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

WHEREAS, the Department has requested that the Municipality perform certain maintenance provisions along I-277 (John Belk Freeway and Brookshire Freeway) and out US 74 (the Independence Freeway) to the Independence flyover bridge, and I-77 from the railroad bridge south of Wilkinson Boulevard to the pedestrian bridge south of I-85; and,

WHEREAS, the Municipality has agreed to perform said work, which consists of landscape maintenance and litter control at an increased level of service, subject to reimbursement by the Department; and,

WHEREAS, the Department shall reimburse the Municipality for said work performed during a two year period beginning July 1, 1998, and extending through June 30, 2000, sharing the costs on a 50-50 basis up to a total reimbursement of $495,500 for the two year period.

NOW, THEREFORE, BE IT RESOLVED that the Maintenance Agreement (Project: 2.102132) is hereby formally approved by the City Council of the City of Charlotte and that the Director of the Charlotte Department of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

I, Nancy S. Gilbert, 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 14th day of December, 1998, and the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page 426.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

(SEAL)

Nancy S. Gilbert, CMC, Deputy City Clerk
City Clerk
RESOLUTION TO AUTHORIZE THE EXCHANGE AND ACQUISITION OF REAL PROPERTY BELONGING TO ANGELO AND TINA PAPPAS FOR OTHER REAL PROPERTY BELONGING TO THE CITY OF CHARLOTTE

WHEREAS, Angelo Pappas and wife, Tina Pappas, own a parcel of real property located on Yorkmont Road, north of its intersection with Beam Road, further described as Tract 1 of Map 28, Page 773, comprising 1.5 acres (hereinafter “Pappas Property”); and

WHEREAS, the City of Charlotte owns a parcel of real property located on Yorkmont Road adjacent to the Pappas Property, further described as Area 2, amounting to 8.22 acres on a survey prepared by R. B. Pharr and Associates dated December 24, 1997 (hereinafter “City Property”); and

WHEREAS, the City desires to exchange a portion of the City Property amounting to 376 square feet, or 0.009 acres, plus $1,830.00 for a portion of Pappas’ Property amounting to 629 square feet, or 0.014 acres ± as depicted on a survey prepared by R. B. Pharr and Associates, P.A. dated November 30, 1998, a copy of which is on file in the Office of the City Clerk; and

WHEREAS, notice of Council’s intent to authorize the exchange was published at least 10 days before the adoption of this resolution as required by N.C.G.S. 160A-271;

NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby authorizes the exchange of real property as heretofore described in compliance with N.C.G.S. 160A-271.

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 427.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Nancy S. Gilbert, CMC, Deputy City Clerk
A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the COLONY ROAD EXTENSION-PHASE II 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 COLONY ROAD EXTENSION-PHASE II PROJECT and estimated to be approximately 611 square feet (0.014 acre) for a 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. 211-366-23, said property currently owned by JEANNE C. STEINER and husband, ROBERT STEINER; or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 428-429.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Nancy S. Gilbert, CMC, Deputy City Clerk
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 HOSKINS ROAD WIDENING PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the HOSKINS ROAD WIDENING PROJECT and estimated to be approximately 205 square feet (3,509 acres) for fee-simple; 3,304 square feet for a 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. 039-036-13 said property currently owned by THELMA K. MULLIGAN and spouse, if any; FRANK M. KEISTLER and spouse, if any; MARJORIE K. MCCALL and spouse, if any; RALPH L. KEISTLER and spouse, if any; SARAH K. KEENER and spouse, if any; W. H. KEISTLER, JR. and wife, DOROTHY R. KEISTLER; BETTY JEAN K. WEAVER and spouse, if any; SHIRLEY K. SHAW and spouse, if any; ELIZABETH KEISTLER and spouse, if any; PAULINE W. KEISTLER and spouse, if any; Any Other Heirs at Law of Fannie Lee Keistler, or the owner’s successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book _113_, and recorded in full in Resolution Book _35_, Page(s) _430-431_.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Nancy S. Gilbert, CMC, Deputy City Clerk
A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the HOSKINS ROAD WIDENING PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the HOSKINS ROAD WIDENING PROJECT and estimated to be approximately 8,136 square feet (.1867 acre) for fee-simple 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. 039-015-05 said property currently owned by THELMA K. MULLIGAN and spouse, if any; FRANK M. KEISTLER and spouse, if any; MARJORIE K. MCCALL and spouse, if any; RALPH L. KEISTLER and spouse, if any; SARAH K. KEENER and spouse, if any; W. H. KEISTLER, JR. and wife, DOROTHY R. KEISTLER; BETTY JEAN K. WEAVER and spouse, if any; SHIRLEY K. SHAW and spouse, if any; ELIZABETH KEISTLER and spouse, if any; PAULINE W. KEISTLER and spouse, if any; Any Other Heirs at Law of Fannie Lee Keister, or the owner's 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.
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 432-433.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Nancy S. Gilbert, CMC, Deputy City Clerk
A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is
necessary to acquire certain property as indicated below for the HOSKINS ROAD WIDENING
PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the HOSKINS ROAD WIDENING PROJECT and estimated to be
approximately 10,010 square feet (.2298 acre) for fee-simple 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. 039-015-04 said property currently owned by THELMA
K. MULLIGAN and spouse, if any; FRANK M. KEISTLER and spouse, if any;
MARJORIE K. MCCALL and spouse, if any; RALPH L. KEISTLER and spouse, if any;
SARAH K. KEENER and spouse, if any; W. H. KEISTLER, JR. and wife, DOROTHY R.
KEISTLER; BETTY JEAN K. WEAVER and spouse, if any; SHIRLEY K. SHAW and
spouse, if any; ELIZABETH KEISTLER and spouse, if any; PAULINE W. KEISTLER
and spouse, if any; Any Other Heirs at Law of Fannie Lee Keistler, or the owner’s successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 434-435.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Nancy S. Gilbert, CMC, Deputy City Clerk
A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the NORTHWEST CIRCUMFERENTIAL GRADE SEPARATION-ATP 8 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 NORTHWEST CIRCUMFERENTIAL GRADE SEPARATION-ATP 8 PROJECT and estimated to be approximately 43,560 square feet (1.00 acre) for fee-simple; and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-011-03 said property currently owned by JAMES P. WILSON and wife, EMMA M. WILSON, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 436-437.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

[Signature]

Nancy S. Gilbert, CMC, Deputy City Clerk
A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is
necessary to acquire certain property as indicated below for the PECAN RIDGE SHOPPING
CENTER; 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 PECAN RIDGE SHOPPING CENTER PROJECT and estimated
to be approximately 39,483 square feet (.90 acre) for a permanent 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. 025-107-01 said property currently owned by SYLVIA ANN MULLIS
SMITH and spouse, if any; JUNE MARIE MULLIS GREENE and spouse, if any, or the
owner’s successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 438-439.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Nancy S. Gilbert, CMC, Deputy City Clerk
RESOLUTION CLOSING A PORTION OF PROVIDENCE ROAD BETWEEN BRIAR CREEK AND PINEWOOD CIRCLE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160AA-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 Providence Road between Briar Creek and Pinewood Circle 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 Providence Road between Briar Creek and Pinewood Circle 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 Providence Road, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Piedmont Natural Gas to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 14th day of December, 1998, and city council determined that the closing of the portion of Providence 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 it's property.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Charlotte, North Carolina at it's regularly assembled meeting of December 14, 1998, that the council hereby orders the closing of the portion of Providence Road between Briar Creek and Pinewood Circle in the City of Charlotte. Mecklenburg county, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Nancy S. Gilbert, 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 14th day of December, 1998, the reference having been made in Minute book 113, page 440, and recorded in full in resolution book 35, page 440.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box
Legal Description
A Portion of Providence Road to be Removed from Dedication

BEGINNING at a point in the common westerly line of Providence Road and the easterly line of Lot 1, as shown on "Map 2, Boundary Survey of Lot 9 Mayfair Homes Co. & Lot 13 Pharr Acres" as recorded in Map Book 22, Page 284 of the Mecklenburg County Public Registry, said point being located along said right-of-way of Providence Road from a point where the existing right-of-way margin of Providence Road (80 foot public right-of-way width) and the centerline of Briar Creek intersect at the northwest corner of that certain piece or parcel labeled as "20' Additional R/W Dedicated to the City of Charlotte" as shown on said "Map 2", S. 17°44'00" E. 44.32 feet to the BEGINNING, and runs thence with the new proposed western right-of-way margin of Providence Road in three (3) courses and distances as follows: 1) S. 36°21'30" E. 31.31 feet to a point; 2) S. 17°44'00" E. 283.42 feet to a point; 3) thence continuing in a southwesterly direction with said proposed new right-of-way with the arc of a circular curve to the right having a radius of 30.00 feet, an arc distance of 34.92 feet (chord: S. 15°37'02" W. 32.99 feet) to a point in the northerly margin of the right-of-way of Pinewood Circle, if extended; thence with the northerly margin of the right-of-way of Pinewood Circle, if extended in a southwesterly direction with the arc of a circular curve to the right having a radius of 1,213.57 feet, an arc distance of 11.15 feet (chord: S. 49°13'51" W. 11.14 feet) to a point marking the existing intersection of the northerly margin of Pinewood Circle and the westerly margin of Providence Road; thence with the existing westerly margin of Providence Road in two (2) courses and distances as follows: 1) with the arc of a circular curve to the left having a radius of 30.00 feet, an arc distance of 35.20 feet (chord: N. 15°52'49" E. 33.22 feet) to a point; 2) N. 17°44'00" W. 317.34 feet to the point and place of BEGINNING; containing 0.0735 acres of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated July 18, 1998, last revised October 21, 1998.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box
Note: Easement in favor of Piedmont Natural Gas upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cable wires and related equipment.

This is not a certified survey and no warranty may be placed in its accuracy.

CURVE TABLE

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TOTAL AREA OF R/W TO BE REMOVED FROM DEDICATION: 3,202 SQUARE FEET 0.0735 Acre

PINEWOOD CIRCLE

CHARLOTTE N.C.
CHARLES MYERS

FLOOD CERTIFICATION

This is to certify that the subject property is (P0010), 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.

PART OF TAX NUMBER: 181-053-41, 47, 49

45968
RESOLUTION CLOSING BUTTERFIELD STREET LOCATED BETWEEN CRAIGHEAD ROAD AND PHILEMON AVENUE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close Butterfield Street between Craighead Road and Philemon Avenue which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Butterfield Street between Craighead Road and Philemon Avenue to be sent by registered or certified mail to all owners of property adjoining the said street, and prominently posted a notice of the closing and public hearing in at least two places along Butterfield Street, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 14th day of December, 1998, and City Council determined that the closing of Butterfield 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, at its regularly assembled meeting of December 14, 1998, that the Council hereby orders the closing of Butterfield Street between Craighead Road and Philemon Avenue in the City of Charlotte, Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Nancy S. Gilbert, 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 14th day of December, 1998, the reference having been made in Minute Book 113, page , and recorded in full in Resolution Book 35, page 441-441.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

[Signature]

Deputy

City of Charlotte

Return to: City of Charlotte - Box
"Exhibit B"

Beginning at a point 10.00' off of the Southwest right-of-way of Craighead Road, thence with the Southeast margin of Butterfield Street having a 40' right-of-way in three courses as follows:

(1) S56-08-04W 61.78', (2) S33-26-20W 666.04' to a point, (3) thence with a circular curve to the left having a radius of 42.68 and a length of 110.42' to the Northerly line of Philemon Ave., thence with the Northwest line of Philemon Ave. S65-12-18W 224.27' to the intersection of Philemon Ave. and Butterfield St., thence with the Southwest line of Butterfield St. N33-26-20E 889.36' thence NS6-08-04E 67.46', thence South S33-51-56E 40.00' to the point and place of beginning, containing 0.918 acres. Recorded in M.B. 4, page 173 of the B.C. Davidson property.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box
This is to certify that the above referenced property is not a certified survey and no reliance may be placed in its accuracy.

EXHIBIT A

Richard B. Moss, Review Officer of Mecklenburg County, certifies that the map of plat to which this submission is affixed meets all statutory requirements for recording.

Review Officer
Date

Boundary Survey
A Portion of the B.C. Davidson prop.
Charlotte, N.C., Mecklenburg Co.

Scale: 1" = 100'

The Property of Hal T. Abernethy

Map Recorded in Book 4 at Page 173, Deed Recorded in Book 4418
WHEREAS, pursuant to the provisions of Chapter 160AA-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 Kemp Street between Owen Boulevard and Neal Drive which calls for a public hearing on the question and:

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

WHEREAS, the petitioner will provide an access easement to BellSouth Telecommunications, Inc., and Duke Power Company to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 14th day of December, 1998, and city council determined that the closing of the portion of Kemp Street between Owen Boulevard and Neal Drive is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Charlotte, North Carolina at its regularly assembled meeting of December 14, 1998, that the council hereby orders the closing of the portion of Kemp Street between Owen Boulevard and Neal Drive in the City of Charlotte. Mecklenburg county, North Carolina as shown in a map marked “Exhibit A” and is more particularly described by metes and bounds in a document marked “Exhibit B”, both of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the city of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the city council of the city of Charlotte, North Carolina, in regular session convened on the 14th day of December, 1998, the reference having been made in Minute book 113, page 142, and recorded in full in resolution book 35, page 442 - 442.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 1998.

Diane F. Crisp
City Clerk
Surveyed By: Ben M. Flowe & Son
11316 Brief Road
Charlotte, N.C.
28227
(704) 545-3060

THIS MAP IS NOT SUBJECT TO THE PROVISIONS OF THE FLOOD INSURANCE RATE MAP (FIRM) OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND DOES NOT CONVEY THE FULL RISK OF FLOOD INSURANCE.

PROPERTY SURVEYED:
Lot 41
Lots 41 - 47

0.603 Acres

Neal Drive

Owen Blvd.

60' Public R/W

Tax Parcel: 049-106-04 & 049-103-01
E.C. = 1': 10,000' +

Note: Duke Power Easement added October 20, 1998

Map Book: 6 / 89

Property Survey
For
Proposed Closing of a Portion of Kemp Street
Charcon Heights
Charlotte, N.C.

Location Map (Not To Scale)

Scale: 1" = 100'

Drawing No. 97127

Revised: June 15, 1998
LEGAL DESCRIPTION
TRACT A

BEGINNING at an existing iron pin located at the northeasterly corner of Lot 1 in Block J of Section Two of Charcon Heights as shown in Map Book 6 at Page 89 in the Mecklenburg County Public Registry; thence along the westerly margin of Kemp Street S. 30-45-01 E. 149.29 feet to an iron pin; thence, with a new line N. 59-36-46 E. 30 feet to a point in the middle of Kemp Street; thence, along the middle of Kemp Street N. 30-45-01 W. 149.29 feet to an iron pin in the middle of Kemp Street at the intersection of Owen Boulevard; thence, a new line S. 59-14-59 W. 30 feet to the point and place of BEGINNING, all as shown on the survey of Gregory S. Flowe, N.C.R.L.S., dated June 15, 1998, reference to which is hereby made for a more particular description.

LEGAL DESCRIPTION
TRACT B

BEGINNING at an iron pin located at the northwesterly corner of Lot 47 of Block M of Charcon Heights as shown in Map Book 6 at Page 275, thence along the easterly margin of Kemp Street, S. 30-45-01 E. 149.29 feet to a point; thence with a new line, S. 59-36-45 W. 30 feet to a point in the middle of Kemp Street; thence along the middle of Kemp Street, N. 30-45-01 W. 149.29 feet to a point in the middle of Kemp Street at the intersection of Owen Boulevard; thence with a new line, N. 59-14-59 W. 30 feet to the point and place of BEGINNING, all as shown on survey of Gregory S. Flowe, N.C.R.L.S., dated June 15, 1998, reference to which is hereby made for a more particular description.

LEGAL DESCRIPTION
TRACT C

BEGINNING at an iron pin located at the southwesterly corner of Lot 1 of Block M of Charcon Heights, as shown in Map Book 6 at Page 275 in the Mecklenburg County Public Registry; thence a new line, S. 59-36-45 W. 30 feet to an iron pin in the middle of Kemp Street at the intersection of Neal Drive, thence with the middle of Kemp Street, N. 30-45-01 W. 150 feet to a point in the middle of Kemp Street; thence with a new line, N. 59-36-46 E. 30 feet to a point on the easterly margin of Kemp Street; thence, S. 30-45-01 E. 150 feet to the point and place of BEGINNING, all as shown on survey of Gregory S. Flowe, N.C.R.L.S., dated June 15, 1998, reference to which is hereby made for a more particular description.

LEGAL DESCRIPTION
TRACT D

BEGINNING at an iron pin located at the southeasterly corner of Lot 72 in Block J, all as shown in Map Book 6 at Page 89 in the Mecklenburg County Public Registry; thence, N. 59-36-45 E. 30 feet to an iron pin in the middle of Kemp Street at the intersection of Neal Drive; thence along the middle of Kemp Street, N. 30-45-01 W. 150 to a point in the middle of Kemp Street at the intersection of Kemp Street; thence with the westerly margin of Kemp Street; thence with the westerly margin of Kemp Street, S. 30-45-01 E. 150 feet to the point and place of BEGINNING, all as shown on survey of Gregory S. Flowe, N.C.R.L.S., dated June 15, 1998, reference to which is hereby made for a more particular description.