

RESOLUTION CLOSING A PORTION OF HIGHVIEW ROAD
LOCATED OFF THE 3200, 3300 BLOCK OF
LANDERWOOD DRIVE 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 Highview 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 a portion of Highview Road to be sent by registered or certified mail to all owners of property adjoining the said portion of Highview Road and prominently posted a notice of the closing and public hearing along Highview Road, all as required by G.S. 160-299; and

WHEREAS, the public hearing was held on the 30th day of December, 1985, and City Council determined that the closing of a portion of Highview 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 their property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 30, 1985, that the Council hereby orders the closing of a portion of Highview Road in the City of Charlotte, Mecklenburg County, North Carolina as described below:

BEGINNING at a point of intersection of the easterly right of way margin of Landerwood Drive with the northerly right of way margin of Highview Road, said point being the southwesterly corner of Lot 87, of Mountainbrook #2 as shown on Map Book 8, Page 423 in the Office of the Register of Deeds for Mecklenburg County, and running thence with the northerly right of way margin of Highview Road N. $61^{\circ}-49'-30''$ E., 140.72 feet to a point; thence S. $1^{\circ}-13-40''$ E., 16.83 feet; thence S. $80^{\circ}-02-25''$ E. 56.68 to a point; said point being the northwesterly corner of Lot 86, of Mountainbrook #2 as shown on Map Book 8, Page 423 and running thence with the southerly right of way margin of Highview Road S. $61^{\circ}-49'-30''$ W., 180.13 feet to a point, said point being the intersection of the southerly right of way margin of Highview Road with the easterly right of way margin of Landerwood Drive; thence with the arc of a circular curve to the right having a radius of 209.29 feet, an arc distance of 50.13 feet to the point or place of beginning.

BE IT FURTHER RESOLVED that restrictions imposed upon property along the portion of Highview Road in question referred to as 5-foot easement be removed.

2

December 30, 1985
Resolution Book 22 - Page 2

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.

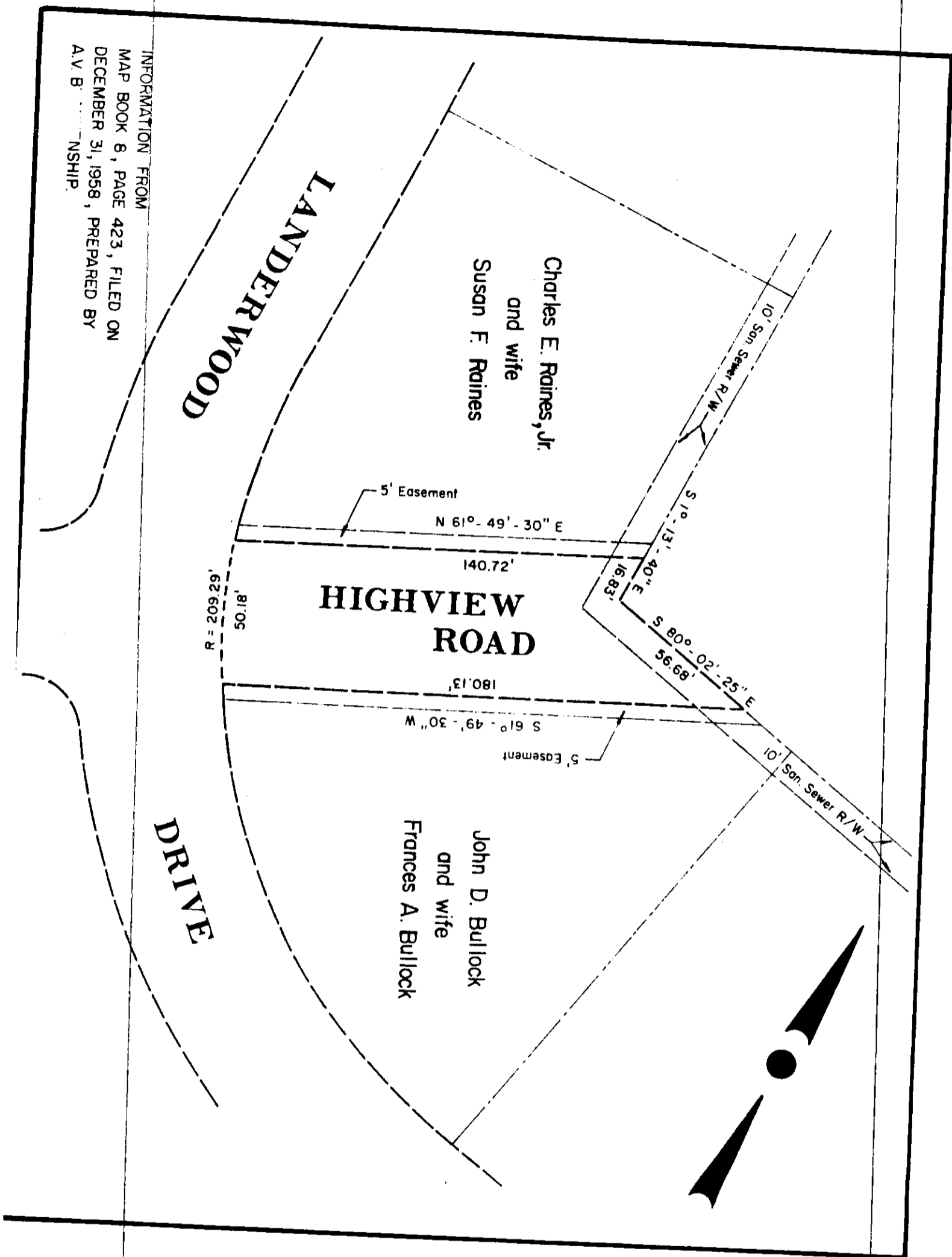
CERTIFICATION

I, Pat Sharkey, 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 30th day of December, 1985, the reference having been made in Minute Book 85, Page , and recorded in full in Resolution Book 22, Page 1-3.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of January, 1986.

Pat Sharkey, City Clerk

December 30, 1985
Resolution Book 22 - Page 3



INFORMATION FROM
MAP BOOK 8, PAGE 423, FILED ON
DECEMBER 31, 1958, PREPARED BY
A.V.B. ...NSHIP.

December 30, 1985
Resolution Book 22 - Page 4

RESOLUTION CLOSING TWO ALLEYWAYS IN THE BLOCK BOUNDED
BY WEST EIGHTH STREET, NORTH CHURCH STREET,
WEST SEVENTH STREET AND NORTH TRYON 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 two alleyways in the block bounded by West Eighth Street, North Church Street, West Seventh Street and North Tryon 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 said alleys be sent by registered or certified mail to all owners of property adjoining the said alleyways and prominently posted a notice of the closing and public hearing in at least two places along each of said alleys, all as required by G.S. 160-299; and

WHEREAS, the public hearing was held on the 30th day of December, 1985, and City Council determined that the closing of said alleyways is not contrary to the public interest, and that no individual, firm or corporation owning property adjacent to the alleyways 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 30, 1985, that the Council hereby orders the closing the two alleyways in the block bounded by West Eighth Street, North Church Street, West Seventh Street and North Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina as described on Exhibit B attached hereto and incorporated by reference herein.

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

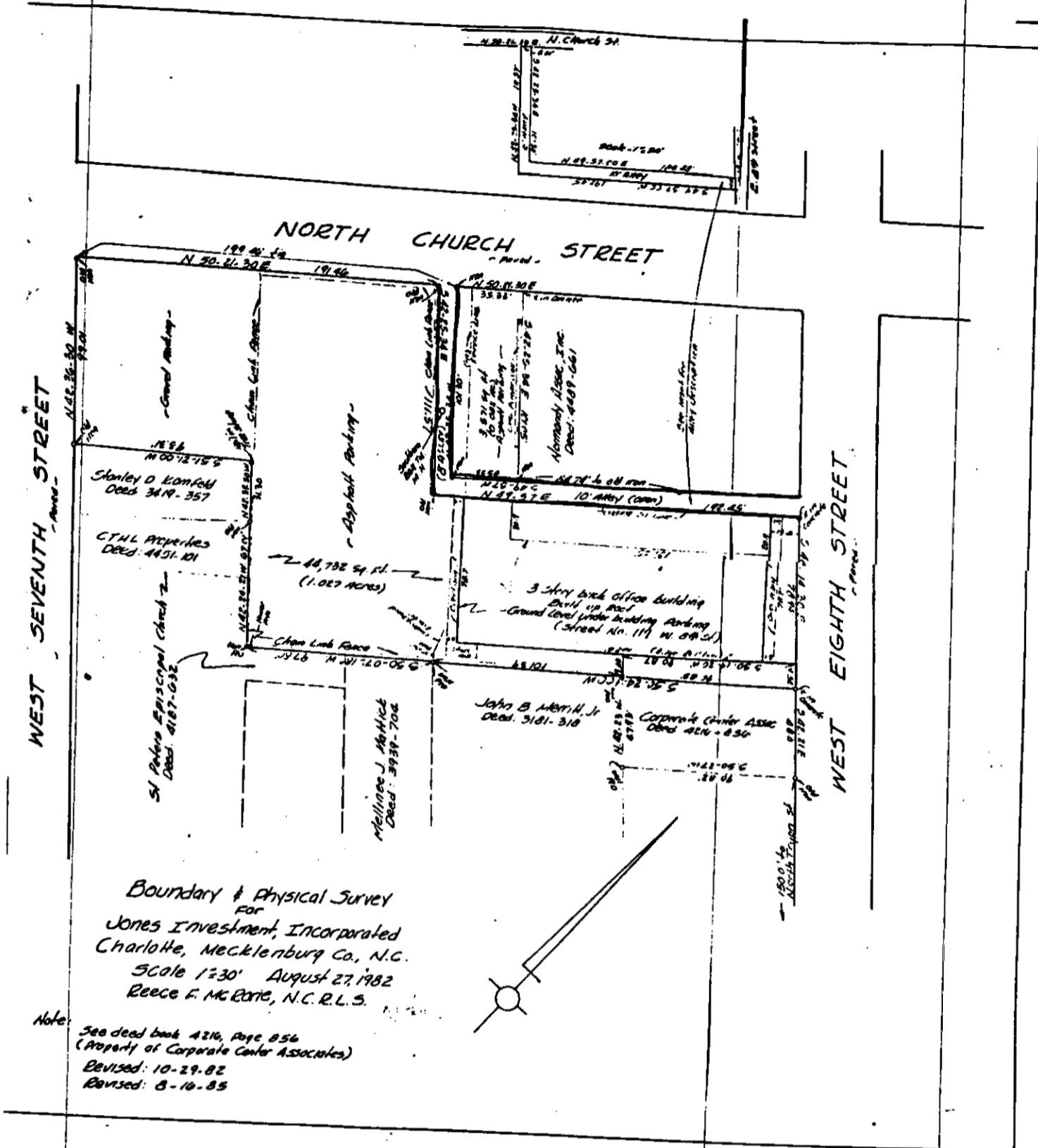
I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85, page , and recorded in full in Resolution Book 22, page 4-6.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of January, 1986.

Pat Sharkey, City Clerk

December 30, 1985
Resolution Book 22 - Page 5

Exhibit A



Boundary & Physical Survey
 FOR
 Jones Investment, Incorporated
 Charlotte, Mecklenburg Co., N.C.
 Scale 1"=30' August 27, 1982
 Reece F. McEneaney, N.C. R.L.S.

Note:
 See deed book 4216, Page 854
 (Property of Corporate Center Associates)
 Revised: 10-29-82
 Revised: 8-10-85

December 30, 1985
Resolution Book 22 - Page 6

EXHIBIT B

1. Lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina, and being a strip of land approximately ten feet in width more particularly described as follows: BEGINNING at a concrete monument located in the southwesterly margin of West Eighth Street 286.46 feet in a northwesterly direction along the southwesterly margin of West Eighth Street from the intersection of the southwesterly margin of West Eighth Street and the northwesterly margin of North Tryon Street, and running thence S49-57-00 W 192.45 feet to an old iron; thence N42-25-34 W 10.00 feet, more or less, to a point; thence N49-57-00 E 8.00 feet, more or less, to an iron; thence N49-57-00 E 35.33 feet to an iron; thence N49-57-00 E 84.74 feet to an old iron; thence N49-57-00 E 64.41 feet to a point in the southwesterly margin of West Eighth Street; thence S42-14-30 E 10.00 feet to the point or place of BEGINNING, as shown on the Boundary & Physical Survey for Jones Investment Incorporated, drawn by Reece F. McRorie, N.C.R.L.S., dated August 27, 1982, revised October 29, 1982 and last revised August 16, 1985.
2. Lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina, and being a strip of land approximately eight feet in width more particularly described as follows: BEGINNING at an old iron located in the southeasterly margin of North Church Street N50-21-30 E 191.46 feet from the intersection of the northeasterly margin of West Seventh Street and the southeasterly margin of North Church Street, and running thence N50-21-30 E 8.00 feet, more or less, to an iron in the southeasterly margin of North Church Street; thence S42-25-34 E 101.30 feet to an iron; thence S42-25-34 E 10.00 feet, more or less, to a point; thence S49-57-00 W 8.00 feet, more or less, to an old iron; thence N42-25-34 W 111.57 feet to the point or place of BEGINNING, as shown on the Boundary & Physical Survey for Jones Investment, Incorporated, drawn by Reece F. McRorie, N.C.R.L.S., dated August 27, 1982, revised October 29, 1982, and last revised August 16, 1985.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE CONVEYANCE TO THE HISTORIC PROPERTIES COMMISSION OF TWO STRUCTURES LOCATED AT 153 AND 155 WEST BLAND STREET IN THE WEST MOREHEAD NEIGHBORHOOD STRATEGY AREA, FOR RELOCATION TO CITY-OWNED PROPERTY LOCATED AT 403 N. MYERS STREET IN THE FIRST WARD NEIGHBORHOOD STRATEGY AREA

WHEREAS, the City owns two houses located at 153 and 155 West Bland Street, and has designated them as historic properties; and

WHEREAS, the Historic Properties Commission has requested that the City convey the structures to it in exchange for its paying to have the structures severed from the real estate and relocated to City-owned property located at 403 N. Myers Street; and

WHEREAS, the Historic Properties Commission intends to then convey the structures to the Afro-American Cultural Center so that the houses might be preserved and used for display to the public, as examples of an architectural style at one time prevalent in the community;

NOW, THEREFORE, BE IT RESOLVED that the City Council of The City of Charlotte does hereby:

1. Make the following findings:
 - a. The Historic Properties Commission is a public body to whom the City may convey property pursuant to N.C.G.S. 160A-514(e)(3);
 - b. The proposed use is in accordance with the Redevelopment Plan;
 - c. The proposed use will assure that the property will be preserved for the citizens of this community to enjoy and study.
2. Approve the request of the Historic Properties Commission.
3. Authorize and approve execution by the City of a Contract to convey the houses to the Historic Properties Commission in accordance with the terms of this Resolution.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 30th day of December, 19 85, and the reference having been made in Minute Book 85, Page , and recorded in full in Resolutions Book 22, Page 7.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 3rd day of January, 19 86.

City Clerk

December 30, 1985
Resolution Book 22 - Page 8

-10-

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

A motion was made by Councilmember Vinroot and seconded by
Councilmember Dannelly for the adoption of the following Resolu-
tion, and upon being put to a vote was duly adopted:

WHEREAS, the City of Charlotte proposes to make certain street and highway improvements consisting of the improvement and construction of Tyvola Road Extension from I-77 to the Billy Graham Parkway at Wilmount Road; and,

WHEREAS, the North Carolina Department of Transportation and the City of Charlotte propose to enter into an Agreement for construction of the aforementioned highway improvement project whereby the City of Charlotte agrees to design the project, prepare plans, acquire the right of way, adjust utilities, award the construction contract, and supervise project construction; and,

WHEREAS, said Agreement will provide for the City of Charlotte to be responsible for the costs of design and preparation of plans for the entire project, for the costs of engineering and supervision of construction for the entire project, and for legal and administrative costs incurred in the acquisition of right of way and easements for the project; and,

WHEREAS, said Agreement will further provide that the Department of Transportation shall not participate in the cost of the project.

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

NOW, THEREFORE, BE IT RESOLVED that the project designated as Tyvola Road Extension, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of the City of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, PAT SHARKEY, Clerk of the Municipality of the City of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 30th day of December, 1985.

WITNESS, my hand and the official seal of said Municipality on this the 2nd day of January, 1986.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

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 Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 30th day of December, 19 85, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

H. Michael J.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 19 85, the reference having been made in Minute Book 85 and recorded in full in Resolution Book 22, page(s) 9-10.

Pat Sharkey
City Clerk

December 30, 1985
Resolution Book 22 - Page 10

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
D.L. Phillip Investment Builders, Inc.	\$ 237.11	Clerical Error
D.L. Phillip Investment Builders, Inc.	\$ 260.38	Clerical Error
Piedmont Natural Gas Co., dba P.N.G. Propane Co.	\$ 8,810.01	Illegal Levy
Bridgford, Edwin F.	\$ 47.01	Clerical Error
Maxwell, John Richard	\$ 8.27	Clerical Error
Meacham, Cular B.	\$ 5.81	Clerical Error
Tingas, Kiki Connie	\$ 47.59	Illegal Levy
D.L. Phillip Investment Builders, Inc.	\$ 264.51	Clerical Error
Brainard Strapping Div. (Sharon Steel Corp.)	\$ 6,618.39	Illegal Levy
Piedmont Natural Gas Co., dba P.N.G. Propane Co.	\$ 8,244.92	Illegal Levy
Arvey, Josette G.	\$ 74.12	Clerical Error
D. L. Peterson Trust	\$ 48.71	Illegal Levy
Bowen, Linda McDougal	\$ 58.30	Illegal Levy
Higgins, Walter Jr.	\$ 49.72	Illegal Levy
Stafford, Sarah Knox	\$ 1.80	Clerical Error
C B C of Charlotte, Inc.	\$ 66.61	Clerical Error
Shippers Freight Lines, Inc.	\$ 251.79	Clerical Error
Cole, Lynwood Steven & wf. Jennifer Lynn	\$ 18.30	Clerical Error
Lenon, James E. & wf. Gladys R.	\$ 46.90	Clerical Error
Stikeleather, Charles E.	\$ 5.18	Clerical Error
White, Myrl Ray (Mrs.)	\$ 37.19	Illegal Levy
	<u>\$ 25,202.62</u>	
TOTAL		

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 Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 30th day of December, 19 85, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

76
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85 and recorded in full in Resolution Book 22, page(s) 11.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Barrier, Jeanette Mann	\$ 7.56	Illegal Levy
Helms, Leland & wf. Joyce H.	\$ 56.76	Illegal Levy
NCR Corporation Finance Division, c/o Corporate Taxes	\$ 102.62	Illegal Levy
Beutel, Katherine Jackson	\$ 39.42	Illegal Levy
Helms, Leland & wf. Joyce H.	\$ 135.46	Illegal Levy
Smith, Aleigh Hattie	\$ 63.46	Illegal Levy
Bridges, Jimmy R. & wf.	\$ 109.06	Clerical Error
NCR Corporation, Finance Division, c/o Corporate Taxes	\$ 24.53	Illegal Levy
Barnes, John Hyce	\$ 39.98	Clerical Error
Hammond, James P. Jr. & wf. Ann A.	\$ 32.00	Clerical Error
Holmes, Thomas E.	\$ 6.59	Clerical Error
Leggette, James William	\$ 110.91	Illegal Levy
Moorefield, Deborah Ann	\$ 7.23	Clerical Error
Eagals Equipment Co.	\$ 56.71	Illegal Levy
Armstrong, Kermit Adolph	\$ 42.12	Illegal Levy
TOTAL	<u>\$ 834.41</u>	

December 30, 1985
Resolution Book 22 - Page 12

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 purpose of street widening improvements and a temporary construction easement in the project known as "Proposed Right-of-Way Sharon Amity Road Widening"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Ben J. Massell, Jr.	3120 North Sharon Amity Rd.	\$ 1,000.00
A. J. Block, Jr., as Trustee for Shenandoah Life Insurance Company	(Same as above)	(Included in above)
Shenandoah Life Insurance Company	(Same as above)	(Included in above)
Color Tile Supermart, Inc., Lessee	(Same as above)	(Included in above)
Any Other Parties of Record		

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:

H. M. M. J.
Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, and the reference having been made in Minute Book 85, Page , and recorded in full in Resolutions Book 22, Page 12.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 2nd day of January, 1986.

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 purpose of street widening improvements and a temporary construction easement in the project known as "Sharon-Amity/Central Avenue Intersection Improvements"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Sam Koskinas and wife, Iro Koskinas	3709 Sharon-Amity Road	\$ 19,200.00
North Tryon Dry Cleaners, Inc., Lessee	3709 Sharon-Amity Road	(Included in above)
American Auto Parts of Charlotte, Inc., Lessee	3709 Sharon-Amity Road	(Included in above)

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:
Laura A. Kratt
Asst. City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 30th day of December, 1985, and the reference having been made in Minute Book 85, Page , and recorded in full in Resolutions Book 22, Page 13.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 2nd day of January, 1986.

City Clerk