RESOLUTION CLOSING A PORTION OF N. BREVARD STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of N Brevard Street, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of N. Brevard Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S.160A-299; and

WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S.160A-299; and

WHEREAS, an easement shall be reserved in favor of Charlotte Water, AT&T, Piedmont Natural Gas, and Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water line, water mains, sewer lines, conduit, gas lines, gas mains, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, as easement shall be reserved in favor of the City of Charlotte over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, and/or replace the existing storm water culvert system; and

WHEREAS, the petitioner is subject to the obligations and conditions outlined in the approved Highland Park Mill rezoning petition (#2016-029); and

WHEREAS, the public hearing was held on the 11th day of December, 2017, and City Council determined that the closing of a portion of N. Brevard Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 11, 2017, that the Council hereby orders the closing of a portion of N. Brevard Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the document marked "Exhibit B", all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.
December 11, 2017
Resolution Book 48, Page 531

CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 530-533.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

Emily A. Kunze, Deputy City Clerk, NCCMC
LEGAL DESCRIPTION

Being that certain parcel of land lying and being situated in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

COMMENCING at an existing #5 rebar located at the northern right of way intersection of Parkwood Avenue & N. Brevard Street, said point having North Carolina Grid Coordinates (NAD83/2011) of N: 545,081.72' and E: 1,454,481.33'; thence with the westerly right of way of Parkwood Avenue along a curve to the left having a radius of 688.63', for an arc length of 158.58', said curve having a chord bearing and distance of S04°53'11"W 158.23' to a #4 rebar set on the southerly right of way line of N. Brevard Street; thence with the southerly right of way of N. Brevard Street the following three (3) calls: (1) N43°25'40"W 67.28' to an existing ¾" iron pipe at the northerly corner of White Point Paces Partners, LLC., as described in Book 30923, Page 713; (2) S47°05'47"W 271.72' to an existing ¾" iron pipe, (3) S47°05'47"W 8.93' to a #4 rebar set, said point being located N47°05'47"E 89.96' from an existing ¾" iron pipe at the westerly corner of Bruce Stewart, as described in Book 27903 Page 936; thence N42°54'13"W 46.92' to a #4 rebar set on the northerly right of way line of N. Brevard Street; said #4 rebar being located N49°30'21"E 179.72' from an existing #5 rebar at the easterly corner of White Point Paces Partners, LLC., Book 31372. Page 698; thence with the northerly right of way of N. Brevard Street the following two (2) calls: (1) N49°30'21"E 63.18' to an existing 1" bolt at the easterly corner of White Point Paces Partners, LLC., as described in Book 31318. Page 306; (2) N47°59'21"E 335.38' to the POINT OF BEGINNING, containing 18,039 square feet, 0.414 acres, more or less, all shown on a plat of survey captioned “Right of Way Abandonment Exhibit,” prepared by Rogers Land Surveying, P.C. and signed by Zachery R. Rogers, NCPLS No. L-5194, dated April 17th, 2017.

[Signature]
Zachery Rogers
NC Licensed Land Surveyor #L-5194

EXHIBIT B
RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

SUTTON FARMS AREA

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section I. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on January 8th 2018.

Section 2. The area proposed for annexation is described as follows:

LEGAL DESCRIPTION

All that certain parcel of land, situated, lying and being in the Paw Creek Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

BEGINNING at a Found Rebar (POINT OF BEGINNING), being on the Right of Way of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) being a common corner of property owned Now or Formerly by Elenora Abernethy (subject property) as recorded in DB: 1501 PG 185 & MB: 52 PG. 39 recorded in the Mecklenburg County Register of Deeds & Walter C. & Jacqueline M. Abernethy as recorded in DB: 2095 PG. 389 recorded in the Mecklenburg County Register of Deeds, thence with the common property line S 26-34-24 W 260.71' to the base of a Bent Pipe, thence N 61-27-36 W 150.00' to a Set Rebar, being a common corner of the subject property, Walter C. & Jacqueline M. Abernethy property, and property owned Now or Formerly by W. H. Keistler & Dorothy R. Keistler as recorded in DB: 4222 PG. 746 recorded in the Mecklenburg County Register of Deeds, thence with the common property line of the subject property and the Keistler property for two (2) calls (1) S 26-35-01 W 383.20' to a Found Iron Rod in pile of stones, (2) S 03-24-45 W 1728.01' to a Set Rebar being a common property corner of the subject property, the Keistler property and property owned Now or Formerly by Ronald A. Vargas as recorded in DB: 25068 PG. 829 recorded in the Mecklenburg County Register of Deeds and being the common property line of the subject property and the property line of the Oakdale Forest Subdivision as recorded in MB: 8 PG. 217 recorded in the Mecklenburg County Register of Deeds, thence S 87-58-08 E 818.30' to a Found Rebar being a common corner of the subject property, the Oakdale Forest Subdivision and property owned Now or Formerly by the Glenhaven Owners Association INC. as recorded in DB: 20839 PG. 324 & MB: 40 PG. 335 recorded in the Mecklenburg County of Register of Deeds, thence with the common property line of the subject property and the Glenhaven Subdivision as recorded in MB: 34 PG. 180, MB:
45 PG. 83, MB: 42 PG. 591, & MB: 40 PG. 335 all recorded in the Mecklenburg County Register of Deeds for five (5) calls, (1) N 85-16-19 E 24.99' to a Set Rebar, (2) N 81-00-22 E 734.87' to a Point, (3) N 81-32-28 E 83.34' to a Point, (4) N 81-12-36 E 315.65' to a Found Rebar, (5) N 81-12-40 E 597.30' to a Found iron Pipe being a common corner of the subject property, the Glenhaven Subdivision, and property owned Now or Formerly by John Loyd McCall & Sarah T. McCall as recorded in DB: 3145 PG. 82 recorded in the Mecklenburg County register of Deeds, thence departing the Glenhaven line and following the John Loyd McCall & Sarah T. McCall line N 02-04-09 E 20.58' to a Found Rebar in a 15' CMUD sanitary sewer Right of Way as recorded in DB: 5735 PG. 141 recorded in the Mecklenburg County Register of Deeds also being the common property line of the subject property and property owned Now or Formerly by Pleasant Grove Presbyterian Church as recorded in DB: 8080 PG. 422 & DB: 8744 PG. 515, thence with the common property line of the subject property and the Pleasant Grove Presbyterian Church property for eight (8) calls, (1) N 80-49-50 W 85.97' to a Found Rebar, (2) N 32-41-07 W 403.91 to a Set Rebar, (3) N 69-58-05 W 373.57' to a Set Rebar, (4) S 79-46-30 W 282.06 to a Found Rebar, (5) N 35-53-19 W 725.52' to a Found Rebar, (6) N 31-16-06 E 200.02' to a Found Rebar, (7) N 22-13-13 W 21.98' to a Found Rebar, (8) N 32-32-23 E 329.15' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) passing through a Found Rebar at Station 2+99.29 of this line, thence with the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) N 61-25-45 W 455.43' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) a common corner of the subject property and property owned Now or Formerly by Walter C. & Gwendolyn B. Abernethy as recorded in DB: 6720 PG. 798 recorded in the Mecklenburg County Register of Deeds, thence with the Walter C. & Gwendolyn B. Abernethy property line for three (3) calls, (1) S 28-34-15 W 322.67' to a Nail at the base of Found Bent Rebar passing through a Found Rebar at station 0+30.04 of this line, (2) N 61-25-45 W 135.00' to a Found Rebar, (3) N 28-34-15 E 322.67' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) passing through a Found Rebar at station 2+92.66' of this line, thence with the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) N 61-31-53 W 135.08' to a point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) being a common property corner of the subject property and property owned Now or Formerly by Derek A. Harkey as recorded in DB: 15867 PG. 378 recorded in the Mecklenburg County Register of Deeds, thence with the Derek A. Harkey property line for three (3) calls, (1) S 28-24-57 W 335.00' to a Found Rebar in a pile of stones passing through a Found Rebar at station 0+29.80 of this line, (2) N 61-57-49 W 130.88' to a Found Rebar, (3) N 28-24-57 E 335.00' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) passing through a Rebar Set at station 3+05.87 of this line, thence with the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) N 61-07-35 W 206.18' to a point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890), thence S 26-34-24 W 30.29' to a Found Rebar being the POINT AND PLACE OF BEGINNING.

Containing 71.853 Acres.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.
December 11, 2017
Resolution Book 48, Page 536

CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 534-536.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

[Signature]
Emily A. Kunze, Deputy City Clerk, NCCMC
RESOLUTION

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON DECEMBER 11, 2017

A motion was made by ______ Mitchell _______ and seconded by ______ Ajmera _______ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, the City of Charlotte owns five (5) transit buses, purchased with local, State, and Federal Transit Administration (FTA) funds; and

WHEREAS, the transit buses have reached the end of useful life as defined by the FTA; and

WHEREAS, the FTA allows a grantee to dispose of buses pursuant to locally authorized methods if the buses have reached the end of their useful life and have a fair market value (FMV) less than $5,000; and

WHEREAS, with prior FTA approval, a grantee may transfer personal property to another FTA grantee, and

WHEREAS, North Carolina General Statute §160A-280 authorizes a city to donate personal property that the governing board deems to be surplus, obsolete, or unused to another governmental unit (as defined in N.C.G.S. §160A-274(a)); and

WHEREAS, North Carolina General Statute §160A-274(a) defines a governmental unit as “a city, county, school administrative unit, sanitary district, fire district, the State, or any other public district, authority, department, agency, board, commission, or institution”; and

WHEREAS, the City Manager has recommended that the five buses be declared as surplus; and

WHEREAS, the City Manager recommends that the five buses be donated to the City of Oxford, Mississippi; and

WHEREAS, the City gave public notice of the proposed donation at least five (5) days prior to the adoption of this resolution.

NOW THEREFORE, be it resolved, by the Charlotte City Council that the five buses are declared surplus and that the City Manager or his designee is authorized to donate such buses to the City of Oxford, Mississippi.
December 11, 2017
Resolution Book 48, Page 538

CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 537-538.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

Emily A. Kunze, Deputy City Clerk, NCCMC
December 11, 2017
Resolution Book 48, Page 539

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE
LYNX RAIL CORRIDOR WITH 1515 Camden Road, LLC (OR ITS
SUCCESSORS AND ASSIGNS).

WHEREAS, the City of Charlotte (the “City”) purchased the 130 foot wide
Charter Right-of-Way, formerly owned by the Norfolk Southern Railroad; and

WHEREAS, in 2005, the City, through the action of its Council, adopted the
South End Transit Station Area Plan to guide the development along the buffer area of
the Right of Way; and

WHEREAS, the Staff is working with 1515 Camden Road, LLC (the “Property
Owner”) regarding property adjacent to the Right of Way having tax I. D. number
12304112; and

WHEREAS, the buffer area in the Right of Way in which the Property Owner is
interested lies outside of that portion of the Right of Way used for public transit; and

WHEREAS, in order to proceed with the development of the for mentioned
property, the City of Charlotte agrees to exchange property rights for a full and fair
compensation, as provided by the North Carolina General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of
Charlotte, in its regular session duly assembled, as follows:

A. The City shall receive from the Property Owner (or its successors and assigns),
the following, which is a full and fair compensation for the exchange of property
rights:

1. Deed to approx. 11,697 square feet of underlying fee simple interest
that will remain in use as part of the rail corridor.

2. Installation of new streetscape improvements.

3. Maintenance of the streetscape improvements.

B. The City shall release its charter (i.e. easement) rights to approx. 13,563 square
feet for use by the Property Owner (or its successors and assigns) and shall grant a
license agreement to the Property Owner (or its successors and assigns) in order to
construct and maintain the streetscape improvements.

FURTHER RESOLVED, that the City Council for the City of Charlotte
authorizes the City Manager (or his designee) to execute the necessary legal documents
to complete the exchange of the land rights between the City and the Developer, or its
successors and assigns,
December 11, 2017
Resolution Book 48, Page 540

ADOPTED this 11th day of December, 2017.

CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 539-540.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

Emily A. Kunze, Deputy City Clerk, NCCMC
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 8" SANITARY SEWER-SERVE 8215 HOOD ROAD 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 8" SANITARY SEWER-SERVE 8215 HOOD ROAD PROJECT and estimated to be 5,410 square feet (.124 acre) of sanitary sewer easement; 5,550 square feet (.127 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 No. 111-011-11, said property currently owned by AMERICAN TOWER ASSET SUB, LLC; TORONTO DOMINION (TEXAS), INC., Beneficiary; AMERICAN TOWER DEPOSITOR SUB, LLC; Beneficiary; CINGULAR WIRELESS, Successor to AT&T WIRELESS PCS, INC.; SPRINTCOM, INC.; DUKE ENERGY CORPORATION; VERIZON WIRELESS, 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, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 541.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

[Signature]

Emily A. Kunze, Deputy City Clerk, NCCMC
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 GUM BRANCH SANITARY SEWER 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 GUM BRANCH SANITARY SEWER PROJECT and estimated to be 2,300 square feet (.053 acre) of sanitary sewer easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-073-02, said property currently owned by FREDERICK E. BARWICK, III and wife, ALBERTA M. BARWICK, 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, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 542.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

[Signature]
Emily A. Kunze, Deputy City Clerk, NCCMC