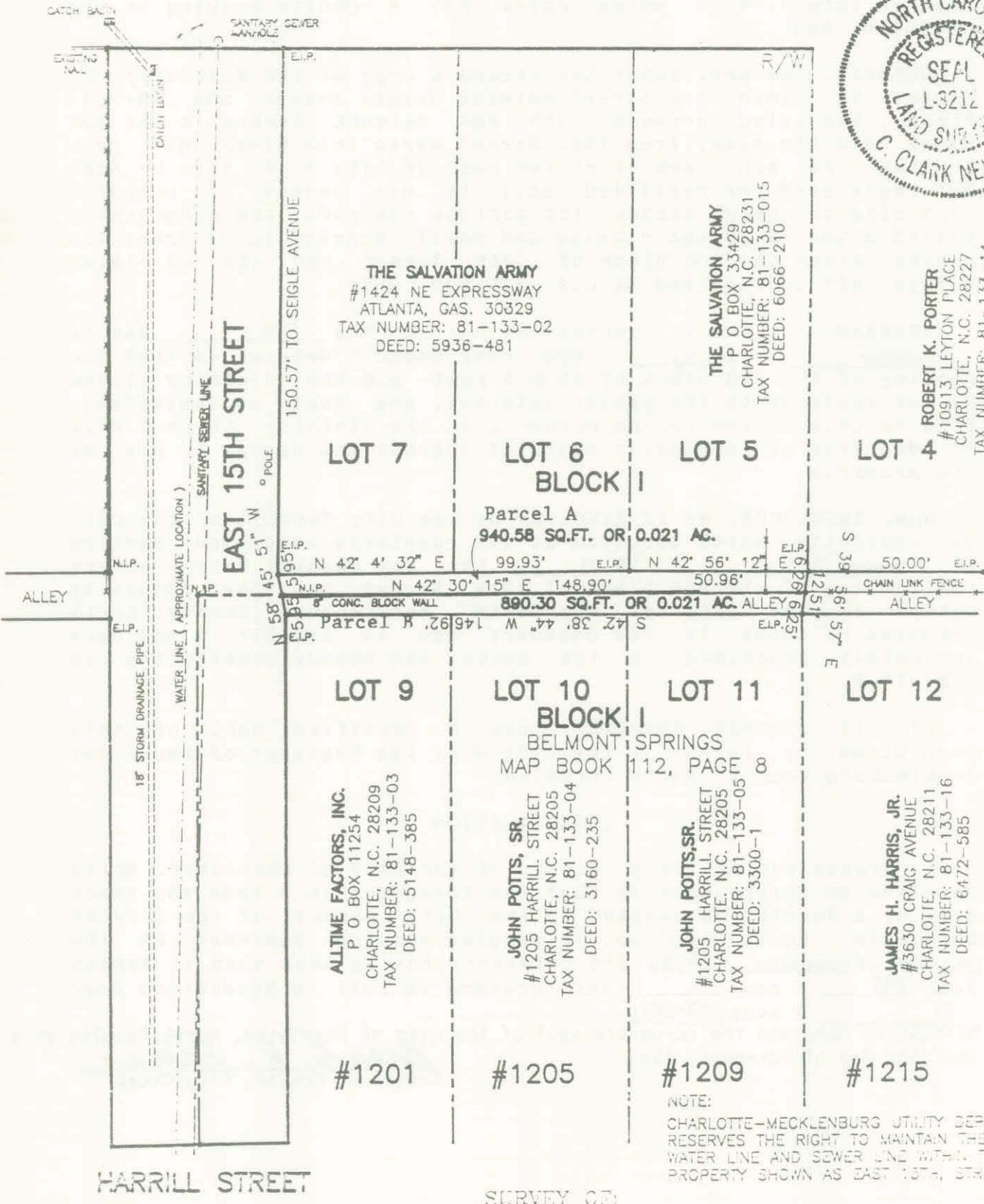
November 8, 1993
Resolution Book 31, Page 367

SIGNED

R. D. PHARR & ASSOCIATES, REGISTERED SURVEYORS
112 SOUTH WILSON AVENUE
CHARLOTTE, N.C. 28204
TEL: (704) 376-2188

C. Clark Neilson
C. Clark Neilson

EXHIBIT A-1
SEIGLE AVENUE



SURVEY OF:
A PORTION OF ALLEY TO BE REMOVED FROM DEDICATION

CHARLOTTE N.C.
THE SALVATION ARMY

THE PROPERTY OF _____
SCALE 1" = 40'
MAP BOOK 112 PAGE 8
DEED BOOK _____ PAGE _____

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED
FEBRUARY 26, 1982

EXHIBIT B-1

The Salvation Army
A portion of alley to be removed from dedication

DESCRIPTION: Northerly 0.021 Acre Parcel (Parcel A)

Being a portion of an old recorded alleyway lying southeast of Lots 5, 6, and 7, Block I, Belmont Springs and northwest of Lots 9, 10 and 11, Block I, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and more particularly described as follows:

BEGINNING at an existing iron pin on the northeasterly margin of East 15th Street, said point being the southerly most corner of Lot 7, Block I, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and runs thence with the southerly line of Lots 7, 6, and 5, Block I, Belmont Springs in two (2) courses and distances as follows: 1) N. 42-04-32 E., 99.93 feet to an existing iron pin; 2) N. 42-56-12 E., 50.96 feet to an existing iron pin, said point being the southerly most corner of Lot 4; thence S. 39-56-57 E., 6.26 feet to a point in the centerline of an old alleyway shown on said plat; thence with the centerline of said alleyway S. 42-30-15 W., 148.90 feet to a new iron pin on the northeasterly margin of East 15th Street; thence with the northeasterly margin of East 15th Street N. 58-45-51 W., 5.95 feet to the point and place of BEGINNING. Containing 0.021 acre or 940.58 square feet as shown on a map prepared by R.B. Pharr & Associates, P.A. dated December 22, 1992.

DESCRIPTION: Southerly 0.021 acre Parcel (Parcel B)

Being a portion of an old recorded alleyway lying southeast of Lots 5, 6, and 7, Block I, Belmont Springs and northwest of Lots 9, 10 and 11, Block I, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and more particularly described as follows:

BEGINNING at an existing iron pin on the northeasterly margin of East 15th Street, said point being the westerly most corner of Lot 9, Block I, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and runs thence with the northeasterly margin of East 15th Street N. 58-45-15 W., 5.95 feet to a new iron pin in the centerline of an old alleyway shown on said plat; thence with the centerline of said alleyway N. 42-30-15 E., 148.90 feet to a point; thence S. 39-56-57 E., 6.25 feet to an existing iron pin, said point being the northerly most corner of Lot 11; thence with the northerly line of Lots 11, 10 and 9, Block I, Belmont Springs S. 42-38-44 W., 146.92 feet to the point and place of BEGINNING. Containing 0.021 acre or 890.30 square feet as shown on a map prepared by R.B. Pharr & Associates, P.A. dated December 22, 1992.

EXHIBIT B-2

The Salvation Army
A portion of alley to be removed from dedication

DESCRIPTION: 0.081 acre parcel (Parcel A)

Being a portion of an old recorded alleyway connecting Belmont Avenue and East 15th Street in Block V, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and more particularly described as follows:

BEGINNING at an existing iron pin in the southwesterly margin of East 15th Street, said point being the northerly most corner of Lot 9, Block V, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and runs thence with the northwesterly line of Lots 9 and 8, Block V, S. 42-23-00 W., 100.00 feet to an existing iron pin, said point being the northerly most corner of Lot 7; thence three new courses and distances as follows: 1) N. 47-26-51 W., 6.70 feet to a point in the centerline of an old alleyway; 2) S. 42-36-36 W., 59.76 feet to a point; 3) S. 47-26-51 E., 6.48 feet to a point, said point being the northerly most corner of Lot 4; thence with the northwesterly line of Lot 4 S. 42-34-22 W., 139.98 feet to an existing iron pin in the northeasterly margin of Belmont Avenue; thence N. 47-50-10 W., 12.55 feet to a hole in concrete, said point being the southerly most corner of Lot 3; thence with the southeasterly lines of Lot 3 and property conveyed to the Salvation Army as recorded in Deed Book 1909, Page 309 of said Registry N. 42-24-12 E., 299.78 feet to a new iron pin in the southwesterly margin of East 15th Street; thence with said margin of East 15th Street S. 47-39-37 E., 13.36 feet to the point and place of BEGINNING. Containing 3517.46 square feet or 0.081 acre parcel of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated December 22, 1992.

DESCRIPTION: 0.009 acre parcel (Parcel B)

Being a portion of an old recorded alleyway connecting Belmont Avenue and East 15th Street in Block V, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and more particularly described as follows:

BEGINNING at an existing iron pin on the southeasterly line of an old alleyway running between East 15th Street and Belmont Avenue in Block V, Belmont Springs as shown in Map Book 112, Page 8, of the Mecklenburg County Registry, said point being the westerly most corner of Lot 8, Block V, Belmont Springs and furthermore being located S. 42-23-00 W., 100.00 feet from an existing iron pin at the southeasterly intersection of said alleyway and East 15th Street to the BEGINNING and runs thence with the southeasterly margin of said alleyway S. 42-49-00 W., 59.76 feet to an existing iron pin, said point being the northwesterly corner of Lot 4, Block V thence N. 47-26-51 W., 6.48 feet to a point in the centerline of said alleyway; thence with the centerline of said alleyway N. 42-36-36 E., 59.76 feet to a point; thence S. 47-26-51 E., 6.70 feet to the point and place of BEGINNING. Containing 393.82 square feet or 0.009 acre parcel of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated December 22, 1992.

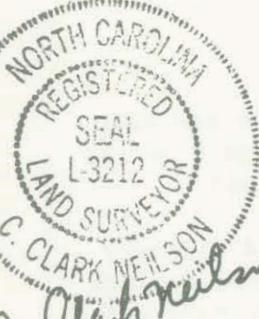
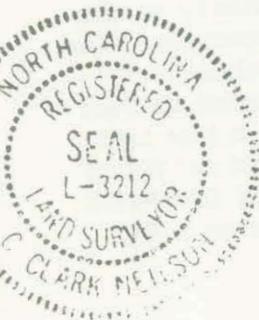
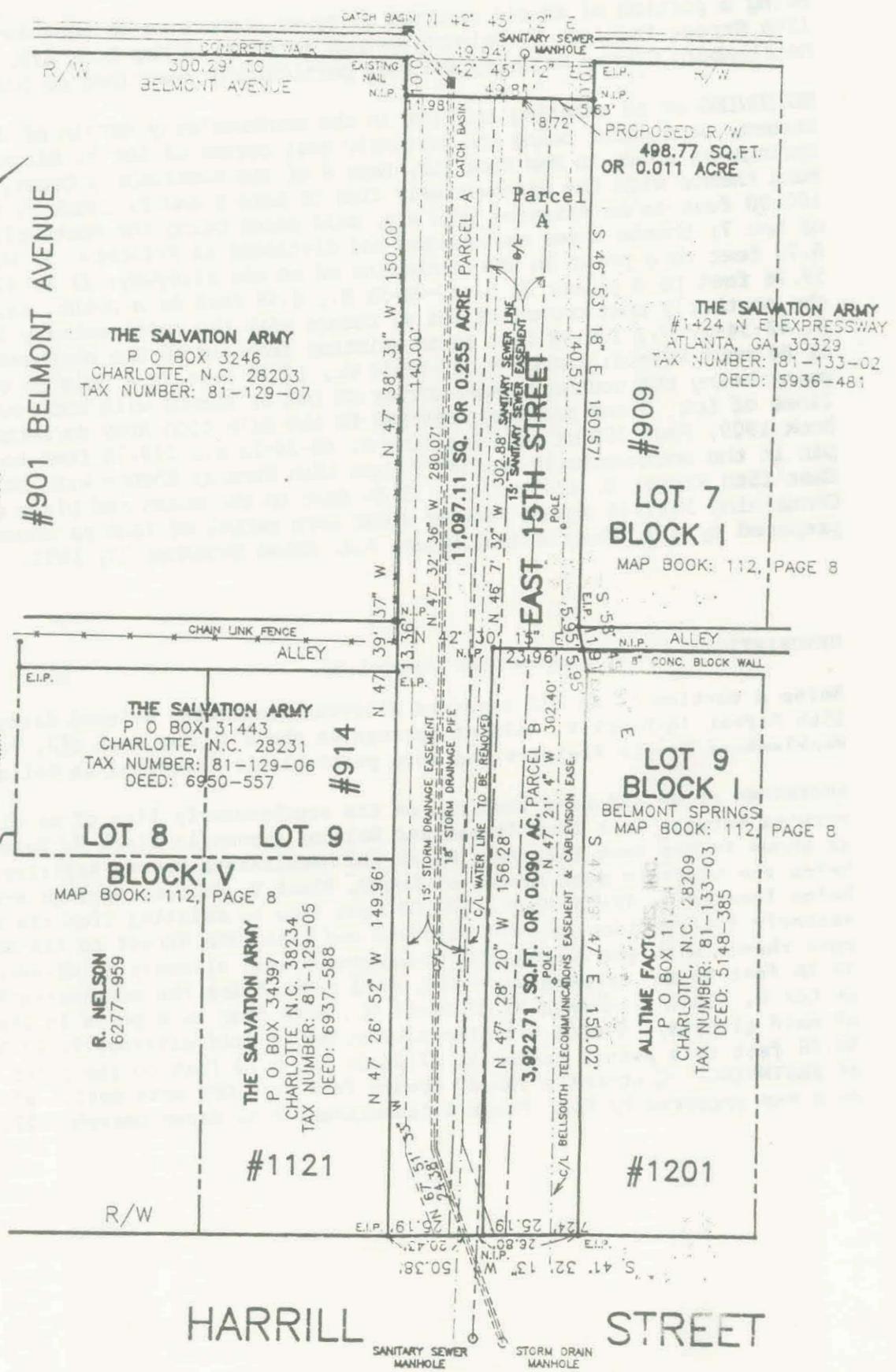
... WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS IF ANY ARE AS SHOWN HEREON. THIS PLAT DOES NOT MEET NCGS 47-30 STANDARDS AND IS NOT FOR RECORDING.

DAY OF DECEMBER 19 1993 AN ACTUAL
 SIGNED C. Clark Neilson
 R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS
 1900 EAST 26TH STREET
 CHARLOTTE, N.C. 28204
 TEL (704) 376-2186

November 8, 1993
 Resolution Book 31, Page 367D



EXHIBIT A-3
SEIGLE AVENUE



HARRILL STREET

R/W SURVEY OF: **EAST 15TH STREET**
 A PORTION OF EAST 15TH STREET TO BE REMOVED FROM DEDICATION

BE PROPERTY OF CHARLOTTE N.C. THE SALVATION ARMY

SCALE 1"=40'
 MAP BOOK 112 PAGE 8
 DEED BOOK _____ PAGE _____

FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
 LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
 MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
 AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED
FEBRUARY 26, 1982

EXHIBIT B-3

The Salvation Army
A Portion of East 15th Street to be removed from dedication

DESCRIPTION: 0.255 acre parcel (Parcel A)

Being a portion of east 15th Street lying between Seigle Avenue and Harrill Street as shown on a map of Belmont Springs recorded in Map Book 112, Page 8 of the Mecklenburg County Registry and more particularly described as follows:

BEGINNING at a new iron pin in the northeasterly margin of East 15th street, said point being located S. 46-53-18 E., 10.00 feet from the westerly most corner of Lot 7, Block I, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and runs thence with the common line between Lot 7 and East 15th Street in two (2) courses and distances as follows: 1) S. 46-53-18 E., 140.57 feet to an existing iron pin; 2) S. 58-45-51 E., 5.95 feet to a new iron pin, said point being the centerline intersection of an old alleyway with the northeasterly margin of East 15th Street; thence with a new line S. 42-30-15 W., 23.96 feet to a new iron pin in the centerline of East 15th Street; thence with the centerline of East 15th Street S. 47-28-20 E., 156.28 feet to a new iron pin, said point being the centerline intersection of East 15th Street and the northwesterly margin of Harrill Street; thence with said margin of Harrill Street S. 41-32-13 W., 25.19 feet to an existing iron pin, said point being the southeast corner of Lot 9, Block V, Belmont Springs; thence with the Salvation Army property as described in Deed Book 6937, Page 588 and Deed Book 6950, Page 557 N. 47-26-52 W., 149.96 feet to an existing iron pin on the southerly margin of an old alleyway; thence with said alleyway N. 47-39-37 W., 13.36 feet to a new iron pin, said point being the southeast corner of a lot conveyed to the Salvation Army in Deed Book 1909, Page 309 of said Registry; thence with the Salvation Army line N. 47-38-31 W., 140.00 feet to a new iron pin in the southwesterly margin of East 15th Street; thence with the proposed right-of-way margin of Seigle Avenue N. 42-45-12 E., 49.81 feet to the point and place of BEGINNING. Containing 11,097.11 square feet or 0.255 acre of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated December 22, 1992 and last revised July 6, 1993.

DESCRIPTION: 0.090 Acre Parcel (Parcel B)

Being a portion of East 15th Street lying between Seigle Avenue and Harrill Street as shown on a map of Belmont Springs recorded in Map Book 112, Page 8 of the Mecklenburg County Registry and more particularly described as follows:

BEGINNING at an existing iron pin on the northwesterly margin of Harrill Street, said point being the southerly most corner of Lot 9, Block I, Belmont Springs as shown in Map Book 112, Page 8 of the Mecklenburg County Registry and runs thence with the northwesterly margin of Harrill Street S. 41-32-13 W., 25.19 feet to a new iron pin in the centerline of East 15th Street; thence with said centerline N. 47-28-20 W., 156.28 feet to a new iron pin, said point being the intersection of said East 15th Street and in the centerline of an old alleyway, if extended; thence with the extended centerline of said alleyway N. 42-30-15 E., 23.96 feet to a new iron pin on the northeasterly margin of East 15th Street; thence with said margin of East 15th street in two courses and distances as follows: 1) S. 58-45-51 E., 5.95 feet to an existing iron pin; 2) S. 47-29-47 E., 150.02 feet to the point and place of BEGINNING. Containing 3,922.71 square feet or 0.090 acre of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated December 22, 1992.

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE
THAT PORTION OF EAST 19TH STREET AND 21 FOOT ALLEY
LOCATED BETWEEN PARKWOOD AVENUE AND NORFOLK
SOUTHERN RAILWAY COMPANY IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Southern Region Industrial Realty, Inc., a Georgia corporation, has filed a Petition to close a portion of East 19th Street and 21 foot alley between Parkwood Avenue and Norfolk Southern Railway in the City of Charlotte; and

WHEREAS, West 19th Street and 21 foot alley lying between Parkwood Avenue and Norfolk Southern Railway, are shown on "Exhibit A," and are 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 procedures for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, require that 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 November 8, 1993, that it intends to close a portion of East 19th Street and 21 foot alley lying between Parkwood Avenue and Norfolk Southern Railway, said street (or portion thereof) being more particularly described on a map and by 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 P.M., on Monday, the 13th day of December, 1993, at CMGC. 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, 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 8th day of November, 1993, the full reference having been made in Minute Book 103, and recorded in full in Resolution Book 31, at Page(s) 368-369B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 15th day of November, 1993.

Brenda R. Freeze
Brenda R. Freeze, City Clerk

REVISED METES AND BOUNDS DESCRIPTION OF THE PROPERTY
WHICH IS THE SUBJECT OF THE REVISED PETITION OF
SOUTHERN REGION INDUSTRIAL REALTY, INC. TO ACCOMPANY
REVISED MAP OF THE AREA REQUESTED TO BE CLOSED

Beginning at a point being in the southerly margin for 19th Street and the northeasterly corner of that property as described in Deed Book 291 and page 288 of the County Records, said point being the True Point of Beginning for the herein described tract of land; thence

North $41^{\circ}55'00''$ West along the southern margin for 19th Street 61 feet, more or less, to its western terminus; thence,

North $47^{\circ}55'15''$ East along the northwestern margin of a 21 foot alley and the said northwestern margin as extended 140 feet, more or less, to the northerly terminus of said alley; thence,

South $41^{\circ}55'00''$ East along the northerly terminus of said alley 21 feet, more or less, to a point on the southeastern margin for said alley; thence,

South $47^{\circ}55'15''$ West along the Southeastern margin for said alley 100 feet, more or less, to a point on the northern margin for 19th Street; thence,

South $41^{\circ}55'00''$ East along said northerly margin for 19th Street 40 feet, more or less to a point on the eastern line of that property as described in Deed Book 305 page 143 of the County records; thence,

South $47^{\circ}55'15''$ West 40 feet, more or less, to the Point of Beginning.

EXHIBIT B

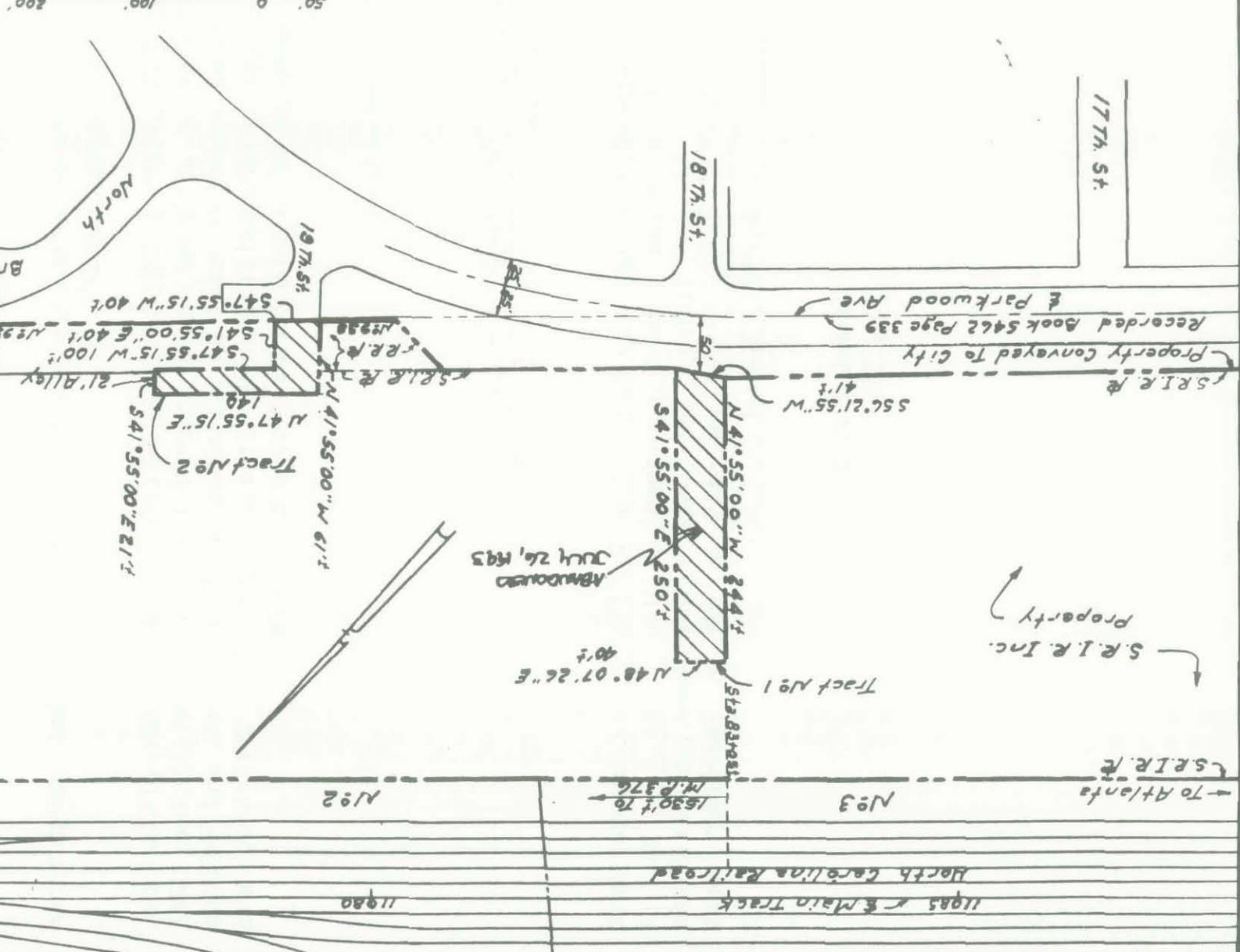
REV	BY	DATE	DESCRIPTION

LOCATION Charlotte, N.C.
 TITLE Property To Be Acquired From The City of Charlotte, N.C.
 DRAWING NUMBER 244-10
 DATE 2-9-93
 SHEET 2 OF 2
 FILE 376

NOVEMBER 8, 1993
 RESOLUTION BOOK 31, PAGE 3698
 PROPERTY TO BE ACQUIRED
 Tract No 1 - 0.23 A±
 Tract No 2 - 0.10 A±
 Total 0.33 A±
 S.R.I.R. Inc.
 Property

Mecklenburg Co. N.C.
 11980
 11975

S.R.I.R. Inc.
NS NORFOLK SOUTHERN
 SCALE: 1" = 100'
 DO NOT SCALE THIS DRAWING FOR DIMENSIONS NOT GIVEN



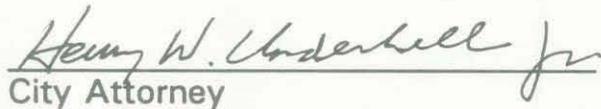
A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-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 25th day of October, 1993 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:


City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 8th day of November, 1993, the reference having been made in Minute Book 103 and recorded in full in Resolution Book 31, page(s) 370-372.

Brenda Freeze
City Clerk

**TAXPAYERS AND REFUNDS REQUESTED
LESS THAN \$100**

<u>Name</u>	<u>Amount of Refund</u>
City-County Tax Collector	\$ 71.40
Food Lion Store #296	13.53
Cato Corporation The	48.26
Keeter Joe Scott	17.12
Dno Yoshinobo	4.81
Prouty Ralph Preston	62.60
Total	<u>\$217.72</u>

**TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100**

<u>Name</u>	<u>Amount of Refund</u>
Food Lion Store #411	\$ 211.33
Cato Corporation The	444.99
General Electric Capital	189.06
Cato Corporation The	199.98
Hawthorne Charlotte M	116.16
First Citizens Bank	1,956.08
LPZ Ltd Ptnrshp % Stavins	2,944.13
Maurice William D	376.39
Total	<u>\$6,438.12</u>

EXTRACT FROM MINUTES OF
MEETING OF CITY COUNCIL OF THE
CITY OF CHARLOTTE, NORTH CAROLINA

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7 P.M. on November 8, 1993.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, Majeed, Martin, Mangum, Patterson, Reid, Scarborough and Wheeler

Absent: Councilmember McCrory

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and City Clerk, Brenda R. Freeze

* * * * *

Councilmember Patterson introduced the following resolution, a summary of which had been provided to each Councilmember, which was read by title:

RESOLUTION DESIGNATING THE FINANCE DIRECTOR,
DEPUTY FINANCE DIRECTOR OR THE CITY TREASURER TO
DECLARE OFFICIAL INTENT ON BEHALF OF THE CITY TO
REIMBURSE EXPENDITURES WITH PROCEEDS OF DEBT
PURSUANT TO UNITED STATES DEPARTMENT OF TREASURY
REGULATIONS

BE IT RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "City"):

Section 1. The City Council hereby finds, determines and declares as follows:

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribe certain specific procedures applicable to certain obligations issued by the City after June 30, 1993, including, without limitation, a requirement that the City timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the City.

(b) The Regulations expressly permit the statement of official intent to be declared either by the City as the issuer of the debt or by any person designated by the City to declare official intent on behalf of the City.

(c) The City Council believes it is in the best interest of the City to designate each of the Finance Director, Deputy Finance Director or the City Treasurer, respectively, to declare official intent on behalf of the City as authorized by the Regulations.

Section 2. Designation of Finance Director, Deputy Finance Director or City Treasurer to Declare Official Intent on Behalf of the City. As permitted by the Regulations, the Finance Director, Deputy Finance Director or the City Treasurer, respectively, now or hereafter serving in such capacity, is hereby designated by the City Council to declare official intent on behalf of the City to reimburse any and all expenditures with the proceeds of debt to be incurred by the City as the issuer of such debt.

Section 3. Effective Date. This resolution shall take effect upon its passage.

Upon motion of Councilmember Patterson, seconded by Councilmember Scarborough, the foregoing resolution entitled: "RESOLUTION DESIGNATING THE FINANCE DIRECTOR, DEPUTY FINANCE DIRECTOR OR THE CITY TREASURER TO DECLARE OFFICIAL INTENT ON BEHALF OF THE CITY TO REIMBURSE EXPENDITURES WITH PROCEEDS OF DEBT PURSUANT TO UNITED STATES DEPARTMENT OF TREASURY REGULATIONS" was passed by the following vote:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Noes: None

* * * * *

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of said City Council at a regular meeting held November 8, 1993, as relates in any way to the passage of a resolution declaring official intent to reimburse certain expenditures with proceeds of certain reimbursement obligations, that all required notices of such meeting were given and that a reference regarding said proceedings is recorded in Minute Book 103 of the minutes of said City Council on page(s) and a full copy of the foregoing resolution is recorded in Resolution Book 31 on page(s) 373-376.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (zoning), and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk pursuant to North Carolina General Statutes, Sec. 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the official seal of said City, this
15th day of November, 1993

Brenda R. Innes
City Clerk

(SEAL)

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 Gywnne/Lanier Storm Drain 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Bruce Harrison Justice; Charles W. Wall, Trustee; Collateral Mortgage, Ltd., Beneficiary; Any Other Parties in Interest

Property Description

459 square feet for permanent drainage easement; 458 square feet for 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. 161-031-13

Appraised Value

\$ 1.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

November 8, 1993
Resolution Book 31, Page 378

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, 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 8th day of November, 1993, and the reference having been made in Minute Book 103, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1993.

Brenda R. Freeze
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 Gywnne/Lanier Storm Drain 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

William H. Justice and wife, Frances W. Justice; Any Other Parties in Interest

Property Description

551 square feet for permanent drainage easement; 449 square feet for 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. 161-031-14

Appraised Value

\$ 1.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, 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 8th day of November, 1993, and the reference having been made in Minute Book 103, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1993.

Brenda R. Freeze
City Clerk